

INTERNATIONAL COURT OF JUSTICE

---

CASE CONCERNING ARMED  
ACTIVITIES  
ON THE TERRITORY  
OF CONGO

**DEMOCRATIC REPUBLIC OF CONGO  
V.  
UGANDA**

**COUNTER-MEMORIAL  
SUBMITTED BY  
THE REPUBLIC OF UGANDA**

VOLUME III  
ANNEXES

21 APRIL 2001

**VOLUME III**  
**ANNEXES**



## **INDEX OF ANNEXES IN CHRONOLOGICAL ORDER**

### **VOLUME III**

- |                            |   |
|----------------------------|---|
| 15 July 1999<br>Annex 46:  | Report of the Secretary-General on the United Nations Preliminary Deployment in the Democratic Republic of the Congo, S/1999/790, 15 July 1999                                      |
| 6 Aug. 1999<br>Annex 47:   | United Nations Security Council Resolution 1258, S/RES/1258 (1999), 6 August 1999   |
| 8 Sept. 1999<br>Annex 48:  | Uganda's Response to Accusations Made by DRC to the United Nations Security Council Against Uganda, 8 September 1999  |
| 17 Sept. 1999<br>Annex 49: | United Nations Security Council Resolution 1265, S/RES/1265 (1999), 17 September 1999   |
| 5 Nov. 1999<br>Annex 50:   | United Nations Security Council Resolution 1273, S/RES/1273 (1999), 5 November 1999   |
| 15 Nov. 1999<br>Annex 51:  | Statement of Robert Chandia dated, 15 November 1999 (obtained from Chieftaincy of Military Intelligence)  |
| 30 Nov. 1999<br>Annex 52:  | United Nations Security Council Resolution 1279, S/RES/1279 (1999), 30 November 1999  |
| 9 Dec. 1999<br>Annex 53:   | Uganda Ministry of Defence Statement on the Attack on Katojo Government Prison - Fort Portal on the Morning of 9 December 1999 (obtained from Chieftaincy of Military Intelligence) |

Jan. 2000 Annex 54:	Report on Rural Terrorism Activities of Congo Based ADF Rebels, January 2000 (obtained from Chieftaincy of Military Intelligence)
11 Jan. 2000 Annex 55:	A List of Prisoners who were abducted by ADF from Katojo and were undergoing Military Training in Bundibugyo as on 11 January 2000 (obtained from Chieftaincy of Military Intelligence)
17 Jan. 2000 Annex 56:	Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2000/30, 17 January 2000
26 Jan. 2000 Annex 57:	Statement by the President of the United Nations Security Council, S/PRST/2000/2, 26 January 2000
24 Feb. 2000 Annex 58:	United Nations Security Council Resolution 1291, S/RES/1291 (2000), 24 February 2000
8 Apr. 2000 Annex 59:	Plan for the Disengagement and Redeployment of Forces in Democratic Republic of Congo (DRC) in Accordance with the Lusaka Agreement ("Kampala Disengagement Plan"), 8 April 2000
17 Apr. 2000 Annex 60:	Revelations of Munyangondo Alias Benz Who Reported to UPDF from ADF on 17 April 2000 (obtained from Chieftaincy of Military Intelligence)
19 Apr. 2000 Annex 61:	United Nations Security Council Resolution 1296, S/RES/1296 (2000), 19 April 2000
May 2000 Annex 62:	Statement of Bwambale Ali, captured by UPDF on May 2000 (obtained from Chieftaincy of Military Intelligence)

7 May 2000 Annex 63:	Statement of Vihamba Kule, captured by UPDF on 17 May 2000 (obtained from Chieftaincy of Military Intelligence)
17 May 2000 Annex 64:	ADF - Kabila Links - Revelations by Commander Junju Juma Former Commanding Officer ADF Presidential Protection Unit, 17 May 2000 (obtained from Chieftaincy of Military Intelligence)
25 May 2000 Annex 65:	Report of Interrogation of Lyavaala Mpala Ali, ADF Operative dated, 25 May 2000 (obtained from Chieftaincy of Military Intelligence)
28 May 2000 Annex 66:	"Uganda's Role in the Democratic Republic of Congo," H.E. Yoweri Museveni's Address to Parliament, 28 May 2000
June 2000 Annex 67:	U.S. Committee for Refugees, World Refugee Survey 2000, June 2000
8-9 June 2000 Annex 68:	Mechanisms for Disarming, Tracking and Quartering of Armed Groups as well as Procedures for Handing Over Mass Killers, Perpetrators of Crimes Against Humanity and Other War Criminals and Elaboration of Procedures of Disarmament of All Congolese Civilians Who Are Illegally Armed, 8-9 June 2000
15 June 2000 Annex 69:	United Nations Security Council, 4156 <sup>th</sup> meeting, S/PV.4156, 15 June 2000
16 June 2000 Annex 70:	United Nations Security Council Resolution 1304, S/RES/1304 (2000), 16 June 2000
July 2000 Annex 71:	Statement of Lyavala Ali, surrendered to UPDF on July 2000 (obtained from Chieftaincy of Military Intelligence)

- 23 Aug. 2000  
Annex 72: United Nations Security Council Resolution 1316, S/RES/1316 (2000), 23 August 2000
- 20 Sept. 2000  
Annex 73: Report on the Situation of Human Rights in the Democratic Republic of the Congo, prepared by Special Rapporteur, Mr. Robert Garretón, pursuant to General Assembly Resolution 54/179 and Commission on Human Rights decision 2000/15, 20 September 2000
- 21 Sept. 2000  
Annex 74: Fourth Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2000/888, 21 September 2000
- 25 Sept. 2000  
Annex 75: Philip Gourevitch, "Forsaken," *The New Yorker*, 25 September 2000
- Oct. 2000  
Annex 76: ADF-Kabila Links-Revelations by Commander Issa Twatera Embundu, Former Commanding Officer of ADF, defected to UPDF on October 2000 (obtained from Chieftaincy of Military Intelligence)
- 13 Oct. 2000  
Annex 77: United Nations Security Council Resolution 1323, S/RES/1323 (2000), 13 October 2000
- Dec. 2000  
Annex 78: Human Rights Watch World Report 2000, *Sudan: Human Rights Developments*, December 2000
- 6 Dec. 2000  
Annex 79: The Sub Plans for Disengagement and Redeployment ("Harare Disengagement Plan"), 6 December 2000
- 6 Dec. 2000  
Annex 80: Fifth Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2000/1156, 6 December 2000

14 Dec. 2000 Annex 81:	United Nations Security Council Resolution 1332, S/RES/1332 (2000), 14 December 2000
24 Jan. 2001 Annex 82:	Letter dated 24 January 2001 from the Registrar of Uganda Technical College - Kichwamba to the Brigade Commander at Fort Portal, Uganda (obtained Chieftaincy of Military Intelligence)
2 Feb. 2001 Annex 83:	Briefing by H.E. Major General Joseph Kabila to the 4271 <sup>st</sup> Meeting of the United Nations Security Council, S/PV.4271, 2 February 2001
12 Feb. 2001 Annex 84:	Sixth Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, S/2001/128, 12 February 2001
20 Feb. 2001 Annex 85:	Press Statement on the Conflict and Peace Process in the Democratic Republic of Congo, 20 February 2001
22 Feb. 2001 Annex 86:	United Nations Security Council Resolution 1341, S/RES/1341 (2001), 22 February 2001
21 Mar. 2001 Annex 87:	Letter dated 21 March 2001 from the Ugandan Ministry of Foreign Affairs to the Embassy of the Democratic Republic of Congo
29 Mar. 2001 Annex 88:	Bloomberg News, "Most Warring Troops in Congo Meet UN Deadline for Pullback," 29 March 2001
30 Mar. 2001 Annex 89:	Report on Evacuation of Uganda Embassy Staff and Other Ugandans from Kinshasa in August/September 1998, 30 March 2001
Annex 90:	Internal Report Regarding Uganda's Involvement in DRC (obtained from Chieftaincy of Military Intelligence)

Annex 91: Chronological Illustration of Acts of Destabilisation by Sudan and Congo Based Dissidents (obtained from Chieftaincy of Military Intelligence)

Annex 92: Chart Summarizing Loss of Uganda Government Property at Uganda Embassy, Kinshasa



**S****UNITED  
NATIONS****Security Council**Distr.  
GENERALS/1999/790  
15 July 1999

ORIGINAL: ENGLISH

---

**REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS  
PRELIMINARY DEPLOYMENT IN THE DEMOCRATIC REPUBLIC OF  
THE CONGO****I. INTRODUCTION**

1. In connection with the signing of the Lusaka ceasefire agreement for the Democratic Republic of the Congo on 10 July 1999 by the representatives of the six concerned States, I think it necessary to set forth the implications for the United Nations and to make recommendations to the Security Council accordingly concerning preliminary action that the United Nations could take. It is my hope that the rebels will sign the agreement without further delay and that it can then be implemented promptly and in full.

**II. PROVISIONS OF THE CEASEFIRE AGREEMENT**Scope of agreement

2. On 10 July 1999, at Lusaka, the Heads of State of the Democratic Republic of Congo, Namibia, Rwanda, Uganda and Zimbabwe and the Minister of Defence of Angola signed an agreement for a cessation of hostilities between all the belligerent forces in the Democratic Republic of the Congo. The representatives of the Rally for a Democratic Congo and the Movement for the Liberation of the Congo declined to sign.

3. The agreement stipulates that all air, land and sea attacks are to cease within 24 hours of the signing, as well as the movement of military forces and all acts of violence against the civilian population. The forces are to disengage immediately.

4. Other provisions of the agreement concern the normalization of the situation along the international borders of the Democratic Republic of the Congo, including the control of illicit trafficking of arms and the infiltration of armed groups; an open national dialogue between the Government of the Democratic Republic of the Congo, the armed opposition (Rally for a Democratic Congo and Movement for the Liberation of Congo) and the unarmed opposition; the need to address the security concerns of the Democratic Republic of the Congo and its neighbouring countries; the opening up of humanitarian corridors; and the establishment of a mechanism for disarming all militias and armed groups.

Modalities and timing

5. The agreement also contains the modalities of implementation of the

ceasefire. These provide for the establishment of a Joint Military Commission composed of two representatives from each party under a neutral Chairman to be appointed by the Organization of African Unity (OAU) in consultation with the parties.

6. The mandate of the Commission includes the following tasks:

- (a) Establishing the location of units at the time of the ceasefire;
- (b) Facilitating liaison between the parties for the purpose of the ceasefire;
- (c) Assisting in the disengagement of forces to investigate any reports of ceasefire violations;
- (d) Verifying all information, data and activities relating to belligerent forces;
- (e) Verifying the disengagement of the belligerent forces where they are in direct contact;
- (f) Working out mechanisms to disarm armed groups;
- (g) Verifying the quartering and disarmament of all armed groups;
- (h) Verifying the disarmament of all Congolese civilians who are illegally armed;
- (i) Monitoring and verifying the orderly withdrawal of foreign forces.

7. The Commission is to be established within one week of the signing of the agreement (D-Day).

8. Other modalities dealt with in the agreement concern the cessation of hostilities; disengagement; the release of hostages and exchange of prisoners of war; the orderly withdrawal of all foreign forces; national dialogue and reconciliation; the re-establishment of state administration over the territory of the Democratic Republic of the Congo; the disarmament of armed groups; the formation of a national army; the redeployment of forces of the parties to defensive positions in conflict zones; the normalization of the security situation along the common borders between the Democratic Republic of the Congo and its neighbours; and a calendar for the implementation of the ceasefire agreement.

### III. ACTIVITIES PROPOSED FOR THE UNITED NATIONS

9. The agreement also contains proposals for an "appropriate force" to be constituted, facilitated and deployed by the United Nations, in collaboration with OAU, to ensure the implementation of the agreement.

/...



10. According to the agreement, the suggested mandate of such a force would include the following tasks:

- (a) Working with the Joint Military Commission and OAU in the implementation of the agreement;
- (b) Observing and monitoring the cessation of hostilities;
- (c) Investigating violations of the ceasefire agreement and taking necessary measures to ensure compliance;
- (d) Supervising the disengagement of forces as stipulated in the agreement;
- (e) Supervising the redeployment of forces to defensive positions in conflict zones in accordance with the agreement;
- (f) Providing and maintaining humanitarian assistance to and protecting displaced persons, refugees and other affected persons;
- (g) Keeping the parties to the ceasefire agreement informed of its peacekeeping operations;
- (h) Collecting weapons from civilians and ensuring that the weapons so collected are properly accounted for and adequately secured;
- (i) In collaboration with the Commission and OAU, scheduling and supervising the withdrawal of all foreign forces;
- (j) Verifying all information, data and activities relating to military forces of the parties.

11. The ceasefire agreement also envisages a number of what it calls peace enforcement operations, including the "tracking down" and disarming of armed groups; screening mass killers, perpetrators of crimes against humanity and other war criminals; handing over suspected genocidaires to the International Criminal Tribunal for Rwanda; repatriation; and working out measures for attaining the above objectives.

12. The "armed groups" are identified as the former Rwandan government forces and interahamwe militia, the Allied Democratic Front, Lord's Resistance Army, the Forces for the Defence of Democracy of Burundi, the Former Uganda National Army, the Uganda National Rescue Front II; the West Nile Bank Front; and the National Union for the Total Independence of Angola.

#### IV. OBSERVATIONS AND RECOMMENDATIONS

13. The conflict in the Democratic Republic of the Congo has inflicted further terrible suffering on a country already heavily burdened with poverty and

/...

neglect. An estimated 700,000 persons are displaced within the country, in addition to some 300,000 refugees located on its territory. The United Nations is aware of harrowing accounts of famine and epidemics. Food security and economic conditions, in particular in urban centres, continue to deteriorate at an alarming rate. The conflict has been characterized by appalling, widespread and systematic human rights violations, including mass killings, ethnic cleansing, rape and the destruction of property. The war's effects have spread beyond the subregion to afflict the continent of Africa as a whole. The success of the Congolese parties and the other Governments involved in arriving at a peace agreement can be viewed as a major first step towards an eventual recovery.

14. The international community and the United Nations should therefore do everything in their power to assist the Congolese Government, parties and people, as well as the other Governments involved, in achieving a peaceful solution.

15. In order to be effective, any United Nations peacekeeping mission in the Democratic Republic of the Congo, whatever its mandate, will have to be large and expensive. It would require the deployment of thousands of international troops and civilian personnel. It will face tremendous difficulties, and will be beset by risks. Deployment will be slow. The huge size of the country, the degradation of its infrastructure, the intensity of its climate, the intractable nature of some aspects of the conflict, the number of parties, the high levels of mutual suspicion, the large population displacements, the ready availability of small arms, the general climate of impunity and the substitution of armed force for the rule of law in much of the territory combine to make the Democratic Republic of the Congo a highly complex environment for peacekeeping.

16. In the light of the above, I would strongly recommend that the Security Council immediately authorize the deployment up to 90 United Nations military personnel, together with the necessary civilian political, humanitarian and administrative staff, to the subregion. The military personnel would serve mainly as liaison officers to the national capitals and rear military headquarters of the main belligerents, especially Kinshasa and elsewhere within the Democratic Republic of the Congo, Kigali, Kampala, Luanda, Harare and Windhoek, as well as a liaison cell at Lusaka. They would need appropriate communications equipment and air assets in order to perform their functions and keep me fully informed of the situation on the ground.

17. As a second stage, on the basis of the report of the technical survey team and of the liaison group, I would then be prepared to recommend a further deployment, which could involve up to 500 military observers within the Democratic Republic of the Congo and as required to the belligerent and other neighbouring States. It would also be necessary to ensure their security, and I would formulate my recommendations accordingly.

18. The tasks of the military observers, which would be in accordance with the peacekeeping functions listed in the agreement, would include the following:

- (a) To establish contacts with the various parties at their headquarters

/...

locations, including in the capitals of the belligerent States;

(b) To establish liaison with the Joint Military Commission and collaborate with it in the implementation of the agreement;

(c) To assist the Commission and the parties in investigating alleged violations of the ceasefire;

(d) To make a general security assessment of the country;

(e) To secure from the parties guarantees of cooperation and assurances of security for the further deployment in-country of military observers;

(f) To determine the present and likely future locations of the forces of all parties with a view to developing the concept for deployment of United Nations military personnel;

(g) To observe, subject to the provision by the parties of adequate security, the ceasefire and disengagement of the forces and their redeployment and eventual withdrawal;

(h) To facilitate the provision of humanitarian assistance to and protecting displaced persons, refugees and other affected persons;

(i) To assist the Department of Peacekeeping Operations in further refining its concept of operations for subsequent deployments.

19. The Department of Peacekeeping Operations has already approached potential troop-contributing countries to assess their readiness to provide military observers and, ultimately, formed units for subsequent stages of deployment subject to Council approval.

20. I have also decided to appoint in due course a Special Representative, assisted by an appropriate staff, including a Chief Military Observer, to lead the observer mission, which shall be called the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC). I have also ordered the dispatch of a small advance team to the region to clarify the role to be played by the United Nations of the 10 July 1999 agreement and to establish contacts and liaison with the authorities in Lusaka. As soon as the conditions are in place to allow it to do its work in all parts of the country, I will send a technical survey team to the Democratic Republic of the Congo to make the necessary political and military contacts to pave the way for subsequent deployments and assess the state of logistical capacity in the mission area. The estimated costs of the advance and reconnaissance teams and of the liaison group will be submitted to the Council in an addendum to the present report.

21. The problem of armed groups is particularly difficult and sensitive. It lies at the core of the conflict in the subregion and undermines the security of all the States concerned. Unless it is resolved, no lasting peace can come.

22. A purely military solution appears to be impossible, if only because the

/...



forces most able and willing to impose a military solution have clearly failed to do so. I therefore intend to revert to the Security Council with detailed proposals for the deployment of a peacekeeping mission, including its mandate and concept of operations, once I have carefully reviewed the situation on the ground in the light of MONUC's reports.

23. At the same time, it is essential for the Congolese parties to proceed with their national debate, as provided for in the agreement, in order to work towards national reconciliation through dialogue among all groups concerned. For its part, the international community could then be in a position to convene an international conference on the Great Lakes region in order to secure the commitment of donors to the recovery of the region as a whole.

24. Even at this stage, however, I foresee the need for the establishment of a well funded, well planned and long-term programme for the disarmament, demobilization and reintegration into society of former combatants. The benefits of such a programme will need to be widely publicized in order to attract the fighters now under arms. I am encouraged in this respect by the provision in the ceasefire agreement that permits the countries of origin of members of armed groups to take themselves all the necessary measures to facilitate repatriation, including the granting of amnesty (except to persons suspected of crimes against humanity or genocide). It will also be necessary to include in the mandate of any eventual peacekeeping mission measures to address the human rights violations that have characterized this conflict. I will revert to the Council as soon as the situation has been clarified. The necessary first step will be the signing of the agreement by the two rebel groups, the Congolese Rally for Democracy and the Movement for the Liberation of Congo amid a renewed resolve by all concerned to carry it out in good faith.

-----

UNITED  
NATIONS

S



## Security Council

Distr.  
GENERAL

S/RES/1258 (1999)  
6 August 1999

---

### RESOLUTION 1258 (1999)

Adopted by the Security Council at its 4032nd meeting,  
on 6 August 1999

The Security Council,

Reaffirming its resolution 1234 (1999) of 9 April 1999 and recalling the statements of its President of 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36), and 24 June 1999 (S/PRST/1999/17),

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Determined to resolve with all parties concerned the grave humanitarian situation in the Democratic Republic of the Congo in particular and in the region as a whole and to provide for the safe and free return of all refugees and displaced persons to their homes,

Recognizing that the current situation in the Democratic Republic of the Congo demands an urgent response by the parties to the conflict with support from the international community,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,

Welcoming the report of the Secretary-General of 15 July 1999 on the United Nations preliminary deployment in the Democratic Republic of the Congo (S/1999/790),

1. Welcomes the signing of the Ceasefire Agreement on the conflict in the Democratic Republic of the Congo by the States concerned in Lusaka on 10 July 1999 (S/1999/815) which represents a viable basis for a resolution of the conflict in the Democratic Republic of the Congo;

2. Also welcomes the signing of the Ceasefire Agreement on 1 August 1999 by the Movement for the Liberation of the Congo, expresses deep concern that the Congolese Rally for Democracy has not signed the Agreement and calls upon the latter to sign the Agreement without delay in order to bring about national reconciliation and lasting peace in the Democratic Republic of the Congo;

3. Commends the Organization of African Unity (OAU) and the Southern African Development Community for their efforts to find a peaceful settlement to the conflict in the Democratic Republic of the Congo and in particular the President of the Republic of Zambia, and also the Secretary-General, the Special Envoy of the Secretary-General for the peace process in the Democratic Republic of the Congo, the Representative of the Secretary-General to the Great Lakes Region and all those who contributed to the peace process;

4. Calls upon all parties to the conflict, in particular the rebel movements, to cease hostilities, to implement fully and without delay the provisions of the Ceasefire Agreement, to cooperate fully with the OAU and the United Nations in the implementation of the Agreement and to desist from any act that may further exacerbate the situation;

5. Stresses the need for a continuing process of genuine national reconciliation, and encourages all Congolese to participate in the national debate to be organized in accordance with the provisions of the Ceasefire Agreement;

6. Stresses also the need to create an environment conducive to the return in safety and dignity of all refugees and displaced persons;

7. Notes with satisfaction the prompt establishment of the Political Committee and the Joint Military Commission (JMC) by the States signatories to the Ceasefire Agreement as part of their collective effort to implement the Ceasefire Agreement for the Democratic Republic of the Congo;

8. Authorizes the deployment of up to 90 United Nations military liaison personnel, together with the necessary civilian, political, humanitarian and administrative staff, to the capitals of the States signatories to the Ceasefire

/...

Agreement and the provisional headquarters of the JMC, and, as security conditions permit, to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and, as appropriate, to other areas the Secretary-General may deem necessary, for a period of three months, with the following mandate:

- To establish contacts and maintain liaison with the JMC and all parties to the Agreement;
- To assist the JMC and the parties in developing modalities for the Implementation of the Agreement;
- To provide technical assistance, as requested to the JMC;
- To provide information to the Secretary-General regarding the situation on the ground, and to assist in refining a concept of operations for a possible further role of the United Nations in the Implementation of the Agreement once it is signed by all parties; and
- To secure from the parties guarantees of cooperation and assurances of security for the possible deployment in-country of military observers;

9. Welcomes the intention of the Secretary-General to appoint a Special Representative to serve as the Head of the United Nations presence in the subregion relating to the peace process in the Democratic Republic of the Congo and to provide assistance in the Implementation of the Ceasefire Agreement, and invites him to do so as soon as possible;

10. Calls upon all States and parties concerned to ensure the freedom of movement, security and safety of United Nations personnel in their territory;

11. Calls for safe and unhindered access for humanitarian assistance to those in need in the Democratic Republic of the Congo, and urges all parties to the conflict to guarantee the safety and security of all humanitarian personnel and to respect strictly the relevant provisions of international humanitarian law;

12. Requests the Secretary-General to keep it regularly informed of developments in the Democratic Republic of the Congo and to report at the appropriate time on the future presence of the United Nations in the Democratic Republic of the Congo in support of the peace process;

/...



13. Decides to remain actively seized of the matter.

-----



RESPONSE ACCUSATIONS MADE BY DRC TO THE UN SECURITY  
COUNCIL AGAINST UGANDA

1. Uganda's reasons for intervening in the DRC

Uganda's military presence in the DRC is mainly because of the following reasons:

(a) Destabilisation attacks on Uganda from the DRC by the ADF and other Ugandan rebel groups as well as by Sudan.

♦ The ADF and other Ugandan rebels groups have been receiving support on DRC territory. The support and destabilisation date from the last ten years of former President Mobutu's era and during the current regime of President Kabila.

♦ In an effort to further destabilise Uganda and in addition to the Northern flank through LRA, Sudan opened another front through South-Western Uganda by directly supporting and reinforcing activities of Ugandan rebel groups on DRC territory. Sudan also planned to use airports in Eastern DRC to launch massive aerial attacks on Uganda.

(b) Genocide

- ◆ Former President Mobutu re-organised, rearmed, re-trained and facilitated the ex-FAR and Interahamwe who had crossed into the then Zaire after committing the 1994 genocide in Rwanda. The genocidaires were also given territorial support to recapture power in Rwanda. In preparation for the intended recapture of power by the genocidaires in Rwanda, President Mobutu forged an alliance with the NIF regime in Khartoum, Sudan, not only to aid and abet the crime of genocide in Rwanda but also to specifically destabilise Uganda in the hope that then Uganda would not be in a position to support Rwanda. In fulfilment of territory this plan, attacks were launched from DRC on two fronts; one in North West Uganda (West Nile) and the other in Western Uganda (Kasese). At the same time the reorganisation and rearming of genocidaires in the DRC had reached an advanced stage. The Uganda government decided to act in self defence by first recapturing the territory these criminals had occupied and following them into Zairean territory in hot pursuit as we are fully empowered to do under Art.51 of the UN Charter. It was this act of self-defence against DRC based rebels, which was undertaken with regional and international understanding and support, that resulted in the fall of President Mobutu. President Kabila was a direct bi-product of this process. After President Kabila assumed power in the DRC, we had hoped that since he knew our security concerns he would address them. Unfortunately he did not. We continued these

attacks under President Kabila's regime. Of course Uganda did not expect an improvement to happen so soon because of capacity constraints by the DRC government. That's why the two countries reached a mutual arrangement that led to Uganda's military presence in DRC, to jointly terminate any attacks by Sudan backed Ugandan rebels. (Copy of Agreement attached).

- ◆ Whereas Uganda went into the DRC in reaction to acts of destabilisation emanating from DRC territory, our forces were brought face to face with a naked threat of another genocide in the region. Like his predecessor President Kabila is openly supporting Interahamwe and ex-FAR on DRC territory. The latter are not only a threat to the region but also have an forgettable record of committing the most heinous crime against humanity. The evil act at Bwindi in March 1999 by the Interahamwe serves as a reminder that their evil programme is still in place. We all have an obligation to ensure a non-recurrence genocide in the region, unlike during the 1994 genocide in Rwanda when everybody folded their hands as over one million people were being murdered.

## 2. Prosecution of the war by the allies

In addition to Uganda's security concerns there was another dimension to the conflict in the DRC, namely the internal one mainly concerning the



Congolese parties.

AFDL, the political alliance led by President Kabila, was narrow because it was composed of four political groups, all from Eastern DRC. When President Kabila took power he failed or neglected to broaden his political base. Subsequently even the four party alliance collapsed. Only one of the original four parties constitutes the alliance. He further suppressed the established active political opposition. Etienne Tshisekedi was condemned to internal exile and was not allowed to travel outside the DRC. Ngandou Kisassou was assassinated in Beni, under unclear circumstances, before President Kabila took over power. Masassou who led the Bashi group was arrested; so was Zahid Ngoma. Bugera and others were marginalised, forcing them to abandon the Kabila alliance.

In addition to the above political problems, the situation was exacerbated by building a sectarian army mainly composed of people from President Kabila's locality led by his relatives. This led to total disaffection within the ranks of those that had actually fought against Mobutu forces in the new Congolese Armed Forces. These two factors ignited the internal rebellion.

On its part, Rwanda was most concerned about and preoccupied with the activities of the Interahamwe and ex-FAR from DRC territory. We shared the same concerns in as far as our two territories were constantly threatened by incursions from the DRC.

Therefore, in the prosecution of Uganda's defensive war in the DRC, we forged an alliance with both Rwanda and the DRC internal democratic forces which were in rebellion.

It was agreed that in prosecuting the war, there should be sector command. Rwanda was to command the Southern sector and Uganda was to command the Northern Sector. It was further agreed that whichever command force moved to a different sector it would then be made an attachment falling under the direct command of that sector commander. High Level Coordination of intelligence, information logistics and communication was to be established. The Congolese forces were to cooperate as attachments to the two principle friendly forces in order to improve on working relationships and operational skills. Congolese commanders were to participate at coordination level.

### 3. Efforts to resolve the conflict Peacefully

Since eruption of the conflict in the DRC, several summits and meetings at various levels have been held with the aim of finding a peaceful resolution to the conflict. Summits were held in Victoria Falls, Port Luis, Durban, Pretoria, Lusaka, Nairobi, Sirte, Dodoma and Dar es Salaam. DRC has been an active participant at all these forces where the two dimensions of the crisis in Congo were regionally and internationally acknowledged. In fact when the Lusaka Summit II failed to take place President Kabila objected to the involvement of Congolese rebels, the Ministerial meeting of Ministers of Foreign Affairs and Defence two Committees

- (i) Committee on the modalities for the implementation of the Cease-fire Agreement in DRC and
- (ii) Committee on Security concerns of the DRC and the neighbouring countries.

This was an acknowledgement by the region that DRC neighbours including Uganda have legitimate security concerns.

Furthermore, the parties to the conflict in Congo, signed the Cease-fire Agreement on the 10th of July 1999 in Lusaka after intensive and painstaking negotiations. The fact that DRC participated in the negotiations and later on signed the Agreement means that DRC in conjunction with members from the regions, the OAU and the UN agreed that the Agreement was the only viable basis for a permanent solution to the conflict in DRC. It is therefore absurd that DRC as a party to the Agreement has turned round and taken the same issues to the Security Council.

With regard to recent developments in Kisangani, when Member States namely Rwanda, Zimbabwe, Angola, Namibia, DRC and Uganda signed the Cease-fire Agreement, the rebels that is the RCD Kisangani and RCD Goma and the MLC did not sign this Agreement because of a leadership dispute within the RCD ranks. However MLC subsequently signed on 1st August 1999.

It was agreed at the same session on 10th July that under the guidance of President Chiluba a verification exercise should be carried out in the DRC in the areas controlled by the RCD and RCD Kisangani to establish the true position about accusations and counter accusations between RCD Goma and the RCD Kisangani.

On the 5th August 1999 the verification team led by Hon Erik Silwamba, Minister for Presidential affairs of Zambia visited the RCD Goma group in Kisangani and was scheduled to meet the RCD Kisangani group but was



not possible for the verification team to visit the RCD Kisangani even on the 7th and 8th August 1999 due to the prevailing security. Situation in Kisangani and the visit was called off. ..

To facilitate the process, UPDF took over the RPA positions in order to clear the route from the airport and key areas which were supposed to be visited by the Zambian and South African teams. However Uganda assured Rwanda that she would vacate these positions as soon as the verification teams left. This created some tension.

Some days later, the verification team comprising of the Minister for Presidential affairs in Zambia and the Minister of Foreign Affairs of South Africa among others managed to visit Kisangani using the clearer route and carry out the verification exercise. Fighting broke out the same day and the team departed.

On receiving the information, H.E the President of Uganda invited the Vice President of Minister of Defence of Rwanda Maj Gen. Paul Kagame and they met at Mweya Lodge in Uganda and they agreed to discuss current issues affecting the resolution of the conflict. The DRC agreed:

- to an immediate Cease-fire
- to carry out an investigation
- to determine exactly what happened
- to demilitarise Kisangani so that institutional arrangements can be made on how the two forces can relate to each other on the basis of the outcome of the investigation report.

**8 September 1999**

UNITED  
NATIONS

## Security Council

Distr.  
GENERALS/RES/1265 (1999)  
17 September 1999

## RESOLUTION 1265 (1999)

Adopted by the Security Council at its 4046th meeting,  
on 17 September 1999

The Security Council,

Recalling the statement of its President of 12 February 1999  
(S/PRST/1999/6),

Having considered the report of the Secretary-General of 8 September 1999  
(S/1999/957) submitted to the Security Council in accordance with the above-  
mentioned statement,

Taking note of the reports of the Secretary-General of 13 April 1998 on the  
"Causes of Conflict and the Promotion of Durable Peace and Sustainable  
Development in Africa" (S/1998/318) and 22 September 1998 on the "Protection for  
Humanitarian Assistance to Refugees and Others in Conflict Situations"  
(S/1998/883), in particular their analysis related to the protection of  
civilians,

Noting that civilians account for the vast majority of casualties in armed  
conflicts and are increasingly targeted by combatants and armed elements,  
gravely concerned by the hardships borne by civilians during armed conflict, in  
particular as a result of acts of violence directed against them, especially  
women, children and other vulnerable groups, including refugees and internally  
displaced persons, and recognizing the consequent impact this will have on  
durable peace, reconciliation and development,

Bearing in mind its primary responsibility under the Charter of the United  
Nations for the maintenance of international peace and security, and underlining  
the importance of taking measures aimed at conflict prevention and resolution,

Stressing the need to address the causes of armed conflict in a  
comprehensive manner in order to enhance the protection of civilians on a long-



term basis, including by promoting economic growth, poverty eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights,

Expressing its deep concern at the erosion in respect for international humanitarian, human rights and refugee law and principles during armed conflict, in particular deliberate acts of violence against all those protected under such law, and expressing also its concern at the denial of safe and unimpeded access to people in need,

Underlining the importance of the widest possible dissemination of international humanitarian, human rights and refugee law and of relevant training for, inter alia, civilian police, armed forces, members of the judicial and legal professions, civil society and personnel of international and regional organizations,

Recalling the statement of its President of 8 July 1999 (S/PRST/1999/21), and emphasizing its call for the inclusion, as appropriate, within specific peace agreements and, on a case-by-case basis, within United Nations peacekeeping mandates, of clear terms for the disarmament, demobilization and reintegration of ex-combatants, including the safe and timely disposal of arms and ammunition,

Mindful of the particular vulnerability of refugees and internally displaced persons, and reaffirming the primary responsibility of States to ensure their protection, in particular by maintaining the security and civilian character of refugee and internally displaced person camps,

Underlining the special rights and needs of children in situations of armed conflict, including those of the girl-child,

Recognizing the direct and particular impact of armed conflict on women as referred to in paragraph 18 of the report of the Secretary-General and, in this regard, welcoming the ongoing work within the United Nations system on the implementation of a gender perspective in humanitarian assistance and on violence against women,

1. Welcomes the report of the Secretary-General of 8 September 1999, and takes note of the comprehensive recommendations contained therein;

2. Strongly condemns the deliberate targeting of civilians in situations of armed conflict as well as attacks on objects protected under international

/...

law, and calls on all parties to put an end to such practices;

3. Emphasizes the importance of preventing conflicts which could endanger international peace and security and, in this context, highlights the importance of implementing appropriate preventive measures to resolve conflicts, including the use of United Nations and other dispute settlement mechanisms and of preventive military and civilian deployments, in accordance with the relevant provisions of the Charter of the United Nations, resolutions of the Security Council and relevant international instruments;

4. Urges all parties concerned to comply strictly with their obligations under international humanitarian, human rights and refugee law, in particular those contained in the Hague Conventions of 1899 and 1907 and in the Geneva Conventions of 1949 and their Additional Protocols of 1977, as well as with the decisions of the Security Council;

5. Calls on States which have not already done so to consider ratifying the major instruments of international humanitarian, human rights and refugee law, and to take appropriate legislative, judicial and administrative measures to implement these instruments domestically, drawing on technical assistance, as appropriate, from relevant international organizations including the International Committee of the Red Cross and United Nations bodies;

6. Emphasizes the responsibility of States to end impunity and to prosecute those responsible for genocide, crimes against humanity and serious violations of international humanitarian law, affirms the possibility, to this end, of using the International Fact-Finding Commission established by Article 90 of the First Additional Protocol to the Geneva Conventions, reaffirms the importance of the work being done by the ad hoc Tribunals for the former Yugoslavia and Rwanda, stresses the obligation of all States to cooperate fully with the Tribunals, and acknowledges the historic significance of the adoption of the Rome Statute of the International Criminal Court which is open for signature and ratification by States;

7. Underlines the importance of safe and unhindered access of humanitarian personnel to civilians in armed conflict, including refugees and internally displaced persons, and the protection of humanitarian assistance to them, and recalls in this regard the statements of its President of 19 June 1997 (S/PRST/1997/34) and 29 September 1998 (S/PRST/1998/30);

8. Emphasizes the need for combatants to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as

/...

personnel of international humanitarian organizations, and recalls in this regard the statements of its President of 12 March 1997 (S/PRST/1997/13) and 29 September 1998;

9. Takes note of the entry into force of the Convention on the Safety of United Nations and Associated Personnel of 1994, recalls the relevant principles contained therein, urges all parties to armed conflicts to respect fully the status of United Nations and associated personnel and, in this regard, condemns attacks and the use of force against United Nations and associated personnel, as well as personnel of international humanitarian organizations, and affirms the need to hold accountable those who commit such acts;

10. Expresses its willingness to respond to situations of armed conflict where civilians are being targeted or humanitarian assistance to civilians is being deliberately obstructed, including through the consideration of appropriate measures at the Council's disposal in accordance with the Charter of the United Nations, and notes, in that regard, the relevant recommendations contained in the report of the Secretary-General;

11. Expresses its willingness to consider how peacekeeping mandates might better address the negative impact of armed conflict on civilians;

12. Expresses its support for the inclusion, where appropriate, in peace agreements and mandates of United Nations peacekeeping missions, of specific and adequate measures for the disarmament, demobilization and reintegration of ex-combatants, with special attention given to the demobilization and reintegration of child soldiers, as well as clear and detailed arrangements for the destruction of surplus arms and ammunition and, in this regard, recalls the statement of its President of 8 July 1999;

13. Notes the importance of including in the mandates of peacemaking, peacekeeping and peace-building operations special protection and assistance provisions for groups requiring particular attention, including women and children;

14. Requests the Secretary-General to ensure that United Nations personnel involved in peacemaking, peacekeeping and peace-building activities have appropriate training in international humanitarian, human rights and refugee law, including child and gender-related provisions, negotiation and communication skills, cultural awareness and civilian-military coordination, and urges States and relevant international and regional organizations to ensure that appropriate training is included in their programmes for personnel involved

/...



in similar activities;

15. Underlines the importance of civilian police as a component of peacekeeping operations, recognizes the role of police in assuring the safety and well-being of civilians and, in this regard, acknowledges the need to enhance the capacity of the United Nations for the rapid deployment of qualified and well-trained civilian police;

16. Reaffirms its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their impact on the civilian population, bearing in mind the needs of children, in order to consider appropriate humanitarian exemptions;

17. Notes that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger the lives of civilians and undermine security and the confidence required for a return to peace and stability;

18. Takes note of the entry into force of the Convention on the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and their Destruction of 1997 and the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, recalls the relevant provisions contained therein, and notes the beneficial effect that their implementation will have on the safety of civilians;

19. Reiterates its grave concern at the harmful and widespread impact of armed conflict on children, recalls its resolution 1261 (1999) of 25 August 1999, and reaffirms the recommendations contained therein;

20. Stresses the importance of consultation and cooperation between the United Nations, the International Committee of the Red Cross and other relevant organizations, including regional organizations, on follow-up to the report of the Secretary-General and encourages the Secretary-General to continue consultations on this subject and to take concrete actions aimed at enhancing the capacity of the United Nations to improve the protection of civilians in armed conflict;

21. Expresses its willingness also to work in cooperation with regional

/...

organizations to examine how these bodies might better enhance the protection of civilians in armed conflict;

22. Decides to establish immediately an appropriate mechanism to review further the recommendations contained in the report of the Secretary-General and to consider appropriate steps by April 2000 in accordance with its responsibilities under the Charter of the United Nations;

23. Decides to remain actively seized of the matter.

-----

/...

UNITED  
NATIONS

## Security Council

Distr.  
GENERALS/RES/1273 (1999)  
5 November

1999

## RESOLUTION 1273 (1999)

Adopted by the Security Council at its 4060th meeting,  
on 5 November 1999

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999 and 1258 (1999) of 6 August 1999 and the statements of its President of 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36) and 24 June 1999 (S/PRST/1999/17),

Reaffirming the sovereignty, territorial integrity, and political independence of the Democratic Republic of the Congo and all States in the region,

Reaffirming also that the Lusaka Ceasefire Agreement (S/1999/815) represents a viable basis for a resolution of the conflict in the Democratic Republic of the Congo,

Welcoming the report of the Secretary-General of 1 November 1999 (S/1999/1116),

Noting with satisfaction the deployment of United Nations military liaison personnel to the capitals of the States signatories to the Ceasefire Agreement and to the Joint Military Commission established by them, and underlining the importance of their full deployment as provided for in its resolution 1258 (1999),

Noting also that the Joint Military Commission and the Political Committee have held meetings as mandated under the Ceasefire Agreement,

Urging all parties to the Ceasefire Agreement to cooperate fully with the technical survey team dispatched to the Democratic Republic of the Congo by the

Secretary-General as indicated in his report of 15 July 1999 (S/1999/790), in order to allow it to assess conditions and to prepare for subsequent United Nations deployments in the country,

1. Decides to extend the mandate of the United Nations military liaison personnel deployed under paragraph 8 of resolution 1258 (1999) until 15 January 2000;

2. Requests the Secretary-General to continue to report to it regularly on developments in the Democratic Republic of the Congo including on the future presence of the United Nations in the country in support of the peace process;

3. Calls on all parties to the Ceasefire Agreement to continue to abide by its provisions;

4. Decides to remain actively seized of the matter.

-----

/...

**PARTICULARS:**

NAME: **CHANDIA ROBERT**  
AGE: **20 YRS**  
NATIONALITY: **UGANDAN**  
VILLAGE: **OBONYI**  
DISTRICT: **MOYO**  
DATE: **15 NOVEMBER 1999**

**STATEMENT:**

I am of the above mentioned particulars and would like to state as follows:

I was a peasant farmer coupled with fishing along the R. Nile for my livelihood. My father Jaffer Okot died in 1994 while my mother Rose Chandia is still alive and stays in Obonyi in Moyo.

*Chandia*  
WNBF rebels attacked Obonyi, Lofori and Palarinya in June 1998 from Sudan and abducted about 120 youths including myself. We were tied and made to move up to Khor Kaya in southern Sudan. The abductors were about 80 WNBF rebels (all armed) and also looted shops and took items like sugar, soap, money and clothes. Enroute, one of us called DATA who had been abducted from Lomonya was stabbed to death after crossing the road to Kajo Keji in Sudan. He was weak and could not move any further.

When we reached Khor Kaya we immediately started military training which lasted for 02 months. Khor Kaya had a WNBF force of about 200 rebels. There was also a Sudanese Armed Forces (SAF) camp near the WNBF camp in Khor Kaya. Supplies from the Sudanese to us included soap, cooking oil, peas and sorghum flour. The Sudanese also supplied us with 120 new assault rifles after training in August 1998. They also gave us each 90 rounds of ammunition let alone medicine during our training.



After training, we also did a one day range exercise. In October 1998, we (the group of 120 abductees cum fresh soldiers) and the others whom we found in Khor Kaya (about 200 rebels), were put into lorries and taken to Juba by the Sudanese government. Juma Oris the leader of WNBF came with the Sudanese government and military officials and addressed us. He told us that we were being taken to Congo to fight alongside the Congolese and on victory, we would return to our motherland Uganda. We spent only one day in Juba and were loaded onto a big Sudanese aircraft and flown to Kinshasha in Congo.

We spent a week in Kinshasha and after that were fragmented into platoons (30 people each) and integrated into FAC. These mixed sub units of FAC and WNBF would then be given axis of advance. Command was also integrated and our groups became organic to FAC.

In our briefing our converging point was supposed to be Kisangani. We moved by ship from Kinshasha upto a place called Ubundu.

From Ubundu we moved on foot towards Kisangani. We had moved a distance of about 20 kms when we were ambushed by the UPDF. This was in 1998. The commander of my group was called Vuchiri. We lost quite a number of our colleagues in this ambush, others who survived including Congolese and WNBF members run in disarray. I was injured in the right leg and I spent six days in the bush. I had tied my wound with my shirt to stop bleeding but with time, the wound had become septic.

I was discovered by a UPDF patrol which took me to their camp in Kisangani and put me under medical care. After spending about six months receiving treatment, I recovered and was put in custody for about a month in Kisangani.

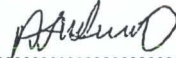
I was subsequently released and put on open arrest. I found other six Chadian POWs in Kisangani.

We were brought to Uganda with the Chadians in November 1999. I have since been in Uganda and was released and allowed to go home on my own to check on my people in Moyo. I have to date not seen any of my colleagues with whom we were abducted from Obonyi in Moyo in 1998 by the WNBF. Some I presume died while others are still in Congo. That is all I can state and believe its true to the best of my knowledge and belief.

*Abdullahi*

Signed:

**CHANDIA ROBERT**



Signed:

**LT TIMOTHY KANYOGONYA**



**OFFICER RECORDING STATEMENT**

UNITED  
NATIONS

S



## Security Council

Distr.  
GENERAL

S/RES/1279 (1999)  
30 November 1999

### RESOLUTION 1279 (1999)

Adopted by the Security Council at its 4076th meeting,  
on 30 November 1999

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999 and 1273 (1999) of 5 November 1999 and the statements of its President of 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36) and 24 June 1999 (S/PRST/1999/17),

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Reaffirming also that the Lusaka Ceasefire Agreement (S/1999/815) represents the most viable basis for a resolution of the conflict in the Democratic Republic of the Congo, and noting the role it requests the United Nations to play in the implementation of the ceasefire,

Expressing its concern at the alleged violations of the Ceasefire Agreement and urging all parties to refrain from any declarations or action that could jeopardize the peace process,

Stressing the responsibilities of the signatories for the implementation of the Ceasefire Agreement, and calling on them to permit and facilitate the full deployment of United Nations military liaison officers and other personnel necessary for the fulfilment of their mandate throughout the territory of the Democratic Republic of the Congo,

Welcoming the pledges of support made to the Joint Military Commission

(JMC) by States and organizations, and calling on others to contribute, together with the signatories to the Ceasefire Agreement, to the funding of the body,

Noting with concern the humanitarian situation in the Democratic Republic of the Congo, and calling on all Member States to contribute to current and future consolidated humanitarian appeals,

Expressing its concern at the severe consequences of the conflict for the security and well-being of the civilian population throughout the territory of the Democratic Republic of the Congo,

Expressing also its concern at the adverse impact of the conflict on the human rights situation in the Democratic Republic of the Congo, particularly in the eastern parts of the country, and the continuing violations of human rights and international humanitarian law committed throughout the territory of the Democratic Republic of the Congo,

Having considered the recommendations of the Secretary-General contained in his report of 1 November 1999 (S/1999/1116),

Reiterating the importance of the successful completion of the mission of the technical assessment team dispatched to the Democratic Republic of the Congo to assess conditions and to prepare for possible subsequent United Nations deployment in the country as well as to obtain firm guarantees from the parties to the conflict over the safety, security and freedom of movement of United Nations and associated personnel,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994,

Underlining the importance of the full deployment of the United Nations military liaison personnel as provided for by resolution 1258 (1999),

1. Calls upon all parties to the conflict to cease hostilities, to implement fully the provisions of the Ceasefire Agreement, and to use the JMC to resolve disputes over military issues;

2. Stresses the need for a continuing process of genuine national reconciliation, encourages all Congolese to participate in the national dialogue to be organized in coordination with the Organization of African Unity (OAU), and calls upon all Congolese parties and the OAU to finalize agreement on the facilitator for the national dialogue;

/...



3. Welcomes the appointment by the Secretary-General of his Special Representative for the Democratic Republic of the Congo to serve as the head of the United Nations presence in the subregion relating to the peace process in the Democratic Republic of the Congo and to provide assistance in the implementation of the Ceasefire Agreement;

4. Decides that the personnel authorized under its resolutions 1258 (1999) and 1273 (1999), including a multidisciplinary staff of personnel in the fields of human rights, humanitarian affairs, public information, medical support, child protection, political affairs and administrative support, which will assist the Special Representative, shall constitute the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 1 March 2000;

5. Decides also that MONUC, led by the Special Representative of the Secretary-General, consistent with resolutions 1258 (1999) and 1273 (1999), shall carry out the following ongoing tasks:

(a) To establish contacts with the signatories to the Ceasefire Agreement at their headquarters levels, as well as in the capitals of the States signatories;

(b) To liaise with the JMC and provide technical assistance in the implementation of its functions under the Ceasefire Agreement, including in the investigation of ceasefire violations;

(c) To provide information on security conditions in all areas of its operation, with emphasis on local conditions affecting future decisions on the introduction of United Nations personnel;

(d) To plan for the observation of the ceasefire and disengagement of forces;

(e) To maintain liaison with all parties to the Ceasefire Agreement to facilitate the delivery of humanitarian assistance to displaced persons, refugees, children, and other affected persons, and assist in the protection of human rights, including the rights of children;

6. Underlines that the phased deployment of United Nations military observers with the necessary support and protection elements in the Democratic Republic of the Congo will be subject to its further decision, and expresses its intention to take such a decision promptly on the basis of further recommendations of the Secretary-General, taking into account the findings of

/...

the technical assessment team;

7. Requests the Secretary-General to accelerate the development of a concept of operations based on assessed conditions of security, access and freedom of movement and cooperation on the part of the signatories to the Ceasefire Agreement;

8. Requests the Secretary-General to keep it regularly informed and to report to it as soon as possible on the situation in the Democratic Republic of the Congo and submit his recommendations on further deployment of United Nations personnel in the country and on their protection;

\* \* \*

9. Requests the Secretary-General, with immediate effect, to take the administrative steps necessary for the equipping of up to 500 United Nations military observers with a view to facilitating future rapid United Nations deployments as authorized by the Council;

10. Decides to remain actively seized of the matter.

-----



**MINISTRY OF DEFENCE STATEMENT ON THE ATTACK  
ON KATOJO GOVERNMENT PRISON -FORTPORTAL ON  
THE MORNING OF 09 DEC 99.**

The ADF attacked Katojo government Prison at around 3.00 a.m this morning. At the time of the attack, there were ~~341~~ prisoners and 56 Prisons department staff.

It has been established that 365 prisoners are still unaccounted for following the attack, 537 prisoners remained, a UPDF soldier and a wife of a Prison warder were killed and two prison warders and a relative a prison wardress were injured.

A prison lorry and the vehicle belonging to the deputy officer incharge of the prison were burnt.

Some guns belonging to the prisons department were also taken by the enemy.

For the last three weeks the UPDF has been conducting a major offensive in the Rwenzori mountains to dislodge the ADF from its strongholds and rear bases both in Uganda and in eastern Congo namely:

- Kiribata
- Buhira
- Kambasa
- Kafaliso,
- Kikingi
- Katebwa
- Bulyambawo
- Ntume
- Masibwe

- Butini and Bihondo forested slopes of the mountains in Kisomoro and Buhesi sub-counties in Bunyangabu.

- In Bundibugyo, enemy pockets were in the slopes adjacent to the border with DRC and these are areas of Kasanzi, Mboma, Kaleyaleya and Masule.

By the end of November, a big part of the enemy crossed into the DRC in flight and the enemy that remained fragmented into smaller mobile groups of 06-10 men in order to elude UPDF deployments, attack soft targets, carry out abductions, raid villages for food and carry out deceptive operations in the lowlands especially in Bundibugyo for publicity.

The ADF took advantage of the commitment of the bigger part of the UPDF force in the ongoing offensive in the mountains to attack Katojo Prison.

The attack had three major objectives:

- To divert the UPDF from the ongoing offensive in the mountains to the lowlands and thereby reduce pressure and allow them to reorganise.
- To gain publicity.
- To abduct and reinforce their depleted manpower.

The UPDF is fully aware of these intentions of the enemy and will not be swayed or diverted from its objective of annihilating the ADF in the ongoing offensive in the mountains.

Measures will also be put in place to ensure that the enemy does not sneak into and cause havoc in rear areas.

The UPDF is pursuing the group that attacked Katojo government Prison in order to rescue the abductees and punish those the ADF terrorists.

RURAL TERRORISM ACTIVITIES OF CONGO BASED ADF REBELS

1. ADF active in Harugalu in Bundibugyo and Ihandiro in Kasese where they carry out abductions, killings and looting/plunder.
2. ADF rebels killed 05 civs and abducted 06 others on the border with DRC along R. Tako on Feb 03 1999.
3. On 04 Feb 99, ADF rebels raided Bumadu village in Bundibugyo and looted properties.
4. Jan 95: ADF was recruiting Banande in Eastern DRC and taking them for trg in Kiribata.
5. Interahamwe and ex-FAR rebels in Nyarabara, Rugarama, Gikongo, Nyamubingo, Nyabarira, Kihondo, Busaro, Bweza, Kyandego and Murombero villages in Busanza DRC.
6. 30 Mar 99, a former Kichwamba student escaped from ADF and reported to UPDF in Bundibugyo. He revealed that ADF rebels including 03 senior comds entered Bundibugyo from DRC and were in Kaleyaleya in Harungali S/county.
7. 31 Mar 99: Ambush of civ veh at Bugando village Kisitu s/county along Bundibugyo - Fort Portal road killing 02 people and later burnt the veh.
8. On 03 Apr 99: ADF rebels attacked Hamukugu fishing village on L. George, killed 07 people, burnt a veh and m/cycle and looted property.
9. ADF rebels ambushed vehs at Sara village Bubukwapa s/cty and at Nyaru on Bundibugyo. Lamia border road on 06 and 07 Apr 99 in 14 people were killed and 02 were injured.
10. On 08 Apr 99, the ADF attacked Kikorongo village in Muhokya s/county, Kasese district and killed one person and abducted two others.
11. 28 June 95: 250 ADF rebels who had converged in Kiribata and Kibatana later fragmented into smaller groups in the above two places and in Lhume, Lugetsi and Buhira in DRC. It is from here that ADF small groups infiltrate into Uganda to link up with their bcks in Kiraro, Kitholu S/county and Bukonzo county.



12. 13 May 99: ADF rebels raided Hima parish in Kicwamba s/county and killed 04 people and abducted 04 others.
13. 10 Aug 1999 ADF rebels raided Kibuku village in Rwebisengo s/county and killed 02 civs.
14. 11 Aug 99: áŹKanyabukoto village in Kasitu s/county the RDC Bundibugyo was hit in an ambush and his escort injured.
15. 13 Aug 99: ADF attacked Katumba Camp for displaced people in Bubukwanga s/county and killed 03 people.
16. 15 June 1999: ADF raid on Kyambona village of Bwera s/county Kasese District.
17. On 06 July 1999 a group of ADF rebels attacked Nyakeya village in Kyarumba s/county, looted food and retreated back to the Rwenzori Mts.
18. On 30 July 99, ADF chief coordinator one Mulumba Abdallah was arrested by own forces at Katunguru Bridge in Kasese while en route to DRC. He revealed that he was coming from Sudan via Kenya and was going to check on the ADF fighters.
19. A group of 30 ADF rebels who were terrorising areas of Burundo and Rwamabale in Kasitu and Rwebisengo s/counties crossed through Semliki N/Park to areas of Maroba and Kasangali in DRC on 18 Aug 99 following the attack on their camp of Burundo.
20. ADF infiltration into Kibaale district areas of Mpefu and Bwikara s/counties where they killed 05 people in September 1999.
21. On 19 Sept 1999, ADF rebels attacked Mitandi SSS and killed a student and injured 02 others.
22. 05 and 06 Oct 1999: ADF rebels carried out the following activities;
  - a. Ambushed a civilian vehicle between Hamukungu fishing village and Kikorongo junction killing one person and abducting another.
  - b. Ambushed a UPDF force along R. Muzizi in Kibale district.

c. Staged a roadblock at Rubira stock farm along the Fort Portal - Kasese road and later retreated to Mitandi hills.

d. Were engaged by the UPDF in Kaserebe in Bundibugyo in which 02 assault rifles were captured by UPDF

23. 16 Oct 1999: Ambush by ADF rebels between Kikorongo junction and Katunguru in Queen Elizabeth National Park and shot at two vehicles and injured 07 people.

24. 17 Oct 1999: ADF rebels ambushed a civilian vehicle at Mweya Junction along Kasese - Mbarara road. The medical superitendant of Bwera hospital - Dr Agaba was killed.

25. 14 Oct 1999: Interahamwe ambushed a civilian vehicle along Ishasha - Nyakakoma road and retreated back to Viruga N/Park.

26. 18 Oct 99: UPDF attacked a UPDF camp in Kikingi in DRC and captured 02 SMG assault rifles, 07 boxes of new ammo for LMG, 06 RPG bombs and 18 MGL bombs, 04 rebels were killed in action.

27. 20 Oct 1999: ADF rebels attacked Bwanike village in Kinyamaseke Parish, killed a home guard and abducted four people.

28. 12 Nov 1999: ADF rebels attacked a camp for displaced people in Masaka - DRC killing 08 people.

29. 12 Nov 1999: ADF rebels raided Butyoko village in Kisomoro s/county of Kabarole district and killed 02 people.

30. 16 Nov 1999: ADF rebels from Kibatli hills in Rwenzori mts attacked Bihondo camp for the displaced in Rubona - Kabarole district and killed 02 pople.

31. 17 Nov 1999: ADF rebels ambushed and burnt civilian lorry along Kasindi-Beni road. They also abducted one person.

32. 05 Dec 1999: 06 members of the Mai Mai militia who had joined ADF surrendered with their 06 rifles and 02 offensive grenades.

33. 05 Dec 1999: ADF rebels attacked Rubona Trading Centre in Kisomoro S/county Bunyangabu county and burnt one civilian vehicle, a house, and injured one person. They later retreated with live-stock and other property they had looted.

34. 09 Dec 1999: ADF rebels attacked Katojo Government prison in Kabarole district and abducted over 360 prisoners, killed a prison warder and UPDF soldier, injured 02 people and burnt the prison lorry and the small personal vehicle of the prison superintendant.

35. 10 Dec 1999: ADF rebels made simultaneous but futile attacks on six UPDF dispositions in Bundibugyo i.e Butama detach in Ndugutu s/county, Kabango detach in Ndugutu S/county, Kirindi detach in Busaru sub-county, Ngite detach in Buseru s/county, Kinyamirima detach in Bubukwanga s/county and Masule detach in Harugali sub county.

UPDF lost 05 soldiers, 02 82mm mortars and 04 SMG assault rifles. 10 casualties were also registered. 09 ADF rebels were killed in action in these encounters and 01 was taken captive.

36. 13 Dec 1999: UPDF attacked a group of ADF rebels with Katojo abductees at Mwembi on Ntoroko - Bwamba border near Sempaya hot springs and 03 abductees were rescued. In another encounter the same day, 05 other abductees of Katojo prison were rescued as well as an assortment of weapons captured from the enemy.

37. 12 Dec 99: ADF rebels ambushed a civilian vehicle at Mantoroba killing one soldier on board and 06 civilians.

38. 12 Dec 99: 18 abductees of Katojo escaped and reported to UPDF at Karugutu detach with one SMG rifle.

39. 12 Dec 99: ADF rebels attacked the Police barracks and UCB branch in Bundibugyo town but were repulsed.

40. 23 Dec 99: ADF rebels attacked Nyahuka UPDF detach which was guarding a camp for displaced people and killed 02 civilians and injured 02 soldiers before withdrawing to DRC.

40. 24 Dec 99: ADF rebels attacked the UPDF detach of Hakitara and killed 05 civilians and injured 02 soldiers. The rebels were repulsed and retreated towards DRC.

41. Interahamwe - Ex-FAR activity in areas of Nyamitwitwi, Buhimba, Kitoboko, Busesa, Paisane, Nyabithali, Nyaburongotha and Kide as exemplified by the following incidents:



a. On 10 Nov 99 UPDF had contact with Interahamwe in Kide and recovered 01 stick grenade, 280 loose rounds of AK47 ammo, 13 loose rounds of G2 machine gun ammo, drugs and documents.

b. On 16 Nov 99: Contact between UPDF and Interahamwe in Makoka in which one rifle AK47 No.56 14/02486 with 90 rounds of ammo were captured by UPDF.

c. On 16 Nov 99: In Nyamitwitwi, Kitoboko, Kasoso, Buhimba and Ngeso, 02 Interahamwe were killed in action, one was captured and 200 loose AK47 ammo charged by UPDF.

d. On 16 Nov 99: In Parisana and Nyamirima contact with the Interahamwe yielded the following: 02 Interahamwe KIA, and 01 AK47 assault rifle No AEV 2306 with 107 rounds of ammo were captured by UPDF.

42. On 01 Mar 99: Interahamwe attacked Bwindi Tourist site, burnt 05 vehicles, 02 motor cycles and also set ablaze all the camps at the tourist sites. They abducted 14 tourists, eight of whom they later killed - 06 abducted tourists were rescued. The Bwindi conservation officer Mr Wagaba was also killed by the assailants who later retreated towards Makoka in DRC.

NB: On 08 June 1998, the Congo based ADF also attacked Kichwamba Technical Institute in Kabarole district and burnt to death 33 students in their dormitories. 11 students sustained serious burn wounds while 106 students were abducted.

The school truck, 03 dormitories and other property were destroyed in the arson by the ADF rebels.



**A LIST OF PRISONERS WHO WERE ABDUCTED BY ADF FROM  
KATOJO AND WERE UNDERGOING MIL TRAINING IN BUNDIBUGYO  
AS ON 11 JAN 2000.**

*Source: ADF RECORDS PRODUCED BY BENT ADF COS (Reported on ITAPROO)*

1. Mohammed Rumisa
2. Karaiba Katende
3. Adam Sebiranda
4. Ali Sekanjako
5. Faraj Abdallah
6. Jamil Mbabaali
7. Mikail Kitembo
8. Zoro Elnest
9. Hussein Maayega
10. Ramathan Obwangmoi
11. Ibrahim Bakangamba
12. Musa Seguya
13. Salim Sempa
14. Sulait Kiiza
- ~~15.~~ 15. Abdul Hakim Mwesigwa
16. Muhammed Mbarile
17. Ali Yawe
18. Murshid Kyaze
19. Mohammed Sekabira
20. Abdurah Salam Kimbugwe
- ~~21.~~ 21. Jamil Bosa\*
22. Mustafa Kabali
23. Abdallah Karim Dengo
24. Patrick Kayigwa
25. Jackson Bogonza
26. John Kyomuhangi
27. Medad Katmujuna
28. George William Birungi
29. Micheal Byaruhanga
30. Moses Sumbusa
31. Josephat Birungi
32. Alex Byamukama
33. James Turyatunaga
34. John Musalwa
35. James Senoga

36. Charles Byaruhanga
37. Patric Asaba
38. Coiro Irumba
39. Thomas Kyaboona
40. John Mujwahuka
41. Alex Muchunguzi
42. Wilson Baluku
43. Patrick Kagweli
44. Solomon Businge
45. Adon Kibulu
46. Steven Byaruhanga
47. Julius Kasunamera
48. Edward Byamukama
49. Misaaki Katongole
50. Masereka Kisangani
51. Richard Kambasa
52. Sunday Kataribaho
53. George Kwehayo
54. John Kyalimpa
55. Sheikh Idris Lwaazi
56. Franco Mugisha
57. Patric Kulisi
58. Patric Kasaija
59. George Masakwa
60. Richard Angwer.

**NOTE:**

- a. All the above 60 abductees who have been undergoing military training in Bundibugyo were recently deployed in different ADF Units.
- b. The 28 UPDF soldiers (names not given) who were abducted from Katojo were straight away deployed.
- c. A total of other 15 abductees (names not given) who were sick and unable to walk long distances did their military training in Semliki park after they were treated and recovered.

UNITED  
NATIONS

S

**Security Council**Distr.  
GENERALS/2000/30  
17 January 2000

ORIGINAL: ENGLISH

---

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS  
ORGANIZATION MISSION IN THE DEMOCRATIC REPUBLIC  
OF THE CONGO

## I. INTRODUCTION

1. By paragraph 4 of its resolution 1279 (1999) of 30 November 1999, the Security Council decided that the personnel authorized under its resolutions 1258 (1999) and 1273 (1999), including a multidisciplinary staff of personnel in the fields of human rights, humanitarian affairs, public information, medical support, child protection, political affairs and administrative support, which would assist the Special Representative of the Secretary-General, should constitute the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 1 March 2000.

2. By paragraph 8 of that resolution, the Security Council requested the Secretary-General to keep it regularly informed and to report to it as soon as possible on the situation in the Democratic Republic of the Congo and submit his recommendations on further deployment of United Nations personnel in the country and on their protection.

## II. DEVELOPMENTS IN THE PEACE PROCESS

3. The Lusaka Ceasefire Agreement (S/1999/815) provided for the establishment of a Joint Military Commission (JMC) which, together with the United Nations and the Organization of African Unity (OAU), would "be responsible for executing ... peacekeeping operations until the deployment of the United Nations peacekeeping force". The Agreement also provided for the establishment of a ministerial-level Political Committee. At its last meeting in Harare in early December 1999, JMC adopted for approval by the Political Committee papers submitted by its four working groups on the following questions:

(a) Determination of humanitarian corridors, release of hostages, exchange of prisoners of war and working relations with the United Nations Office for the Coordination of Humanitarian Affairs and the International Committee of the Red

Cross (ICRC);

(b) Working out mechanisms and budget estimates for disarming, tracking down and quartering of armed groups, as well as procedures for handing over mass killers, perpetrators of crimes against humanity and other war criminals, and disarming all Congolese civilians who are illegally armed;

(c) Drafting mechanisms and procedures for the disengagement of forces;

(d) Working out mechanisms, procedures and a calendar of the withdrawal of foreign forces and the mechanism for monitoring their implementation.

4. JMC adopted a proposal for the peaceful resolution of the situation at Ikela, where Congolese, Namibian and Zimbabwean troops are encircled by rebel forces (see para. 13 below).

5. JMC also addressed the question of the stationing of United Nations liaison officers within Democratic Republic of the Congo territory pursuant to resolution 1258 (1999), by which the Security Council authorized the deployment, as security conditions permitted, of United Nations military liaison officers to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and to other areas the Secretary-General deemed necessary.

In that context, JMC discussed the further deployment of its own regional structures, accompanied by OAU observers, within the Democratic Republic of the Congo. JMC endorsed the reconnaissance and possible dispatch of United Nations military liaison officer teams to Bukavu, Bunia, Kabalo, Kisangani, Bumba, Gemena, Isiro, Kamina, Kalemie, Kindu, Lubumbashi, Mbuji Mayi and Pepa, and requested MONUC to submit proposals for the future reconnaissance and dispatch of teams to Mbandaka, Matadi, Likasi and Dilolo. With some assistance from MONUC, JMC has already deployed regional JMCs and OAU observers at Lisala, Boende and Kabinda.

6. In order to expedite its operations and improve its response to the changing situation on the ground, JMC set up a working group, chaired by Angola, to draft an organizational and operational structure for JMC, together with a budget estimate, and to submit it for adoption by JMC and approval by the Political Committee.

7. The Lusaka Agreement provides for the holding of an inter-Congolese national dialogue leading to national reconciliation. To that end, a neutral facilitator was to be chosen by the parties, and OAU was then to assist the Democratic Republic of the Congo in organizing inter-Congolese political

/...



negotiations under the aegis of the facilitator.

8. On 15 December, the Secretary-General of OAU, Salim Ahmed Salim, following consultations with the Government of the Democratic Republic of the Congo, the Congolese Rally for Democracy (RCD) (Goma), RCD-mouvement de libération (RCD-ML) and the Movement for the Liberation of the Congo (MLC), announced that the parties had agreed that the former President of Botswana, Sir Ketumile Masire, should assume the role of the neutral facilitator for the inter-Congolese political negotiations. As provided for by the Lusaka Agreement, besides the Congolese parties, the dialogue will include the political opposition and representatives of the forces vives.

### III. MILITARY AND SECURITY SITUATION

9. The military and security situation in the Democratic Republic of the Congo has deteriorated since my last report, dated 1 November 1999 (S/1999/1116).

10. In November, according to various reports available to the United Nations, the Government launched an offensive from Mbandaka into territory held by MLC in Equateur province, apparently in response to perceived infiltrations on the part of MLC forces into its territory. According to information provided by MLC to United Nations military liaison officers based in Gbadolite, fighting between government troops and MLC in Libanda and Makanza, to the north of Mbandaka, resulted in heavy casualties. However, this information could not be confirmed.

11. Heightened military activity by some of the "armed groups" defined in the Lusaka Agreement has also been reported in eastern Democratic Republic of the Congo. These include the former Rwandan government forces and Interahamwe militia, Burundian rebels and various Mayi-Mayi groups. Rebel sources also say the armed groups have acquired new equipment, including radios and uniforms, and have engaged in planning for military activity in South Kivu and Burundi. Following allegations that the armed forces of the Democratic Republic of the Congo have also been arming, training and supplying these armed groups (see, for example, S/1998/1096), the Government of the Democratic Republic of the Congo have strongly denied such reports.

12. Reports from South Kivu strongly suggest the danger of large-scale violence among different ethnic groups there. On 29 December 1999, the Government of the Democratic Republic of the Congo convened a press conference in Kinshasa to announce the alleged burial alive of 15 women in Kivu province by rebels, apparently on suspicion of having been in contact with Mayi-Mayi forces. The

/...

rebels have denied the accusation. The Government has appealed to the United Nations High Commissioner for Human Rights to investigate the alleged atrocity, and Congolese women's groups demonstrated for several days in protest in this connection outside MONUC headquarters in Kinshasa. An alleged massacre of 23 women and three children was also reported near the town of Kalima, north-east of Kindu, allegedly carried out by rebels on 14 December. The victims were accused of complicity with the Mayi-Mayi (see sect. VII below).

13. A force of about 700 Congolese, Namibian and Zimbabwean troops has been encircled at Ikela by rebel forces and has been running short of supplies. Pursuant to a decision made by JMC at its December meeting in Harare, MONUC has been participating in an effort led by the interim Chairman of JMC, Brigadier General Timothy J. Kazembe of Zambia, to achieve a peaceful resolution of the situation. However, MONUC has also received reports indicating that a military solution is being pursued to relieve the encircled troops.

#### IV. ACTION TAKEN BY THE UNITED NATIONS

14. On 11 December 1999, my Special Representative, Kamel Morjane (Tunisia), assumed his duties in Kinshasa. On the same day, he met with the United States Ambassador to the United Nations, Richard Holbrooke, who was visiting the Democratic Republic of the Congo as part of his tour of the subregion. Mr. Morjane has also met with President Kabila and other senior officials.

15. The difficulties experienced by the preliminary United Nations deployment in the Democratic Republic of the Congo in positioning military liaison officers at the rear military headquarters of the belligerents and other key locations are described in my last report (S/1999/1116, paras. 18-20). They related primarily to the need to secure all the necessary guarantees of security and freedom of movement for the operations of the technical survey team dispatched to the Democratic Republic of the Congo to inspect the locations at which it was proposed to deploy United Nations personnel and to assess the military, political, logistics and infrastructure situation there. Civilian staff experts in child protection, humanitarian affairs and public information also accompanied the technical survey team.

16. In order to help overcome these difficulties, the Special Envoy of the Secretary-General for the peace process in the Democratic Republic of the Congo, Moustapha Niasse, visited Kinshasa from 3 to 10 November and raised the issue with President Kabila. Following his visit, the technical survey team has been able to visit seven locations in rebel-held territory and one in Government-held

/...

territory. Teams of United Nations military liaison officers have since been positioned at the following eight locations: Gbadolite, Goma, Kananga, Kindu, Gemena, Isiro, Lisala and Boende, and it is intended to position a team at Kabinda later in January. However, proposed visits to important locations such as Mbuji Mayi, Mbandaka, Lubumbashi and Matadi have yet to be approved by the Government of the Democratic Republic of the Congo. RCD (Goma) has insisted that United Nations personnel be positioned at additional locations on Government-held territory in order to ensure a balanced deployment. The number of United Nations military liaison officers currently deployed in the Democratic Republic of the Congo and in the capitals of the belligerent parties and elsewhere in the subregion is 79 (see annex).

17. On the basis of the information sent back from their deployment locations by the teams of military liaison officers and data available in the capitals of the surrounding countries and in Kinshasa, MONUC has built up a picture of the military, logistical and humanitarian situation of many of the locations considered important to United Nations deployment. Though this picture is incomplete and much work remains to be done in order to assemble all the necessary information, it is in many respects quite detailed. The concept of operations presented below is based on the partial data gathered so far.

#### V. RELATIONS WITH OAU, JMC AND THE PARTIES

18. As was pointed out in my report of 1 November 1999, the proper implementation of the Lusaka Agreement requires very close coordination and cooperation between the United Nations, the parties, JMC and OAU. The United Nations, at Headquarters and through MONUC, has continued to do everything possible within its mandate and resources to develop this coordination and cooperation. MONUC provides substantial assistance to JMC on a routine basis.

19. Early in November, MONUC deployed two military liaison officers at Addis Ababa in order to improve links between the United Nations and OAU. MONUC officers provided training to the OAU observers deployed by JMC to serve with the regional offices of JMC at Boende, Lisala and Kabinda, and provided substantial assistance in their deployment to those locations. The United Nations officers deployed in Lusaka to ensure liaison with JMC have been tasked to assist in the establishment of a 24-hour operations room to enable JMC to receive information from its teams in the field. The co-location of United Nations military liaison officer teams with the regional JMCs is improving the flow of information to JMC headquarters in Lusaka.

/...



20. On 22 December 1999, I wrote to the current Chairman of OAU and the Secretary-General of OAU to point out the importance and urgency of establishing JMC as a standing body at the earliest possible time. The Under-Secretary-General for Peacekeeping Operations wrote at that time to the Ministers of Defence and Foreign Affairs of the signatory countries stating MONUC's readiness to deploy to sites within the Democratic Republic of the Congo pursuant to resolution 1258 (1999) and requesting their cooperation to that end.

21. In response to an invitation issued by the Department of Peacekeeping Operations, the Assistant Secretary-General of OAU, Said Djinnit, and General Rachid Lallali, the Chairman of JMC, visited United Nations Headquarters on 12 January for consultations. The object of the discussions was to identify further ways in which the United Nations could assist JMC to establish itself as a permanent structure on a fully operational basis.

22. Mr. Djinnit and General Lallali stressed their willingness to work closely with the United Nations and with MONUC but also described the severe constraints imposed on them by the shortage of resources. Despite the pledges received from a number of donors, JMC lacked the funds necessary to carry out effectively the tasks required of it under the Lusaka Agreement. They appealed for further assistance from the international community. For its part, MONUC will continue to provide technical assistance to JMC and OAU observers deployed with the regional JMC structures within the Democratic Republic of the Congo and to explore ways to improve the functioning of JMC by integrating its tasks, including command and control and information flow, with those of MONUC.

23. In order to assist JMC to assume its tasks under the Lusaka Agreement, MONUC is prepared to deploy additional military officers to support its activities. The officers would be located initially in Lusaka but would accompany JMC to its eventual headquarters location in Kinshasa. They would assist in the analysis of information provided by the military observers.

#### VI. HUMANITARIAN SITUATION

24. There are some 960,000 internally displaced persons in eight of the 11 provinces of the Democratic Republic of the Congo and over 300,000 refugees from six of its nine neighbouring countries. Recent humanitarian assessments reveal that over 2.1 million people (internally displaced persons, refugees, urban vulnerable) or 4.3 per cent of the population of the Democratic Republic of the Congo face critical food insecurity. Another 8.4 million (mostly urban populations and farmers in the proximity of the frontline), or 17 per cent of

/...



the population, face moderate but rapidly growing food insecurity.

25. The current rigid monetary policies pursued by the Government continue to impede traditional commercial exchange and the import of foodstuffs. Prohibitive transport costs caused by inflation and oil shortages have dramatically driven up staple food prices. Major food shortages are reported in urban areas. With agricultural produce unable to reach markets in recent weeks, owing to fighting in food producing areas, the situation has worsened; it is compounded by impassable roads and the onset of the rainy season.

26. The official exchange rate set by the Government of 4.5 CFA francs to the United States dollar imposes very heavy costs on MONUC and the United Nations agencies operating in Kinshasa, since the actual rate of exchange is some 28 CFA francs to the dollar. The costs imposed by this policy have led some agencies to consider suspending operations in the country.

27. A recent nutritional survey in Bas-Congo in western Democratic Republic of the Congo revealed high levels of chronic and acute malnutrition in children under five, which is particularly alarming given that Bas-Congo is traditionally the country's breadbasket and a major supply source for Kinshasa.

28. The World Food Programme issued a press release in December 1999 announcing that while access had improved to some war-affected populations, aid agencies were struggling to reach the country's interior and unless new funds were made available immediately, 350,000 people living in precarious circumstances would struggle to survive.

29. A major improvement in funding and resources is needed to address the humanitarian needs in the Democratic Republic of the Congo. The United Nations Consolidated Appeal for 2000 was launched at Geneva in December 1999, requesting \$71.3 million. The 1999 Consolidated Appeal for \$38.6 million had only a 17-per-cent response rate, making it impossible to provide the necessary life-saving interventions.

30. Recent exceptional floods and river overflows in Kinshasa created an additional group of approximately 9,000 vulnerable families in several areas of the capital city. The Governments of Belgium, France, Japan, the United States of America, Canada and the United Kingdom of Great Britain and Northern Ireland, the European Community Humanitarian Office and United Nations agencies contributed over \$500,000 to address immediate humanitarian needs.

/...

## VII. HUMAN RIGHTS

31. During the period under review, the Government of the Democratic Republic of the Congo, on 17 December 1999, freed 156 political prisoners, some of whom had been held without trial for months. The majority were activists of the Unified Lumumbiste Party (PALU) or of the Union for Democracy and Social Progress (UDPS).

32. On the occasion of the fifty-first anniversary of the Universal Declaration of Human Rights (10 December 1999), the Government decided to declare a moratorium on capital sentences handed down by the Military Court of Justice (Cour d'ordre militaire). It has to be recalled that some 100 individuals were executed in 1999, following capital verdicts pronounced by that Court, whose statute prohibits any appeal.

33. A seminar organized in Kinshasa by the Office of the High Commissioner for Human Rights in the Democratic Republic of the Congo, with a view to facilitating the adoption of a national plan of action for the protection and promotion of human rights was held, from 8 to 10 December 1999. Some 100 participants, including government officials and representatives of civil society, attended the seminar. The national plan, which was adopted unanimously, set up priorities for the period 2000-2002 in the fields of rule of law, administration of justice, human rights education and the promotion of economic, social and cultural rights.

34. Despite the above-mentioned positive developments, the human rights situation in the Democratic Republic of the Congo remains a matter of serious concern. Arbitrary arrests and detentions, torture and restrictions imposed on the right to freedom of expression and opinion continue to be reported.

35. In mid November, 15 Congolese women were allegedly buried alive in Mwenga, South Kivu province, currently under the control of RCD. This act has been attributed to Rwandese soldiers. According to a Congolese non-governmental organization, which released the names of 14 of the victims, the women were accused of providing support to Mayi-Mayi warriors fighting against RCD forces.

36. The Government of the Democratic Republic of the Congo expressed its great concern over the incident and addressed a letter to the High Commissioner for Human Rights, requesting an international inquiry and a strong condemnation by the international community. RCD (Goma) has reportedly launched its own inquiry into the allegations.

/...

37. As provided for in the MONUC mandate, a first group of human rights officers will shortly be deployed in the Democratic Republic of the Congo in order to address the current precarious human rights situation.

#### VIII. CHILD PROTECTION

38. Children in the Democratic Republic of the Congo have been victimized through displacement (the majority of the displaced are children and women), separation from and loss of families, physical injuries, and exposure to chronic violence and forced recruitment into fighting forces. Thousands serve as combatants with the various fighting forces. Unaccompanied minors have been reported in large numbers in Kivu, Kasai and Orientale provinces, among other areas.

39. Although children remain extremely vulnerable, the response to the 1999 Consolidated Inter-agency Appeal has been poor. The recruitment of child soldiers continues, especially in the east of the country. A Forum on the Demobilization of Child Soldiers and the Protection of Human Rights was organized on 10 December 1999 by the Congolese Ministry of Human Rights, supported by UNICEF. This step, together with the release of political prisoners mentioned above, has been viewed very positively.

40. To ensure that the lives of children are protected, it will be necessary to act before the fragile Ceasefire Agreement further erodes. With civilian child protection personnel authorized under resolution 1279 (1999) in place, MONUC could commence collecting data on child combatants and other child protection concerns. It could also assist the Government of the Democratic Republic of the Congo and United Nations agencies in putting together a national plan for the demobilization of child soldiers and bring to the attention of JMC violations of children's rights by the various armed forces operating within the Democratic Republic of the Congo. These activities would require the deployment of further civilian child protection officers, along with the necessary support personnel and equipment, alongside military liaison officers in various locations within the Democratic Republic of the Congo.

41. Their main tasks would include ensuring a comprehensive approach to child protection throughout all stages of the making and consolidation of peace and complementing the work of the UNICEF country office and its programme of cooperation. This would involve, inter alia, ensuring that all personnel involved in United Nations peacemaking, peacekeeping and peace-building activities receive appropriate training on the protection and rights of

/...



children.

#### IX. DISARMAMENT AND DEMOBILIZATION

42. In July 1997, the Government initiated activities aimed at the demobilization and rehabilitation of approximately 75,000 soldiers of the former Forces armées zaïroises (FAZ). In response to the Government's request, the World Bank allocated a grant from its Post-Conflict Fund in the amount of \$700,000 to assist the Government in programme preparation. Simultaneously, UNICEF engaged in the demobilization and reintegration of ex-child soldiers from former government forces, first on a limited scale in Bukavu and Goma, later as a concerted national effort. The resumption of hostilities in August 1998 effectively delayed both efforts.

43. The Lusaka Ceasefire Agreement allowed both activities to move forward, through, inter alia, the Forum on the Demobilization of Child Soldiers, mentioned in paragraph 39 above. At the same time, the Government and the World Bank restructured the grant in view of the changed circumstances. The demobilization and reintegration of former combatants is now being planned in two phases. The first phase would aim at the demobilization and reintegration of special vulnerable groups (children, the handicapped, the chronically ill, the aged etc.). The second phase would be linked to the full implementation of the Lusaka Agreement and the reform of all armed forces, as envisaged in chapter 10 of the Lusaka Agreement, and would aim at the demobilization and reintegration of combatants not retained in the unified army. Phase II would also address the reintegration needs of members of armed groups to be demobilized and disarmed under chapter 9 of the Lusaka Agreement.

44. Preparation for the first phase is about to commence and will be undertaken as a joint effort between the Government and the international community. The key ministries involved include Human Rights, National Defence and Social Affairs. Implementation of the grant will be managed by the International Labour Organization in close collaboration with the World Bank, UNICEF, the United Nations Development Programme, the World Health Organization and other United Nations agencies.

/...



Conditions for demobilization

45. The first phase of demobilization would require cooperation from all belligerent parties for the transparent and efficient identification and demobilization of the special target groups, the freedom of movement of ex-combatants to their selected community of reintegration, and a stable security situation. The second phase would depend on the unification of forces as per the Lusaka Agreement, military restructuring under a unified command, the completion of a transparent identification and registration process, and the successful implementation of chapter 9 of the Lusaka Agreement on the disarmament of armed groups. The attainment of these objectives will, of course, depend not only on the full commitment of all the parties to carrying out the Lusaka Agreement but also on the agreement by the armed groups themselves to be disarmed and demobilized. Much work remains to be done in this respect.

X. NEXT STEPS

46. In my 1 November 1999 report, I sought from the Security Council prior authorization to deploy up to 500 military observers, with the necessary support and protection. I pointed out that, in order to be effective, the military observers would require protection and considerable logistical support, including vehicles and communications, as well as additional air assets to ensure their deployment, supply, rotation and, if necessary, extraction. A medical unit should also be deployed in support of the mission.

47. Pursuant to resolution 1279 (1999), I initiated the administrative steps necessary for the equipping of up to 500 United Nations military observers with a view to facilitating future rapid United Nations deployments as authorized by the Council.

48. I had indicated in my report of 15 July (S/1999/790) that the deployment of military observers, should the Council so decide, would constitute the second phase of United Nations involvement in the Democratic Republic of the Congo, security and other conditions permitting. In my report of 1 November 1999 (S/1999/1116) I also envisaged, subject to further progress in the peace process, reverting to the Council with a further report containing recommendations and a proposed mandate and concept of operations for an enlarged United Nations deployment.

49. It must be said that, while progress has been made in the implementation of

/...

the Lusaka Ceasefire Agreement, some setbacks have unfortunately been registered. In order to enable MONUC to perform all the tasks required of it by the Security Council, it is essential that the necessary security and real freedom of movement for United Nations and OAU personnel be assured. The fighting that has continued in some parts of the country and the obstacles and delays encountered in receiving the necessary clearances still constitute problems in that regard.

50. With heavy fighting around Mbandaka in Equateur province and indications that the armed groups identified in the Lusaka Agreement have received new arms and training, and given the difficulties encountered by MONUC in its efforts to deploy across the country, there appears to be a need for the renewed commitment of the parties to the Agreement they signed in Lusaka. In this context, the efforts made and initiatives taken by important regional actors should be noted.

President Chiluba and President Boutefflika have done much to move the process forward, and President Mbeki has called for the urgent convening of a summit meeting aimed at ensuring the speedy implementation of the Lusaka Agreement, an initiative which I support.

51. With the renewed commitment of the parties to the Lusaka Agreement, fully supported by the international community, diplomatic activity may yet succeed in resolving the crisis. The parties should know - and the recent fighting has furnished fresh evidence of this - that there is no military solution to the conflict in the Democratic Republic of the Congo. The people of that country, and of the other belligerent States, need peace in order to channel their energies towards development. It is therefore incumbent on the United Nations to continue to do its utmost to support efforts for peace, including the deployment of a peacekeeping operation in the Democratic Republic of the Congo.

#### Potential for action by the United Nations

52. The signatories of the Lusaka Ceasefire Agreement had in mind a specific set of tasks for the United Nations. If the Agreement is to be carried out as signed, the formidable tasks expected of the United Nations will need to be carefully evaluated. In particular, it will be necessary to reflect on the question of the disarmament, demobilization and reintegration of the armed groups in order to develop a realistic plan of action.

53. The United Nations can potentially play an important role if it receives the necessary mandate and resources. Under such conditions, it will certainly be necessary to envisage a large-scale United Nations peacekeeping operation. Its main objectives would be as follows:

/...

(a) To assist the belligerents to complete the disengagement and withdrawal of their forces in reasonably secure conditions;

(b) To provide security for the operations of United Nations military personnel;

(c) To contribute to the eventual disarmament, demobilization and reintegration of former combatants, including the armed groups identified in the Lusaka Agreement.

54. In order to execute such a programme, a clear political agreement on the part of all concerned is necessary. As noted above, the World Bank has already commenced work on elements of a demobilization and reintegration plan.

55. As was already foreseen, the political context, as well as the political, military and logistical constraints, justify a step-by-step approach adapted to the situation.

#### Logistical situation

56. The road system throughout the country is in extremely poor condition, with long impassable stretches and broken bridges. Road journeys between cities can be undertaken only with great difficulty and can last days or even weeks, with no certainty of success. Conditions are even more difficult during the rainy season, which is always prevalent in one part of the country or another.

57. The railway system is patchy, dilapidated and serves only a few routes. Both rolling stock and rails are reported to be in very poor condition. Many routes have become unusable owing to the effects of war and lack of maintenance, while services on those lines that are still open are underfunded, slow and of limited capacity.

58. The main surface transport medium in the Democratic Republic of the Congo is the extensive system of inland waterways, based on the River Congo and its tributaries. River barges vary in size, with carrying capacity of up to 600 tons. Barges can travel in groups of up to five or six vessels pushed by a single tug, at a rate of five to eight knots. Travel time on one of the shorter routes, from Kinshasa to Mbandaka, was estimated at 10 to 20 days, depending on conditions, though it is believed possible to reach Kisangani from Kinshasa in only 10 days if security is guaranteed. There appears to be no restriction on the commodities that can be carried. However, at the present time the River

/...



Congo is open only as far as Mbandaka because of the fighting in Equateur Province.

59. As a result of the difficulties associated with the surface transport infrastructure, air transport has become the most important means of travel within the Democratic Republic of the Congo. Usable airfields are located in all the major population centres. However, navigational aids are not widely available, and aviation fuel can be obtained commercially only at Kinshasa.

Next stage of deployment: concept of operations

60. The next stage of MONUC's deployment is based on the following assumptions:

(a) The parties will respect and uphold the Lusaka Ceasefire Agreement and the relevant Security Council resolutions;

(b) The JMC, with support from MONUC, will develop a valid plan for the disengagement of the parties' armed forces and their redeployment to assembly areas or JMC-approved defensive positions;

(c) The parties will be committed to contributing to the security of United Nations personnel but may not be entirely able to do so.

61. MONUC will also have to complete the reconnaissance of the intended deployment locations and the positioning of its teams in the rear military headquarters, as stipulated by the Council in resolution 1258 (1999).

62. Even given the willingness of the parties to provide security for MONUC personnel, the levels of insecurity, the degraded infrastructure and the difficult terrain in the country will require the deployment of formed units to protect military observers and civilian staff and to facilitate their activities. For this purpose, it is envisaged that a total force of 5,537 officers and men will be required.

63. This force will be deployed in four reinforced protected infantry battalion groups numbering a total of 3,400 troops. In order to make optimum use of the extensive inland waterway system, the force will also include two marine companies of 150 troops each, with four boats per company. As indicated in earlier reports, there will be 500 military observers. The force headquarters unit will comprise 95 officers, and the four sector headquarters will be staffed by 40 officers each. The force will also need two level II medical units (35 staff each), as well as units responsible for communications, air operations,

/...



movement control and aviation.

64. Even assuming the use of the inland waterways, it is envisaged that, in view of the poor state of the roads and the size of the country, MONUC will need very substantial aviation assets, including light and medium helicopters and fixed-wing aircraft. The fixed-wing aircraft will have to fly hundreds of sorties to deploy and sustain the military units.

65. The main military tasks of the expanded MONUC will be:

(a) To establish contacts and maintain continuous liaison at the field headquarters of all the parties' military forces and with the Joint Military Commission;

(b) To assist the parties in developing modalities for the implementation of the Agreement through the collection and verification of military information on the parties' forces and to develop plans to maintain the cessation of hostilities, disengage the parties' forces, and redeploy the forces to defensive positions or assembly areas;

(c) To facilitate, monitor and report on the cessation of hostilities;

(d) In cooperation with the Joint Military Commission, to investigate violations of the Ceasefire Agreement;

(e) To verify the disengagement of the parties' forces;

(f) In cooperation with the International Committee of the Red Cross, to facilitate the release of prisoners of war and military captives as necessary;

(g) To supervise and verify the redeployment of the parties' forces to defensive positions or administrative assembly areas;

(h) Within its capabilities, to facilitate humanitarian operations;

(i) To support the operations of United Nations civilian staff;

(j) To protect United Nations personnel, facilities, installations and equipment;

(k) To prepare for the next phase of United Nations deployment.

/...

66. The United Nations operation described above represents the minimum strength required for the tasks envisaged at this time. Additional tasks - including facilitating the eventual disarmament and demobilization of armed groups and monitoring and verifying the withdrawal of foreign forces - will require the approval of the Council for a larger operation. An operation of the size currently envisaged will permit United Nations personnel to operate within the vicinity of the battalions only if the parties can guarantee their security.

67. It should be understood that United Nations formed units would not serve as an interposition force nor would they be expected to extract military observers or civilian personnel by force. They would not have the capacity to protect the civilian population from armed attack. MONUC military units would be able to escort humanitarian assistance convoys only within the limits of their means and under favourable security conditions.

68. It is envisaged to locate the battalions near the current or potential areas of operation of the military observers and civilian personnel. Those locations would include Mbandaka, Kisangani and Mbuji Mayi. The fourth location should be in the south-east of the country at a site yet to be surveyed, probably in territory controlled by the rebels. Any battalion located in that part of the country would need to use the logistical facilities of Lubumbashi.

69. The military observers would establish regular contacts with their counterparts in the armed forces of the parties and would provide most of the information on their positions and movements. It is envisaged that the United Nations observers would at all times operate under the protection of the parties and would conduct frequent risk assessments.

70. The task of the marine units would be to observe, monitor and verify the activities of the parties' military forces on the rivers and waterways of the country, and to facilitate movement by water of United Nations personnel, under the protection of the parties.

71. As the use of landmines has been a feature of the conflict in certain areas of the Democratic Republic of the Congo, a mine action capacity would be established as part of the expanded MONUC. In addition to mine clearance and unexploded ordnance disposal specialists, who should be deployed in the reinforced battalions in order to meet their operational needs, a mine action office should be set up within the Mission. Aimed at developing a planning capacity in the field of mine action, its primary objective would be to assess the real scope of the landmine and unexploded ordnance issue by establishing a mine information system. It would also act as the mission coordinator for mine

/...

action activities to be implemented by MONUC, non-governmental organizations, and United Nations and non-United Nations humanitarian agencies operating in country. In this connection, it would particularly focus on mine/unexploded ordnance awareness training for MONUC personnel. Finally, once the real situation had been assessed, the mine action office would contribute to developing a strategy to meet any short, medium and long-term requirements for mine/unexploded ordnance action in the Democratic Republic of the Congo.

72. Along with the increase in its military activities, the expanded United Nations mission would also be expected to assume enhanced responsibilities in the fields of humanitarian assistance, human rights monitoring, and the protection of children, including child soldiers. The expanded mission should therefore be staffed and equipped accordingly. To ensure that its role would be properly understood by the Government and people of the Democratic Republic of the Congo and in order to disseminate information concerning that role, the mission would need to be equipped with an adequate public information component, including radio stations. A status-of-forces agreement would have to be drawn up with the Government, reflecting the mission's mandate and activities.

73. Progress thereafter would depend on the ability of the parties to abide by the terms of the Lusaka Ceasefire Agreement, including the disengagement of their forces along confrontation lines. If United Nations personnel are enabled to perform their mandated functions under conditions of adequate security and freedom of movement, I would then be in a position to consider recommending to the Council the next phase, which would involve the deployment of a larger United Nations peacekeeping operation to assist the parties in carrying out the remaining provisions of the Agreement.

74. It is evident that the problem of the armed groups, including the former Rwandan government forces and Interahamwe militia, is a key factor in the conflict in the subregion, since it undermines the security of all the States concerned. It is essential to resolve this question in order to establish a lasting peace. A plan of action must be devised to facilitate the comprehensive disarmament, demobilization and, as required, reintegration process for the armed groups.

75. In order to pursue the full implementation of the Lusaka Agreement, it also appears necessary to make progress in the inter-Congolese dialogue to be undertaken under the auspices of the neutral facilitator, Sir Ketumile Masire.

76. It is vital to create the conditions for a lasting peace in the subregion based on the implementation of the Lusaka Agreement. The elements of such a

/...



peace would eventually include the security of borders of the States concerned, their territorial integrity, and their full enjoyment of their natural resources. In order to help achieve these objectives, it will be important to convene, at the appropriate time, a regional conference on security and stability.

#### XI. FINANCIAL ASPECTS

77. Pursuant to Security Council resolutions 1258 (1999), 1273 (1999) and 1279 (1999), I have obtained from the Advisory Committee on Administrative and Budgetary Questions commitment authorities totalling \$41.0 million for the United Nations preliminary deployment in the Congo subregion and for the establishment and maintenance of MONUC for the period from 6 August 1999 to 1 March 2000, inclusive of funds necessary for the equipping of 500 military observers and additional 100 civilian support personnel expected to be deployed subject to a further decision by the Council. To ensure that the Mission is provided with resources to fulfil its mandate, I intend to seek assessment of these requirements from the General Assembly during its resumed fifty-fourth session.

78. Should the Council approve my recommendation contained in paragraph 83 below, I shall inform the Council of the related requirements and shall seek additional resources from the General Assembly accordingly.

79. As at 31 December 1999, the total outstanding assessed contributions for all peacekeeping operations amounted to \$1,482.1 million.

#### XII. CONCLUSIONS AND RECOMMENDATIONS

80. The deployment of additional United Nations military personnel should contribute to restoring and maintaining momentum for the implementation of the Lusaka Ceasefire Agreement. In this connection, the signatories bear a crucial responsibility for ensuring the implementation of the Agreement. It is on the basis of their renewed and strengthened commitment to the Agreement they have signed that the international community will be ready to lend its full support and allocate the significant resources that will be required. In this context, no new military offensives should be launched, the security and freedom of movement of United Nations personnel should be guaranteed, and the spreading of hostile propaganda, especially incitements to attack unarmed civilians, should cease.

/...



81. The parties can also demonstrate their full commitment to their Agreement by making use of the modalities contained in it. In this regard, JMC's initiative to resolve the encirclement at Ikela is encouraging. I applaud the action taken in this context by the Government of Zambia, and particularly by the interim JMC Chairman, Brigadier General Timothy Kazembe, and wish them success. In view of its essential role, the Joint Military Commission, which is a key instrument, must very soon be established on a permanent basis, able to react swiftly to events and provide credible and authoritative decisions. Efforts to integrate its activities with those of MONUC should continue.

82. The inter-Congolese dialogue to be conducted under the auspices of the neutral facilitator, with the assistance of OAU, is an indispensable step towards national reconciliation and lasting peace and stability in the Democratic Republic of the Congo. The designation of Sir Ketumile Masire as the neutral facilitator for the inter-Congolese dialogue has elevated the prospect that the other main pillar of the Lusaka peace process will now be implemented, with the assistance of OAU. The United Nations is committed to cooperating with OAU in supporting the facilitator.

83. The regional efforts and initiatives undertaken in support of the peace process, including those by Heads of State in the region, are to be commended. I also welcome the initiative of the Government of the United States, President of the Security Council for the month of January 2000, in encouraging the belligerent parties to recommit themselves to the Lusaka Ceasefire Agreement. Subject to agreement by the parties to taking the steps outlined above, I recommend the deployment of four reinforced protected infantry battalion groups, accompanied by up to 500 military observers, two marine companies and the supporting military personnel and equipment, and the additional civilian personnel required, as described in paragraphs 62 to 72 above. I will provide the Council as soon as possible with a statement of the estimated cost implications of these proposals (in an addendum to the present report).

84. Until the full deployment of a United Nations force, the role of the Joint Military Commission will remain crucial. In order to permit JMC to fulfil its functions under the Lusaka Agreement, I reiterate my appeal to donors to provide it with the resources, in funding or in kind, to support its operations.

85. In my report of 15 July 1999 (S/1999/790, para. 15), I stated that, in order to be effective, any United Nations peacekeeping mission in the Democratic Republic of the Congo, whatever its mandate, would have to be large and expensive. It would require the deployment of thousands of international troops

/...

S/2000/30

English

Page 20

and civilian personnel. It would face tremendous difficulties, and would be beset by risks. Deployment would be slow. This assessment has been amply borne out by the information provided so far by MONUC personnel, particularly on the military and logistical situation in the country. On that basis, it might be added that the deployment of a MONUC peacekeeping operation will also create inflated expectations that might well be unrealistic.

86. Nevertheless, it cannot be too often repeated that the Lusaka Ceasefire Agreement remains the best hope for the resolution of the conflict in the Democratic Republic of the Congo and, for the time being, the only prospect of achieving it. This month will provide the leaders of the countries concerned with a unique opportunity to demonstrate their commitment to the Agreement and, eventually, to peace and stability in the Central African subregion.

87. Lastly, I take this opportunity to wish my Special Representative, Kamel Morjane, every success in his challenging assignment, and to express to the military and civilian officers of MONUC my deepest appreciation for the efforts they have made over the past few months, often under extremely trying circumstances, to carry out the resolutions of the Security Council.

/...

AnnexUnited Nations Organization Mission in the Democratic Republic  
of the Congo: contributions as at 12 January 2000

	Military liaison	Troops	Civilian police observers	Total
Algeria	7	--	--	7
Bangladesh	4	--	--	4
Benin	4	--	--	4
Bolivia	1	--	--	1
Canada	1	--	--	1
Egypt	3	--	--	3
France	3	--	--	3
Ghana	4	--	--	4
India	5	--	--	5
Italy	1	--	--	1
Kenya	1	--	--	1
Libyan Arab Jamahiriya	1	--	--	1
Mali	2	--	--	2
Nepal	2	--	--	2
Pakistan	8	--	--	8
Poland	1	--	--	1
Romania	5	--	--	5
Russian Federation	3	--	--	3
Senegal	5	--	--	5
South Africa	1	--	--	1
Sweden	1	--	--	1

/...

S/2000/30  
English  
Page 22

United Republic of Tanzania	2	--	--	2
United Kingdom	6	--	--	6
Uruguay	4	--	--	4
Zambia	<u>4</u>	--	--	<u>4</u>
Total	79	--	--	79

/...



UNITED  
NATIONS

S

**Security Council**Distr.  
GENERALS/PRST/2000/2  
26 January 2000

ORIGINAL: ENGLISH

## STATEMENT BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 4092nd meeting of the Security Council, held on 26 January 2000 in connection with the Council's consideration of the item entitled "The situation concerning the Democratic Republic of the Congo", the President of the Security Council made the following statement on behalf of the Council:

"The Security Council expresses its appreciation to the Heads of State of Angola, the Democratic Republic of the Congo, Mozambique, Rwanda, Uganda, Zambia and Zimbabwe, and to the Foreign Ministers of Namibia, South Africa, Burundi, Canada and the United States of America, the Vice-Prime Minister and Minister for Foreign Affairs of Belgium, the Minister Delegate for Cooperation and Francophonie of France, the Minister of State for Foreign and Commonwealth Affairs of the United Kingdom, and the Minister of Armed Forces of Mali, who participated in its meeting on the Democratic Republic of the Congo on 24 January 2000. The Council also expresses its appreciation to the Secretary-General of the Organization of African Unity (OAU), the representative of the Chairman of the OAU, and the OAU-nominated Facilitator of the Congolese National Dialogue. Their presence and their statements attest to their renewed commitment to the Lusaka Ceasefire Agreement (S/1999/815) and to the search for a durable peace in the Democratic Republic of the Congo and the region. Their presence in New York also reinforces the progress made at the Maputo Summit of 16 January 2000 and the Harare meeting of the Political Committee of 18 January 2000. The Council expects that this progress will continue at the next Political Committee Meeting and Summit of the Signatories to the Agreement.

"The Security Council urges all the parties to the Lusaka Ceasefire Agreement to build on the momentum of these meetings in order to create and sustain the climate necessary for the full implementation of the Agreement. It underlines the importance of a revised implementation calendar for the full and effective implementation of the tasks in the Agreement.

"The Security Council reaffirms the territorial integrity and national sovereignty of the Democratic Republic of the Congo, including over its natural resources, in accordance with the principles of the Charters of the

United Nations and the OAU. In this regard, it reiterates its call for the immediate cessation of hostilities and the orderly withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo in accordance with the Lusaka Ceasefire Agreement. The Council reaffirms its support for the Lusaka Ceasefire Agreement and also reaffirms its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1273 (1999) of 5 November 1999 and 1279 (1999) of 30 November 1999.

"The Security Council welcomes the report of the Secretary-General of 17 January 2000 (S/2000/30). The Council expresses its determination to support the implementation of the Lusaka Ceasefire Agreement. Accordingly, it has now begun consideration of a resolution authorizing the expansion of the present mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) along the lines recommended by the Secretary-General in that report. It expresses its intention to act promptly on this basis. It also expresses its intention to consider at the appropriate time preparations for an additional phase of United Nations deployment and further action. It welcomes the statements by the Heads of State and delegation in support of the proposals of the Secretary-General.

The Council welcomes the arrival of the Special Representative of the Secretary-General in the Democratic Republic of the Congo, expresses its support for his efforts, and urges all parties to provide him with the assistance and cooperation he will require to carry out his functions.

"The Security Council supports the establishment of a coordinated MONUC/Joint Military Commission (JMC) structure with co-located headquarters and joint support arrangements. The Council believes this is a vital step in enhancing the ability of the United Nations to support the Lusaka Ceasefire Agreement. In this regard, the Council urges Member States and donor organizations to continue to provide assistance to the JMC.

"The Security Council underlines the absolute necessity of security and access for United Nations personnel deployed in support of the Lusaka process, and stresses that such a climate of cooperation is an essential prerequisite for the successful implementation of the mandate of MONUC in the Democratic Republic of the Congo. The Council calls on all signatories to the Lusaka Ceasefire Agreement to provide assurances of safety, security and freedom of movement of United Nations and associated personnel, and in this regard attaches importance to the statement by the President of the Democratic Republic of the Congo on the security of MONUC and the Special Representative of the Secretary-General.

/...

"The Security Council stresses the importance of the National Dialogue as called for in the Lusaka Ceasefire Agreement, and affirms that it must be an open, inclusive and democratic process conducted independently by the Congolese people under the established Facilitation. It further affirms that the National Dialogue is the best means for all Congolese parties to address the political future of the Democratic Republic of the Congo.

"The Security Council strongly supports the designation of the former President of Botswana, Sir Ketumile Masire, as the Facilitator of the National Dialogue as provided for by the Lusaka Ceasefire Agreement, and calls on Member States to provide full financial and other support to his efforts and the process as a whole. The Council welcomes the declared readiness of the President of the Democratic Republic of the Congo to begin the National Dialogue, and to guarantee the security of all participants.

"The Security Council stresses the need for the continued operation of United Nations and other agencies' humanitarian relief operations and human rights promotion and monitoring under acceptable conditions of security, freedom of movement, and access to affected areas. The Council expresses its serious concern over the humanitarian situation in the Democratic Republic of the Congo as well as the shortfall in responses to the United Nations consolidated humanitarian appeal. It therefore urges Member States and donor organizations to make available the necessary funds to carry out urgent humanitarian operations in the Democratic Republic of the Congo.

"The Security Council expresses its concern that the presence in the Democratic Republic of the Congo of non-signatory armed groups that have yet to be demobilized constitutes a threat to the Lusaka process. The Council recognizes that disarmament, demobilization, resettlement and reintegration (DDRR) are among the fundamental objectives of the Lusaka Ceasefire Agreement. The Council underlines that a credible plan for DDRR must be based on an agreed and comprehensive set of principles.

"The Security Council expresses deep concern over the illicit flow of arms into the region, and calls upon all concerned to halt such flows.

"The Security Council values the continuing leadership of the peace process by the President of Zambia and the vital contribution of the Southern African Development Community through its Chairman, the President of Mozambique. It also expresses its appreciation to the current Chairman of the OAU, the President of Algeria, and to the Secretary-General of the

/...



S/PRST/2000/2

English

Page 4

OAU for the Organization's vital role in the Lusaka process. It urges them to continue their essential efforts in close cooperation with the Security Council and the Secretary-General."

-----

/...



UNITED  
NATIONS

S



## Security Council

Distr.  
GENERALS/RES/1291 (2000)  
24 February 2000

## RESOLUTION 1291 (2000)

Adopted by the Security Council at its 4104th meeting,  
on 24 February 2000

The Security Council,

Recalling its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, and other relevant resolutions, and the statements of its President of 26 January 2000 (S/PRST/2000/2), 24 June 1999 (S/PRST/1999/17), 11 December 1998 (S/PRST/1998/36), 31 August 1998 (S/PRST/1998/26) and 13 July 1998 (S/PRST/1998/20),

Reaffirming the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council for the maintenance of international peace and security, and the obligation of all States to refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Reaffirming the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,

Reaffirming also the sovereignty of the Democratic Republic of the Congo over its natural resources, and noting with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions on security conditions and the continuation of hostilities,

Expressing its strong support for the Lusaka Ceasefire Agreement (S/1999/815), which represents the most viable basis for the peaceful resolution of the conflict in the Democratic Republic of the Congo,

Reiterating its call for the orderly withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo in accordance with the

Ceasefire Agreement,

Noting the commitment of all the parties to the Ceasefire Agreement to locate, identify, disarm and assemble all members of all armed groups in the Democratic Republic of the Congo referred to in Annex A, Chapter 9.1, of the Ceasefire Agreement and the commitment of all countries of origin of these armed groups to take the steps necessary for their repatriation, and noting that these tasks must be conducted by the parties in accordance with the Ceasefire Agreement,

Endorsing the selection by the Congolese Parties, with the assistance of the Organization of African Unity, of the Facilitator of the National Dialogue provided for in the Ceasefire Agreement, and calling on all Member States to provide political, financial, and material support to the Facilitation,

Recalling the report of the Secretary-General of 17 January 2000 (S/2000/30),

Stressing its commitment to work with the parties to implement fully the Ceasefire Agreement, while underlining that its successful implementation rests first and foremost on the will of all parties to the Agreement,

Stressing the importance of the re-establishment of state administration throughout the national territory of the Democratic Republic of the Congo as called for in the Ceasefire Agreement,

Stressing the importance of the Joint Military Commission (JMC), and urging all States to continue to provide it with assistance,

Emphasizing that phase II of the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) should be based on the following considerations:

(a) that the parties respect and uphold the Ceasefire Agreement and the relevant Council resolutions;

(b) that a valid plan for the disengagement of the parties' forces and their redeployment to JMC-approved positions is developed;

(c) that the parties provide firm and credible assurances, prior to the deployment of MONUC forces, for the security and freedom of movement of United Nations and related personnel,

/...

Recalling the relevant principles contained in the Convention on the Safety of the United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President of 10 February 2000 (S/PRST/2000/4),

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Expressing its serious concern over the humanitarian situation in the Democratic Republic of the Congo, and encouraging donors to respond to the United Nations consolidated humanitarian appeal,

Stressing the importance to the effectiveness of such humanitarian assistance and other international operations in the Democratic Republic of the Congo of favourable conditions for local procurement and recruitment by international organizations and agencies,

Expressing its deep concern at all violations and abuses of human rights and international humanitarian law, in particular those alleged violations referred to in the report of the Secretary-General,

Expressing also its deep concern at the limited access of humanitarian workers to refugees and internally displaced persons in some areas of the Democratic Republic of the Congo, and stressing the need for the continued operation of United Nations and other agencies' relief operations, as well as human rights promotion and monitoring, under acceptable conditions of security, freedom of movement, and access to affected areas,

Determining that the situation in the Democratic Republic of the Congo constitutes a threat to international peace and security in the region,

1. Calls on all parties to fulfil their obligations under the Ceasefire Agreement;

2. Reiterates its strong support for the Special Representative of the Secretary-General in the Democratic Republic of the Congo and his overall authority over United Nations activities in the Democratic Republic of the Congo, and calls on all parties to cooperate fully with him;

3. Decides to extend the mandate of MONUC until 31 August 2000;

/...



4. Authorizes the expansion of MONUC to consist of up to 5,537 military personnel, including up to 500 observers, or more, provided that the Secretary-General determines that there is a need and that it can be accommodated within the overall force size and structure, and appropriate civilian support staff in the areas, inter alia, of human rights, humanitarian affairs, public information, child protection, political affairs, medical support and administrative support, and requests the Secretary-General to recommend immediately any additional force requirements that might become necessary to enhance force protection;

5. Decides that the phased deployment of personnel referred to in paragraph 4 above will be carried out as and if the Secretary-General determines that MONUC personnel will be able to deploy to their assigned locations and carry out their functions as described in paragraph 7 below in conditions of adequate security and with the cooperation of the parties, and that he has received firm and credible assurances from the parties to the Ceasefire Agreement to that effect, and requests the Secretary-General to keep the Council informed in this regard;

6. Decides that MONUC will establish, under the overall authority of the Special Representative of the Secretary-General, a joint structure with the JMC that will ensure close coordination during the period of deployment of MONUC, with co-located headquarters and joint support and administrative structures;

7. Decides that MONUC, in cooperation with the JMC, shall have the following mandate:

(a) to monitor the implementation of the Ceasefire Agreement and investigate violations of the ceasefire;

(b) to establish and maintain continuous liaison with the field headquarters of all the parties' military forces;

(c) to develop, within 45 days of adoption of this resolution, an action plan for the overall implementation of the Ceasefire Agreement by all concerned with particular emphasis on the following key objectives: the collection and verification of military information on the parties' forces, the maintenance of the cessation of hostilities and the disengagement and redeployment of the parties' forces, the comprehensive disarmament, demobilization, resettlement and reintegration of all members of all armed groups referred to in Annex A, Chapter 9.1 of the Ceasefire Agreement, and the orderly withdrawal of all foreign forces;

/...



(d) to work with the parties to obtain the release of all prisoners of war, military captives and remains in cooperation with international humanitarian agencies;

(e) to supervise and verify the disengagement and redeployment of the parties' forces;

(f) within its capabilities and areas of deployment, to monitor compliance with the provisions of the Ceasefire Agreement on the supply of ammunition, weaponry and other war-related matériel to the field, including to all armed groups referred to in Annex A, Chapter 9.1;

(g) to facilitate humanitarian assistance and human rights monitoring, with particular attention to vulnerable groups including women, children and demobilized child soldiers, as MONUC deems within its capabilities and under acceptable security conditions, in close cooperation with other United Nations agencies, related organizations and non-governmental organizations;

(h) to cooperate closely with the Facilitator of the National Dialogue, provide support and technical assistance to him, and coordinate other United Nations agencies' activities to this effect;

(i) to deploy mine action experts to assess the scope of the mine and unexploded ordnance problems, coordinate the initiation of mine action activities, develop a mine action plan, and carry out emergency mine action activities as required in support of its mandate;

8. Acting under Chapter VII of the Charter of the United Nations, decides that MONUC may take the necessary action, in the areas of deployment of its infantry battalions and as it deems it within its capabilities, to protect United Nations and co-located JMC personnel, facilities, installations and equipment, ensure the security and freedom of movement of its personnel, and protect civilians under imminent threat of physical violence;

9. Calls on the parties to the Ceasefire Agreement to support actively the deployment of MONUC to the areas of operations deemed necessary by the Special Representative of the Secretary-General, including through the provision of assurances of security and freedom of movement as well as the active participation of liaison personnel;

10. Requests the Governments of the States in the region to conclude, as

/...

necessary, status-of-forces agreements with the Secretary-General within 30 days of adoption of this resolution, and recalls that pending the conclusion of such agreements the model status-of-forces agreement dated 9 October 1990 (A/45/1594) should apply provisionally;

11. Requests the Secretary-General, on the basis of concrete and observed military and political progress in the implementation of the Ceasefire Agreement and relevant Council resolutions, to continue to plan for any additional United Nations deployments in the Democratic Republic of the Congo and to make recommendations for further Council action;

12. Calls on all parties to ensure the safe and unhindered access of relief personnel to all those in need, and recalls that the parties must also provide guarantees for the safety, security and freedom of movement for United Nations and associated humanitarian relief personnel;

13. Calls on all parties to cooperate with the International Committee of the Red Cross to enable it to carry out its mandates as well as the tasks entrusted to it under the Ceasefire Agreement;

14. Condemns all massacres carried out in and around the territory of the Democratic Republic of the Congo, and urges that an international investigation into all such events be carried out with a view to bringing to justice those responsible;

15. Calls on all parties to the conflict in the Democratic Republic of the Congo to protect human rights and respect international humanitarian law and the Convention on the Prevention and Punishment of the Crime of Genocide of 1948, and calls on all parties to refrain from or cease any support to, or association with, those suspected of involvement in the crime of genocide, crimes against humanity or war crimes, and to bring to justice those responsible, and facilitate measures in accordance with international law to ensure accountability for violations of international humanitarian law;

16. Expresses its deep concern over the illicit flow of arms into the region, calls upon all concerned to halt such flows, and expresses its intention to consider this issue further;

17. Expresses its serious concern at reports of illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo, including in violation of the sovereignty of that country, calls for an end to such activities, expresses its intention to consider the matter further,

/...

and requests the Secretary-General to report to the Council within 90 days on ways to achieve this goal;

18. Reaffirms the importance of holding, at the appropriate time, an international conference on peace, security, democracy and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity, with the participation of all the Governments of the region and all others concerned;

19. Requests the Secretary-General to provide a report every 60 days to the Council on progress in the implementation of the Ceasefire Agreement and this resolution;

20. Decides to remain actively seized of the matter.

-----

/...



cuy-5

JMC/MONUC RESTRICTED

Pg - 7/17

**PLAN FOR THE DISENGAGEMENT AND REDEPLOYMENT OF  
FORCES IN DEMOCRATIC REPUBLIC OF CONGO (DRC) IN  
ACCORDANCE WITH THE LUSAKA AGREEMENT**

**INTRODUCTION**

1. Pursuant to the Cease-fire Agreement in the DRC in particular Article III, Para 14 and Chap 2 of Annex A to the Agreement, Chapter 7, Para 7.4(c) and 7.4(e), ; Chap 8, Para 8.2.1(d) & (e), and Chapter 11 of the Agreement, the Governments of Angola, The Democratic Republic of the Congo (DRC), Namibia, Rwanda, Uganda, Zimbabwe and the leadership of the Movement for the Liberation of Congo, the Rally for Congolese Democracy and the Rally for Congolese Democracy (Kisangani) hereinafter called "the Parties", have agreed as follows:

**ARTICLE ONE - GENERAL OBLIGATIONS**

2. The purposes of the General Obligations are as follows:

- a. During the process of Disengagement and Redeployment of the forces, in order to establish a cessation of hostilities, no Party shall threaten or use force against another Party, and under no circumstances shall any armed forces of any Party enter into or stay within the territory controlled by any other Party without the authorization of the JMC and MONUC
- b. The Parties understand and agree that within DRC all Parties shall apply the obligations undertaken in this Plan equally. All parties shall be held responsible for their compliance herewith, which will be monitored by MONUC/(The United Nations Mission in the DRC)/JMC
- c. Each Party shall ensure that the terms of this Plan, and written orders requiring compliance, are immediately communicated to all of its Forces.
- d. The Parties shall comply with the cessation of hostilities in accordance with Articles 1 and 3 of the Lusaka Cease Fire -Agreement. Each Party shall ensure that all personnel and organizations with military capability under its control or within territory under its control, including armed civilian groups (illegally armed), Armed Groups controlled by or in the pay of one or other Party comply with this Plan.

1  
JMC/MONUC RESTRICTED



CUY-5 JMC/MONUC RESTRICTED PJ-8/17  
ARTICLE TWO - COMMITMENT TO A CEASE FIRE BY ALL PARTIES

3. In carrying out the obligations set forth in Article 1, the Parties undertake, in particular, to cease the firing of all weapons and explosive devices. The Parties shall not place any additional minefields, barriers, or protective obstacles. They shall not engage in patrolling, ground or air reconnaissance forward of their own force positions, or into the Disengagement Zone (DZ), without JMC/MONUC approval.

4. The Parties shall provide a safe and secure environment for all persons in their respective jurisdictions, by maintaining civilian law enforcement agencies. These will operate in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms, and by taking such other measures as appropriate. They will facilitate free movement and access to UN and other International Agencies by providing such status as is necessary for the effective conduct of their tasks. This should extend to the civilian population, where practical, in order that normal economic activity can re-commence.

5. Whilst reserving the right to self-defence, within defended positions, the Parties shall strictly avoid committing any reprisals, counter-attacks, or any unilateral actions, in response to violations of this Plan by another Party. The Parties are to report all alleged violations of the provisions of this Plan to HQ MONUC and the JMC.

ARTICLE THREE - CONCEPT FOR DISENGAGEMENT

6. Desired Endstate. The Desired Endstate sought is to achieve a rapid and total cessation of hostilities throughout the territory of the DRC to allow the realization of future stages as laid down in the Lusaka Agreement.

7. Planning Assumption. This Article is based on the assumption: that a Cease-fire, respected by all the Parties, exists in order to facilitate the immediate deployment of MONUC Phase 2.

8. Prerequisites. The following prerequisites must be met before an effective disengagement can take place:

a. A total Cessation of Hostilities by all Parties.

JMC/MONUC RESTRICTED

CUY-5

JMC/MONUC RESTRICTED

pg-9/17

Agreement by all parties on the precise Zones of Confrontation, specifically that disengagement takes place from the current (as at 5 Apr 00) front-line positions as declared by all Parties.

b. Cooperation by all parties on the mediation work to be carried out by JMC/MONUC.

c. The provision of MILINFO by all parties to allow for the implementation of the Disengagement.

9. Joint and Co-located MONUC and JMC HQs. Once disengagement has been completed in all areas (the target date as per Article 4 being D+70) the JMC HQ is to collocate with MONUC HQ in Kinshasa, subject to security guarantees for all members, and establish joint support and administrative arrangements.

10. Principles of Disengagement.

a. Tactical Considerations. No Party should be placed at a tactical disadvantage by the disengagement.

b. Selection of New Defensive Positions. Selection of new defensive positions, mutually agreed upon between JMC/MONUC and the commanders on the ground should depend on the terrain, basic infrastructure and the facilities which will allow the easy organization of logistic support.

c. Priority for Disengagement. Disengagement will be within selected areas. The disengagement sequence will be as follows:

(a) Forces in contact (defined as combat units being within the range of direct-fire and indirect-fire systems of the other Party) will disengage first.

(b) Besieged forces. (Units defined as being encircled and having lost freedom of maneuver with the surrounding area dominated and controlled by another Party).

(c) Forces not in contact. (Defined as opposing combat units outside the range of direct-fire and indirect-fire systems - this range being specified as the range of the longest system held by either Party).

Copy Distributed to JMC/MONUC and Parties

JMC/MONUC RESTRICTED



CUY-5

JMCMONUC RESTRICTED

Pg - 10/17

11. Verification. All disengagement will be subject to verification by the JMC and MONUC.

12. Freedom of Movement (FoM). There will be unrestricted FoM across all areas of control for the passage of JMC and MONUC Personnel, other UN and International Agencies.

13. Overall Concept of Operations. Having achieved a Cease- Fire and agreement as to the front lines of all parties, forces will re-deploy simultaneously to new defensive positions according to an agreed sequence. Thus a separate, and detailed, sub-plan will be required for each area where troops are engaged. There will be 2 phases of disengagement:

- a. Phase 1. Forces will initially withdraw to create a DZ of at least 15km either side of the agreed Confrontation Line, in accordance with the local geographical conditions.
- b. Phase 2. Once this separation has been accomplished, forces of all
- c. Parties will concentrate in Defensive Positions. These will be beyond the borders of the DZ, and verification of the numbers and types of forces in these positions will be conducted by JMC/MONUC.

14. Division of Cease-Fire Zone (CFZ) Into Areas. The CFZ will be divided into 4 areas, as detailed in the attached map at Appendix 2, and as follows:

- a. Area 1 - Lisala.
- b. Area 2 - Boende.
- c. Area 3 - Kabinda
- d. Area 4 - Kabalo.

Each Area will be the subject of its own sub-plan as mentioned in Paragraph 13. These plans will be produced by JMC/MONUC in accordance with the Calendar at Article 4.

15. Methodology & Procedures.

- a. Entry into Force. This plan will come into force when endorsed by the Political Committee. At their meeting in Kampala on 8 Apr 2000, Defence Chiefs decided that D Day for implementation will be 14 Apr 00 at 0000 hrs. GMT.

JMCMONUC RESTRICTED

cu y-5

JMC/MONUC RESTRICTED

Pa-11/15

b. Implementation. Detailed sub-plans will be developed by JMC/MONUC and thereafter adopted and signed by the Military Commanders of the Parties.

c. Procedure. Disengagement in each area will take place according to the detailed sub-plan, for each area, and in accordance with the overall priority as follows:

(1) No armed aircraft of any party will be allowed within 50 km of the edge of the projected DZ effective from 72hrs before the implementation of the Disengagement and Redeployment (DR) plans in that area. Resupply aircraft to be coordinated with JMC/MONUC.

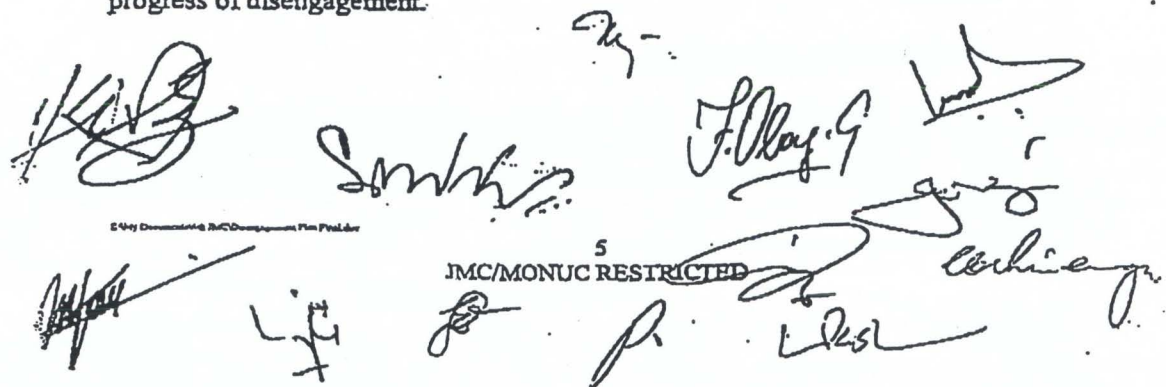
(2) Forces to move back equal distances where possible.

(3) Where equal movement is not possible, the JMC/MONUC, working in consultation with the parties will determine the location of new defensive positions.

(4) Where an unequal movement has taken place in one area, a corresponding adjustment of territory will be made in another area to ensure that no side is at a tactical disadvantage. This will be decided by JMC/MONUC in consultation with the Parties.

(5) The timeframe for implementation within each area will be mutually agreed and will vary according to the forces committed. Longer range weapons: artillery pieces of more than 75mm calibre, mortars of more than 80mm, anti-aircraft guns of more than 12.7mm calibre, armoured vehicles and other weapons platforms will be withdrawn first.

16. Verification/Implementation. Prior to the disengagement of forces in a particular area, the local commanders and mobile verification teams of (JMC/MONUC) will confirm all details of the sub-plans on the ground, to ensure the smooth coordination of the disengagement. These teams will monitor the progress of disengagement.

The bottom section of the document contains several handwritten signatures and initials. On the left, there is a large, stylized signature. In the center, there are initials that appear to be 'S.M.H.'. To the right of these, there is another signature that looks like 'F. Olay'. Further right, there is a signature that appears to be 'L. Olay'. Below these, there are more signatures and initials, including one that looks like 'L. Olay' and another that looks like 'L. Olay'. The text 'JMC/MONUC RESTRICTED' is printed in the center of this section, with a small number '5' above it. The overall appearance is that of a formal document with multiple signatures.



Pg-12/17

(BLANK)

JMC/MONUC RESTRICTED

Part

CUY-5

JMC/MONUC RESTRICTED

Pg-13/17

Dates	Principal	Activity on the Ground	Remarks
Signature of the Plan:	Cessation of Hostilities	Orders issued to Military Commanders from Political Leaders to cease-fire.	Entry into Force of the Military Plan
<u>D DAY</u> 14 Apr 2000, 0000 hrs GMT.	Start of Cease-Fire	Confirmation that Military Commanders have received orders to Cease-Fire.	Decision of Defence Chiefs at their meeting at Kampala on 8 Apr 2000. Defence Chiefs agreed that orders to cease-fire and disengage will be re-issued to forces in the field. Copies of the orders will be sent to JMC/MONUC.
D + 7 - D + 21	Provision of detailed information, area by area to JMC/MONUC to allow detailed planning and implementation.		Information required to enable staff planning for disengagement to be as follows: <ul style="list-style-type: none"> <li>• Locations of forces down to Coy Strength by 6 fig grid of centre of mass</li> <li>• Provision of all data on minefields by all the parties (to include detailed maps of the minefields).</li> <li>• Location (base) of all aircraft and helicopters of all the parties.</li> <li>• Location (base) of all boats capable of carrying more than 10 men of all the parties and of boats capable</li> </ul>

*[Handwritten signatures and initials]*

JMC/MONUC RESTRICTED

*[Handwritten signatures and initials]*

C-UY-5

JMC/MONUC RESTRICTED

Pg-14/17

			<p>of carrying weapons larger than 12.7mm.</p> <ul style="list-style-type: none"> <li>• Location of all Artillery above 75mm calibre and mortars of 80mm calibre and above.</li> <li>• Preferred defensive positions and withdrawal routes to them.</li> </ul>
D+7 - D+30		Development of detailed sub-plans for redeployment and disengagement.	JMC and MONUC planning team. Includes visits to all parts of the CFZ.
D+70	Co-location of JMC HQ with MONUC HQ	JMC HQ and Delegates move to Kinshasa.	Depending upon Political Committee and subject to security guarantees for all members.
D+30 - D+86	Sequential verification of Disengagement of Forces by Areas.	Withdrawal of parties to create DZ	14 Days allowed for verification of disengagement in each area. Recommendation of Defence Chiefs to Political Committee is for simultaneous disengagement.
D+30 - D+150	Deployment of MONUC Phase 2		Following UN Decision.

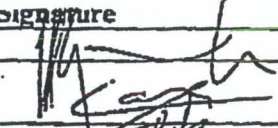
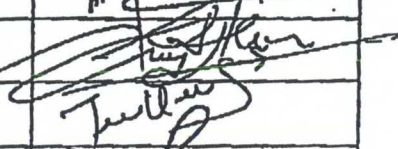
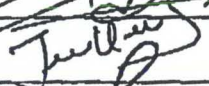



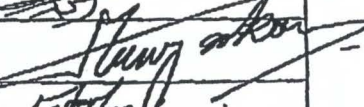
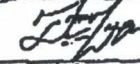
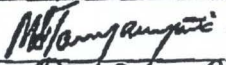
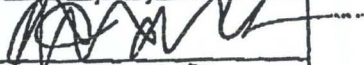

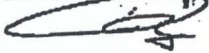
JMC/MONUC RESTRICTED






*CUY-5* JMC/MONUC RESTRICTED  
ARTICLE FIVE - ENTRY INTO FORCE

P9-15/17

18. This Plan shall enter into force upon endorsement by the Political Committee.




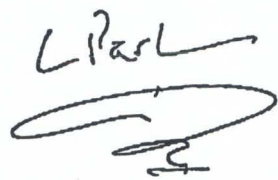
ADOPTED:

JMC	Chairman of JMC	Signature
ANGOLA		
DRC		
MLC		
NAMIBIA		
RCD		
RCD -Kis		
RWANDA		
UGANDA		
ZIMBABWE		
ZAMBIA		
MONUC		
OAU		

Copy Distributed JMC/Disengagement Plan Panel

JMC/MONUC RESTRICTED

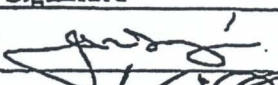

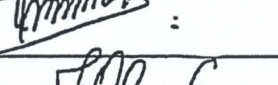
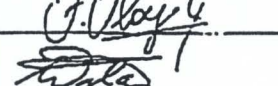
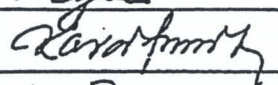
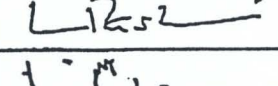
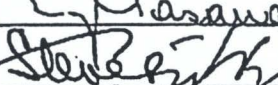
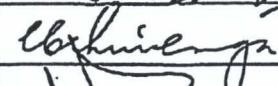

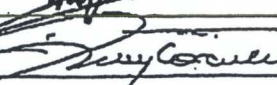

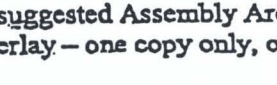



Cuy-5

JMC/MONUC RESTRICTED

Pg-16/17

ENDORSED:

Party	Signatory	Signature
POLITICAL COMMITTEE	Chairman	
ANGOLA		
DRC		
MLC		
NAMIBIA		
RCD		
RCD -Kis		
RWANDA		
UGANDA		
ZIMBABWE		
ZAMBIA		
MONUC	SRSG	
OAU		

## Appendices:

1. Current forward positions CFL, DZ boundaries, suggested Assembly Areas and locations for MILOB teams. (1:2 000,000 Map Overlay – one copy only, on display within the Meeting Room).
2. Outline Sector boundaries – Map.

**REVELATIONS OF MUNYANGONDO ALIAS BENZ (COS) WHO  
REPORTED TO UPDF FROM ADF ON 17 APR 00**

**INTRODUCTION**

1. On 17 Apr 00, one Munyangondo alias Benz (ADF-COS) and Kirunda alias Rwijema Junior (Director of Training and Recruitment) reported to UPDF 55 Bn in Lhume - DRC.

They deserted with 07 escorts 08 AK 47, 02 pistols, 04 grenades and several rounds of ammunition.

a. **Reasons for reporting**

- (1) Due to intensive pressure exerted on them by UPDF Ops "Mt Storm" and "Mt Sweep".
- (2) Different signals exhibited by the Amnesty offered to the rebels. Whereas others are willing to surrender others are not due to fear because of the atrocities they committed.

2. **ADF COMD STRUCTURES**

a. **POLITICAL WING**

- (1) Chief Director - Abdallah Yusuf Kabanda is a Mukonjo from Bwera - Karambi sub-county.
- (2) Deputy Chief Director - Jamil Mukulu Kyagulanyi alias "professor".

- (3) 3<sup>rd</sup> Chief Director - Yosia formerly in NALU. Is a Mukonjo.
- (4) Chief Advisor - Fenekansi Kisokeranio formerly in NALU. Is a Mukonjo from Kisinga, Kiyondo - sub-county.
- (5) Secretary General - Rutehenda Medison.

b. **MILITARY WING:**

- (1) Army Commander (ADF Spokesman) - Henry Matovu alias Birungi "cobra". A Nubian by origin.
- (2) Deputy Army Comdr - Sula Byaruhanga.
- (3) Chief of Staff - Munyangondo alias "Benz". Is a Munyankole from Ibanda. (Defected ADF and reported to UPDF 17 Apr 00).
- (4) Chief of ESO - Bihamba. Is a Congolese. Given this post in order to maintain relationship with collaborators and contacts in Congo.
- (5) Chief Political commissar - Kiwanda.

- (6) Chief of Combat operations - Isabirye Zirizovum alias "Tiger". Is a Musoga.
  
- (7) Director of Training and Recruitment - Kirunda alias "Rwijema Junior". Is a Musoga from Mayuge - Bugiri. (Defected ADF and reported to UPDF on 17 Apr 00).
  
- (8) Director of Military Intelligence - Rukwebe Benedicto. Is a Munyarwanda from Masaka.
  
- (9) Director of Transport - Baturumayo.
  
- (10) Director of Arms - Muzanganda Kabona Jamil
  
- (11) Director of Records - Haji Kinobe (husband to Reste Nantale urban terrorist arrested).
  
- (12) Director of Signals - Eddie Butiro.
  
- (13) Director of Social Welfare - Daniel Mugoya.
  
- (14) Deputy of Director of Training and Recruitment - Ahmed Virunga.



(15) Deputy Director of arms - Mugonza.

c. **FIELD COMMANDERS**

- (1) Byansi - I/C of Kahindangoma zone- covering Kagando, Katwe, Kabuye.
- (2) Sekoko - I/C Bundibugyo.
- (3) Shaban were alias Obura - I/C Bushenyi.
- (4) Mbairinde - I/C Queen Elizabeth National Park.
- (5) David Lukwago - I/C Kabarole area from Rwimi up to Ntandi and areas of Kibati, Lubona and Nyakigumba.
- (6) Zadoki Swalik - 2I/C Kabarole especially in Bugadi forest.
- (7) Issa Twatera Emundu - I/C overall of Bundibugyo and Semliki Park- covering refugee camps, Hakitala, Bundimwenda, Bundibugyo town.
- (8) Jimmy Mwangye - I/C Muhambo area covering Mobuku, Nyamwamba, Kilembe, Mapata.
- (9) Phillip Bogere - 2I/C Muhambo area.

- (10) Tenywa Mohammed Tamare - I/C Nyahuka area.
- (11) Fred Kahinda - I/C of Kikingi area.
- (12) Kakande - I/C Kibaale area especially Muzizi forest.
- (13) Wesonga - I/C Kirindi the area between Bundibugyo and Nyakuha.
- (14) Ali Sebowa Musana - Ntandi are covering Ntoroko and Butuku.
- (15) Umaru Mwangye alisa Ojuku - I/C Bunyaruguru area.
- (16) Lyavaala - I/C Butembo especially between Butembo - Goma road Butembo - Beni road.
- (17) Ngobi ]  
Ddamulira ]  
Sumbusa ]Medical officers  
Kasadha ]
- (18) Muhiindo - Head of Kabanda's security
- (19) Kasaigura - Comdt of Bundibugyo Training wing at Musuule.
- (20) Gafa Adonia - Comdt of Buhiira Training Wing.
- (21) Njima Edris - Chief Clerk.

3. ADF STRENGTH

Estimated between 300-400 in Kabarole, Kasese and Bundibugyo. This includes families, casualties, sick and weak. 103 prisoners who were abducted from Katojo under went military training and have already been deployed in different places. In general , ADF has manpower shortage. Recruitment is no longer taking place following the closure of Katungulu-Bwera-Kasindi traditional route, coupled with several arrests of their recruiting agents and collaborators. Several are killed in UPDF ops while others report/desert.

At the beginning of 11 Nov 96 the total strength of ADF was 1337 but by 20 Dec 98, a total of 275 were confirmed dead.

4. STATUS OF ARMS AND AMMO

- a. In 1996 during Mobutu era before Mpondwe attack, ADF received several weapons from Sudan government with the help of Zaire government. Weapons received included more than 1500 AK 47, 20 12.7mm AAC, GPMGs, RPGs, G2s, 60/82mm mors and a lot of assorted ammo.
- b. In Aug 99 and Oct 99, there were 02 air drops of arms (AK 47), ammos and drugs in Kiribata areas from Kinshasha - Congo. 05 SPG-9 with 200 bombs were among the arms airdropped!

On the boxes of AK47, there were inscriptions of MOD - Democratic Republic of Congo and "SUD 36-96".

The first air drops of Aug 99 were not detected by UPDF unlike the second one of Oct 99 where some arms were recovered by UPDF. The ADF Chief Director Kabanda has close links with Kabila government and deals directly with Kabila's Minister of Internal Affairs.

Before the arms are air dropped the plane first detects a small machine which Kabanda has.

- c. Most of the arms and ammo are hidden underground in areas of Kiribata, Kyabitondo and Kafariso. Benz knows the general area but not exact places.

The Director of Arms one Jamil Muzanganda and his staff are the only ones who know the exact places where guns are hidden.

However, one of Benz's escorts by the names Musa claims that he can lead us to some four places where he suspects that guns were hidden.

- d. ADF has the following weapons:

04 82mm mors, 06 60mm mors, 18 12.7mm AAC (nicknamed "Doshika"), 05 SPG-9, 03 MGL (only two are functioning), and several RPGs. Most of the above weapons are not being used because they are heavy and require more manpower. For easy and quick mobility they opt to use SMGs, RPGs, APMS, ATMs and 60mm mors.



## 5. LOGISTICS

- a. Food is just collected from abandoned shambas of civilians. Some other essentials like maize flour, salt are bought from Lume, Beni and Mutwanga areas in DRC. Roasted meat from wild animals is normally used as dry ration.
- b. A part from some drugs which were air dropped (together with arms and ammos in Aug/Oct 99) more are got from loots they make on dispensaries and trading centres.

ADF has four qualified medical officers i.e Ngobi, Ddamulira, Kasadha and Sumbusa who treat those who are wounded and sick.

- c. They do not have any supply of uniforms apart from those which they charge from UPDF soldiers during encounters. They put on clothes looted from civilians and mainly track suits which are bought from Congo.
- d. Out of 05 Satellite phones which were brought from Nairobi by Kasim Mulumba (arrested) and Reste Nantale (arrested), only 02 are serviceable. They are rarely used because of high costs.

There are 02 small generators and 02 solar panels which are used for charging. They also have 02 man-pack radios but are not functioning. Out of 10 motorolas, only 02 are functioning and are at Kabanda's Hqs in Kiribata - DRC side of the mountains.

There were plans of acquiring 08 mobile phones from Fort Portal town by Kabanda. Benzi does not know who will deliver them.

- e. ADF has received 02 airdrops of arms in Aug and Oct 99 in addition to what was delivered from Sudan via Congo in 1996 (before Mpondwe attack).

Other sources of arms and ammos include UPDF i.e between 15 Apr - 22 Jul 98, ADF charged the following arms from UPDF in ambushes and several other encounters in Bundibugyo; 35 SMGs, 04 LMGs, 02 RPGs and 01 MMG.

Source: ADF records.

## 6. DISPOSITIONS

Small groups of 7-12 armed rebels are deployed. ADF tactical hqs are in Kiribata - DRC side of the mts where the Chief Director Kabanda sits. There are small forces deployed in Kiribata and Mutwanga not for opns but for collecting food and guarding the tactical hqs.

Other deployments are as follows:

- a. Muhambo - covering Mobuku, Nyamwamba, Kilembe, Hiima and Mapata. Muhambo is acting as tactical hqs but covering Kases Opns.
- b. Kahindangoma - covering Kagando, Katwe, Kabuye.
- c. Buhiira - covering Kiraro, Kirambi, Mpondwe, Kasanza,

Kayanja.

- d. Kyabitondo and Kiraro - there are no deployments here. Are used for only sanctuary purposes. In case of attack, they become reserve areas for withdraw or for safe passages hence no camps in these areas.

It should be noted that most of the forces have been withdrawn from areas in DRC in order to depict a different image to UN observers that ADF has always had no bases in Congo. ADF has information that UN observers are supposed to visit ADF camps in Congo.

- e. Kabarole - to carry out ops from Rwimi up to Ntandi and Kibati in areas of Lubona, Nyakigumba.
- f. Kibale district - some forces were sent there to survey Muzizi forest which will be a base from where to spring and carry out opns especially ambushes along Kampala road.
- g. Ntandi covering Ntoroko, Butuku via L. Albert. They normally carry out ambushes along Ntoroko road.
- h. Semliki Park (mobile tactical hqs) covering Bundibugyo town, Hakitala, Bundimwenda, Bundikitala. They spring from Semiliki to carry out ambushes. This is a very wide area where they can be for a long time without detection.
- j. Queen Elizabeth National Park - they co-ordinate with those deployed in Bunyaruguru.

k. Butembo areas - to carry out ambushes along the roads between Butembo Goma, Butembo-Beni for acquisition of money to buy food, clothes, medicine.

l. Other deployments are in Nyahuka, Kamango and Butaama.

There is a detach near Kikingi which acts as a sick bay and also used to purchase provisions. It acts as a calling point to direct those from Congo towards ADF camps up in the mountains.

## 7. TACTICS

- a. Fragmentation of forces.
- b. Highly mobile.
- c. Ambushes.
- d. Dawn attacks and night raids.
- e. Attacks on soft military and civilian targets.
- f. Pre-mature withdraw (cant stand to fight).

## 8. MORALE

Morale is low, due to several problems:

- a. Manpower shortage due to massive desertions, while others are being killed by UPDF.
- b. Adverse weather conditions.



- c. Lack of adequate supplies i.e drugs, clothes.
- d. Continued intensive UPDF Ops.

## 9. INTENTIONS

- a. To disrupt the forth coming referendum campaigns and elections especially in Kabarole, Kasese, Bundibugyo, Kibaale, Bushenyi.

Already the former ADF detachments which had been abandoned to form joint ops in Bundibugyo have been re-opened i.e Muhambo, and Kahindangoma

- b. To harass, intimidate and kill civilians to show that the government has no control of security during referendum campaigns and elections.
- c. The Buseruka prisoners who were recently released from Luzira prison are being contacted in order to revive terrorist activities in Kampala. (This is however not an immediate plan).

Mustafa Sewankambo has already been contacted to head the terrorist group by linking up with Drago and Kasujja who went underground following the arrest several terrorists in Kampala i.e Kayiira, Kabugo and several others.

## 10. COLLABORATORS (Internal/External)

- a. Muhammond Saadi of Kasese: Is one of ADF financiers. He channels the money to ADF via Nairobi. That is why ADF has never tempered with or destroyed his property.

- b. Aggrey Awori - is one of ADF supporters. Kabanda normally rings him and they discuss what to present in Parliament.
- c. Edward Nyamwisa (the Sherrif of Mutwanga) has strong contacts with ADF but through some informers.

He makes arrangements for buying ADF necessities from Nairobi. He at one time communicated to ADF when UPDF was about to attack their camp in Mutwanga.

- d. The Inspector of Police in Beni (the current one). He assists in providing Congolese docs to people whom ADF is sending to Kenya disguised as Congolese businessmen.
- e. Shaline of Beni/Butembo. He is a mechanic.
- f. Lendi of Beni and his son called Didi.
- g. Swaibu Kigongo - based in Nairobi is the I/C of ADF terrorists ops in Kampala.
- h. Fishermen at Hamukungu and Kahendero landing sites from where ADF normally crosses are collaborators.

#### 11. OBSERVATIONS/SUGGESTIONS

- a. Munyangondo alias Benz is still reserved and unable to give more detailed information about himself especially family/educational background and ADF because he is not yet sure of his fate. He committed a lot of atrocities both in

Uganda and Congo i.e he is the one who led the opn in which several vehicles and shops in Kasese town were burnt. He fears the public. He narrowly survived to be lynched by the public in Lugesti when he was coming to report.

- b. His low level of education (not beyond P. 5) seems to be an impediment to wider scope of knowledge about ADF's external organizational structures and administration.

His counterpart alias Rwigema Junior (CTR) a former NRA Kadogo (an S 1 leaver) seems to be more knowledgeable on matters pertaining to ADFs recruitment and training matters coupled with its inclination towards Islamic Fundamentalism. He was formerly an Amir of Mayuge mosque in Bugiri.

- c. ADF is likely to step up its attacks on soft mil and civilian targets to show that the defection of its two commanders has had little or no impact on its ops.
- d. Some escorts of Benz i.e Mause (14), Mustafa (15)<sup>and 15</sup> year old wife (daughter of late Kagoro a former ADF rebel recruiting agent in Kampala) seem to be having some information suspected locations of hidden arms and some of the reasons that led to the defection of "Benz" and "Rwijema junior".

The need to separate them at a later stage for cross examination is paramount.

- e. Benz urges UPDF to continually deny ADF access to rich food areas down the mts coupled with occupying and dislodging them from the mts.

He insists on the use of well armed small groups of 7-15 who are properly facilitated i.e with adequate dry ration. He castigates the use of large numbers by UPDF to "Kufuata Nyayo" and extravagant use of bullets and bombs without any specific targets.

## 12. CONCLUSION

The defection of the two rebel commanders from ADF ranks will certainly have an impact on morale of its fighter and its operations. More other fighters are likely to defect.



United Nations

S/RES/1296 (2000)

**Security Council**Distr.: General  
19 April 2000

---

**Resolution 1296 (2000)****Adopted by the Security Council at its 4130th meeting, on  
19 April 2000***The Security Council,**Recalling* its resolution 1265 (1999) of 17 September 1999, the statement of its President of 12 February 1999 (S/PRST/1999/6) and other relevant resolutions and statements of its President,*Having considered* the report of the Secretary-General of 8 September 1999 on the Protection of Civilians in Armed Conflict (S/1999/957),*Expressing* its appreciation to the informal Working Group established pursuant to resolution 1265 (1999) for its work,*Expressing further* its regret that civilians account for the vast majority of casualties in armed conflicts and increasingly are targeted by combatants and armed elements, *reaffirming* its concern at the hardships borne by civilians during armed conflict, in particular as a result of acts of violence directed against them, especially women, children and other vulnerable groups, including refugees and internally displaced persons, and *recognizing* the consequent impact this has on durable peace, reconciliation and development,*Bearing in mind* its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and *underlining* the importance of taking measures aimed at conflict prevention and resolution,*Reaffirming* its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and to respect for the sovereignty of all States,*Underlining* the need for all parties concerned to comply with the provisions of the Charter of the United Nations and with rules and principles of international law, in particular international humanitarian, human rights and refugee law, and to implement fully the relevant decisions of the Security Council,

1. *Emphasizes* the need, when considering ways to provide for the protection of civilians in armed conflict, to proceed on a case-by-case basis, taking into account the particular circumstances, and *affirms* its intention to take into

account relevant recommendations contained in the report of the Secretary-General of 8 September 1999 when carrying out its work;

2. *Reaffirms* its strong condemnation of the deliberate targeting of civilians or other protected persons in situations of armed conflict, and *calls upon* all parties to put an end to such practices;

3. *Notes* that the overwhelming majority of internally displaced persons and other vulnerable groups in situations of armed conflict are civilians and, as such, are entitled to the protection afforded to civilians under existing international humanitarian law;

4. *Reaffirms* the importance of adopting a comprehensive approach to conflict prevention, *invites* Member States and the Secretary-General to bring to its attention any matter which in their opinion may threaten the maintenance of international peace and security, *affirms* in this regard its willingness to consider, in the light of its discussion of such matters, the establishment, in appropriate circumstances, of preventive missions, and *recalls*, in this regard, the statement of its President of 30 November 1999 (S/PRST/1999/34);

5. *Notes that* the deliberate targeting of civilian populations or other protected persons and the committing of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and, in this regard, *reaffirms* its readiness to consider such situations and, where necessary, to adopt appropriate steps;

6. *Invites* the Secretary-General to continue to refer to the Council relevant information and analysis where he believes that such information or analysis could contribute to the resolution of issues before it;

7. *Expresses* its intention to collaborate with representatives of the relevant regional and subregional organizations, where appropriate, in order further to improve opportunities for the resolution of armed conflicts and the protection of civilians in such conflict;

8. *Underlines* the importance of safe and unimpeded access of humanitarian personnel to civilians in armed conflicts, *calls upon* all parties concerned, including neighbouring States, to cooperate fully with the United Nations Humanitarian Coordinator and United Nations agencies in providing such access, *invites* States and the Secretary-General to bring to its attention information regarding the deliberate denial of such access in violation of international law, where such denial may constitute a threat to international peace and security, and, in this regard, *expresses* its willingness to consider such information and, when necessary, to adopt appropriate steps;

9. *Reaffirms* its grave concern at the harmful and widespread impact of armed conflict on civilians, including the particular impact that armed conflict has on women, children and other vulnerable groups, and *further reaffirms* in this regard the importance of fully addressing their special protection and assistance needs in the mandates of peacemaking, peacekeeping and peace-building operations;

10. *Expresses* its intention, where appropriate, to call upon the parties to a conflict to make special arrangements to meet the protection and assistance requirements of women, children and other vulnerable groups, including through the

promotion of "days of immunization" and other opportunities for the safe and unhindered delivery of basic necessary services;

11. *Emphasizes* the importance for humanitarian organizations to uphold the principles of neutrality, impartiality and humanity in their humanitarian activities and recalls, in this regard, the statement of its President of 9 March 2000 (S/PRST/2000/7);

12. *Reiterates* its call to all parties concerned, including non-State parties, to ensure the safety, security and freedom of movement of United Nations and associated personnel, as well as personnel of humanitarian organizations, and recalls, in this regard, the statement of its President of 9 February 2000 (S/PRST/2000/4);

13. *Affirms* its intention to ensure, where appropriate and feasible, that peacekeeping missions are given suitable mandates and adequate resources to protect civilians under imminent threat of physical danger, including by strengthening the ability of the United Nations to plan and rapidly deploy peacekeeping personnel, civilian police, civil administrators, and humanitarian personnel, utilizing the stand-by arrangements as appropriate;

14. *Invites* the Secretary-General to bring to its attention situations where refugees and internally displaced persons are vulnerable to the threat of harassment or where their camps are vulnerable to infiltration by armed elements and where such situations may constitute a threat to international peace and security, *expresses*, in this regard, its willingness to consider such situations and, where necessary, adopt appropriate steps to help create a secure environment for civilians endangered by conflicts, including by providing support to States concerned in this regard, and recalls, in this regard, its resolution 1208 (1998) of 19 November 1998;

15. *Indicates* its willingness to consider the appropriateness and feasibility of temporary security zones and safe corridors for the protection of civilians and the delivery of assistance in situations characterized by the threat of genocide, crimes against humanity and war crimes against the civilian population;

16. *Affirms* its intention to include in the mandates of United Nations peacekeeping operations, where appropriate and on a case-by-case basis, clear terms for activities related to the disarmament, demobilization and reintegration of ex-combatants, including in particular child soldiers, as well as for the safe and timely disposal of surplus arms and ammunition, *emphasizes* the importance of incorporating such measures in specific peace agreements, where appropriate and with the consent of the parties, *also emphasizes* in this regard the importance of adequate resources being made available, and recalls the statement of its President of 23 March 2000 (S/PRST/2000/10);

17. *Reaffirms* its condemnation of all incitements to violence against civilians in situations of armed conflict, *further reaffirms* the need to bring to justice individuals who incite or otherwise cause such violence, and *indicates* its willingness, when authorizing missions, to consider, where appropriate, steps in response to media broadcasts inciting genocide, crimes against humanity and serious violations of international humanitarian law;

18. *Affirms* that, where appropriate, United Nations peacekeeping missions should include a mass-media component that can disseminate information about



international humanitarian law and human rights law, including peace education and children's protection, while also giving objective information about the activities of the United Nations, and *further affirms* that, where appropriate, regional peacekeeping operations should be encouraged to include such mass-media components;

19. *Reiterates* the importance of compliance with relevant provisions of international humanitarian, human rights and refugee law and of providing appropriate training in such law, including child and gender-related provisions, as well as in negotiation and communications skills, cultural awareness, civil-military coordination and sensitivity in the prevention of HIV/AIDS and other communicable diseases, to personnel involved in peacemaking, peacekeeping and peace-building activities, *requests* the Secretary-General to disseminate appropriate guidance and to ensure that such United Nations personnel have the appropriate training, and *urges* relevant Member States, as necessary and feasible, to disseminate appropriate instructions and to ensure that appropriate training is included in their programmes for personnel involved in similar activities;

20. *Takes note* of the entry into force of the Convention on the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and their Destruction of 1997 and the amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980, *recalls* the relevant provisions contained therein, *notes* the beneficial impact that their implementation will have on the safety of civilians and *encourages* those in a position to do so to support humanitarian mine action, including by providing financial assistance to this end;

21. *Notes* that the excessive accumulation and destabilizing effect of small arms and light weapons pose a considerable impediment to the provision of humanitarian assistance and have a potential to exacerbate and prolong conflicts, endanger civilians and undermine security and the confidence required for a return to peace and stability;

22. *Recalls* the decision of the members of the Council set out in the Note by its President of 17 April 2000 (S/2000/319) to establish on a temporary basis an informal Working Group of the Security Council on the general issue of sanctions, and *requests* the informal Working Group to consider the recommendations contained in the report of the Secretary-General of 8 September 1999 relating to its mandate;

23. *Recalls* the letter of its President to the President of the General Assembly of 14 February 2000 (S/2000/119), *takes note* of the letter to its President from the President of the General Assembly of 7 April 2000 (S/2000/298) enclosing a letter from the Chairman of the Special Committee on Peacekeeping Operations of 1 April 2000, *welcomes* in this regard the work by the Committee with reference to the recommendations in the report of the Secretary-General of 8 September 1999 which relate to its mandate, and *encourages* the General Assembly to continue consideration of these aspects of the protection of civilians in armed conflict;



24. *Requests* the Secretary-General to continue to include in his written reports to the Council on matters of which it is seized, as appropriate, observations relating to the protection of civilians in armed conflict;

25. *Requests* the Secretary-General to submit by 30 March 2001 his next report on the protection of civilians in armed conflict, with a view to requesting additional such reports in future, *further requests* the Secretary-General to include in this report any additional recommendations on ways the Council and other Organs of the United Nations, acting within their sphere of responsibility, could further improve the protection of civilians in situations of armed conflict, and *encourages* the Secretary-General to consult the Inter-Agency Standing Committee in the preparation of the reports;

26. *Decides* to remain seized of the matter.

---

NAMES: **BWAMBALE ALI**

AGE: **35 YRS**

TRIBE: **MUKONJO**

NATIONALITY: **UGANDAN**

I am of the above particulars and I do state that I joined "ADF" in May 1996 at Buhira in Zaire. Before joining, I was a teacher at Nakatete secondary school in Kyazanga Masaka district. I belong to the Salaf Moslem sect, and I had enrolled for a course at Makerere.

Earlier on in 1995, a one Kabanda and a Salaf moslem who by then had joined "ADF" contacted me to join "ADF" which I declined in preference for education but when I failed to get funding for my education, I abandoned the course and a one Kagoro (dead) contacted me and recruited me into ADF.

He took me through Bwera and we crossed to Zaire. It seems Kagoro was known to the border guards on the Zaire side since we were never disturbed on the border.

When we reached Buhira, we found about 1,000 trainees and I joined them. Our instructors were mostly "NRA" deserters.

We started our operations in Uganda in Nov 1996 but we were not yet ready for war since our plans had not yet matured.

At first we had got 200 guns from "NALU". Later on, our commanders went to Sudan and got some guns i.e 82mm 60mm mortars, 125mm guns. (GPMGs, RPGs, MMGs, LMGs, MGLs, and SMGs, grenades, mines and ammunitions.

These weapons were being ferried on Zaire government trucks escorted by Mobutu soldiers to our location in Buhira.

Zaire Generals never visited our battle field but they could always come to coordinate our operations at our Hqs in Beni. We also operated in Kiribatha in Zaire. By the time Mobutu was removed, my group had

entered Uganda. So we continued without the support of the government of Congo until October 1999 when we received supplies from Congo. They were in two containers.

One was from Congo and another one had Arabic writings. Some boxes were tagged DR-Congo but the weapons were similar i.e. as above but included SPGs.

In December 1999, we attacked Bundibugyo and in Feb 2000 we went back to Kiribatha (Congo). I was captured in May 2000 and brought to Kampala. I don't know what is going on now in Congo.

At first we had about 600 Congolese who had joined us but later on they deserted and we remained with about 250. Congolese nationals within ADF ranks.

During Mobutu's regime, its Zairean troops who were providing us with security and they were the ones coordinating our operations. They were the ones escorting our commanders to Kinshasha for meetings with Mobutu and Sudanese Government officials.

Our initial contracts with Kabila were coordinated through our London office by a one Moses and Mark whose other names I don't know. Later on, we started communicating with Kinshasha directly through satellite phones.

My appointment in ADF was Deputy Secretary General. The secretary General was Meddie Rutshemba (still fighting).

That is all I can state and it is true and correct to the best of my knowledge and belief.

Sign

NAMES: **VIHAMBAM KULE**  
 AGE: **30 YRS**  
 TRIBE: **MUKONJO - MUNANDI (CONGOLESE)**  
 NATIONALITY: **CONGOLESE**

I am of the above particulars and at the moment I call myself Tembo Wekibundira.

I do state that I joined the ADF in 1996 in November at Kasindi (Zaire). Prior to my joining ADF, I was working as an immigration officer at Kasindi. A message came from Kinshasa from General Mayele who was Mobutu's Army commander, instructing us to cooperate with the ADF elements in Zaire. The message stated that this was a directive from the President. Our main task was to facilitate the ADF's movements to and from Zaire.

On 13 Nov 1996, ADF attacked Mpondwe boarder post via Kasindi and war started with the UPDF.

When the ADF was repulsed and pursued into Zaire, I had no where to stay so I went with the ADF.

I had retreated to a place called Lugeji on 12 Nov 1996, anticipating serious fighting near my post.

When the ADF reached Lugeji, we went with them to Buhira which was the main training camp. They treated me well and I decided to join their struggle. I didn't train with them because since 1986, as an immigration officer I had got enough experience in operating and handling of guns.

On 22 May 1997, I was appointed director of external security organisation which post I held until 17 May 2000 when I was captured by UPDF.

However before that, being a Congolese I had got tired of fighting a foreign government without any cause and I therefore started planning to see how I could surrender peacefully.



I made contacts with RCD Kisangani who facilitated me with others to move to Uganda to benefit from the Amnesty we had heard of but when we reached Semuliki bridge, we were arrested by UPDF. There are so many Congolese in ADF who want to surrender but they fear because they were only waiting to hear from us, and whether we are safe in Uganda.

We used to get weapons from Sudan via Bunia. During the reign of Mobutu, very many military generals used to visit our camps, most especially Beni where the Hqs of ADF were.

When Kabila started fighting Mobutu and eventually overthrew him, supplies stopped coming in and he even deployed troops to fight us in the mountains.

However, sometime early 2000, we started contacts with Kabila and our weapons would be shipped to Kinshasa and then air dropped to our position.

The last such air drops were made in Nov 2000.

That is all I can state and it is true and correct to the best of my knowledge and belief.

Sign.

SECRET

**ADF-KABILA LINKS-REVELATIONS BY COMMANDER JUNJU JUMA FORMER COMMANDING OFFICER ADF PRESIDENTIAL PROTECTION UNIT (CODE NAMED MAWINGO) 17 MAY 2000**

**INTRODUCTION**

1. In 1995 Abdallah Kabanda (ADF Chief Director) fled from Kampala, Uganda where he was doing business to Beni DRC, where he started organizing logistics and negotiating for rebel bases in DRC. In Beni he met Vihamba Tembo (arrested) former Head ADF External operations. Vihamba was once in Mubutu and Kabila governments and had links with NALU forces in Rwenzori mountains.

**N.B.:** *Vihamba has a blood relationship with Abdallah Kabanda.*

In late 1995 a meeting was held in Beni between Col Ibamba, a captain, Vihamba (from Mobutu government) and Abdallah Kabanda, Henry Birungi Cobra (died), Dr. Kyeyune and Mugaga (from ADF rebel side).

They agreed that ADF should not fight Mobutu but instead fight Uganda, which was a common enemy. ADF requested for bases in Congo (DRC) to establish camps which was granted.

In 1998 ADF agreed to take on the same agreement to Kabila government to fight Uganda government. Col Ibamba representing Kabila government agreed to support ADF for those purposes. Later a link up was made between ADF-SUDAN-DRC, which led to arms and logistics being delivered to ADF through DRC government.

**LOGISTICS RECEIVED BY ADF FROM KABILA GOVERNMENT**

2. In November 1996 the first batch of arms (i.e. 60mm mortars, AK-47 rifles (1000), 500 RPG pipes, RPG shells, 12.7mm,

SECRET

## SECRET

ammunitions, MGL rifles) were received from Sudan by road through Aruu-Bunia-Beni-Bulongo-Lhume to Rugetsi (ADF camps).

The second consignment of arms came by air from Kinshasha-Kisangani-Bunia-Beni. From Beni they were transported by road to Rugetsi ADF camps. This consignment had mainly ammunition for AK-47 rifles, GPMG ammo and 12.7mm ammo plus grenades (tortoise).

In January 1997, the third consignment of arms was airlifted from Kisangani to Beni. From Beni, transported to Rugetsi by road. The contents were; GPMG rifles, LMG rifles, MGL, 60mm mortars and ammunition.

In 1998, the fourth consignment was delivered by road to Rugetsi ADF camps. It consisted mainly of ammunition for AK-47, GPMG and RPG shells.

In 1999 the fifth consignment was received from Kinshasha air dropped in Kiribata-Rwenzori Mountains in ADF camps. It comprised of; tortoise grenades, GPMG, 60mm mortars, 82mm mortars, SPG-9, RPG pipes and others.

In October 1999, sixth batch of arms was air dropped in Kiribata from Sudan via Kinshasha. It had 10 containers of arms same as those in the fifth consignment.

**N.B.:** *Funds in US dollars currency and medical drugs were received together with arms from the same containers in 1999.*

### **ADF CONTACTS IN KINSHASHA GOVERNMENT**

3. a. President Laurent Desire Kabila

- b. Brig Bambu
  - 1998 could travel between Kinshasha and Beni.
  - Responsible for ferrying

**SECRET**

arms from Kinshasha to ADF in Beni.  
He was in charge North Kivu.

- c. Col Mayara
  - Based in Kinshasha
  - Responsible for receiving ADF contacts/ logistics from Sudan and delivering them to ADF in the Rwenzori mountains.
  - He was formerly based in Beni transferred by President Laurent Kabila in 1999.
- d. Maj Wamulumba
  - Charged with co-ordinating ADF activities between Sudan-Kinshasha and Kisangani.
- e. Maj Kakolele
  - Co-ordinator of ADF activities between Kinshasha-Kisangani-Beni and Rwenzori mountains.
- f. Maj Nasur
  - Based in Aruu.
  - Chief Co-ordinator of ADF activities between Aruu-Bunia and Beni.
- g. Maj Abdallah Kule
  - Based in Butembo.
  - Charged with overseeing ADF operations in Butembo, received a consignment of arms air dropped by Kinshasha government destined to ADF.
  - He is responsible for ensuring proper establishment of ADF camp in Butembo.
  - Works hand in hand with Maj Kasereka.
- h. Maj Kasereka
  - Based in Kinshasha.
  - Works hand in hand with Maj Abdallah Kule in co-ordinating ADF activities between Kinshasha-Butembo and Rwenzori mountains.
- j. Capt Pangole
  - Conduit of intelligence between



**SECRET**

Aruu and Bunia.

k. Capt James Kaseru- Based in Watcha.

- Charged with linking up Interahamwe with ADF.
- He is instrumental in the merger of forces between Interahamwe and ADF with the blessing of Kabila government.

l. Army Officer Benjamin (Congolese)

- Trained in terrorism in Sudan.
- Based in Watcha and Lume where he had a mother.
- Works hand in hand with Moses in **p** below.
- Chief co-ordinator of ADF activities i.e. transportation of arms from Sudan to ADF camps via DRC.
- Worked with another Congolese one Kamyufu.

m. Lt Ronald Muhindo

- Based in Kasindi.
- Responsible for receiving manpower/logistics destined to ADF camps from DRC.
- He works hand in hand with Sgt Perika Adroni.

n. RSM Masereka John -

- Based in Lume.
- Co-ordinated ADF in the Rwenzori mountains with Kabila government.
- Conduit of intelligence/logistics and manpower from Kinshasha government to ADF rebels.
- Charged with ensuring permanent contact between Kinshasha government and ADF rebels.

**SECRET**

- o. Sgt Perika Adroni - Based in Bulongo.
  - Responsible for receiving/clearing ADF logistics/personnel from DRC to ADF camps and those coming from Uganda side.
  - He works together with Lt Ronald Muhindo.
  
- p. Civilian Moses (Congolese)
  - Based in Sudan.
  - Conduit of ADF logistics from Sudan to DRC.
  - Travels between Khartoum-London-Kinshasha.
  - Co-ordinating ADF activities.
  - Responsible for receiving orders of arms needed by ADF from Sudan and Kinshasha, procures and delivers arms to ADF contacts in DRC.
  - Brother to Maj Kakolele.
  - He is also related to Mzee Kisokeranio Fenehansi (ADF Deputy Chief Director) who Deputises Abdallah Kabanda in ADF command.
  
- s. Doctor (Congolese)
  - Based in Watcha.
  - Responsible for receiving ADF logistics (i.e. medical, drugs, telephones) and grenades from Sudan.
  - Has a clinic in Lhume and Watcha.
  - Works hand in hand with Kamyufu.
  
- t. (Civilian) Kasereka Solomon - Based in Rushuru.
  - Chief link between ADF, Kabila government and

**SECRET**

- Congolese civilians.
- Strongman of Kabila.
- Co-ordinates movement of troops and logistics from Kabila government and ADF.

**SECRET**

CONFIDENTIAL

TO: OPS COMD

FM: ANALYSIS

DT: 25 MAY 2000

SUBJ: LYAVAALA MPALA ALI (ADF OPERATIVE)**1. INTRODUCTION**

The subject was arrested by UPDF at Semuliki River on 17 May 2000. He was arrested together with:

- a. Ali Bwambale - ADF Deputy Secretary General.
- b. Vihamba
- c. Junju - Brother in law to the subject.
- d. Swalleh - Escort to the subject.
- e. Said Ngoma - Escort of Bwambale Ali.

*The group was arrested with 02 pistols and 09 grenades.*

**2. PARTICULARS**

- a. Age: 30 years
- b. P.O.B: Kirongo village, Magoola Parish,  
Buwanga sub-county, Bugiri District.
- c. Occupation: ADF rebel

CONFIDENTIAL



**CONFIDENTIAL**

- d. Religion: Salaaf sect
- e. Marital status: Married to 04 wives with 9 children.
- f. Education: P.5
- g. Wives of the subject:

(1) Namusobya alias Susan Lyavaala:

- Arrested among the urban terrorists in 1999.
- Daughter of Haji Hassan Mugayavu of Naminyangwe, Bugiri.

(2) Fatuma Abdallah:

- Daughter of Late Abdalla Amuri.
- She stays in Bukonde, Bugiri township.

(3) Mariam Rashid:

- Daughter of Rashid, businessman in Busia.
- Stays with parents (Rashid).

(4) Sarah Emuran:

- Daughter of Emuran of Zirobwe in Luwero District.
- Is an ADF rebel.

h. Brothers:

- (1) Obedi Lyavaala
- about 50 years.
  - on treason in Luzira since 1995.

CONFIDENTIAL

- (2) Hamuza Lyavaala - died in 1995 in ADF Buseruka operations.

3. WORKING EXPERIENCE

- a. 1983, subject was abducted by FEDEMU rebels in Nakifuma, Mukono and did military training in Galilaya areas, Mukono district for 3 months. He escaped from FEDEMU in 1984.
- b. In Nov 1986 he joined NRA in Mbale did military training for 4 months in Serere.
- c. He served in 25 BN, then 48 BN.
- d. In March 1988, subject got a motor vehicle accident, was hospitalised for two months.
- e. In June 1988, he deserted without a weapon.
- f. Before desertion, he fought in the NRA battles against Lakwena but had not been given army number.

4. REVELATION

- a. Subject mentioned one Solomon of Isaale Mutendero, Butembo as a contact of President Kabila. Kabila introduced Solomon to Yusuf Kabanda and Solomon's role was to co-ordinate and mobilise the Mai Mai and Katangese boys to join ADF struggle.
- b. Kikingi is an ADF base where they normally enter Bundibugyo or leave Bundibugyo to Kiribata.

CONFIDENTIAL

- c. Yusuf Kabanda always communicates to Kabila on phone (satellite).
- d. Breakdown of arms airdropped by Sudanese planes in Aug/  
Oct ~~1998~~ 99:

(1) First consignment:

RPGs	-	10 pieces and many shells.
SMG ammo	-	many metallic small boxes.
SPG-9	-	6 pieces and shells
MPMG	-	4 pieces and many boxes of their ammo.

(2) Second consignment:

Tortoise grenades	-	many
SMGs	-	many
82mm mortar	-	2 pieces and shells.
60mm mortar	-	2 pieces and many shells.
Ammunition for 12.7mm.		
Landmines	-	06

- e. Areas which were targeted by Lyavaala for ADF recruitment as per Yusuf Kabanda's instructions to him:

- (1) Ishaasha
- (2) Luchuru
- (3) Butembo
- (4) Bunia
- (5) Mahagi
- (6) Gonyeri

**CONFIDENTIAL**

f. ADF Butembo contacts who were to work with the subject in recruitment:

- (1) Mzee Solomon
  - To mobilise Katangese.
  - Raise funds for ADF.
- (2) Mohamed Kasando
  - To take charge of Butembo Luchuru and Ishaasha.

***The following work under Mohamed Kasando:***

- (3) Zainab
  - half-caste.
  - 20 years.
  - ADF soldier from Bwera.
- (4) Hadija Nadia
  - about 25 years.
  - Mukonjo from Bwera.
- (5) Yalala
  - from Bwera.

***All the three ladies above were selected by Yusuf Kabanda.***

- (6) Bada Alima
  - born from Bunia.
  - Married to Lukwago, an Alur.
  - Both are ADF rebels.
  - responsible for Bunia, Mahagi and Gonyeri.
- (7) Muhindo Mukongole alias Lumwanga:
  - To work with Kanzembe and Muhindo (RCD captive).
  - To mobilise the Mai Mai
  - Kanzembe is a Mai Mai.



**CONFIDENTIAL**

- g. The subject says he learnt that Abdallah Yusuf Kabanda sent a group of ADF rebels to Mubende, Hoima and Kibaale for mobilisation and recruitment.
- h. The subject says that Kabanda Yusuf always communicates with President Kabila. He also says that at one time, Kabanda told him that President Kagame was trying to get into contact with Kabanda but Kabanda referred the matter to ADF London office.
- i. The subject claims that he was one time about to surrender to UPDF but when UPDF attacked them, the subject and his escorts headed to an ADF detach at Mutungo under Junju (arrested). But this seems to be a lie.

**5. COMMENTS**

- a. The subject seems not to be co-operative. He has not given much information.
- b. The subject should be re-interrogated on the issue of urban terrorism for he was supposed to replace the urban terrorists who were arrested in 1999. He is even the one who sent his wife Suzan Lyavaala to Kampala to join urban terrorists.

**(S KALINAKI) D/SP**  
**Head Analysis**

UGANDA'S ROLE IN THE DEMOCRATIC  
REPUBLIC  
OF  
CONGO

H.E. THE PRESIDENT'S ADDRESS TO PARLIAMENT

INTERNATIONAL CONFERENCE CENTRE  
KAMPALA  
MAY 28<sup>TH</sup> 2000

## CONTENTS

Background.....	p 3
Congo's wealth.....	p 6
Why UPDF is in Congo.....	p 8
The peace process in the Congo.....	p 9
Implementation of the Lusaka Accord.....	p10
Uganda's role in the peace process.....	p13
Harmonisation of strategy with our allies.....	p13
Differences in RPA-UPDF strategies .....	p14
6 <sup>th</sup> and 17 <sup>th</sup> August 1999.....	p16
5 <sup>th</sup> May 2000.....	p17
The way forward.....	p18
Is Uganda wasting money in Congo?.....	p20

## BACKGROUND

I last addressed Parliament on the situation in the Democratic Republic of Congo on August 30<sup>th</sup> 1999. I explained then, in fair amount of detail, Uganda's role in the Congo. I distributed a document entitled "Background to the Situation in the Great Lakes Region" which I had first issued at the August 9th 1998 regional summit in Victoria Falls, Zimbabwe. The document was, subsequently, distributed to all Members of Parliament. I later updated and distributed this document to members of the United Nations Security Council during its special session on the CONGO in the final week of January this year. Since then, updates on the situation have been presented in the form of ministerial statements to Parliament.

In order to give a proper context of the current situation, let me, very briefly, recount the genesis of Uganda's involvement in the Congo. The current situation in the Congo is a new phase of an old crisis which stretches back into the early Sixties when the country received its independence from Belgium. The crisis has its roots in the long period of misrule during the Belgian colonial occupation of the country. From the time this colonialism started, the Congolese have never had the benefit of being led by an accountable government. It is now 40 years since Congo became independent but they have never had a government which was elected by the people. They have only known violence, misrule, economic mismanagement and the entire attendant suffering that comes with arbitrary exercise of power. The only elected leader of Congo, Patrice Lumumba, was killed in 1961.

Bad governance always leads to ugly consequences both internally and externally. Refugees, rebellions, tribal massacres, displacement of people, economic misery and related problems inevitably follow as a consequence of misrule. These, in turn, generate human catastrophes, which, inevitably, spill over to neighbouring countries. Such has been the character and constitution of the post-independence Congolese state.

The current phase of the crisis was triggered off by, mainly, two factors, namely: the 1994 genocide in Rwanda; and the forging of alliances between the Congolese governments with the National Islamic Front of Sudan against Uganda. When President Mobutu's ally, President Habyarimana of Rwanda, was defeated by the Rwanda Patriotic Front (RPF) in 1994, Mobutu resolved to fight back and restore the status quo ante, i.e. bring back the sectarian regime that used to govern Rwanda under Habyarimana.



Mobutu's first step was to allow the defeated former Rwanda Army to maintain military formation, acquire arms and carry on training inside refugee camps which were located close to the border, contrary to international law. These genocidaires also started plotting to carry out acts of genocide on Congo territory against Congolese Tutsis of the Masisi and Banyamulenge ethnic groups. In this they received the tacit support of Mobutu who threatened to revoke these groups' citizenship and to order them off their land, which they had occupied long before colonial occupation and the current international borders were drawn up. These groups which felt threatened became the nucleus of a rebellion against Mobutu's regime. They soon attracted other dissident groups from Kasai and Shaba Provinces as well as the Mai Mai. This gave birth to the alliance, which was ultimately to overthrow Mobutu, with the direct involvement of Rwanda and Angolan armies, as well as the indirect support of many other African countries, including Uganda.

In order to forestall Uganda's intervention in support of Rwanda in her self-defence against these Mobutu plans, President Mobutu forged an alliance with the Khartoum regime for the latter to extend its acts of destabilisation of Uganda in order to keep the Uganda army pinned down and, therefore, in his calculation, incapacitated to come to the aid of Rwanda. The Sudan Government, in collusion with President Mobutu, therefore, launched the so-called Allied Democratic Forces (ADF) bandit groups into western Uganda from Sudan and through eastern Congo. The Mobutu Government also collaborated with the Sudan Government to provide support to the West Nile Bank Front (WNBF) to attack Uganda using north-eastern Zaire. We had intelligence that in Garamba Park in Congo, at the border between Sudan, Central African Republic and Congo, Interahamwe and ex-FAR were training together with Uganda rebels for the purpose of even more destabilisation of Uganda. A large number of former dictator Idi Amin's army were drafted and put under the command of Idi Amin's son, Taban Amin, and sent to former Congo to prepare for an invasion of Uganda. Both the ADF and the WNBF started their attacks on Uganda using Congo territory as their rear base in 1996 and even before.

In 1996, Uganda began to experience ever-increasing waves of terrorist attacks from Congolese territory. ADF bandits generally targeted peasant homesteads, isolated rural schools and trading centres. Later on, the terrorist attacks became more daring, and raids were carried out on border posts, schools, prisons and other institutions, including camps of displaced people. During April 1996 just before the presidential

elections, a riff-raff group composed of Ugandans led by one Kabeba, with the support of ex-FAR, launched an attack on Kisoro from Congo.

Later in the year attacks were launched on Mpondwe and Bwera and other areas in Kasese, Bundibugyo and Kabarole districts. These included the big attack on Mpondwe on 13<sup>th</sup> November 1996. In fact, Mpondwe was occupied for three days until a counter-attack routed the bandits. Their aim was to proceed and capture Kasese airstrip and allow Bashir to send in re-inforcements. These attacks led to loss of life and destruction of property. They also generated fear, which made people abandon their homes, with serious consequences on the economic life of the area. Uganda, therefore, had no option but to act in self-defence by pursuing these bandits into the Congo with the aim of destroying their bases.

Our original hope had been that the overthrow of ex-dictator Mobutu and the coming to power of our ally, Kabila, would greatly increase security along our common border. However, much to our disappointment, the new government did not address the issues that were the cause of the quarrel between us and Mobutu which had led to the rebellion and change of leadership in Congo. As far as the security concerns of Uganda and Rwanda were concerned, Kabila showed little inclination to address them. Initially, both countries were inclined to give him the benefit of the doubt although they were both alarmed by the ruthless methods of handling those who did not share his views. He had inherited a shattered economy and very weak state structures. He, therefore, understandably, lacked the capacity to contain the menace of the interahamwe and other rebel groups.

In the case of Uganda, we offered to work with him to improve security along the common border. This led to an agreement under which troops of the Uganda People's Defence Forces would be stationed inside eastern Congo for purposes of beefing up security in the area. For a while, this arrangement worked well. In fact, in the tripartite meeting in Kinshasa, I proposed a three-nation defence alliance (i.e. Rwanda, Congo and Uganda) in order to end this chaos once and for all. Kabila was evasive on this issue and he, instead, said that we should continue to work informally. That meant working without any legal framework. In effect it meant no work at all, as later events were to prove.

However, in the mean time, things were taking an ugly turn in Kinshasa. The new president was establishing a human rights record that was as bad as that of Mobutu. Much to the consternation of his former supporters, he



started inciting certain ethnic groups against other groups, thus once more, raising the spectre of genocide in Congo. Former allies quickly turned into enemies and civil war once again broke out in the country.

When the second rebellion broke out in the Congo, in August 1998, against President Kabila, like his predecessor Mobutu had done, he entered into an agreement with the Sudan Government to destabilise Uganda. Kabila put at the disposal of the Sudan, Congo's airports to enable the Sudanese to supply the ADF and to use these facilities to destabilise Uganda directly. Later on the Sudan Government did in fact commit its troops directly into the war by deploying a full brigade in northern Congo, which fought alongside the former Rwanda Armed Forces (ex-FAR) and the interahamwe in the Businga-Lissala axis – this is near Gbadolite. Uganda was, therefore, involuntarily drawn into this war because of these security threats against her. On account of the support these bandits receive regularly from Khartoum, it has not been easy to put their activities to an end.

However, we have made a lot of progress in reducing their menace. For example, between June and July 1998, the UPDF overran the ADF command and control headquarters on the Congo side of the Rwenzori Mountains. Many Ugandan captives who were held in camps at Ntabi, Kajumbi, Kambasa and Kafaliso were rescued and brought back home to safety. Altogether, 15 ADF camps were destroyed during that operation. There have been many other operations in which the lives of Ugandans were saved, arms captured and the capacity of the bandits reduced. Now the menace of ADF has been so downgraded that their fighters morale is very low and many, including their leaders, have begun to surrender to the UPDF and others have been captured in Congo. One of the rebel leaders we captured was Kabanda, who was a regular 'correspondent' of *The Monitor* so that paper must be missing his services as one of their sources!

### CONGO'S WEALTH

There have been rumours to the effect that Uganda's presence in the Congo is somehow connected with the plundering and looting of Congolese resources but nothing could be further from the truth. There is a problem of lack of seriousness among African leaders. Unfortunately, the Africans are pampered by the European allies, or those who claim to be their allies, and they really go off at a tangent. In my opinion those so-called allies are, in fact, called *abashinygi* in Runyankole – people who pamper those who do not realise that they are being pampered.

Where is the much talked-about wealth of Congo? If it is there, it must be most inconspicuous. People are eating snakes, caterpillars, rats and cockroaches. I have not been able to see that wealth myself and recently I took an interest to find out about this great wealth of Congo where, in some villages, people have never seen salt, let alone gold and diamonds! I asked one Congolese who is very knowledgeable about that sector and he told me that if all the investment were to be done, the maximum annual yeild of Congo in all minerals – diamonds, gold, copper – would only be USS2.9 billion. Since Congo is the size of India, with a population of 50 million people, can anyone tell me what USS2.9 billion in exports would do for those people? South Korea each year earns USS165 billion and here we are with Congo's much-hyped wealth of only USS2.9 billion at best.

Are we really serious, with our European allies, who also peddle all these lies in their newspapers? They do not mind taking advantage of a fool but they are not fools themselves. We have huge mineral deposits in Uganda – why don't we get those ones out of the ground first before we go for the ones in Congo? Uganda, for instance, has a huge phosphates deposit in Tororo. Since I came into government 14 years ago, I have been looking around for someone to invest in those phosphates; but I have not succeeded. Our iron ore deposit at Muko is the second best in the world, after Peru's, but I have not yet found any investor willing to exploit it either. There is petroleum in Lake Albert and some people are now interested in getting it out. Therefore, for such lies about Congo's wealth to be peddled so many times is simply lack of seriousness. It is incredible how people can decide to depart from the truth – not on a short-term basis, but as a long-term enterprise!

The real wealth of Congo is not talked about and it consists of four factors. First of all, with its network of rivers, Congo can have the cheapest transport system in Africa. River transport is cheaper than land or air transport. You can move by ship, with a few detours, from Matadi Port in western Congo up to Kindu in eastern Congo. That is a very big advantage for Congo. The second big source of wealth in Congo is agriculture, because of the country's abundant rain, but you cannot say that people who are eating caterpillars are engaged in agriculture. The third advantage of Congo is a big market, with its population of 50 million. The fourth advantage is hydro-power. Congo is said to have a potential of 80,000 megawatts of electricity. If Uganda has a real economic interest in Congo, it should be to produce goods to sell to that huge market.



As for the UPDF, they are under strict instruction not to engage in any economic activities on Congo territory. Individual officers are also under strict instructions to stay away from getting involved in business activities. Uganda has welcomed a proposal that the UN should establish a commission of experts to investigate any illegal exploitation of Congo's natural resources.

### WHY UPDF UGANDA IS IN CONGO

As I said when I last addressed you on the issue, the following were the reasons why Uganda became militarily involved in the Congo:

1. To maintain forces in the Congo in order to secure Uganda's security interests by denying the Sudanese government an opportunity to destabilise Uganda through eastern Congo. We have done this and that is why the ADF is no longer able to get supplies.
2. To deny habitation to Uganda dissidents such as the ADF.
3. To ensure that the political and administrative instability arising from rebel and government clashes in eastern Congo do not destabilise Uganda.
4. To demobilise elements of the interahamwe and ex-FAR and prevent them from terrorising Uganda and Rwanda.
5. To protect Uganda's territorial integrity from invasion by Kabila's forces.

Rwanda, on the other hand, was drawn into the war because of the security threat posed by the forces of genocide based in CONGO and the threat of expulsion of the Banyamulenge into Rwanda by the Mobutu Government. Meanwhile, President Kabila successfully mobilised regional powers, namely: Zimbabwe, Angola, Namibia and Chad to commit their armed forces to intervene in support of Kabila against the internal rebellion that had emerged in August 1998. This was another danger. These countries from Southern Africa and elsewhere other than Angola, had no stake in, or knowledge of, Congo or the region. Their uninformed involvement could complicate our delicate situation seriously. Congo had been turned into a railway station for the whole world! Many of these countries are our brothers but they do not know this region and their involvement can lead to very serious problems. That is why we had to take precautionary measures, by getting involved ourselves, to dissuade them from making very serious mistakes. It is important to give you this short historical account in order to put in perspective the whole process of the pacification of Congo that is the subject of my interaction with you, Honourable Members, today.

## THE PEACE PROCESS IN CONGO

In July and August 1999, all the belligerent forces in Congo signed The Agreement For A Ceasefire In The Democratic Republic of Congo, commonly referred to as the Lusaka Accord. We have actually already scored a big victory because all the belligerents, including Kabila, agreed to sign the accord. The belligerents agreed that the differences that had led to the hostilities in the Congo would be resolved by the implementation of this agreement.

We, therefore, ceased being belligerents and, instead, became partners in the pacification of Congo. Mechanisms were created for the ~~implementation of the agreement. These principally consist of a Joint~~ Military Commission (JMC) made up of representatives of the signatories to the agreement and a United Nations peacekeeping force to supervise the implementation of the military aspects of the agreement. The agreement also provides for the appointment of a neutral facilitator to assist the Congolese parties in their national dialogue. A political committee was established to oversee the whole process of implementation.

The Lusaka Accord, therefore, is built around the two dimensions of the conflict, namely, the internal political question and the security concerns of the neighbours of the Congo and her own. These two issues are, obviously, intimately linked. The government of the Congo, the armed opposition (namely, the RCD led by Wamba dia Wamba and the MLC led by Jean Pierre Bemba) as well as the unarmed opposition, including the civil society, are to enter, under the aegis of a neutral facilitator, into an open national dialogue. These inter-Congolese political negotiations shall lead to a new political dispensation and national reconciliation. The Congolese parties to the agreement shall also agree on the mechanism for the formation of a national, restructured and integrated army, whose soldiers shall originate from the Congolese Armed Forces, the armed forces of the RCD and the armed forces of the MLC.

The security concerns of the countries of the region are to be addressed in a fairly elaborate process.

1. There must be a total cessation of hostilities between the belligerent forces. Cessation of hostilities means effective cessation of hostilities, military movements and reinforcements, as well as hostile



actions, including hostile propaganda. It also entails cessation of all acts of violence against the civilian population including summary executions, torture, harassment, detention, incitement of ethnic and tribal hatred, recruitment and use of child soldiers, or any action that may impede the normal evolution of the cease-fire process.

2. This should immediately be followed by the disengagement of forces. This means the immediate breaking of tactical contact between the opposing military forces. Where disengagement by movement is impossible, alternative solutions requiring that weapons are rendered safe should be designed. All the forces are then required to be redeployed in new monitored defensive positions.

3. The JMC and the UN shall work out a schedule of withdrawal of all the foreign forces in the Congo.

4. In the meantime, the national dialogue should be proceeding well. When it results in a new political dispensation and national reconciliation, then state administration shall be re-established throughout the national territory of Congo.

5. The foreign forces shall then withdraw out of Congo.

6. The agreement also provides for the taking of all the necessary measures aimed at securing the normalisation of the situation along the international borders of the Congo including the control of the illicit trafficking of arms and the infiltration of armed groups. Normalisation requires each country not to arm, train, harbour on its territory, or render any form of support to subversive elements or armed opposition movements for the purpose of destabilising the others.

7. In order to achieve full implementation of the Lusaka Accord, a successful strategy for addressing the problem of the armed groups named in the agreement, which were the cause for Uganda's and Rwanda's entry into the war in the first place, must be devised and implemented. This requires a successful strategy of locating and identifying these groups in order to achieve a comprehensive disarmament, demobilisation, resettlement and reintegration programme for them. Countries of origin of members of these armed groups must take measures to facilitate their repatriation.

#### IMPLEMENTATION OF THE LUSAKA ACCORD

What is the status of the implementation of the Lusaka Accord? The following has been achieved:

The National Dialogue has not commenced as we speak today. The process delayed partly because it took a very long time to identify a person acceptable to the Congolese parties who would then be appointed as a facilitator.

Sir Ketumile Masire, former President of Botswana, was agreed upon and appointed in January 2000 as the facilitator. It is, however, hoped that the process will start soon. In recently accepting the facilitator, President Kabila has joined the other parties that had earlier indicated their support for dialogue, as provided for in the agreement. The facilitator obviously must sort out a few preliminary but critical issues. The foremost one is the question of participants. ~~Who will, in addition to the Congolese parties to the agreement, participate? The Congolese parties to the agreement with the help of the facilitator, must agree on this.~~ Equally important is the question of the venue. The debate has been between holding the dialogue inside the country and holding it in a neutral place outside Congo. The sooner answers for these questions are found, the better are the prospects for resolving the conflict peacefully. Mr Masire started his consultations with the Congolese parties to the agreement last week and has scheduled the first preliminary meeting for June 5<sup>th</sup> 2000 in Cotonou, Benin.

The JMC together with MONUC worked out a plan, which was adopted by the Political Committee, for the disengagement and redeployment of the military forces in the Congo. The objective of this plan is to achieve a rapid and total cessation of hostilities throughout the territory of the Congo. April 14<sup>th</sup> 2000 was set as the D-Day for the observance of this ceasefire. In essence this plan creates a 30-kilometre wide disengagement zone along the agreed confrontation line (i.e. the frontline positions as at 5<sup>th</sup> April 2000). The forces will pull back to new defensive positions that will have been worked out by the JMC and MONUC and agreed by the parties. The forces will move back equal distances and, where this is not possible, a corresponding adjustment of territory will be made in another area to ensure that no side is at a tactical disadvantage. This new area must be beyond the demilitarised zone. All the parties have provided the required military information to the JMC/MONUC to enable them draw up detailed plans for the disengagement and redeployment of the forces. The Political Committee will be convened next week to receive a formal report from the JMC.



The JMC and MONUC have also presented to the Political Committee a draft proposal for the Disarmament, Demobilisation Resettlement and Re-integration (DDRR) process. Again the Political Committee will consider this proposal at its next meeting with a view to adopting it. The main sticking point is whether there will be peace enforcement or not. The agreement is very clear on this and it is hoped that the UN will grant the wishes of the parties. All of them desire that the problem end peacefully. It is very clear, however, that where peaceful persuasion fails, coercive measures will be fully applied. Should the UN feel not able to do this, the parties shall assume their responsibility to disarm the groups that will have refused to do so voluntarily, as we are continuing to do against our own groups in eastern Congo. That is how we managed to capture the leaders of the ADF.

Once the process of disengagement and redeployment to new defensive positions has been completed, JMC/MONUC will draw up sub-plans for the withdrawal of all foreign forces from the Congo. The normalisation of the situation at our borders will follow the successful implementation of all the above.

All in all, although the implementation of the agreement has not been according to the calendar for its implementation, the parties, by and large, have demonstrated their will to resolve the Congo conflict by peaceful means, notwithstanding violations of many aspects of the agreement. These violations have mainly been due to lack of supervision of the ceasefire. The main impediment has been lack of resources. The UN has estimated that the current phase of MONUC will cost up to US\$1 billion. This is a lot of money that has to be raised by the UN. The JMC also has a substantial budget, which has to be raised mainly through donor support. The JMC failed to raise all of the required US\$5.5 million that was to fund its initial activities. In order to overcome this JMC resource constraint, however, and to improve the efficiency and effectiveness of the implementation process, a joint structure of the JMC and MONUC has been agreed. This enables the JMC to access and utilise the UN resources.

Although the UN appeared to be quite reluctant to come in at the beginning, it appears now that after the meeting of the Security Council in January this year, which was attended by the relevant heads of state, and after the adoption of Resolution 1291, the UN Security Council is ready to help the process of implementing the Lusaka Accord. The visit, for the first time ever to Africa, of the UN Security Council delegation points to the full attention the matter is receiving at the UN.

## UGANDA'S ROLE IN THE PEACE PROCESS

It was obvious to Uganda that the whole situation in the Congo was a result of the long history of chaos and lack of government in that country. Even the remnants of the colonial structures inherited from the Belgians had collapsed. The only feasible and viable proposition for the restoration of stability in the Congo, therefore, is the building of a state structure that the rest of the world can deal with. Uganda, therefore, decided to use its presence in the Congo to help empower the Congolese population to move towards achieving this goal. Uganda has encouraged the Congolese leaders to mobilise the population to increase and sharpen their awareness and their historic duty to take their country's destiny in their own hands. The UPDF has imparted military skills to the population to be used as pressure on all the political actors to seek a political peaceful solution to their political problems. Uganda has resisted all attempts to use military means as the sole or even principal mechanism for solving the Congo conflict. Right from the beginning, therefore, Uganda played a key role in the formulation and subsequent negotiations for the Lusaka Accord. It has continued to actively support the accord's implementation in all fora.

## HARMONISATION OF STRATEGY WITH OUR ALLIES

There were some people who thought that the best method of solving the Congo problem was to use military means only but we did not agree with that line. The difference between us and Angola and Zimbabwe is a limited difference; it is not a long-term difference. We happened to see things differently on Congo but otherwise we have worked with Presidents Mugabe and Dos Santos for the last 30 years. I did not work with President Dos Santos but I worked with his predecessor, President Agostinho Neto. Therefore, these are our old colleagues and our difference on Congo, although important, is a limited one. We cannot treat Zimbabwe or Namibia or Angola as enemies. They were pushing a line that was dangerous for our region; we resisted them; they saw our point; we started negotiations; and we reached an agreement and that is the proper way to handle this issue. We are committed to the Lusaka Agreement and it has reunited us, even with Kabila. Anybody, therefore, who opposes the Lusaka Accord is confused and dangerous to the region and we shall resist him, as we have resisted other bad people in the past.



## DIFFERENCES IN RPA-UPDF STRATEGIES

Uganda related to Rwanda as an ally because of the two countries' historical bonds and because in the Congo we shared similar security concerns. Our two countries, however, have differences on how to relate to the Congolese in the process of resolving the Congo conflict. I have, however, been told that the differences between Uganda and Rwanda are caused by Ugandans looking down upon Rwandese. I was told by one of the senior leaders of Rwanda that somebody had said that the RPA was part of the UPDF; that Rwanda is a district of Uganda; and that Brigadier Kayumba, the RPA chief of staff, was a sergeant in Uganda. What is wrong with being a sergeant? I was corporal myself. When we fought in 1972 in Mbarara against Amin and we were defeated, a lot of the people we came with from Tanzania were killed. We came with 330 people and by afternoon only 46 were left – all the others were killed. ~~I managed to organise those remnants because all the other leaders had either been killed or captured.~~ When we got back into Tanzania, a fellow called Ageta said that he was in charge and I supported him. He put me in charge of a section and I was made corporal. If you start off as a corporal and you do good things, eventually you can become a general.

Therefore, if somebody can really believe that those are the kinds of issues that can cause people to shoot at each other, there must be something wrong with our ideas! I told the leaders of Rwanda that some Rwandese are always abusing me, even in the newspapers, but I cannot take that as a national policy. Even if somebody abuses me, so what? That is his problem, not mine. Can I pick a gun and shoot people just because somebody has said that Museveni is senile, as they have been saying? These, therefore, are not the kinds of things that can divert us from fundamental aims of the people to concentrate on just puffing up the egos of the people involved. There is something more fundamental and we shall discover it as we go along.

For instance, I was imprisoned eight times in Tanzania: in Mwanza, in Tabora, in Nkonga maximum security prison in Dar es Salaam, where I was imprisoned with Hon Eriya Kategaya, together with his young son, Julius – there is no prison in Tanzania that I don't know! However, that cannot make me an enemy of Tanzania. These are small things that you experience if you are a freedom fighter. If you start dwelling on those small things, then you don't know what you are doing because the struggle a sacrifice and being put in prison is really a small thing, considering that you could even be shot and killed.

Whereas Uganda wishes to extend a hand of support and assistance to the Congolese population to manage their own internal politics, Rwanda would appear to prefer playing a more assertive role. We have discussed this with the Rwandese – even during the time Kabila was fighting to overthrow Mobutu. I asked them: “Why do you fight for Kabila? Why don’t you help him to fight for himself because that is more durable? Give him arms so that he fights for himself. Even if you intervene, you should do so in a limited way and not carry somebody on your shoulders.” However, the Rwandese appeared to have a different idea. In this respect, whereas Uganda tried to encourage the Congo rebel groups to form a united front, Uganda would not force it on them.

If you recall our own history, when we went to Tanzania in 1971, initially the Tanzanians tried to make us work with Obote but he did not accept some of the fundamental points we were raising. We told the Tanzanians that we could not work with Obote because doing so would discredit us in Uganda. Obote had made a lot of mistakes, which he appeared unwilling to correct. The Tanzanians eventually understood our position and that is why they gave us some little support on the side as Fronasa (Front for National Salvation). Eventually we sorted ourselves out inside Uganda because the Tanzanians could not really understand who was right and who was wrong in Uganda. In the end, the situation in Uganda sorted out who was right and who was wrong, although it has taken almost 30 years. Some of the Tanzanian leaders had tried to force us to work in ways that we disagreed with. However, being a far-sighted leader, Mzee Nyerere supported us in a small way because, although we were still young, he realised that our line was a correct one.

When it came to South African, you remember that there was a difference between the ANC and the PAC even after Mzee Mandela had come from prison. Dr Kenneth Kaunda called a meeting in Lusaka where there were ‘international civil servants’ who always come out with statements like: “Of course unity means strength and the ANC must, therefore, unite with the PAC.” After they had spoken, I put up my hand and said: “Your Excellencies, I think that during a resistance struggle, sometimes unity is not necessarily a good thing. Suppose enemy agents have infiltrated one group and another has not been infiltrated, if you force them to unite, they will both be in danger. If they feel uncomfortable working together, you should leave them alone. Let them unite in action in attacking the enemy, but they do not have to unite organisationally.” In the end the idea of trying to force the ANC to unite with the PAC was abandoned. Eventually the South African political problem was solved and when they held elections and the PAC got only one seat.



There were also a lot of problems between ZAPU and ZANU in Zimbabwe. The Russians sponsored some groups which they called the 'authentic' liberation movements suggesting that the others were bogus. The authentic ones were the ANC in South Africa, Frelimo in Mozambique; Swapo in Namibia; MPLA in Angola; and ZAPU in Zimbabwe. ZANU was not 'authentic'; but when they went for elections in Zimbabwe the situation was reversed.

When the South Africans were still fighting they asked for our support. Since they were all against the apartheid regime, I decided that we should support both groups and that they should bring as many people as they could. We sent the ANC people to Kaweweta in Luwero and the PAC group to Kabamba. In the end the ANC brought 4,000 fighters and the PAC only brought 49. Therefore, when you are involved with groups from outside, you can only give advice; but if it is refused you should leave them alone because they know their internal situation better and we have learnt these lessons from our long experience in the struggle to liberate our people. We were, therefore, ready to work with all the Congolese groups even as we encouraged them to unite or find common ground for co-operation.

#### 6<sup>TH</sup> AND 17<sup>TH</sup> AUGUST 1999

It was against this background of difference over strategy in Congo that the first attack on UPDF by the Rwandese Patriotic Army occurred between 6<sup>th</sup> and 17<sup>th</sup> August 1999 in Kisangani. The reason for this attack was because the RPA wanted to block the verification exercise that had been agreed upon by the Summit of the Heads of State that signed the Lusaka Accord on July 10<sup>th</sup> 1999 at Lusaka. A verification team comprising the Zambian Minister for Presidential Affairs, Hon Eric Silwamba and the South African Minister of Foreign Affairs, Hon Dr Dlamini Zuma, were due to visit Kisangani to verify whether RCD (Kisangani) of Prof Wamba had a military and political presence there or not. As it had been requested by the summit to do, the UPDF was helping this verification exercise when the RPA attacked them.

As I informed this Parliament then, I met with Major General Kagame at Mweya and, subsequently, at Rwakitura and we signed a ceasefire agreement, including the demarcation of Kisangani into two zones. It was agreed that the north and east of the city be put under the control of the UPDF and the south and west under the RPA. Each force was to keep a company at each airport in either zone.

## MAY 5<sup>TH</sup> 2000

On May 5<sup>th</sup> 2000, however, the RPA once again attacked the UPDF. This time round they apparently wanted to seize the high ground at Kapalata and the Lubutu-Bafwasende Road. They did all this in clear contravention of the Mweya and Rwakitura Agreements and without any provocation since, contrary to the rumours the Rwandese spread prior to this attack, there was no UPDF amassing of troops beyond a mutually agreed position.

At a meeting I held at Rwakitura on May 8<sup>th</sup> 2000 with the UN Security Council delegation and in consultation by telephone with President Kagame, later confirmed by the summit between President Kagame and I under the chairmanship of President Benjamin Mkapa of Tanzania in Mwanza on May 14<sup>th</sup> 2000, it was agreed that the city of Kisangani be demilitarised. The military commanders of the two countries on May 21<sup>st</sup> 2000 signed the implementation order for the withdrawal and redeployment of the forces, all forces including the rebel forces, from Kisangani. The United Nations Observer Mission In Congo (MONUC) shall deploy its force to exercise neutral control over the demilitarised zone around the city and airports of Kisangani.

The attacks on the UPDF by the RPA in Kisangani and the actions of UPDF in self-defence were most regrettable and should never have happened. Fortunately, the leadership of the two countries was quick in taking steps to ensure a quick return to normalcy. In doing this, consultation was done with the other parties to the Lusaka Accord firstly to assure them that these clashes would not interfere with the overall peace process in Congo and, secondly, to indicate that this would serve as a model for the disengagement of forces on the wider Congo scene.

In all these attacks, the UPDF exercised maximum restraint even in self-defence bearing in mind that these were acts which were not in the legitimate interests of our peoples and, further, bearing in mind the overwhelming desire by the Ugandan leadership not to act in a way that would jeopardise the relationship that has long existed between the peoples of Uganda and Rwanda.

I have been reading a lot of articles in the newspapers, especially *The Monitor*, about how the RPA 'routed' the UPDF in Kisangani. These are just childish people who have never fought any war or even seen one. I am not a child to allow myself to be provoked into fighting useless wars to prove who is superior in military arms. If you think that those clashes



in Kisangani are called a war, then you need to do much more research so that you can find out what real war is all about. I have instructed the Attorney General to take action against *The Monitor*. That paper must stop provoking trouble and provoking people. I was told that 'politically' this action was not good but I disagree with that view. When somebody tells lies, he must be punished – that is what politics is about. These clashes were very limited and we lost six soldiers, although in the first incident we had lost 32 soldiers. This is regrettable, but these were limited clashes and the UPDF has not fought a war with Rwanda. I have told our officials to stop making statements in the newspapers. If there is a statement to be made, I shall make it myself. The officials of both Rwanda and Uganda should not be allowed to play with fire because they can inflame the situation and we can find ourselves engaged in a terrible war, like the one currently going on between Ethiopia and Eritrea. What is amazing is that none of our African countries manufactures weapons. Therefore, when you encourage empty-headed sloganeering in the papers, you are actually giving business to the foreign arms companies. I am appealing to *The Monitor*, and those who are using *The Monitor* in one way or another, to leave the people of Uganda and Rwanda in peace.

The importance of Kisangani last year had been that Bangoka Airport had a long runway – more than three kilometres. Given the problems of transport in the Congo, we needed it for transporting tanks. An Ilyushin 76 aircraft carrying a tank cannot land on runway of less than 2.8 kilometres long. However, the real interest in Kisangani now is political because we later got a long runway at Gbadolite. That is why I had agreed with President Kagame that we should help the people of Kisangani at least to elect a mayor in that city of up to a million people. If we could do that, I would be very happy because then we could remove the armies from the town. Originally our interest in Kisangani was both for political and security reasons but it is now mainly political. If those Congolese people could be given a chance to elect their leaders, they would remember that the allies had enabled them to start an era of democratic governance in their country. In the Beni and Butembo areas, the RCD group there agreed to hold elections and the voter turn up was very high. The vote, by secret ballot, is the key of liberation.

## THE WAY FORWARD

There have been some calls for the immediate withdrawal of the UPDF from Congo. This would be the most unwise thing to do at this moment for the following reasons:



1. The implications of a unilateral withdrawal are that, firstly, such action would be in violation of the Lusaka Accord. The accord provides that there shall be orderly withdrawal of all foreign forces from Congo in accordance with a schedule to be worked out by the UN. The calendar of implementation was worked out in such a way that there would be a national government and a national restructured army resulting from the national dialogue which would re-establish state control over the entire territory of Congo when the foreign forces depart. If individual forces began withdrawing unilaterally, this could upset this carefully negotiated sequence of events and, in fact, possibly lead to the collapse of the ceasefire agreement as a whole.

2 Secondly, the Congolese population that has put their trust in Uganda would view such a withdrawal as a betrayal.

~~3. Thirdly, as I have repeatedly stated, the conflict in Congo had divided the former anti-colonial freedom fighters of Africa for the first time. The Lusaka Accord restores this unity and the opportunity to work together as allies. We are now working very closely together with Zimbabwe and Angola. The international community, as well as most Congolese of all sides, view Uganda's role positively, hence the election of Uganda to the chair of the Political Committee; the acceptance of Kampala as the venue for meetings by all the parties; and of Kabale by all the rebel forces. They voted for Uganda unanimously because they could see that our position was a balanced one.~~

It should be emphasised that successful implementation of the Lusaka Agreement requires that all the signatories abide by their commitments and that the UN, the OAU and the international community at large lend support to the peace process both morally and materially. The implementation of the agreement is behind schedule because of the deficit in support both from the signatories and from the international community. Uganda will continue to work through the JMC and the Political Committee to keep implementation under constant review and to make appropriate adjustments to the calendar in accordance with the dictates of circumstance. We recognise that there are enormous challenges to the implementation of the Lusaka Accord but the task we have undertaken is so crucial to Africa's future that we cannot afford to waver in the face of these difficulties. We have an agreement to which all the parties have committed themselves. All we must do is to mobilise the political will and the resources to implement it.

## IS UGANDA WASTING MONEY IN CONGO?

I am always hearing false arguments by some people to the effect that we are wasting money in Congo. Of course we are spending money, but we were spending money anyway because we were fighting banditry here in Uganda, only that we did not have a chance to conclusively solve this problem. We would operate on the Uganda side but the bandits would be on the Congo side and we would not be free to do anything about it. Now we are operating on both sides. Therefore, we are spending money, but we are doing so profitably. That is how we have been able to capture the bandits in Congo, including the former Amin soldiers who had been mobilised in Gbadolite to come and form a force in Congo. Therefore, the argument of spending money does not hold water because even if you do not operate outside your borders, if you have security problems, which are part of the old security problems of our country, you will spend money within your country. However, you will with fewer chances of resolving the problem if the people on the other side do not co-operate.

It is interesting that people who get a lot of support from outside use the argument of money all the time. The money we receive is from the taxpayers of Europe and it is some form of solidarity between them and us. However, the Europeans cannot express solidarity with us in security matters. In Sierra Leone, Nigeria has been shouldering the burden of the security problem in that country. Does it mean that even if I am a poor person, I cannot extend solidarity to my brother who is in a terrible situation? Tanzania was not a rich country but when Amin took power, Tanzania, right from the start, gave us some solidarity, and it was that solidarity that eventually enabled us to recover. We are now here talking – we have a Parliament, we have an elected President, we have been able to repair our roads – because Tanzania gave us their solidarity, in spite of their poverty.

Money is very important but it is not the only thing. Both from a practical and moral point of view, it is incorrect to say that when our army operates from outside our borders, because of the exigencies of the times that we must confront, we are wasting money. You may waste more money by doing nothing about a terrible situation like the one that was unfolding in Congo. There is something called the dignity of the human being and we have been fighting for a long time preserve the dignity of the African people and liberate them from oppression. I would like to conclude by appealing to the honourable members, together with the ministers concerned, to mobilise the political will to implement the Lusaka Accord and, with our partners the donors, to mobilise the

resources needed so that we can look forward to a new era of stability and prosperity in the Congo. The Congolese, all Congo's neighbours, and the whole world stand to benefit from a stable region.

May 28<sup>th</sup>, 2000  
Uganda International Conference Centre  
Kampala



An Annual  
Assessment  
of Conditions  
Affecting Refugees,  
Asylum Seekers,  
and Internally  
Displaced Persons



U.S. COMMITTEE FOR REFUGEES



## Togo

Togo hosted more than 10,000 refugees at the end of 1999, the vast majority from Ghana.

Approximately 3,000 Togolese refugees remained outside the country at year's end, including about 2,000 in Benin and about 1,000 in Ghana. No Togolese refugees officially repatriated in 1999.

**Refugees from Ghana** Inter-ethnic conflict in northern Ghana in 1994 forced some 15,000 Ghanaians to flee to Togo. Approximately 10,000 remained in northern Togo at the end of 1999.

Togo's reception of refugees was generally hospitable. Most refugee families were integrated into local communities. In October, the government of Ghana publicly expressed its willingness to receive back all Ghanaian refugees. Most, however, were largely self-sufficient and probably will not repatriate, according to the UN High Commissioner for Refugees (UNHCR).

**Refugees from Togo** In 1993, more than 200,000 Togolese fled to neighboring countries to escape a violent crackdown against a pro-democracy movement by Togolese President Eyadéma and the country's military. Most refugees were from Togo's capital, Lomé. Half of the refugee population returned home the following year, but subsequent incidents of persecution forced some to flee again.

A general amnesty for Togolese refugees in 1994 and relative improvements in security in Togo led to the large-scale return of refugees. UNHCR completed an organized repatriation program in mid-1997. In 1998, about 4,000 Togolese refugees returned from Ghana although the official repatriation program had already ended. No Togolese refugees are known to have repatriated in 1999, according to UNHCR.

About 3,000 Togolese refugees remained outside the country at year's end, although some sources estimated twice that number. Many were prominent opponents of the ruling regime and were unlikely to repatriate soon.

## Uganda

Uganda hosted nearly 200,000 refugees at the end of 1999, including about 180,000 from Sudan, approximately 8,000 from Rwanda, some 8,000 from Congo-Kinshasa, and 1,000 from Somalia.

An estimated 15,000 Ugandans were refugees, including some 5,000 in Sudan, about 5,000 in Kenya, and nearly 5,000 in Congo-Kinshasa.

Approximately 450,000 Ugandans were internally displaced, although some estimates ranged much higher.

**Armed Violence** Armed insurgencies continued to destabilize several areas of Uganda in 1999. The government's counterinsurgency measures have led to arbitrary killings and other human rights abuses, according to human rights observers. Ugandan authorities have regularly predicted the rapid defeat of the rebels, but the predictions have proven to be unfounded.

As many as seven insurgent groups claimed to operate during the year. An insurgency in northern Uganda stretched into its thirteenth year, while conflict in the southwest has persisted for four years. Several new rebel groups emerged in eastern Uganda during 1999. Insurgents reportedly killed 400 people nationwide and abducted some 1,000 civilians in 1999 alone, according to some estimates.

The two most brutal rebel groups were the Lord's Resistance Army (LRA), operating in the north, and the Alliance for Democratic Forces (ADF) in the west. The political goals of each group were unclear. ADF forces reportedly consisted of extremist Muslims and former Ugandan soldiers from earlier regimes. The LRA appeared to have roots in extremist Christian and local traditional religions. The Ugandan government has long accused the Sudan government of providing military aid to many of Uganda's insurgencies.

The LRA and other rebels in the north, including the West Nile Bank Front, have killed 5,000 to 10,000 civilians during the 1990s, according to local estimates. ADF rebels have reportedly killed nearly 1,000 people since 1996 in the southwest.

Insurgents regularly have abducted children, tortured and mutilated civilian victims, pillaged local villages, and planted landmines along roads and footpaths. The LRA has abducted up to 20,000 people since the late 1980s—including at least 10,000 children—according to estimates by UNICEF and other agencies. Rebels used abducted children as concubines, cooks, porters, combatants, and human shields.

Attacks by LRA rebels in the north were less frequent in 1999 than in earlier years. In the southwest, attacks by ADF insurgents against civilian targets escalated dramatically during the year, leaving a path of killing, mutilations, abductions, and looting that Ugandan government forces struggled to halt despite regular troop reinforcements.

Ugandan President Yoweri Museveni offered a general amnesty in June to two of the oldest northern rebel groups in exchange for their disarmament. The Ugandan parliament extended the amnesty offer to all rebel combatants in December. Relatively few rebels laid down their weapons, however.

The governments of Uganda and Sudan signed a formal agreement in December to cease support for rebel groups operating in the two countries, but the impact of the agreement remained unclear as the year ended.



**Uprooted Ugandans** Uganda's numerous insurgencies and other localized community violence left an estimated 450,000 persons internally displaced at the end of 1999. Some estimates placed the number of displaced as high as 540,000.

Some 300,000 to 400,000 people were uprooted in northern Uganda, and about 110,000 to 150,000 in the southwest region. Perhaps thousands of others were temporarily displaced in northeastern Uganda by clan-based violence there.

Aid agencies struggled against security problems and funding shortfalls to assist the country's huge displaced population. UNICEF reported that its financial appeals for programs in Uganda in 1999 were among its most underfunded in the world, with less than one-fifth of the needed donations. Insufficient funds prevented the World Health Organization from conducting comprehensive health assessments of the country's internal displacement camps.

The UN World Food Program (WFP) reported in mid-year that international donors had provided less than half of the 59,000 tons of food aid needed throughout the country. UN agencies complained in November of a "generally poor donor response" to the country's humanitarian needs.

The majority of families displaced in the north were uprooted prior to 1999 and have been unable to return home for fear of renewed attacks by the LRA and other guerrillas. Up to 80 percent of the population in Gulu District remained displaced.

Since 1996, the government has moved tens of thousands of northern families into about 30 so-called "protected villages." Some residents moved into the camps voluntarily, while others resisted and were forced into the sites by government security personnel.

The "protected camps" provided poor security for inhabitants and instead became a target for rebel attacks, resulting in the deaths, mutilation, and abduction of displaced persons. In late 1999, LRA raids forced some 10,000 people to flee from a poorly protected displacement camp.

Humanitarian conditions in the camps were difficult. Many camp residents, cut off from their homes and livelihoods, lived in abject poverty. Government soldiers at some sites prevented displaced persons from traveling more than two miles (three km) beyond their camp, thus limiting access to farm land and other economic opportunities. Camp residents often lived under a 10 p.m. curfew.

Uprooted northern Ugandans complained that designated camps offered poor services. Primary schools were overcrowded and secondary schools rarely existed. Families complained that life in the camps encouraged juvenile delinquency and was destroying social values. Residents and local human rights organizations com-

plained of harassment and other abuses by government soldiers stationed at the camps.

Because of diminished rebel activity in the north in 1999, government officials gradually began to loosen rules governing the displacement camps. More residents began to engage in agricultural activities on nearby land, or to travel home during the day. Malnutrition levels improved in the second half of the year. UN aid workers reported. Relief agencies were able to travel without military escorts as security improved. WFP planned food-for-work programs and school lunch projects.

UN agencies warned, however, that some displaced families in the north would be unable to go home because of landmines planted in their home areas. Years of instability have left three-quarters of the schools and health clinics closed in the hardest hit areas of the north.

In southwest Uganda, security and humanitarian conditions deteriorated during 1999 as ADF rebels mounted several offensives and government troops intensified counterinsurgency efforts.

Rebel attacks "caused rapid and massive displacement and re-displacement of the majority of the residents" in some southwestern areas, UN aid workers reported. Rebel raids uprooted 50,000 to 70,000 people during March-April and pushed an additional 10,000 persons from their homes later in the year.

The newly uprooted families joined tens of thousands of other persons displaced in previous years. Approximately 100,000 or more uprooted people congregated at more than 35 sites in and near the southwestern town of Bundibugyo, which grew to five times its normal size. An additional 20,000 or more people remained uprooted in the nearby Kasese District.

The displaced population in southwestern Uganda was "scared, traumatized, and paranoid" after years of rebel atrocities, aid workers reported. Rebels targeted civilians, particularly residents of displacement camps. ADF guerrillas killed five displaced persons in March and abducted 15 uprooted people in June. Many other incidents were likely unreported.

Security at displacement camps improved slightly after government military reinforcements arrived in the second half of the year. Some camp residents began to work and travel outside their camps during daylight hours.

Humanitarian aid agencies temporarily evacuated from some southwestern locations in April because of security problems. Although aid deliveries resumed in May, WFP suspended its work in mid-December because of new rebel attacks near Bundibugyo town. A letter by ADF guerrillas in December threatened to ambush food deliveries to the area.

More than 70 displaced persons died in southwest Uganda early in the year because of injuries and poor health conditions. *Médecins Sans Frontières* reported in March. Some camp residents contracted malaria, chol-



era, and diarrhea, according to local health workers. Malnutrition rates were generally low, but nearly six percent of all displaced children under age five suffered severe malnutrition in the Bundibugyo area, UN aid workers reported in October. However, rumors of starvation among displaced persons in southwestern Uganda in December were unfounded, aid agencies stated.

In northeastern Uganda's Karamoja area, violence among local people, known as *Karamojong*, left hundreds dead in 1999 and triggered a government military operation to quell the unrest. The area has a long history of violence linked to local cattle rustling. The number of persons uprooted in the violence was unknown.

"The upsurge in violence in Karamoja...was met largely with silence by the international community," a UN report stated.

**Ugandan Refugees** Some 15,000 Ugandan refugees remained in exile at the end of 1999. About two-thirds fled the country many years ago and have remained long-term refugees. Several thousand fled southwest Uganda during 1999 to escape the attacks by insurgents.

Ugandan officials have halted the organized repatriation of Ugandan refugees from Sudan since mid-1998 to review information about the identities of potential returnees.

**General Refugee Issues** The nearly 200,000 refugees in Uganda at the end of 1999 were the largest refugee population in the country in several years. Some 15,000 new refugees entered the country during the year.

Uganda has practiced "a liberal refugee policy" for many years, the UN High Commissioner for Refugees (UNHCR) stated in 1999. The government has attempted to place refugees into settlements with access to farm land and has tried to avoid placing refugee populations in crowded camps. Most refugee sites have included food aid, primary schools, training in literacy and occupational skills, and small credit programs to encourage business activities.

The government and UNHCR worked jointly during 1999 to prepare a new refugee law that would eventually strengthen the legal rights of refugees in Uganda, and would clarify the government's asylum procedures. UNHCR expressed hope that government authorities might enact the new law in 2000.

**Refugees from Sudan** Large numbers of Sudanese refugees have lived in northern Uganda for years because of civil war in their own country. Refugee movements back and forth across the border have become common, linked to the level of violence in Sudan and rebel activity inside Uganda.

About 10,000 new Sudanese refugees entered Uganda during 1999. Many of the new Sudanese arriv-

als came from neighboring Congo-Kinshasa after civil war and other tensions there made continued asylum untenable in that country.

The Sudanese refugee population lived in 25 designated settlements in northern Uganda and nearly equaled the local population in some districts. Nearly 90 percent had access to farm land. About 25,000 grew enough food to become self-sufficient. Others continued to receive partial food rations during the year. In addition to standard social services, aid workers provided training projects in carpentry and honey-making.

Ugandan officials and UNHCR continued efforts to help Sudanese refugees become economically self-reliant and better integrated with local communities. The program has attempted to increase refugees' agricultural production and vocational skills, and give refugees equal access to local schools, health clinics, and other routine community services. UNHCR reported "substantial progress in the implementation of the self-reliance strategy" in 1999.

Security for refugee settlements and aid workers remained a concern, as in previous years. Ugandan guerrillas have killed more than 110 Sudanese refugees since 1996 and have abducted large numbers of refugee women and children.

In June 1999, Ugandan rebels temporarily abducted at least 20 refugees. UNHCR provided counseling to former abductees. "Victims are usually traumatized and need immediate support," UNHCR reported. Ugandan authorities arrested 31 Sudanese and Congolese refugees for allegedly aiding Ugandan guerrillas.

In addition to security threats posed by Ugandan rebels, a Sudanese rebel group, the Sudan People's Liberation Army (SPLA), has routinely entered refugee sites to conscript young men and women and to retrieve deserters from their ranks, according to relief workers. UNHCR issued strong protests to Ugandan officials in an effort to gain their help in halting the SPLA conscriptions.

Insecurity has complicated humanitarian aid to northern Ugandan refugee sites for years. Security concerns in 1999 prevented UNHCR from opening a new settlement site that aid workers had prepared. As rebel attacks diminished in northern Uganda during the year, highways became safer and aid agencies gained better access to Sudanese refugee populations.

UNHCR reported no significant repatriation by Sudanese refugees during the year.

**Refugees from Congo-Kinshasa** Some 8,000 refugees from Congo-Kinshasa (also known as the Democratic Republic of Congo, formerly Zaire) lived at designated refugee sites in Uganda at the end of 1999. About 3,000 new Congolese refugees arrived during the year as civil war and ethnic hostilities continued in their own coun-



try. Thousands of others reportedly fled to Uganda temporarily before returning rapidly to Congo-Kinshasa.

Ugandan soldiers forcibly repatriated several hundred Congolese refugees on the final day of 1998 and the first days of 1999 as UNHCR prepared to transport them to a safer location farther from the border. Ugandan authorities investigated the incident, and no similar forced returns occurred, according to UNHCR. The refugee agency subsequently transferred some 2,000 Congolese refugees to safer sites beyond the border area.

Most Congolese refugees lived at the Nakivale and Kyangwali sites in southern Uganda. Two-thirds of the refugees had access to farm land. Aid projects emphasized increased food production by refugee families to make them more self-reliant.

**Refugees from Rwanda** Some 8,000 Rwandan refugees lived at the Oruchinga and Nakivale settlement sites in southern Rwanda, including about 500 new refugees who arrived in 1999. Most of the refugees received only partial food rations because they were already partially self-supporting; only one-fourth of the refugees required full rations.

Government officials and UNHCR charged that 60 Rwandans at Nakivale refugee settlement resided there illegally because they were not genuine refugees or did not qualify for refugee protection in Uganda. The 60 Rwandans were part of a larger population of nearly 2,000 Rwandan asylum seekers who had entered Uganda after several years of asylum in Tanzania. Ugandan officials threatened to deport the Rwandans who had arrived via Tanzania, but reportedly no deportations occurred.

About 350 Rwandan refugees repatriated with UNHCR assistance during the year. ■

## Western Sahara

An estimated 110,000 Western Saharan people were refugees at the end of 1999: some 80,000 in Algeria, about 25,000 in Mauritania, and approximately 5,000 in other countries.

**Pre-1999 Events** Residents of Western Sahara, known as ethnic Sahrawis, began fleeing to Algeria in the mid-1970s because of a war for control over Western Sahara.

The war initially pitted both Morocco and Mauritania against armed Sahrawis known as the Polisario (Popular Front for the Liberation of the Saguia el Hamra and Rio de Oro). Mauritania eventually renounced its claim to Western Sahara, but Morocco and the Polisario continued to fight for control of the territory.

In 1988, the two sides agreed to support a national referendum in Western Sahara to determine

whether the territory should be independent or incorporated into Morocco.

A United Nations peacekeeping force arrived in Western Sahara in 1991 to monitor the cease-fire between Morocco and the Polisario and to supervise preparations for the scheduled 1992 referendum.

Preparations for the referendum became seriously stalled, however. Moroccan authorities and the Polisario disagreed over which populations should be eligible to vote. The Polisario and many international observers charged that Moroccan leaders were attempting to pad the voter list with non-Sahrawis to tilt the referendum in Morocco's favor.

A UN-brokered agreement on voter eligibility in 1997 temporarily raised hopes that Sahrawi refugees could repatriate and vote in a referendum during 1998. Additional disagreements regarding voter eligibility blocked progress, however.

**Impasse in 1999** No Sahrawi refugees repatriated during 1999. By year's end, UN officials announced that continued disagreements over voter eligibility would likely delay the referendum until 2002.

Procedures to identify eligible voters, a process that began in 1994, resumed during the second half of 1999 after an eight-month suspension. UN officials screened more than 40,000 people during the year; some 190,000 persons have been screened since 1994.

The UN published a provisional list of 85,000 eligible voters in July. Some 40,000 persons judged ineligible by the UN screening process filed appeals to have their cases reconsidered. The large number of appeals overwhelmed UN staff in the region.

"The prospect of holding the referendum within a reasonable period of time, instead of becoming closer, has become even more distant," the UN secretary general lamented in December.

The UN Security Council grudgingly extended the 300-strong peacekeeping and monitoring force in Western Sahara throughout the year, at a cost of \$4 million per month.

Continued paralysis in the peace process left Sahrawi refugees preparing for a repatriation that many realized would not occur soon. The UN Security Council, in a futile effort to create momentum toward a solution, urged Morocco and Polisario in March "to move ahead with the necessary discussions" to repatriate refugees.

The UN High Commissioner for Refugees (UNHCR) continued its prolonged planning for eventual repatriation. Moroccan officials granted official recognition to UNHCR in January so that the agency could begin repatriation planning inside Western Sahara.

UNHCR conducted two assessment trips to Western Sahara during the year to collect information

AGREEMENT FOR A CEASEFIRE IN THE DEMOCRATIC REPUBLIC OF CONGO

POLITICAL COMMITTEE  
6<sup>TH</sup> ORDINARY MEETING  
LUSAKA, ZAMBIA  
8-9 JUNE, 2000.

MECHANISMS FOR DISARMING, TRACKING AND QUARTERING  
OF ARMED GROUPS AS WELL AS PROCEDURES FOR HANDING  
OVER MASS KILLERS, PERPETRATORS OF CRIMES AGAINST  
HUMANITY AND OTHER WAR CRIMINALS AND ELABORATION  
OF PROCEDURES OF DISARMAMENT OF ALL CONGOLESE  
CIVILIANS WHO ARE ILLEGALLY ARMED.

*Amended and adopted by the Political Committee at its 6<sup>th</sup> Session*



**AGREEMENT FOR A CEASEFIRE IN THE DEMOCRATIC  
REPUBLIC OF CONGO**

**POLITICAL COMMITTEE  
6<sup>TH</sup> ORDINARY MEETING  
LUSAKA, ZAMBIA  
8 – 9 JUNE, 2000.**

**MECHANISMS FOR DISARMING, TRACKING AND  
QUARTERING OF ARMED GROUPS AS WELL AS PROCEDURES  
FOR HANDING OVER MASS KILLERS, PERPETRATORS OF  
CRIMES AGAINST HUMANITY AND OTHER WAR CRIMINALS  
AND ELABORATION OF PROCEDURES OF DISARMAMENT OF  
ALL CONGOLESE CIVILIANS WHO ARE ILLEGALLY ARMED.**

The Joint Military Commission (hereinafter to as the JMC), at its 3<sup>rd</sup> Session in Harare, Zimbabwe, from 29 November to 04 December, 1999.

CONSIDERING the Agreement for a Cease-fire in the Democratic Republic of Congo in particular Article III, paragraphs 11a and b; 21 and 22;

FURTHER CONSIDERING the provisions of Chapters 7,8 and 9 of Annex A to the Agreement in particular 7:4 (f, g and h), 8:2.1 (h) and 8:2.2 (a-e) and those of Annex C to the Agreement;

COGNISANT of paragraph 5 of Decision No. 2 of the JMC;

AWARE that Burundi, which is also a victim to acts of the armed groups referred to in the Agreement is not represented on the JMC;

**HEREBY AGREE AS FOLLOWS:**

## 1. DISARMING, TRACKING AND QUARTERING OF ARMED GROUPS

1.1 The process of disarming, tracking and quartering of armed groups shall be carried out in eight (8) stages, viz,:

- 1.1.1. Identification
- 1.1.2. Verification
- 1.1.3. Disarming
- 1.1.4. Quartering
- 1.1.5. Amnesty
- 1.1.6. Tracking
- 1.1.7. Repatriation
- 1.1.8. Reintegration

## 1.2 IDENTIFICATION

1.2.1 The methods used for identification of armed groups shall include declarations by the Parties, declarations by armed groups and intelligence information gathered from prisoners of war, the civil population, local authorities, police and any other sources that will be available.

1.2.2 Each Party to the Agreement shall be required to declare:

- a. All armed groups operating in the territory under its control; and
- b. All armed groups; even if allied to it, whether or not operating in the territory under its control which, to its knowledge, are operating anywhere on the DRC territory.

1.2.3. The declarations envisaged shall, among others, indicate, if known,

- a. The name or names of the armed groups;

- b. The period for which the groups have been in existence or operation or both;
- c. The Political objectives and organisation of the groups;
- d. The military command, structure and organisation of the groups
- e. Their positions and locations from time to time;
- f. Information on the groups' allegiance and/or alliances;
- g. The strength of the armed groups;
- h. The types and quantities of arms in their possession or ownership;
- i. Details of any other equipment and property belonging to the groups.

1.2.4 In the case of Burundi, the same shall provide information concerning the FDD and any other armed groups operating on the DRC territory.

### 1.3 VERIFICATION

1.3.1 The following methods shall be used to verify information received from the Parties concerning the armed groups.

- a. Physical checks of the declared groups by a force to be established by the JMC, UN and OAU.
- b. Spot checks by the force in 1.3.1 (a) above, of suspected positions of groups which have not been declared, including positions of any the Parties.



- c. Any other means, including technical means, used to obtain information or such additional information on armed groups as may be provided by any of the Parties subsequent to the declarations.
- d. It is understood that none of the methods shall involve the use of coercive measures in contravention of the Geneva Conventions.
- e. Burundi shall be invited to participate as and when necessary.

1.3.2 The JMC together with the UN and the OAU are encouraged to develop independent information gathering capacity with a view to promoting the effective enforcement of the provisions of the Cease-fire Agreement relating to verification of the armed groups.

#### 1.4 DISARMING

1.4.1 Disarming of the identified armed groups shall involve:

- a. Taking possession of arms and ammunitions and any other weapon of war including traditional weapons like spears, machetes, bows and arrows;
- b. Establishing and securing the centres for the collection of arms ammunition;
- c. Recording the quantities and types of arms and weapons in 1.4.1 (a) above.
- d. Securing the surrendered weapons;
- e. Establishing and securing of ammunition dumps;

- f. Any other action regarding the disposal of the weapons;
- 1.4.2. The mechanisms and modalities for disarmament shall be determined by the JMC in conjunction with the UN and the OAU. The Parties to whom the armed groups owe allegiance and or alliance are encouraged to take the initial step in disarming the identified armed group. Parties should not take it upon themselves to regularise the identified armed groups into their main armed forces.
- 1.4.3. Where the Party experiences difficulties in disarming the armed group, the Parties should be notified so that other methods can be looked at. These may include the formation of a Joint Task Force to carry out the exercise.
- 1.4.4. The Parties either through the JMC or its local body will do the verification of the disarmament.
- 1.4.5. The Parties undertake not to hinder in any way whatsoever the disarmament effort.
- 1.4.6. Burundi shall be invited to participate and when necessary.

## 1.5 QUARTERING

- 1.5.1 This shall mean the establishment of a camping area large enough to hold temporary quarters for up to 1000 persons. These selected areas have the basic necessities required for the humane occupation of the quartered groups.
- 1.5.2 The designated quartering areas shall be made accessible to the Humanitarian Organisations for the provision of any needed humanitarian assistance.

1.5.3 As much as possible, the families of the members of the armed groups to be quartered shall not be accommodated in the quartering areas.

1.5.4 The rules and regulations of the quartering area shall be agreed upon jointly by the Parties.

1.5.5 The designated areas should not be for a period longer than one month, within which time the quartered group should either be repatriated or reintegrated in society.

1.5.6 Quartering of the armed groups shall involve :

- a. Confirmation and documentation of the selected quartering areas.
- b. Documentation and assembly of the groups in designated centres;
- c. Securing the designated centres in 1.5.6 (a) above;
- d. Provision of Humanitarian relief;
- e. With the exception of suspected "genocidaires"(genocide forces), repatriation of members of the armed groups and their families to their countries of origin or choice of political asylum.

1.5.7. The Parties shall agree upon quartering areas jointly.

## 1.6 AMNESTY

1.6.1. The Parties should create conditions conducive for the return to their respective countries and granting of amnesty to those not suspected of involvement in genocide and crimes against humanity.



- 1.6.2. The Congolese may consider the issue of amnesty after the results of the National Dialogue and the establishment of a new political dispensation in the DRC.

## 1.7 TRACKING

- 1.7.1 The UN has the primary responsibility and obligation to track down armed groups in the Congolese territory.
- 1.7.2 The JMC, the UN and the OAU shall determine the practical modalities for tracking armed groups still at large after receipt of the relevant information including information from Burundi.

## 1.8 REPATRIATION

- 1.8.1. The Parties shall create conditions conducive for the repatriation of both its military and civilian citizens.
- 1.8.2. The UN shall work out the modalities for the repatriation.

## 1.9 INTEGRATION

- 1.9.1. The Parties shall create conditions conducive for the reintegration of its citizens into society.
- 1.9.2. The UN, through its humanitarian agencies, shall work out the modalities of assistance to persons being integrated in society.

## 2. PROCEDURES FOR HANDING OVER MASS KILLERS, GENOCIDAIRE AND PERPETRATORS OF CRIMES AGAINST HUMANITY AND OTHER WAR CRIMINALS

- 2.1 The JMC together with the UN and the OAU shall lay down the guidelines for the identification and apprehension of know individuals suspected to be responsible for genocide, war

crimes and crimes against humanity. Identification lists of the suspects should be prepared before their confinement and submitted to the JMC; which lists shall be regularly updated.

- 2.2 Immediately after confinement, screening of mass killers shall be carried out and suspects shall be immediately apprehended, documented by the UN and surrendered to the appropriate International Crimes Tribunal or national courts depending on jurisdiction.
- 2.3 Identification and apprehension of suspects shall be a continuous exercise.
- 2.4 Burundi will be invited to participate in the exercise where appropriate.

### 3. **DISARMING OF ALL CONGOLESE CIVILIANS WHO ARE ILLEGALLY ARMED**

- 3.1 Parties shall be required to furnish information regarding the Congolese civilians who are illegally armed. This information shall include the following:
  - a. The number of civilians who received arms illegally;
  - b. Areas where the arms were obtained/distributed;
  - c. The types and quantities of arms which are in illegal possession;
  - d. The leadership of the civilian groups or organisations to whom arms were distributed.
- 3.2 Congolese civilians who are illegally armed should be encouraged to voluntarily surrender their arms through awareness campaigns to be conducted by local leaders.

- 3.3. The JMC in conjunction with the UN and the OAU should gather information to identify civilians in unlawful possession of arms.
- 3.4. An amnesty should be considered for civilians surrendering arms voluntarily.
- 3.5. The JMC together with the UN and the OAU shall work out modalities for tracking down or disarming civilians who so not surrender their arms voluntarily.



United Nations

S/PV.4156



## Security Council

Fifty-fifth year

Provisional

4156<sup>th</sup> meeting

Thursday, 15 June 2000, 11.30 a.m.

New York

---

<i>President:</i>	Mr. Levitte. ....	(France)
<i>Members:</i>	Argentina .....	Mr. Cappagli
	Bangladesh .....	Mr. Chowdhury
	Canada .....	Mr. Duval
	China .....	Mr. Wang Yingfan
	Jamaica .....	Mr. Ward
	Malaysia .....	Mr. Hasmy
	Mali .....	Mr. Ouane
	Namibia .....	Mr. Gurirab
	Netherlands .....	Mr. van Walsum
	Russian Federation .....	Mr. Granovsky
	Tunisia .....	Mr. Ben Mustapha
	Ukraine .....	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland ....	Mr. Eldon
	United States of America .....	Mr. Holbrooke

## Agenda

The situation concerning the Democratic Republic of the Congo

---

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

00-48158 (E)



*The meeting was called to order at 12:05 p.m.*

#### **Adoption of the agenda**

The agenda was adopted.

#### **The situation concerning the Democratic Republic of the Congo**

**The President (spoke in French):** In accordance with the understanding reached in the Council's prior consultations, I propose to invite the members of the Political Committee for the Implementation of the Lusaka Ceasefire Agreement, as well as Zambia, the Representative of the current Chairman of the Organization of African Unity and the Special Representative of the Secretary-General for the Democratic Republic of the Congo to participate in this meeting.

There being no objection, it is so decided.

In accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure, I invite His Excellency Mr. Abdelkader Messahel, Special Envoy of the President of the People's Democratic Republic of Algeria, Mr. Abdelaziz Bouteflika, current Chairman of the Organization of Africa Unity, to take a seat at the Council table.

*At the invitation of the President, Mr. Messahel (Algeria) took a seat at the Council table.*

**The President (spoke in French):** I invite the Vice-Minister for External Relations of Angola, His Excellency Mr. George Chicoti, to take a seat at the Council table.

*At the invitation of the President, Mr. Chicoti (Angola) took a seat at the Council table.*

**The President (spoke in French):** I invite the Minister of State for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, His Excellency Mr. Yerodia Abdoulaye Ndombasi, to take a seat at the Council table.

*At the invitation of the President, Mr. Ndombasi (Democratic Republic of the Congo) took a seat at the Council table.*

**The President (spoke in French):** I invite the Minister for Foreign Affairs and Regional Cooperation of Rwanda, His Excellency Mr. André Bumaya, to take a seat at the Council table.

*At the invitation of the President, Mr. Bumaya (Rwanda) took a seat at the Council table.*

**The President (spoke in French):** I invite the Minister of State for Foreign Affairs and for Regional Cooperation of Uganda and Chairman of the Political Committee, His Excellency Mr. Amama Mbabazi, to take a seat at the Council table.

*At the invitation of the President, Mr. Mbabazi (Uganda) took a seat at the Council table.*

**The President (spoke in French):** I invite the Minister for Presidential Affairs of Zambia, His Excellency Mr. Eric Silwamba, to take a seat at the Council table.

*At the invitation of the President, Mr. Silwamba (Zambia) took a seat at the Council table.*

**The President (spoke in French):** I invite the Chargé d'affaires of the Permanent Mission of Zimbabwe, His Excellency Mr. Misheck Muchetwa, to take a seat at the Council table.

*At the invitation of the President, Mr. Muchetwa (Zimbabwe) took a seat at the Council table.*

**The President (spoke in French):** I welcome the presence at the Council table of His Excellency Mr. Theo-Ben Gurirab, Minister for Foreign Affairs of Namibia and President of the General Assembly, who represents the last of the States signatories to the Lusaka Agreement and whose country is also a member of the Security Council.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Dominique Kanku, Head of External Relations of the Movement for the Liberation of the Congo (MLC), to take a seat at the Council table.

I invite Mr. Claver Pashi, head of the delegation of the RCD-ML to take a seat at the Council table.

I would like to inform the Council that Mr. Emile Ilunga, head of the delegation of the RCD-Goma, who at this moment is still on an aeroplane, will be joining us this afternoon.



I now invite Mr. Kamel Morjane, Special Representative of the Secretary-General for the Democratic Republic of the Congo, to take a seat at the Council table.

I should like to acknowledge and welcome the presence of the Secretary-General at this important meeting.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

As President of the Security Council, I now have the honour of addressing the Council as well as the members of the Political Committee.

I should like warmly to welcome the Ministers members of the Political Committee for the Implementation of the Lusaka Agreement; the Minister for Presidential Affairs of Zambia; the Special Envoy of the Chairman of the Organization of African Unity (OAU); and Mr. Kamel Morjane, the Special Representative of the Secretary-General.

I should like, with the agreement of the Secretary-General, to ask the Special Representative to convey to all of the observers and teams now working in the Democratic Republic of the Congo, our feelings of admiration and solidarity. They are doing admirable work in particularly difficult conditions. I hope that Mr. Morjane will express to them, on behalf of the Council, the extent of our admiration for them.

I would particularly like to thank the Secretary-General for his presence here. He has delayed his departure on an important trip to the Middle East so as to be here today. I would also like to thank him for his full and courageous report, which will enlighten our work and serve as a work of reference.

Those present will recall that the idea for this meeting came out of a meeting that took place on 6 May in Lusaka between the members of the Political Committee for the Implementation of the Lusaka Agreement and the seven members of the Security Council who undertook the Council's first-ever visit to Africa. That 6 May meeting followed the Security Council meeting that was held in this Chamber on 24 January, attended by representatives of the countries signatories to the Lusaka Agreement. Ambassador Holbrooke took the initiative to hold that dialogue. The dialogue between the Security Council and the

signatories to the Lusaka Agreement attests to the will of the Council to actively respond each time the United Nations is called upon to contribute to a settlement of a crisis in Africa.

The United Nations is not abandoning Africa. On the contrary, as we are aware, the main part of the Security Council's agenda is devoted to Africa. However, it must be said that the context that we find ourselves in today is particularly difficult. It is difficult, first of all, because the United Nations Mission in Sierra Leone is now confronting serious problems. It is also difficult because everyone has in mind the war being waged between Ethiopia and Eritrea, which has inflicted suffering on two peoples and caused heavy losses to the two countries involved in the conflict. Of course, each crisis has its own specific characteristics, but we must be aware that the difficulties in Sierra Leone are causing reluctance on the part of the troop-contributing countries to commit themselves in the Democratic Republic of the Congo.

What kind of analysis can we make today of the situation in the Democratic Republic of the Congo? One very positive element is the fact that there have been genuine efforts on the part of all the countries of the region to achieve a settlement — the Lusaka Agreement. I would like to pay tribute to the outstanding role that President Chiluba of Zambia played in that respect. The Lusaka Agreement was signed almost one year ago, on 10 July 1999. The Agreement provided for a settlement of the crisis in 360 days. Where are we now, almost two years after the beginning of the conflict and almost one year after the signing of the Lusaka Agreement?

Unquestionably, efforts have been made in the right direction. On the part of the belligerents themselves, a ceasefire was declared, and a disengagement agreement was concluded on 8 April in Kampala. Here in New York, the United Nations fulfilled its part of the contract. The Security Council decided, on 24 February last, on the establishment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), with 500 military observers and a force of 5,000. Unfortunately, despite that unquestionable progress, the bad news has been increasing, and today the global balance sheet is dramatically negative in five areas.

First, hostilities are continuing. They are continuing in the province of Equateur. They resumed



there at the end of last year and have been taking place on a regular basis ever since. Fighting has also been continuing in Kasai since March. There has been uninterrupted violence in Kivu. Finally, in Kisangani, fighting broke out in August last year, at the beginning of May and again, in a particularly bloody manner, at the beginning of this month.

Secondly, the cost in human life of this conflict is ever higher. The Secretary-General's report has emphasized the tragic situation of the displaced persons and the enormous food needs. We are receiving information through non-governmental organizations and religious organizations regarding violence and massacres, particularly in Kivu. These organizations are also indicating to us that there are inter-ethnic clashes in the north-east.

Last week the international press published the results of a study by humanitarian organizations, which says that in two years of war, 1.7 million individuals have perished in the east of the Congo. They have been the victims of massacres, or have died attempting to flee violence, or have perished because humanitarian assistance could not reach them due to conditions of insecurity. We are not trying to get into a war of statistics and figures here, but we are trying to see reality as it is. For two years now, hundreds of thousands of deaths have been recorded in the eastern provinces of the Democratic Republic of the Congo.

Thirdly, as regards the process of reconciliation between the Congolese themselves, the national dialogue provided for by the Lusaka Agreement remains blocked. To be sure, the facilitator of the national dialogue, selected by the Congolese parties, with the assistance of the OAU, has made some preliminary assessments. Preliminary consultations have taken place. The Security Council, which welcomed the facilitator in New York in January and again in April, expressed its full support to him, and we will be having a meeting tomorrow with his representative, Minister Archibald Mogwe.

But today the Council is deeply concerned by the impasse in the national dialogue and by the lack of cooperation on the part of the Government of the Democratic Republic of the Congo with the facilitator. The events in Cotonou are particularly alarming to us. The settlement of the conflict in the Democratic Republic of the Congo must be based on genuine

reconciliation among the Congolese within the framework of the national dialogue.

Fourthly, the lack of security and the parties' lack of goodwill is hampering the deployment of MONUC. The continuation of hostilities is endangering the deployment of phase II of the Mission. The failure on the part of the Government of the Democratic Republic of the Congo to respect the commitments undertaken in the framework of the status-of-forces agreement, but also on the part of the rebels through their blocking of the movements of the force, is unacceptable. This runs counter to the commitments that have been undertaken. Finally, the recent manifestations of hostility to MONUC in Kinshasa are not acceptable. The United Nations is in the Democratic Republic of the Congo to help bring about peace, and the United Nations must be helped in turn.

Fifthly, the resumption of hostilities on 5 June between Ugandan and Rwandan troops in Kisangani was a brutal aggravation of the conflict in the Democratic Republic of the Congo. These hostilities seemed to toll the bell for the Lusaka Agreement; they pitted two formerly friendly countries against each other. The particularly unjustifiable nature of the confrontations between two foreign armies on the soil of a third country — namely, the Democratic Republic of the Congo — must be emphasized. These hostilities have caused numerous Congolese civilian casualties. At least 300 have died and 1,500 have been wounded. Two foreign military presences, motivated by security reasons, are today becoming a major source of insecurity.

I must state that these events have deeply shocked the entire international community and prompted an immediate and unanimous response: "Enough fighting. Withdraw your forces from Kisangani. Implement immediately the Agreement that your Presidents concluded in the presence of the Security Council members."

We see perfectly well that we are now at a decisive moment. In his report to the Council on Tuesday, the Secretary-General set the tone, and everyone is familiar with that report. The war must cease immediately, he told us, and he is right. With regard to Kisangani, from bad events perhaps something good can emerge. The tragedy of Kisangani must serve for all of us as an electric shock that will trigger the total, rapid, even accelerated

implementation of the Lusaka Agreement. That Agreement remains our touchstone. At this moment, I express the hope that all of the prisoners of war will be released even before the end of our work, to demonstrate that, yes, the will does exist, and that movement in the right direction is possible.

On behalf of the Security Council, I say to the members of the Political Committee for the Implementation of the Lusaka Agreement who have come to join us in New York that we hope to consider the situation in depth with you. We hope together to provide a new impetus to the Lusaka peace process and to find a way, with you as partners, to overcome the present crisis. You had hoped that the United Nations would be your partner, and we have agreed to be that partner. Together, during these two days, let us take the necessary decisions. Let us restore hope, and let us bring peace to the people of the Democratic Republic of the Congo and to all of the peoples of Central Africa who are waiting so desperately for that peace. Together let us manifest that will. As our British friends say,

*(spoke in English)*

"Where there is a will, there is a way".

*(spoke in French)*

I now give the floor to His Excellency Mr. Amama Mbabazi, Minister of State for Foreign Affairs and Regional Cooperation of Uganda in his capacity as Chairman of the Political Committee.

Mr. Mbabazi (Uganda): On behalf of the Political Committee and on my own behalf, I wish to express our gratitude to you, Mr. President, to the members of the Security Council delegation who visited our region last month, and to the Security Council as a whole for the invitation it extended to the Political Committee to come to New York to share information and exchange views on the process of pacification of the Democratic Republic of the Congo.

We come with the hope and confidence that this interaction will result in greater and faster engagement of the United Nations in this process, for which the people of Congo and the region have waited so long.

The Agreement for a ceasefire in the Democratic Republic of the Congo, popularly known as the Lusaka Ceasefire Agreement, was freely negotiated, agreed and signed by all the then belligerents. It was welcomed and adopted by the international community,

including the United Nations, as the best formula for the resolution of the conflict in the Democratic Republic of the Congo.

The Agreement addresses the two dimensions of the conflict — that is, the internal Congolese political question and the regional security concerns of the Congo itself and those of its neighbours. It provides, among other things, for the cessation of hostilities; the creation of a new political dispensation in the Congo through inter-Congolese political negotiations; the disarmament, demobilization, resettlement and reintegration of all of the armed groups in the Congo; and the withdrawal of all foreign forces. It further provides for the normalization of the situation at the borders of the Congo with a view to stopping any illicit trafficking of arms and the infiltration of armed groups across the borders.

The United Nations was requested, in pursuance of its duty to maintain international peace and security, to take charge of the implementation of the Agreement. The parties also created the Joint Military Commission (JMC), where they are all represented, to develop this process of implementation.

Although, as you correctly observed, Mr. President, the timetable for the implementation of the Agreement, signed on 10 July 1999 by the States parties and in August by the armed Congolese rebellion, has not been met, the Agreement has held, the various violations, many of which you referred to, Mr. President, notwithstanding. These violations occurred largely because the mechanism the Agreement put in place to manage the implementation process has to date not been fully operationalized.

The United Nations initially adopted what appeared to be a very cautious approach to its involvement in this implementation process. The Political Committee was therefore delighted when last January the Security Council decided to pay great attention to the conflict in the Congo, a process that has culminated in our meeting with the Council today.

We appreciated very deeply the visit of the Security Council delegation, led by Richard Holbrooke, to the region last month. For the first time we felt that, as a result of that visit, a partnership between us and the United Nations had begun in earnest. We therefore have come to New York in that spirit of partnership in the continuing dialogue, begun on 6 May in Lusaka, on how to quickly and realistically achieve our commonly



shared desire to bring peace not only to the Democratic Republic of the Congo but to the region as a whole.

The Political Committee, working together with the Joint Military Commission and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), under the able and dedicated leadership of the Special Representative of the Secretary-General, Ambassador Kamel Morjane, and his staff, has laid the groundwork for the implementation of the Lusaka accord. We adopted on 8 April last in Kampala the plan for the disengagement and redeployment of forces in the Democratic Republic of the Congo. Although its timetable has not been fully met, sub-plans for the disengagement of forces in each area were prepared, but they could not be finalized because the JMC and MONUC lack the resources required to carry out verification of the information given by each party.

We look forward to discussing this question of lack of resources with the Council during our visit here, so that we can overcome this debilitating limitation to the process of implementation. We expect that when the planning teams of the JMC and MONUC have verified the information given to them by each party and new defensive positions have been agreed, then the forces will begin to disengage to create the 30-kilometre-wide disengagement zone.

The Political Committee, at its last meeting in Lusaka, considered and adopted mechanisms for the disarmament, demobilization, resettlement and reintegration of members of all of the armed groups.

On the question of the release and exchange of prisoners of war, the Political Committee requested the parties concerned to expedite the process by quickly complying with the requirements of the International Committee of the Red Cross and Red Crescent. I have reliable information that all of the parties have since done so. I should expect the release and exchange of prisoners of war to commence by the end of this week. I share the Council's optimism that this could begin even in the course of our deliberations here in New York.

On the issue of the inter-Congolese political negotiations, the national dialogue has not commenced. The Political Committee, however, welcomed the holding of the preparatory meeting in Cotonou, Benin, on 6 June, as a positive step in the right direction. The Committee expressed its appreciation to Sir Ketumile

Masire for his efforts in facilitating the national dialogue and called on all of the Congolese to honour their obligations under the Agreement.

It is clear that the implementation of Lusaka has not gone according to the plan we originally worked out. Indeed, the Political Committee recognizes that there are enormous challenges to the implementation of this accord. The most recent challenge — which you referred to, Mr. President — was the fighting in Kisangani between the Rwandan and Ugandan forces. The Committee expressed its concern over this regrettable development, and, while welcoming the efforts to bring the situation in Kisangani back to normal, called on Rwanda and Uganda to immediately bring an end to the fighting and to implement the agreement between them for the demilitarization of Kisangani. I am glad to inform the Council that the fighting has since stopped.

The Political Committee restates the reaffirmation by our leaders last January of our strong commitment to the Lusaka Ceasefire Agreement and reiterates our determination for its full and expeditious implementation. All we ask of the United Nations and the international community as a whole is that they lend us their unqualified support in the implementation of this accord, which we freely reached among ourselves.

**The President (spoke in French):** I now give the floor to Mr. Richard Holbrooke, Permanent Representative of the United States, who headed the Security Council mission to the Democratic Republic of the Congo and who undertook the laudable initiative of holding the summit of 24 January in this very Chamber.

**Mr. Holbrooke (United States of America):** I thank the Secretary-General for joining us today.

I thank you, Mr. President of the General Assembly, for descending from the high podium to join us to represent your own country. It is an honour to have two Presidents in the room today, you and Ambassador Levitte. I take your presence here as being of enormous significance to all of us.

I would like to express to you, Ambassador Levitte — the President of the Security Council — our country's very great appreciation for the leadership that you and France have taken on behalf of peace in the Democratic Republic of the Congo.



I want to thank all of our friends and colleagues from the Lusaka process, who hosted us with such graciousness and generosity in Lusaka on 6 and 7 May, for again making the long journey to New York. Their presence here represents their commitment to finding a solution to the problems of the Congo. I hope that the world, which is focused on those problems, understands that everyone is here voluntarily to help solve them.

I am particularly honoured in that regard to speak after my friend, Minister Amama Mbabazi of Uganda, one of the most distinguished statesmen of Africa, whom I have now had the pleasure to work with increasingly in recent months and whose speech deserves careful perusal by all of us.

And, of course, I am delighted at the presence of the other representatives in the Chamber, and of the Special Representative of the Secretary-General, Ambassador Morjane, who is doing an extremely good job under extraordinarily difficult circumstances.

This is an important day for all of us, as we proceed with this long odyssey. Although Minister Mbabazi was gracious in referring to the American month, in January, discussions really began earlier than that. I want to pay tribute to the presidency of the British in the month of December, and to Sir Jeremy Greenstock and Ambassador Eldon, for starting the process. This process has now gone on for many months. Let the world see that the United Nations is not turning away from Africa, and let the world see that there is no double standard. Africa is at the centre of our attention. This is doubly true, as today as we are dealing simultaneously with two other major African issues: Sierra Leone and the Ethiopia/Eritrea problem. There will be separate meetings going on concurrently on the latter issue, in conjunction with the Organization of African Unity (OAU).

But the problems remain, and they have become more serious in recent days in at least two areas, as Minister Mbabazi's comments made clear. The people of the Congo are looking to us to help find a way out of the hell in which they have been living for so long. They look to us to help them build lives not defined by conflict. There have been a lot of statements in recent months about how the people of the Congo need peace, but these statements — many of them made here around this historic horseshoe in this historic Chamber — have not yet been acted on.

Thirty-six days ago, Mr. President, you and I were in the region with our colleagues from Great Britain, the Netherlands, Mali, Tunisia and Namibia on behalf of the entire Security Council. We were greatly honoured to represent all of you, and I think we did a fairly good job in carrying the weight of the United Nations into the Great Lakes. However, I am not sure where we are today. Nonetheless, I do note that the delegation — comprised of three African nations, three European nations and one country from neither Europe nor Africa, the United States — symbolized our common commitment. I would stress again that the reason that the Latin American and Asian representatives were not with us was that they had gone to Kosovo on a parallel mission.

When you decided last month to convene today's meeting, Mr. President, we had anticipated that we could build momentum. But the events of the last two weeks have changed the nature of this meeting.

Let me start, as you did, Sir, with Kisangani, and let me be honest with my friends from both Rwanda and Uganda. There is no excuse for what happened in Kisangani. There was no excuse when the fighting began around 3 or 4 May. The immediate cessation of that fighting, after the 8 May ceasefire negotiated by the Security Council, was promising, but in the last few weeks the fighting resumed with an extraordinarily high level of intensity, leaving hundreds of people killed and thousands wounded and causing enormous damage to the infrastructure of Kisangani — damage that the international community will have to pay to clean up, otherwise it will not be done, thereby diverting resources from long-term reconstruction and essential health and education needs. That resumption is one of the most troubling things I have ever seen in my career in diplomacy. I am talking now not about the initial fighting, but about the resumption of fighting a few weeks ago.

I agree with Minister Mbabazi that there is now a ceasefire in place and that we have to lock it in. But it is a fragile ceasefire, and as the Secretary-General has so correctly warned us in meeting after meeting, we are facing a gap between the ceasefire, which took effect a few days ago, and the arrival of any peacekeeping forces. We must be honest with ourselves: it is more difficult now to get peacekeeping forces than it was a few weeks ago precisely because of the events in Kisangani. It is more dangerous. It is more problematical. Governments and their populations have



more reservations. And it will be harder to fund those efforts because of what happened in Kisangani. So let us be honest about that in this Chamber.

I personally am not interested in a court of inquiry into who started Kisangani. The leaders of both sides have been very clear with all of us that it was the other side that started it. Based on similar experiences that I have been involved with in places like Bosnia, Kosovo and Cambodia, I am certain that we will never get to the bottom of who started it. The issue is to stop it permanently and never to let it happen again. That can be done only with the highest level of political leadership.

I salute you, Mr. Secretary-General, for your around-the-clock and tireless efforts with the leaders in the region to stop that fighting. Without your personal involvement, I think the chances are very high that the fighting would still be going on.

As for the fighting in Equateur Province between the armed forces of the Congo and the Movement for the Liberation of the Congo (MLC), that too is a serious problem. It is threatening to bring the war closer to the major population centres. I say it quite frankly today, in the presence of the signatories to the Lusaka Agreement — and, in this case in particular, in the presence of the Foreign Minister of the Democratic Republic of the Congo and the representative of the MLC — that we need to see a willingness on your part to halt the fighting.

Let me turn now to the national dialogue. Again, I speak with great respect for the sovereign Government of the Democratic Republic of the Congo. But I must say, in all candor, what my Government has already said publicly. I am obligated and obliged to repeat here in public that we do not believe that the renunciation of the facilitator appointed by the OAU and attacks on the national dialogue can be regarded as anything other than an attack on the Lusaka peace process. If there are differences between any parties in this Chamber and the facilitator, let those be ironed out. But let us not attack the process itself unless we are ready to confront the extraordinary implications of that. I have heard the problems that the Government in Kinshasa has with the national dialogue. May be some of them are justified. But an attack on the process itself can only be regarded as an attack on Lusaka.

The Lusaka Ceasefire Agreement is one of the few things standing between order in the Democratic

Republic of the Congo and its degeneration into warlord-dominated, resource-driven satrapies. Last January, when we in this Chamber sat with the seven Presidents of the region, a commitment was made to redouble our efforts for peace. I hope that that will be the result of this very important meeting that you are chairing today, Mr. President, only one level below the chief-of-State level.

In order to bolster the peace process, the Secretary-General has recommended the reordering of some of the Lusaka tasks, particularly the sequencing of foreign troop withdrawals. He suggests that priority be given to the withdrawal of Rwandan and Ugandan forces from the Kisangani area. I think that this recommendation is extremely appropriate, given recent events. That is one of the major things we will be discussing. But, as I support the Secretary-General's position, I would like to underscore a few critical points.

First of all, in no way does prioritizing the withdrawal of the forces that fought each other in Kisangani diminish the long-standing call of the Security Council, which is on the record in resolutions, for the withdrawal of all — I repeat, all — foreign forces. We are not in any way, shape or form abandoning Lusaka by accepting, as I hope and believe we should, the prioritization recommended to us by the Secretary-General.

Secondly, there is an urgent need for all parties to abandon all support to non-signatory armed groups, particularly the ex-Forces Armées Rwandaises (FAR) and Interahamwe. The fact that these groups are still allowed to stay in business is truly unacceptable. They are among the most odious groups in Africa, if not in the world, and they must be dealt with through concerted regional action.

Thirdly, a discussion of withdrawing Rwandan and Ugandan forces should not in any way detract from the obligations of the Government of the Democratic Republic of the Congo to participate in the national dialogue, to allow other Congolese parties the same right, and to abide by the results of the process.

And fourthly, in regard to this point, let us not let this discussion detract from the legitimate need to take into account the security concerns of Rwanda and of Uganda. Those are legitimate — although the explosion of fighting in Kisangani, which has nothing to do with those needs, was extraordinarily lamentable.

We cannot allow a situation occur where the ex-FAR and Interahamwe resume their 1995-1996 campaign of terror inside Rwanda.

All of this should be done to strengthen Lusaka. Let us recall again that this is not an outside-imposed agreement, but an African initiative: as Mr. Salim Ahmed Salim put it, an African solution to an African problem.

There are some who say that Congo's struggle and the slow progress of Lusaka somehow prove that in some places failure is certain — that people are simply predisposed to killing each other. I heard this in Bosnia; I heard it in Kosovo; I heard it in Viet Nam; and in an earlier era we heard it in regard to the great European Powers, which have finally, after a century of brutality, put their internal differences behind them so that, today, wars in the central part of Europe, once so common, are no longer possible. I hope that we will see, in our lifetimes and in our professional careers, the leaders of Africa reach the same level of achievement. If they do so, they will have done it much faster than the Europeans did, but I hope they can — as Ambassador Levitte so eloquently, but I regret to say unsuccessfully, put it to Prime Minister Meles Zenawi when we were in Addis Ababa four or five days before that war broke out — learn from Europe's mistakes.

I categorically reject the notion that Africa is not ready for democracy, or that it needs "strong men" or dictators to ensure stability, or that among certain peoples or tribes conflict is inevitable. Such opinions, which we all heard in regard to Bosnia as well, are uninformed and, in subliminal form at a minimum, carry a racist connotation. They were wrong in Bosnia; they were wrong in Kosovo; they are wrong in Africa.

Let us also stand together to reject the notion that has gained some prominence among commentators that some States have become "failed States". States do not fail; leaders do. Much is made of the artificial nature of African borders, and many claim that this makes conflicts inevitable. I share the concern about those borders and about the way they were drawn in the late nineteenth century. But those were the borders that the countries of Africa chose to maintain when they became independent. And once having made that decision, the leaders must figure out a way to live within those boundaries. Or, if they wish to change them, they may change them voluntarily, as happened

in the Soviet Union, Czechoslovakia and elsewhere, but not through wars.

All of this means that we cannot give up hope. Leadership can make a difference; it must make a difference. Last January, when we embarked on the "month of Africa", we said that 2000 would be the "year of Africa", and you, Mr. President, have set a very high standard by maintaining the attention of the Security Council with respect to these issues. At that time the Permanent Representative of Zimbabwe reminded us that our commitment to peace efforts — from the many efforts of the United Nations around the world to our own commitment in the United States, for instance, to the Middle East peace process — must be strong enough to survive numerous setbacks, some of them catastrophic and seemingly fatal. The representative of Zimbabwe warned us that in Africa, like everywhere else, we must be prepared to accept setbacks and not let them deter us from moving ahead. I believe that one should accept good advice, especially when it comes from such an esteemed colleague. Setbacks are, unfortunately, part of any peace process, but they should not diminish our resolve; they should increase it.

In conclusion, let me remind us all that we have come here today to bolster a peace process that, while imperilled, is one to which we are all committed. We have not come here out of a sense of charity, or simply to right past wrongs — although that must be done — but because we all recognize that peace in the Congo and peace and democracy throughout Africa are in the national interests of us all: Europeans, Asians, Americans, others in the Western hemisphere, friends and neighbours alike.

As we proceed with our discussions today and tomorrow, and as we move forward in the coming weeks, I hope we will all draw inspiration from what Ambassador Greenstock, Ambassador van Walsum and Ambassador Andjaba saw when they made their trip to Kananga a month ago: thousands of ordinary Congolese people lining the streets of that city, deep, deep in the heart of a beleaguered and isolated area, thousands of ordinary Congolese shouting, "Peace, peace, peace". Let us help those people fulfil their hopes and dreams. This, members of the Council and my friends from the Political Committee of the Lusaka Agreement, is the best possible reason for us to continue working for implementation of the Lusaka



Agreement and for peace in the Democratic Republic of the Congo.

**The President (spoke in French):** I now give the floor to the Minister of State for Foreign Affairs and International Cooperation of the Democratic Republic of the Congo, His Excellency Mr. Yerodia Aboulaye Ndombasi.

**Mr. Ndombasi (Democratic Republic of the Congo) (spoke in French):** I find myself in a position that reminds me of the teachings of the "Spanish Machiavelli", Baltazar Gracián y Morales, about what one should be and what one should do, in his book *The Courtier's Oracle*. I appear here as a courtier, trying to walk on eggs without crushing them, and obliged to reassure, to explain and to take a position.

At the outset, I convey to you, Mr. President, and to the other members of the Council my heartfelt congratulations on your initiative following the visit of the Security Council mission to us in Africa.

I should also like to thank the Permanent Representative of the People's Republic of China and convey to him our gratitude and our congratulations on his success in carrying out his mandate as President of the Council last month. This is the moment to take advantage of the good omens for your mandate as it begins, Mr. President, and for us to pay an emphatic tribute while voicing the hope that the work to be done under your leadership will be crowned with success so that a man of the court, like myself, will not vacillate.

The Lusaka Accords, United Nations resolutions and the United Nations Charter are symbols that guide us, the Congolese of the Democratic Republic of the Congo, to show good will throughout and readiness to hasten the end to the war to begin national reconciliation.

Here, in this building, President Laurent-Désiré Kabila addressed the Council, and the terms, the words and the meaning he imparted are still alive in the minds of members to show that what I am saying is not empty, flattering rhetoric, that rather it reflects commitments, assurances and clarifications I wish to provide during my statement. The arrival and address of President Kabila prompted a great deal of hope, as it led to the adoption of resolution 1291 (1999). That followed the adoption of resolution 1234 (1999), which is still alive with the potential it affords us to bring a speedy end to war.

This good will of all heads of States that are signatories of the Lusaka Accords is being manifested through subsequent provisions, particularly those of Kampala, which set out the process for establishing a climate of security for our people and for United Nations forces, who, it goes without saying, benefit from enhanced security when they are operating in a country that is not at war.

For us the mere presence of uninvited foreign forces is an act of war, and nothing can ensure the security necessary to offer to the troop-contributing countries who send their children to help us solve our problems. That security is unstable and fraught with unpredictable elements, since uninvited foreign armies occupy the country and push their hostilities to the point of fighting each other.

In this year of the Africa Cup and Euro 2000, people can say whatever they please, because we do not know the hidden sense of their insults; a period to flex their muscles to the detriment of the infrastructure, the people and the territorial integrity and national sovereignty of the Congolese people, and this in accordance with the symbol which is the United Nations Charter. As long as these gladiator brothers are in our country, nothing can be guaranteed, since they are already in the third round of their championship. No one can guarantee what will happen from one moment to the next, even after a ceasefire. No one can guarantee that clashes will not resume if they remain on our territory.

What we call aggression against our country by our brothers from the east remains the key to further developments and the events that have prompted us to meet in a quest for peace in the Democratic Republic of the Congo. With regard to the security of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the recent evacuation of 20 of its representatives from Kisangani shows that as long as all these people are in our country fighting one another, there will be no security for MONUC. Evacuating them, given the logic of events, was an obligation.

As a Minister of State, I am duty-bound to provide assurances that the Democratic Republic of the Congo needs the United Nations, needs MONUC. It would be ridiculous for us to need MONUC, while at the same time we complicate its work. I can give the assurance of the Government of the Democratic

Republic of the Congo that, so far as United Nations force deployment and the preliminary MONUC deployment are concerned, in accordance with the status of forces agreement these forces will enjoy full freedom of movement; freedom not in the sense such as Kant spoke of, the freedom of indifference, as in: "I do what I like when I like and cross the street when there is a red light". Freedom is freedom of knowledge of cause, because you know the effect that a vehicle doing as it wishes can have on a body that crosses its path. Freedom is organized on the form — I discussed this with Mr. Morjane — of notification. It is only natural that as a sovereign Government we know when, who and where MONUC and United Nations aircraft will operate in our skies. This is not harassment. It is simply something designed to avoid having something unfortunate happen to these people who we need, as I said a little while ago, to get us out of this business, to put an end to the war and for us to be able to resume national reconstruction.

I must also provide assurances to the effect that the Government of the Democratic Republic of the Congo negotiated, through me personally, the Lusaka Accords and President Kabila himself signed them.

We are in favour of the Lusaka Agreement and call for its full implementation, even if, for example, the timetable was set inconsistently with provisions of the Agreement. We did not exploit that inconsistency to call the Agreement itself into question. We are in favour of the implementation of the Lusaka Agreement. Everyone should clearly understand that.

Of course, when the veil that shrouds the future is torn open, it will be easy to judge, but so long as the present remains blind, no one can forecast with precision what is going to happen. That is why the Lusaka Agreement was signed and only later did it become imperative for the dates on the timetable to be modified, although the urgency of implementation was never lessened. Let me repeat: we are in favour of the Lusaka Agreement and will give our all to ensure that its implementation is facilitated. My Government wants inter-Congolese dialogue to be facilitated. Of course, such facilitation is embodied in one person whom the Organization of African Unity has appointed and who has won the agreement of all parties.

My Government has reasons for believing that the current embodiment of that facilitation is no longer appropriate to the progress of the operation. We are in

favour of facilitation. We have already asked the Organization of African Unity to appoint someone else who, with the consent of the parties, can facilitate dialogue among all Congolese.

Let me stress that, in the midst of all this, we are a sovereign Government that is continuing to govern. It may happen that a lack of prior coordination or synchronicity between one particular facilitator and our sovereign decisions leads to contradictions. Let me assure the Council, however, that we favour facilitation. We feel that, with respect to ensuring that the role of facilitator is filled, the ball is in the United Nations court. I hope this is done soon, contrary to prior experience, when it took a long time to fill the post of facilitator, through no fault of our own but as a result of repeated obstructions from other sides. We are prepared to work with the new embodiment of facilitator. Let me repeat that we are for facilitation and the implementation of the Lusaka Agreement.

So far as we are concerned, the Security Council's horizons are crisscrossed with references guiding its actions. These are, in addition to the Lusaka Agreement, which we have signed, the resolutions of the Security Council and the United Nations Charter — the trinity of our Bible. That is how we see it.

In conclusion, let me reassure the Council about MONUC, which we summoned to our country. When intolerable and repeated massacres occurred in parts of our country not under our control, our people were compelled to express their profound outrage at the incompetence of the United Nations forces and their inability to launch such an operation. I know that some rocks have been hurled at the United Nations building, but I do not believe that Mr. Morjane is ready to offer himself as a target for those directed at Mr. Bernard Kouchner. We will see to it that such incidents do not recur, though we do understand how young students, in a city of 5 million that is up in arms and outraged, might throw some stones — Congolese stones, not Kosovar.

I give Mr. Morjane my word that he can work in complete freedom and in full safety and security. He knows that he can come to my office whenever he wants and that we have devised an entire system to facilitate contacts between ourselves and MONUC. We have established a general government bureau for MONUC affairs. The commissioner, Mr. Ntuaremba, is here with me. The bureaucratic apparatus may create



occasional difficulties, but we are determined to solve any that may arise as we deal with the Security Council.

I would urge the Council to ensure that its own resolutions — adopted with unanimity one after the other, which is rare in itself — support the recent progress made by our brother Mr. Kofi Annan, who recently emerged from an atmosphere similar to that described by Conor Cruise O'Brien in his book *To Katanga and Back*. The Council must implement its own resolutions so that this remarkable progress, unprecedented in its boldness and courage, can be exploited to hasten the end of the war and the restoration of stability. That being our final aim, let us turn water into electricity, as Paul Éluard put it, and make each man — even the man to my right — our brother. That is the aim of the Government of the Democratic Republic of the Congo.

We expect the Council's decisions to speed up that process. I assure members that my Government is committed to making inter-Congolese dialogue easier — to facilitating facilitation and creating conditions conducive to calm, efficient work undertaken in secure and safe conditions by the United Nations forces. We call on all to ensure that this is handled boldly by, for example, linking phases II and III, which I hope are soon to follow, in order to hasten the process. The fact is that we are in a hurry.

**The President** (*spoke in French*): There are no further speakers inscribed on my list. The Security Council has thus concluded the official public stage of its consideration of the item on its agenda. The Council will resume its consideration of the item at a private meeting to take place later today in this Chamber.

*The meeting rose at 1.20 p.m.*



**Security Council**Distr.: General  
16 June 2000

---

**Resolution 1304 (2000)****Adopted by the Security Council at its 4159th meeting, on  
16 June 2000***The Security Council,*

*Recalling* its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000 and 1296 (2000) of 19 April 2000, and the statements of its President of 13 July 1998 (S/PRST/1998/20), 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36), 24 June 1999 (S/PRST/1999/17), 26 January 2000 (S/PRST/2000/2), 5 May 2000 (S/PRST/2000/15) and 2 June 2000 (S/PRST/2000/20),

*Reaffirming* the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council for the maintenance of international peace and security,

*Reaffirming also* the obligation of all States to refrain from the use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

*Reaffirming* the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

*Reaffirming also* the sovereignty of the Democratic Republic of the Congo over its natural resources, and *noting with concern* reports of the illegal exploitation of the country's assets and the potential consequences of these actions on security conditions and the continuation of hostilities,

In this regard, *calling on* all the parties to the conflict in the Democratic Republic of the Congo and others concerned to cooperate fully with the expert panel on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo (S/PRST/2000/20) in its investigation and visits in the region,

*Expressing* its deep concern at the continuation of the hostilities in the country,

*Expressing* in particular its outrage at renewed fighting between Ugandan and Rwandan forces in Kisangani, Democratic Republic of the Congo, which began on 5 June 2000, and at the failure of Uganda and Rwanda to comply with their

commitment to cease hostilities and withdraw from Kisangani made in their joint statements of 8 May 2000 and of 15 May 2000 (S/2000/445), and *deploring* the loss of civilian lives, the threat to the civilian population and the damage to property inflicted by the forces of Uganda and Rwanda on the Congolese population,

*Recalling* its strong support for the Lusaka Ceasefire Agreement (S/1999/815) and insisting that all parties honour their obligations under that Agreement,

*Deploring* the delays in the implementation of the Ceasefire Agreement and the 8 April 2000 Kampala disengagement plan, and *stressing* the need for new momentum to ensure progress in the peace process,

*Expressing* its deep concern at the lack of cooperation of the Government of the Democratic Republic of the Congo with the Facilitator of the National Dialogue designated with the assistance of the Organization of African Unity (OAU), including the fact that the delegates were prevented from attending the Cotonou preparatory meeting on 6 June 2000,

*Welcoming* the report of the Secretary-General of 13 June 2000 (S/2000/566),

*Recalling* the responsibility of all parties to the conflict in the Democratic Republic of the Congo for ensuring the safety and security of United Nations and associated personnel throughout the country,

*Welcoming* the participation in its meetings on 15 and 16 June 2000 of the members of the Political Committee of the Ceasefire Agreement,

*Expressing* its serious concern over the humanitarian situation in the Democratic Republic of the Congo mainly resulting from the conflict, and *stressing* the need for substantial humanitarian assistance to the Congolese population,

*Expressing also* its alarm at the dire consequences of the prolonged conflict for the security of the civilian population throughout the territory of the Democratic Republic of the Congo, and its deep concern at all violations and abuses of human rights and international humanitarian law, in particular in the eastern part of the country, especially the Kivus and Kisangani,

*Determining* that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

*Acting under Chapter VII of the Charter of the United Nations,*

1. *Calls on* all parties to cease hostilities throughout the territory of the Democratic Republic of the Congo and to fulfil their obligations under the Ceasefire Agreement and the relevant provisions of the 8 April 2000 Kampala disengagement plan;

2. *Reiterates* its unreserved condemnation of the fighting between Ugandan and Rwandan forces in Kisangani in violation of the sovereignty and territorial integrity of the Democratic Republic of the Congo, and *demand*s that these forces and those allied to them desist from further fighting;

3. *Demand*s that Ugandan and Rwandan forces as well as forces of the Congolese armed opposition and other armed groups immediately and completely withdraw from Kisangani, and *calls on* all parties to the Ceasefire Agreement to respect the demilitarization of the city and its environs;

4. *Further demands:*

(a) that Uganda and Rwanda, which have violated the sovereignty and territorial integrity of the Democratic Republic of the Congo, withdraw all their forces from the territory of the Democratic Republic of the Congo without further delay, in conformity with the timetable of the Ceasefire Agreement and the 8 April 2000 Kampala disengagement plan;

(b) that each phase of withdrawal completed by Ugandan and Rwandan forces be reciprocated by the other parties in conformity with the same timetable;

(c) that all other foreign military presence and activity, direct and indirect, in the territory of the Democratic Republic of the Congo be brought to an end in conformity with the provisions of the Ceasefire Agreement;

5. In this context *demands* that all parties abstain from any offensive action during the process of disengagement and of withdrawal of foreign forces;

6. *Requests* the Secretary-General to keep under review arrangements for deployment of the personnel of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), as authorized and in conditions defined by resolution 1291 (2000), to monitor the cessation of hostilities, disengagement of forces and withdrawal of foreign forces as described in paragraphs 1 to 5 above and to assist in the planning of these tasks, and *requests also* the Secretary-General to recommend any adjustment that may become necessary in this regard;

7. *Calls on* all parties, in complying with paragraphs 1 to 5 above, to cooperate with the efforts of MONUC to monitor the cessation of hostilities, disengagement of forces and withdrawal of foreign forces;

8. *Demands* that the parties to the Ceasefire Agreement cooperate with the deployment of MONUC to the areas of operations deemed necessary by the Special Representative of the Secretary-General, including by lifting restrictions on the freedom of movement of MONUC personnel and by ensuring their security;

9. *Calls on* all the Congolese Parties to engage fully in the National Dialogue process as provided for in the Ceasefire Agreement, and *calls in particular on* the Government of the Democratic Republic of the Congo to reaffirm its full commitment to the National Dialogue, to honour its obligations in this respect and to cooperate with the Facilitator designated with the assistance of the OAU and to allow for the full participation of political opposition and civil society groups in the dialogue;

10. *Demands* that all parties cease all forms of assistance and cooperation with the armed groups referred to in Annex A, Chapter 9.1 of the Ceasefire Agreement;

11. *Welcomes* efforts made by the parties to engage in a dialogue on the question of disarmament, demobilization, resettlement and reintegration of members of all armed groups referred to in Annex A, Chapter 9.1 of the Ceasefire Agreement, and *urges* the parties, in particular the Government of the Democratic Republic of the Congo and the Government of Rwanda, to continue these efforts in full cooperation;



12. *Demands* that all parties comply in particular with the provisions of Annex A, Chapter 12 of the Ceasefire Agreement relating to the normalization of the security situation along the borders of the Democratic Republic of the Congo with its neighbours;

13. *Condemns* all massacres and other atrocities carried out in the territory of the Democratic Republic of the Congo, and *urges* that an international investigation into all such events be carried out with a view to bringing to justice those responsible;

14. *Expresses* the view that the Governments of Uganda and Rwanda should make reparations for the loss of life and the property damage they have inflicted on the civilian population in Kisangani, and *requests* the Secretary-General to submit an assessment of the damage as a basis for such reparations;

15. *Calls on* all the parties to the conflict in the Democratic Republic of the Congo to protect human rights and respect international humanitarian law;

16. *Calls also on* all parties to ensure the safe and unhindered access of relief personnel to all those in need, and *recalls* that the parties must also provide guarantees for the safety, security and freedom of movement for United Nations and associated humanitarian relief personnel;

17. *Further calls on* all parties to cooperate with the International Committee of the Red Cross to enable it to carry out its mandate as well as the tasks entrusted to it under the Ceasefire Agreement;

18. *Reaffirms* the importance of holding, at the appropriate time, an international conference on peace, security, democracy and development in the Great Lakes region under the auspices of the United Nations and of the OAU, with the participation of all the Governments of the region and all others concerned;

19. *Expresses* its readiness to consider possible measures which could be imposed in accordance with its responsibility under the Charter of the United Nations in case of failure by parties to comply fully with this resolution;

20. *Decides* to remain actively seized of the matter.

---

NAME: **LYAVALA ALI**

AGE **38 YRS**

TRIBE: **MUSOGA**

NATIONALITY **UGANDAN**

I am of the above particulars and do state that I joined ADF in 1995 at Beni being a founder member of this rebel group. It was at a place called Matunge. We were about seventeen people. We started recruiting people from Uganda taking them to Congo for training. We established a base at Bunia. All this was under the direct authority of President Mobutu of DR Congo then Zaire. We used to pass through Mahagi, Gonyeri (near Phaida), Kasindi etc.

As we grew in numbers, we opened up a camp at Buhira in Rwenzori (Congo side), some 30kms from Bwera.

This is where we were carrying out our training for most of the combatants. Our main bases were those three at Buhira, Bunia and Beni.

We continued getting support from President Mobutu until he was overthrown by Kabila.

When he (Mobutu) was overthrown, we lost support however, remained in Congo and all the recruits and captives were being taken to Buhira for training.

At first Kabila didn't know that we were there since he was close to Museveni. That is why we had even closed our base in Bunia.

Around 1998, Kabila fell out with Museveni. I myself started establishing links with Kabila through his operatives in the area. The delegation he sent to us for negotiations included a Minister from Butembo called Phillip, Solomon (mobiliser) and another whose name I do not recall. By this time Uganda had not entered Beni.

The day we were to get supplies from Kinshasa, Uganda moved in troops and took over Butembo, Bunia and Beni. So we didn't get those weapons.

However we continued to receive support from Kabila. In around April 2000, Kabila using three aircrafts air dropped supplies from Sudan for us at Buhira and Kiribata. These included RPGs, SPGs, 82mm and 60mm mortars and ammunitions and other medical and food supplies. This continued like that (supplies on routine) until July 2000 when I surrendered with a group of other combatants.

At one time I had to go to Sudan to meet government officials through connection by Kinshasha officials.

They were the ones facilitating my travel and accommodation.

This is all I can state and its true and collect to the best of my knowledge.

Sign.



United Nations

S/RES/1316 (2000)

**Security Council**Distr.: General  
23 August 2000

---

**Resolution 1316 (2000)****Adopted by the Security Council at its 4189th meeting, on  
23 August 2000***The Security Council,**Recalling* its resolutions 1273 (1999) of 5 November 1999, 1291 (2000) of 24 February 2000 and 1304 (2000) of 16 June 2000, and all other resolutions and statements of its President on the situation in the Democratic Republic of the Congo,*Noting* the letter of the Secretary-General to its President of 14 August 2000 (S/2000/799),*Reaffirming* the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States in the region,*Reaffirming* its commitment to assisting in the implementation of the Lusaka Ceasefire Agreement (S/1999/815), and *noting* the results of the 7 August 2000 Summit of the Southern African Development Community and the 14 August 2000 Second Summit of Parties to the Ceasefire Agreement in the Democratic Republic of the Congo,*Noting with concern* that the lack of adequate conditions of access, security and cooperation has restricted the ability of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) to deploy up to its authorized strength,*Reaffirming* its will to work with the parties to the Ceasefire Agreement and other interested parties, including potential troop contributors, in order to create the conditions necessary for deployment as authorized under resolution 1291 (2000),*Expressing its appreciation* to all States that have declared their willingness to provide military units required for the deployment of the second phase of MONUC,*Calling* on the Government of the Democratic Republic of the Congo and other parties to lift all obstacles to full MONUC deployment and operations,*Recalling* the responsibility of all parties to the conflict in the Democratic Republic of the Congo for ensuring the safety and security of United Nations and associated personnel throughout the country,

*Commending* the outstanding work of MONUC personnel in challenging conditions, and *noting* the strong leadership of the Special Representative of the Secretary-General,

1. *Decides* to extend the mandate of MONUC until 15 October 2000;
  2. *Emphasizes* that this technical extension of the MONUC mandate is designed to allow time for further diplomatic activities in support of the Ceasefire Agreement and for Council reflection on the future mandate of MONUC and possible adjustments thereto;
  3. *Requests* the Secretary-General to report to the Council by 21 September 2000 on progress in the implementation of the Ceasefire Agreement and relevant Council resolutions and make recommendations for further Council action;
  4. *Decides* to remain actively seized of the matter.
-

United Nations

A/55/403

**General Assembly**

Distr.: General  
20 September 2000  
English  
Original: Spanish

**Fifty-fifth session**

Agenda item 114 (c)

**Human rights questions: human rights situations and  
reports of special rapporteurs and representatives****Situation of human rights in the Democratic Republic  
of the Congo****Note by the Secretary-General\***

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garretón (Chile), pursuant to General Assembly resolution 54/179 and Commission on Human Rights decision 2000/15, endorsed by the Economic and Social Council in its decision 2000/248.

\* In accordance with General Assembly resolution 54/248, sect. C, para. 1, this report is being submitted on 20 September 2000 so as to include as much updated information as possible.



## Report of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo

### Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction .....	1-14	3
A. Mandate .....	1	3
B. Activities and administrative obstacles .....	2-8	3
C. Pending activities and investigations .....	9-10	3
D. International obligations of the Democratic Republic of the Congo .....	11	4
E. Reprisals against individuals who cooperated with the United Nations .....	12-14	4
II. The various armed conflicts .....	15-37	4
A. The conflict between the Government and RCD .....	16-21	4
B. The conflict between the Government and MLC .....	22	5
C. Clashes between Uganda and Rwanda in Kisangani .....	23-25	5
D. Tribal conflict between the Balendu and the Bahema .....	26	5
E. Ceasefire agreements and observance thereof .....	27-31	5
F. Impact of the war .....	32-36	6
G. Situation of persons at risk .....	37	6
III. Political development and democratization in Government-controlled territory ..	38-42	6
IV. Political development and democratization in territory controlled by rebel movements .....	43-52	7
V. Human rights violations committed by the Government .....	53-75	8
VI. Human rights violations committed in territory occupied by RCD and MLC .....	76-93	10
VII. Violations of international humanitarian law .....	94-106	12
A. Violations by the Government, allies and related groups .....	94-97	12
B. Violations by RCD, RCD/ML, MLC and allied foreign military forces .....	98-106	12
VIII. Conclusions and recommendations .....	107-131	13
A. Conclusions .....	107-125	13
B. Recommendations .....	126-131	15

## **I. Introduction**

### **A. Mandate**

1. The Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, submits his fourth preliminary report on the situation of human rights in the Democratic Republic of the Congo (formerly Zaire) to the General Assembly, pursuant to Assembly resolution 54/179 and Commission on Human Rights resolution 2000/15. The report covers incidents that occurred up to 25 August.

### **B. Activities and administrative obstacles**

2. The Special Rapporteur participated in the special session of the Security Council, held in January 2000 to consider the situation in the Democratic Republic of the Congo, convinced that human rights matters cannot be separated from the settlement of conflicts, whose root cause is the violation of human rights. The Carlsson report on United Nations responsibility in the Rwanda genocide, which concluded that the failure to heed the report of a Commission on Human Rights rapporteur had been one of the main reasons for the genocide, had already been published.

3. In order to attend the special session of the Security Council, the Special Rapporteur had to reduce the length of his only visit to the Democratic Republic of the Congo to only 10 days and limit his consultations to just one in Geneva, where there are few Congolese refugees.

4. The only assistance which the Special Rapporteur received was from an extremely efficient assistant in the Office of the United Nations High Commissioner for Human Rights, who, however, also has responsibility for four other States.

5. The Ambassador of the United States of America to the United Nations, the Special Representative of the Secretary-General, the Government of the Democratic Republic of the Congo, the leaders of the Rassemblement congolais pour la démocratie (RCD) and of the Mouvement de libération du Congo (MLC), ambassadors in Kinshasa and the heads of United Nations agencies expressed concern at the fact that the Special Rapporteur had paid only one brief visit to the country, which they felt would affect his credibility.

6. During his mission to the Democratic Republic of the Congo (13-26 August 2000), the Special Rapporteur visited Kinshasa. He also visited Goma, Bukavu and Kisangani, which are under the control of RCD/Goma faction and Gbadolité, which was captured by MLC. Both the Government and rebel authorities permitted him to work and conduct his interviews freely. Obstacles were encountered, however, when he attempted to visit the military and police detention centres in Kinshasa and Bukavu. He also had meetings with or reviewed the reports of political parties and of intergovernmental and non-governmental institutions and organizations (see E/CN.4/2000/42, annexes II-V).

7. The Special Rapporteur transmitted 22 communications and urgent actions to the Government, including 86 allegations of violations of human rights. Three of these were acknowledged and one reply received.

8. RCD authorities submitted two extensive reports to the Special Rapporteur, which the latter welcomes.

### **C. Pending activities and investigations**

#### **Joint mission to investigate allegations of massacres committed in 1996**

9. In paragraph 5 (b) of its resolution 2000/15, the Commission on Human Rights renewed the mandate of the joint mission established by its resolution 1997/58 to investigate violations of human rights and international humanitarian law committed in the east of the former Zaire between 1996 and 1997.

10. The Government also requested the Secretary-General to carry out an investigation into the events that occurred in the locality of Ituri (letter of 8 February 2000) as well as an investigation into allegations of the deaths of 15 women who were buried alive or burnt in Mwenga, situated in RCD-controlled territory. Both the Government and RCD requested special investigations into the Katogota massacre. Because of the prevailing insecurity and lack of financial resources, these investigations are still pending.



#### **D. International obligations of the Democratic Republic of the Congo**

11. Contrary to the public announcement, the Democratic Republic of the Congo did not accede to the Protocols Additional to the Geneva Conventions. The Government is late in submitting 10 reports to treaty bodies. It has not completed a single report nor replied to the communications addressed to it by the respective treaty bodies.

#### **E. Reprisals against individuals who cooperated with the United Nations**

12. The Special Rapporteur denounces the reprisals taken against the following persons who cooperated with him during his visits or who submitted reports to him, pursuant to Commission on Human Rights resolution 2000/20.

13. In RCD-controlled territory: Monsignor Emmanuel Kataliko, Archbishop of Bukavu, who had been interviewed by the Special Rapporteur, was detained and subsequently exiled to Butembo, on 12 February 2000. Collete Kitoga was arrested in Goma upon her return from the fifty-sixth session of the Commission on Human Rights.

14. In territory controlled by the Rassemblement congolais pour la démocratie/Mouvement de libération (RCD/ML), Sylvain Mudimbi Masudi was detained in Benin for attending the session of the Commission on Human Rights and was transferred to Uganda.

#### **II. The various armed conflicts**

15. The Democratic Republic of the Congo is bedevilled by various armed conflicts, some international, others internal and yet other internal conflicts that have been internationalized (see E/CN.4/2000/42, para. 20). Participants in these conflicts include at least eight national armies<sup>1</sup> and 21 irregular armed groups. All of these forces are operating entirely in the territory of the Democratic Republic of the Congo, which has seen its population decimated and its wealth extracted by occupying and rebel forces.<sup>2</sup>

#### **A. The conflict between the Government and RCD**

16. The conflict between the Government and RCD began on 2 August 2000, following Rwanda's invasion of the Democratic Republic of the Congo. It is the most serious of the conflicts, not only because of its political and economic repercussions but also because it restricts the enjoyment of the civil, cultural, economic, political and social rights of the population of the entire region.

17. On one side are the armies of Rwanda, Burundi, Uganda and RCD/Goma faction, together with its paramilitary group Local Defence Unity. Allegations have been made of the involvement of Interahamwe deserters and Rwandan Hutu prisoners, who were released and sent to the front. The mineral riches of the Democratic Republic of the Congo in Katanga, Orientale province and Kasai Oriental have been depleted by foreign troops and RCD.

18. For its part, the Government has relied for its defence on counter-rebel militias: it has open and confirmed ties to the Mai-Mai,<sup>3</sup> a group that is gaining in popularity with a local population tired of being subjected to the control of forces they consider foreign. It also has informal ties to other "counter rebels": RCD deserters, Rwandan Bahutu Interahamwe, members of the former Rwandan Armed Forces (FAR), and Burundian Bahutu, among others.

19. The violence is unleashed by the attacks of the counter-rebels against military forces which they consider to be aggressors. The response of the Rwandan army, RCD and the Burundian army is to attack the defenceless civilian population, committing indescribable massacres, such as those that took place at Katogota, on 15 May 2000, Kamanyola, Lurbarika and Luberizi, or the massacre in July 2000 on the Lusenda-Lubuma highway (see E/CN.4/2000/42), as well as the events — denied, as others have been, by RCD/Goma faction — that took place in Mwenga in November 1999, in which 15 women were tortured and buried alive (see S/2000/330, para. 61).

20. Another factor contributing to the violence is the antagonism between RCD and Banyamulenge, who are fed up at being the target of the resentment of Congolese over the abuses committed by the Armée patriotique rwandaise (APR).



21. By its resolution 1304 (2000), the Security Council demanded that Uganda and Rwanda, which have violated the sovereignty and territorial integrity of the Democratic Republic of the Congo, withdraw all their forces from the territory of the Democratic Republic of the Congo. The withdrawal should be followed by reciprocal actions by the other parties, which have not taken any such action.

#### **B. The conflict between the Government and MLC**

22. In Équateur province, the Congolese Armed Forces (FAC), supported by Zimbabwe and Namibia, are fighting MLC, which is supported by Uganda. It is in this province that the parties have shown the least respect for the ceasefire, and indeed the rebel leader has long maintained that he felt under no obligation to observe it. President Kabila contends that MLC has rendered the ceasefire agreement null and void.

#### **C. Clashes between Uganda and Rwanda in Kisangani**

23. Once again there were clashes in Kisangani, the third largest town in the country, previously controlled by the two RCD factions and currently controlled by RCD/Goma, between the "uninvited armies" of Rwanda and Uganda (supported by RCD/MLI). The worst clashes occurred on 5 and 9 May and on 8 June 2000. The causes are economic (both armies want the huge wealth of Orientale province) as well as political (control of the territory).

24. During the confrontations, particularly the most recent one, not only combatants but also close to 1,000 Congolese civilians were killed, thousands were wounded and much of the town was destroyed, as the Special Rapporteur in the field has confirmed.

25. Calls for a ceasefire, including from the Security Council, went unheeded and moves towards demilitarization were disregarded the very next day. Only the latest one seems to be holding.

#### **D. Tribal conflict between Balendu and Bahema**

26. The Ugandan occupation of the Ituri region has led to conflict between the Bahema (of Ugandan origin) and the Balendu, who have been in the region longer. With support from the Ugandan soldiers, the authorities appointed by them and RCD/ML, the Bahema have seized land from the Balendu who have no support. Except for some incidents in 1911, 1923 and 1955, these two ethnic groups had lived without major difficulties for nearly three centuries. The current confrontations, which flared up again in August 2000, have resulted in some 8,000 deaths and the displacement of some 50,000 people.

#### **E. Ceasefire agreements and observance thereof**

27. Following tremendous pressure from the international community (see E/CN.4/2000/42, para. 18 and annex X), the parties concluded a ceasefire agreement in Lusaka, in 1999. They did not abide by the agreement and, as a result, the timetable had to be adjusted (Lusaka, 12 February 2000, Kampala, 1 March and 8 April, at which time it was agreed that hostilities would cease from 14 April 2000). Only the last one was observed, except in the fighting between MLC and RCD. In spite of everything, the belligerents have, on the whole, kept to the positions they held in August 1999.

28. The Lusaka agreement provided for the deployment of a United Nations force — the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) — of some 5,537 observers and security personnel in the territory in conflict and for the demobilization and disarming of the armed groups. MONUC quite rightly maintains that disarming the groups, if they do not disarm themselves, is not part of its mandate but a matter for the signatories.

29. Inexplicably, the Government received MONUC aggressively and blamed the United Nations for the death of Lumumba back in 1961.<sup>4</sup> MONUC continued to be attacked verbally and in fact (pro-Government demonstrations in June 2000) for its lack of objectivity, based on the fact that its reports are said to give more importance to the Mai-Mai and Interahamwe attacks on

the RCD forces and their allies than to the latter's counterattacks on civilians.

30. Despite all the statements to the contrary and despite the conversations between Presidents Kabila and Kagame (Eldoret, Kenya) and the influence of Kenya, Zambia, South Africa, Algeria, Nigeria, Botswana, Mozambique, Mali, the Organization of African Unity, the United Nations and others, the parties all seem bent on winning the war by military means.

31. A meeting of the Southern African Development Community (SADC) on 14 August 2000 failed because Kinshasa opposed any solution, feeling that since the circumstances of the conflict had changed the Lusaka agreement should be adjusted. A proposed change was submitted to the other parties on 23 August 2000.

#### **F. Impact of the war**

32. The war has destroyed the country. More than half the population has been affected. All public moneys are being diverted to the war effort. There have been terrible epidemics. Only 9 per cent of all health districts have refrigerators for keeping medicines. Since it is impossible to cultivate the land due to the war, 17 per cent of the population (14 million people) are now affected by food insecurity, according to the Food and Agriculture Organization of the United Nations (FAO). The number of sheques (street children) has risen alarmingly.

33. The Congolese people have looked on helplessly while those whom it calls aggressors have taken away all its wealth and caused enormous ecological damage.

34. There are more than 1,300,000 internally displaced persons, many of whom are without any assistance. The vast majority come from the occupied territories in the east. Their situation was made worse by the attacks carried out in July 2000 on the displaced persons camps in Sake and Uvira, both by the Mai-Mai and by Rwandan soldiers; these attacks forced many non-governmental organizations to suspend their relief activities.

35. If one includes those who sought asylum when Mobutu was in power, there are Congolese refugees all over the world. Most recently, due to the fighting between RCD and MLC, there are reported to be some 72,000 refugees in Congo Brazzaville.

36. Congolese Tutsi who had sought refuge in Rwanda are returning to Goma with support from RCD through one non-governmental organization, but against the wishes of the Office of the United Nations High Commissioner for Refugees (UNHCR) which fears that this may lead to increased violence.

#### **G. Situation of persons at risk**

37. These are the Batutsi or people who look like Tutsi living in the territory under government control, who fear reprisals from the population for the "Rwandan aggression". At the start of the war, the Government called for their elimination (see E/CN.4/1999/31, para. 45), but later it opted for a position of protection and even established protection centres (not detention centres as alleged by the Rwandan Government and RCD) with the help of the International Committee of the Red Cross (ICRC) and foreign Governments. This policy has made it possible for many people to be repatriated or to take refuge in Rwanda, Uganda and Burundi and others have found refuge in Cameroon, Benin, the United States or Canada. In 2000, there were 2,796 people living in the protection camps; when the Special Rapporteur visited the camps in Kinshasa, the number had fallen to 299.

### **III. Political development and democratization in Government-controlled territory**

38. The power structure described in all reports since 1997 remains intact; tremendous power (executive, legislative and much of the judicial power) remains concentrated in the hands of President Kabila (see E/CN.4/1998/65, para. 32 to 37; E/CN.4/1999/31, para. 17 and E/CN.4/2000/42, paras. 32, 33 and 127).

39. The Government has made us move towards democracy; according to all the indications, it does not wish to do so. The only thing that has changed is that the "national debate", which the President instituted in 1999 but which was never accepted by civil society, has ended. Although the main moral, religious,<sup>3</sup> political and civil institutions are clamouring for democracy — in the sense of Commission on Human Rights resolution 2000/47 — and demanding the dialogue provided for at Lusaka as a means thereto, President Kabila has shown no interest in the matter.



40. Indeed, the President has always rejected the national dialogue. The facilitator designated by OAU, the distinguished former president of Botswana, Ketumile Masire, was accepted and later rejected by the Government; the latter has consistently prevented him from fulfilling his delicate mission; (it has levelled vague charges of "duplicity of roles" against him; prevented him from travelling to towns under rebel control; rejected his work plan; failed to attend, and prohibited political parties and civil society from attending, the preparatory meeting in Benin; withheld tickets and passports; refused to receive him, closed his office and so forth).

41. In addition, the ban on political parties and civil organizations that do not meet the draconian conditions set by Decree Law 194 and Decree Law 195 (see E/CN.4/2000/42, para. 33 and 70) remains; persons who are not members of a party constituted in accordance with the new law are not permitted to make political speeches; pro-Government parties (the only ones recognized) have been established; and all political activity has been suppressed, resulting in hundreds of arrests and personal attacks (Union pour la démocratie et la progrès social (UDPS), 26 July 2000); persecution by the People's Power Committees (CPP) (Parti Lumumbiste unifié (PALU), 17 January 2000); unlawful searches (MNC/L, 22 April 2000); the discredited CPP remain (the election of members failed due to lack of interest on the part of the population), as does the Force d'auto-défense populaire (FAP) militia; the agreements regarding the democratization of the "national consultation" which had been called for by the religious leaders and which demanded that the Lusaka agreements and the inter-Congolese dialogue be respected have been rejected; limited dialogues have been convened (January, February and May 2000) but are limited to supporters, etc.

42. On 21 August 2000, notwithstanding the Lusaka accords, a Constituent and Legislative Assembly was established; under the sole direction of the President and without any consultation and without consensus, it was decided that the Assembly's headquarters would be in Lubumbashi. Although a few opponents were called, in their personal capacity, the Assembly was not accepted by the country's best known leaders. In any event, its mandate is purely consultative and it in no way diminishes the absolute powers of the President.

#### **IV. Political development and democratization in territory controlled by rebel movements**

##### **Territory controlled by RCD**

43. In the territory controlled by RCD, the Congolese people's feelings of terror and humiliation not only persist but are growing stronger (see document E/CN.4/2000/42, paras. 43-47, 125 and 133). This explains the increasing popularity of the Mai-Mai.

44. RCD is the only party, and it holds absolute power to such an extent that the provincial governors and heads of public services preside over their own RCD cells. Party officials deny that theirs is a "State party", saying that it is not a party but a movement of trade unions, and that pluralism will come about eventually. In the Special Rapporteur's view, this explanation only confirms that the party is, in reality, State-run. No efforts towards greater pluralism are in evidence. The paramilitary "local defence units" are a contributing factor in the considerable feeling of insecurity.

45. All forms of dissidence are suppressed; any criticism is considered an incitement to national hatred or genocide and the whole population is suspected of collaborating with the Mai-Mai. A typical example is the absurd expulsion of Archbishop Emmanuel Kataliko from Bukavu for his Christmas message, which was considered to be an incitement to genocide. The Special Rapporteur has read and studied the text closely, and he can safely say that there is not a single sentence, word or idea, taken in isolation or in context, that could be interpreted, even with the worst of intentions, in this way.

46. Attempts to humiliate the population continue (see document E/CN.4/2000/42, para. 46). As a new way of castigating the Nyndu tribe, already punished by the horrible Kasika massacre in 1998 (see document E/CN.4/1999/31, para. 56), RCD/Goma has taken land from them in order to create a Minembwe territory. RCD has provided the facilitator, Ketumile Masire, with a list of "opposition parties", such as the Front uni de l'opposition non armée (FRONUAR), and others that exist in Kinshasa without representatives in the region.



47. The population recognizes and defends the guerrilla activities of the Mai-Mai, blaming "Rwandan soldiers" instead for the violence.

48. The population's opposition is illustrated by various acts of protest, such as the general strikes in Bukavu by students on 24 January 2000 and from 31 January to 6 February 2000; a demonstration in Kisangani by women on 31 January 2000, in Goma, on 14 February 2000; in Uvira, Kindu and Bukavu (a week-long beer strike successfully carried out in April 2000), among others.

49. RCD has frequently split into factions (see document E/CN.4/2000/42, para. 43), and efforts at reunification are being made not among Congolese leaders, who appear to be leading the factions, but between the Presidents of Uganda and Rwanda (November 1999; January 2000). In March 2000, three RCD/Goma leaders defected and were later accused of spying by Kabila; subsequently, other internal dissidents broke away and formed RCD/National. The Banyamulenge expressed their concern about massacres of the local population in July 2000, which made their own situation worse, and they organized marches in Bukavu and Uvira.

50. In April and August 2000, attempts to depose the President of RCD/Bunia were defeated through the influence, once again, of the President of Uganda and his army.

51. The small RCD/Bunia faction has also taken steps that have stirred up the population, such as supporting the Hema against the Lendu, or the creation of the Kibali-Ituri province to favour the former.

#### **Territory controlled by MLC**

52. In the territory controlled by MLC, the people do not live in terror, but there is one-party rule. The representative of civil society to Benin was appointed by MLC.

## **V. Human rights violations committed by the Government<sup>6</sup>**

### **Right to life**

#### *Death penalty*

53. The Government, which says it is against the death penalty, made a number of announcements (on 10 December 1999 and 27 January 2000) to the Special Rapporteur on the suspension of this penalty (see document E/CN.4/2000/42, paras. 49 and 50), but continued to apply it, at least until February 2000, when 19 persons were executed. The President of the Military Court reported that it continues to be enforced "on the front". The Special Rapporteur visited 41 persons who are awaiting a pardon, which the President has promised to grant.

#### *Enforced disappearances*

54. The number of reported disappearances has declined. None of the cases recorded in previous years, however, have been cleared up. Nicolas Bantu, Aimé Ngobe and Serge Itala have been missing since their arrest in December 1999.

#### *Death by torture*

55. Given the systematic and habitual practice of torture, deaths have been reported, such as that of Kalombo Ilunga in July 2000; he had been detained by the police in Lubumbashi, and his corpse was found in the morgue.

#### *Political assassinations*

56. None have been reported.

### **Right to physical and psychological integrity**

57. Torture is brutally and systematically practised, especially by GSSP but also by the National Information Agency (ANR). Tolerance of the existence of secret detention centres, lacking any control whatsoever, contributes to this scourge. One particularly well-known centre is that of the Litho Moboti Group (GLM); its commander was detained on 9 March 2000 but unfortunately was freed days later, with no charges having been filed. Torture is facilitated by the fact that the Detection of Unpatriotic Activities Police (DEMIAP) has no public register of detainees,

and in the provincial police inspectorate (formerly Circo) all detainees are not placed in a single centre, as the Special Rapporteur observed. Representatives of the Human Rights Office of the Democratic Republic of the Congo are not authorized to enter any centre that is not a prison.

#### **Right to personal liberty**

58. This is the right most often threatened. Journalists, lawyers, religious leaders, human rights workers, politicians, trade union leaders and others are detained, generally on the grounds of violating the ban on political activities or of colluding with the rebels. The times vary from a few days to years. Often, no charges are filed against the prisoner, although sometimes detainees are transferred to the Court of State Security and the Military Court. No one escapes the risk of jail, not even retired judges (for example, the former President of the Supreme Court) or active judges (a military magistrate), ambassadors (the representative to Kenya), ministers (six were detained on 2 June 2000) or other officials at this level, and even a member of the Constitutional and Legislative Assembly.

59. A positive step has been the admittedly partial, discretionary and conditional amnesty declared on 19 February 2000, by which some 300 prisoners were belatedly released. In July 2000, 800 soldiers were also released, to be sent to the front.

#### **Right to enter and leave the country**

60. It is difficult for opponents to leave the country, since their passports and airline tickets are often confiscated. Similar problems affect journalists, priests and human rights activists. Representatives of civil society were prevented from travelling to Benin to the preparatory meeting for the national dialogue provided for in the Lusaka Agreement.

#### **Right to due process**

61. The criticisms of the Military Court concerning procedural irregularities (summary judgements, sole jurisdiction and others) are still absolutely valid. (See documents E/CN.4/1999/31, paras. 90, 91 and 137, and E/CN.4/2000/42, paras. 63, 122 and 137.) Detainees are held for a long time awaiting trial.

62. One indication of the lack of independence of the judiciary, which is referred to in Commission on

Human Rights resolution 2000/42, is that the Procurator-General of the Court of State Security was held in prison for 30 days for refusing to approve a raid on the Belgian Embassy. The attorney-general was also detained.

63. Owing to the lack of guaranties, the 15 defenders of an independence fighter refused, with his agreement, to defend him, and he was sentenced to four years of hard labour.

#### **Freedom of expression and opinion**

64. The Special Rapporteur has transmitted communications to the Government from more than 30 detained journalists, who were tried and/or convicted by the Military Court or frightened away from practising their profession. Mobutu's draconian laws are still in full force. The Vice-Minister of Information justifies this by saying "we cannot tolerate traitors", and the President has said that "the law must be obeyed". The main private television station was confiscated in March 2000. Independent media have no access to the authorities.

65. Despite the existence of some newspapers, the judgement is categorical: there is no freedom of expression in the Democratic Republic of the Congo.

#### **Freedom of association**

66. Political parties are still banned, unless they submit to new registration requirements and risk being rejected. Political activity, even making speeches, is prohibited. Dozens of leaders and activists have been detained or prevented from leaving the country or the city where they live, and their headquarters have been attacked and ransacked.

67. Human rights organizations suffer similar treatment. The ban on them has not been lifted.

#### **Economic, social and cultural rights**

68. Public employees, except for some in Kinshasa, have still not been paid, and trade union leaders who protest against this are accused of endangering State security. More than a third of the population lack even the basic necessities of life. The real malnutrition rate, according to some sources, is 26 per cent.

69. Serious epidemics have been left untreated because the war uses up most of the country's income.



#### Situation of women

70. The situation described in previous reports remains unchanged. A new form of discrimination has appeared: women's organizations have lost their voice to a para-State group known as Regroupement des Femmes Congolaises (REFECO), and their employment and educational situation has deteriorated as a result of the war.

71. Sources have told the Special Rapporteur that 8 per cent of women have acquired immunodeficiency syndrome (AIDS), owing to poverty, lack of education and, especially, sexual contact with Rwandan and Ugandan soldiers, whose countries have a high AIDS rate.

72. Only 24 out of 300 members of the Constitutional and Legislative Assembly are women.

#### Situation of children

73. The right to education has been greatly curtailed by the war and poverty, resulting in irreparable harm to many children. Violations of children's rights also include child labour in inhumane conditions in the diamond mines.

74. On a more positive note, Decree Law 66 was enacted in June 2000, demobilizing children and other vulnerable groups and creating a commission on demobilization and reintegration.

#### Freedom of conscience and religion

75. The Special Rapporteur is dealing with this topic for the first time. The Government regards religious congregations as enemies who are allied with rebellion or aggression. Peace messages are viewed with suspicion, and the proclamation of freedom and justice are considered subversive. Presbyterian churches, the Ubangi-Mongola Evangelical Community, the Bundu dia Kongo sect, the Siani and Unification/Cabinda, together with German, Austrian and Belgian priests and a Catholic bishop, have been repressed.

## VI. Human rights violations committed in territory occupied by RCD and MLC

### Violations in RCD territory

#### Right to life

##### *Death penalty*

76. The Special Rapporteur had welcomed the fact that RCD did not apply the death penalty (see E/CN.4/2000/42, para. 81). Nevertheless, on 17 March 2000, the *Conseil de guerre opérationnelle*, in two proceedings within 24 hours, tried a corporal, who was executed on the spot, and three other persons condemned to death in July 2000 were taken from the prison and never returned.

##### *Political murders*

77. Soldiers referred to as "Banyamulenge", "Rwandans", "Ugandans" and "Burundians" have committed countless murders of persons suspected of being members of the Mai-Mai or Interahamwe. Among the victims are priests, Protestant pastors, Baptists, traditional tribal leaders and peaceful citizens. Three youths were murdered simply because they bore tattoos, leading Burundian soldiers to assume that they were members of the Mai-Mai.

##### *Death by torture*

78. The frequency and cruelty of torture was mentioned frequently to the Special Rapporteur. One person was arrested and tortured to death for carrying out political activity in Kiwandja (North Kivu) in March 2000.

#### Right to physical and psychological integrity

79. Most of the complaints of torture involve the police headquarters known as *chien méchant* ("vicious dog") and "Bureau II", which sources say are administered by "Rwandan soldiers" and, in Kisangani and Bunia, by "the Ugandans". It is claimed that Congolese are among the victims, as well as Rwandans transferred from Rwanda. The victims are mainly those suspected of being members of the Mai-Mai and Interahamwe. Representatives of the Human Rights Office in Goma can only visit the jails, like other detention centres. The Special Rapporteur confirmed



that the records of the RCD Sixth Brigade do not account for all inmates.

#### **Right to liberty of person**

##### *Arbitrary detention*

80. Human rights defenders, leaders of civil society, journalists and members of the clergy have continually been deprived of their freedom and are at constant risk of being detained again. The arrests are aimed at suppressing activities lawful in a democratic society, such as dissidence, criticism, education, culture and freedom of conscience, or are preventive: persons suspected of not being devoted to the RCD authorities are detained because of actions that they might carry out, as occurred, for example, prior to the civil strikes carried out in Goma, Bukavu and elsewhere. Resigning from RCD carries with it the certainty of arrest. The same thing happens in territory occupied by RCD/Bunia, where two high-ranking leaders of RCD/ML were detained and tortured near Bunia in July 2000.

##### *Deportations*

81. In Geneva in March 2000, the RCD authorities explained to the Special Rapporteur that there are no cases of deportation of prisoners from the Democratic Republic of the Congo to Rwanda, Uganda or Burundi and that, at most, prisoners of war are involved. The incidents are more frequent under RCD/Bunia than under RCD/Goma. In any event, the Special Rapporteur emphasizes that, during the period under review, he learned of various cases of human rights defenders and others (traders) detained in Congolese territory and taken to Katuna (Rwanda) or Uganda.

#### **Right to enter and leave one's own country**

82. There are lists of persons linked to human rights organizations who have been prevented from leaving RCD-controlled territory; many cannot even leave Kivu. In early March 2000 there were reports of an ordinance which prevents all Congolese from travelling to countries other than Rwanda or Burundi without official permission, which is generally denied. Even members of the Protestant clergy could not travel to a conference in Nairobi in 1999.

#### **Right to due process**

83. Generally speaking, defendants are not tried; their release is at the discretion of the authorities. In any event, the most serious breaches of the norms of due process stem from the guarantee of impunity for the massacres, murders and tortures inflicted on those accused of inciting hatred. The so-called, belated prosecution of the person responsible for the deaths of 15 women in Mwenga ended with the flight of the individual who is seen as the main perpetrator and as an emblematic figure because of his ferocity. The fact that those allegedly responsible for the flight are being prosecuted in no way justifies the action.

#### **Right to freedom of expression and opinion**

84. There have been no changes with regard to the statements made in document E/CN.4/2000/42, paragraphs 91 to 93. There is no freedom of expression; there are no daily newspapers; Radio Maendeleo was returned to its operators, but has been prohibited from broadcasting political opinion and news.

85. In Kisangani, while Rwandans and Ugandans shared power, the radio stations vehemently incited racial hatred: *Liberté*, against the Rwandans, and *RTNC/Rebelde*, against the Ugandans. But the victims are Congolese.

#### **Freedom of association**

86. There are, of course, no political parties, except RCD and FROUNAR, for example, which RCD formed prior to the visit of the Facilitator, Ketumile Masire, in May 2000. All political activity is prohibited and punished.

##### *Human rights organizations*

87. RCD responded to the report of the Special Rapporteur, claiming that it was established beyond a doubt that the non-governmental organizations in South Kivu were operating with financial support from the Kabila Government and that they are the sources of information for the Special Rapporteur. That point was emphasized during the visit. In fact, the non-governmental organizations are severely persecuted, always on the charge of inciting ethnic hatred, but not a shred of evidence has been presented in this regard. Many defenders have been imprisoned, tortured and threatened and many have had to seek refuge abroad.

### **Freedom of assembly**

88. No allegedly critical gatherings are tolerated, and the protests called *villes mortes* (civil strikes) have been suppressed with arrests and threats.

### **Economic, social and cultural rights**

89. The extremely serious situation throughout the country is particularly serious in the east: malnutrition in Kisangani reportedly affects 30 per cent of adults and 60 per cent of children. Civil servants remain unpaid. The health care system is destroyed and family members usually take turns eating.

### **Situation of women**

90. In addition to the Mwenga incident, mention should be made of the arrests of feminist activities, rapes and beatings of female secondary-school students detained for insisting on the validity of their examinations in the Democratic Republic of the Congo, and continual cases of rape of women detainees.

### **Situation of children**

91. As in the Democratic Republic of the Congo, RCD is establishing a commission for demobilization of child soldiers. Nevertheless, the Mission has noted that the level of recruitment of children is much higher in the east than under Kabila. An example of this is Nyaleke, near Beni, where Ugandan soldiers are training 10-year-old children.

### **Freedom of conscience and religion**

92. In RCD territory, too, the Catholic and Protestant churches are persecuted because of their messages of peace; this has made it possible to assert that the only thing that unites Rwandans and Ugandans is their hatred of the Christian churches. In the east the majority Catholic Church has been the most persecuted: murders of several priests, banishment of the Archbishop of Bukavu, attacks on convents and parish houses, and so on.

### **Human rights violations in MLC territory**

93. There is minimal information on the region, which has negligible civic activity. There are very few non-governmental organizations and newspapers. The

Special Rapporteur spent a few hours visiting the small hamlet of Gbadolite, but was unable to visit other towns in which there are more victims of human rights violations.

## **VII. Violations of international humanitarian law**

### **A. Violations by the Government, allies and related groups**

#### **Government**

94. The Government is responsible for the bombings of the Libenge hospital on 27 July 2000; of Gemena and elsewhere, which affected civilian populations; and of aircraft loaded with poliomyelitis vaccines (war against MLC).

#### **Mai-Mai**

95. The Government's support for the Mai-Mai makes it responsible for the offences perpetrated by the latter. While, generally speaking, they attack Rwandan and RCD soldiers, they have also committed violence against civilians suspected of collaborating with those whom they regard as the "enemy". The growing popularity which they enjoy among the Congolese does not absolve them of responsibility. Among their acts of brutality are those at Lubero in April 2000, Nyabibwe, Numbi (50 dead) and Kihuha in July 2000.

#### **Interahamwe/ex-FAR combatants**

96. The Interahamwe and ex-FAR combatants are responsible for attacks on the civilian population (Loashi, Lulinzi, Rutshuru, Kione, Ngesha and many others). In the villages which they attack they commonly rape women and girls.

#### **Freed Rwandan prisoners**

97. It should be noted that freed Rwandan prisoners who had been held in Kinshasa acknowledged that they had been well treated while they had been prisoners of the Zimbabweans, to the point where at least four preferred to stay in Kinshasa rather than return to their homeland.



## **B. Violations by RCD, RCD/ML, MLC and allied foreign military forces**

### **Components of RCD**

98. The population does not distinguish among the various components of RCD, which it identifies as Rwandan soldiers or Banyamulenge.

99. Any attack by members of the Interahamwe, Mai-Mai, and so on is met by totally disproportionate violence; massacres are committed, resulting in many deaths. Mere suspicion of sympathy with the Mai-Mai provokes reprisals against the civilian population: Ngenge (November 1999); Kalehe (December 1999, 23 dead); Kilambo (February 2000, 60 dead); Katogota (May 2000, 40 to 300 dead); Kamanyola, Lurbarika, Luberezi, Cidaho, Uvira, Shabunda; Lusenda-Lubumba (July 2000, 150 dead).

100. Particularly reprehensible is the treatment of prisoners by Rwandan soldiers. The Special Rapporteur visited one Congolese soldier taken prisoner in Katanga who was beaten, tortured, castrated and abandoned, a practice condemned earlier by the Special Rapporteur (see E/CN.4/2000/42, para. 117).

101. Humanitarian assistance has been intercepted and diverted to Congolese Batusti repatriated from Rwanda.

### **Burundian soldiers**

102. Burundian soldiers are accused of killing nine civilians in Sebele in reprisal for a Mai-Mai attack in April 2000.

### **Ugandan troops**

103. Ugandan troops have murdered civilians. The most serious incidents occurred during the Ugandan-Rwandan battle at Kisangani, in whose vicinity, furthermore, they planted antitank and anti-personnel mines.

104. In alliance with the Bahema, they have committed atrocities against civilians (for example, Libi, March 2000, nine dead) and taken civilians prisoner, including children (Walendu Tati).

105. Ugandan troops also shelled a boat in which women and children were fleeing the war, causing some 30 deaths; no assistance was given to them.

106. They recruit many child soldiers.

## **VIII. Conclusions and recommendations**

### **A. Conclusions**

#### **The catastrophe in Central Africa**

107. Central Africa is a region of great riches, but its inhabitants are living in extreme poverty. The terrible history of unscrupulous dictators — all of whom, however, had support from abroad — is one of the causes of the catastrophic situation that now exists. Eight national armies and numerous armed groups are involved in the primary war between the Democratic Republic of the Congo and Uganda, Rwanda and Burundi, which may rightly be called the first world war in Africa, and nine more armed conflicts are taking place in the same country. Extreme poverty, which existed even prior to the current wars, has reached catastrophic levels that have been further increased by the war. The Congolese people cannot understand why those responsible for their problems, who are members of the international community, do not come to their aid now.

108. The parties, their allies, other African countries, the major Powers, the Organization of African Unity (OAU) and the United Nations have failed to achieve peace since it seems that economic and political interests other than those of the Congolese people are involved in the Democratic Republic of the Congo, and the Congolese are aware of this fact. There can be no peace in the Democratic Republic of the Congo without lasting peace in the region. There are historical conflicts and ambitions that require long-term solutions based on respect for principles on which there can be no disagreement: respect for the human rights of all Congolese, justice for those responsible for the crimes against humanity which have been committed and respect for the borders inherited from the colonial era.

#### **The armed conflict**

109. None of the parties to the nine conflicts, whether internal, internationalized internal or international, is fully respecting the Lusaka Ceasefire Agreement, although there has been no significant change in their positions. The Congolese consider the Rwandan, Ugandan and Burundian armies to be "aggressors" rather than as providing support to the rebels. While the activities of the Interahamwe and Mai-Mai are the



primary cause of the violence, it is the armies of Rwanda, Uganda, Burundi and Rassemblement congolais pour la démocratie (RCD) which are causing the greatest damage and which have once again committed terrible massacres of the civilian population. In addition, Rwanda and Uganda have expanded their own conflicts into Congolese territory, causing death and destruction on neighbouring soil.

#### **The occupation of the Democratic Republic of the Congo**

110. The Special Rapporteur has often been asked whether the occupation of the Democratic Republic of the Congo should be considered permanent. That issue should not even be raised since there can be no justification for the conquest or partition of a country by foreign forces. This is the position stated in the fourth preambular paragraph of Security Council resolution 1304 (2000). In occupied territory, the sense of humiliation and terror described in previous reports still prevails.

#### **Immediate effects of the Special Rapporteur's visit**

111. Days prior to the visit, and particularly during his visit to the Democratic Republic of the Congo, both in Government- and RCD-controlled territory, prisoners were freed or transferred from illegal detention centres to official jails; judicial proceedings that should have begun months previously were opened; sick prisoners were given better medical care and journalists were given greater access to information sources.

#### **Violations of international humanitarian law**

112. The most serious incidents were the massacres committed by RCD and Rwandan forces, attacks on civilians during the Rwandan-Ugandan wars and Government bombing of civilian populations in the north.

#### **Human rights**

113. In the Government-controlled territory, the rights most affected are political rights (participation, assembly, association and freedom of expression). In RCD- and RCD/ML-controlled territory, the rights most often violated are human rights (life and physical integrity) without prejudice to political freedom. There

is insufficient information on the MLC-controlled territory.

#### **Right to democracy**

114. Neither the Government authorities nor those of RCD, RCD/ML or MLC have taken any steps towards democracy. The Government continues to reject all dialogue with the national democratic opposition; it persecutes political parties, continues to declare them illegal and punishes their leaders and activists. It rejects the mediator whom it had previously accepted. It is establishing new and illegal structures. In the occupied territories there is only one party, either RCD or MLC. Other parties only appear to exist. Those not in sympathy with RCD have ceased all activities and their leaders have chosen exile. MLC is the only party in the territory it controls.

#### **Human rights advocates**

115. They are persecuted by both sides; one considers them to be "in league with the rebels", the other considers them to be "in Kabila's pay" or "Interahamwe or Mai-Mai collaborators".

#### **Death penalty**

116. The Government maintains it but has not implemented it since February 2000. RCD, which had never implemented it, began to do so in 2000.

#### **Liberty of person**

117. It is constantly violated, and there are many political prisoners on both sides. The Kinshasa amnesty was encouraging, but it did not affect all prisoners and politically-motivated imprisonment of, inter alia, Ministers and other high-level officials has continued.

#### **Freedom of expression**

118. There is none. In Government-controlled territory, there are a few newspapers with a limited circulation and journalists are regularly harassed. In RCD-controlled territory there are no opposition newspapers and the few independent radio stations have been shut down, censored and prevented from broadcasting any news programmes other than the official ones.

### **Torture**

119. Torture is practised by all parties and in many instances it has resulted in death.

### **Right to due process**

120. It is not respected by any of the parties. In the Democratic Republic of the Congo, the Military Court, which is the only court in which civilians, journalists and human rights advocates are tried, remains fully functional. Victims of human rights violations are not granted redress, a fact which further confirms impunity. In RCD-controlled territory, the death penalty has been reinstituted through trials of the most summary nature in which no defense is admitted.

### **Freedom of movement**

121. In both Kinshasa and Goma, members of the opposition are prevented from leaving the country and even from movement within it.

122. But the most serious issue is the deportation of Congolese citizens to Rwanda, where, in many cases, all trace of the prisoner is lost.

### **Freedom of conscience**

123. In both sectors, religious persecution has been a constant throughout the year. Bishops, priests and ministers have been arrested, tortured, expelled and murdered. The most emblematic case has been that of the Archbishop of Bukavu, who was expelled from his diocese by RCD.

### **Persons at risk**

124. The Government, with international assistance, has continued to provide protection to people who look like Tutsi in order to prevent reprisals against them, thereby disproving accusations of genocide.

### **Women and children**

125. The situation continues to worsen. The Government and RCD have taken steps to demobilize children, but neither MLC nor the Ugandan troops have done so.

## **B. Recommendations**

### **The parties in the wars**

126. The Special Rapporteur recommends that the parties in the wars should: (a) fully implement the Lusaka Agreement and the necessary agreed adjustments thereto, considering the provisions of Security Council resolution 1304 (2000); (b) cooperate with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC); and (c) put an end to all forms of impunity.

### **The Government**

127. The Special Rapporteur recommends that the Government should: (a) immediately establish the inter-Congolese dialogue, cooperating closely and actively with the Facilitator, who is a friend of the Congolese people, and with those who accompany him; (b) repeal the legislation on political parties and non-governmental organizations, recognize those which already exist and allow them to operate; (c) abolish the death penalty; (d) eliminate the Military Court; (e) free all political prisoners; (f) cease all forms of pressure or censorship of the press; (g) abolish the Constitutional and Legislative Assembly in order to permit the dialogue agreed to in Lusaka; (h) cease all cooperation with the Mai-Mai and the Interahamwe; (i) commute death sentences; (j) begin the demobilization of child soldiers; (k) restore relations with other States, intergovernmental organizations, the United Nations and OAU and attend the conferences and meetings organized by them since none of them is an enemy of the Democratic Republic of the Congo and all of them are simply endeavouring to assist it; (l) authorize the Human Rights Field Office in the Democratic Republic of the Congo to visit not only the jails, but all places of detention; (m) implement a human rights action plan; and (n) give international human rights instruments precedence over national law and honour the commitments made under them.

### **RCD and other rebel groups**

128. The Special Rapporteur recommends that RCD and other rebel groups should: (a) cease all cooperation with foreign armies; (b) avoid committing any act which implies the exercise of sovereignty over foreign armies (including the flying of flags, partition or creation of provinces, town-twinning or sale of public property); (c) refrain from issuing fictitious accounts of



the atrocities committed by their troops and foreign allies and conduct objective investigations of allegations; (d) free political prisoners; (e) demand that their foreign allies return the deported Congolese to the State; (f) abolish the death penalty; (g) cease to interpret all acts of opposition as an alleged incitement to ethnic hatred; (h) permit organizations of civil society, particularly human rights organizations, to function freely; and (i) demobilize child soldiers.

#### Foreign armies occupying Congolese territory

129. The Special Rapporteur recommends that the foreign armies occupying Congolese territory should: (a) implement the Lusaka Agreement and, in particular, Security Council resolution 1304 (2000), which demands that they should withdraw immediately and prior to the withdrawal of the forces present at the Government's invitation; (b) accept the fact that they have lost all respect in the eyes of the Congolese people and refrain from all reprisal; (c) permit investigations of violations of human rights and international humanitarian law and, in particular, of the massacres that took place on 2 August 1998; (d) provide immediate compensation to the victims of the incidents that occurred at Kisangani and in other parts of the Democratic Republic of the Congo; and (e) return the Congolese property that has been taken from the country since 1998.

#### Organs of the United Nations

130. The Special Rapporteur recommends that the organs of the United Nations should: (a) continue to support the peace process in the Democratic Republic of the Congo and the inter-Congolese dialogue; (b) heed the words of the special rapporteurs on human rights in order to prevent recurrence of the incident reported in the Carlsson report on the occasion of the genocide in Rwanda, which a special rapporteur had predicted a year in advance without any action being taken. This recommendation is especially important in light of the establishment of peacekeeping mechanisms; (c) provide greater financial and logistical assistance to the mechanisms of the Commission on Human Rights; and (d) establish an effective arms embargo on all countries involved in the Congolese conflict.

#### Other organs of the international community

131. The Special Rapporteur recommends that other organs of the international community should: (a) support the peace process, the inter-Congolese dialogue and the democratization process; and (b) make their voices heard and their moral authority felt with regard to the massacres committed on Congolese soil.

#### Notes

<sup>1</sup> Chad withdrew its forces on 26 May 1999. The Sudan has troops in the Democratic Republic of the Congo, but these are not participating in the fighting.

<sup>2</sup> The Security Council (see S/PRST/2000/20) established an expert panel on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo.

<sup>3</sup> The Mai-Mai guerrillas, originally from the Banande and Bahunde tribes, have enlisted thousands of young people from all ethnic groups who are opposed to what they refer to as "Rwandan aggression". See E/CN.4/1999/42, note 4.

<sup>4</sup> In his report to the Commission on Human Rights (see E/CN.4/2000/42, para. 18), the Special Rapporteur stated that there is a general feeling throughout the country that the international community is not doing anything to end the conflict but that when that abstraction does do something, it is rejected for doing so. This reaction confirms this.

<sup>5</sup> See, for example, the statement by the Conference of Catholic Bishops in August 2000.

<sup>6</sup> The Special Rapporteur's report to the Commission on Human Rights (E/CN.4/2000/42) deals with individual cases of human rights violations.



United Nations

S/2000/888



Security Council

Distr.: General  
21 September 2000

Original: English

## Fourth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

### I. Introduction

1. In its resolution 1316 (2000) of 23 August 2000, the Security Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 15 October 2000 to allow time for further diplomatic activities in support of the Lusaka Ceasefire Agreement (S/1999/815, annex).

2. In the same resolution, the Security Council requested the Secretary-General to report on progress in the implementation of the Ceasefire Agreement and relevant Council resolutions and to make recommendations for further Council action. The present report is submitted pursuant to that request and reflects developments since the Secretary-General's third report on MONUC, dated 12 June 2000 (S/2000/566 and Corr.1).

### II. Political developments

3. Following the meeting on 28 July of the Political Committee established under the Lusaka Ceasefire Agreement, a summit of the Southern African Development Community (SADC) was convened in Windhoek on 7 August with a view to discussing, among other issues, ways and means to overcome the difficulties encountered in the implementation of the Agreement.

4. Subsequently, President Chiluba of Zambia convened and chaired a summit of the parties to the Lusaka Ceasefire Agreement and SADC countries, held

in Lusaka on 14 August. The summit was attended by the Heads of State of the Democratic Republic of the Congo, Namibia, Rwanda, Uganda, Zimbabwe, Botswana, Malawi, Mauritius, Mozambique, Lesotho, South Africa, Swaziland and the United Republic of Tanzania. My Special Representative for the Democratic Republic of the Congo, the Secretary-General of the Organization of African Unity (OAU) and the Secretary of SADC also participated in the summit.

5. The summit, which ended in the early hours of 15 August after some 18 hours of continuous discussion, failed to make any progress on the issues referred to in paragraph 3 above, principally because of the reluctance of the Government of the Democratic Republic of the Congo to allow the deployment of MONUC troops to government-controlled territory and to accept Sir Ketumile Masire as the neutral facilitator.

6. The communiqué issued at the end of the Lusaka summit welcomed the readiness of the United Nations to commence deployment, acknowledging, at the same time, that the existing conditions in the Democratic Republic of the Congo had not made it possible for such deployment to begin. The summit recalled the guarantees that the signatories to the Lusaka Agreement had given on 23 February 2000 to ensure the safety, protection and freedom of movement of United Nations personnel, and appealed to the Government of the Democratic Republic of the Congo to cooperate fully with MONUC and to satisfy the conditions necessary for deployment. With the exception of the Government of the Democratic Republic of the Congo, the participants in the summit

reaffirmed their support for the neutral facilitator. An appeal was made to the Government of the Democratic Republic of the Congo to reconsider its position in order to ensure the speedy finalization of arrangements for the convening of the inter-Congolese dialogue.

### **Mission of the Special Envoy to the region**

7. During the reporting period, I maintained extensive contacts with regional leaders, in particular President Chiluba. However, despite the efforts of all concerned, the peace process remained at an impasse. I therefore took the decision to dispatch a Special Envoy to the subregion to discuss with President Kabila and other regional leaders the issues outstanding.

8. After obtaining the concurrence of the Security Council, I appointed General Abdulsalami Abubakar, former Head of State of Nigeria, as my Special Envoy to undertake this challenging mission. From 20 to 24 August, General Abubakar travelled to Kinshasa, Lusaka and Addis Ababa to convey the position of the United Nations with regard to the status of the peace process in the Democratic Republic of the Congo to President Kabila, as well as to President Chiluba and the Secretary-General of OAU, Salim A. Salim.

9. During his meeting with President Kabila, my Special Envoy reaffirmed the mandate of MONUC and emphasized that the cooperation and support of the Government of the Democratic Republic of the Congo were indispensable to the successful implementation of the Lusaka Agreement. He requested the Government to cease all hostilities, extend full freedom of movement to MONUC and comply with the provisions of the status-of-forces-agreement concluded between the Government and the United Nations. My Special Envoy also stressed that the Government should cease any participation in or support for the campaign of vilification conducted against MONUC and the United Nations in the Kinshasa press. In addition, General Abubakar underscored that progress could not be made in the military aspects of the Lusaka Agreement unless the inter-Congolese dialogue were permitted to proceed. In this regard, the issue of the neutral facilitator was also extensively discussed.

10. While appreciating the firmness of the message delivered, President Kabila maintained that the obstacles to the implementation of the Lusaka

Agreement were not caused by the Government but by the "aggressors". He criticized the international community for closing its eyes to the problems of his country and to the fact that it was a victim of aggression. He insisted that the invasion of his country be urgently addressed and that the uninvited foreign forces be asked by the international community to leave without delay. My Special Envoy briefed the members of the Security Council on his mission to the region on 30 August.

11. On 23 August, the day of the Special Envoy's departure, the Minister for Foreign Affairs and the Minister of the Interior of the Democratic Republic of the Congo jointly informed my Special Representative, Kamel Morjane, that the Government would thenceforth authorize the deployment of United Nations battalions to Mbandaka, Kananga, Kindu and Kisangani. The ministers also advised him of a relaxation of the restrictions on the Mission's freedom of movement and authorized the deployment of a small United Nations military headquarters support unit to Kinshasa, on the condition that its personnel would bear arms only while on duty. Subsequently, MONUC received a note verbale dated 24 August from the Commissariat Général of the Government in charge of MONUC affairs, reiterating, albeit with a somewhat different interpretation, the above undertakings by the Government.

12. The measures announced by the ministers, and generally confirmed by the note verbale, represented only some of the specific measures my Special Envoy had put forward to President Kabila. In particular, the Government did not authorize the deployment of MONUC specialized military units from a potential troop-contributing country to government-controlled territory, without which other formed units cannot be deployed in the near future. Moreover, on the same day the above long-awaited concessions were announced, another government minister made a public statement suspending the Lusaka Agreement and calling for direct negotiations between the Democratic Republic of the Congo, Burundi, Rwanda and Uganda under the auspices of the United Nations and OAU as well as for direct talks between the Government and the rebels.

13. In a letter from President Kabila addressed to me dated 28 August, many of the sentiments that he had expressed to my Special Envoy were repeated. The President recalled that his country was the victim of aggression. Citing the three clashes waged between



Rwandan and Ugandan troops in Kisangani, the President reiterated that the Lusaka Ceasefire Agreement had failed to address the major concerns of his Government, including putting an end to the hostilities. He believed that the Agreement was flawed and urgently needed to be adjusted. In the letter, President Kabila also stated that the problem of aggression should be "disassociated" from the issue of internal Congolese political dispensation. The President proposed an international mediation effort to help bring together the belligerent parties through direct negotiations. There was no mention of any views with regard to the deployment of MONUC.

14. The next day, however, the Permanent Representative of the Democratic Republic of the Congo addressed a letter to the President of the Security Council transmitting the position of his Government with regard to the peace process (S/2000/837, annex). The Government concluded that the Lusaka Agreement needed to be revised to reflect the new factors resulting from the fighting in Kisangani and from Security Council resolution 1304 (2000) of 16 June 2000. The Government reiterated its belief that the "war of aggression" needed to be separated from the political conflict between the Government and a number of armed Congolese factions, and repeated the proposal with regard to the direct talks with the uninvited foreign forces. In the letter of 29 August, it was also noted that the Government had decided to cut back on the "precautionary measures" taken thus far with respect to MONUC as regards both the status and movements of MONUC troops, and listed the undertakings of the Government along the lines of those given to my Special Representative by the Minister for Foreign Affairs and the Minister of the Interior on 23 August.

15. On 11 September I met with Foreign Minister Yerodia, who was visiting the United Nations as President Kabila's Special Envoy to the Millennium Summit. I took this opportunity to explain once again the position of the United Nations with regard to the deployment of MONUC, underscoring major difficulties still experienced by the Mission and my concern over the continuing ceasefire violations committed by the Government as well as by rebel forces and their allies. The Minister stated his Government's belief that MONUC troops should serve as an interposition force. When I suggested that this could be considered in the third phase of MONUC

deployment, he observed that the Congolese people would not understand the reasons for such delays and could not wait in vain.

16. With regard to the inter-Congolese dialogue, Mr. Yerodia reiterated his Government's request to replace Sir Ketumile as facilitator. I urged him to consider working with a facilitation team so that the peace process could move forward, as was proposed by my Special Envoy during his visit to the region. The Foreign Minister also indicated that since, according to him, the already fragmented rebellion did not and could not exist without its external sponsors, his Government wished to engage thenceforth in a direct dialogue with the uninvited foreign forces.

17. In his contacts with senior United Nations officials during his stay in New York, Mr. Yerodia reiterated his Government's acceptance of the deployment of United Nations troops along the lines indicated in paragraphs 11 and 14 above.

### Inter-Congolese dialogue

18. As indicated above, the Government of the Democratic Republic of the Congo has continued to reject the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire. After withdrawing its confidence from Sir Ketumile and requesting OAU to propose a new facilitator, the Government temporarily sealed off his Kinshasa office on 20 June. In an attempt to overcome the impasse, President Bouteflika of Algeria, in his capacity as Chairman of OAU, tried in vain to organize a mini-summit in Algiers on 4 July. Likewise, the absence of some dignitaries, including President Kabila, at the thirty-sixth ordinary session of the OAU Assembly of Heads of State and Government, held in Lomé from 10 to 12 July, frustrated efforts to address this issue at the highest level. The summit adopted a decision urging the Congolese parties, and particularly the Government of the Democratic Republic of the Congo, to extend full cooperation to the neutral facilitator. However, at subsequent meetings the Government of the Democratic Republic of the Congo indicated that it was not ready to modify its position regarding the facilitator.

19. On 25 July, the Minister for Foreign Affairs of the Democratic Republic of the Congo stated in a press conference that the decision not to cooperate with Sir Ketumile was irrevocable. Mr. Yerodia added that the



Government now considered the newly established Constituent Assembly as the appropriate forum for a national dialogue. The Assembly, whose 300 members have been appointed by president decree, was inaugurated on 21 August in Lubumbashi with the mandate to examine the draft constitution, elaborate laws on political institutions and oversee Government activities. At the Assembly's special session on 13 September in Kinshasa, the Justice Minister announced the establishment of a special parliamentary commission for the inter-Congolese dialogue.

### **Kisangani assessment mission**

20. Pursuant to paragraph 14 of resolution 1304 (2000), I sent a mission to the Democratic Republic of the Congo from 13 to 23 August to assess the loss of life and property damage inflicted on the civilian population of Kisangani as a result of renewed fighting between Rwandan and Ugandan troops between 5 and 11 June. The mission, led by Omar Bakhet, Director of the Emergency Response Division of the United Nations Development Programme, consisted of personnel from various United Nations departments and was accompanied by United Nations agency officials based in Kinshasa. The team was also assisted by MONUC, the Office for the Coordination of Humanitarian Affairs and non-governmental organization staff based in Kisangani. The sudden death of a member of the advance party in Kisangani on 18 August delayed the arrival of the full team to the city until 22 August. Despite this regrettable event, the team was able to visit the city, conduct meetings in Kinshasa and make a preliminary assessment.

## **III. Military developments**

### **Ceasefire violations**

21. During the reporting period the parties continued to conduct significant military operations. Moreover, there have been indications of intensive military preparations by the parties. These include the procurement of large quantities of weapons and military equipment, extensive recruitment of young males and freed prisoners, retraining of combat units, forward deployment of battalions and reinforcement of front-line units.

22. The most intense fighting occurred in the northern part of Équateur province. After reportedly blocking the southern movement of elements of the Mouvement de libération du Congo (MLC) along the Ubangi River, government forces and their allies pushed the MLC troops back and captured the town of Imese. Thereafter, the Congolese armed forces (FAC) were reported to have advanced northward, capturing Dongo and reaching Libenge. However, on 4 August MLC claimed that it had halted the government offensive 50 to 60 kilometres south of Libenge.

23. Following the reinforcements reportedly received by units of the Ugandan People's Defence Force (UPDF), MLC launched a major counter-attack in the south of Libenge, resulting in a high number of casualties. On 10 August the Government announced its unilateral decision to end its offensive. In response, MLC demanded the withdrawal of government forces back to the 8 April Kampala disengagement line. Since then, reports indicate that MLC captured the town of Dongo on 8 September, while FAC and its allies reinforced their forces in Mbandaka. On 13 September the MONUC Force Commander travelled to Gbadolite for a meeting with MLC Chairman Bemba in an attempt to persuade him to stop the MLC offensives.

24. In a related development, the Government of the neighbouring Republic of the Congo and the Central African Republic have recently expressed alarm that fighting in the Democratic Republic of the Congo, especially in the immediate border areas, has affected their countries. In particular, large numbers of refugees continue to enter both countries, and vital maritime traffic on the Ubangi River has been interrupted, causing heavy economic losses.

25. On 21 August, the Permanent Representative of the Democratic Republic of the Congo addressed a letter to the President of the Security Council (S/2000/817) in which he alleged that a large-scale offensive was being prepared by the Ugandan armed forces. The Government demanded that the Ugandan and Rwandan forces be withdrawn immediately from Kisangani and from the territory of the Democratic Republic of the Congo without further delay, and that all parties abstain from any offensive action during the process of disengagement and of withdrawal of foreign forces.

26. Fighting on a less intense scale also occurred in southern Équateur province around the town of Ikela, a

strategic half-way location on the road connecting Kisangani and Boende, where troops of the Rassemblement congolais pour la démocratie (RCD) and the Rwandan Patriotic Army (RPA) reportedly attempted to cut off this important outpost. In Kananga province, RCD reported a number of attacks by government forces to the south of Kabalo. MONUC has not been able to verify the accuracy of these reports, and neither side appears to have gained any major ground.

27. The military and security situation in the eastern part of the Democratic Republic of the Congo, especially in the Kivus, remained highly volatile. RCD has complained that pro-government armed groups continue to launch numerous attacks in North and South Kivu. One such attack occurred near Uvira on 9 July and resulted in the death of an international relief worker. Another serious incident took place on 10 July, when the Interahamwe and Mayi Mayi fighters reportedly attacked a camp for displaced persons at Sake, near Goma. On 26 August a grenade attack in Bukavu killed 8 and injured some 40 people. Although the armed groups responsible for these attacks are not signatories to the Lusaka Ceasefire Agreement, there are persistent reports that they receive arms and training from one of the parties.

#### **Situation in Kisangani**

28. Pursuant to resolution 1304 (2000), Rwanda and Uganda have withdrawn their forces to a distance of some 100 kilometres from the centre of Kisangani. RPA military units have moved south while UPDF military units withdrew towards the north. Persistent rumours of re-infiltration and the clandestine presence of RPA and UPDF soldiers could not be confirmed by MONUC military observers.

29. However, military and political elements of RCD have maintained control over the city. On 8 August, during a meeting with my Special Representative, RCD leaders indicated their willingness to withdraw their forces from the city in accordance with a timetable to be agreed upon with MONUC. This undertaking notwithstanding, RCD increased its military presence in Kisangani during the month of August, citing the threat of an attack by government forces.

#### **Withdrawal of foreign forces**

30. On 22 June Uganda began withdrawing five UPDF battalions from the Democratic Republic of the Congo, which it characterized as a unilateral gesture in support of the Kampala disengagement plan. The Ugandan authorities undertook to withdraw the remaining troops in accordance with the provisions of the Lusaka Ceasefire Agreement. MONUC liaison officers monitored the repatriation of the first troops who arrived in Entebbe from Buta (Orientale province) on 2 August. While UPDF officials advised MONUC that subsequent flights had taken troops to airports in central and northern Uganda, the veracity of this information could not be ascertained.

31. On 8 August Rwanda announced the return of 1,000 of its troops from the Democratic Republic of the Congo. On the same day the Government of Rwanda announced a proposal for RPA troops to disengage from certain positions on the front line in order to provide a clear and wide disengagement zone pursuant to the Kampala disengagement plan (S/2000/782, annex). The main elements of the proposal, as communicated to my Special Representative, included the redeployment of RPA forces approximately 200 kilometres from the present front line to an intermediate disengagement line defined by Kole, Bena Dibele, Lusambo, Lubao, Manao and Moba, and subsequent redeployment to a line close to the Congo River delineated by Lubulu, Punia, Kindu, Kibombo, Samba, Kongolo, Kabalo, Nyunzu and Kalemie.

32. On 28 August the Force Commander of MONUC held talks with senior Rwandan officials in Kigali and thereafter forwarded details of the disengagement initiative to the military authorities of the Democratic Republic of the Congo. The Force Commander also wrote to the acting chairman of the Joint Military Commission on 30 August providing him with details of the proposed disengagement plans and requesting that they be presented to the Commission for consideration at the earliest opportunity.

#### **IV. Cooperation with the Joint Military Commission**

33. MONUC continued to cooperate closely with the Joint Military Commission and maintained a team of liaison officers in Lusaka for that purpose. The Mission



assisted in the deployment and logistical support of regional joint military commissions in Boende (Équateur province), Kabinda (Kasai Orientale province), Kabalo (Katanga province) and Lisala (Équateur province). Current MONUC liaison officers are co-located with each regional commission. However, representatives of Rwanda, RCD and MLC have yet to deploy to the regional joint military commission in Kabinda. Also, the lack of resources has not allowed for the deployment of a regional commission to Kisangani.

34. Following the meetings of the Joint Military Commission and the Political Committee, held in Lusaka from 2 to 9 June, and in coordination with the International Committee of the Red Cross, an exchange of prisoners of war took place during the second week of June as follows: the authorities of the Democratic Republic of the Congo released 88 Rwandan prisoners; Zimbabwe released 43 Rwandan prisoners; and Rwanda released 11 Namibian and 35 Zimbabwean prisoners.

35. At the subsequent plenary meeting held in Lusaka on 26 and 27 July, the Joint Military Commission considered detailed plans for disengagement in four front-line areas: Kabalo, Kabinda, Ikela and the Kananga-Kindu road. Prior to the plenary meeting, draft proposals had been discussed and accepted in principle. The Commission was, however, not able to approve the plans after the representative of the Democratic Republic of the Congo announced that he was under instructions to withhold agreement on the demilitarization of Ikela and to leave the session unless the Commission discussed the implementation of Security Council resolution 1304 (2000). This approach caused the Commission to suspend its deliberations on the disengagement plan.

36. At a meeting of the Political Committee that followed the Joint Military Commission session, the representative of the Democratic Republic of the Congo contended that Security Council resolution 1304 (2000) recognized that his country was being occupied by foreign armed forces and that his Government would therefore be seeking a revision of the Lusaka Ceasefire Agreement as well as the mandate of MONUC. In response, the RCD and MLC movements stated their support for the Lusaka Agreement.

## V. Status of deployment of the Mission

### Current deployment

37. As at 15 September, MONUC had a total of 258 liaison officers and military observers. Within the Democratic Republic of the Congo, teams of military liaison officers are deployed at the headquarters of the rebel movements (Bunia, Gbadolite and Goma) and the four regional joint military commissions (Boende, Kabalo, Kabinda and Lisala), in addition to Kinshasa. Military observer teams are also stationed in six other locations (Gemena, Isiro, Kananga, Kindu, Kisangani and Mbandaka). Twenty-four liaison officers are stationed in the capitals of neighbouring countries.

38. MONUC continued to plan and reconnoitre new sites for military observer teams, but with only limited success because of the severe restrictions imposed on the Mission's movement and access. The lack of a ceasefire in many areas compounded the difficulties, as the parties have not been disposed to allow deployment of MONUC military observers in the areas of confrontation. At the beginning of September, a number of military observers still awaited, deployment in Kinshasa because of difficulties preventing their being dispatched to field sites.

39. Despite numerous problems experienced with the parties, MONUC undertook technical surveys at Kisangani, Kananga, Mbandaka and Kindu to assess their suitability for the stationing of United Nations battalions. All of these locations represent significant logistical challenges and require full cooperation from the Government and other authorities, as well as the earliest release of facilities currently in use by the forces occupying those locations. For various logistical and security reasons, Kindu has been found to be unsuitable, and the alternative of Kalemie is under active consideration. MONUC also surveyed facilities for four sector headquarters that are required for the implementation of the Kampala disengagement plan. The first interim sector headquarters, with a small staff of military and civilian officers, was provisionally established in Kisangani in early June. A second interim headquarters is being set up in Kananga.

40. Notwithstanding major difficulties, MONUC set up elements of a logistics base in Kinshasa to provide support for the Mission headquarters and teams located



in the western provinces of the Democratic Republic of the Congo. An interim logistics base was also established in Goma. With the welcome cooperation extended by the Government of the Central African Republic, the Mission has made use of the facilities formerly used by the United Nations Mission in the Central African Republic (MINURCA) at the airport in Bangui, which is particularly suited for use as a staging point for the deployment of contingents and observer teams. It is anticipated that a status-of-mission agreement with the Government of the Central African Republic will be concluded in the near future.

### Security of Mission personnel

41. The most serious threat facing MONUC personnel is the highly volatile confrontations between the belligerent parties. This risk became clearly evident in June in Kisangani, where unarmed MONUC personnel were caught in the middle of cross-fire between the Rwandan and Ugandan troops. Similar risks are particularly present in Équateur province. MONUC flights in this province are also vulnerable; on at least one occasion MLC threatened to shoot down United Nations aircraft for not complying with its air traffic restrictions. In Orientale province, a group of armed soldiers of the Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML) occupied the premises of the MONUC observer team in Bunia on 31 August, seeking protection from an opposing faction. While this incident was resolved peacefully, it highlighted the vulnerability of unarmed MONUC personnel.

42. In Kinshasa, MONUC headquarters often became the scene of organized demonstrations. The Mission has also been targeted by an inflammatory propaganda campaign conducted in the Kinshasa media, some members of which are known to be closely associated with the Government. Of special concern are the allegations made against individual United Nations staff members. On one occasion, after the publication of a particularly virulent article, the staff member concerned received death threats and had to be withdrawn from MONUC. The very disturbing nature of the allegations against United Nations staff, including my Special Representative, prompted the Under-Secretary-General for Peacekeeping Operations, Bernard Miyet, to write to the Minister for Foreign

Affairs on 16 August to protest the campaign and request restraint.

### Cooperation of the parties

43. The parties continued to impose severe restrictions on the Mission's freedom of movement. The Government of the Democratic Republic of the Congo has yet to replace the system of authorizing flights on a case-by-case basis with a system for advance notification en bloc, an arrangement that is essential for the management of the large fleet of aircraft required. Despite the decisions communicated to my Special Representative on 23 August (see para. 11 above), the new notification procedure has yet to be implemented satisfactorily. On 6 and 7 September MONUC was denied clearance to land at Mbuji Mayi. Similarly, since 8 August the military authorities in Mbandaka have refused MONUC flights permission to land or depart. As a result, the MONUC team in the city is in urgent need of resupply.

44. At the same time, MLC continues to block the Mission's efforts to deploy its team to Basankusu and, as indicated above, has imposed a flight clearance regime over northern Équateur province. For its part, the UPDF has restricted MONUC access to the airport in Lisala. On 11 and 13 September, RCD refused to provide MONUC with clearances for its scheduled flights between Goma and Kabalo.

45. Despite its numerous approaches, MONUC has been unable to obtain the necessary cooperation from local civilian and military authorities in the four locations proposed for MONUC battalions. Apart from the limited cooperation from local officials in Kisangani, none have complied with the Mission's requests for assistance in identifying suitable sites or premises. Nor have any agreements been reached on the use of airport facilities at the deployment locations.

46. As stressed in previous reports, the deployment of United Nations observers and formed units in the Democratic Republic of the Congo presents particularly acute logistical problems. The complexities and costs of the operation render it imperative that the parties respect fully the provisions of the status-of-forces agreement. It is unacceptable that, despite the signing of the agreement, MONUC is still experiencing serious difficulties involving flight clearance, direct and indirect taxes, built-in fuel charges (which may

increase the operational costs of MONUC by \$10 million per year), provision of communication services and a highly unfavourable exchange rate (23.5 Congolese francs to the United States dollar compared with a market rate that is reaching 100 francs to the dollar).

### **Deployment of United Nations formed units**

47. On 4 July the Government advised MONUC that it would not tolerate the presence of any "foreign armed groups", either in Kinshasa or in the large cities. My Special Representative sought clarification and was advised by the Minister for Foreign Affairs that the restriction was not intended to apply to all proposed United Nations contingents. On 14 July MONUC informed the Government of the impending arrival of a headquarters support unit. However, in a public statement on 21 July, President Kabila accused MONUC of being inactive and failing to protect his country from external aggression and asked the United Nations not to deploy any armed troops to Kinshasa and Mbandaka. Immediately thereafter, my Special Representative met with the Minister for Foreign Affairs, who reiterated the Government's position prohibiting the deployment of United Nations armed troops to Kinshasa or any large city in the Democratic Republic of the Congo.

48. During a meeting with my Special Representative on 23 July, President Kabila maintained the same position and spoke of a "misunderstanding" between the United Nations and the Government regarding the mandate of MONUC. It was the Government's view that MONUC should deploy exclusively to the rebel-controlled areas in order to accompany foreign armed forces to the border. My Special Representative explained to the President that the position of the United Nations was guided by the provisions of Security Council resolutions 1291 (2000) and 1304 (2000) regarding the freedom of movement and cooperation to be accorded to MONUC. President Kabila asked for a period of reflection to review the situation. On 27 July the Government restated its opposition to the deployment of United Nations troops on government-controlled territory. This position was confirmed when the Minister for Human Rights, in his capacity as President Kabila's Special Envoy, met with

the members of the Security Council on 3 August in New York.

49. In view of the restrictions imposed by the Government, MONUC was obliged to postpone the deployment of the headquarters support unit and a reconnaissance team of one of the planned battalions. The Government also continued to reject a potential troop-contributing country that was to provide the bulk of the specialized units. Plans to deploy formed units have therefore been placed on hold.

50. Despite these developments, the Secretariat has actively continued preparations for phase II deployment of MONUC by working closely with potential troop contributors. Its efforts notwithstanding, the United Nations still lacks the necessary offers for indispensable specialized units, especially in cargo handling. In addition, some battalions that have been offered by troop contributors still require some major equipment in order to be fully operational; I once again appeal to potential donors to consider providing them with the necessary equipment and training.

### **Practical measures necessary to initiate phase II deployment**

51. Pursuant to the recently adopted position of the Government of the Democratic Republic of the Congo that it would authorize United Nations troops to deploy to the four proposed cities (see paras. 11 and 14 above), the United Nations developed a list of practical measures necessary to initiate phase II deployment, which was conveyed to Foreign Minister Yerodia on 11 September. These essential practical measures, which are in conformity with the provisions of the status-of-forces agreement, included full freedom of movement of MONUC, joint air safety measures at airports, provision of and access to facilities at airports, presence of MONUC air operations officers at air terminals when MONUC flights are departing or landing, access to river ports and facilities, granting of communication licences and frequencies and resolution of the issues of the currency exchange rate and the imposition of indirect taxes, as well as other indispensable requirements.



## VI. Humanitarian aspects

52. The humanitarian situation in the Democratic Republic of the Congo continued to deteriorate over the past three months. The number of displaced persons is estimated by the Office for the Coordination of Humanitarian Affairs (OCHA) to have risen from 1.4 million in June to 1.8 million in mid-September, principally as a result of the clashes between Rwandan and Ugandan troops in Kisangani, intensified hostilities in the Kivus and the current fighting in northern Équateur province. In addition, the Office of the United Nations High Commissioner for Refugees reports that the number of Congolese refugees in the Republic of Congo has reached 85,000, and as many as 20,000 Congolese refugees may have fled into the Central African Republic. Humanitarian assistance could not reach a significant proportion of those refugees because of the fighting or other difficulties.

53. The United Nations High Commissioner for Refugees, Sadako Ogata, visited the Democratic Republic of the Congo from 21 to 23 June and met with President Kabila to discuss key issues in the humanitarian crisis. She stressed the human costs that the conflict has incurred and asked that the Government take this into consideration during peace negotiations.

54. The United Nations humanitarian agencies have recently launched a major initiative in Équateur province to deliver urgently needed life-saving support to more than 400,000 war-affected persons. However, agencies involved in this operation are currently encountering serious problems in obtaining Government clearance to operate in southern Équateur province.

55. The number of persons estimated to be in critical need of food in the Democratic Republic of the Congo remains 16 million, or roughly 33 per cent of the country's population. The uprooting of rural populations and isolation from their traditional food sources as well as the declining economic situation continue to be the underlying causes of this troubling situation. Chronic food shortages are steadily reaching critical dimensions, most notably in displaced communities in northern Katanga province (Pweto) and southern Équateur province (Bokungu-Ikela).

56. In Kisangani, the clashes between Rwandan and Ugandan forces in early June are estimated to have

resulted in the deaths of as many as 760 civilians and the displacement of some 61,000 persons. More than 1,740 injured civilians were treated in medical centres from 11 to 16 June. Among the humanitarian agencies, one staff member of Médecins sans frontières (MSF)-Belgium/Holland was killed and three United Nations staff members were injured. Unexploded mines and shells continue to pose a danger in the city and its environs. Material losses in the city include 4,000 homes damaged or destroyed and more than 60 schools and other public buildings damaged, including the Catholic cathedral and the Tshopo power plant, which were hit by shells. Buildings occupied by the United Nations Children's Fund (UNICEF) and MONUC and by MSF were also hit.

57. The Office for the Coordination of Humanitarian Affairs, the World Food Programme, UNICEF, the World Health Organization (WHO) and many non-governmental organizations have been active in responding to the crisis in Kisangani. MONUC provided air and vehicle transport for the emergency response. Donors, including the Governments of Belgium, Italy and the United States of America as well as the European Union provided timely financial assistance. A total of 170 tons of emergency food and non-food items were airlifted into Kisangani from Kinshasa and 172.5 tons were airlifted from Goma during the initial stages of the crisis, and more assistance followed.

58. The health situation in the country has also continued to decline. The war, poor sanitary conditions among displaced populations and residents and malnutrition have created a fertile ground for the outbreak and spread of numerous illnesses and infectious diseases, including sexually transmitted diseases. Women and children are among the groups most affected by the crisis. In addition to epidemic outbreaks of cholera, meningitis, dysentery and malaria, WHO has reported the emergence and re-emergence of other serious illnesses, such as haemorrhagic fever.

59. UNICEF and WHO, in conjunction with Rotary International and a number of national and international partners, launched the second consecutive nationwide polio vaccination campaign. During the first and second phases, more than 10.2 million children throughout the Democratic Republic of the Congo, representing 96 per cent of the target group, were vaccinated. Only three health zones — all located



in Équateur province — did not carry out any immunization because of the ongoing fighting between Government forces and the MLC troops. In the interior of the country, MONUC personnel assisted in the implementation of the vaccination programme. The Executive Director of UNICEF, Carol Bellamy, visited the Democratic Republic of the Congo from 10 to 13 August and took part in the launching of the second round of national immunization days in Mbuji Mayi on 11 August. The final phase of the immunization campaign was inaugurated on 15 September in Lubumbashi, Katanga province.

60. In the Kivus, the increased security risk to health personnel has forced the suspension of humanitarian operations by some agencies, further increasing the vulnerability of displaced persons and residents. Armed groups continue to attack civilians, causing numerous casualties and rendering travel in the area extremely dangerous.

## VII. Human rights

61. The human rights situation throughout the territory of the Democratic Republic of the Congo continued to be cause for grave concern. Since my previous report, the situation in the rebel-controlled areas has deteriorated significantly with indications that belligerents may be pursuing a deliberate strategy to terrorize the civilian population. The situation in the eastern provinces is particularly troubling owing to the existence of myriad bands of armed militiamen, the destruction of civil society and the absence of governmental structures. The violence in the east frequently occurs along ethnic lines, particularly in Ituri and the Kivus. In this context, the high incidence of murder of women and children of Rwandan origin should be noted.

62. In September the situation in Bukavu became particularly worrisome with the arbitrary arrest and detention of four members of the Constituent Assembly and grenade explosions that killed eight people. With respect to Kisangani, the clashes between Rwandan and Ugandan troops subjected its inhabitants to extensive and indiscriminate bombing and destruction. As a result, the human rights situation there continues to rank as one of the most serious. However, on a positive note, Archbishop Kataliko was recently authorized by the RCD to return to Bukavu, seven months after being prevented from returning by RCD authorities. The four

detained members of the Constituent Assembly were reportedly released on 19 September.

63. On Government-controlled territory, despite the authorities' stated commitment to a moratorium on the death penalty and the establishment of a military court appeals chamber, executions continued, albeit at a reduced rate. There are also no indications that the military court system will be reformed. The system was established to try cases of abuse by military and police officers and armed robbery. However, civilians such as journalists and political opponents continue to be tried by these courts for other crimes, in violation of international law. Moreover, notwithstanding the use of death penalty sentences, defendants before military courts have no right of appeal and, in some cases, no legal representation. Recently, a state prosecutor sought the death penalty for students convicted of the minor offence of vandalizing.

64. Another matter of concern is the recent announcement by the Minister of the Interior that the Government will prosecute for "high crimes against State security" persons not affiliated with a registered political party who make political statements. The Director of the special branch of the national police announced that any individual involved in unauthorized political activities would be arrested. As a consequence, the leader of People's Revolutionary Movement was arrested on 22 July for calling upon President Kabila to meet with the political opposition and participate in the inter-Congolese dialogue. While the leader was temporarily released to receive medical treatment on 8 August, she was reportedly sent back to prison on 12 September. Also, 10 members of the Democratic Union and the Social Progress Party have been arrested and detained for holding party meetings. These targeted restrictions on freedom of expression and freedom of association are completely at odds with fundamental human rights, as well as the express requirements of the Lusaka Agreement.

65. Recently, several non-governmental organizations concerned with human rights issued communiqués denouncing the gross violations of human rights in both government- and rebel-held areas. They called upon the Government to respect fundamental freedoms and the rule of law and stated that the country's long-term development depended on making human rights a central concern — with human rights conceived in terms of authentic political participation, credible governmental representation and legal accountability.

66. The Special Rapporteur on the human rights situation in the Democratic Republic of the Congo, Roberto Garretón, visited the country from 13 to 26 August. He held meetings with civil, judicial and military officials, representatives of human rights organizations, non-governmental organizations, trade unions and religious and political groups and journalists. He also visited prisons and detention centres in both government- and rebel-controlled areas. Mr. Garretón observed that positive steps had been taken by the Government, including the promulgation of a decree on amnesty, which led to the release of several hundred prisoners of conscience. However, further improvements, such as military court reform, the elimination of the death penalty and ratification of the two additional protocols to the Geneva Conventions, were still being awaited.

### VIII. Child protection

67. On 9 June President Kabila signed a decree banning the recruitment of children under the age of 18 into the armed forces and the deployment of child soldiers to combat zones. My Special Representative for children and armed conflict, Olara Otunnu, welcomed the new law and urged both the Government and rebel factions to begin immediately to disarm under-age combatants, remove them from the front line and return them to their homes and schools. On 15 May the RCD rebel movement also issued an instruction to establish an interdepartmental commission on the demobilization and reintegration of child soldiers in the territory under their control. However the commission has yet to be established.

68. Reports from MONUC observers indicate that the belligerent parties continue to recruit children and send them to the front line for combat duties. A serious decrease in school attendance has been reported in the eastern part of the Democratic Republic of the Congo, owing in part to the intensified recruitment practices. Parents are reported to have become reluctant to send their children to school because of the danger of forcible recruitment.

69. MONUC has continued to provide training on child protection issues to the newly arrived military observers and to inform all parties of the rights of children, including the importance of implementing immediately minimum protection measures. During

this period, a MONUC child protection adviser was deployed to Goma.

### IX. Exploitation of natural resources

70. In a presidential statement dated 2 June 2000 (S/PRST/2000/20), the Security Council requested the Secretary-General to establish a panel of experts on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo. Accordingly, on 31 July I addressed a letter to the President of the Security Council informing her that I intended to appoint as Chairperson of the panel Satiatou Ba-N'Daw, former Minister of Energy of Côte d'Ivoire, and that I also intended to appoint four members to the panel. The panel members assembled in New York during the week of 12 September and received the necessary briefings. The panel will be based in Nairobi, where it is expected to begin activities by the end of September.

### X. Financial aspects

71. The General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the amount of \$200 million to cover the Mission's immediate requirements and to enable it to initiate logistical preparations for the phased deployment of the formed military personnel. Subsequently, in its resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of \$58.7 million committed for MONUC during the period ending 30 June 2000, authorized me to use, during the 12-month period beginning 1 July 2000, the amount of \$141.3 million, representing the balance of the commitment authority provided for MONUC in its resolution 54/260 A.

72. As at 31 August, unpaid assessed contributions to the MONUC special account amounted to \$136.4 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$2,434 million.

### XI. Observations and conclusions

73. Over the past three months, and in particular since the adoption of resolution 1316 (2000), efforts have intensified by many concerned to put the peace



process back on track. The dedication and perseverance of regional leaders who have been working tirelessly towards this goal should be particularly acknowledged. I also welcome the presidential statement issued by the Security Council on 7 September concerning the Democratic Republic of the Congo (S/PRST/2000/28), demonstrating the importance the international community attaches to this vital issue.

74. However, I regret to inform the Security Council that there has been little progress, if any, in the implementation of the Lusaka Ceasefire Agreement. The ceasefire has been consistently violated in the intensified fighting between government and rebel and UPDF forces in northern Équateur province. The hostilities have not only imperilled the peace process, but have also spilled over into the Republic of the Congo and the Central African Republic. The two countries are extremely worried about the negative impact of the conflict on security, economic and humanitarian conditions and called for international support to improve the situation. At the same time, the highly volatile environment in the Kivus, marked by frequent and violent clashes between the RCD/RPA troops and the armed groups, also continues to be a matter of serious concern.

75. Progress in developing the disengagement plan adopted in Kampala on 8 April has been stalled since late July, when the Government of the Democratic Republic of the Congo decided to withdraw from the Joint Military Commission deliberations on this subject. This agreement has been further undermined by the recent hostilities, the large-scale recruitment and training of troops and the continuing purchase of weapons and ammunition.

76. During this period, the rebel movements intensified their attempts to achieve a united front opposing the Government of the Democratic Republic of the Congo. While MLC and RCD-Goma pursued the talks towards this end, the latest round of which was held in Gbadolite on 1 September, RCD-ML has not been involved in this process because of the persistent infighting within this faction. This was vividly demonstrated by the incident on 30 August in which an RCD-ML commander had to seek protection at the MONUC team site in Bunia.

77. At the same time, the efforts of the United Nations to assist the parties in implementing the Lusaka Agreement have been frustrated by persistent

restrictions on the Mission's freedom of movement, lack of compliance with the provisions of the status-of-forces agreement and opposition, until recently, to the deployment of United Nations troops. In addition, a propaganda campaign directed against MONUC increased concerns regarding the safety of the Mission's personnel. Following the visit of my Special Envoy, the Government of the Democratic Republic of the Congo authorized the deployment of United Nations troops to some government-controlled locations and announced the relaxation of certain restrictions on the Mission's freedom of movement. These concessions, however, fell short of what was requested and have yet to be fully implemented.

78. Moreover, the Government of the Democratic Republic of the Congo has recently questioned the validity of the Lusaka Ceasefire Agreement and has called for its revision. While it is up to the signatories themselves to agree to a revision of the Agreement, it should be recalled that the Agreement is the basis of all relevant Security Council resolutions authorizing the presence of MONUC in the Democratic Republic of the Congo. Clarity on this fundamental issue would be indispensable for any decision on the future deployment of United Nations troops.

79. Similarly, prospects for the early implementation of the provisions of the Lusaka Agreement concerning the inter-Congolese dialogue have receded, owing to the refusal of one party to cooperate with the facilitator. Recent negative public statements in Kinshasa concerning the facilitator do not augur well for the resumption of the facilitation process.

80. Despite the difficulties encountered, there have been some positive developments. Pursuant to paragraph 3 of resolution 1304 (2000), Rwandan and Ugandan forces have withdrawn from Kisangani, although whether or not they have been redeployed to other areas of confrontation has yet to be ascertained. Also, the release of prisoners of war, pursuant to one of the key aspects of the Lusaka Agreement, was a valuable confidence-building measure undertaken by the parties. The Government of Rwanda also proposed a plan for the disengagement of the Rwandan and RCD forces in Kasai. It would be important that the next meetings of the Joint Military Commission and the Political Committee, scheduled for the end of September, review the situation and examine this and other proposals made within the context of the peace process. As a matter of priority, these meetings should



also urgently address the continuing ceasefire violations.

81. The deteriorating humanitarian and human rights situation throughout the Democratic Republic of the Congo is yet another cause for grave concern. Civilians continued to pay an unacceptably high price for the conflict. It is extremely worrisome that intensive military confrontations have hindered access by humanitarian agencies to many areas, including the eastern part of the Republic of the Congo, leaving vulnerable populations without much-needed assistance. The continuing fighting and widespread insecurity have also worsened the situation of children and require sustained action aimed at protecting their rights.

82. In view of all the above-mentioned factors, I recommend that the Security Council consider extending the mandate of MONUC for a period of two months. Such an extension would signal the determination of the United Nations to remain committed to the peace process in the Democratic Republic of the Congo while at the same time indicating to all the parties that these months should be used to unequivocally demonstrate their will to move the peace process forward and to create conditions necessary for phase II deployment of MONUC. In the meantime, the United Nations will continue to make the necessary preparations for the deployment.

83. In this context, the importance of the inter-Congolese dialogue cannot be underestimated. Clearly, there will be no durable solution to the conflict without a meaningful political dialogue between the Congolese parties leading to a new political dispensation. Efforts should intensify to help overcome the current apprehensions blocking progress in this regard. Otherwise, lack of progress in the inter-Congolese dialogue could result in the fragmentation of the country, with all the consequences such a prospect would have for the whole region.

84. At the same time, disturbing reports persist regarding the illegal exploitation of natural resources in the Democratic Republic of the Congo. The profits from these illicit activities not only exacerbate the conflict but also enrich those who want to see confrontations continue. I am pleased that the expert panel on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic

of the Congo has been established, and look forward to receiving its report in due course.

85. It is very much hoped that this short-term extension of the Mission's mandate will be used wisely by the parties to relaunch the peace process. The international community is looking for their unequivocal commitment, since the success of United Nations operations in the Democratic Republic of the Congo depends, first and foremost, on the cooperation of those directly involved. Lack of any progress in the peace process would make it difficult to justify not only the commencement of the second phase of United Nations deployment but also the continuation of the current level of the Mission's presence in the Democratic Republic of the Congo. It is clear that United Nations peacekeeping operations cannot serve as a substitute for the political will to achieve a peaceful settlement.

86. I wish to express my appreciation to my Special Representative, to the Force Commander and to the military and civilian personnel of MONUC and other United Nations personnel operating in the Democratic Republic of the Congo. Their tireless contribution to the cause of peace in that country under extremely difficult conditions is truly commendable.



## Annex

**United Nations Mission in the Democratic Republic of the Congo:  
contributions as at 15 September 2000**

	<i>Military observers</i>	<i>Staff officers</i>	<i>Total</i>
Algeria	12	1	13
Bangladesh	9	7	16
Benin	5	3	8
Belgium		1	1
Bolivia	2		2
Burkina Faso	2		2
Canada		2	2
Czech Republic	3	1	4
Denmark	1	1	2
Egypt	12		12
France	1	2	3
Ghana	8		8
India	8	3	11
Jordan	2		2
Kenya		5	5
Libyan Arab Jamahiriya	4		4
Malaysia	2	7	9
Mali	3		3
Morocco		4	4
Nepal	9		9
Niger	2	1	3
Nigeria	6		6
Pakistan	14	13	27
Peru	3		3
Poland	1		1
Romania	11	1	12
Russian Federation	5		5
Senegal	13	17	30
Sweden	1		1
Switzerland		1	1
Tunisia	6		6
Ukraine	4		4
United Kingdom	4		4
United Republic of Tanzania	6	1	7
Uruguay	11	8	19
Zambia	9		9
<b>Total</b>	<b>179</b>	<b>79</b>	<b>258</b>



A REPORTER AT LARGE

# FORSAKEN

*Congo seems less a nation than a battlefield for countless African armies.*

BY PHILIP GOUREVITCH



Three years after Laurent-Desire Kabila proclaimed himself President of the Democratic Republic of Congo, the streets of the capital are draped with lies. Banners read, "Laurent-Desire Kabila, the People's Choice"; "Power for the People"; "The Voice of the People Is the Voice of God."

Beneath the banners, the people themselves are forever on display, standing in a roadside haze of heat and dust and dampness, staring at oncoming traffic. The haze smells of diesel and charcoal and kerosene, of burned meat and smoked fish, of frying bananas and tropical blooms, of compost and sewage, of beer, mildew, and sweat. It clings in the nose and maddens the brain, like the stink of dead earthworms after a rain. To stand by the road in Kinshasa for any stretch of time requires a spirit of Sisyphian endurance. So when I arrived in the city one morning, and saw the banners and the masses of people beneath them, I asked the university student I'd hired to drive me around what the occa-

sion was. "It's Thursday," he said. "But it could be any day." The Congolese are given to an ironic sort of gallows humor that reflects their circumstances—ask someone how it's going, and you're likely to be told, "Same as the country," meaning not well—but if my driver was joking I didn't get it. I'd been in Kinshasa before, and I didn't remember seeing such multitudes standing around, doing nothing. "Things are worse now," my driver said. "But the people aren't doing nothing. They're waiting."

Waiting for what? I asked, and he told me, "To move." The city was in the grip of a transportation crisis. "The vehicles exist," he said. "Minibuses, buses, taxis, trucks. They exist, plenty of them. And yet nothing budges. It's a political problem. The regime is the problem. The economy is totally fucked. This transport mess is just a tiny example, but it's typical." He said that the cost of many essential goods and services is fixed by the state, and that earlier this year the price of fuel had tripled, from one day to

*Laurent Kabila, Congo's President, has made new enemies of old allies. Rwandan-backed rebels in Kisangani (above), a city laid waste by the fighting.*



the next, while the price of transport remained constant, at a very low rate. "It's impossible for those who own the vehicles to make a profit," my driver said. "So there is this paralysis. The policy is meant to protect the people from exploitation, and instead it punishes them. The people complain. But you see the result." Then he said something that I would hear, in one form or another, from almost everyone I talked to in Kinshasa who wasn't on Kabila's payroll. He said, "The people have no voice."

More banners hung overhead: "United Around Laurent-Desire Kabila to Achieve Dignity"; "United Around Laurent-Desire Kabila to Achieve Prosperity"; "National Unity Around Laurent-Desire Kabila for a Radiant Future."

Of course, it was still possible for transport operators to earn a few Congolese francs if they packed in the passengers and cut all other costs, such as maintenance. So, periodically, a terrifying-looking jalopy would coast to a halt by the curb—not so much a car or a van as the ghost of a car or a van, patched over like a fool's motley with bits of scrap metal, plastic sheeting, duct tape, and string, its windshield shattered, and with arms, legs, heads, and other body parts poking from its open doors and windows. Before it reached a full stop, a boy would jump out, demonstrating with imperious shouts and gestures that he was in charge; then he'd discharge a few passengers and select replacements from the waiting flock, shoving them into place with the help of a short baton. Travelling in this fashion, my driver told me, it is typical for many of Kinshasa's five million citizens to spend two or three hours traversing the sprawling city from home to work, and two or three hours again from work to home.

As we spoke, it began to rain, lightly at first, then heavily. The roadside crowds thinned but did not disappear. Those who remained took off their shoes and stood barefoot and bareheaded, or covered themselves as best they could—with umbrellas or bits of cloth or briefcases, or by tugging the collars of their jackets or shirts over their heads—and many started walking. The rain let up shortly after it began, but by then the drainage ditches and open sewers that ran alongside the potholed pavement had backed up and flooded the road-

way. Traffic slowed to a crawl. "Voilà," my driver said, as we forded our way through a long stretch of knee-deep water, strewn with stalled cars and foul flotsam. "Lake Kabila."

Three years ago, my driver would have called the submerged street "Lake Mobutu," giving the credit for Congo's degradation where it was due, to President Mobutu Sese Seko, who had named the country Zaire and robbed it to ruin for thirty-two years before Kabila took over. Even now, Mobutu remains fixed in the international imagination as the grotesque apogee of the postcolonial African bullyboy. Spectacularly corrupt, insatiably predatory, dapper and deeply weird in his leopard-skin cap, dark glasses, and sorcerer's swagger stick, he kept himself swaddled in luxury, and buttressed by doting Cold War patrons in Washington, Brussels, and Paris, as he sponsored cross-border insurgencies against neighboring countries and crushed or bought off all domestic opposition. He liked to call himself Papa, the nation's "founder" and "guide," but he treated its children with rank disdain, systematically reducing their lot—body and soul—to a condition of want and disarray akin to that of orphanhood.

One might imagine, then, that Mobutu should not have been a hard act to improve upon, and that was certainly Kabila's attitude when he came to power, presenting himself as a lifelong anti-Mobutist revolutionary. The reality of Kabila's résumé, however, was not so glorious. It was true that from 1967 to 1986 he had managed, as a rebel warlord, to hold out against Mobutu's forces in a tiny redoubt in the mountains of eastern Congo. But his record there was grim enough to make Mobutu look almost benign by comparison. Kabila, preaching a crude sort of Maoist doctrine, had ruled with an absolute hand, and what he called a "liberated" zone rapidly descended into the sorriest state of dystopia. While his cadres chanted Mobutu-style slogans ("We are the men of President Kabila . . . founder . . . guardian . . . light . . . creator"), he enriched himself with gold from local mines. He trusted nobody, betrayed those who trusted him, and grew fantastically paranoid. In 1979, as Wilungula B. Cosma, a Congolese historian who stud-

ied Kabila's failed "resistance" movement, writes, "he made the unpopular decision to kill all the sorcerers" in his domain:

To this end, he concocted a potion of numerous roots and herbs. The potion was very strong, of a kind that made any physically weak person who swallowed it or received it in the eyes dizzy. Now, dizziness is an indication of sorcery. So everyone who manifested dizziness after this test was considered a sorcerer and had to be burned alive. At the end of the operation, two thousand people had been killed, ninety percent of whom were adults of advanced age.

This slaughter, coupled with the fact that "the victims of hunger became as numerous as those of the war," led to a mass flight of partisans from Kabila's zone. "Instead of social well-being for all, it was total immiserization for all," Wilungula notes, and Kabila, too, eventually went into exile. He spent a decade in East Africa, operating as an entrepreneur under various aliases, and he did not reappear on the Congolese scene until October of 1996, when he emerged first as a spokesman for, then as the leader of, the rebel alliance that finally carried him to the Presidency.

When Kabila arrived in Kinshasa in May of 1997, he cast himself as the emancipator of Congo from dictatorship. But, once again, the truth lay elsewhere, and he did not enjoy a hero's welcome. After all, the rebel alliance that had driven Mobutu into exile (where prostate cancer soon finished him) was organized and led by the Army of neighboring Rwanda and backed by neighboring Uganda. Its victorious sweep across the country had ultimately received the military or political support of at least ten other African governments. Rwanda's reason for fighting was paramount: in 1994, Mobutu had supported the Hutu Power leaders of the Rwandan genocide, which left at least eight hundred thousand Tutsis and politically moderate Hutus dead; and he continued to support the killers after they fled to United Nations-run camps just inside the Congolese border, helping them to regroup, rearm, and recruit a massive force with the aim of returning home to complete their extermination campaign. Major General Paul Kagame, the chief of Rwanda's predominantly Tutsi Army, told me at the time that his troops had moved into Congo in a political "mar-



riage of convenience" with Kabila's rebel alliance, and that it was Rwandans who had led the fight against Mobutu and the *génocidaires* all the way to Kinshasa.

But years of rabid anti-Rwandan (and specifically anti-Tutsi) propaganda, spread by both Mobutu and his domestic critics, had had its effect. So, while Kabila spoke of "liberation," the Congolese spoke resentfully of being recolonized. Kinshasans, in particular, were galled to think that the destiny of their resource-rich land—which is the size of Western Europe—had been determined by a dirt-poor neighbor that is eighty-nine times smaller and nearly a thousand miles from Kinshasa. Kabila didn't even have his own army, and it didn't soothe the wounded national pride when he appointed a contingent of crack Rwandan fighters, on loan from General Kagame, to organize a new Congolese military. Many Kinshasans, glad as they were to be rid of Mobutu, were inclined to view Kabila as a political fossil, a usurper, and a quisling.

Still, Kabila was President, "like it or not," he himself said in his inaugural address, as he proclaimed an "order" that would be the "antithesis" of Mobutism. He promised justice, public accountability, economic renewal, an end to cronyism and the Old Man's *l'état c'est moi* cult of personality, and, within two years, democratic elections. Kabila gave no clue how he meant to achieve such wonders; nor did he inspire much confidence when he promptly banned all political activity, unleashed several competing security services with the authority to arrest people and seize property at will, and hired as his propaganda chief a Christian evangelist named Dominique Sakombi Inongo, who had served Mobutu in the same capacity for twenty-five years.

Sakombi was the man responsible for stringing the landscape with inspirational banners, and for erecting billboards featuring Kabila's massive head—portraits whose most striking feature is that they will not look you in the eye. Sakombi, however, is something of an anomaly in Kabila's Cabinet, inasmuch as he can be said to be qualified for his job. The general run of ministers is distinguished only by a level of incompetence that even inexperience cannot explain: "a bunch of mediocrities," a former Western political consultant to Kabila said. And he was speaking as a supporter of the regime.

Kabila, in using Mobutu as his foil, seemed to assume that things could not get worse than they had been, and the national prospect would be bad enough if he were right: stasis is always a kind of rot. But these days, when the Congolese express the desire for the country to return to "normal," they mean the way it was before Kabila came along. As a Congolese businessman said to me, "People here don't know what normal is. The word has become meaningless. What is called normal should be called unacceptable."

On the third anniversary of Kabila's assumption of power, a dispatch from the Panafrikan News Agency reviewed Congo's condition like this:

[B]asic infrastructure is in total decay. Major sections of trunk "A" roads . . . are not usable. Proposals for the rehabilitation of other facilities, such as hospitals, industries, manufacturing, and other structures, have also been stalled. On the social front, dirt and environmental decay have spewed all sorts of diseases. . . . Smallpox, diarrhea, sleeping sickness, among others, have come back in force while AIDS, malaria and poliomyelitis continue to devastate a population already weakened by under-nourishment. . . . More than 60 percent of the country's working population is not at work.

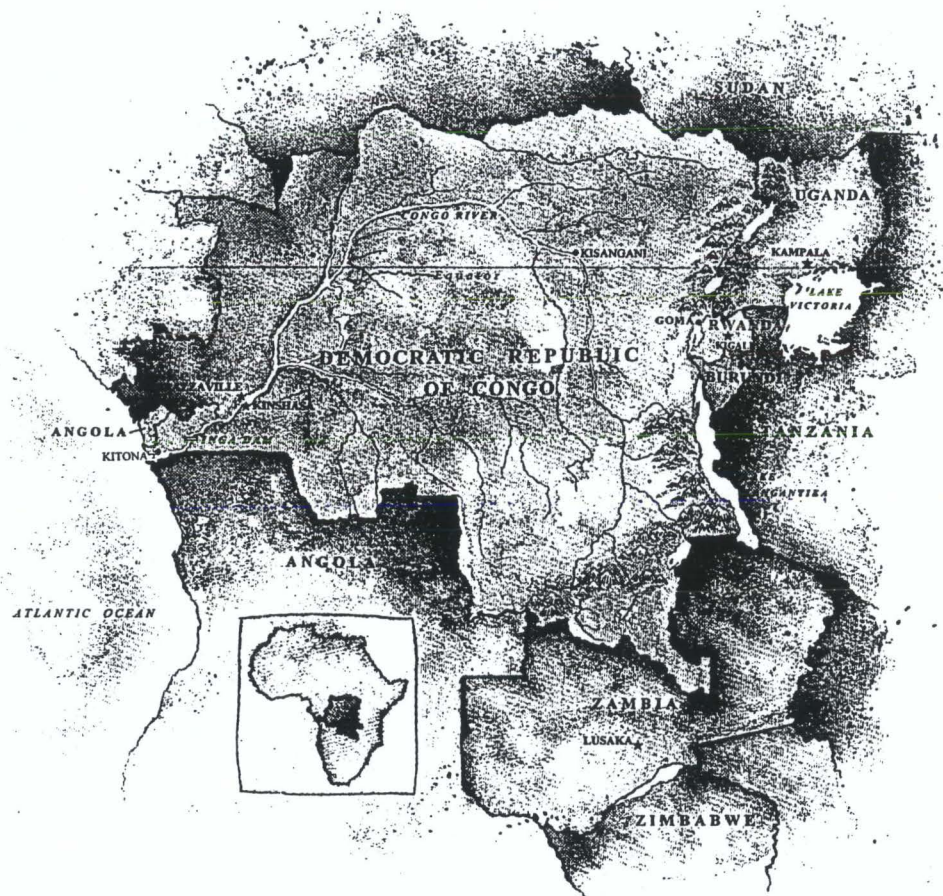
By the end of June, as the fortieth anniversary of Congolese independence from Belgian colonial rule was

marked without popular celebration, the government-sponsored newspaper, *L'Avenir*, declared that the country was "still at step one." The independent daily *Le Potentiel* was not so optimistic. "Independence," it said, "has turned out to be a nightmare."

And, of course, Congo is at war. For a little more than two years, the armies of seven African nations and more than a dozen guerrilla and rebel forces have been fighting there, in a conflict so messy, so broad, and so resistant to any comprehensive resolution that it is sometimes spoken of as Africa's First World War. In fact, the current war is largely a continuation of the last war in Congo, a renewal of the continental upheaval brought on by the aftershocks of the Rwandan genocide.

The trouble this time started less than a year after Kabila's installation, when he turned against his Rwandan patrons and allied himself with his former Rwandan enemies: the renegade army and militias of the Hutu *génocidaires* (as many as thirty thousand fighters), who had scattered throughout neighboring countries, where many were once again living in U.N. refugee camps. Even by Congolese standards of political treachery, this was an astonishing turnaround. During Ka-





*Congo has been split roughly in two, in a war involving seven nations; Kabila controls the west and his enemies occupy the east.*

bila's rebellion, these Hutu Power outlaws had served as Mobutu's most vigorous defenders; and tens of thousands of them and their civilian followers had been slaughtered as they fled the Rwandan-led anti-Mobutist alliance, in massacres for which Kabila was widely condemned by international human-rights investigators.

Frictions between Kabila's Congolese entourage and the Rwandan military officers who had been charged with forming a new national Army had escalated, by early 1998, to a state of open hostility. But, notwithstanding the enemy-of-my-enemy-is-my-friend logic that dominates central-African politics, Kabila's sudden embrace of Hutu Power baffled even his Ambassador to the United States, Faida Mitifu, who told me recently, "I don't see how our government

can associate itself with the authors of the 1994 genocide." At the very least, in repeating Mobutu's fatal error, Kabila had to recognize the magnitude of the provocation he was presenting to Rwanda. Sure enough, in late July of 1998, Rwanda withdrew its forces from Congo in an orderly fashion, only to return with a vengeance on August 2nd, launching a commando invasion and sponsoring a new Congolese rebellion, with the explicit objective of taking Kabila out.

Despite Rwanda's size, General Kagame, who became the country's President in April, has built its Army into the most formidable fighting force in central Africa, and he has done so without recourse to sophisticated weaponry. Rather, what distinguishes his commanders and soldiers is their ferocious motivation. Having single-handedly brought

the genocide to a halt, in 1994, the Rwandan Patriotic Army has continued to treat its almost ceaseless battlefield engagements as one long struggle for national survival. (The analogy that's sometimes made between Rwanda's aggressive defense policy and that of Israel—another small country with a vivid memory of genocide which has endured persistent threats of annihilation from its neighbors—is inexact but not unfounded.) During the war against Mobutu, Rwanda's soldiers astonished the world by traversing nearly a thousand miles of Congo's jungles on foot in just seven months. But when they came after Kabila the Rwandans made that look like slow motion.

The operation was led by James Kabarebe, a Rwandan colonel who, until a few weeks earlier, had been serving

MIKE REGAN



Kabila as the chief of staff of the Congolese Army. So Kabarebe knew the terrain, and on the third day of the campaign, as Rwandan troops poured over the frontier, he commandeered a Congolese transport plane in the eastern city of Goma, loaded it with soldiers, and flew twelve hundred miles to the Atlantic coast to land at a military base called Kitona, where he induced several thousand local soldiers to mutiny and join him in a sweep toward Kinshasa. Along the way, this force seized control of the Inga dam, a hydroelectric facility that powers Kinshasa, and, with the flip of a switch, the city was plunged into darkness. Less than three weeks after the invasion began, Kabarebe's men were on the outskirts of the capital, and the *Times* was reporting that the Kabila era could be over within a few days.

The dazzling tactical stuntsman of the Rwandan blitzkrieg was stimulated, in large part, by the fact that from the moment the war began the Kabila government, incapable of mounting a coherent battlefield defense, had resorted to whipping up a propaganda campaign that identified all Tutsis as enemies and instructed the Congolese citizenry to wipe them out. Never mind that Tutsis made up less than one percent of Congo's population; the language that suddenly streamed over state radio was virtually indistinguishable from the Hutu Power broadcasts that had driven the massacres in Rwanda in 1994. People were urged to take up any weapon they could find—"machetes, spears, arrows, hoes, spades, rakes, nails, truncheons, irons, barbed wire, stones, and the like"—and "kill the Rwandan Tutsis." Kabila himself spoke of this effort to extirpate the Tutsi-led rebels as a "popular war," and, sadly, for once he was right. In the first weeks of the pogrom, civilian mobs, escorted by police and soldiers, swept through Kinshasa, hunting down the city's tiny Tutsi population; dozens were murdered, and hundreds were taken hostage in military camps.

"It was an extraordinary thing," a longtime American resident of Kinshasa recalled. "Ordinary people, who wanted to defend their country against foreign aggression, just tore into anyone who was unknown to them, any out-of-towner. A guy would come along asking

how to get to the airport and someone would say, 'Ah! Why don't you know the way? I've never seen you before. Infiltrator! Rebel! And he'd be finished.' A celebratory film clip that ran on Congolese state television that August showed three men carrying a fourth man—tall and skinny, like the stereotypical Tutsi—slung between them by his arms and legs, then swinging him over the railing of a bridge, letting him go, and shooting at him as he fell. Such was the patriotic spirit that had been harbored against Kabila when he was seen as a Rwandan pawn, and that, with thuggish ingenuity, he now rallied in his support as he faced what appeared to be imminent defeat.

Kabila himself had vacated Kinshasa in the second week of the war, sparking rumors that he was preparing to flee. Those rumors stopped, however, in the last weeks of August, when Angola and Zimbabwe, unhappy with Rwanda's unilateral intervention, suddenly sent their armies into Congo to fight on Kabila's behalf. A few days later, as Colonel Kabarebe—outgunned by Kabila's new defenders, who came with tanks and aircraft—retreated from Kinshasa, Uganda deployed additional troops, joining its old ally Rwanda on the eastern front. Soon, Namibia joined the pro-government forces, as did Chad for a time, and Burundi fell in with the Rwandans and the Ugandans, while various guerilla armies from around the continent also took sides in the fray. In this way, the Pan-African alliance that had come together to put Kabila in power divided against itself, and the country, too, was soon split roughly in two, with Kabila and his defenders controlling the western half, and the forces arrayed against him occupying the east. And so Congo has remained for the past twenty-four months, a place that does not resemble a country so much as an all-purpose African battlefield.

Yet in Kinshasa, whenever I asked people how things were going, they would complain first about the economic collapse and Congo's history of abysmal government, and only then would they mention the war—as if it were more a symptom than a cause of the country's woes. "The war is instrumentalized by the regime as a pretext, an alibi, to justify all the deficits and abuses of leadership and rights, and also

the failings on the socioeconomic level," said Floribert Chebeya, the president of Congo's oldest human-rights advocacy group, the Voice of the Voiceless. "Kabila really needed the war because his relations with all his foreign allies were bad, and the people rejected him."

Modeste Mutinga, the editor of *Le Potentiel*, agreed. "The legitimacy of Kabila is based on coming to power by arms, and that legitimacy has been contradicted by the fact that those arms are now turned against us and the country is split in two," he told me, adding, "So let's solve that—restore the integrity of the national territory—and we'll deal with the problem of Kabila afterward. Because who brought the Ugandans and Rwandans in here in the first place? He did." Yet the problem remained: the war, which was a result of Kabila's weakness as a leader, had made him stronger. "The war does legitimize him a little," a writer in Kinshasa said. "So we must ask, Do these leaders really want peace?"

Efforts to end the fighting in Congo got under way almost as soon as the war began. But the realignments of forces in the combat kept outpacing the diplomatic initiatives, which also seemed to multiply uncontrollably. The conflict in Congo had become what Lewis Carroll might have called a portmanteau war—a collection of wars folded together. And, while the search for a resolution to each of these sub-wars requires that they be examined on their own terms, they are now so mixed up with one another that they cannot be resolved unless they are also treated collectively.

So it was considered a great triumph, last summer, when the heads of state of the six countries with major troop deployments still engaged on Congolese territory—Angola, Namibia, Rwanda, Uganda, Zimbabwe, and Congo itself—as well as the leaders of the main Congolese rebel factions, signed a peace accord in Lusaka, Zambia. The centerpiece of the Lusaka accord was a call for the deployment of an aggressive United Nations peacekeeping force, charged with supervising the withdrawal of foreign troops from Congolese territory, and the disarming of the Hutu Power *génocidaires* and a host of other foreign and domestic guerrilla groups operating in the country, which are collectively



referred to in the accord as "negative forces." At the same time, Lusaka mandated that the Congolese rebels and the Kabila regime should engage in a process of "national dialogue," with the aim of establishing a transitional power-sharing arrangement and, eventually, a new national government.

The appeal of the Lusaka accord was that it identified and addressed the chief causes of the Congo war broadly enough to give everyone who signed it something to be thankful for. But the accord's ambitious comprehensiveness was also its greatest weakness. As an American diplomat I met in Kinshasa put it, "Lusaka, while laudable, imagines a process to make this place a real working country, which in the best case will take centuries." In the meantime, a year after the accord went into effect, not one of its goals has been met, and the Congolese people have suffered accordingly. A comparative study of prewar and postwar mortality rates, published recently by the International Rescue Committee, found that since 1998 the Congo war has led directly (through violence) or indirectly (through displacement, and the hunger and disease that go with it) to the deaths of 1.7 million men, women, and children. The report argued persuasively that this figure was probably conservative, and that casualty

rates in areas controlled by pro-Kabila forces and in zones occupied by his enemies were essentially equal.

Yet, while all the sides in the Congo war have violated the pledges they made at Lusaka—and the U.N., for its part, has yet to send more than a skeleton crew of some two hundred military observers to the country—the Kabila government has been alone in repudiating the peace accord outright. In late August, after a year of nearly non-stop obstruction of the peace process, Kabila simply declared that the Lusaka accord was no longer valid, because it did not pay sufficient respect to Congolese sovereignty. Within two days, Kabila had reversed himself again, saying that he would welcome the deployment of a U.N. peacekeeping force, but by then even his allies no longer believed him. "There is no commitment to Lusaka from this government, and not much from the other side," an exasperated official at the U.N. peacekeeping office in Kinshasa told me. "Here they don't even pretend. They keep asking to renegotiate the deal, declaring it illegitimate, mocking it." And, the U.N. official went on, "Kabila and his people constantly stand us up for meetings. They yell at us. They orchestrate so-called popular protests against us. But there's no real unity in this country, even within the govern-

ment. One guy says one thing, the other says the opposite. Look, the U.N. mission here is inadequate, badly organized, weak, and probably not really serious itself. Anything bad you want to say about it, I could tell you worse. But even the super-best mission in the world would be stuck here with a government that is afraid of peace."

I got a taste of what the U.N. man was talking about on my last night in Kinshasa, when I met with Yerodia Abdoulaye Ndombasi, a Lacanian psychoanalyst, who lived and practiced in Paris for nearly thirty years and is now Kabila's Foreign Minister. He received me at his office in the Palace of the Nation, a vast concrete block built by Mobutu in the overbearing Fascist style of architecture favored by Romania's Ceausescu. The place sits alone in a deserted corner of the city, surrounded by a black wrought-iron fence and several acres of empty parking lots; its massive plate-glass windows are filthy and cracked, and the red carpets on its oversize staircases are in tatters.

Yerodia, a short, potbellied man, with a highly mobile range of odd expressions and a reputation as a bombastic and erratic orator, was wearing Beatle boots and a vest of his own design, with no collar and a couple of long, narrow breast pockets for holding cigars. A bodyguard carried his briefcase as he ushered me along ill-lit halls, through a padded privacy door, and into his office. There Yerodia proceeded to tell me that the war in Congo, as a war of foreign aggression and occupation, violates the Charter of the United Nations. Therefore, he said, the Lusaka accord, by recognizing the aggressors as parties to the peace process, is itself "not in accord with the U.N. Charter." As a young man, Yerodia had been a Congolese revolutionary, fighting against the U.N. in the post-independence rebellions that Che Guevara helped to organize. But now he held forth as if he were the last true champion of U.N. tradition. "Was there an aggression or not?" he shouted at me. "Were there countries that crossed the border to occupy another country? Yes or no?" Then, more calmly, he said that Congo had signed at Lusaka "because we want the war to end." And he said, "You see our good faith?"

As for Rwanda, Yerodia said, "You



know the fable of the frog who wants to become a bull?" He recited the comparative size of the two countries in square kilometres and said that Rwanda was simply gobbling up Congolese territory in a fit of expansionist gluttony. He scoffed at the notion that Rwanda had moved into Congo to defend itself against a Hutu Power threat. Fugitive *génocidaires* could also be found throughout Europe, he said, and asked, "Why don't they go occupy France, from Dunkirk to Marseilles?"

Yerodia's mean-spiritedness about the genocide didn't surprise me. During the first weeks of the war, he had been one of the most prominent government leaders to rally the masses to carry out an anti-Tutsi pogrom. At the time, he was the chief of Kabila's Cabinet, and, when he called on the people to "crush" the "vermin" and the "cockroaches," he had been clearly understood. For nearly forty years, "cockroach" has been a code word for Tutsis in Rwanda, and since the genocide its usage has spread throughout the region. (In early July of this year, a Belgian court issued an international arrest warrant against Yerodia for inciting racial hatred and genocide against Tutsis in August of 1998.) I wondered why Yerodia, as a psychoanalyst who was clearly sensitive to language, had become a cheerleader for terror.

"Because a psychoanalyst must refuse rabble," Yerodia said. "A psychoanalyst can't perform miracles. When there are rabble, one has to condemn them to be rabble, and the psychoanalyst can do nothing. And when one says 'vermin'—and I repeat again, these are vermin—a vermin is something that introduces itself insidiously into a body, or a piece of wood, or a plant, or clothes, and moves on. That's what they did." He made no apologies. "I refer you to Foucault. You'll see that, before using a word, you must look at the thing the word describes," he said, recalling how children had died in the hospitals of Kinshasa during the blackouts imposed by the Rwandans. "These things—how would you call them, you defender of human rights? Five million people here, and the spigots ran dry, because the electricity was cut. The people had to drink dirty water from the river, with all that implies." Yerodia said that his own home village had been burned down by the invaders. "I tell you these things so that

you can comprehend the weakness of this word"—vermin—"in relation to the gravity of the things it describes," he said, and added, "I'm a psychoanalyst. I know what exclusion is."

On the road to Kinshasa's Ndjili Airport, just after dawn, the crowds waiting for transport, and the roadside signboards—a raised fist clutching a sword, and the legend "To vanquish the aggressor is a sacred duty," or "Peace has a price. Peace must be won"—looked almost festive in the soft, hazy light. I knew that foreigners, and especially foreign journalists, were regularly arrested at the airport, accused of spying or money smuggling (the regime had outlawed the use of foreign currency, and my insoles were stuffed with dollars). But I was in good hands. For twenty contraband dollars, I had hired a "facilitator" to steer me through the airport. The man came highly recommended; he had been a top immigration official in the Mobutu years, and as he told me, "The system hasn't changed much."

With a wave here and a commanding nod there, my facilitator arranged for our car to zip through several security gates and deposit us directly at the door to the departure area. For a moment, before getting out, he surveyed the scene, which was one of pure chaos: domestic-flight passengers scrambling through a twenty-foot gantlet of uniformed agents from several different security services, who pushed men and groped women, reaching into their bags or knocking their luggage to the ground and examining the spilled contents. Then, just as a woman with a bursting carton of frozen chickens was slapped in the face, my facilitator said, "Follow me," and with his left fist, full of Congolese francs, extended in front of him, and the other clamped firmly around my suitcase at his side, he ducked from the car, head down but smiling ingratiatingly, and plunged straight through the one clear passage into the terminal, with me hard on his tail.

So it went: with a few banknotes shed every twenty feet, no more than five dollars in all, he spirited me through pass-

port control, check-in, and customs in fifteen minutes flat, while around me I watched sweating men and women endure hour-long shakedowns as their passports disappeared for "closer inspection" or their luggage was rifled through, sock by sock. Nobody opened my suitcase. My facilitator even made it a point of pride, despite my protests about security, not to allow my carry-on bag to pass through the X-ray machine. "It's beneath you," he said. And when we were settled in the departure lounge, sipping Cokes, he told me, "You see how it works. People aren't paid. They just want a little tip for their service, and then everything runs perfectly."

I was on my way to Rwanda, through the old colonial hub of Brussels. It was an absurdly roundabout route, but at the Congolese mission in New York I had been warned against carrying anything to Kinshasa that might associate me with the enemy: a passport with Rwandan or Ugandan stamps, an airline

ticket to those places, or maps of them, or phone lists of contacts in them, or any printed matter that mentioned them. "You will surely be arrested, and eventually deported," I was told. So I had left my Rwandan kit in Brussels, and I didn't mind ducking briefly out of Africa.

As the plane descended over Belgium, the world's nearly perfect unfairness flashed up at me through the clouds: enchanting tiled roofs, bicyclists and Lego-bright trucks whizzing along neat ribbons of macadam, trees in rows, so Euclidean, and a red-helmeted equestrian, trotting in a ring of groomed dirt.

"What war?" a longtime Rwandan acquaintance of mine said when I told him why I was back in Kigali. He waved a hand around his head loosely, in a gesture at once dismissive and all-inclusive. "This country's at peace," he said. Over the years, I had known this man to be an accurate barometer of the

prevailing attitudes of Kigali's post-genocide Tutsi establishment. He was well connected to the ruling party, the Rwandan Patriotic Front, and an admirer of General Kagame, but I remembered him as being more of a loyal critic than a booster of the government's military adventures. He was also passionate about Congo; as a young man, he had been a refugee there, and had attended university there, and when we first met, in Kigali four years ago, he was fond of saying, "My blood makes me Rwandan, but my heart's in Congo." So I was surprised to hear him say of the war, "It's not an issue here. We must have security. We want the *génocidaires*. We want every one of them, and we must do what it takes." He nodded sombrely at his nine-year-old daughter, who was skipping around in the yard, and told me, "I am thinking of her survival."

It was true that the war in Congo had brought a measure of peace to Rwanda. When I last visited the country, three years ago, Hutu Power guerrillas, who had returned from the U.N. border camps, were terrorizing both Tutsis and Hutus in large patches of the country. The killings were constant, particularly in the Hutu Power heartland, in the northwest. The Rwandan Army fought back, mounting a counterinsurgency campaign that also claimed many lives and left more than half a million civilians displaced. It wasn't until the invasion of Congo, in August of 1998, that security was restored throughout the land. From the Rwandan side of the border, then, the Congo war was seen as a classic buffer-zone conflict, and to my old acquaintance the relief it brought was all that mattered. But didn't the bloody occupation of eastern Congo carry a heavy price for Rwanda—at the very least, a loss of the moral high ground?

"So the world hates us," he said. "So to hell with them."

The sense of fatalism I had experienced in Kinshasa, where people seemed to view the war as a circumstance beyond their control, was replaced in Kigali by a spirit of militant survivalism which could seem equally depressing. "The lesson of the genocide is that either we are able to organize ourselves and look after ourselves or we perish," General Kagame's veteran aide and spokesman, Emmanuel Ndahiro, told me, adding, "The



reason we went into Congo the first time had nothing to do with Kabila, and Kabila did not solve the problems we went in to solve, so we went in again. We had no legitimacy the first time and we went in without legitimacy this time. We went just using force, and if we had had no force to use we would be destroyed."

Of course, Ndahiro acknowledged, mistakes had been made as a result of this attitude, and the biggest mistake was Kabila. "During the first Congo war, nobody here was seriously interested in the politics—in who would take over Congo. Everything was military," he said, adding that the Rwandans had realized only after the fact that Kabila had "used" them to become a new dictator. "And he just kept using us," Ndahiro said.

I had spent a lot of time in Rwanda after the genocide, and I had never heard a top Rwandan Army man complain of being outwitted by an adversary. But James Kabarebe, the Rwandan colonel who had served as Kabila's army chief before leading the commando raid on Kinshasa in August of 1998, told me the same story. "Kabila was never a puppet," he said. "I could never do anything that Kabila didn't want." On the contrary, Kabarebe said, "Kabila twisted us the way he wanted," and he added, "Kabila is an experienced con man, an intriguer, and a shrewd person. When he wants to humble himself, he will humble himself and achieve what he wants. When he wants to come out and become aggressive and dangerous, he will prepare for it and he will do so. He's a bully, and he believes in coercion."

If the Rwandans had made such a mistake in installing Kabila, I wondered how they had intended to go about replacing him if their blitzkrieg on Kinshasa wasn't repelled. Kabarebe said a primary objective of that campaign had been to rescue the endangered Congolese Tutsis there. "But what if you had taken the city?" I asked. "What was the political plan?" Kabarebe thought about this for a moment. "The political plan?" he said. "The most important thing was that Kabila would have gone."

General Kagame was equally vague about the original political objectives of the Congo war. He regretted that "the takeover of Kinshasa" had "failed narrowly," but he didn't think that meant it had been wrong to try. "If we had suc-

ceeded, it would have meant saving a lot of trouble for a lot of people—even for the Congolese. A new leadership could have been easily put in," Kagame told me, and he added, "Having learned from the experience of Kabila, the story would have been different this time."

Listening to him, I couldn't help recalling how optimistic he had been when we last met, in 1997, a few weeks after Kabila had taken power. Kagame, who is as skinny as Kabila is round, tends to speak with a dry, wraithlike directness, but on that occasion he had seemed almost jubilant, chuckling freely as he argued that armed struggle shouldn't be seen only as a cause of Africa's problems but also as a means of resolving them. "Actually, some conflicts consume less lives than bad systems and create better situations," he had said, and he told me that the success of the Pan-African alliance that had come together in Congo gave him "a great amount of satisfaction." Now the members of that alliance were at one another's throats, and it sounded as if Kagame had no idea how to get out of Congo. I wondered if he ever regretted getting in there in the first place.

No, he said. He reminded me that Rwanda had not created the trouble in Congo but had reacted to trouble that Mobutu had created by sponsoring the *génocidaires*. "We did what we ought to have done at that time," Kagame said, and added, "Today, of course, we find ourselves in a different situation, but again with a sense of great achievement as well. Look at the internal situation here in Rwanda, the very fact that there is peace." And, he said, "It doesn't matter that we are still involved in a war somewhere else. This is part of the price we have to continue paying. We are glad to do that."

I suggested that the way things were going it looked as if Rwanda might be in the Congo for at least ten more years. Kagame, who is only forty-two years

old, seemed to consider this a modest proposal. "It will be O.K. if we have to be there for very long," he said.

One evening last spring, I was discussing the Congo war with two top Rwandan Army officers on a hotel terrace in Kigali when both of their cell phones began ringing. They took the calls in Kinyarwanda, the language of the country, then exchanged a few words with each other before easing back into English. "Idiotic," one of them said. "Absurd," said the other. "Jerks," said the first. "Thugs," said the second. They spoke in sepulchral, whispery tones, which is the style among Rwandan commanders—blunt, world-weary, bleak, and vaguely bemused—but their distress was clear. They had just received word that the Ugandan Army was massing troops in the Congolese city of Kisangani. "What are they up to, our Ugandan brothers?" the first officer said, and the second said, "Mischief."

Rwanda and Uganda were once close allies. The Rwandan Patriotic Front had been founded in Uganda, in the late eighties, by Rwandan refugees who had grown up there and had learned to fight in the Army of President Yoweri Museveni. General Kagame had once served as Museveni's chief of military intelligence, and the friendship between the two men was one of the defining features of central-African political life in the past decade. It was Museveni who had introduced Kabila to Kagame in 1994, and although the Ugandan Army had little involvement in the war against Mobutu, Museveni had been Kagame's first and most important ally in that campaign.

But since Uganda joined Rwanda in the fight against Kabila, in 1998, and their armies each seized control of large swaths of eastern Congo, relations between the two countries and their leaders have steadily deteriorated. The first blatant sign of discord came early last year, after they began sponsoring competing Congolese rebel factions. But it was in Kisangani, where the two countries had attempted to run a joint occupation, that things fell apart. In August of 1999, the Rwandan and the Ugandan forces in Kisangani turned their guns on each other, in a bitter four-day battle in the city center which neither side has ever



been able to explain, except by accusing the other of pettiness, treachery, indiscipline, and of firing the first shot. Rwanda prevailed in the combat, which left as many as four hundred dead, most of them Ugandans. But it was impossible to speak meaningfully of victory in a mindless feud that had disgraced both countries—and now it looked as if they would fight again.

"These Ugandans want to get even," one of the Rwandan officers on the hotel terrace said. He reminded me that it was his Army that had captured the city from Kabila's forces, only then inviting the Ugandans to share it, and he said, "One does not just walk away quietly from such a prize." Kisangani, after all, is Congo's third-largest city, a major diamond-trading center, the commercial hub of the east, the upstream terminus of Congo River boat lines, the gateway to the capital, and—more symbolically but no less importantly—a place where Congolese history has a way of coming to its defining crises. "We can leave it only if Uganda leaves, too," the officer said, and added, "It's the biggest ego war, very stupid. So we would wish to avoid it, but if they hit us we shall hit them, and this time they can lose very badly." The other officer hummed in agreement. "It's an interesting time in Kisangani," he told me. "I'll find you a flight."

Two days later, I was ushered aboard a dubious-looking relic of the Soviet Air Force, a forty-year-old twin-prop Antonov-8 that was flown by a duly scarred and angry pair of Ukrainians, and loaded with wooden crates containing several tons of automatic-rifle ammunition and artillery rounds. Looking down, as we flew west and slightly northward out of Kigali, the intricate patchwork of Rwanda's relentlessly cultivated hills and valleys soon gave way to a solid green sea of Congolese jungle, and for the next hour and a half that was all—a canopy of towering trees, broken here and there by the dull, winding glint of a murky brown river, and occasionally by a half-mile-long stripe of red dirt, flanked by a few huts, which suggested a road and a village, or an attempt at a road and a village. But the huts looked abandoned, and the roads connected nothing to nowhere.

Kisangani materialized out of this

wilderness at what seemed like the last possible moment in the Antonov's descent. I have never been anywhere lonelier. It had the look of an important city, spread out long and wide against the great bend in the Congo River. And it had a major city's self-important sense of design and display: ambitiously broad streets lined with old trees and grand buildings with deep porches, Italianate turrets, and Art Deco curves, a century-old cathedral perched on a knoll overlooking the riverbank, an impressive port crowded with cranes and warehouses. It even had some of the carnival sass and mercantile swagger that a true city requires at its center, where block after block of massive whitewashed storefront diamond-trading parlors were brightly painted with icons of twinkling blue gems or rippling hundred-dollar bills, and business names like Oasis, Top Correction, Force Tranquille, and Jihad. And yet Kisangani did not feel like a city—more like the memory of a city.

I arrived at five on a weekday afternoon—rush hour—and it may as well have been Sunday at dawn. There were plenty of people along the roadside, walking, bicycling, carrying loads, selling and buying, standing and talking, but, still, the streets felt empty, and every-

thing appeared to be happening in slow motion. It wasn't just that the place was old—essentially undeveloped since the end of Belgian colonial rule, in 1960—or in decay: gutted university halls behind lawns of waist-high weeds; battered, cracked, and crumbling municipal buildings; bushes sprouting from the damp concrete of hotel roofs; rusting, faded signs for things that were no longer there, such as a Mobil station—a flaking red Pegasus leaping into the steamy jungle air. I've seen far more ancient cities, and cities in much deeper ruin, that thrum with life. Even in Kinshasa, one felt a constant surge of urban energy amid the presiding atmosphere of blight. Stuntedness and degeneration hardly distinguished Kisangani.

No, what made it strange was its quietness. During the course of a twenty-minute drive across the city, I saw only three other vehicles on the road, and when I stopped and the engine was cut there were no other sounds of machinery to be heard. In the middle of a major intersection, in the center of town, you could hear a quavering laugh in a distant room, the creak of a metal gate two blocks away, bare feet and bicycle tires swishing over the pavement. Here was a city of more than half a million people,

in a country at war, moving in the bright, hot hush of a ghostly enchantment, at once premodern and postapocalyptic.

"This is a dying town," a Rwandan major in Kisangani told me. The house he occupied made the point for him. It was a classic nineteen-sixties split-level, and in more promising times it had served as the British consulate. A heavy, oval-shaped enamel plaque ornamented with the lion and unicorn lay on a bar in the entryway; reproductions of equestrian and nautical paintings hung on wood-panelled walls, alongside a satin pendant from a Rotary Club in Belgium; and the stripped metal carcasses of two vintage MG sports coupés rusted in the carport. The major sat in a vintage butterfly lawn chair, surrounded by mosquitoes in the gloom of a single dim light bulb, slowly drinking a carton of milk. He had a habit of repeating his own phrases with slight variations, and after a while he said, "Yes, this again is a dying town." I wondered what he meant by "again," and he told me, "It died first under the Belgians, it died after independence, it died under Mobutu, it died under Kabila, and now we are here with the Ugandans, and it dies." After all, he said, "Our first purpose in Congo is to insure the security of Rwanda, and in that we have not failed. But we also say we've come here to mobilize the Congolese for political change, and with this we are not succeeding. Uganda explains its purposes the same way. So how do we call ourselves allies when we are fighting each other, and not organizing the Congolese?"

The Congolese I spoke with all asked similar questions: What's wrong with these foreigners? Why must they fight here? What do they want with us? Earlier in the week, rumors of impending trouble had left the city largely deserted, and although the panic had eased, everyone had stories of troops converging on the city from the surrounding bush. A priest at the cathedral told me that some of his colleagues had found the road north of Kisangani "thick with Ugandans, who made them pay a toll to continue," while Rwandans were moving in from the south. A Lebanese diamond buyer confirmed this. "No stones," he said. "We've seen almost nothing this week. People don't dare to move on the roads." On his satellite television, "Braveheart," dubbed in Arabic,



was being broadcast from Syria, and he pointed past the TV to a series of holes that ran in a ragged diagonal through the curtain that hung over his second-story window—the trail of machine-gun fire from last August's fighting. "Why repair anything when we're just waiting for the next round?" he asked.

Nobody in Kisangani doubted that a battle was in the offing. The only question was when. "Ask the Ugandans," the Rwandan major told me. But the Ugandans weren't talking. At their bases on the outskirts of the city, I was either turned away at the gate or asked to wait, then turned away. Eventually, I tracked down a Ugandan major, who was eating lunch in town. "Everything is as it seems," he told me, and when I said, "It seems like there will be a fight" he said, "That is an assumption. People assume these stories. But I don't have any details."

After each stop, my driver would say, "So? Tell me," and when I then held my hands up empty he'd say, "They're hiding something." In the repetition of this ritual, I began to understand that the uncanny quiet that hung over Kisangani was the sound of oblivion. "Aye, aye, aye," he said at one point, "we Congolese are nobody's concern," and one morning at the city's top hotel—a clammy riverside pile, called the Palm Beach, where the tap water ran green and the breakfast menu in the vast, empty restaurant was a choice of Coca-Cola or beer—the desk clerk said, "When you return to the world outside, please remember that we here are forgotten."

The provincial Vice-Governor put the problem more practically. "We're cut off," he told me. "The railroad doesn't run, the river's cut by the war, and there are no roads and no phones. The only way in or out is by airplane." And the airplanes operated without a clear schedule. When I wanted to leave, I learned that the trick was to listen for the roar overhead, then race to the airport and find out where the plane was going next. Eventually, the Antonov that had brought me in reappeared. As I waited for one of the Ukrainian pilots to run into town (to buy a pair of endangered forest-elephant tusks), the Rwandan major arrived and told me that an agreement had been reached with the Ugandans.

"We will not fight now," he said, and he was right. The fighting didn't start again until early May, when a nasty one-

day battle tore through the city. As flare-ups continued, Rwanda and Uganda agreed to withdraw their forces, to a distance of a hundred kilometres from Kisangani. The withdrawal was to be carried out in four phases, and the first three went without bloodshed. But plenty of men and guns were left behind for the final phase, when, once again, the two armies began fighting, with insane fury. The battle got under way around mid-morning on Monday, June 5th, and by Saturday evening some six thousand artillery rounds had fallen on the city. Hundreds of civilians were killed in the cross-fire, and more than a thousand were wounded. A mortar shell had wiped out the only functioning turbine in the municipal power plant, leaving the city without electricity or running water. At the main hospital, doctors without medical supplies washed their hands in buckets of murky brown river water, and watched their patients die in the dark. Food was running out. Tens of thousands of Kisanganians had fled, on foot or by dugout canoe, into the bush, but some two hundred thousand people, including thousands of lost and disoriented children, remained pinned down in the city center, where they were caught when the fighting began, cowering in hiding places, too terrified to venture out amid the spray of bullets and shrapnel to bury the fly-

blown corpses that lay putrefying in the rubble of blasted buildings and the otherwise deserted streets.

Then, on Sunday, it was over. Uganda retreated, Rwanda declared victory, each country blamed the other for firing the first shot, and both said they really would now leave the city they had laid waste, and Kisangani lapsed back into silence.

Oh, Congo. What a wreck. It hurts to look and listen, and it hurts to turn away.

When V. S. Naipaul set his novel "A Bend in the River" in Kisangani, he opened it with the sentence "The world is what it is; men who are nothing, who allow themselves to become nothing, have no place in it." But what if a country of nearly fifty million men, women, and children becomes nothing? What is its place in the world?

After the fighting in Kisangani, in June, Kofi Annan, the Secretary-General of the U.N., demanded that Rwanda and Uganda withdraw "promptly" from Congo, and he threatened to use force against them if they didn't. But the threat was meaningless. What force? This February, half a year after the Lusaka accord called for an aggressive U.N. peacekeeping mission in Congo, the Security Council decided that it would suffice for a team of five hundred military ob-



servers, backed by five thousand military and civilian personnel, to be sent in with a mandate that allows them to use force only if attacked. That force is half the size of the misbegotten U.N. mission to Sierra Leone, for a country thirty-three times larger, and for a war with at least five times as many parties.

In recent weeks, Kabila has mounted a series of new offensives, apparently taking encouragement from the disarray of the Rwandan-Ugandan alliance as grounds for imagining that he might win the war on the battlefield. As usual, he is alone in his belief, but his conspicuous absence from the gathering of world leaders at this month's U.N. Millennium Summit in New York insured that no meaningful discussions could be held there about peace in Congo. And so far the U.N. has failed to muster, much less to deploy, more than a tiny fraction of its proposed feeble force.

"The world is not serious," Kagame's adviser Emmanuel Ndaïro said. "The world doesn't care." And on this point, at least, the Rwandans and the Ugandans (who have, for the moment, withdrawn from Kisangani and reaffirmed their alliance) were agreed. "Except for those who are fighting in Congo, nobody is paying attention," Colonel Kahinda Otafire, an adviser to Uganda's President Museveni, told me. "Nobody even tries to understand. The world has abandoned Congo entirely."

But what would it really mean for the "world" to get serious about Congo? A massive invasion? A Marshall Plan? Such international seriousness about a vast tract of African jungle teeming with "negative forces" is nearly inconceivable. Last year, shortly after NATO's jets forced Serbian forces to withdraw from Kosovo, I listened to a triumphant Clinton adviser claim that, for the first time ever, the great Western powers had waged a war that was not about their narrowly defined political, economic, or military interests but simply "about humanity." When I asked him whether Africans, who suffer the abuses of ruthless leaders on a scale that consistently dwarfs even the horrors witnessed in Kosovo, also belonged to the White House's definition of humanity, he thought about it for a moment and said, "It's a good question."

There is no reason to imagine that

the next American President will adopt a different attitude toward African conflicts. What's more, it is doubtful that the Africans who feel abandoned in their current struggles would really welcome more vigorous international military attention. Considering the debilitating legacy of outside meddling in the continent's political affairs, why should they have any hope of better treatment in the future? That's not what the world is. And by their presence in Congo the Africans who are mixing it up there show that they know it.

In Kinshasa one day, I wrote the word "Optimists" atop a clean page in my notebook, with the idea of recording the most upbeat remarks people made to me about life in Congo, and what I came up with was this:

A *métis*—mixed blood, half European/half Rwandan—businessman said, "One good thing the Congolese have learned through their suffering is to live without a functioning government. They can keep on going like this forever."

A Muslim Indian dry-goods trader said, "If you want to cure an atheist of his disbelief, just put him here, and let him see the miracle—that life goes on, in spite of everything."

An American expatriate said, "You have to recognize that the Congolese are people who have not only survived but in many cases actually thrived under conditions of extreme difficulty and hardship. The human resources of this country are simply staggering."

Another American said, "Forget about politics for a minute. If you want to see what the Congolese do right, you've got to see how they party."

I'm sure I heard other encouraging things in Congo, but after a while I forgot about my "Optimists" page, and when I came across it again the other day I was struck by two things: none of the speakers were Congolese, and their remarks were all essentially the same—cheerful tributes to the ingenuity and pluck with which the forsaken folk around them got on with their meagre lives. I couldn't help feeling that these remarks reflected a self-protective urge not to recognize desperation too starkly. What choice do people have but to survive as best they can?

"The Congolese have been so humiliated so many times. It's terrible to think about," one of Kagame's deputies said to me with an odd mixture of sympathy and disdain. "So much humiliation. It's like they expect it and know nothing else." Uganda's Colonel Otafire put the

problem a bit more gently: "If someone has never had a refrigerator, he doesn't know that a refrigerator exists, and he doesn't know that a refrigerator is useful, and so he can't miss it. The Congolese people have never had a good government, so it doesn't occur to them to fight for one."

But the great majority of the Congolese I met with, in all walks of life, did not want to fight. They spoke of politics and the war in the way that the myths of antiquity describe how the feuding of the Greek gods buffeted and battered great swaths of humanity—as something awfully like destiny. Time and again, the Congolese told me, as a point of pride, that they were a people of great patience. All they wanted, they said, was to be left alone to get on with their lives.

One night in Kinshasa, the American optimist who told me that I should see how the Congolese party took me to meet some friends of his in La Cité, a district famous for its night life, and as the source of much of the best of Congo's irresistibly danceable music. Mobbed streets were lined with open-air bars, each blasting its own ferociously juking melodies, and we settled in at one to a feast of beer and superbly grilled

goat meat, sitting around a table that commanded a fine view of the passing parade: a ceaseless stream of elegant men and women, ambling through the dusty haze, with ragged street children darting playfully among them, and peddlers hawking everything from peanuts and cigarettes to plastic handbags and nylon-lace napkins.

As the music got louder, and the other drinkers around us rose from their chairs into a dancing throng, a clown suddenly appeared at the curb in front of us. He was a gaunt, white-haired man, wearing a silly little porkpie hat, enormous plastic spectacles, a bright-orange shirt, baggy pants cinched high over his hips by a belt with a huge silver buckle, and overlarge shoes that made his bony ankles look almost too thin to support him. At first, he just stood there, looking shabby and sorrowful. Then, when he sensed that his peculiarity was being noticed by a few of us around the tables of

the bar, he began to shuffle his feet to the music, then to gyrate his hips wildly. As he danced, his audience grew, because despite his ludicrous getup and deliberately gawky movements it was clear that he was a man of extraordinary physical and comic grace, and that he had come to entertain us. He ducked, and he spun, and he kicked up his heels, and he took off in high leaps, touching down with a fluttering ease to spin and wriggle some more. Then he stopped, unzipped his fly, and, reaching through it deep into his trouser leg, extracted a necktie, and made a great show of cleaning his giant spectacles with it, before tucking and zipping it tightly away again.

The crowd loved the clown. People clustered around him, dancing, with their hands raised high above their heads, as if they were bearing witness in a charismatic gospel church. He never said a word, but his pantomime was eloquent, and when he approached a table, and helped himself, with a little bow and a nod, to a man's bottle of beer and his lighted cigarette, others eagerly thrust their beers and cigarettes at him. But the clown wasn't interested. Even when a fight broke out in the street behind him, he paid no attention. He was dancing again—now with the beer bottle balanced on his head—whirling and undulating, and playing with his cigarette, smoking it from one nostril, then the other, even tucking it into his ear for a while. Finally, turning away from us and hiking his pants up, he clenched the cigarette between his scrawny buttocks and flexed them in such a way that he appeared to be blowing smoke out of his ass.

"Fantastic," one of the Congolese at my table said. "This man is the true spirit of this place." He got out a wad of Congolese francs, and when, at last, the clown stopped dancing and came over to collect the money, I, too, reached for my pocket. But the clown held out his hands to stop me. He bowed and smiled wanly, still without a word, and then suddenly he spoke. His voice was high and nasal, his words came quickly, and for a puzzled moment I imagined he was speaking Italian. But it was French, and what he said was "When you go back where you come from, will you take me in your suitcase?" ♦





SECRET

**ADF-KABILA LINKS-REVELATIONS BY COMMANDER ISSA  
TWATERA EMBUNDU FORMER COMMANDING OFFICER OF  
ADF**

The subject can recall the following facts about DRC (Kabila government) support to the ADF rebellion. He states as follows:

1. At first there was a joint operation between UPDF and FAC to rout ADF out of Buhira in 1997. The joint forces landed into an ADF ambush in Kamunyu (4 kms away from ADF bases) which killed 02 FAC senior officers and one UPDF Major who was airlifted from Buswanga. Many other Congolese soldiers died in this fighting. This "defeat" according to the subject is what led FAC forces to co-operate with ADF for fear of being ambushed. They sent an emissary called Fatuma (beer seller in Busange) to tell ADF that they were ready to co-operate with them and provide logistics. ADF was thus had to stop hostilities against FAC (Kabila's army).
2. The subject who was then CO mountains of the moon (1 Bn) received the above message and sent it to his Bde comd called Onecho who encouraged him to continue strengthening the relationship. A meeting with 03 FAC comds followed. The chef (local leader) of Masambu arranged for the meeting to take place. The three comds expressed disappointment with Museveni's government and pledged support to ADF. After this meeting they reported to Col Ibamba of FAC in Bunia who took the message to President Kabila (RIP) who agreed to support to ADF:
  - a. The government of Congo then started by supplying ammo:
    - (1) 15 boxes of 7.62mm were supplied to FAC detach at Rugetsi. They planed a fake ADF attack on the detach in order for ADF to collect this ammo.
    - (2) 08 boxes of 7.62mm were supplied through Njiji FAC detach also through a fake attack by ADF on the camp.

1  
SECRET



**SECRET**

- (3) In September 1997, FAC started supplying arms and ammo in big quantities, equipment were airlifted from Sudan to Kisangani, but UPDF captured Kisangani before ADF could pick the arms. Kabila then arranged for more weapons and sent for ADF to collect them. A team of 5 people led by Moses was sent to Kinshasha to negotiate with Kabila through Khartoum. This was followed by two air droppings of arms and ammo in Rwenzori ADF bases.
- b. This was followed by a pledge from Kabila to provide troops who would fight along side ADF. At first a senior Mai Mai comd with 25 troops were received by the subject at Kiribata detach in Bundibugyo. The troops were integrated into ADF. The subject does not have more details because he had left DRC territory to operate inside Uganda.
- c. The subject also recalls that two satellite phones were supplied by Kabila and most of the communication with ADF was done on these phones.

**d. Collaborators:**

**(1) Kassim Mulumba (Now detained in Kigo)**

He used to go and meet Kabila after which he would report back to ADF Hqs.

**(2) Moses**

He operated as a liaison agent between Kabila and Jamir Mukulu in Nairobi.

**(3) Mark**

Operated as a liaison agent between ADF and DRC, Zimbabwe, Angola and Sudan governments after which he would report back to Jamir Mukulu.

SECRET

**(4) DRC Army Officers**

Their work was to deliver arms and ammunitions. They include:

- (a) Col Ibamba
- (b) Lt Col Mayara
- (c) Capt Kasereka
- (d) Capt Pangole

(5) **Dr Ngerese** - based in Lhume, his work was to treat ADF casualties.

(6) **Fatuma** - already mentioned above she was a liaison agent between Kabila and ADF. However, she was later killed by ADF on suspicion that she was leaking secrets to UPDF.

**(7) Bihande (Current LC V Chairman Kasese)**

He is known to Yusuf Kabanda, who would send him to negotiate with Kabila on his behalf. This he would do under the cover of being a government official.

**Note:** *The subject was in ADF for over ten years and served in the following capacities:*

- CO 1 Bn – mountains of the moon.
- Overall comd 3 Bdes -
  - 113 Bde
  - 107 Bde
  - 11 Bde
- He defected to UPDF in Oct 2000.

United Nations

S/RES/1323 (2000)

**Security Council**Distr.: General  
13 October 2000

---

**Resolution 1323 (2000)****Adopted by the Security Council at its 4207th meeting,  
on 13 October 2000***The Security Council,*

*Recalling* its resolutions 1291 (2000) of 24 February 2000, 1304 (2000) of 16 June 2000 and 1316 (2000) of 23 August 2000, the statement adopted by its Summit meeting of 7 September 2000 (S/PRST/2000/28), and all previous resolutions and statements of its President relating to the situation in the Democratic Republic of the Congo,

*Reaffirming* the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and all States of the region,

*Deploring* the continuation of hostilities in the Democratic Republic of the Congo, the lack of cooperation with the United Nations, and the lack of progress on the national dialogue,

*Taking note* of the report of the Secretary-General of 21 September 2000 (S/2000/888) and its recommendations, as well as the observations contained in paragraphs 82 and 85,

*Reaffirming* its readiness to assist in the peace process, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), in accordance with resolution 1291 (2000),

*Expressing* its deep concern at the dire consequences of the conflict for the humanitarian and human rights situations, as well as at reports of the illegal exploitation of the natural resources of the Democratic Republic of the Congo,

1. *Decides* to extend the mandate of MONUC until 15 December 2000;
  2. *Decides* to remain actively seized of the matter.
-





# Sudan

## INTRODUCTION

- AFRICA
- AMERICAS
- ASIA
- EUROPE AND CENTRAL ASIA
- MIDDLE EAST AND NORTH AFRICA
- SPECIAL ISSUES AND CAMPAIGNS
- UNITED STATES
- ARMS
- CHILDREN'S RIGHTS
- WOMEN'S HUMAN RIGHTS
- APPENDIX

## Human Rights Developments

### Defending Human Rights

### The Role of the International Community

## Human Rights Developments

The government of Sudan remained a gross human rights abuser, while rebel groups committed their share of violations. In the seemingly endless seventeen-year civil war, the government stepped up its brutal expulsions of southern villagers from the oil production areas and trumpeted its resolve to use the oil income for more weapons. Under the leadership of President (Lt. Gen.) Omar El Bashir, the government intensified its bombing of civilian targets in the war, denied relief food to needy civilians, and abused children's rights, particularly through its military and logistical support for the Ugandan rebel Lord's Resistance Army (LRA), which held an estimated 6,000 Ugandan children captive on government-controlled Sudanese territory. As for the Sudan People's Liberation Movement/Army (SPLM/A), the principal armed movement of the south and of all Sudan, its forces continued to loot food (including relief provisions) from the population, sometimes with civilian casualties, recruit child soldiers, and commit rape. On both sides, impunity was the rule.

Sudan's human rights record of gross abuses was one factor in the General Assembly vote in October that denied a Security Council to Sudan, nominated by the Organization of African Unity, and instead granted the African seat to Mauritius.

In Khartoum and other government-controlled areas, the Islamist government's repression of political opponents continued. While some openings in civil liberties occurred, and one major opposition party, the Umma Party, returned from exile, these openings did not appear to be uniformly applied. The Umma Party sought more human rights guarantees before it would participate in presidential and legislative elections that the government announced for December 2000.

The government's outreach to exiles appeared to grow out of

## World Report 2000

### Current Events

### News Archive

## COUNTRIES

Angola  
Burundi  
Democratic Republic of Congo  
Federal Republic of Ethiopia  
Kenya  
Liberia  
Mozambique  
Nigeria  
Rwanda  
Sierra Leone  
South Africa  
Sudan  
Zambia

## CAMPAIGNS

the internal power struggle within the ruling Islamist party, the National Congress (previously the National Islamic Front or NIF), which the president controlled. Expulsion of the Hassan al Turabi faction led him to create a new political party, the Popular National Congress (PNC), which felt the heat of arrests and injuries in anti-government demonstrations.

Negotiations to end the war appeared fruitless, whatever the forum or venue. The parties remained stalled on the issues of the relation of religion to the state and self-determination. Sudan's Arab and African, Muslim and non-Muslim population is spread between nineteen major ethnic groups and 597 subgroups speaking Arabic and more than 115 indigenous languages.

#### **Government Abuses**

Torture and impunity remained a government policy. Security forces continued a campaign of harassment, intimidation, and persecution targeting political opponents and human rights defenders by means of arbitrary searches and arrests, followed by incommunicado and protracted arbitrary detention without judicial review. Security used "non-detention" as a ploy as in prior years: it ordered individuals to report to security headquarters early in the morning and sit there all day, doing nothing. They were released at night but ordered to return the next day.

Two Catholic priests and more than eighteen other defendants who had been tortured to confess to charges of sabotage and conspiracy in 1998 were pardoned in January 2000. Their credible allegations of torture were not investigated. Islamic student militias operating under the protection of the security forces abducted and tortured a number of student activists. Security agents enjoyed de jure and de facto immunity from prosecution. Despite formal complaints by families of torture victims and the U.N. special rapporteur for Sudan, the government did not seriously investigate any cases. A doctor at Atbara hospital demanded an investigation into the torture he suffered at security's hands, but government officials disavowed responsibility, downplaying torture as a personal act committed by security agents whom the state cannot control.

Some sixty or more PNC members were arrested by security and blamed for fomenting a series of September demonstrations where deaths and destruction of public property occurred, as in western Fashir, where one woman

student was killed and fourteen injured (as were five police) in a street protest against utility shortages and nonpayment of teachers' salaries.

Press-gang military recruitment of young men and underage boys from buses and public places continued. Demonstrators in Khartoum and other cities participated in anti-conscription protests that damaged government property and banks. Authorities responded with what appeared to be excessive force, killing several students and unemployed.

Conditions in Omdurman Women's Prison remained shocking: chronic overcrowding, lack of sanitation, diseases, and death from epidemics among children who lived with their mothers. The government annually pardoned women, temporarily easing overcrowding before bringing in the next batch of prisoners; in 2000, the government pardoned more than 700 women. These included more than 500 mostly poverty-stricken, illiterate southerners convicted of brewing and selling alcohol to help their families survive.

Public Order Police frequently harassed women and monitored women's dress according to the government's stereotype of Islamic correctness. Public Order Courts remained the state's primary weapon against women striving for freedom and equality; women received summary justice in these courts, often followed immediately by flogging, without effective right to appeal.

In September 2000, the governor of Khartoum State decreed that women would be banned from some public service jobs such as gas station attendant and restaurant and hotel employee. Security forces tear-gassed and beat women demonstrating against the decree, arresting twenty-six of them for trial by Public Order Courts. Even the government-created unions protested and the court suspended the decree in September pending a judicial hearing.

The nongovernmental press exercised more freedom despite arrests of journalists. In March 2000, security authorities held five journalists and a poet for questioning over articles deemed "anti-government" and critical of the armed forces. In August, security forces arrested two journalists from private newspapers, both of which had been shut down several times in 1999 for accusing the government of corruption.

In an encouraging development, in July the government issued exit visas to some political party leaders, advocates,



and activists to attend a convention in Kampala, Uganda, also attended by NDA and civil society members, on the future of Sudan and human rights in transition. Representatives of the Masaalit in western Sudan denounced new attacks on their people, and on the Dagu, Fur, and Zaghawa, by Arab militias armed, supported, and given immunity from prosecution for their acts by the government. In July, reported massacres of these Africans by Arab militias claimed nineteen, sixteen, and five victims in different incidents.

The government pursued its policy of harassment of Christian churches and believers. Apostasy, or conversion by Muslims to another faith, remained a capital crime. The accelerated top-level discourse of jihad to encourage enlistment for the war against the infidels in central, east and southern Sudan sustained a climate of intolerance.

About twenty security officers stormed and searched the Catholic Comboni College compound in July 2000. In early July, a Mexican clerical student was detained and suffered abuse at the hands of security. The Khartoum state government continued to destroy Christian structures such as chapels, schools, and clinics that served the southern population in the city's vast slums. Two of the four million Khartoum residents were people displaced from other parts of the country, most of whom struggled to survive in the informal economy.

### **War-Related Abuses**

#### ***Government of Sudan***

Fighting spread further into the southern area of Western Upper Nile, inhabited mainly by the African Nuer. The government continued its campaign of creating a cordon sanitaire around new oil fields by forcibly displacing the Nuer population. In addition to aerial bombardment and scorched-earth attacks by government troops, the government armed Nuer proxies to fight against anti-government Nuer. The government routinely banned U.N. relief aircraft from Western Upper Nile on security grounds, although its military campaigns produced tens of thousands of freshly displaced civilians, who were burned and looted out of their homes by pro-government Nuer militia and the government army.

The government's 1997 Khartoum Peace Agreement with former rebel forces, headed by Nuer ex-rebel leader Riek

Machar, unraveled when Machar, claiming the government had materially breached the agreement, resigned in January 2000 from the government and returned to the bush. He formed a new rebel group. Many Nuer commanders, without Machar's presence, had reached a degree of unity at a conference at Waat, Upper Nile, where on November 4, 1999, they announced they were fighting against the government. That ended in July, when Machar's new rebel group fought in the oil fields against the Nuer troops of Peter Gatdet, who was by then allied with the SPLA. Machar's troops had apparently accepted government arms again.

The warlord syndrome, where human rights were rarely recognized by the local toughs, spread in Upper Nile wherever local commanders could secure direct government funding and arms, serving as government militias.

The Mine Ban Treaty, signed by Sudan in 1997, remained unratified and the government did not destroy antipersonnel landmines as required. It continued to use landmines in some areas, such as the eastern front. The government refused the International Committee of the Red Cross (ICRC) access to those detained in connection with the conflict; failure to acknowledge holding rebel soldiers prisoner pointed to a continuing government policy of secret summary executions.

The government announced that its new oil revenue, constituting 20 percent of its 2000 revenue, would be used for defense, including an arms factory near Khartoum. Defense spending in dollars increased 96 percent from 1998 to 2000. Not coincidentally, government use of air power and bombing increased.

When SPLA violations of the cease-fire in Bahr El Ghazal temporarily halted the movement of the government's military train, the government counterattacked by bombing not only the cease-fire area, but also the rest of the south, the Nuba Mountains, and the eastern front. In July, 250 bombs hit civilians and their infrastructure in the attacks, which set a new high, according to conservative calculations based on U.N. relief reports. In August, government forces stepped up targeting of relief, health, and school facilities, apparently aiming to deter or shut down the U.N.-led humanitarian operation in the south, Operation Lifeline Sudan (OLS). And despite promises to stop the bombing in September, more government bombs in October hit Catholic church facilities in different locations in Equatoria.

The government bombed a school in the Nuba Mountains in February, killing fourteen, mostly children and one teacher. Although the government gave permission for U.N. needs assessments in the rebel areas of the Nuba Mountains in 1999, only two were completed before the government put a halt to the activities, in the middle of a vaccination campaign.

The government also armed tribal militias of the Arabized Baggara tribes (the murahleen of Western Sudan) for use as proxy fighting forces against the Dinka civilian base of the SPLA in Bahr El Ghazal. Although slave-taking became their trademark, the murahleen conducted few successful slave raids in 2000 because the SPLA deployed forces in northern Bahr El Ghazal and armed the Dinka boys guarding the cattle camps. Even so, the government continued to use the murahleen to guard the military train to Wau, from which they attacked villages and looted cattle and food.

Meanwhile, those captured in prior years remained in slavery-like conditions, forced to work hard for no pay: physical punishment and verbal and sexual abuse were common. The numbers of those still in captivity were estimated by different groups to be from 5,000 up. The government denied all slavery allegations, but in May 1999 set up the Committee for the Eradication of the Abduction of Women and Children (CEAWC) to address abduction and forced labor. Its members included James Agware, a Dinka nongovernmental activist experienced in locating and retrieving Dinka children from slavery. Although the committee retrieved slaves from their owners through local political/tribal intervention, its work was marred by the detention of Agware himself several times by local authorities. The government's deliberate decision to not record the identity of the abductors or forced labor owners, let alone prosecute anyone involved, was a serious setback in the fight against abuse of women and children. All the while, Western anti-slavery groups continued to redeem slaves by the thousands, notwithstanding UNICEF's denunciation of the buying of human beings for any purpose.

At an international conference on war-affected children in Canada in September, the Sudanese government was condemned in strong language by the former UNICEF Deputy Director Stephen Lewis, who claimed the government routinely lied to and manipulated the donors. He denounced Sudan's broken promises to facilitate the



release of some 6,000 Ugandan children held in LRA camps inside Sudan. His remarks received a standing ovation. Sudan and Uganda agreed in October that the LRA would be disarmed and its camps moved 1,000 kilometers from the Ugandan border, and that the abducted Ugandan children would be returned. Uganda agreed to halt support for the SPLA.

### ***SPLA and Other Rebel Groups***

Despite church peacemaking efforts between the Didinga of Chukudum in Eastern Equatoria, and the Bor Dinka who dominated the SPLA garrison in Chukudum, hostilities continued. Sometime after the August 1999 cease-fire, the SPLA assigned commanders of local origin to the garrison, but the local population remained reluctant to return to their homes and fields because of the landmines that the SPLA promised to remove but did not.

Even though SPLA leaders promised to stop their troops' looting, the confiscation of relief food from civilians by SPLA soldiers and officers continued. In March 2000, an SPLA commander in Bahr El Ghazal took the entire contents of a relief warehouse, valued at \$500,000, according to an investigation carried out by the SPLA's relief arm and international relief agencies. Several looting incidents, at or after relief food distributions, occurred in Eastern Equatoria. When angry civilians on one occasion tried to prevent the SPLA from taking the food, the soldiers fired into the crowd, killing several.

In 2000, negotiations on a memorandum of understanding (MoU) between the SPLA's Sudan Relief and Rehabilitation Association (SRRA) and the nongovernmental organizations (NGOs) operating in SPLA territory-in which the SPLA sought to impose new demands and operating conditions on relief organizations-foundered. Some eleven of forty NGOs operating in SPLA territory refused to sign for fear of compromising their neutrality and safety. They had to withdraw from that territory by the SPLA deadline of March 1, 2000. The SRRA's executive director claimed he did not care if 50,000 or 100,000 southerners died as a result of the NGO pullout. In later months, several nonsignatories signed the MoU or restarted operations in SPLA territory. Some NGOs did not return. Meanwhile the E.U. withheld funding from NGOs who signed the MoU.

Visitors to rebel areas continued to see armed youth who looked younger than eighteen. Cooperation with UNICEF's

program for demobilization of child soldiers was uneven. One SPLA commander remobilized several hundred boys when UNICEF failed to provide promised school books and other supplies for the boys. On the eastern front, visitors received credible complaints from military and civilian victims that the Sudan Alliance Forces (SAF), an NDA member, committed abuses against its soldiers accused of spying or defecting to another rebel group, including summary executions, torture, and detention of prisoners in a pit in the ground. The allegations were denied by the SAF.

[BACK TO TOP](#)  
Copyright © 2001  
Human Rights Watch



# Sudan

- INTRODUCTION
- AFRICA
- AMERICAS
- ASIA
- EUROPE AND CENTRAL ASIA
- MIDDLE EAST AND NORTH AFRICA
- SPECIAL ISSUES AND CAMPAIGNS
- UNITED STATES
- ARMS
- CHILDREN'S RIGHTS
- WOMEN'S HUMAN RIGHTS
- APPENDIX

## Human Rights Developments

- Defending Human Rights
- The Role of the International Community

### Defending Human Rights

While one organization, the National Alliance for the Restoration of Democracy, continued in outspoken defense of political detainees and others, no other independent human rights organization existed in government-controlled areas until a small group, operating with a commercial rather than nonprofit license, started up low profile in mid-2000. Independent attorneys defended those tried for sabotage, conspiracy, and related charges but the judicial system remained useless for security cases. Churches attempted to defend their parishioners' rights, and the Dinka committee retrieving enslaved Dinka children continued its work, under government CEAWC sponsorship. Women's groups, usually considered less threatening, were organized on a small scale and made their voices heard when the Khartoum governor attempted to ban some women's work.

Human rights monitors operated in the SPLA areas of the Nuba Mountains, but there were no human rights organizations in southern rebel-held areas. The Nairobi-based South Sudan Law Society and women's organizations such as Sudanese Women's Association in Nairobi (SWAN) raised human rights issues in various forums. The Sudan Human Rights Association, based in Kampala, monitored conditions at Sudanese refugee camps in Kenya and Uganda. The New Sudan Council of Churches in Nairobi (encompassing churches working in rebel areas of Sudan) conducted one other peace and reconciliation meeting, but was slow to reinforce the Wunlit agreement of 1999.

## World Report 2000

### Current Events

### News Archive

### COUNTRIES

[Angola](#)  
[Burundi](#)  
[Democratic Republic of Congo](#)  
[Federal Republic of Ethiopia](#)  
[Kenya](#)  
[Liberia](#)  
[Mozambique](#)  
[Nigeria](#)  
[Rwanda](#)  
[Sierra Leone](#)  
[South Africa](#)  
[Sudan](#)  
[Zambia](#)

### CAMPAIGNS

### BACK TO TOP

Copyright © 2001  
 Human Rights Watch





# Sudan

[INTRODUCTION](#)  
[AFRICA](#)  
[AMERICAS](#)  
[ASIA](#)  
[EUROPE AND CENTRAL ASIA](#)  
[MIDDLE EAST AND NORTH AFRICA](#)  
[SPECIAL ISSUES AND CAMPAIGNS](#)  
[UNITED STATES](#)  
[ARMS](#)  
[CHILDREN'S RIGHTS](#)  
[WOMEN'S HUMAN RIGHTS](#)  
[APPENDIX](#)

## Human Rights Developments

### Defending Human Rights

#### • The Role of the International Community

## The Role of the International Community

### United Nations

The U.N. continued its massive emergency assistance program for Sudan under the umbrella of Operation Lifeline Sudan. Several organizations withdrew from OLS in protest of its failure to take a lead in negotiating access on their behalf with the SPLA in the MoU controversy among other things. OLS remained severely underfunded due to donor fatigue. Several U.N. agencies on occasion protested in press statements or quietly the government's denial of humanitarian access and government bombing of relief and other civilian facilities.

In April 2000, the U.N. Commission on Human Rights expressed concern about human rights violations in Sudan by the government and SPLA. It renewed the mandate of the special rapporteur on human rights in Sudan. In October, the General Assembly voted against Sudanese membership on the Security Council and for the membership of an African country with a more credible human rights record, Mauritius.

European Union members continued to urge that greater engagement and a less confrontational approach on human rights would lead to improvements. E.U. countries rushed to do business in the petroleum sector, despite government of Sudan statements that oil development would be put to military use.

But in July, the European Parliament issued a declaration condemning the LRA and the government of Sudan for sponsoring it, and in August the E.U. Presidency issued a declaration expressing deep concern about the government bombing of civilian targets in the south. The ACP-E.U. Parliament also issued a resolution condemning Sudan and the SPLA for human rights violations.

## World Report 2000

### Current Events

### News Archive

## COUNTRIES

[Angola](#)  
[Burundi](#)  
[Democratic Republic of Congo](#)  
[Federal Republic of Ethiopia](#)  
[Kenya](#)  
[Liberia](#)  
[Mozambique](#)  
[Nigeria](#)  
[Rwanda](#)  
[Sierra Leone](#)  
[South Africa](#)  
[Sudan](#)  
[Zambia](#)

## CAMPAIGNS

### **United Kingdom**

The United Kingdom continued to monitor human rights and raise human rights issues with the government. Domestically, it denied many Sudanese applicants political asylum and issued a visa application form for Sudanese that sought to curb their right to apply for political asylum once they reached the U.K. That form was withdrawn with an apology after being widely denounced. The U.K.'s international commerce agency touted Sudan as a country suitable for investment until the Foreign Office, under pressure, reminded the agency of Sudan's human rights problems.

### **United States**

The United States government's policy of isolating the Sudan government diplomatically proved unworkable. The U.S. worked successfully for months, however, on a unilateral campaign to deny Sudan a seat on the U.N. Security Council.

Congressional conservatives sponsored one-year legislation that permitted the president, at his discretion, to provide food aid to the military members of the NDA, of which the SPLA constituted the largest force. In February 2000, President Clinton declined to authorize food aid to the NDA.

Harry Johnston was appointed U.S. Special Envoy for Sudan in 1998 with a mandate to focus on three areas: human rights, humanitarian issues, and peace negotiations. One of the benchmarks the U.S. administration proposed to the Khartoum government for improving relations was that it call a halt to bombing civilians. While Johnston was still in Khartoum with this message, the government bombed a hospital in the south sponsored by a U.S. nonprofit religious group.

A 1997 executive order imposing stiff sanctions on all financial transactions between U.S. and Sudanese persons and entities remained in effect. The State Department's annual human rights report accused both government and opposition forces of human rights abuses.

A divestment campaign against Talisman Energy Inc., a Canadian company engaged in production and development of oil in Western Upper Nile, was endorsed by Secretary of State Madeleine Albright. The U.S. government balked at another tactic, denial of the use of U.S. capital markets to Sudan and its business partners.

#### **Canada**

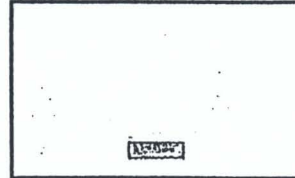
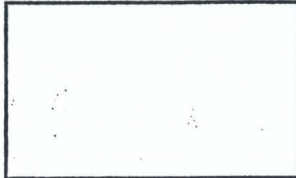
Canadian church groups and NGOs waged a struggle to force the government to impose sanctions on all Canadian companies doing business with Sudan. Canada's Foreign Minister, Lloyd Axworthy, announced in October 1999 that he would send a human rights team to investigate whether oil development, and specifically Talisman Energy Inc., had caused an increase in human rights abuses and exacerbated the conflict. If so, he threatened, the Canadian government would consider imposing sanctions on its companies operating in Sudan. In February 2000, the human rights team headed by John Harker responded affirmatively to both questions after visiting north and south Sudan and Canadian operations there. Sanctions, however, were never imposed.



JMC/MONUC RESTRICTED

UNITED NATIONS MISSION IN THE DEMOCRATIC REPUBLIC OF CONGO

ORGANIZATION OF AFRICAN UNITY



MISSION DE L'ORGANISATION DES NATIONS UNIES AU CONGO

ORGANISATION DE L'UNITÉ AFRICAINE



LUSAKA

NGZ 020600  
124  
1  
PN  
Version approved by JMC  
18th November, 2000  
1

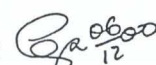





JMC/MONUC RESTRICTED

SUB - PLANS FOR DISENGAGEMENT AND REDEPLOYMENT (DR) OF FORCES IN  
ACCORDANCE WITH THE DR PLAN SIGNED AT KAMPALA ON 8 APRIL 00

References :

- A. Disengagement and Redeployment (DR) Plan signed at Kampala on 8 April 00.
  - B. Declaration by the Parties positions of their Forces in DRC as on 5 April, preferred New Defensive Positions (NDP) and other MILINFO as required by Kampala DR Plan.
  - C. Rwanda plan for disengagement dated on 28 August 00.(See Note)
  - D. RCD Communiqué No. 020/RCD/DEL-CMM/2000 dated on 13 September 00. (See Note)
1. Introduction. In accordance with the Kampala DR Plan (8 April 00), all Parties have declared the forward positions for their forces in DRC to facilitate disengagement and redeployment of forces to New Defensive Positions (NDP). The Sub-Plans for DR are set out for the following areas:
    - a. Area 1 - LISALA To include all positions of MLC/UPDF
    - b. Area 2 - BOENDE
    - c. Area 3 - KABINDA
    - d. Area 4 - KABALO
  2. Confirmation. After an agreement on the Sub-Plans, JMC/MONUC and the concerned Parties will confirm respective forward positions and strength of forces on the ground.
  3. Implementation. The Sub-Plans will be implemented simultaneously in all Areas by the Parties, in accordance with an agreed calendar and in co-ordination with JMC/MONUC.
  4. Verification and Monitoring. Disengagement in each Area will be verified and monitored by JMC/MONUC.

NOTE: The wording "Final Positions" in reference C and D is interpreted by JMC members as "New Defensive Positions".

NGZ  12  
  
601  
  
2  
  
JRK.   
LK  
  
Version approved by JMC  
18th November, 2000  
PN

JMC/MONUC RESTRICTED

DR SUB - PLAN FOR AREA 1 - LISALA

Reference: Map scale 1:1000 000 and 1: 250 000 Sheet numbers NA 34-5 to NA 34-16

1. Situation

- a. Forces of MLC and UPDF and of FAC and their Allies have declared the following forward positions:

(1) MLC and UPDF

(a) IMESE	18° 20' E, 2° 30' N
(b) LIBANDA	18° 25' E, 1° 30' N
(c) WENGA	19° 20' E, 1° 10' N
(d) BASANKUSU	19° 50' E, 1° 10' N
(e) WAKA	20° 10' E, 1° 00' N

(2) FAC and Allies

(a) BUBURU	18° 00' E, 1° 30' N
(b) EMATE - LOA	18° 40' E, 1° 20' N
(c) LOSOMBO	19° 10' E, 1° 10' N
(d) ABUNAKOMBO	19° 20' E, 0° 50' N
(e) DJEFERA	20° 30' E, 0° 50' N

- b. In accordance with the Kampala DR Plan, above-mentioned forces will disengage and re-deploy to New Defensive Positions (NDP) in order to create a Disengagement Zone (DZ).

2. Mission

- a. Forces of MLC and UPDF and of FAC and their Allies will disengage and re-deploy to NDP in accordance with an agreed calendar.
- b. To create a Disengagement Zone (DZ), minimum 30 km., between forward positions of both forces

3. Execution

- a. Scheme of Maneuver. Forces of the Parties will simultaneously re-deploy to NDPs, creating a DZ, in accordance with an agreed calendar.

- b. New Defensive Positions. The NDP declared by the Parties are as follows:

Version approved by JMC

18th November, 2000

NGZ 0600  
12  
16  
3  
JK  
PK  
@



JMC/MONUC RESTRICTED

(1) MLC and UPDF

(a) IMESE	18° 20' E, 2° 30' N
(b) LIBANDA	18° 25' E, 1° 30' N
(c) WENGA	19° 20' E, 1° 10' N
(d) BASANKUSU	19° 50' E, 1° 10' N
(e) WAKA	20° 10' E, 1° 00' N

(2) FAC and Allies

(a) BUBURU	18° 00' E, 1° 30' N
(b) EMATE - LOA	18° 40' E, 1° 20' N
(c) LOSOMBO	19° 10' E, 1° 10' N
(d) ABUNAKOMBO	19° 20' E, 0° 50' N
(e) DJEFERA	20° 30' E, 0° 50' N

c. Coordinating Instructions.

(1) Sequence of Disengagement. Simultaneous on Disengagement Day

(2) Disengagement Zone. As defined by the forward positions of NDP of either Party. After verification, forces of Parties will under no circumstances enter the DZ. Should there be a need to do so it will only be after explicit permission of JMC/MONUC.

(3) Verification and Monitoring.

(a) Will be conducted by JMC/MONUC

NGZ 2000  
11/11/00  
4  
Version approved by JMC  
18th November 2000  
PN

JMC/MONUC RESTRICTED

SUB DR PLAN FOR AREA 2 BOENDE

Reference: Map scale 1:1000 000 and 1: 250 000 Sheet numbers SA 34-2 to SA 34-10

1. Situation

- a. Forces of RCD and RPA and FAC and their Allies have declared the following forward positions:

(1) RCD and RPA

(a) YAHUMA	23° 10' E, 1° 05' N
(b) DJOLU	22° 30' E, 1° 40' N
(c) WAMBA	22° 35' E, 0° 05' N
(d) BOMANDJA	23° 25' E, 0° 55' S
(e) MOBOKA	(Not traceable on the map)
(f) YALUSAKA	22° 55' E, 1° 05' S
(g) BAKOLE	23° 24' E, 1° 12' S
(h) YAYAMA	23° 00' E, 1° 30' S
(i) ENE	23° 20' E, 1° 00' S
(j) LOMELA	23° 16' E, 2° 17' S

(2) FAC and Allies

(a) LIKETE	21° 30' E, 0° 40' S
(b) BOENDE	20° 45' E, 0° 10' S
(c) WEMA	21° 40' E, 0° 25' S
(d) DJOLU	22° 30' E, 1° 40' N
(e) BOKUNGU	22° 20' E, 0° 40' S
(f) MONDOMBE	22° 50' E, 0° 55' S
(g) YALUSAKA	22° 55' E, 1° 05' S
(h) IKELA	23° 20' E, 1° 10' S

- b. In accordance with the Kampala DR Plan, above-mentioned forces will disengage and re-deploy to New Defensive Positions (NDP) in order to create a Disengagement Zone (DZ).

2. Mission

- a. Forces of RPA and RCD and FAC and Allies will disengage and re-deploy to NDPs (via Intermediate positions or directly) in accordance with an agreed calendar.
- b. To create a Disengagement Zone (DZ), minimum 30 km., between forward positions of both forces.

3. Execution

NGZ 020600 5  
Version approved by JMC  
18th November 2000  
SLK  
PN

JMC/MONUC RESTRICTED

a. Scheme of Maneuver. Forces of the Parties will simultaneously re-deploy to NDP (via Intermediate positions or directly), creating a DZ, in accordance with an agreed calendar.

b. Intermediate Defensive Positions. The declared Intermediate Positions by the Parties are as follows:

(1) RCD and Allies.

(a)	YAHUMA	23° 10' E, 1° 10' N
(b)	LOPORI	23° 10' E, 1° 10' N
(c)	ANZI	23° 20' E, 1° 10' S
(d)	MOGDA	23° 40' E, 1° 50' S
(e)	YOLOMBO	23° 15' E, 1° 35' S
(f)	LOMELA	23° 16' E, 2° 17' S

c. New Defensive Positions. The declared NDPs by the Parties are as follows:

(1) FAC and Allies

(a)	DJOLU	22° 30' E, 1° 35' N
(b)	MONDOMBE	22° 00' E, 0° 00' S
(c)	IKELA	23° 20' E, 1° 10' S

(2) RCD

(a)	ISANGUI	24° 20' E, 0° 50' N
(b)	OPALA	24° 20' E, 0° 40' S
(c)	UBUNDU	25° 40' E, 0° 50' S

(3) RPA

(a)	LUBUTU	26° 35' E, 0° 45' S
(b)	PUNIA.	26° 20' E, 1° 20' S

d. Coordinating Instructions.

(1) Sequence of Disengagement. Simultaneous on Disengagement Day

(2) Disengagement Zone. As defined by the forward positions of Intermediate Defensive Positions and then the NDP of either Party. After verification, forces of Parties will under no circumstances enter the DZ. Should there be a need to do so it will only be after explicit permission of JMC/MONUC.

(3) Verification and Monitoring

Will be conducted by JMC/MONUC.

Version approved by JMC

18th November.2000

Handwritten signatures and initials are present at the bottom of the page, including "NGZ", "S.L.K.", and "DN".



JMC/MONUC RESTRICTED

SUB DR PLAN FOR AREA 3 KABINDA

Reference: Map scale 1:1000 000 and 1: 250 000 Sheet numbers SA 34-10 to SA 34-16,  
SB 34-2 to 34-16, SB 35-5, 9 and 13

1. Situation

- a. Forces of RCD and RPA and FAC and their Allies have declared the following forward positions:

(1) RCD and RPA

(a) BONKITA	21° 00' E, 2° 30' S
(b) DEKESE	21° 26' E, 3° 28' S
(c) GANGWA	20° 56' E, 3° 30' S
(d) IDUMBE-LONGAPORT	21° 00' E, 3° 45' S
(e) DJONGO-SANGA	21° 00' E, 3° 55' S
(f) KINDA	21° 54' E, 4° 45' S
(g) BEYA BWANGA	22° 05' E, 5° 05' S
(h) TSHIMBADI	22° 05' E, 5° 03' S
(i) BAKWAKENGE	22° 03' E, 4° 45' S
(j) BENA LEKA	22° 10' E, 5° 08' S
(k) DEMBA	22° 13' E, 5° 31' S
(l) KAMPAMBWE	22° 00' E, 5° 35' S
(m) MPOLE	23° 06' E, 5° 35' S
(n) KAMBA KALELE	23° 10' E, 5° 45' S
(o) KABAMBA	24° 00' E, 5° 50' S
(p) TUNTA- KIPANGA	(Not traceable in the map)
(q) LUKONJOLO	24° 30' E, 5° 50' S
(r) TANGALA	24° 45' E, 6° 10' S
(s) KAMENDE	24° 50' E, 6° 05' S
(t) LUBUILANJI	24° 02' E, 6° 30' S

(2) FAC and Allies

(a) OSHWE	19° 30' E, 3° 23' S
(b) BUTALA	20° 55' E, 4° 05' S
(c) ILEBO	20° 36' E, 4° 19' S
(d) BOSANGU	20° 20' E, 4° 20' S
(e) LODI	21° 20' E, 4° 00' S
(f) BOKILA	21° 39' E, 4° 03' S
(g) KILENDALE	21° 50' E, 4° 05' S
(h) MISUMBA	21° 57' E, 4° 16' S
(i) KAKENGE	21° 55' E, 4° 52' S
(j) BEYA BWANGA	22° 05' E, 5° 05' S

Version approved by JMC

18th November, 2000

NGZ 06/00  
12/00  
7  
JK SLK  
PN

JMC/MONUC RESTRICTED

(k) BENA LEKA	22° 10' E, 5° 08' S
(l) BULULU WEST	21° 50' E, 5° 45' S
(m) SAPO SAPO	22° 21' E, 5° 23' S
(n) KANANGA	22° 28' E, 5° 55' S
(o) PANGA	22° 50' E, 5° 45' S
(p) LAC MUKAMBA	23° 05' E, 5° 45' S
(q) MBUJI MAYI	23° 34' E, 6° 06' S
(r) KABINDA	24° 29' E, 6° 07' S
(s) GANDAJIKA	23° 57' E, 6° 46' S

- b. In accordance with the Kampala DR Plan, above-mentioned forces will disengage and re-deploy to New Defensive Positions (NDP) in order to create a Disengagement Zone (DZ).

2. Mission

- a. Forces of RPA and RCD and FAC and Allies will disengage and re-deploy to NDPs (via Intermediate positions or directly) in accordance with an agreed calendar.
- b. To create a Disengagement Zone (DZ), minimum 30 km., between forward positions of both forces

3. Execution

- a. Scheme of Maneuver. Forces of Parties will simultaneously re-deploy to NDP(via Intermediate positions or directly), creating a DZ, in accordance with an agreed calendar.
- b. Intermediate Defensive Positions. The declared Intermediate Positions by the Parties are as follows:

(1) <u>RCD and Allies</u>	
(a) KOLE.	22° 25' E, 3° 35' S
(b) BENA DEBELE	22° 50' E, 4° 00' S
(c) LUSAMBO	23° 20' E, 5° 00' S
(d) LUBAO	25° 45' E, 5° 20' S

- c. New Defensive Positions. The declared NDPs by the Parties are as follows:

(1) <u>FAC and Allies</u>	
(a) KILENDALE	21° 50' E, 4° 05' S
(b) KAKENGE	21° 55' E, 4° 52' S
(c) BENA LEKA	22° 10' E, 5° 08' S
(d) KANANGA	22° 28' E, 5° 55' S

Version approved by JMC

18th November, 2000

NGR 22/06/00  
17/11/00  
SLK  
8  
PN

JMC/MONUC RESTRICTED

(e) LAC MUKAMBA 23° 05' E, 5° 45' S  
(f) KABINDA 24° 29' E, 6° 07' S

(2) RCD and RPA  
(a) KINDU 25° 55' E, 3° 00' S  
(b) SAMBA 26° 20' E, 4° 40' S

d. Coordinating Instructions.

- (1) Sequence of Disengagement. Simultaneous on Disengagement Day.
- (2) Disengagement Zone. As defined by the forward positions of Intermediate Defensive Positions and then the NDP of either Party. After verification, forces of Parties will under no circumstances enter the DZ. Should there be a need to do so it will only be after explicit permission of JMC/MONUC.
- (3) Verification and Monitoring
  - (a) Will be conducted by JMC/MONUC.

11/12/99 0600  
SLK  
Version approved by JMC  
18th November 2000  
DN



JMC/MONUC RESTRICTED

SUB DR PLAN IN AREA 4 KABALO

Reference: Map scale 1:1000 000 and 1: 250 000 Sheet numbers SB 35-5 to SB 35-16,  
SC 35-1 to SC 35-4

1. Situation

- a. Forces of RCD and RPA and FAC and their Allies have declared the following forward positions:

(1) RCD and RPA

(a)	MANI	25° 30' E, 6° 17' S
(b)	KISENGWA	25° 50' E, 6° 05' S
(c)	KALOKO	25° 45' E, 6° 40' S
(d)	KITANDA	26° 28' E, 6° 37' S
(e)	KABALO	26° 55' E, 6° 05' S
(f)	LUALA	27° 27' E, 6° 28' S
(g)	MUKOMWENZO	27° 40' E, 6° 40' S
(h)	MUYUMBA	27° 02' E, 7° 17' S
(i)	MULONGO	27° 00' E, 7° 50' S
(j)	KAMESHA	27° 06' E, 8° 00' S
(k)	MONGA	27° 57' E, 8° 00' S
(l)	KAYEYE	27° 40' E, 8° 15' S
(m)	PANGO	28° 20' E, 8° 28' S
(n)	KANTAHULA	28° 57' E, 8° 25' S
(o)	KAPULO	29° 10' E, 8° 20' S
(p)	MUSOSA	29° 40' E, 8° 20' S

(1) FAC and Allies

(a)	KALOKO	25° 45' E, 6° 40' S
(b)	KITANDA	26° 28' E, 6° 37' S
(c)	GWENA	26° 40' E, 6° 28' S
(b)	KAI	26° 40' E, 6° 20' S
(c)	KASINDE	26° 58' E, 6° 20' S
(d)	TUTA	26° 55' E, 6° 40' S
(e)	ANKORO	26° 55' E, 6° 45' S
(f)	MALEMBA NKULU	26° 40' E, 8° 00' S
(g)	MITWABA	27° 20' E, 8° 35' S
(h)	PWETO	26° 55' E, 8° 28' S

- b. In accordance with the Kampala DR Plan, above-mentioned forces will disengage and re-deploy to New Defensive Positions (NDP) in order to create a Disengagement Zone (DZ).

121f  
11/12/00  
10  
Jk  
Suk  
Version approved by JMC  
18th November 2000  
PN  
e

JMC/MONUC RESTRICTED

2. Mission

- a. Forces of RPA and RCD and FAC and Allies will disengage and re-deploy to NDPs (via Intermediate positions or directly) in accordance with an agreed calendar.
- b. To create a Disengagement Zone (DZ), minimum 30 km., between forward positions of both forces

3. Execution

- a. Scheme of Maneuver. Forces of Parties will simultaneously re-deploy to NDP (via Intermediate positions or directly), creating a DZ, in accordance with an agreed calendar.
- b. Intermediate Defensive Positions. The declared Intermediate Defensive Positions by the Parties are as follows:

(1) RCD and RPA

(a)	LUBAO	25° 35' E, 5° 20' S
(b)	KATEA	26° 40' E, 6° 10' S
(c)	KABALO	26° 55' E, 6° 05' S
(d)	MANONO	27° 06' E, 7° 40' S
(e)	MOBA	29° 50' E, 7° 00' S

- c. New Defensive Positions. The declared NDP by the Parties are as follows:

(1) FAC and Allies

(a)	KALOKO	25° 40' E, 6° 40' S
(b)	KITANDA	25° 28' E, 6° 37' S
(c)	GWENA	26° 40' E, 6° 28' S
(d)	KAI	26° 40' E, 6° 20' S
(e)	ANKORO	27° 05' E, 6° 40' S
(f)	MITWABA	27° 20' E, 8° 35' S
(g)	PWETO	26° 55' E, 8° 28' S
(h)	KABUSONGE	(Not traceable on the map)

(2) RCD and RPA

(a)	KONGOLO	27° 00' E, 5° 30' S
(b)	KABALO	26° 55' E, 6° 05' S
(c)	NYUNZU	28° 00' E, 6° 00' S
(d)	KALEMIE	29° 10' E, 5° 50' S

- d. Coordinating Instructions.

Version approved by JMC

18th November 2000

Handwritten signatures and initials are present at the bottom of the page, including "N62", "Gao", "12", and "PW".

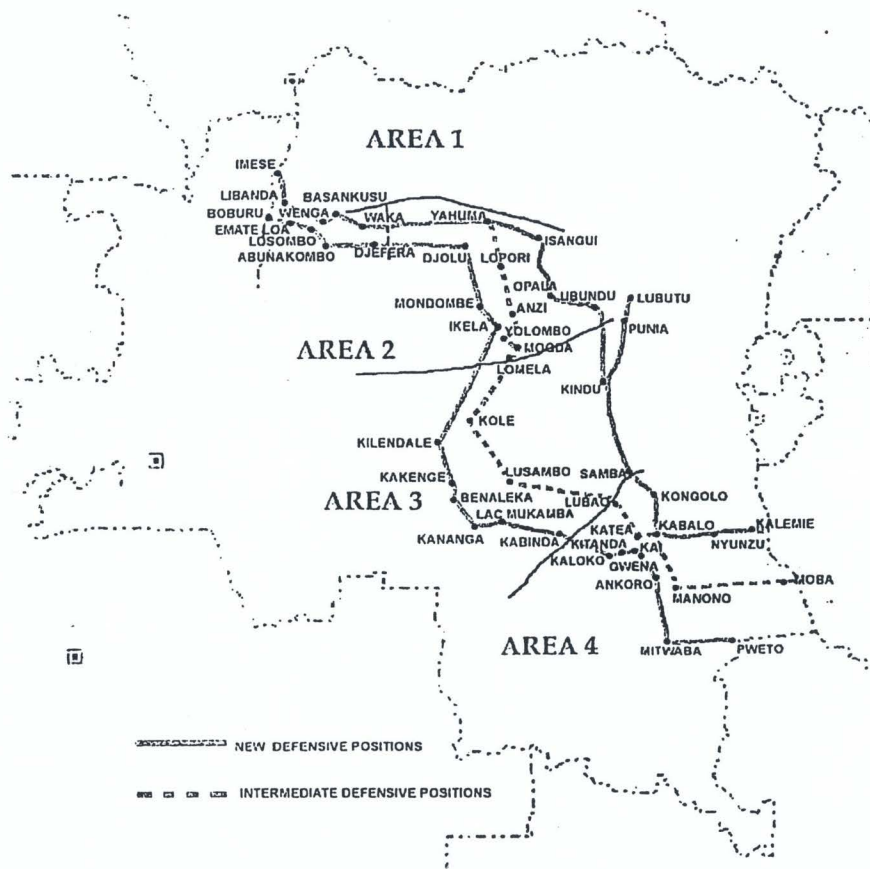
JMC/MONUC RESTRICTED

- (1) Sequence of Disengagement. Simultaneous on Disengagement Day :
- (2) Disengagement Zone. As defined by the forward positions of Intermediate Defensive Positions and then the NDP of either Party. After verification, forces of Parties will under no circumstances enter the DZ. Should there be a need to do so it will only be after explicit permission of JMC/MONUC.
- (3) Verification and Monitoring.
  - a. Will be conducted by JMC/MONUC.

Handwritten signatures and initials are present at the bottom of the page, including "con", "NGE", "Gao", "12", "JK", "D.K.", "M. Neta", "DN", and "18th November 2000".



JMC/MONUC RESTRICTED




Handwritten notes and signatures:

- NGZ 08/03/00
- 13
- SLK
- PN
- Version approved by JMC
- 18th November 2000
- Pyweto
- U ref
- con

JMC/MONUC RESTRICTED

ANNEX B (Calendar) to DR Sub Plans

	KEY EVENTS	ACTIVITY ON THE GROUND	REMARKS
Phase 1 (D to D+45) Preparations	<p>Signature of Sub DR Plans 6 Dec 00 (D-day) by the Chiefs of Staff.</p> <p>Disengagement orders.</p> <p>Ceasefire in effect on D day.</p> <p>Implementation of the sub-plans begins D+9.</p> <p>Establish MONUC liaison with RJMCs, recce and deploy MILOBs.</p> <p>Details of LOs to be provided to JMC.</p> <p>Relevant military information to be provided by the Parties to MONUC and the JMC on the understanding that it will remain confidential.</p> <p>MONUC and JMC to produce a plan for monitoring and verification of the disengagement</p>	<p>Cessation of hostilities.</p> <p>Parties must give the orders concerning the sub-plans to their Commanders on the ground. A copy will be forwarded to MONUC and JMC.</p> <p>Freedom of movement and security guarantees for MONUC personnel are effective.</p>	<p>Information on forces, equipment and minefields required per Article 4 of Calendar for Disengagement of Kampala DR Plan.</p>
Phase 2 (D+46 to D+115) Disengagement and verification	<p>Disengagement to occur simultaneously and verification sequentially by Sector (14 days each) by MONUC MILOBs and JMC.</p>	<p>FAC and Allies (Zimbabwe, Namibia and Angola), MLC, and UPDF begin disengagement and re-deployment to NDPs.</p> <p>RCD and RPA begin disengagement and re-deployment to IDPs/NDPs.</p>	<p>RJMCs to be collocated at MONUC Sector HQs.</p> <p>'NDP' = New Defensive Positions</p> <p>'IDP' = Intermediate Defensive Positions</p>
Phase 3 (D+56 to D+180) Enhanced MONUC Deployment	<p>Enhanced MONUC deployment (armed component).</p>		



Version approved by JMC  
18th November, 2000

JMC/MONUC RESTRICTED

ENTRY INTO FORCE

This Plan shall enter into force upon endorsement by the Defense Chief of the Parties.  
ADOPTED ON 06 DAY OF December 2000 BY THE DEFENSE CHIEF OF THE PARTIES

<u>PARTY</u>	<u>SIGNATORY</u>	<u>SIGNATURE</u>
JMC CHAIRMAN	J. Kabarebe	[Signature]
ANGOLA	Pedro de Barros Neto	[Signature]
DRC	Lwetchu	[Signature]
MLC		
NAMIBIA	PETER NAMBUUNGA	[Signature]
RCD	Comdr NGIZO SIATILLO T. LOUIS	[Signature]
RCD K/ML	DANIEL R. MBENZA Comdr	[Signature]
RWANDA	J. Kabarebe	[Signature]
UGANDA	OBONGO JEJE	[Signature]
ZIMBABWE	C. C. CHIWENGA	[Signature]
ZAMBIA	S. L. KAYUMBA	[Signature]
OAU	Zaria	[Signature]
MONUC	Ilajgu Diullo	[Signature]



DRAFT

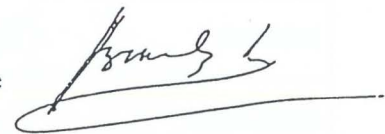
DISENGAGEMENT AND REDEPLOYMENT OF FORCES ORDER

To: Operations Commander

You are ordered:

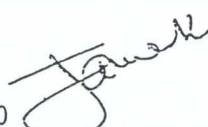
1. To disengage from current forward positions to New Defensive positions as stipulated in the Sub-Plans for disengagement and redeployment of forces approved by the JMC on 18<sup>th</sup> November 2000, and adopted by the Political Committee and signed by the Parties Defence Chiefs at Harare, Zimbabwe on 6.12.00. The disengagement and redeployment shall be in accordance with the Calendar attached as Annex B to the Disengagement and Redeployment Sub-Plans.
2. This order shall be disseminated through established Command channels to all Commanders at all levels of all Military Units deployed in the Democratic Republic of Congo.
3. You are further ordered to ensure that monitors/observers Deployed by the JMC/MONUC and the Organisation of African Unity (OAU) are granted freedom of movement and Accorded protection in order to permit the effective monitoring and verification of the disengagement and redeployment of forces.
4. Acknowledgement of receipt of orders to be passed to MONUC and JMC by 14 Dec 00.

Signature



Defence Chief

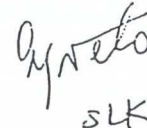
06.12.00



Info. JMC Chairman  
Commander MONUC



PN

  
SLK

United Nations

S/2000/1156



Security Council

Distr.: General  
6 December 2000

Original: English

## **Fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo**

### **I. Introduction**

1. By its resolutions 1291 (2000) of 24 February 2000 and 1316 (2000) of 23 August 2000, the Security Council requested the Secretary-General to report on the progress made in the implementation of the Lusaka Ceasefire Agreement (S/1999/815, annex) and relevant Council resolutions.

2. In his fourth report to the Security Council, dated 21 September 2000 (S/2000/888), the Secretary-General recommended a two-month extension of the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The purpose of the recommendation was to signal the determination of the United Nations to remain committed to the peace process in the Democratic Republic of the Congo while at the same time indicating to all the parties that these months should be used to demonstrate unequivocally their will to move the peace process forward and to create the conditions necessary for the phase II deployment of MONUC.

3. By its resolution 1323 (2000) of 13 October 2000, the Security Council, reaffirming its readiness to assist in the peace process, in particular through MONUC, decided to extend the mandate of MONUC until 15 December 2000.

4. The present report contains a summary of the events that have taken place since the most recent report, an analysis of the extent to which the parties have indeed used the past two months to create the necessary conditions for the deployment of MONUC, and recommendations regarding the future of MONUC beyond 15 December.

### **II. Political developments**

5. Considerable high-level diplomatic activity has taken place since my most recent report, indicating the willingness of subregional leaders to find ways of moving the peace process forward. Of particular note are the meetings convened by President Mbeki and President Chissano at Maputo on 16 October and 27 November 2000 and the related ministerial level meeting at Pretoria on 3 November; the Kinshasa summit meeting, held on 27 October; and the Tripoli summit meeting, held on 7 and 8 November. Meetings have also been held between the leader of the Movement de libération de Congo (MLC), Jean-Pierre Bemba, and the Angolan Foreign Minister, and visits by President Kabila to Luanda, Harare and Windhoek.

6. On 27 September, I wrote to President Kabila outlining the position of the United Nations with regard to the status of the peace process in the Democratic Republic of the Congo. I emphasized that the Lusaka Ceasefire Agreement formed the basis for the relevant Security Council resolutions authorizing the presence and activities of MONUC, and expressed the hope that all parties would engage in translating the spirit of the Agreement into action. I conveyed my concern over the number of ceasefire violations and stressed the need to lift the restrictions hindering the operations of MONUC. I also expressed the hope that the extension of the mandate of MONUC by two months would provide an opportunity to the parties to create the conditions necessary for MONUC phase II deployment and to move the peace process forward.

7. On 9 October, President Nujoma invited President dos Santos, President Kabila and President Mugabe to



Windhoek to discuss the situation in the Democratic Republic of the Congo. At the conclusion of the discussions, President Nujoma indicated that President Kabila was prepared to allow the deployment of United Nations troops to government-controlled territory without restriction.

8. President Mbeki convened and chaired a mini summit meeting at Maputo on 16 October. The meeting was attended by the heads of State of the Democratic Republic of the Congo, Mozambique, Namibia, Rwanda, Uganda and Zimbabwe. The leaders agreed that all armed forces in the Democratic Republic of the Congo would immediately start disengaging to positions set out in the Kampala disengagement plan of 8 April 2000. Uganda and Rwanda undertook to move further than the 15 kilometres stipulated in the disengagement plan. The other parties agreed that once MONUC had verified this process of further disengagement, they would reciprocate. The summit meeting requested the creation of a committee composed of ministers for defence to study the issues of the Rwandan withdrawal and disarmament of armed groups, and agreed to reconvene for the purpose of reviewing progress.

9. On 26 October, President Kabila received my Special Representative, Kamel Morjane, and confirmed that the Government of the Democratic Republic of the Congo wished to facilitate the deployment of United Nations troops. It was agreed that officials of the Ministry of Defence would accompany MONUC officers to review potential sites for deployment at Mbandaka and Kananga. President Kabila expressed his support for the Kampala disengagement plan and for the decisions taken at the Maputo mini-summit meeting. My Special Representative welcomed the offer of cooperation and drew the President's attention to the list of practical measures necessary to facilitate MONUC phase II deployment provided to the Minister for Foreign Affairs of the Democratic Republic of the Congo on 11 September by the Department of Peacekeeping Operations of the United Nations Secretariat.

10. The Government of the Democratic Republic of the Congo hosted a mini summit meeting of Central African countries at Kinshasa on 27 October. The meeting was attended by President Bongo, President dos Santos, President Kabila, President Sassou-Nguesso, the Prime Minister of the Central African Republic and the Prime Minister of Equatorial Guinea.

In a communiqué, the participants called for a stronger commitment by the United Nations and the Organization of African Unity (OAU) to resolve the crisis in the Democratic Republic of the Congo and praised the initiative taken at the Maputo summit meeting for direct talks between the Democratic Republic of the Congo and Rwanda and Uganda. Although it contained an endorsement of the Lusaka Ceasefire Agreement as an important basis for peace in the Democratic Republic of the Congo, the communiqué called for its revision and proposed the deployment of neutral interposition troops along the common border of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi. An ad hoc ministerial committee under the chairmanship of President Bongo was established to follow up the decisions of the summit meeting.

11. My Special Representative travelled to Togo on 7 November for a meeting with President Eyadema, the current Chairman of OAU. Their discussions focused principally on the difficulties encountered by the Joint Military Commission (JMC) and the process of the inter-Congolese dialogue. The Chairman of OAU acknowledged the need for better coordination of the various diplomatic initiatives aimed at reviving the peace process and disclosed that approaches had been made to him by the Congolese parties. He was exploring ways of helping to establish contacts and dialogue between President Kabila and the rebel movements.

12. On 7 November, I met with Ambassadors of the Southern African Development Community (SADC), who expressed disappointment at the lack of progress in the peace process and their concern this would result in the termination of MONUC. They considered the consequences for the African continent to be ominous, should the mission be withdrawn. While acknowledging that the parties needed to recommit themselves to implementation of the Lusaka Agreement, the Ambassadors considered that I should become more directly involved in the peace efforts and suggested a visit to the region. In response to my question as to whether it was advisable to insist on a revision of the Agreement, the representative of the Democratic Republic of the Congo stated that an improvement or adjustment was desired, not necessarily renegotiation.

13. The SADC ambassadors also met with the President of the Security Council to convey their



conviction that the Council should remain involved in the search for a resolution of the conflict. They considered the Council to be over-cautious in expecting standards not demanded in other areas. In addition, they requested the Council to implement all of its relevant resolutions, in particular resolutions 1234 (1999) of 9 April 1999 and 1304 (2000) of 16 June 2000.

14. A third peace initiative was launched on 8 November by President Muammar Qaddafi, who hosted a mini summit meeting at Tripoli to address the situation in the Great Lakes region and the Democratic Republic of the Congo in particular. The meeting was attended by President Kagame, President Konare, President Mugabe and President Museveni, and representatives of Angola, the Democratic Republic of the Congo, Namibia and South Africa. The summit meeting agreed on the immediate deployment of a neutral African force to guarantee the security of the borders of Rwanda and Uganda, and that the force should assess the magnitude of armed groups in the Democratic Republic of the Congo with the objective of disarming, disbanding and resettling them. In a letter dated 9 November addressed to me, President Qaddafi suggested that Nigeria, Egypt, South Africa and the Libyan Arab Jamahiriya should participate in the neutral force and proposed that the United Nations should undertake the leadership, funding and supervision of those forces.

15. On 27 November, the heads of State of South Africa, the Democratic Republic of the Congo, Uganda, Rwanda, Zimbabwe and Mozambique, and representatives of Namibia and Angola met at Maputo to discuss the situation in the Democratic Republic of the Congo. My Special Representative and Force Commander General Mountaga Diallo also attended. The participants agreed to reaffirm the Kampala disengagement plan of 8 April, confirmed the role of MONUC in monitoring the disengagement of forces, and confirmed that the Government of the Democratic Republic of the Congo was responsible for the timely resolution of the remaining difficulties hindering the deployment of MONUC. The Government of the Democratic Republic of the Congo confirmed that MONUC flights need not be routed through Kinshasa and agreed in principle to the deployment of armed United Nations troops at Kinshasa airport. No agreement was reached on the disarmament and demobilization of armed groups and the withdrawal of

foreign forces from the territory of the Democratic Republic of the Congo.

16. At its meeting on 29 November, the Political Committee established under the Lusaka Agreement endorsed the disengagement plan and scheduled a meeting of the military chiefs of staff of the parties for 5 December to approve the documentation relating to the subplans. The Force Commander attended the meeting.

### Congolese rebel movements

17. The rebel movements were not invited to any of the summit meetings mentioned above. Following the Maputo summit meeting on 16 October, the head of MLC, Jean-Pierre Bemba, is reported to have observed that since he had not been invited to the meeting he had nothing to do with the agreements reached therein. It was also reported that, following the same summit meeting, the reaction of the then head of the Rassemblement congolais pour la démocratie (RCD), Emile Ilunga, was one of suspicion of President Kabila's intentions.

18. In a meeting with my Special Representative, Mr. Bemba expressed his view that the only viable solution to the conflict in the Democratic Republic of the Congo lay in the application of the Lusaka Ceasefire Agreement. He underlined his desire for a political solution to be found to the crisis and gave his assurance that MLC would accept any decision arrived at democratically. The leaders of RCD also emphasized to my Special Representative that they respected the Lusaka Agreement and remained committed to the Kampala disengagement plan.

19. On 28 October, RCD underwent a change in leadership when Mr. Ilunga announced that he and the two vice-presidents had resigned from their positions. Although there were reports of differences among the leaders, a spokesman for RCD maintained that the ideals of the movement remained the same. The new RCD President is Adolphe Onusumba, the fourth since the movement was formed in 1998.

20. An internal leadership conflict has also occurred within the Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML), between the supporters of Ernest Wamba dia Wamba and his deputy, Mbusa Nyamwisi. A violent confrontation at Bunia led to intervention by Ugandan

officials and the subsequent departure of both Mr. Wamba and Mr. Nyamwisi to Kampala in an effort to find a solution to their dispute.

### **Inter-Congolese dialogue**

21. The Government of the Democratic Republic of the Congo has confirmed on many occasions its rejection of the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire. During the reporting period, the Government has reiterated its position in writing, in public statements and during discussions with my Special Representative. On 12 October, the Permanent Representative of the Democratic Republic of the Congo informed the President of the Security Council that the rejection of Sir Ketumile Masire was final but that his Government would be ready to expedite the appointment of a new facilitator.

22. Despite the position of the Government of the Democratic Republic of the Congo, the neutral facilitator has made renewed efforts to revive the dialogue process. Sir Ketumile has consistently maintained that he intends to remain as the neutral facilitator since only one party to the Lusaka Agreement was opposing him. In a communiqué issued on 19 October, the Minister of Information of the Democratic Republic of the Congo announced that the Government might "take action" against Sir Ketumile should he continue to call for the convening of the inter-Congolese dialogue although rejected as facilitator.

23. In a meeting with my Special Representative on 26 October, the Minister of Information outlined the proposals of the Government of the Democratic Republic of the Congo for the inter-Congolese dialogue. The Minister assured my Special Representative that the Government recognized the need for political negotiations among the Congolese parties to achieve a resolution of the conflict. In the Government's view, the purpose of these negotiations was not to achieve transitional power-sharing arrangements but to agree on a new constitution and an electoral commission. The Government favoured the establishment of joint committees, with equal representation from the Constituent Assembly and the opposition parties, to take matters forward. The time frame for elections could be within a few months of an agreement on a constitution, but the withdrawal of all

uninvited foreign forces would be a prerequisite to the completion of the proposed political process.

24. In contrast to the Government, the rebel movements have continued to express their support for the inter-Congolese dialogue, as provided by the Lusaka Ceasefire Agreement, and for Sir Ketumile Masire as the neutral facilitator. Both MLC and RCD have rejected approaches from the Government to engage in political negotiations through the medium of committees drawn from the Constituent Assembly.

### **Military developments**

25. The main military activity during the reporting period took place in Equateur province, in Katanga province and in the east of the country. This activity includes aerial bombing raids against Gemena, Moba and other rebel-held locations which have caused civilian casualties. The situation in Kisangani has remained generally calm. Although fighting in most of the country appeared to abate in late November, information was received as the present report was being completed about bombing attacks at Kalemie in the first few days of December. Heavy fighting was also reported in the vicinity of Pweto which, according to a spokesman of the Office of the United Nations High Commissioner for Refugees (UNHCR), drove some 60,000 people across the border into Zambia.

### **Ceasefire violations**

26. In northern Equateur province, the perceived threat posed by MLC forces to Mbandaka prompted action by the Forces armées congolaises (FAC) and their SADC allies to reinforce frontline units along the axis of the Ubangui and Congo rivers. On 3 October, the MONUC Force Commander was advised by General Chingombe, the allied Task Force Commander, that a presidential order of the Democratic Republic of the Congo to halt offensive operations in Equateur province was being strictly observed. The only exception was on the Congo River, where FAC and the allies were concerned over MLC occupation of Emate and Nganda Paris and where fighting continued until 10 October.

27. On 17 October, the Force Commander met General Chingombe to brief him on earlier discussions held between my Special Representative and the head



of MLC. General Chingombe agreed that, if MLC forces made no forward movements, FAC and the allies would not initiate any further military action. The FAC air force had been placed under his operational command and future air operations would be conducted only for defensive purposes. After being advised of the proposed understanding, Mr. Bemba assured my Special Representative that his forces would not advance from their current positions or initiate any new attacks. The situation in Equateur province has since remained generally stable.

28. The Governments of the neighbouring Republic of the Congo and the Central African Republic continue to be concerned that fighting in the Democratic Republic of the Congo, especially in the immediate border areas, has affected their countries. In particular, large numbers of refugees continue to enter both countries and vital maritime traffic on the Ubangui River has been interrupted, causing heavy economic losses. Harassment of shipping of the Congo and FAC intrusions on islands in the Congo and Ubangui rivers prompted the Congo to deploy forces to secure its border. Operations by coastguards of the Congo starting on 6 October are reported to have resulted in several FAC fatalities and a number of injuries before the forces of the Congo succeeded in securing all islands on the Ubangui River up to Longo.

29. MONUC received reports from FAC liaison officers at Mbandaka that troops of the Congo had shelled FAC defensive positions opposite Buburu on 16 October. Military action by the Congo in the vicinity of Buburu risked being interpreted as operations in support of MLC, raising concern about the Congo becoming embroiled in the conflict in the Democratic Republic of the Congo. There have been no incidents reported since mid-October. President Nguesso and my Special Representative have agreed that it would be advantageous for MONUC to establish a liaison presence in Brazzaville.

30. According to allegations made by RCD and the Government of Rwanda, FAC units launched a major offensive in north-eastern Katanga province on 13 October. The FAC troops were said to be supported by armed groups, including former Rwandan government forces (ex-Forces armées rwandaises (FAR)) and Interahamwe militia, Burundian rebels of the Front pour la défense de la démocratie (FDD) and the local Mayi-Mayi militia, as well as Zimbabwean and Namibian troops. These forces allegedly captured a

number of RCD positions, including the town of Pepa on, 22 October and attacked the Lake Tanganyika port of Moba. Government and allied forces were alleged to have used long-range artillery, tanks, aircraft and gunboats. The position of the Government of Rwanda is contained in the letter dated 25 October from its Permanent Representative to the United Nations addressed to the President of the Security Council (S/2000/1045).

31. MONUC military observers travelled to Moba and received eyewitness reports of the bombing of the town on 22 October by one Antonov-26 escorted by three MiG aircraft. It was reported that up to 15 bombs had been dropped, resulting in the deaths of 14 civilians and many others injured. Six bombs failed to explode, some of which the MONUC observers were able to view.

32. The allied Task Force Commander denied to MONUC that any Namibian or Zimbabwean forces had taken part in fighting in Katanga province. Subsequently, both the Permanent Representatives of Namibia and Zimbabwe to the United Nations wrote to the President of the Security Council to reject allegations of their countries' involvement (S/2000/1074 and S/2000/1076). For its part, the Government of the Democratic Republic of the Congo also denied involvement and President Kabila informed my Special Representative that the fighting in Katanga started between Rwandan forces and Congolese serving with RCD as a result of "bad blood" between them; subsequently, some Mayi-Mayi groups had come to the support of the RCD elements.

33. On 10 November, RCD claimed that its troops had recaptured Pepa. In the weeks following this action, some 1,000 civilians crossed into northern Zambia. UNHCR has assisted in the movement of registered refugees to Kala, which was already home to over 2,300 Congolese refugees. Over 500 soldiers also crossed over from the Democratic Republic of the Congo into Zambia. RCD has claimed that these are members of armed groups, and has requested the Zambian authorities to disarm and identify them in accordance with article III of the Lusaka Ceasefire Agreement. The Zambian Defence Minister has declared that his country will not allow foreign soldiers to enter its territory with arms and those not renouncing their military status will be escorted back to the Democratic Republic of the Congo by the Zambian authorities.



34. The security situation in eastern parts of the Democratic Republic of the Congo remained highly volatile. RCD has complained that pro-Government armed groups continue to launch numerous attacks in the North and South Kivu provinces. Although the armed groups responsible for these attacks are not signatories to the Lusaka Agreement, there are persistent reports that they receive arms and training from one of the parties. The most serious fighting took place at Salambila, in South Kivu. RCD reported that a large force of Mayi-Mayi, Interahamwe and FAC attacked their position on 11 November and succeeded in capturing the town three days later. Subsequently, MONUC observers were informed that an RCD force drawn from two brigades had launched a counter-attack leading to the recapture of the area on 22 November.

35. In a report distributed to the participants and to me prior to the second Maputo summit meeting, President Mbeki summarized the proceedings and discussed issues relating to MONUC deployment and the obstacles it had encountered. In his report, President Mbeki noted complaints made by President Chiluba concerning the deployment by the Government of the Democratic Republic of the Congo of five military assault boats on Lake Tanganyika. President Chiluba had informed President Mbeki that these boats were brought in through Zambia under the pretext that they were fishing boats. They had been used to transport heavily armed members of the Burundian FDD and Interahamwe/ex-FAR and had landed in the United Republic of Tanzania, raising fears that this could seriously compromise the Burundi peace process.

36. MONUC intends to dispatch a team of military observers to Kalemie, on Lake Tanganyika, to investigate reports that the town was bombed on 1 December, resulting in one fatality and 18 persons injured, most of them schoolchildren. According to the reports, which were received from RCD and from humanitarian sources, Kalemie was twice attacked on the morning of 1 December by an Antonov aircraft accompanied by a MiG. The MONUC team will be sent as soon as aircraft and fuel availability permits.

37. On 5 December, the Secretariat received reports of heavy fighting in the vicinity of Pweto, on Lake Mweru, apparently resulting from an attack on the town by RCD and Rwandan Patriotic Army (RPA) forces. According to a statement issued that day by UNHCR, some 60,000 people were driven across the border into Zambia by the fighting.

### Kisangani

38. In compliance with Security Council resolution 1304 (2000), Rwanda and Uganda have continued to limit their forces to a distance of some 100 kilometres from the centre of Kisangani. RCD military elements have, however, remained in the city, with its leaders maintaining that security concerns do not allow them to withdraw their forces prior to the arrival of United Nations troops. Since July, the area around Kisangani has been de facto divided into quadrants: RCD occupies the city centre, the south and the west; MLC and the Ugandan People's Defence Force (UPDF) the north-west and the north; and UPDF solely the east. This dispersal is generally adhered to, except for isolated skirmishes, usually between RCD and MLC in the north-west and the north. All parties have contributed to the overall equilibrium and appear reluctant to partake in anything other than acts of posturing.

39. Pursuant to paragraph 14 of Council resolution 1304 (2000), I sent an assessment mission to the Democratic Republic of the Congo during the period from 13 to 23 August to assess the loss of life and property damage inflicted on the civilian population of Kisangani as a result of fighting between Rwandan and Ugandan troops between 5 and 11 June. The mission, led by the Director of the Emergency Response Division of the United Nations Development Programme (UNDP), consisted of personnel from various United Nations departments and was accompanied by United Nations agency officials based at Kinshasa. The team was also assisted by MONUC, the Office for the Coordination of Humanitarian Affairs and staff of non-governmental organizations based at Kisangani. The report on the assessment completed by the team has been issued in document S/2000/1153.

### Withdrawal of foreign forces

40. Pursuant to the summit meeting held at Maputo on 16 October, the ministers for defence of the Democratic Republic of the Congo, South Africa, Rwanda, Uganda and Zimbabwe met at Pretoria on 20 October to consider proposals for the withdrawal of Rwandan and Ugandan forces from the territory of the Democratic Republic of the Congo. No agreement was reached, with the participants differing on the sequence

and modalities of disarming the non-signatory armed groups, including the Rwandan Interahamwe.

41. The ministers for defence met again at Pretoria on 3 November. The meeting, to which the Force Commander of MONUC was invited, discussed withdrawal plans put forward by the Democratic Republic of the Congo and Rwanda. Both plans, however, assume the deployment of a United Nations interposition force on the borders of Rwanda and Uganda, which would be responsible for disarming the armed groups. General Diallo made it clear that MONUC had no mandate to perform such tasks.

### III. Cooperation with the Joint Military Commission

42. MONUC continued to cooperate closely with JMC and maintained a team of liaison officers at Lusaka for that purpose. The Mission assisted in the logistical support of regional joint military commissions at Boende (Equateur province), Kabinda (Kasai Orientale province), Kabalo (Katanga province) and Lisala (Equateur province), and MONUC liaison officers are co-located with each regional JMC. Representatives of Rwanda, RCD and MLC have, however, yet to deploy to the regional JMC at Kabinda. Also, the lack of resources has not allowed for the deployment of a regional JMC to Kisangani.

43. The Joint Military Commission has been functioning without a full-time chairman for nine months and General Kazembe of Zambia, who holds a full-time appointment in his country's military forces, has been obliged to carry out the duties of Chairman. Participants in the summit meeting held at Maputo on 16 October agreed to make an urgent request to the Secretary-General of OAU to assist in identifying an experienced military officer from the region to be appointed as chairman.

44. Following a request from the acting Chairman, MONUC assisted in the withdrawal of the 29 OAU neutral observers assigned to the regional joint military commissions. Financial constraints on JMC did not allow for the repatriated OAU observers to be replaced.

45. At its plenary meeting held at Lusaka on 17 and 18 November, JMC considered detailed plans for disengagement in four front-line areas: Kabalo, Kabinda, Ikela and the Kananga-Kinda road. JMC was,

however, prevented from adopting the plans by the absence of the delegation of the Democratic Republic of the Congo.

46. The 29 November meeting of the Political Committee (see para. 16 above) and the subsequent meeting of the military chiefs of staff scheduled for 5 December represent a welcome resumption of activity on the part of this important organ of the Lusaka Ceasefire Agreement. The relocation of JMC to the Democratic Republic of the Congo could help to re-energize that body as well.

### IV. Status of deployment of the Mission

#### Current deployment

47. As at 1 December, MONUC had a total of 224 liaison officers and military observers (see annex). In the Democratic Republic of the Congo, in addition to Kinshasa, teams of military liaison officers are deployed to the headquarters of the rebel movements (at Bunia, Gbadolite and Goma) and the four regional joint military commissions (at Boende, Kabalo, Kabinda and Lisala). Military observer teams are also stationed at six other locations (Gemena, Isiro, Kananga, Kindu, Kisangani and Mbandaka). Twenty-three liaison officers are stationed in the capitals of surrounding countries (see map).

48. MONUC continued to plan and reconnoitre sites for the sector headquarters required for the implementation of the Kampala disengagement plan. The first interim sector headquarters, with a small staff of military and civilian officers, has been established at Kisangani. In addition, technical surveys have been undertaken at Kisangani and Mbandaka for the stationing of United Nations battalions. MONUC logistic bases necessary to support the deployment of observers and troops are established and operational at Kinshasa and Goma, and at Bangui in the Central African Republic.

#### Security of Mission personnel

49. The most serious threat facing MONUC personnel is the highly volatile confrontations between the belligerent parties. In North Kivu, RCD reported an attack by Interahamwe one kilometre north of Goma



airport, the site of a MONUC logistics base. MONUC verified the incident in which nine Interahamwe fighters were killed as they attacked the village of Muningi on 1 November, killing nine civilians and dispersing the population. MONUC flights are also vulnerable; on 30 October, a MONUC helicopter approaching Bangui airport was fired upon from the territory of the Democratic Republic of the Congo and received light damage. No injuries were sustained by passengers or crew. The MLC leader, Mr. Bemba, subsequently called my Special Representative to apologize and inform him that an MLC soldier, who admitted firing at the helicopter, had been disciplined.

50. At Kinshasa, the inflammatory propaganda campaign conducted in some pro-Government media against MONUC has abated following the letter sent on 16 August by the Under-Secretary-General of the Department of Peacekeeping Operations to the Minister for Foreign Affairs of the Democratic Republic of the Congo, protesting the campaign and requesting restraint, and the interventions of my Special Envoy and Special Representative with President Kabila. The more positive attitude that the authorities and the media now show towards MONUC may also be attributed to the weekly press briefing instituted by the Mission's Public Information Section and a weekly bulletin that it issues on MONUC activities.

### Cooperation of the parties

51. The Government of the Democratic Republic of the Congo has yet to replace the system of flight notification and clearance on a case-by-case basis with a system for advance notification en bloc, an arrangement that is essential for the management of the large fleet of aircraft that would be required for MONUC phase II deployment. Notwithstanding this, there has been a more positive attitude and a marked relaxation in regard to other restrictions, in particular lifting the obligation to land at a neutral airport during a return trip from rebel-controlled areas.

52. Pursuant to the decision of the Government of the Democratic Republic of the Congo that it would authorize United Nations troops to deploy in the country, the United Nations developed a list of practical measures necessary to initiate phase II deployment, which was transmitted on 11 September to the Minister for Foreign Affairs of the Democratic Republic of the Congo (see S/2000/888, para. 51).

Since 30 September, joint meetings between MONUC and the Commissariat général chargé des affaires de la MONUC have been held on a weekly basis, in order to assess the compliance by the Government with the provisions of the Status of Forces Agreement (SOFA). This improved liaison has yielded some positive results, in particular with regard to customs clearances, exemption of direct and indirect taxes, authorization for a frequency and telecommunications network, facilities at Kinshasa airport and joint reconnaissance missions of MONUC and the Government to Mbandaka and Kananga, as announced by President Kabila during the second Maputo summit meeting. Further progress is anticipated with regard to an exemption from the strategic stock fuel charge.

53. Improved cooperation has also been facilitated by the decision of the SADC allies to appoint a special representative at Kinshasa, whose mandate includes the promotion of relations between the SADC allies and MONUC with regard to the peace process and the deployment of United Nations peacekeepers in the Democratic Republic of the Congo.

54. In field locations, MONUC military observers have encountered some limitations on their freedom of movement that have been imposed by local commanders who have forbidden the unrestricted monitoring of airfields.

### V. Humanitarian affairs

55. The humanitarian situation in the Democratic Republic of the Congo has continued to deteriorate. At the end of November, the Office for the Coordination of Humanitarian Affairs estimated that the number of displaced persons was around 2 million, with less than one half receiving humanitarian assistance. In addition, UNHCR reports that the number of Congolese refugees in the Congo has reached 100,000 and as many as 20,000 may have fled to the Central African Republic. Owing to the fighting and other difficulties, humanitarian assistance could not reach a significant proportion of these refugees. In response to a request from the United Nations High Commissioner for Refugees, MONUC has agreed in principle to provide logistics support to efforts to gain access and deliver assistance to them.

56. Over the past six months, Equateur province has been affected by massive displacements of populations,



either to neighbouring countries or to areas in the province considered to be more secure. The United Nations humanitarian agencies have recently launched a major initiative in Equateur province to deliver the urgently needed lifesaving support to over 400,000 war-affected persons. Agencies involved in this operation have, however, encountered serious problems in obtaining government clearances to operate in southern Equateur.

57. The number of persons in critical need of food in the Democratic Republic of the Congo remains at an estimated 16 million, or roughly 33 per cent of the country's population. The uprooting of rural populations and isolation from their traditional food sources, together with the declining economic situation, continue to be the underlying causes of this troubling situation. The situation is aggravated at Kinshasa, where it is estimated that 70 per cent of the population of seven million live on less than US\$ 1 per day for food. Some 18 per cent of children in the inner city and over 30 per cent in the outskirts suffer from chronic malnutrition. The food deficit of Kinshasa for the ongoing year is estimated at one million tons. A number of factors contribute to the crisis in the capital, including the swelling population caused by the war, a deterioration of the road infrastructure, inadequate food supply from Equateur and the eastern provinces, a scarcity of fuel and overvaluation of the official exchange rate.

58. The health situation in the country has also continued to decline, with less than 37 per cent of the population having access to essential medical facilities. Less than 47 per cent of the population is estimated to have access to safe drinking water. In addition to epidemic outbreaks of cholera, meningitis, dysentery and malaria, the World Health Organization (WHO) has reported the emergence and re-emergence of serious illnesses, such as haemorrhagic fever. Women and children are among the vulnerable groups most affected by the crisis.

59. The war, poor sanitary conditions among displaced populations and residents, and malnutrition have created a fertile ground for the outbreak and spread of numerous illnesses and infectious diseases, including those that are sexually transmitted. There are 20,000 new cases of HIV this year, according to the national AIDS programme, adding to the figure of one million infected adults, which includes at least 600,000

women. There are an estimated 680,000 orphans with AIDS, whose parents have died of the disease.

60. In the Kivus, the increased security risk to health personnel has forced the suspension of humanitarian operations by some agencies, further increasing the vulnerability of displaced persons and residents. Armed groups continue to attack civilians, causing numerous casualties and rendering travel in the area extremely dangerous.

61. On 4 and 5 October, the inter-agency and donor country meetings were held at Geneva to consider the humanitarian response strategy to be adopted in the Democratic Republic of the Congo. Donors called for enhanced coordination and stressed that humanitarian action should be broadened and deepened, as should cooperation with local structures. At the meeting attended by my Special Representative, three main themes came to light: the need to allocate more resources to existing humanitarian projects, the need to reach more people through a more flexible humanitarian action response with the objective of saving more lives, and the need to increase the capacity of international humanitarian agencies working in the Democratic Republic of the Congo to manage an enhanced response.

62. The consolidated appeal for the Democratic Republic of the Congo for 2001 was launched at the end of November; US\$ 139.5 million was requested to address the critical humanitarian needs of the war-affected populations. The appeal seeks to provide household food security and health interventions at the local community level, as well as initiatives at the national level, such as immunization days and transport corridors for essential medicines and food supplies.

63. A United Nations inter-agency mission, consisting of senior representatives of the Office for the Coordination of Humanitarian Affairs, UNDP, the United Nations Children's Fund (UNICEF), UNHCR, the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO) and WHO, visited the Democratic Republic of the Congo from 20 to 24 November to examine ways of improving the coordination of humanitarian relief operations in the country. The mission report and recommendations were presented to the Executive Committee on Humanitarian Assistance on 4 December.

64. MONUC has prepared and submitted an aide-mémoire which is to be presented to the Security

Council and which proposes the strengthening of the humanitarian mandate of the Mission and requests the allocation of programme funds to support a series of projects. The most notable of the projects is a request for US\$ 2.5 million to provide air logistics support with MONUC aircraft to humanitarian agencies in the Congo. This support could come in the form of an appeal by the Security Council to Member States to contribute to a trust fund established for such projects. Until funds are in place, MONUC could make an important contribution to relieving humanitarian suffering in this country by being able to use the existing funds and resources of the Mission, especially the many MONUC aircraft with their considerable underutilized capacity, in support of humanitarian work. This would also contribute to the central peacekeeping mandate of the Mission by increasing understanding and trust of the Mission by the people of the country and by all parties concerned. At its meeting held at Lusaka on 29 November, the Political Committee adopted an agreement aimed at improving the humanitarian situation of populations at risk, which included guaranteed access to them.

## VI. Human rights

65. The human rights situation throughout the territory of the Democratic Republic of the Congo continued to give cause for grave concern. The situation in the eastern provinces is particularly troubling, owing to the absence of governmental structures in rebel-controlled areas. Arbitrary arrests, illegal detention, forced deportation and ill-treatment have been used to harass and intimidate the population, human rights groups, church associations and non-governmental organizations. In addition, the dire economic situation has led soldiers and gangs of armed men to resort to extortion and looting, thus creating an atmosphere of insecurity and terror among vulnerable groups.

66. Recent months have seen an increase in leadership struggles in the rebel movements, rising inter-ethnic rivalries and increasing resentment among Congolese ethnic groups vis-à-vis the Tutsi in general. These developments have put the civilian population in greater danger than previously reported. There has also been a marked increase in the number of warlords in remote areas who have engaged in a pattern of systematically destroying the institutions of civil

society, and manipulating the regions' clan system and ethnic groups against each other. The violence between opposing members of the Hema and Lendu tribes in the north-eastern region of the Democratic Republic of the Congo is particularly worrisome and civilian casualties are mounting.

67. The Mayi-Mayi militia and predominantly Hutu armed groups have continued to commit widespread human rights abuses. They have regularly attacked villages, forced people to hand over their belongings and killed them if they refuse to do so. In this context, the high incidence of murder of women and children of Rwandan origin should be noted. It has also been reported that Hutu armed groups use rape as a weapon of war.

68. In government-controlled territory, despite the authorities' stated commitment to a moratorium on the death penalty and the establishment of a military court appeals chamber, executions continue to take place, albeit at a reduced rate. There are also no indications that the military court system will be reformed. The system was established to try cases regarding abuses by military and police officers, and armed robbery. Civilians such as journalists and political opponents continue, however, to be tried by these courts for other crimes, in breach of international law. Moreover, notwithstanding the use of death penalty sentences, defendants appearing before military courts have no right of appeal and in some cases, no legal representation.

69. The prohibition of political parties continues, with only those parties newly registered with the Government being allowed to function, a justification for the arbitrary arrest and detention of persons affiliated with non-registered political parties. Although the Ministry of Information had announced its intention to introduce a law abolishing imprisonment for press offences, reports indicate that journalists and human rights activists continue to suffer attacks, intimidation and imprisonment. An important radio and television station, Radio-Television Kin-Malebo (RTKM), was nationalized on the basis that it had secret ties to the rebellion. Its employees have been subjected to harassment and arrest. These targeted restrictions on freedom of expression and freedom of association are completely at odds with fundamental human rights.



70. During her visit from 1 to 3 October, the United Nations High Commissioner for Human Rights met with President Kabila. The High Commissioner identified a number of human rights violations that the Government had to address in order to conform with Congolese law and international human rights standards and norms. She sought the immediate release of 253 political prisoners, many of them journalists and human rights activists, who have yet to benefit from the general amnesty law. She demanded the abolition of the Court of Military Order and the suspension of the death penalty and executions; she raised the issue of administrative detentions and the prohibition of torture, the rights of the accused and respect for fundamental human rights even in times of war, while referring to relevant United Nations resolutions, international treaties ratified by the Democratic Republic of the Congo and the Lusaka Ceasefire Agreement.

71. While the Government of the Democratic Republic of the Congo made commitments to respect human rights and take the actions specified by the High Commissioner, no enforcement action has been taken to end those abuses and to establish a system of accountability and rule of law. The Court of Military Order is still being used to punish those suspected of collaborating with the rebel movements. On 9 October, the Court sentenced to death a former director of the security service, Ndjango Mfungazam, for allegedly passing on information to the rebels. On 30 October, a former Commandant of FAC was arrested by the President of the Military Court for allegedly plotting to overthrow the Government. Several members of his ethnic group in FAC and the opposition parties are reported to have disappeared from their homes.

## VII. Child protection aspects

72. The situation of children has continued to be of serious concern. The education situation in the eastern provinces remains disastrous, with between 40 per cent and 50 per cent of school-aged children out of school and prone to becoming targets for forced recruitment into the armed forces or militia groups that operate in the region. According to recent reports, between 15 per cent and 30 per cent of newly recruited combatants are children under 18 years of age, with a substantial number less than 12 years old.

73. On 15 May, RCD issued an instruction establishing an inter-departmental commission on the demilitarization, demobilization and reintegration of child soldiers. The commission, however, has yet to be established. On 15 and 16 November, the local radio and television station at Goma broadcast an appeal from the head of RCD, inviting parents to allow their children to be recruited into the movement's military forces. The Governor of North Kivu Province reiterated the call on 19 November, urging that children be enrolled for local defence. Following reports of the recruitment of children aged 13 to 17 years at Rutshuru on 19 November, my Special Representative contacted the RCD leadership, drawing its attention to these violations of the Convention on the Rights of the Child.

74. MONUC and the UNICEF offices at Kinshasa and Kampala are closely following the matter and have contacted the relevant authorities. As a result of joint advocacy efforts by MONUC and UNICEF, RCD-ML has recently taken steps towards setting up a coordination unit for the demilitarization, demobilization and reintegration process in areas under its control. Similar advocacy directed at MLC is planned.

75. MONUC has received confirmation of the cross-border deportation of recruited Congolese children from the Bunia, Beni and Butembo region to Uganda after the August "mutiny" of troops against the leadership of RCD-ML. In line with Council resolution 1304 (2000), the cross-border recruitment and abduction of children is strongly condemned.

76. President Kabila signed a decree on 6 June ordering the demobilization and reintegration of vulnerable groups, including child soldiers. Despite the positive reaction from the international community and the willingness shown by donor countries to assist in implementation of the decree, no substantial progress has been recorded. The national coordination unit for the demilitarization, demobilization and reintegration of vulnerable groups, including child soldiers, is still to be set up by the Government.

77. During the reporting period, the two MONUC child protection advisers have undertaken field trips to Bukavu, Kabalo, Kindu, Isiro, Kananga and Bunia to meet with all child protection partners and obtain first-hand information on children affected by the conflict. These trips have also provided the opportunity to train



MONUC military observers with regard to child protection issues.

### VIII. Exploitation of natural resources

78. In the statement by its President on 2 June 2000 (S/PRST/2000/20), the Security Council requested me to establish a panel of experts on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo. Accordingly, I appointed four members to the Panel with Safiatou Ba-N'Daw, former Minister of Energy of Côte d'Ivoire, as Chairperson. The panel has been based in Nairobi since mid-September and has undertaken extensive consultations with the parties and visits within the region.

### IX. Financial aspects

79. The General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the amount of US\$ 200 million to cover the Mission's immediate requirements and to enable it to initiate logistical preparations for the phased deployment of the formed military personnel. Subsequently, by its resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of US\$ 58.7 million committed for MONUC for the period ending 30 June 2000, authorized me to use, during the period beginning 1 July 2000, the amount of US\$ 141.3 million, representing the balance of the commitment authority provided for MONUC in resolution 54/260 A.

80. As at 15 November 2000, unpaid assessed contributions to the MONUC special account amounted to US\$ 90.8 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to US\$ 2,075 million.

### X. Next steps

81. The agreements reached at Maputo on 27 November represent forward movement, and the recent improvements in the Government's attitude towards the deployment of MONUC are welcome. It should also be noted that, with some exceptions, such as at Kisangani in June, the security guarantees provided by the parties at the time of the deployment of United Nations liaison

officers have been honoured. It has also been possible to keep the liaison officers and military observers in the field supplied, despite the serious restrictions placed on the Mission's freedom of movement.

82. In the light of the above and of the experience gained since September 1999, when MONUC was first deployed to the Democratic Republic of the Congo, the Secretariat has developed plans to monitor and verify the actions taken by the parties in compliance with the Kampala disengagement plan of 8 April, including local ceasefire arrangements and disengagement movements, through the use of unarmed military observers.

83. The deployment of military observers would entail the maintenance of MONUC Force headquarters at Kinshasa and with JMC at Lusaka, the military liaison teams in regional capitals and with the parties' military headquarters remaining as they are at present (see annex and map). In addition, up to 500 military observers would be deployed in static and mobile teams to monitor and verify actions taken by the parties pursuant to the disengagement plan. Security would be provided by the parties' armed forces. This option would require the provision of limited specialized support, including medical, aviation and possibly riverine units. The logistics bases which, in the absence of formed units, have been established by MONUC at Kinshasa, Bangui and Goma over the past few months, would ensure the necessary support to the observer teams.

84. The objectives of the military observer teams would be to: (a) monitor and verify the parties' implementation of the Kampala disengagement plan of 8 April, including the disengagement of forces to brigade level, their redeployment and their eventual withdrawal from the territory of the Democratic Republic of the Congo; (b) monitor the continuing demilitarization of Kisangani; (c) investigate and verify allegations of ceasefire violations; (d) maintain effective contact with the parties; (e) assist the parties in the conduct of their JMC activities; and (f) ensure the provision of the necessary information to me and to the Security Council through MONUC.

## XI. Observations and recommendations

85. The past two months has witnessed intense diplomatic activity in support of the peace process in the Democratic Republic of the Congo. I welcome the personal initiatives of heads of State in the region and commend their dedication and perseverance in efforts to put the peace process back on track. I also commend the role that OAU has continued to play in this regard.

86. Despite substantial compliance with the ceasefire in most parts of the Democratic Republic of the Congo, fighting has occurred in Equateur and Katanga provinces. This fighting not only complicated and imperilled ongoing peace efforts but, since the clashes occurred in border areas, threatened to spill over into the Congo and the Central African Republic to the north and into Zambia to the south. At the same time, the highly volatile environment in the Kivus marked by frequent and violent attacks by the non-signatory armed groups has continued to be a most serious concern.

87. The situation around Kisangani has shown some improvement, and I welcome the restoration of calm there after the outbreaks of fighting in June. Security Council resolution 1304 (2000), however, in which the Council demanded the withdrawal of Rwandan and Ugandan forces from the territory of the Democratic Republic of the Congo without further delay, in conformity with the timetable of the Lusaka Agreement and the Kampala disengagement plan of 8 April, has yet to be implemented in full. By the same resolution, the Council, acting under Chapter VII of the Charter, made a number of other demands on the parties, including cooperation with the deployment of MONUC and full engagement in the national dialogue process. These demands also have yet to be met.

88. In view of the situation summarized above, I recommend that the Security Council extend the mandate of MONUC for a further six months, until 15 June 2001. During that period, in order to monitor and verify the parties' implementation of the ceasefire and disengagement plans adopted at Maputo and Lusaka, MONUC should, as a first step, deploy additional military observers, accompanied by the necessary medical, aviation, riverine and logistical support units. A deployment of this kind could be effected within the current mandate approved by the Council in resolution

1291 (2000), and with the mandate described in paragraph 84 above.

89. In principle, I would also be prepared subsequently, with the guidance of the Security Council, to recommend that infantry units be deployed in support of the military observers, if conditions both required and permitted such deployment. At the appropriate juncture, I would accordingly submit to the Council an updated concept of operations, taking into account developments on the ground and the precise nature of the tasks that the troops would realistically be able to perform. I have requested the Secretariat to continue to liaise closely with potential troop-contributing countries in order to ascertain their continued readiness to provide the necessary personnel and specialized units.

90. At the same time, however, it is clear that broader agreement needs to be reached on the key questions that have so far not been resolved. In my view, the best way of doing so would be to build on the valuable diplomatic initiatives taken in recent weeks and to provide a framework and a stimulus for their follow-up. I am therefore considering the type of action that the United Nations could take to help to achieve this result.

91. The objective of this meeting would be to focus on the underlying questions at the core of the conflict that have yet to be satisfactorily resolved. These include the withdrawal of foreign forces; the disarmament and demobilization of armed groups; the security of the borders of Rwanda, Uganda and Burundi with the Democratic Republic of the Congo; the return of refugees in safety; the inter-Congolese dialogue; and regional economic reconstruction and cooperation.

92. It may be necessary to consider the establishment of a permanent mechanism to pursue genuine and workable arrangements for attaining these objectives. In order to ensure that the measures under discussion were practical and likely to enjoy the support of the Security Council, it would be necessary for the United Nations to support and participate in such a mechanism.

93. Finally, I wish to express my deep appreciation to my Special Representative, to the Force Commander, and to all the military and civilian personnel of MONUC for the strenuous efforts that they continue to make, often under adverse conditions, to help to restore peace to the Democratic Republic of the Congo.

**Annex****United Nations Mission in the Democratic Republic of the Congo: contributions as at 30 November 2000**

	<i>Military observers</i>	<i>Staff officers</i>	<i>Total</i>
Algeria	9		9
Bangladesh	6	8	14
Benin	5	3	8
Belgium		1	1
Bolivia	1		1
Burkina Faso	2		2
Canada		2	2
Czech Republic	3		3
Denmark	1	1	2
Egypt	9		9
France	1	2	3
Ghana	8		8
India	5	2	7
Jordan	2		2
Kenya		4	4
Libyan Arab Jamahiriya	3		3
Malaysia	2	7	9
Mali	3		3
Morocco		4	4
Nepal	8		8
Niger	2	1	3
Nigeria	6		6
Pakistan	13	9	22
Peru	3		3
Poland	1		1
Romania	7	1	8
Russian Federation	4		4
Senegal	12	17	29
South Africa	1		1
Switzerland		1	1
Tunisia	6		6
Ukraine	4		4
United Kingdom of Great Britain and Northern Ireland		4	4
United Republic of Tanzania	5	1	6



---

	<i>Military observers</i>	<i>Staff officers</i>	<i>Total</i>
Uruguay	8	8	16
Zambia	8		8
<b>Total</b>	<b>148</b>	<b>76</b>	<b>224</b>

---

United Nations

S/RES/1332 (2000)



Security Council

Distr.: General  
14 December 2000

---

**Resolution 1332 (2000)**

**Adopted by the Security Council at its 4247th meeting,  
on 14 December 2000**

*The Security Council,*

*Recalling* its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000, 1296 (2000) of 19 April 2000, 1304 (2000) of 15 June 2000 and 1323 (2000) of 13 October 2000, and the statements of its President of 13 July 1998 (S/PRST/1998/20), 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36), 24 June 1999 (S/PRST/1999/17), 26 January 2000 (S/PRST/2000/2), 5 May 2000 (S/PRST/2000/15), 2 June 2000 (S/PRST/2000/20) and 7 September 2000 (S/PRST/2000/28),

*Reaffirming* the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

*Reaffirming further* the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

*Reaffirming also* the sovereignty of the Democratic Republic of the Congo over its natural resources, and *noting* with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions on security conditions and the continuation of hostilities,

*Deploring* the continuation of hostilities in the Democratic Republic of the Congo, the numerous ceasefire violations, and the lack of progress on the inter-Congolese dialogue,

*Reaffirming* its support for the Lusaka Ceasefire Agreement (S/1999/815),

*Welcoming* the agreements reached at Maputo on 27 November 2000 concerning the disengagement of forces, as well as the signing of the Harare Agreement, pursuant to the Kampala disengagement plan,

*Taking note* of recent statements, assurances and actions of the Government of the Democratic Republic of the Congo supporting the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC),

00-79815 (E)

\*0079815\*

and *expressing* the hope that the practical measures necessary to facilitate the full deployment of MONUC will be taken accordingly,

*Recalling* the responsibilities of all parties to cooperate in the full deployment of MONUC,

*Taking note* with appreciation of the Secretary-General's report of 6 December 2000 (S/2000/1156) and its recommendations,

*Recalling* the responsibility of all parties to the conflict in the Democratic Republic of the Congo for ensuring the safety and security of United Nations military and civilian staff and associated personnel throughout the country,

*Expressing* its serious concern over the humanitarian situation in the Democratic Republic of the Congo mainly resulting from the conflict, and *stressing* the need for increased humanitarian assistance to the Congolese population,

*Expressing also* its serious concern over the severe political, economic and humanitarian consequences of the conflict on the neighbouring countries,

*Expressing* its alarm at the dire consequences of the prolonged conflict for the civilian population throughout the territory of the Democratic Republic of the Congo, and its deep concern at all violations and abuses of human rights and international humanitarian law, including atrocities against civilian populations, especially in the eastern provinces,

*Deeply concerned* at the increased rate of HIV/AIDS infection in particular amongst women and girls as result of the conflict,

*Gravely concerned* by the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children,

*Expressing* serious concern over the difficulties, including those created by continued hostilities, faced by humanitarian agencies in delivering assistance to a large number of refugees and internally displaced persons,

*Commending* the outstanding work of MONUC personnel in challenging conditions, and *noting* the strong leadership of the Special Representative of the Secretary-General,

*Welcoming* the diplomatic initiatives by African leaders, and *stressing* the need for a coordinated approach involving the United Nations and the Organization of African Unity (OAU) to create new momentum for further progress in the peace process,

1. *Decides* to extend the mandate of MONUC until 15 June 2001;
2. *Calls on* all parties to the Lusaka Ceasefire Agreement to cease hostilities and to continue to intensify their dialogue to implement this agreement, as well as the Kampala, Maputo and Harare Agreements, and to take additional steps, within the framework of these Agreements, to accelerate the peace process;
3. *Calls on* all parties, and in particular the Government of the Democratic Republic of the Congo, to continue to cooperate in the deployment and operations of MONUC, including through full implementation of the provisions of the Status of Forces Agreement;



4. *Endorses* the proposal made by the Secretary-General to deploy, as soon as he considers that conditions will allow it and in accordance with the relevant provisions of resolution 1291 (2000), additional military observers, in order to monitor and verify the parties' implementation of the ceasefire and disengagement plans adopted in Maputo and Lusaka;

5. *Invites* the Secretary-General to consult the OAU and all parties concerned on the possibility of organizing in February a follow-up meeting between the signatories of the Lusaka Ceasefire Agreement and the members of the Security Council;

6. *Requests* in that connection the Secretary-General to present to the Security Council, prior to the convening of the meeting suggested in paragraph 5 above, a review of the implementation of the current mandate of MONUC, including an assessment of the implementation by the parties of the ceasefire and disengagement plans and elements for an updated concept of operation;

7. *Requests* the Secretary-General to submit in that report proposals to the Security Council on ways to address the situation in the eastern provinces of the Democratic Republic of the Congo, including in the areas bordering Rwanda, Uganda and Burundi;

8. *Expresses* its readiness to support the Secretary-General, as soon as he considers that conditions allow it, in the deployment of infantry units in support of the military observers in Kisangani and Mbandaka in due course and, subject to the proposals submitted by him under paragraph 7 above, to other areas he may deem necessary, including possibly to Goma or Bukavu;

9. *Further requests* the Secretary-General to submit to the Council, in consultation with all parties concerned, detailed proposals concerning the establishment of a permanent follow-up mechanism which could address in consultation with existing mechanisms in an integrated and coordinated manner the issues of the full withdrawal of foreign forces, the disarmament and demobilization of armed groups, the security of the borders of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, the return of refugees and internally displaced persons in safety, the inter-Congolese dialogue and regional economic reconstruction and cooperation;

10. *Calls for* the withdrawal of Ugandan and Rwandan forces, and of all other foreign forces, from the territory of the Democratic Republic of the Congo in compliance with resolution 1304 (2000) and the Lusaka Ceasefire Agreement, and *urges* the forces to take urgent steps to accelerate this withdrawal;

11. *Calls on* all the parties to the conflict to cooperate in taking forward the disarmament, demobilization, reintegration, repatriation/resettlement of all armed groups referred to in Annex A, Chapter 9.1 of the Lusaka Ceasefire Agreement, in particular the Burundian Front pour la Défense de la Démocratie (FDD), the Rwandan ex-FAR/Interahamwe and the Allied Democratic Forces (ADF);

12. *Calls on* all Congolese parties concerned to cooperate fully in the inter-Congolese dialogue as called for in the Lusaka Ceasefire Agreement;

13. *Reiterates* its call on all parties to the conflict, including all armed groups referred to in Annex A, Chapter 9.1 of the Lusaka Ceasefire Agreement, to take immediate steps to prevent human rights abuses and violations of international humanitarian law and to ensure safe and unhindered access to humanitarian

personnel for providing assistance to all those in need, including the refugees and the internally displaced persons;

14. *Calls on* all armed forces and groups immediately to cease all campaigns for the recruitment, abduction, cross-border deportation and use of children, and *demand*s immediate steps for the demobilization, disarmament, return and rehabilitation of all such children with the assistance of relevant United Nations and other agencies and organizations;

15. *Stresses* the need to strengthen the human rights component of MONUC, and *requests* the Secretary-General to take appropriate measures to that end, including through active cooperation and coordination with the United Nations Human Rights Commission in a country-wide effort;

16. *Calls once again on* all the parties to the conflict in the Democratic Republic of the Congo and others concerned to cooperate fully with the expert panel on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo (S/PRST/2000/20) in its investigation and visits in the region;

17. *Calls on* all parties to fully implement their commitments under the Lusaka Ceasefire Agreement;

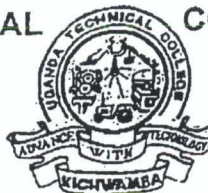
18. *Expresses* again its readiness to consider possible measures which could be imposed in accordance with its responsibility and obligations under the Charter of the United Nations in case of failure by parties to comply fully with this resolution;

19. *Decides* to remain actively seized of the matter.

---

FR LT. COL KABOYO'S ATTENTION:

UGANDA TECHNICAL COLLEGE - KICHWAMBA



UTC-K/B1

Our Ref: .....

Your Ref: .....  
The Brigade Commander,  
309 Brigade – Muhoti,  
P.O. Box 46,  
FORT PORTAL.

P.O. BOX 33

Tel: 0483 – 22554

Fort Portal

UGANDA  
Date: 24/1/ 2001.

Dear Sir,

RE: LIST OF STUDENTS WHO WERE BURNT IN THEIR HOSTELS BY THE  
ADF REBELS ON 8<sup>TH</sup> JUNE 1998 AND WERE BURIED IN A MASS GRAVE ON  
11<sup>TH</sup> JUNE 1998.

NAMES	COURSE
1. Ssekatawa Christopher	ODBCE
2. Ssekamate Fredrick	"
3. Lwanga Paul	"
4. Kule M. Amiram	"
5. Ddungu Patrick Mark	"
6. Musoke Aloysius Moses	"
7. Tuhairwe Eric	"
8. Nzabakurikiza Benon	"
9. Lukyamuzi Yusuf	ODEE
10. Kaliro Charles	"
11. Mukasa Henry	"
12. Lule Wilson	"
13. Nsimbi Christopher	"
14. Turyazayo Caleb	"
15. Sekitto Charles	ODME
16. Ssebugwawo Charles	"
17. Byomuhangi Richard	"
18. Bahemuka Joseph	AEM
19. Kaigo Joab	BCP
20. Muyomba James	"
21. Baguma Francis	CJ
22. Iga Thomas	CJ Adv.
23. Kakembo James	EI
24. Lubega Robert	MVT
25. Allelua Stephen	"
26. Mukungu Samuel Rwabwogo	"
27. Aliyo Kahebu Hillary	"



**STUDENTS WHO DIED OF BURNS AND THEIR BODIES WERE BURIED AT THEIR RESPECTIVE HOMES:**

- |                          |      |
|--------------------------|------|
| 1. Mukasa Samuel Wilfred | ODEE |
| 2. Ntungwa Fred          | "    |
| 3. Kighoma N. Emmanuel   | AEM  |

**STUDENTS WHO DIED OF GUNSHOT WOUNDS AND WERE BURIED AT THEIR RESPECTIVE HOMES:**

- |                   |          |
|-------------------|----------|
| 1. Etibu M. Pius  | ODME     |
| 2. Longa Henry    | BCP Adv. |
| 3. Ahebwa Kenneth | CJ.      |

**STUDENTS REPORTED TO HAVE BEEN MURDERED IN CAPTIVITY BY ADF REBELS:**

- |   |          |
|---|----------|
| 1. Kakuru David                         | ODBCE    |
| 2. Mugisha Benon                        | "        |
| 3. Ndora Robert                         | "        |
| 4. Akampa Herbert                       | ODME     |
| 5. Sentai Mohammed                      | BCP      |
| 6. Happy Patrick                        | "        |
| 7. Tumwesigye David                     | BCP Adv. |
| 8. Kijara N. W. Cylus                   | AEM      |
| 9. Balinda William Wilberforce          | "        |
| 10. Kitembo Mohammed                    | BCP      |
| 11. Musunguzi Jumah                     | CJ       |
| 12. Murungi Mubu Charles                | EI       |
| 13. Rwabuhinga Peter                    | "        |
| 14. Kasaija Masara Eddie                | "        |
| 15. Mbusa Sabuni                        | "        |
| 16. Kirungi Richard                     | CJ Adv.  |
| 17. Lutalo John Bosco                   | ODBCE    |
| 18. Kasaija Elisha                      | AEM      |
| 19. Agaba Geoffrey                      | CJ       |
| 20. Mpanga Moses                        | BCP Adv. |
| 21. Mwanguhya Kitembo (Kabuleeta Elvis) | EI       |
| 22. Manyindo Christopher                | ODBCE    |
| 23. Kyomuka Sam                         | "        |

**STUDENTS WHO ESCAPED FROM CAPTIVITY:**

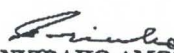
1. Agaba Deogratius
2. Manzi Hillary
3. Kule Andrew
4. Mugabe Robert
5. Muhairwe Moses
6. Isingoma Deziderio
7. Mujuni Elias
8. Akankwasa Emmanuel
9. Kwikiriza Abraham
10. Bwambale James
11. Twinomujuni John Bosco
12. Friday Jude
13. Byaruhanga Robert
14. Kabagambe Iyam Ernest
15. Mugenyi Robert
16. Nyakahuma Lawrence
17. Kasaija William
18. Kiiza James
19. Kiiza Erisa
20. Mugisha Evans
21. Dusabe George
22. Natukunda Milton
23. Kaganda Henry
24. Happy James Buroleerro
25. Byamukama Patrick
26. Asiimwe Richard
27. Nyemera Richard
28. Zomugisha Alex

ODEE  
ODME  
AEM  
AEM  
BCP  
"  
BCP Adv.  
EI  
"  
ODBCE  
AEM  
"  
MVT  
BCP  
EI  
CJ  
EI  
CJ  
BCP  
ODBCE  
MVT  
ODBCE  
EI  
ODBCE  
EI  
MVT  
EI  
BCP

**STUDENTS EXPECTED TO BE STILL IN CAPTIVITY:**

1. Muhereza Francis BCP Adv.
2. Mwesigye Jackson
3. Muhumuza Daniel

BCP Adv.  
CJ  
"

  
**MANYIRAHU AMOS**  
**REGISTRAR.**

**REGISTRAR**  
**UGANDA TECHNICAL COLLEGE KIRIWA**

United Nations

S/PV.4271

**Security Council**

Fifty-sixth year

*Provisional***4271**<sup>st</sup> meetingFriday, 2 February 2001, 3 p.m.  
New York

---

<i>President:</i>	Mr. Ben Mustapha .....	(Tunisia)
<i>Members:</i>	Bangladesh .....	Mr. Chowdhury
	China .....	Mr. Shen Guofang
	Colombia .....	Mr. Valdivieso
	France .....	Mr. Levitte
	Ireland .....	Mr. Ryan
	Jamaica .....	Miss Durrant
	Mali .....	Mr. Ouane
	Mauritius .....	Mr. Neewoor
	Norway .....	Mr. Kolby
	Russian Federation .....	Mr. Lavrov
	Singapore .....	Mr. Mahbubani
	Ukraine .....	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland ....	Sir Jeremy Greenstock
	United States of America .....	Mr. Cunningham

**Agenda**

The situation concerning the Democratic Republic of the Congo

Briefing by His Excellency Major General Joseph Kabila, President of the  
Democratic Republic of the Congo

---

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-23767 (E)

\*0123767\*



*The meeting was called to order at 3.10 p.m.*

#### **Expression of thanks to the retiring President**

**The President** (*spoke in Arabic*): As this is the first meeting of the Security Council for the month of February, I should like to take this opportunity to pay tribute, on behalf of the Council, to His Excellency Ambassador Kishore Mahbubani, Permanent Representative of Singapore to the United Nations, for his service as President of the Security Council during the month of January 2001. I am sure that I speak for all members of the Council in expressing deep appreciation to Ambassador Mahbubani for the great diplomatic skill with which he presided over the Council last month.

#### **Adoption of the agenda**

*The agenda was adopted.*

#### **The situation concerning the Democratic Republic of the Congo**

##### **Briefing by His Excellency Major General Joseph Kabila, President of the Democratic Republic of the Congo**

**The President** (*spoke in Arabic*): In accordance with the understanding reached in the Council's prior consultations, I request the Chief of Protocol to escort His Excellency, Major General Joseph Kabila, President of the Democratic Republic of the Congo, to a seat at the Council table.

*Major General Joseph Kabila, President of the Democratic Republic of the Congo, was escorted to a seat at the Council table.*

**The President** (*spoke in Arabic*): The members of the Security Council highly appreciate the initiative of President Joseph Kabila to meet with them at this stage of his first visit outside the Democratic Republic of the Congo since he assumed its presidency. The members of the Council attach great importance to this meeting and pin high hopes on its conclusions. We wish President Kabila every success in his noble mission to lead his people towards peace, security, stability and progress.

One year ago, on 24 January 2000, under the presidency of the United States, the Security Council convened an important meeting at which leaders of the

States signatories of the Lusaka Ceasefire Agreement participated. On that occasion, the leaders reiterated their commitment to the Agreement. The meeting enjoyed the strong and broad support of the international community in general and of the Security Council in particular. The Lusaka Ceasefire Agreement, which upholds the sovereignty and territorial integrity of the Democratic Republic of the Congo, gave high hopes that the conflict in that country might be ended and the peace and security of the neighbouring States restored.

Since then, the Lusaka Agreement has gone through critical phases and faced many challenges. Foreign troops have not withdrawn from the territory of the Democratic Republic of the Congo and the national dialogue has come to a standstill. The full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) has been delayed. Throughout this time, the suffering of the people of the Congo has been perpetuated by the war.

The Council has followed with grave concern the developments in the situation and dispatched a mission of its members. The Council has adopted a number of resolutions and presidential statements. In this context, I would cite in particular resolution 1304 (2000), adopted on 16 June 2000 under the presidency of France in the wake of a meeting of the Security Council with the Political Committee of the Ceasefire Agreement.

The Lusaka Ceasefire Agreement remains the most appropriate framework for reaching a negotiated settlement of the conflict in the Democratic Republic of the Congo. The Security Council expects all parties to the Agreement to demonstrate their commitment to the relevant Security Council resolutions and to the Agreement and to take concrete steps to move the peace process forward. In this regard, I pay a special tribute to the role played by the Organization of African Unity (OAU).

Last Friday's address by President Kabila to the Congolese people reiterated his support for the Lusaka Ceasefire Agreement and his resolve to pursue national dialogue and reconciliation. He underscored his commitment to cooperating with the OAU and the United Nations and to the deployment of MONUC; his demand that foreign troops withdraw from his

country's territory; and his desire to establish good-neighbourly relations with neighbouring countries.

The Security Council has consistently stressed the need for respect for the Democratic Republic of the Congo's sovereignty, territorial integrity and control over its natural resources. It is also concerned that the sovereignty of all States be equally respected. President Kabila will find the Council in full support of his contributions to moving the peace process forward. The Council's interest in the situation concerning the Democratic Republic of the Congo is reflected in the series of meetings which it intends to convene this month on that issue, in particular its meeting with the Political Committee of the Ceasefire Agreement. The members of the Council look forward to the achievement of concrete results at these meetings that will help to revive the peace process and assist the brotherly people of the Congo in fulfilling their aspirations.

I now invite the Secretary-General to address the Council.

**The Secretary-General:** We are meeting today to discuss once again one of the biggest challenges currently facing Africa and the United Nations — the challenge of bringing peace and stability to the Democratic Republic of the Congo and to the region around it.

Let me begin by welcoming President Joseph Kabila to the United Nations and congratulating him on his inauguration as Head of State of the Democratic Republic of the Congo. I have already had the opportunity of extending to President Kabila my sincere condolences on the loss of his father.

The Lusaka Agreement, signed in July and August 1999 by six States and three rebel movements, has yet to be translated into action, but for the last two weeks the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) has reported almost no ceasefire violations throughout the country. This is surely a moment of opportunity, which must be seized by the parties and those who wish to help the people of the Democratic Republic of the Congo. The time appears ripe for a resolute effort to implement the Lusaka Agreement, including through a genuine dialogue among all Congolese on the future of their country.

I welcome the calm that has descended on the confrontation lines between the various forces in the Democratic Republic of the Congo, and hope that all the parties concerned, and all their military commanders, will take the necessary measures to ensure that it continues. Any regional initiative aimed at achieving this objective is to be commended.

In this regard, I urge the parties to adhere to the plan for the disengagement of forces they agreed to in Harare on 6 December. Within its current resources, MONUC has already begun to take the measures necessary to support the disengagement. In my forthcoming report to the Security Council, as requested in resolution 1332 (2000), I will propose the elements of a revised concept of operations for MONUC deployment in support of the disengagement plan. Once the Council has adopted the new concept, MONUC will take the necessary steps to carry it out.

Peace and stability will not return to the Democratic Republic of the Congo and its neighbours unless and until all Congolese are engaged in a meaningful dialogue to decide how their country is to be governed. By the same token, all countries of the region should continue to engage in dialogue to resolve this conflict. This requires the new Congolese authorities to confirm their strong commitment to peaceful negotiation, notably by taking steps to liberalize the political climate in the country. I am glad to note that the new Government is prepared to work with Sir Ketumile Masire, the neutral Facilitator appointed under the Lusaka Agreement, with the help of a co-Facilitator. I look forward to the early identification of such a co-Facilitator by the Congolese parties, with the help of the Organization of African Unity. Any support that can be provided by other heads of State in the subregion will surely also be welcome.

By its resolution 1304 (2000) of 16 June 2000, and reaffirmed in resolution 1332 (2000), the Security Council demanded the withdrawal of Ugandan and Rwandan forces from the territory of the Democratic Republic of the Congo, in conformity with the timetable of the Ceasefire Agreement and the Kampala disengagement plan of 8 April. I look forward to the early withdrawal of all foreign forces, as provided for by the Lusaka Agreement. In future phases of its operations, with the approval of the Security Council, MONUC will be ready to deploy to assist in this important objective.



The commitment to peace that President Joseph Kabila has already demonstrated is welcome for many reasons. Respect for the ceasefire could permit humanitarian agencies to gain access to populations in need. Greater attention can then be paid to human rights and the rights of children, including child soldiers, once the fighting has stopped. It would also be possible to address outbreaks of communal violence not directly related to the main conflict, such as those in Ituri and South Kivu.

Finally, it remains only for me to wish President Kabila every success. I am sure I speak for the international community as a whole in assuring him that he will enjoy our full support in his efforts to restore peace and promote democracy and development in his great country in the heart of Africa.

**The President** (*spoke in Arabic*): I thank the Secretary-General for his statement.

It is my honour now to give the floor to His Excellency Major General Joseph Kabila, President of the Democratic Republic of the Congo.

**President Kabila** (*spoke in French*): It is a great honour for me to speak here for the first time before the Security Council. The Government and the people of the Democratic Republic of the Congo would like to thank the President, as well as the Council as a whole, for having involved us in today's discussion of the situation in the Democratic Republic of the Congo.

Before continuing, I should like to extend my warmest congratulations to the President on his assumption of the presidency of the Security Council for the month of February. My delegation is pleased to see the Security Council being led this month by the representative of a friendly country, Tunisia, as this principal organ of the United Nations responsible for the maintenance of international peace and security once again addresses the situation in the Democratic Republic of the Congo.

I should also like to offer my thanks to the Permanent Representative of Singapore for the new dynamism he was able to bring to the Security Council during his presidency of the Council last month.

Lastly, I would like to pay genuine tribute to a man who spares no effort in order to give significant impetus to our worldwide Organization and who deserves our greatest respect: Mr. Kofi Annan, the Secretary-General. My country owes him a great deal

for the persistent and intensive efforts that he has made to promote the purposes and principles of the Charter of the United Nations and, in particular, to bring peace to the Democratic Republic of the Congo.

As I take the floor here for the first time in the Security Council, I remember the historic day, 24 January 2000, when President Laurent-Désiré Kabila, in this same Chamber, called for a withdrawal from our national territory of the armies of aggression of Rwanda, Uganda and Burundi, on the basis of Security Council resolution 1234 (1999) of 9 April 1999. A year after his speech, the situation has not changed despite the many efforts made. Indeed, on the contrary, the conflict in the Democratic Republic of the Congo has lasted for almost three years now, and the casualties have been extremely heavy. Some 1.7 million people died in 22 months in the occupied territory in the eastern part of our country, according to a report from the International Rescue Committee issued in May 2000. Today, that figure is clearly low, because it does not take into account the additional casualties that have occurred since May 2000 due to the continuing war of aggression since then.

The illegal exploitation of the natural resources of our country — primarily tantalite, coltan, timber, gold and diamonds — that finance the war effort of the aggressor countries is a devastating phenomenon, and it will have serious consequences for present and future generations in my country. An end must be put to this illegal exploitation.

My Government would like to assure the Security Council that it will do its utmost to cooperate fully with the Ad Hoc Expert Group, made up of eminent internationally recognized individuals of proven competence. We reiterate to them our fullest confidence and support.

It is our ardent hope that the panel of experts will submit to the Security Council in March a full report on the situation, which will enable the Council to take decisions on the basis of complete information. We would like the report to be a fair and equitable one that can establish the truth about the tragic plundering of the natural resources of our country.

My Government has often spoken to the Security Council of the very deep-seated yearning for peace felt by all sectors of the population of my country. This is why, given the challenges involved in the restoration of peace and the strengthening of national harmony in a



country that has been torn apart, I have decided on behalf of my people to work towards a policy that fosters dialogue and reconciliation.

I invite the authorities in Rwanda, Uganda and Burundi to return to a better sense of good-neighbourliness, with a view to achieving a peaceful settlement of differences and to cooperating fruitfully for progress in Africa.

Therefore, in accord with and in consultation with the allied countries that support us in facing the aggression, we are going to examine ways and means of relaunching the Lusaka Agreement so that it will not only lead to an effective ceasefire but will also restore peace to the Great Lakes region, while at the same time preserving the fundamental attributes of our Republic: independence, sovereignty, territorial integrity and unity, which the Council has continuously reconfirmed.

To be effective, the Lusaka Agreement must be reinforced by a binding mechanism that could set an example by punishing the parties that violate the ceasefire and do not respect the measures taken for deployment and disengagement. We ask the Security Council to consider during this month of February a new and precise timetable that would cover four points: the disengagement provided for in the Harare agreement, the deployment of United Nations troops, the unconditional withdrawal of uninvited forces and, finally, the withdrawal of troops from countries that were invited. To confirm the commitment of the Congolese Government to take an active part in this process, I would like to point out to the Council that my Minister for Foreign Affairs is present at this meeting.

As I said in my address to my nation on 26 January 2001, the problems linked to democratization must be resolved within the framework of the inter-Congolese dialogue. Accordingly, we reiterate our urgent appeal to all political players and members of civil society to join unreservedly in preparatory efforts to ensure the success of the dialogue, notably the continuing efforts to complete the Libreville process.

In my capacity as the person responsible for my country, I urge all of my Congolese brothers, regardless of their social origins, regardless of their views, and including those who have taken up arms, to come and sit down with us around a table to talk of peace and of how to organize the future political landscape in the Democratic Republic of the Congo, to talk of the

urgent need for our country to rebuild and to lay the foundations of sustainable development for the well-being of the Congolese people.

This is why, once again, I launch an urgent appeal to the international community to support the Congolese people as they move towards this dialogue, which must be among the Congolese people without any interference. For how can we not accept for ourselves what we undertook in support of our neighbour, Burundi, and what was unanimously supported in this Council? In that way, we demonstrated our nation's strong resolve to contribute not only to the return of peace to our own country but also to the peace of our neighbouring countries, and even more particularly of those that are occupying a large part of our national territory.

If a solution to the crisis in Burundi is indeed an indispensable and inseparable element of the crisis in the Democratic Republic of the Congo, because of the consequences for our own territory of inter-ethnic conflict in that country, the same also applies to the need for democratization in Uganda and Rwanda. National consensus in all of our countries is a prerequisite for stabilization in the Great Lakes region.

In the course of this month, this Security Council is certainly going to take a decision on the possibility of phase II deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). We reiterate to the Council and to the entire world the commitment of my country to cooperate closely with MONUC so that it can effectively discharge its mandate, in particular as regards the urgent deployment of forces to Congolese territory in order to restore peace.

We would venture to believe that the Security Council will stand by its commitments, inter alia, by swiftly deploying its forces in accordance with the resolution I mentioned earlier and the subsidiary disengagement plan adopted recently at Harare, which provides for an initial deployment along the line of demarcation, followed by another deployment along the adjacent borders with Uganda and Rwanda, in order to provide security along our common borders.

We welcome the mutual understanding and close collaboration between MONUC and our Government, and we would like to convey to you our great appreciation for the quality of work done by the Special Representative of the Secretary-General,

Ambassador Kamel Morjane, who has enhanced the prestige of United Nations diplomacy. We encourage him to continue along the road that he has considered useful and necessary to restore lasting peace to our country. We are grateful to him, and we are sure that the Congolese people as a whole are also grateful to him.

By way of conclusion, may I say that my Government and I have given ourselves the task of continuing to rebuild our devastated country and to meet the expectations of our people. We want to bring together all Congolese, while respecting their differences, because it is the Congolese people as a whole we must serve in its diversity, as well as in its common love for the country. We must also respond to the people's deepest aspirations for a better quality of life.

Once peace has been regained and territorial integrity restored, our work will involve, with your assistance and that of the international community, preparing free and transparent elections so that the people can choose the person who will preside over the future of the Democratic Republic of the Congo.

We are also among those who believe that the peaceful settlement of disputes and recognition of the inherent dignity of every member of the human family and of their equal rights are the basis of freedom, justice and peace in the world. This is the Congolese approach, which must, in my view, lead us to the restoration of peace in the Great Lakes region.

**The President** (*spoke in Arabic*): I wish to thank His Excellency President Joseph Kabila, President of the Democratic Republic of the Congo, for his kind words addressed to me and to my country, Tunisia.

**Mr. Cunningham** (United States of America): Before I begin, I want publicly to recognize Tunisia's extraordinary contribution to the cause of peace in the Democratic Republic of the Congo. In addition to personnel of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), Tunisia has dedicated three of its finest diplomats to this effort. I refer, of course, to the Special Representative of the Secretary-General, Kamel Morjane, Assistant Secretary-General Hedi Annabi and you, Mr. President. We are deeply grateful to the Government of Tunisia for devoting so much of the coming month to the situation in the Democratic

Republic of the Congo, and we pledge our full support and cooperation.

I join in welcoming President Kabila to the Security Council and to New York. We express to President Kabila, both in his official role and his private capacity, our deepest condolences for the death of his father and late President. We are deeply moved that in his time of grief, President Kabila has reassured the Congolese people and the international community of his commitment to moving ahead with the peace process. The eyes of the world were on President Kabila when he assumed his office. They followed him to Paris, Washington and now New York. Now is the time for bold and statesman-like steps on the part of all the parties, including the United Nations. We must all work together.

There are four important messages that we want to communicate to the Government of the Democratic Republic of the Congo.

First, whether in the field of peacekeeping, humanitarian relief or development, the United Nations is and will remain a friend of the Democratic Republic of the Congo.

Secondly, it gave us new hope when President Kabila's first words to the Congolese people and the international community were a renewed call for peace and democratization. We warmly welcome President Kabila's clear affirmation of his Government's commitment to the successful implementation of the peace process and his pledge to continue and intensify cooperation with MONUC.

Thirdly, we support the Lusaka process and urge all the signatories to ensure that peace finally comes to the Democratic Republic of the Congo and the region.

Fourthly, and most importantly, now is the time for action. We want MONUC to deploy and peace to succeed. For this to happen we require an operational plan for the disengagement of forces and their redeployment, and the parties must create and sustain the conditions needed for further MONUC operations. This includes the provision of adequate assurances for the security and freedom of movement of United Nations and related personnel.

The Government of the Democratic Republic of the Congo has a right, under the United Nations Charter, to demand that uninvited foreign forces depart its territory. The Governments of Rwanda and Uganda



have a right, under the United Nations Charter, to demand that the Congolese territory not be used as a launching pad for attacks against their countries.

There is an obvious political settlement here. The Governments of the region need to work together, rather than against each other, to bring about what they and the entire region need: a stable and secure Democratic Republic of the Congo. The pursuit of common interests is the only means by which this crisis will be resolved.

While foreign Powers cannot dictate the internal politics of the Democratic Republic of the Congo, we believe that the call for democratization is not a foreign demand. The new political dispensation called for under the Lusaka Agreement is and must remain the sovereign domain of the Congolese people. As the Security Council delegation witnessed in Kinshasa, political parties, civil society, organizations and religious communities are calling for political participation and accountable governance in the Democratic Republic of the Congo. United States support for democratic development within the Congo is based on the belief that democracy and long-term stability are inseparable. We also believe that the best means to delegitimize armed opposition is to allow unarmed political opposition to flourish.

The Lusaka Agreement provides for an inter-Congolese dialogue under neutral facilitation. We hope for early progress in re-engaging the facilitation appointed by the Organization of African Unity (OAU), and we hope also that the dialogue can begin. We continue to believe that Sir Ketumile Masire is an outstanding former head of State who can fulfil his mandate, and we hope that he will reach out to the parties in the spirit of compromise and democracy for which his country is so well known.

It has been almost a year since the Security Council authorized phase II of the United Nations mission in the Congo. The Secretary-General delayed the deployment of additional United Nations personnel because conditions on the ground were not yet conducive to a successful mission. This was not a popular decision, but we believe that it was the right one, as neither the Lusaka Agreement nor the Council's resolutions had been implemented. If President Kabila's recent statements are followed by concrete actions by all the parties, the United Nations will, at

last, be able to play its full role in the peace process, and my Government wants that to happen.

The critical short-term task remains a fully effective cease-fire and the disengagement of forces. While disengagement cannot substitute for a broader peace process, it will provide the enabling environment for progress on the political front. The Secretary-General is revising the concept of operations to reflect the changing situation on the ground. Just as we have supported his decision not to deploy additional personnel until the situation allows, we will support deployment as soon as conditions permit, and we look forward to his advice.

Pueto in Katanga province remains a potential flashpoint, but it also represents an opportunity for the parties to put the peace process on track. In this zone in recent months the cease-fire was violated. We welcome Rwanda's readiness to withdraw from Pueto, and we urge movement there as soon as possible.

President Kabila has created an opening for the peace process by his reaffirmation of the Lusaka Agreement, his offer to work with his neighbours on security issues and a pledge of full cooperation with MONUC. It is up to the other Lusaka signatories to respond with initiatives of their own.

Turning the Congo into a battleground of foreign armies inflicts misery on the Congolese people and adds to instability in the region. Rwanda and Uganda must present the Government of Kinshasa with credible, concrete actions that demonstrate that they are committed to peace, the withdrawal of their forces and the territorial sovereignty of the Democratic Republic of the Congo as a unified nation. All the State parties need to work together based on the mutual recognition that armed non-State actors using the territory of the Democratic Republic of the Congo pose a threat to regional stability. Whether we are discussing UNITA, the Front pour la défense de la démocratie (FDD) or the Allied Democratic Front (ADF), the common denominator is that the Congolese people want them all to leave their country.

One group in particular, former members of the Rwandese Armed Forces (FAR) and Interahamwe, poses a major threat to regional stability and to the successful implementation of the Lusaka Agreement. Just as the international community is justified in calling for the withdrawal of Rwandan and Ugandan forces from the Democratic Republic of the Congo, so



too must we call on all the Lusaka signatories to abandon support for the ex-FAR and Interahamwe. In that way, the path will be open for the disarmament, demobilization, reintegration and resettlement of the ex-FAR and Interahamwe, as well as of other armed groups in the Democratic Republic of the Congo.

At the end of the day, common security interests of all the States in the region converge, and those common interests can form the basis for peace. All involved have the responsibility to achieve the peace their people so clearly need and so justly deserve. We reiterate our call for the parties to go beyond statements and to use the coming days to take concrete steps needed to disengage their forces, bring about the conditions for further deployment of the United Nations Organization Mission in the Democratic Republic of the Congo, and begin the national dialogue called for in the Lusaka Accords.

My Government wishes President Kabila every success.

**The President** (*spoke in Arabic*): I thank the representative of the United States for the kind words he addressed to Tunisia and to its diplomatic representatives.

**Mr. Levitte** (France) (*spoke in French*): I wish at the outset to thank you, Mr. President, for having placed the Democratic Republic of the Congo at the heart of the Security Council's agenda for the month of February, during which you will be presiding over the work of the Council. I want also to thank the Secretary-General for the message of hope he has just conveyed to the Security Council: hope that peace will be restored in the Democratic Republic of the Congo.

I thank President Joseph Kabila for his presence here today, and for the statement he has just made. On behalf of the French leadership, I extend our condolences to President Kabila on the tragic death of his father, President Laurent-Désiré Kabila. We believe that President Joseph Kabila's decision to come to New York to address the Security Council, only a few days after officially taking office, is particularly significant and encouraging. That gesture reflects a desire for true relations of trust and partnership between the United Nations and the Democratic Republic of the Congo, and we hope that those relations will continue and deepen.

In his statement, President Joseph Kabila has just reaffirmed an approach based on dialogue and reconciliation, which we welcome. His inauguration statement before the Congolese nation had already laid the foundations for that. Further, President Kabila discussed this with President Chirac two days ago in Paris, and President Chirac indicated to President Kabila that he supported his avowals of peace and dialogue. We are particularly encouraged by President Joseph Kabila's commitments with respect to peace and to the restoration of the sovereignty and territorial integrity of the Democratic Republic of the Congo through the implementation of the Lusaka Agreement and the relaunching of the inter-Congolese dialogue. Also encouraging is the President's wish to facilitate the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), under the fine leadership of Ambassador Kamel Morjane, to whom we convey our greetings. The role of the international community here is resolutely to encourage and support the Congolese authorities on the path of peace and dialogue, while, of course, giving them time to build these new approaches. The international community must encourage the other signatories of the Lusaka Agreement to respond without delay to the overtures made by the new President of the Democratic Republic of the Congo.

My country's position on the resolution of the Congolese crisis was clearly reflected in the recent conclusions adopted by the Council of Ministers of the European Union. Here, my delegation wishes to recall several simple principles that should guide the implementation of the peace process in the Democratic Republic of the Congo.

First, it is essential that all the parties implement their commitments under the Lusaka Agreement and that they respect the various resolutions of the Security Council. The withdrawal of foreign forces from the Democratic Republic of the Congo, especially the withdrawal of uninvited forces, is imperative. Without such a withdrawal there can be no lasting peace in the Democratic Republic of the Congo.

Secondly, as President Kabila has just forcefully said, the plundering of the natural resources of the Democratic Republic of the Congo must cease. This ongoing violation of the sovereignty of the Democratic Republic of the Congo is unacceptable. Those who carry out such activities should in due course be

punished by the international community. France eagerly awaits the final report of the panel of experts on the illegal exploitation of the natural resources of the Democratic Republic of the Congo.

Thirdly, the withdrawal of foreign forces from the Democratic Republic of the Congo must be accompanied by rapid deployment of MONUC. MONUC observation of the disengagement and withdrawal of forces and the regular reports on this matter to be made to the Security Council will serve as a guarantee to the parties and will encourage them to carry out their commitments. All parties concerned must effectively ensure the safety, security and freedom of movement of MONUC personnel. France is also well aware of the security problems that could arise along the borders with some countries neighbouring the Democratic Republic of the Congo. We continue to support the principle of MONUC deployment in border areas, especially Goma and Bukavu.

Finally, the relaunching of national dialogue, in a framework that can undoubtedly be adjusted, should facilitate the solution of the specific political difficulties of the Congolese. As President Kabila has just said, the door to inter-Congolese dialogue must be open to all, without preconditions and without exclusion.

France encourages President Joseph Kabila to continue the constructive talks with Burundi that have been underway for some months — as he has just said he will. As President Kabila has just indicated, peace in the region must be comprehensive and lasting if it is to lead at last to the implementation of the policies of development, growth and democracy for which the peoples of the Great Lakes region long.

Today's gathering inaugurates a series of meetings which will include the visit here on 21 and 22 February, under your presidency, Sir, of the members of the Political Committee of the Lusaka Agreement. We must take the opportunity vigorously to relaunch the peace process and to hasten the settlement of a conflict that has caused all too much harm to civilian populations. It is in that spirit that France will work in the coming weeks — a period that we hope will be decisive.

**The President (spoke in Arabic):** I thank the representative of France for the kind words he addressed to me.

**Mr. Chowdhury (Bangladesh):** We convey very warm greetings to you, Sir, as you assume the presidency of the Council for the month of February. We are very pleased that you are leading the Council this month.

This is a special opportunity for the Security Council to welcome His Excellency President Joseph Kabila soon after his assumption of the presidency of the Democratic Republic of the Congo.

It was encouraging to hear the commitment of the President to pursue the Lusaka peace process. We noted in particular his determination to make fresh efforts to bring peace to the country and to hold free and fair elections. His willingness to extend full cooperation to the United Nations observer mission, and his assurance to us of his support for the implementation of the resolutions of the Security Council, are very encouraging.

Today's meeting provides an opportunity to think together about a new departure in our common endeavour for peace in the Democratic Republic of the Congo. The Secretary-General has given us a perspective on the course of action ahead. We are in full agreement with him. We also appreciate the briefing on the situation that we received this morning from his able Special Representative, Ambassador Kamel Morjane.

It has been widely recognized that there can be no military solution to the conflict in the Democratic Republic of the Congo. It is important that all concerned parties come to the same conclusion. According to our understanding, the Lusaka Agreement provides for a workable compromise for all parties. We urge the leadership in the region, as well as the rebel movements, to take a pragmatic approach to the peace process. In this context, we look forward to our meeting here next week with President Kagame of Rwanda. The insistence on finding a military solution or taking irreconcilable positions has not helped resolve the conflict. It has only increased the suffering of the people of the Democratic Republic of the Congo and their neighbours.

We understand that efforts are being made for a regional meeting, possibly at the summit level, involving all signatories of the Lusaka Ceasefire Agreement. For practical reasons, such a meeting should preferably be held prior to our meeting here with the Political Committee later this month. We shall



be expecting concrete steps from the Political Committee and the Joint Military Commission meetings this month.

In order for the Council to take a decision on full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) at its authorized strength, we will certainly want to see some real progress on the ground. There have been arguments in favour of MONUC deployment as the forces withdraw, in order to prevent any security gap. For that to take place, the parties will have to demonstrate their commitment by effectively withdrawing as per the Kampala disengagement plan and the Harare subplan. We shall be guided by the advice of the Secretary-General with regard to the further deployment of the United Nations observers, assisted by the troops.

A fundamental element in the peace process is the inter-Congolese dialogue for national reconciliation. We shall call upon the Government of the Democratic Republic of the Congo to revive the facilitation process at an early date.

Bangladesh particularly welcomes President Kabila's pledge to prepare free and transparent elections to enable the people to choose for themselves a leader to preside over the destiny of the country. The war of attrition in the Democratic Republic of the Congo has cost the lives of thousands of people; it continues to destroy the lives of thousands more; it has kept a whole nation hostage. The people of Congo have suffered some of the worst atrocities, and this must stop.

We call upon the leadership in the region to forget the acrimonious past and commit themselves to a future of mutual trust and confidence. It is time they took a decisive step to end the conflict. A peaceful, united and prosperous Democratic Republic of the Congo will be in the best interests of all the people of the region. The Security Council and the rest of the international community will stand behind them in their efforts. A courageous first step has to be made here. Today, with President Kabila's commitment to bringing peace to the Democratic Republic of the Congo, we have a window of opportunity. We should seize that opportunity in earnest.

**Mr. Ouane (Mali)** (*spoke in French*): I should like first of all to thank you, Mr. President, for having taken the initiative to convene this important public

meeting of the Security Council to consider the situation in the Democratic Republic of the Congo. I should also like to welcome the participation in this meeting of Major General Joseph Kabila, President of the Democratic Republic of the Congo, to whom I renew the heartfelt condolences of the people and the Government of Mali for the tragic death of President Laurent-Désiré Kabila. I should also like to thank President Kabila for the important statement that he made. Finally, I should like to welcome the Secretary-General to this meeting and thank him for the message of hope that he has just conveyed to us regarding the situation in the Democratic Republic of the Congo.

With regard to that situation, I should like, in the context of today's debate, to make several points.

First, Mali supports the search for a peaceful settlement to the conflict in the Democratic Republic of the Congo. In this regard, my delegation welcomes the renewed commitment of President Joseph Kabila to work for a solution that gives priority to dialogue and reconciliation. The continuation of the inter-Congolese dialogue and the Libreville process will, in the view of my delegation, be an effective means of achieving national reconciliation and arriving at a stable external environment. It is a fact that peace processes and reconciliation go hand in hand. That is why we support the appeal made to all political players, including civil society, and to neighbouring countries aimed at achieving a peaceful settlement of the conflict.

Secondly, we believe that it is of fundamental importance to create the conditions for a lasting peace in the Democratic Republic of the Congo on the basis of the full implementation of the Lusaka Agreement. In this context, we believe the relaunching of the Lusaka process to be a vital necessity. We encourage the authorities of the Democratic Republic of the Congo to consider the ways and means of relaunching the process in order to achieve an effective ceasefire and to contribute to the restoration of peace in the Great Lakes region.

In the same context, we welcome the efforts made by the Chairman-in-Office of the Organization of African Unity and by President Frederick Chiluba, who is presiding over the regional initiative, and we encourage them to persevere in their efforts.

Thirdly, my delegation believes that the rapid implementation of the second stage of the United Nations Organization Mission in the Democratic



Republic of the Congo (MONUC) is essential for ensuring that the conflict in that country is resolved. In this connection, we support the appeal made to the signatories of the Lusaka Agreement to reaffirm their commitment to the implementation of that Agreement and comply with its provisions, particularly those relating to the implementation of the plan and the subplans for the redeployment of forces in the Democratic Republic of the Congo and the deployment of MONUC. It is also important that Security Council resolution 1332 (2000) of December 2000 be fully implemented.

That is why we also look forward to the next report of the Secretary-General on the new concept of operations of MONUC. We also look forward to contributing usefully to the Security Council's meeting with the members of the Political Committee established under the Lusaka Agreement, scheduled to take place on 21 and 22 February.

In conclusion, I wish to stress that, given the gravity of the conflict in the Democratic Republic of the Congo and all that is at stake, the international community must act speedily and practically. The Security Council in particular must shoulder all its responsibilities and firmly uphold the peace process in the Democratic Republic of the Congo. Mali will do its full share in that necessary and urgent process.

**Sir Jeremy Greenstock** (United Kingdom): I warmly welcome you, Sir, to the Council chair and offer you my compliments for starting your presidency with this important meeting.

I congratulate President Joseph Kabila on his assumption of the presidency of the Democratic Republic of the Congo and offer my delegation's warm thanks to him for his extraordinary initiative in coming to New York so early in his presidency and seeking this meeting with the Council. I also renew the United Kingdom Government's and people's sincere condolences on the loss of his father.

The United Kingdom values highly the opportunity to have this discussion today. We must make the most of it to confirm our commitment at last to moving the peace process forward. The principles are all set out and were signed up to more than 18 months ago in the Lusaka Agreement. The Kampala and Harare disengagement plans have followed. We now need to see the solid, steady implementation of the peace process which has been missing for the past year

or so. This means a strong focus on the Lusaka Agreement and we welcome President Kabila's clear reaffirmation of its importance today.

I think there are three key areas to address in the run-up to our meeting with the Political Committee on 21 and 22 February. On the military side, we welcome the general restraint shown by all the parties in recent days. This needs to be sustained and built upon. It is essential for the parties to be in contact and to get back to work on disengagement and withdrawal plans, mapping out achievable, concrete steps and setting a realistic timetable. They then need to take forward those plans. In this light, it is welcome news that President Kabila met yesterday in Washington with President Kagame and we would be most grateful if the President or his Foreign Minister could give us a summary account of that meeting or an assessment of its import. There can be no progress towards a political solution without direct communication between the opposing parties to the conflict.

This Council insists on a political solution to the conflict. A military solution is clearly unachievable, but the political track can only truly come alive if credible progress is made in creating a political framework that will give a voice to all Congolese people. If we all put the rights and wishes of the ordinary, peace-loving people of the Congo first, we will reach a solution to this conflict surprisingly quickly.

We wish therefore to see the early establishment of an open, inclusive dialogue, as set out in the Lusaka Agreement, that will allow the people of the Democratic Republic of the Congo to map out a new future for their country and suffer no longer the presence of foreign troops on their soil. We encourage the Congolese authorities to reengage with the facilitation appointed by the Organization of African Unity in taking this forward. I make a particular appeal to President Kabila to take the lead in this. He has the most important role to play, not just in moving forward dialogue among the Congolese people, but much more generally in creating an atmosphere that will allow truly open and representative dialogue to flourish.

In this respect, the United Kingdom very much welcomes the pledge in President Kabila's inaugural statement to restore normal democratic life in the Democratic Republic of the Congo, with full respect for human rights and justice, and to hold nationwide

elections. We call on all the Lusaka parties fully to respect human rights and humanitarian standards. It also might be useful to explore the scope for a multi-donor mission to assess the humanitarian situation across the Democratic Republic of the Congo, which would give us a much better understanding of the scale of the problem and the level and kind of assistance needed.

Then, there is the question of the United Nations role. I come to this thirdly because the way in which we can move forward depends first on the progress made by the parties. In December last year, we rolled over the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) for a further six months. We need to use this period to move forward. The United Nations has been in limbo for far too long, and the Secretary-General made it clear to us this afternoon that he wishes this to change.

But MONUC, so ably led by Ambassador Morjane and keen to carry forward its purpose, can deploy and carry out its role only in parallel with implementation by the parties to the peace process. The parties must give MONUC their full, practical cooperation. As host Government, the Government of the Democratic Republic of the Congo has a particularly important role in this respect. Free access and security must be provided for MONUC, as well as for humanitarian agencies. We very much welcome the early positive indications from President Kabila in that respect. At the request of the Council, the Secretary-General will this month be reviewing the situation on the ground and the MONUC concept of operations. We want to move forward, but we can do so only when the Secretary-General is satisfied that the conditions are right and will allow us to play a useful role. This depends on forward movement by the parties and on clear evidence of support and protection from the Government and armed forces of the Democratic Republic of the Congo.

We now have a programme and a clear opportunity for making real progress in implementation of the peace process, leading up to the Council's meeting on 21 and 22 February. Let us make the most of it. The United Kingdom will contribute forcefully to that objective. Let us hope that we will soon be applauding President Kabila for making the crucial difference in ensuring the success of that programme.

**The President** (*spoke in Arabic*): I thank the representative of the United Kingdom for his kind words addressed to me.

**Mr. Ryan** (Ireland): May I extend warmest congratulations to you, Sir, on Tunisia's assumption of the presidency of the Council.

In welcoming President Joseph Kabila to the Council today, may I also extend our condolences to him and to his family on the death of the late President Laurent Kabila.

We commend the initiative of President Kabila to engage with the international community at this potential turning point. We have studied carefully and welcomed his inaugural speech to the nation and we have heard his comprehensive address to the Council today. We welcome his clear commitment to bringing a strong impulse to the Lusaka Ceasefire Agreement so that it may lead not only to an effective ceasefire, but also to a restoration of peace and stability in the Democratic Republic of the Congo and in the region generally.

The meetings of President Kabila with Presidents Mbeki and Chirac, Secretary of State Powell, the United Nations Secretary-General and now the Security Council are evidence of his stated intention to contribute to the relaunching of the Lusaka Agreement and of his commitment to helping the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) in carrying out its tasks. Yesterday's meeting with President Kagame was of particular importance and a most encouraging indication of the intention of both parties to respect the Agreement.

Out of the recent tragedy has come, we believe, a widely perceived opportunity to reach a peaceful settlement to this conflict. We have urged the parties to the conflict to engage in direct contact together in this regard. We reiterate that call today and we urge each party to take steps to engender the confidence of the other parties.

It is our absolute conviction that the Lusaka Agreement provides the consensual basis for peace in the Democratic Republic of the Congo and in the wider region. We urge all the parties to the conflict, and in particular the new authorities in Kinshasa, to seize this opportunity in a sustained process and to get together behind the Lusaka Agreement and to commit



themselves to its full implementation in letter and in spirit.

We welcome President Kabila's emphasis on this essential point in his remarks earlier. The Lusaka Agreement offers, by far, the best way forward. We strongly believe that no party to the Agreement should attempt to manipulate it in its own interest, but should honour strictly its obligations under it. All parties must move towards the national dialogue and reconciliation, as foreseen in the Lusaka Agreement, in order to form a freely elected, democratic Government that is representative of all the people of the Democratic Republic of the Congo. We welcome President Kabila's stated commitment to solving political problems within the framework of the inter-Congolese dialogue.

We urge the authorities of the Democratic Republic of the Congo to make early contact with the facilitator with a view to making early progress on this issue. In this regard, we have noted Foreign Minister Okitondo's call for a co-Facilitator in the inter-Congolese dialogue as further evidence of the willingness to fully re-engage with the process. A permanent cessation of hostilities, the full withdrawal of foreign forces from the Democratic Republic of the Congo, the disarmament and demobilization of armed groups and the securing of international borders in accordance with the Lusaka Agreement and subsequent disengagement plans is an absolute priority now to be worked towards together by all involved parties.

We welcome the commitment of the authorities of the Democratic Republic of the Congo to collaborate closely with MONUC, as clearly stated by President Kabila in his inaugural statement and again here today, so as to enable it to discharge its mandate efficiently. We call on all the parties to move immediately to bring about the conditions in which the United Nations can assist and in which MONUC can effectively operate. We look forward to the next report of the Secretary-General, in which he will address the future shape of the United Nations presence in the Democratic Republic of the Congo. In this regard, we expect also that the United Nations operation will enjoy the full cooperation of all the parties involved. President Kabila has expressed today his own commitment in this regard.

The European Union has said, and we fully share the conviction, that lasting peace in the Democratic Republic of the Congo will be possible only through a

negotiated peace settlement that is fair to all parties, that respects the territorial integrity and national sovereignty of the Democratic Republic of the Congo, that upholds democratic principles and human rights and that takes account of the security interests of the Democratic Republic of the Congo and all other countries of the region.

President Kabila has committed to bringing about the normalization of democratic life, strengthening of the rule of law, consolidation of democracy and good governance and a guarantee of human rights and justice. We welcome these clear commitments, and we look forward to evidence of early progress. We also look forward to building on this meeting today and on this clear opportunity for peace at the meeting of the Political Committee later this month. We see the presence of President Kabila today as a signal of his commitment to this process, and we welcome this pragmatism.

We hope that President Kabila, having listened to the views of Council members, will return to Kinshasa with a clear understanding of the shared expectations of the international community and with a strengthened purpose to re-engage with the Lusaka process and to comply fully with the resolutions of this Council. The international community has repeatedly reaffirmed its commitment to help the people of the Democratic Republic of the Congo. Once again, on our part, we reiterate our willingness to do so. Ireland and the Irish people have shown solidarity with the people of the Congo since long before that country won its independence. As an active participant in United Nations peacekeeping operations, Ireland shared the pain that accompanied Congo's birth as a nation. Ireland will now spare no effort within this Council in support of the process that will bring to the Congolese people the peace, development and tranquillity that they surely deserve and that their leaders can bring about.

**The President** (*spoke in Arabic*): I thank the representative of Ireland for his kind words addressed to me.

Before giving the floor to the next speaker, I would like to kindly request the members of the Council to be as brief as possible in their statements so as to allow time for President Joseph Kabila to comment on the Council members' important statements if he wishes.



**Mr. Shen Guofang (China)** (*spoke in Chinese*): At the outset, I would like to thank you, Mr. President, for organizing this important meeting today.

We have noted that one of the priorities in the work of the Council this month is the question of the Democratic Republic of the Congo. This morning, Ambassador Morjane gave us a very important briefing. This afternoon, we are having this formal meeting. This is the beginning of a series of meetings on the question of the Democratic Republic of the Congo in the Council. We hope that all this input will advance the peace process in the Democratic Republic of the Congo.

China warmly welcomes President Joseph Kabila to the Security Council for this useful dialogue and interaction with the members of the Council. We also welcome the important statement made by President Kabila just now. A few days after his assumption of the presidency, he has come to the Council to have this dialogue with us. This demonstrates his Government's sincere determination to advance the peace process in the Democratic Republic of the Congo.

I would also like to take this opportunity to once again convey the sincere condolences of the Chinese Government and people to him for the loss of his father, the late President Kabila.

China is of the view that the peace process in the Democratic Republic of the Congo is now at a critical juncture and a potential turning point. At present, it is imperative to seize the opportunity to move the peace process forward so that progress can be made. China is happy to note that President Kabila has repeatedly emphasized his intention to implement the Lusaka Agreement and his commitment to the inter-Congolese dialogue so as to achieve national reconciliation. We highly appreciate this commitment by President Kabila. We are of the view that the inter-Congolese dialogue is of great significance.

The solution to the question of the Democratic Republic of the Congo is ultimately up to the people of that country. It is our hope that all the Congolese people will answer the call of President Kabila and will seize this opportunity to come back to the negotiating table to resolve their issues peacefully, free from outside interference.

China also is convinced that the United Nations and the Security Council have a positive role to play in

a solution to the question of the Democratic Republic of the Congo, and supports their playing that role. China hopes that we can make the most of this momentum and make timely political decisions.

China believes that the role of the United Nations, and that of the Security Council in particular, should be reflected in the support given to the sovereign Government of the Democratic Republic of the Congo in its efforts to restore peace there. Experience shows that we cannot afford to underestimate the difficulties that may occur along the road ahead. China is convinced that, in order to overcome those difficulties and constantly to push forward the peace process, the relentless efforts of all the parties, including the United Nations and the Security Council, are required. However, the political will of the parties to the conflict cannot be replaced by any other factors.

We look forward to all of the parties seizing the opportunity, to their taking a courageous step and building up mutual trust and confidence so as to create conditions for breaking the impasse and for the United Nations to play a role in this process. We hope that the Security Council will, in light of the changing situation, take specific steps for the deployment of the second phase of MONUC. This deployment should be based on considerations regarding the prevention of the outbreak of internal conflict in the Democratic Republic of the Congo. It should also be based on the effective guarantee of security along the borders between the Democratic Republic of the Congo and its neighbours. China supports regional organizations in their continued efforts. However, we hope that all of these efforts will be coordinated.

Before concluding, my delegation would like to reiterate that the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo must be fully respected and safeguarded. This is the prerequisite for a solution to the conflict in that country. It is also a principle with which all Member States of the United Nations should comply.

**Mr. Valdivieso (Colombia)** (*spoke in Spanish*): Mr. President, I would like to say how pleased my delegation is at your assumption of the presidency of the Council, and I would like to reiterate to you our readiness to contribute to the successful fulfilment of your functions.

On this solemn occasion, I also wish to extend a cordial welcome to the President of the Democratic Republic of the Congo. We regret the painful fact of the death of his father, former President Laurent Kabila, and we wish to convey words of comfort to his family and to the Congolese people as a whole.

The presence of President Joseph Kabila in the Security Council, and his statement at this meeting, are of great significance to peace in the world and give us grounds for hope. They reflect a clear commitment to peace in the Democratic Republic of the Congo — a peace that we recognize to be the profound aspiration of 52 million Congolese, with whom we identify as members of the international community.

When we joined this Council, we promised the Members of the United Nations to work for the maintenance of international peace and security, and it is our intention to fulfil that promise. Therefore, we wish today to express a threefold purpose.

First we must work to ensure respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo, as well as of all the neighbouring States in central Africa, as has been expressed by this Council on many occasions.

Secondly we must demand, as is our duty, of all the signatory parties of the Lusaka Peace Agreement that they fulfil their obligations. This means the demobilization of irregular forces, political dialogue leading to free elections, the withdrawal of foreign troops from Congolese territory and respect for human rights and international humanitarian law, among many other aspects.

The third component is to contribute to the prompt deployment of the United Nations Organization Mission in the Democratic Republic of the Congo under guarantees of security for its personnel, freedom of movement and logistical support, which are indispensable for the conduct of its operations.

We hope that the expectations of the moment will generate an atmosphere of confidence that will make it possible for us successfully to hold the meeting scheduled for 21 February between the Security Council and the Political Committee composed of the signatories to the Lusaka Agreement.

Peace in the Democratic Republic of the Congo is a commitment that this Council has to humankind. It is

a commitment that we have assumed towards the Congolese people, the peoples of Africa and those of the entire world. We call for the reconciliation of the Congolese people with itself and with its neighbours, and we are prepared to contribute from this office to that goal.

**The President** (*spoke in Arabic*): I thank the representative of Colombia for the kind words he addressed to me.

**Mr. Neewoor** (Mauritius): Mr. President, allow me first to congratulate you warmly on your assumption of the presidency of the Council. We thank you for starting your presidency with this important meeting on the Democratic Republic of the Congo and also for placing that country and Africa high on the Council's work programme during the month of February.

My delegation joins the other members in extending a very warm welcome in the Security Council Chamber to His Excellency Mr. Joseph Kabila, President of the Democratic Republic of the Congo.

First of all, on behalf of the Government of Mauritius, I wish to present to the President, the Government and the people of the Democratic Republic of Congo the sincere condolences of the Government and people of Mauritius on the tragic death of the President's father, the late President Laurent Kabila. We also wish to felicitate the Government and people of Congo for the courage they have demonstrated during the difficult time following the recent tragic event in Kinshasa and for the remarkable manner in which the transition is being managed.

We have listened very attentively to the important statement that President Joseph Kabila has just made before the Security Council, and we feel greatly reassured by it. We believe that he has the right vision to achieve the goal of peace and security within the framework of the sovereignty and territorial integrity of his country. The road to peace and security there requires, obviously, the participation of all the Congolese people in an inclusive political process. The Lusaka Accord that all the Congolese parties, as well as the non-Congolese parties involved in the conflict, signed in July 1999 remains unquestionably the foundation upon which peace and normalcy should be built in the Congo.



Unfortunately, so far the inter-Congolese dialogue, which is an essential and integral part of the Lusaka Accord, has not really got off the ground, and in a significant measure this has resulted in the stagnation of the Lusaka process. We are confident that President Kabila will do what is necessary for the inter-Congolese dialogue to begin without delay, in accordance with the provisions of the Lusaka Agreement. We urge all the parties to the Lusaka Ceasefire Agreement to recommit themselves to implementing this Agreement in all its aspects and to comply with all its provisions.

In the wake of the recent events in Kinshasa, the Security Council promptly received communications from Rwanda and Uganda to the effect that they did not intend to take any advantage of the situation. This has been very much appreciated.

We have no doubt about the commitments of both Rwanda and Uganda for the full and early implementation of the Lusaka Agreement. In this regard, we welcome the meeting earlier in Washington, D.C., between President Kagame and President Kabila. That bilateral meeting will help build confidence for the peace process. In the same vein, my delegation would like to urge Rwanda and Uganda, the two important neighbours of the Democratic Republic of the Congo, to take steps to implement the disengagement plans which they signed in Harare a few weeks ago along with the other parties. This important step should mark the beginning of a process for the withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, pursuant to the Lusaka Agreement.

There is absolutely no question that the deployment of a United Nations peacekeeping operation in the Democratic Republic of the Congo is necessary for the implementation of the Lusaka Agreement. Indeed, the people of the Democratic Republic of the Congo have already been waiting far too long for the deployment to take place. There are certainly many reasons why the Lusaka process has not moved forward in the last year and a half since it was signed by all concerned parties. The undue delay in the deployment of the United Nations peacekeeping operation has undoubtedly contributed to the stagnation of the Lusaka process.

Today there are hopeful signs all around for the implementation of the Lusaka Agreement. President

Joseph Kabila has stated his clear intention, both in Kinshasa and in his important statement today in the Security Council, to move the peace process forward. We also have assurances in this regard from the other capitals concerned. We have no doubt that all the Congolese parties will also rally in a spirit of patriotism and solidarity and will help bring peace and stability to the Democratic Republic of the Congo.

The inter-Congolese dialogue can ultimately determine the future political course of the country. The United Nations, for its part, must fulfil its responsibility and deploy the long-awaited peacekeeping operation without any further delay, in accordance with Security Council resolutions 1291 (2000) and 1332 (2000).

Before concluding, I wish to commend the Special Representative of the Secretary-General, Ambassador Kamel Morjane, and his small team of observers for their remarkable work in the Democratic Republic of the Congo. I also wish to pay tribute to the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and the other relief organizations for their important humanitarian work in providing relief and assistance to numerous refugees, internally displaced persons and other victims of the conflict in the Democratic Republic of the Congo.

Finally, I wish to state that Mauritius wishes to President Joseph Kabila every success in his endeavours to bring peace, unity and democracy to his great country.

**The President (spoke in Arabic):** I thank the representative of Mauritius for his kind words addressed to me.

**Mr. Kuchynski (Ukraine) (spoke in French):** Permit me at the outset to extend to you, Mr. President, my warmest congratulations on your assumption of the presidency of the Security Council. I also wish to congratulate the members of your delegation, who assist you in your work as President. I assure you of the Ukrainian delegation's full support. I also wish to extend to your predecessor, Ambassador Kishore Mahbubani, my most sincere compliments on his excellent work during his term as President in January.

I also wish to join preceding speakers in welcoming Mr. Joseph Kabila, President of the Democratic Republic of the Congo, and to thank him



for his statement, which is very useful in connection with the Council's consideration of the situation in the Democratic Republic of the Congo, both internally and at the regional level.

On behalf of Ukraine, I also wish to extend sincere condolences to President Joseph Kabila and, through him, to all the Congolese people on the tragic death of his father, Laurent-Désiré Kabila.

*(spoke in English)*

The situation in the Democratic Republic of the Congo is one of the most sensitive and complex issues on the African continent. We note with satisfaction that, as the Secretary-General's Special Representative for the Democratic Republic of the Congo, Mr. Morjane, indicated this morning, the situation in the country at this moment is more favourable than ever before, which we believe is due to the strenuous efforts of President Joseph Kabila. We welcome the relentless high-level diplomatic efforts; we take them as an indication that leaders of the countries of the region are willing to search for ways to advance the peace process.

We also welcome and support the willingness of the Government of the Democratic Republic of the Congo — which was quite clearly expressed by President Joseph Kabila in his inaugural speech, as well as during his meetings in Paris and Washington and during his speech today at United Nations Headquarters — to move towards a peaceful settlement of the conflict on the basis of transparency, a constructive approach and comprehensive dialogue with all the parties concerned.

At the same time, we can see that not everything goes as planned and expected. In this connection, we would like to underline, among other elements, the importance of additional political steps by the Government of the Democratic Republic of the Congo aimed at promoting the inter-Congolese dialogue, which is, in our view, a key element in advancing the peace process in the country. To this end, it is necessary to intensify political negotiations between the Congolese parties — and this, quite obviously, is a very difficult task — in order to defuse the conflict. It is absolutely clear that a necessary precondition for this, or the necessary background, should be the withdrawal of foreign troops from the territory of the Democratic Republic of the Congo, as has been

repeatedly called for in relevant Security Council resolutions.

We are convinced that the continued movement of the parties concerned towards the peaceful resolution of the conflict should, as before, be based on the Lusaka Ceasefire Agreement, as well as on the Kampala, Harare and Maputo arrangements, and that the language of arms cannot be a means of defusing the conflict.

We firmly believe that all parties to the conflict should continue constructive dialogue to that end and, within the framework of the documents, should take additional measures to accelerate the peace process. In our view, the activities of the United Nations Organization Mission in the Democratic Republic of the Congo should be regarded as an impetus to that process. The parties concerned should do their best to facilitate its effective and comprehensive deployment, *inter alia* by fully implementing the provisions of the Status of Forces Agreement. I take this opportunity to reaffirm my country's readiness to contribute to United Nations peacekeeping efforts in the Democratic Republic of the Congo.

It will be necessary, of course, to focus on solving quite a number of issues underlying the conflict that need to be addressed without delay. These include the withdrawal of foreign forces; the disarmament and demobilization of members of armed groups; ensuring the security of the borders between the Democratic Republic of the Congo, Rwanda, Uganda and Burundi; the safe return of refugees; inter-Congolese dialogue, as mentioned before; the restoration of the national and regional economy; and regional economic cooperation.

These and other issues pertaining to the implementation of the Lusaka Agreement will be discussed at the meeting of its signatories to be held on 21 and 22 February here in New York. We are certain that all these problems, difficult and complex as they are, can be resolved only through constructive dialogue among all parties to the conflict, one of which is the Democratic Republic of the Congo.

Finally, I would like to wish President Joseph Kabila and his Government patience, tolerance, perseverance and every success along the bumpy road to peace and prosperity in the Democratic Republic of the Congo.

**The President** (*spoke in Arabic*): I thank the representative of Ukraine for the kind and encouraging words he addressed to me and to my delegation.

**Mr. Kolby** (Norway): I congratulate you, Sir, on your assumption of the presidency, and I thank Ambassador Mahbubani for his excellent presidency last month.

My delegation joins others in welcoming His Excellency President Joseph Kabila to this meeting. We commend him for his diplomatic initiatives and for his very important statement. We also would like to join others in expressing condolences to President Kabila on the tragic death of his father.

The Government of Norway supports the Lusaka Ceasefire Agreement as the way forward towards a peaceful solution to the conflict in the Democratic Republic of the Congo. We note with great interest President Joseph Kabila's expressed desire to pursue a policy of reconciliation, and we urge the Government of the Democratic Republic of the Congo to engage in constructive dialogue with all involved parties in accordance with the Lusaka Ceasefire Agreement, including through the rapid commencement of a constructive inter-Congolese dialogue. Full commitment to peaceful negotiations remains indispensable in the search for a lasting solution to the conflict in the war-torn country of the Democratic Republic of the Congo.

Against that background, we look forward to immediate and constructive initiatives from President Joseph Kabila that will re-energize the Lusaka Ceasefire Agreement, and we would also like to welcome his expressed intent to cooperate fully with the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). It is important to facilitate the full deployment of MONUC. Furthermore, all parties involved in the conflict must continue to exercise restraint and must comply with the provisions of relevant Security Council resolutions.

The implementation of the Lusaka Ceasefire Agreement must be based on full respect for the sovereignty and territorial integrity of the Democratic Republic of the Congo and on the legitimate security concerns of all parties, including States neighbouring the Democratic Republic of the Congo. The Government of Norway emphasizes the need for the complete withdrawal of all foreign forces from the Democratic Republic of the Congo based on schedules

drawn up by the United Nations, the Organization of African Unity and the Joint Military Commission; the disarmament and demobilization of armed groups; and the subsequent safe return of refugees and internally displaced persons. We urge all parties and ethnic and armed groups to cease acts of violence against civilians, to respect and protect human rights, and to ensure the safety and security of all international personnel.

Furthermore, the efforts to rebuild a peaceful and democratic Democratic Republic of the Congo must take due account of the ongoing illegal exploitation of natural resources and other forms of wealth in the country. We strongly urge the parties to the conflict to cooperate with the United Nations panel of experts established in that regard. The role of diamonds and other forms of resource wealth in fuelling conflict is well established, and any party's lack of cooperation with the expert panel will be viewed in that light.

A number of high-level meetings have taken place over the course of the past few months, indicating the willingness of leaders to support peace efforts in the Great Lakes region. My Government wholeheartedly supports such regional initiatives. Notwithstanding the responsibility of the Congolese Government and of Congolese leaders in generating democratic developments in the Democratic Republic of the Congo, the active and constructive involvement of African leaders is crucial for the achievement of comprehensive and sustainable peace in the region. My Government attaches great importance to the planned meeting between the Political Committee of the Lusaka Ceasefire Agreement and the Security Council, to be held in New York later this month. We urge the parties to explore thoroughly, through prior regional consultations, the political avenues that could be available for further consideration at that meeting. In that light, we note with interest the recent meeting in Washington between President Kabila and President Kagame.

The Government of Norway has supported financially the efforts to facilitate the process towards inter-Congolese dialogue, and we would consider doing so again if tangible progress were to emerge. Last year, Norway also allocated some \$20 million to humanitarian and peace-building assistance to the Great Lakes region. Through our budget for 2001, a similar amount has been tentatively allocated with a



view to contributing to conflict resolution in the broader perspective of development.

In conclusion, let me compliment the work done so far, under the most difficult of circumstances, by the Special Representative of the Secretary-General for the Great Lakes region, Mr. Dinka; the Special Representative of the Secretary-General for the Democratic Republic of the Congo, Mr. Morjane; the MONUC Force Commander; military and civilian personnel; and other United Nations and international personnel, including those of non-governmental organizations, operating in the Democratic Republic of the Congo.

**The President** (*spoke in Arabic*): I thank the representative of Norway for the kind words he addressed to me.

**Miss Durrant** (Jamaica): The Jamaican delegation is pleased, Sir, to see you presiding over the Council's deliberations for the month of February. We wish to assure you and the delegation of Tunisia of our full cooperation and support. Let me also express our appreciation to His Excellency Mr. Kishore Mahbubani and to the delegation of Singapore for the dynamic and effective manner in which the affairs of the Council were handled last month.

Let me join others in welcoming President Joseph Kabila to the Security Council. On behalf of the Government and the people of Jamaica, I wish to extend condolences to President Kabila and to his family on the untimely passing of his father, with whom the Security Council had the honour to meet in January of last year. Now that the mantle has passed to President Joseph Kabila, we assure him of my delegation's continued support for and solidarity with the people of the Democratic Republic of the Congo. Our message to President Kabila today is one of encouragement as he and the people he leads face the daunting challenges that lie ahead.

As the Secretary-General indicated, President Kabila may be assured that the international community stands ready to assist in bringing peace to the Democratic Republic of the Congo and to the entire Great Lakes region of Africa.

The fact that he has come to New York to meet with the Security Council so soon after his inauguration is a clear indication of his wish to move the process forward. We are indeed heartened by his

recent diplomatic initiatives, both regional and international, and are encouraged by his call to all parties to come to the peace table. These gestures, reiterated in his important statement to the Council today, could be important confidence-building measures, which we hope will be reciprocated.

My delegation is well aware of how seemingly intractable the problems in the Democratic Republic of the Congo appear to be. But no matter how difficult it might seem to be to find solutions, the suffering of the people involved impels us to use our best efforts to put an end to their misery. My delegation continues to believe that the Lusaka Agreement remains the most viable basis for sustainable peace in the Democratic Republic of the Congo. In this connection, we support the call for an immediate cessation of hostilities and reaffirm our support for the unity, stability and territorial integrity of the Democratic Republic of the Congo in accordance with the relevant provisions of the Charter of the United Nations and the Charter of the Organization of African Unity (OAU). We also call on all concerned to demonstrate their commitment to implement the Kampala and Harare agreements, as well as to cooperate with the Libreville process.

Jamaica fully supports the pursuit of the inter-Congolese dialogue. We believe that this political dialogue is an indispensable step towards national reconciliation. We therefore welcome the commitment, stated here today by President Kabila, to resume the process of national dialogue, and we emphasize the need for full cooperation by all concerned with the office of the Facilitator.

We urge those who believe that they have a legitimate right to justice and to governance in the Democratic Republic of the Congo to pursue it through the processes provided for at the bargaining table and not through the barrel of a gun. We firmly believe that there is no military solution to the crisis in the Democratic Republic of the Congo.

Another issue of concern to my delegation is the continued illegal exploitation of mineral resources. The interim report of the panel of experts clearly indicates the link between the conflict and the exploitation of resources which should be used for the economic and social development of the people of the Congo. As the conflict widens, with some 16 million people being affected, including over 2 million internally displaced persons and refugees in neighbouring States, we have



the makings of an immense humanitarian tragedy, the extent of which is unknown, given the lack of access for humanitarian workers to the populations in need.

We realize, however, that the humanitarian and security situation in the Democratic Republic of the Congo can be addressed in a lasting manner only within the framework of a comprehensive peace in a regional context involving the entire Great Lakes region. Jamaica therefore fully supports the holding of an international conference on the Great Lakes, in parallel with the national dialogue, under the auspices of the OAU and the United Nations.

In conclusion, my delegation wishes to express appreciation to the Secretary-General, to his Special Representative, Ambassador Kamel Morjane, and to the men and women of the United Nations Organization Mission in the Democratic Republic of the Congo for their efforts to bring peace to the Democratic Republic of the Congo.

We look forward to the report of the Secretary-General, which will set the stage for the Council's discussions later this month with the Political Committee of the Lusaka Agreement and for further action by the Security Council.

**The President** (*spoke in Arabic*): I thank the representative of Jamaica for her kind words addressed to me.

**Mr. Lavrov** (Russian Federation) (*spoke in Russian*): First of all, we should like to wish you, Sir, and your delegation, every success during your presidency of the Security Council for the month of February. We should also like to thank Ambassador Mahbubani of Singapore and his delegation for their work during Singapore's presidency last month.

I should like to welcome President Joseph Kabila, and I extend to him our condolences on the tragic death of his father, the late President Laurent-Désiré Kabila, one of those who was present at the beginning of the struggle for independence in Africa. The Russian Federation wishes President Kabila every success in his high office, which was entrusted to him by his compatriots at a very difficult and trying time for the Democratic Republic of the Congo.

Russia's principled position in support of a political settlement in the Democratic Republic of the Congo on the basis of the Lusaka Agreement, as soon as possible, remains unchanged. In resolutions 1304

(2000) and 1332 (2000), the Security Council sent the parties to the Congolese conflict a clear signal about the need for an immediate cessation of hostilities, the withdrawal of foreign forces from the Democratic Republic of the Congo and the steady implementation of commitments undertaken under the Lusaka Agreement, without any backing away. Russia hopes that the very tragic events in the Democratic Republic of the Congo will not in any way jeopardize the hopes for a political settlement to the protracted Congolese crisis on the basis of the preservation of the territorial integrity of the country, in accordance with the Lusaka Agreement, subsequent agreements and Security Council resolutions.

We call on all the parties to the Congolese conflict to resist the temptation to take advantage of the present situation for their own ends. We believe that it is extremely important for all parties to cooperate fully with the United Nations Mission in implementing the Lusaka Agreement, the resolutions of the Security Council and the decisions of regional summits. We attach great importance to the actual launching of the Congolese national dialogue, with the participation of all political forces in the country, through international facilitation as provided for in the Lusaka Agreement.

We welcome the declaration by President Joseph Kabila that he is committed to the goal of national reconciliation. We call on all the parties to the conflict not to allow any violations of human rights or norms of international humanitarian law. We call on them to cooperate in the disarmament, demobilization, reintegration and repatriation of members of illegal armed groups with a view to establishing conditions of security for all countries of the subregion.

This month, there will be a review of how the parties to the conflict are implementing their commitments with regard to the ceasefire and disengagement. If the results of the review show that genuine political will exists on the part of the parties for implementing these tasks, that will certainly help the Security Council when it takes up the question of deploying phase II of the peacekeeping operation to the Democratic Republic of the Congo.

**The President** (*spoke in Arabic*): I thank the representative of the Russian Federation for his kind words addressed to me.

**Mr. Mahbubani** (Singapore): Given the lateness of the hour, please allow me to quickly but warmly

congratulate you, Sir, on assuming the presidency of the Council, and to say that the Council is in very good hands this month. Like the delegation of the United States, we are delighted to see a powerful constellation of Tunisian diplomats in this Chamber today.

I should also like to warmly welcome President Joseph Kabila and thank him for his statement. I should also like to thank him and you, Mr. President, as well as all of our other colleagues, for the warm compliments they paid to Singapore for its presidency last month.

I should also like to convey my deepest condolences to President Kabila for the tragic death of the late President Laurent-Désiré Kabila.

Clearly, the issue of the Democratic Republic of the Congo remains one of the most complex and challenging crises facing the international community, and we have not heard much good news on this front.

The bad news is contained in my text. I will not read it out, but I do want to say that, despite all these setbacks, we believe that we now have a window of opportunity to relaunch the peace process. We hope that today's dialogue with President Kabila, under the presidency of Tunisia, will mark the start of a new process to bring peace to the Democratic Republic of the Congo and to bring peace to the region. Later this month, the Security Council will have another occasion to meet with the members of the Political Committee and to resume the useful and productive dialogue initiated last June under the presidency of France.

We are therefore encouraged to hear President Joseph Kabila say that the Government of the Democratic Republic of the Congo will extend its full cooperation to the United Nations. The United Nations, in turn, stands also ready to extend its full cooperation to the Democratic Republic of the Congo. But for this cooperation to take place, it is essential for the Government of the Democratic Republic of the Congo to take several concrete steps.

Here again, the steps are spelled out in my text. I will not read them out, but I would like to emphasize the fifth point, in which we encourage President Kabila and his Government to cooperate fully with the neutral Facilitator in the inter-Congolese dialogue. The dialogue is a key element of the Lusaka Agreement, as indeed has been emphasized by so many speakers this afternoon, and we believe that, if successfully carried

out, it can significantly change the political climate in the Democratic Republic of the Congo.

At the same time, the push for peace in the Democratic Republic of the Congo must be part of a collective effort. MONUC's deployment remains contingent on the disengagement of all foreign troops. All the parties must adhere fully to the Lusaka Ceasefire Agreement, as well as to the Kampala, Maputo and Harare disengagement sub-plans. We urge swift implementation of all Council resolutions, particularly resolutions 1304 (2000) and 1332 (2000). There can be no peace as long as foreign forces remain in the Democratic Republic of the Congo and we therefore strongly support the call made here a few minutes ago by the Secretary-General for the withdrawal of all foreign forces from the Democratic Republic of the Congo.

The search for peace in the Democratic Republic of the Congo is also part of a wider goal — the search for peace and stability in the Great Lakes region. We would therefore encourage the Government of the Democratic Republic of the Congo, under the stewardship of President Kabila, to continue the process of rapprochement with the Government of Burundi initiated by the late President Laurent Kabila at Libreville. Clearly, the future of the Democratic Republic of the Congo is linked to the peace and stability of the entire region.

In conclusion, the Democratic Republic of the Congo stands at a critical crossroads today. Let us not underestimate the enormous challenges that lie ahead. President Kabila not only has to contend with crippling colonial and cold-war legacies, but he must now also confront a complex political and military equation. He has undertaken the responsibility of leading the Government and the people of the Democratic Republic of the Congo towards national reconciliation, peace, stability and development. We assure him of our full support in working towards a peaceful resolution of the conflict. The risks are great, but so are the rewards.

**The President (spoke in Arabic):** I thank the representative of Singapore for his kind words addressed to me and to members of my delegation.

I shall now make a statement in my capacity as representative of Tunisia.



At the outset, I should like to express our condolences to President Kabila for the loss of his late father, Laurent-Désiré Kabila, one of the first African militants of freedom and dignity for his people and for the countries of Africa. Tunisia, which has made African issues a priority of its foreign policy, welcomes this opportunity to hear him speak before the Council and to exchange views on the present and future of the Democratic Republic of the Congo and the potential for peace, security and stability in the Great Lakes region.

As a member of the Security Council, Tunisia insists on the need to respect the sovereignty, territorial integrity, independence and control of the Democratic Republic of the Congo over its natural resources. The pillage of these resources, the property of the brotherly Congolese people, must stop. The people of the Democratic Republic of the Congo has suffered and continues to suffer under the scourge of war and its negative consequences. They look forward to a better future of peace, security, stability and prosperity, as well as to the solidarity and support of the international community.

Tunisia is resolved and happy to stand with President Kabila and the people of the Democratic Republic of the Congo at this critical time in their history. We believe that there is no alternative to a peaceful settlement of the dispute in the Democratic Republic of the Congo. The Lusaka Ceasefire Agreement is the best framework, accepted by all parties, for fulfilling that objective.

Tunisia endorses and encourages any initiative or step of President Kabila towards dialogue and national reconciliation. We would also endorse any initiative he might take towards dialogue, reconciliation and cooperation with neighbouring States, within the framework of mutual respect by all States for their independence and territorial integrity. All parties have expressed their willingness to move towards peace. We look forward to all parties' taking practical steps towards that objective. We believe that conditions are ripe for a new momentum in the peace process in which all parties would participate through immediate action to implement relevant Security Council resolutions, the Lusaka Ceasefire Agreement and the deployment of the second phase of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

We look forward to enabling MONUC to deploy as soon as possible, reflecting the intention of the international community to assume its responsibility for the situation in the Democratic Republic of the Congo. The critical situation there and in the region calls for the firm resolve of the international community to help all parties to build a solid and lasting peace in the region, leading to prosperity, solidarity, stability, cooperation and development for the entire African continent.

In conclusion, I offer my best wishes to President Kabila as he leads the people of the Democratic Republic of the Congo towards peace, security, stability and prosperity.

I now resume my functions as President of the Security Council.

I call on Major General Joseph Kabila, President of the Democratic Republic of the Congo, to respond, if he so wishes, to the comments of the members of the Security Council.

**President Kabila:** I should like first of all to thank all those who have expressed their condolences to me in person and, of course, to the people of the Democratic Republic of the Congo. I should also like to thank all those who have encouraged the Democratic Republic of the Congo to stay on track and to move on in the way that it has chosen — the way towards peace.

At the same time, I would like to remind the Security Council that its unwavering support is needed to accomplish this particular task in the Democratic Republic of the Congo. I would also like to reaffirm the commitment of the Government of the Democratic Republic of the Congo and of myself as the President of the Democratic Republic of the Congo to seeing to it that we reach those objectives that we have set — the final objective being the democratization of the political life of the Democratic Republic of the Congo.

Nevertheless, it would be inappropriate if I do not add that this chain of events will come about only if the forces that invaded the Democratic Republic of the Congo are one way or the other forced to get out of it so that it regains its national territorial integrity. All the good words that have been expressed will not erase the fact that the Democratic Republic of the Congo is under foreign occupation — an unjust occupation in relation to all international laws — and that this occupation must end as soon as possible.



**The President** (*spoke in Arabic*): Since I have no other speakers on my list, the Security Council has thus concluded the present stage of its consideration of the item on its agenda.

However, allow me at the end of this important meeting to express once again to His Excellency President Kabila the thanks of the members of the Security Council for his initiative of coming to meet with us and exchange views on the situation. The

members of the Council have listened with great attention to President Kabila's important statement — a very clear message concerning his view of the future of the Democratic Republic of the Congo and ways and means of re-establishing peace and security in the Great Lakes region. The Security Council will be following this matter with a great deal of attention during the course of the month.

*The meeting rose at 5.25 p.m.*

United Nations

S/2001/128



Security Council

Distr.: General  
12 February 2001

Original: English

## Sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

### I. Introduction

1. By its resolution 1332 (2000) of 14 December 2000, the Security Council decided to extend the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) until 15 June 2001, and endorsed the Secretary-General's proposal to deploy additional United Nations military observers to monitor and verify the implementation of the ceasefire and disengagement plans adopted by the parties to the Lusaka Ceasefire Agreement (S/1999/815, annex).

2. In the same resolution, the Security Council invited the Secretary-General to consult with the Organization of African Unity (OAU) and the parties concerned on the possibility of organizing in February 2001 a follow-up meeting between the signatories of the Lusaka Agreement and members of the Council. In addition, the Council requested the Secretary-General to:

(a) Present a review of the implementation of the current mandate of MONUC, including elements for an updated concept of operations;

(b) Submit proposals on ways to address the situation in the eastern provinces of the Democratic Republic of the Congo;

(c) Submit proposals for a mechanism to follow up on the withdrawal of foreign forces, the disarmament and demobilization of armed groups, the security of the borders of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, and related issues.

3. The present report is submitted in accordance with these requests and reflects developments since the Secretary-General's fifth report on MONUC of 6 December 2000 (S/2000/1156).

### II. Political developments

4. President Laurent-Désiré Kabila was shot and fatally injured by a member of the presidential bodyguard in Kinshasa on 16 January. I condemn assassination and the use of force as a means of settling political differences. It is gratifying that the other parties concerned have refrained from taking advantage of the situation.

5. On 17 January, Major General Joseph Kabila was entrusted with the powers and responsibilities of Head of State and Commander-in-Chief of the Forces armées congolaises (FAC) by a joint meeting of ministers and senior military officers. After the State funeral of President Laurent-Désiré Kabila, members of the Congolese transitional parliament approved unanimously the Government's nomination of Major General Joseph Kabila as President of the Democratic Republic of the Congo. However, both the rebel groups and some elements of the Congolese political class have rejected the emergence of Major General Kabila as Head of State.

6. On 21 January, the Heads of State of Angola, Namibia and Zimbabwe issued a communiqué in which they undertook to maintain their respective military forces in the Democratic Republic of the Congo and reinforce the security of the population, the Government and foreign citizens, including personnel

of the United Nations and non-governmental organizations. The leaders appealed to all parties to the Lusaka Agreement to refrain from any offensive military movement; encouraged all parties to search for a political solution to the conflict, expressing their conviction that dialogue and consultation were the paths to follow; and called upon the United Nations to deploy additional military observers to the Democratic Republic of the Congo.

7. President Joseph Kabila made positive overtures to the international community by receiving, prior to his inauguration on 26 January, members of the diplomatic corps in Kinshasa, including the ambassadors of Belgium, and the 25 African countries and the permanent members of the Security Council. In two meetings with my Special Representative, Mr. Kamel Morjane, the new President stated that the Government of the Democratic Republic of the Congo wished to extend its cooperation to the United Nations and counted upon MONUC to continue fulfilling its mandate. The President also attached great importance to the implementation of Council resolutions, particularly those relating to the process of disengagement, the withdrawal of foreign forces and the inter-Congolese dialogue. Mr. Morjane reiterated on my behalf to the President the full commitment of the United Nations to assisting the Democratic Republic of the Congo in restoring peace and sought his support in creating the conditions necessary for the deployment of additional United Nations military observers in the Democratic Republic of the Congo.

8. On 26 January, in his first address to the Congolese people, President Joseph Kabila outlined his vision for achieving peace in his country and the region. Calling for the immediate withdrawal of the armies of Rwanda, Uganda and Burundi from Congolese territory, the President advocated a policy of dialogue and reconciliation with neighbouring States. The President committed himself to working, in conjunction with his country's allies, to relaunch the Lusaka Agreement and indicated that he would seek national reconciliation by means of political dialogue. In this regard, he expressed gratitude to OAU for its involvement in the search for peace in his country, and called for its further engagement in the process of co-facilitation of the inter-Congolese dialogue. The President envisaged that once peace was consolidated in the country, free and transparent elections would be held.

9. On 31 January, President Kabila visited Paris, where he met with President Chirac. After attending an event organized by the Congress of the United States of America on 1 February, President Kabila then visited me in New York. I took the opportunity to extend to him my condolences on his loss and to discuss the action to be taken to advance the peace process. President Kabila also met with the Security Council. The record of that meeting appears in document S/PV.4271.

10. On 7 February, President Kagame, who had also attended the Congressional event in Washington, D.C., met with me at United Nations Headquarters. He then met with the Security Council (see S/PV.4273).

11. Following discussions among regional leaders, the Joint Military Commission (JMC) is expected to meet on 10 and 11 February in Lusaka, followed by a meeting of the Political Committee on 11 and 12 February. A summit meeting is scheduled to take place in Lusaka on 13 February. Preparations are also going forward for the meeting of the Security Council with the Political Committee in New York on 21 and 22 February.

### Congolese rebel movements

12. Following news of the assassination of President Laurent-Désiré Kabila, the rebel movements denied any involvement in the act. They also condemned the use of violence and reaffirmed their commitment to the Lusaka Ceasefire Agreement. All rebel leaders called for immediate progress in convening the inter-Congolese dialogue stipulated in the Lusaka Agreement and denounced the installation of Major General Joseph Kabila as President. Rebel leaders were unanimous in demanding the establishment of a transitional government. In response to President Joseph Kabila's national address on 26 January, rebel leaders reiterated their call for the inter-Congolese dialogue to be convened without delay or conditionality.

13. On 17 January, three rebel movements merged to form the Front de libération du Congo (FLC). The new movement comprises the Mouvement pour la libération du Congo (MLC), the Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML) and RCD-National (RCD-N). The merger envisages a single military force and strategy vis-à-vis the



government side. The current president of FLC is Mr. Jean-Pierre Bemba, the former leader of MLC. Although Mr. Wamba dia Wamba was said to have been appointed as vice-president, reports suggest that he has been excluded from the FLC leadership following his denouncement of the merger as an agreement of military convenience.

14. Further consolidation on the rebel side has been indicated by a senior member of RCD, Mr. Bizima Karaha, who has announced that RCD and FLC share a common vision on political issues which may lead to the formation of a common front under the same political and military leadership. He predicted that unification would take place within the near future. These developments represent the latest of many efforts on the part of the rebel groups to achieve unification.

### Inter-Congolese dialogue

15. During the reporting period, Sir Ketumile Masire has remained committed to fulfilling his responsibilities as neutral facilitator of the inter-Congolese dialogue. He has continued to enjoy the explicit support of the Congolese rebel movements and main political parties and civil society.

16. On 16 December, at the request of the Government of the Democratic Republic of the Congo, President Bongo sponsored a meeting between President Laurent-Désiré Kabila and Congolese opposition groups. Although President Kabila travelled to Libreville, the meeting did not take place owing to the non-attendance of the opposition invitees.

17. While the Government of the Democratic Republic of the Congo has not formally withdrawn its rejection of Sir Ketumile Masire as the neutral facilitator, there have been increasing indications that it is prepared to accept the appointment of a francophone co-facilitator to work with Sir Ketumile. President Joseph Kabila appeared to endorse the arrangement and, in his inaugural speech, requested OAU to help revive the peace process, particularly with regard to the designation of a co-facilitator. However, the leader of RCD later described the President's reference to co-facilitation as a violation of the Lusaka Agreement, which does not provide for such a function.

18. Political parties in the Democratic Republic of the Congo, which have hitherto been silent owing to

the continuing ban on their activities, are becoming vocal in calling for implementation of the Lusaka Agreement, and specifically for the convening of the inter-Congolese dialogue. They generally support the appointment of a francophone co-facilitator. On 29 January, President Joseph Kabila met with representatives of four principal political parties in Kinshasa.

### III. Military developments

19. Though much of the country has remained quiet during the reporting period, particularly over the past three weeks, military action was observed in both Equateur province and Katanga in December and early January 2001. Scattered fighting, often involving armed groups, has been reported from the Kivus.

#### Situation in Katanga

20. In late November, following attacks by government forces (FAC) in Katanga, RCD and the Rwandan People's Army (RPA) launched a counter-attack which culminated in their capture of Pweto on 6 December. Thousands of combatants and refugees fled into Zambia to escape the fighting. Figures from the Zambian authorities indicate that over 5,000 combatants crossed the border. Subsequently, some 3,000 FAC and 200 Zimbabwean soldiers were disarmed and escorted back into the Democratic Republic of the Congo. Approximately 1,925 combatants, belonging to the Burundian Front pour la Défense de la Démocratie (FDD), evaded disarmament by using barges to cross Lake Mweru and enter the Democratic Republic of the Congo. At present, some 144 disarmed soldiers remain in northern Zambia; 115 are seeking refugee status; and 29 are under investigation for membership of the former Rwandan Armed Forces (ex-FAR), Interahamwe or FDD.

21. Following a meeting in Kinshasa on 22 December between President Laurent-Désiré Kabila, President Mugabe and President Nujoma, President Mugabe warned that the rebels would be forced out of Pweto if they did not leave voluntarily. Subsequently, there was a build-up of Government and allied forces with reports of over 2,000 Angolan, 600 Zimbabwean and 3,000 FAC troops deployed between Kasenga and

Pweto. On the rebel side, six RCD battalions are said to be holding Pweto with two RPA brigades in support.

22. During December and early January, there were numerous claims of ceasefire violations and allegations from both sides that the other was preparing for an offensive. On 28 December, the Permanent Representative of Rwanda to the United Nations, claiming his country had acted in self-defence, wrote to the President of the Security Council to complain of an ongoing campaign of misinformation directed against his country (S/2000/1244). The Permanent Representative reiterated his Government's offer of a 200-kilometre disengagement and its preparedness to withdraw from Pweto if MONUC deployed there. On the same day, the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations wrote to the President of the Council to inform him that a brigade of RPA, supported by members of the União Nacional para a Independência Total de Angola (UNITA), had launched attacks on Katanga from Zambian territory (S/2000/1245).

23. Since early January, the MONUC Force Commander, General Mountaga Diallo, has been discussing with the Governments and military authorities of the Democratic Republic of the Congo and Rwanda, and with RCD, the Rwandan offer to withdraw from Pweto if MONUC deployed a military observer team to the town. MONUC has in fact prepared a team to be deployed to Pweto. However, despite encouraging signals from the Governments of both the Democratic Republic of the Congo and Rwanda, discussions on the specific modalities of the agreement are still continuing with the military authorities of both sides. RCD has insisted that its concerns should be addressed separately from those of Rwanda.

### Fighting in Equateur province

24. In mid-December, MLC began a military offensive across a broad front in northern Equateur, capturing Imese and Befale. Government and allied forces reinforced their positions around Mbandaka. In mid-January, MLC forces attacking Bolomba were repulsed after heavy fighting. Since 18 January, the military situation has become static, with no reports of significant fighting.

### Eastern provinces

25. The security situation in parts of the eastern Democratic Republic of the Congo remains highly volatile. RCD has complained that armed groups continue to launch numerous attacks in the Kivus. Although the armed groups responsible for these attacks are not signatories to the Lusaka Ceasefire Agreement, there are persistent reports of their receiving arms and training from FAC. (The situation in the eastern provinces is explored in more detail in paras. 85-88 below.)

26. In the Ituri area, ethnic tension between the Lendu and Hema communities increased dramatically on 19 January when Lendu tribesmen attacked a Ugandan People's Defence Force (UPDF) and an RCD-ML position at Bunia airfield. The fighting resulted in serious casualties and was followed by attacks mounted by the Hema population on Lendu civilians (see paras. 56-57 below).

27. MONUC dispatched a military and humanitarian team to Kampala and Bunia on 24 January. In Kampala, the Ugandan Army Commander accepted that UPDF was responsible for the security of the civilian population in the Bunia area and undertook to make every effort to contain the violence. Since 22 January, MONUC military observers in Bunia have reported the situation in the town to be tense but with UPDF in effective control. MONUC is discussing with the humanitarian agencies follow-up action aimed at improving relations between the two communities.

28. Concern has also been expressed over repeated attacks on the Banyamulenge population in South Kivu. This matter is dealt with in more detail in paragraph 59 below.

### Kisangani

29. Pursuant to Security Council resolution 1304 (2000), Rwanda and Uganda have continued to keep their forces at a distance of some 100 kilometres from Kisangani. However, RCD military elements have remained in the city, with its leaders maintaining that security concerns do not allow them to withdraw their forces before the arrival of United Nations troops. The area around Kisangani has been de facto divided into quadrants: RCD occupies the south and west; MLC and UPDF the north-west and the north; and UPDF solely



the east. This dispersal is generally respected, except for isolated skirmishes usually between RCD and MLC/RCD-N in the diamond mining area to the north of the city.

### **Implementation of disengagement plans**

30. The military chiefs of staff of the parties, with the exception of MLC, ratified the detailed sub-plans for disengagement and redeployment in Harare on 6 December. The MLC delegate had received instructions not to sign the document, as it did not contain a reference to the inter-Congolese dialogue. Subsequently, a spokesman for RCD indicated that its forces, too, would not comply with the disengagement plans unless President Laurent-Désiré Kabila opened talks on the formation of a transitional government and disarmed pro-government militias in the eastern Democratic Republic of the Congo.

31. Pursuant to the Harare disengagement plan, MONUC received notification from Angola, the Democratic Republic of the Congo, Namibia, Rwanda, Uganda and Zimbabwe that executive orders had been issued to their military forces to begin the disengagement process. No notification has yet been received from the rebel movements.

32. The Harare disengagement plan stipulated that the military forces of the parties would undertake a 15-kilometre disengagement over a two-week period starting 21 January. None of the parties has yet complied. There are indications that the implementation of the disengagement plans has become dependent on progress in convening the inter-Congolese dialogue envisaged by the Lusaka Agreement, as the Congolese rebel movements insist that the two processes — military and political — are inextricably linked. Nonetheless, MONUC is proceeding on the assumption that the parties will indeed carry out their disengagement plan.

### **Withdrawal of foreign forces**

33. On 9 January, President Laurent-Désiré Kabila brokered talks in Libreville between President Buyoya and Jean-Bosco Ndayikengurukiye, the leader of FDD, the main Burundian rebel group. Subsequently, Leonard She Okintundu, Foreign Minister of the

Democratic Republic of the Congo, informed the Kinshasa diplomatic corps that both parties had agreed to withdraw their forces from the Democratic Republic of the Congo. On 23 January, FDD made it known that the death of President Laurent-Désiré Kabila had not affected its willingness to continue talks with the Burundian Government. In a statement, the Burundian Government confirmed that its meetings with FDD had been successful and would be pursued.

34. Resolutions 1304 (2000) and 1332 (2000), in which the Security Council demanded the withdrawal of Rwandan and Ugandan forces from the territory of the Democratic Republic of the Congo without further delay, in conformity with the timetable of the Lusaka Agreement and the Kampala disengagement plan, have yet to be implemented in full. Reports indicate the presence of approximately 20,000 RPA and 10,000 UPDF troops in the Democratic Republic of the Congo and there has been no clear indication of any significant reduction in force levels. Senior Rwandan officials have continued to emphasize their country's security concerns, and to demand that measures be taken to disarm and demobilize the armed groups in the eastern provinces of the Democratic Republic of the Congo before the withdrawal of RPA proceeds. Ugandan officials, including President Museveni, have recently indicated that, following the defeat of Allied Democratic Forces (ADF) rebels, the underlying objective of their intervention has been achieved.

35. On the government side, it is estimated that there are approximately 12,000 Zimbabwean, 7,000 Angolan and 2,000 Namibian troops deployed in the Democratic Republic of the Congo. Since my last report, the force levels of the Southern African Development Community (SADC) allies have increased in response to the military reversals in Katanga and the security concerns in Kinshasa and Lubumbashi following the assassination of President Laurent-Désiré Kabila. There are persistent allegations from Rwanda that FAC contains large numbers of ex-FAR and Interahamwe fighters.

### **IV. Cooperation with the Joint Military Commission (JMC)**

36. The operations of JMC have continued to be hindered by a lack of resources. OAU has advised JMC



that it is unlikely that there will be sufficient funds to cover envisaged requirements this year.

37. On 26 January, the OAU secretariat announced that Brigadier Njuki Mwaniki of Kenya had been appointed as the new Chairman of JMC. Brigadier Mwaniki assumed his duties in Lusaka at the end of January and has undertaken a briefing mission to Kinshasa and other locations.

## V. Status of MONUC deployment

### Current deployment

38. As of 8 February, MONUC had a total of 200 military personnel. Within the Democratic Republic of the Congo, in addition to Kinshasa, military liaison officers are deployed to the headquarters of the rebel movements (Bunia, Gbadolite and Goma) and the four regional joint military commissions (Boende, Kabalo, Kabinda and Lisala). Military observer teams are also stationed in six other locations (Gemena, Isiro, Kananga, Kindu, Kisangani and Mbandaka). In addition, a team has been deployed at Nchelenge in northern Zambia. Twenty-three liaison officers are stationed in the capitals of surrounding countries, including 14 officers who provide planning support to JMC in Lusaka. Finally, MONUC maintains one military liaison officer with OAU in Addis Ababa (see map and annex).

39. MONUC has established three sector headquarters for the implementation of the Kampala/Harare disengagement plans. The first, with a small staff of military and civilian officers, was opened in Kisangani in June. Since my last report, sector headquarters have been opened in Mbandaka and Kananga. MONUC logistic bases necessary to support the deployment of observers and troops are operational in Kinshasa, Goma and Bangui in the Central African Republic.

### Security of MONUC personnel

40. The parties have continued to provide generally satisfactory security for MONUC military and civilian personnel. In Bunia, UPDF are responsible for protecting MONUC premises. In Kinshasa, the Government has, since 15 December, assigned 35 civilian policemen for the protection of the premises

and assets of MONUC at its headquarters, logistic base and Kinshasa airport. Despite the uncertainty created by the assassination of President Laurent-Désiré Kabila, the capital has remained calm.

41. In South Kivu, the frequency of attacks by armed groups has forced international agencies and non-governmental organizations to suspend many of their operations. The threat posed by the armed groups precludes the deployment of MONUC military observers in the eastern provinces at this time.

### Cooperation of the parties

42. Since 30 September, weekly meetings between MONUC and the Commissariat général chargé des affaires de la MONUC have been held to assess the compliance by the Government of the Democratic Republic of the Congo with the Status of Forces Agreement (SOFA) provisions. This improved liaison has continued to yield positive results; and past difficulties over customs clearances, exemption of direct and indirect taxes, fuel surcharges, authorization for a frequency and telecommunications network and facilities at Kinshasa airport have been resolved harmoniously. Joint MONUC/Government reconnaissance missions to Mbandaka and Kananga have also been completed.

43. The Government of the Democratic Republic of the Congo has yet to replace the system of flight notification on a case-by-case basis with a system for advance notification en bloc, an arrangement that is essential for the management of the large fleet of aircraft required for MONUC phase II deployment. The Commissariat has assured MONUC that such a system will be introduced once phase II deployment commences. Nevertheless, there has been a more positive attitude and lifting of restrictions, in particular the obligation to land at a neutral airport during a return trip from rebel-controlled areas and the requirement to route all MONUC flights through Kinshasa.

44. In field locations, MONUC military observers have encountered occasional limitations on their freedom of movement imposed by local commanders. However, the greatest impediment to the movement of military observers is the nature of the terrain, since most routes become impassable more than 25 kilometres from any MONUC base.

## VI. Humanitarian aspects

45. Owing to the continuing fighting in the Equateur region, North and South Kivu, Katanga and Province Orientale, the latest estimate concerning the number of internally displaced persons (IDPs) in the Democratic Republic of the Congo is 2 million, and this figure is expected to rise further. Added to the refugee population, the total affected population in the Democratic Republic of the Congo is over 2,335,000. Fewer than half of these displaced individuals receive humanitarian assistance. There are thought to be some 640,000 IDPs in North Kivu, over 350,000 in South Kivu, 305,000 in Katanga and 300,000 in Equateur. In the Kivus alone, this number has increased more than fourfold over the last 12 months. As a result of violent confrontations between Lema and Hendu tribes in the Ituri district in Province Orientale, some 12,500 people are said to have fled Bunia for the outlying countryside and the Office of the United Nations High Commissioner for Refugees (UNHCR) assesses that another 6,000-9,000 have sought refuge in Uganda over the past few weeks. The refugee population in the Democratic Republic of the Congo is estimated at 332,000. Non-assisted Angolan and Rwandan refugees number 67,000 and 48,000, respectively. The assisted refugees include people from the Sudan, Uganda and Burundi.

46. Following fighting during the year 2000, Congolese refugees have arrived in the Betou, Impfondo and Loukolela areas in the Congo. It is estimated that 100,000 refugees from the Democratic Republic of the Congo are now in the Congo, of which 12 per cent are considered vulnerable. UNHCR plans to provide emergency assistance to these refugees to facilitate their integration into their new communities. The World Food Programme (WFP) is expected to provide essential needs (rice, beans, salt) for a period of six months. Though the security situation has been relatively calm, any deterioration could hamper aid efforts.

47. As a result of recent fighting in the Pweto region (Katanga), a considerable number of people have sought refuge in neighbouring Zambia; about 9,000 of them are hosted in a refugee camp near Kala in Zambia's northern province, and a further 15,000 have settled in villages in the same area.

48. It is estimated that there are some 16 million people with critical food needs throughout the

Democratic Republic of the Congo. The main reasons behind the food security crisis include prolonged displacement, the intensification of the war resulting in the rupturing of traditional sources of supply, and a staggering increase in prices coupled with a decline in purchasing power. As previously reported, the Food and Agriculture Organization of the United Nations (FAO) estimates that 70 per cent of the 6 million-7 million people living in the capital city cannot afford \$1 a day for food. In addition, children are hardest hit by chronic malnutrition, especially in the major urban centres of Kinshasa, Kabinda, Kananga, Mbuji-Mayi, Mbandaka and Kisangani.

49. The health situation in the Democratic Republic of the Congo has continued to deteriorate with the continuing neglect of health facilities, the lack of essential medication, and the difficulty of dispatching medical supplies to the regions of the Democratic Republic of the Congo. The health system is also seriously afflicted by the lack of equipment, insufficient training of medical personnel, and a significant lack of funding. In addition, it is estimated that only 37 per cent of the population has access to essential medicine and 47 per cent to potable water. Mother and child mortality rates remain very high, and overall vaccination coverage is low (tuberculosis: 30 per cent; polio: 22 per cent; measles: 24 per cent). Inadequate sanitary and hygiene conditions, as well as malnutrition, have created a fertile environment for the spread of diseases. In Pweto, some 4,700 cases of cholera with 360 deaths were recorded during the year 2000. New diseases are also emerging, among which haemorrhagic fever and monkey pox pose the greatest threat. Finally, human immunodeficiency virus (HIV) prevalence among the population aged 15-49 years is of the order of 5 per cent, and a total of 1.1 million people are infected. Generally speaking, standard health indicators today have not improved since the survey carried out by the Health Ministry and the World Health Organization (WHO) in 1998.

50. Last November, a consolidated appeal was launched for a total of \$37 million. To date, only 30.5 per cent of the amount has been received.

51. After the United Nations Inter-agency Mission that came to the Democratic Republic of the Congo in November 2000 submitted its report in New York and following further discussions in the Inter-Agency Standing Committee (IASC), it was decided that the United Nations Development Programme (UNDP)



Resident Representative/Resident Coordinator in the Democratic Republic of the Congo would also be the Humanitarian Coordinator for the country in order to ensure the most effective response to the situation. At the subnational level, the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat (OCHA) will continue to maintain a Coordinator for the eastern Democratic Republic of the Congo based in Goma. In a related development, the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat will be opening an office in Lubumbashi.

52. In South Kivu, the National Immunization Days 2001 are being prepared, following the United Nations Children's Fund (UNICEF)/WHO workshop on national planning which was held in Goma in mid-December. The workshop planned by the Office for the Coordination of Humanitarian Affairs of the United Nations Secretariat to take place in Kisangani from 9 to 12 December was postponed owing to lack of governmental participation.

53. The Governments of the Republic of Congo and the Central African Republic have continued to express concern that the fighting in Equateur, especially in the immediate border areas, is affecting their stability. In particular, refugees continue to enter both countries and maritime traffic on the Ubangui River has been interrupted causing heavy economic losses. There have also been persistent rumours of MLC elements infiltrating down the Ubangui on the west bank towards the confluence of the Congo and Ubangui rivers.

## VII. Human rights

54. The human rights situation in the Democratic Republic of the Congo remains a cause of serious concern. Numerous human rights violations have been continuing with impunity, compounded by renewed outbreaks of political and ethnic tensions. Some of these take the form of clashes between various armed groups and ethnic groups, including the Hema and Lendu in the Ituri district, and the Banyamulenge in South Kivu. The creation by the Government of armed self-defence groups (Forces d'Auto-défense Populaire (FAP)) has also caused unease.

55. Widespread killings and the destruction of property, extrajudiciary executions and forced disappearances, arbitrary arrests and illegal detention

of local staff members of international organizations, civil society, business leaders and foreigners living in the Democratic Republic of the Congo, as well as serious restrictions on the freedom of the press and of movement, have characterized the situation recently.

56. From 29 to 31 January, a delegation of the Field Office of the United Nations High Commissioner for Human Rights undertook a mission to Bunia. The delegation was able to collect first-hand information and interview eyewitnesses. On the basis of these preliminary findings, the Office of the United Nations High Commissioner for Human Rights team confirmed that a massacre of ethnic Lendu had been carried out by ethnic Hema militias in Bunia on 19 January. At least 200 people were killed and some 40 wounded. The majority of the victims were civilians, including women and children. Some of them were killed with machetes and some decapitated. Some of the bodies were thrown into open latrines. UPDF troops stood by during the killings and failed to protect the civilians.

57. The Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo, Mr. Roberto Garretón, issued on 26 January a press release condemning the massacre in Bunia. He called on the Government of Uganda and FLC to order their troops immediately to protect non-combatants and civilians and to launch investigations of the above-mentioned incident with a view to identifying those responsible and bringing them to justice.

58. In addition, serious human rights violations were also reported in the Kivus following the repeated attacks and retaliation by various armed groups. In Bukavu, the local authorities have arrested representatives of civil society and other civilians. Reports have been received that some of the arrested persons have been tortured.

59. Serious inter-ethnic tensions have also been reported in South Kivu Province. According to some reports, massacres of the Banyamulenge population have taken place. Human rights staff from MONUC intend to visit the area to evaluate the situation on the ground, sensitize the local authorities on the alarming reports received and propose further action to be taken to resolve the crisis.

60. In the Government-controlled areas, the representatives of civil society are also subjected to harassment, arbitrary arrest and illegal detention. Recently in Kinshasa, four leaders of the civil society,



and members of a political party and of business were arrested and detained without cause. Journalists working for private media can no longer carry out their functions freely. A recent decision of the Minister of Communications has prohibited the publication of more than 100 local newspapers for non-compliance with government legislation.

61. Cases of arbitrary arrests, summary and extrajudiciary executions are still frequently reported. A recent example is the case of Commander Masasu, a senior army officer arrested for allegedly planning a coup against the late President. The Government has continued to deny reports that Commander Masasu was executed in December. Several other military personnel and civilians from the Kivus and others close to Masasu have also been arrested and detained. These included a local staff member of the Office of the United Nations High Commissioner for Human Rights in the Congo who was arrested in Kinshasa on 3 January and held by DEMIAP (Détection militaire des activités anti-patrie) until his release on 10 January, with serious restrictions on his freedom of movement.

62. The Military Court continues to apply the death penalty. Many defendants are being arbitrarily condemned to death. Recently, on 11 December, the bodyguard of the Chief of Staff of the Police, was condemned to death by this special court. He was accused of having broken into the residence of the Governor of the Central Bank of the Congo even though he insisted that he was innocent. He was executed the following day with seven others from the Central Prison of Kinshasa without having been given a chance to appeal according to conventional international human rights norms. However, in January another suspect was arrested for the same offence.

63. Continuing human rights violations, coupled with the absence of democratic reforms, have brought the country to a political standstill. Even as many members of the opposition are being freed from detention centres, many leaders of the political parties live abroad to avoid harassment and restrictions.

64. Against this background, there have been two positive developments since the visit in October 2000 of the United Nations High Commissioner for Human Rights, Mrs. Robinson, and the commitment made then by the Government of the Democratic Republic of the Congo to improving the human rights situation. Firstly, the Government released 900 detainees, including over

200 political prisoners and journalists. Secondly, the new President has announced that respect for human rights, the security of the individual and of property, the reform of military justice and the constitutionality of governmental action will be the priorities of his Administration. Effective immediately, the jurisdiction of the military courts will be restricted to matters falling under the code of military justice.

## VIII. Child protection

65. The situation relating to the recruitment of children into armed forces and various warring groups has not improved significantly during the reporting period. Owing to the growing protest of non-governmental organizations, UNICEF and MONUC, RCD has halted its military recruitment campaign in urban areas. However, RCD has contested the allegation that it was recruiting child soldiers and indicated that the young people had joined the movement of their own accord. They were not deployed to the front lines. However, information received from other sources indicates that recruitment is continuing in rural areas of Kivu, including Kahele, Idjwi Island, Musongati and Rugano. It has also been reported that all newly recruited children are transported to camps in Masisi for military training. The Mushaki camp is believed to have received over 3,000 newly recruited young soldiers, more than 60 per cent of whom are under age 18. MONUC has sought and received from RCD permission to visit the camps. It is hoped that better RCD cooperation with MONUC and UNICEF can lead to the implementation of RCD's 15 May decision to start demobilizing child soldiers.

66. As indicated in my 6 December 2000 report, a considerable number of Congolese children were taken from the Bunia, Beni and Butembo region, apparently for military training in Uganda (para. 75). Concern has been expressed at the possibility that these children will be deployed back to the Democratic Republic of the Congo as soldiers. As the present report was being finalized, information was received that 600 children would be transferred to the custody of humanitarian organizations next week.

67. The late President Kabila had granted access to the military camps for the initiation of the disarmament, demobilization and reintegration process. This is a first step towards the implementation of the 9 June decree on demobilization. UNICEF has

established a working agreement with the local branch of an international NGO, the Bureau International Catholique de l'Enfance (BICE), as the major partner for the process, which will be undertaken in collaboration with the Government.

## IX. Financial aspects

68. The General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the amount of \$200 million to cover the Mission's immediate requirements and to enable it to initiate logistic preparations for the phased deployment of the formed military personnel. By its subsequent resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of \$58.7 million committed for MONUC during the period ending 30 June 2000, authorized me to use during the period beginning 1 July 2000 the amount of \$141.3 million representing the balance of the commitment authority provided for MONUC in its resolution 54/260 A.

69. Should the Security Council adopt the draft revised concept of operations for MONUC contained in paragraphs 71 to 84 below, the related immediate costs will be met from within resources already approved by the General Assembly for the current financial period. With regard to the financial period 2001-2002 beginning on 1 July 2001, I shall seek the necessary resources for MONUC from the Assembly during its resumed fifty-fifth session.

70. As at 31 January 2001, unpaid assessed contributions to the MONUC special account amounted to \$79.7 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$2,652.4 million.

## X. Next steps

### Updated concept of operations

71. On the basis of the experience gained since September 1999, when MONUC was first deployed to the Democratic Republic of the Congo, the Secretariat has developed a revised draft concept of operations for a deployment of military personnel to monitor and verify actions taken by the parties in compliance with the disengagement and redeployment plan they signed

at Harare on 6 December. The updated draft concept was elaborated during a visit of Department of Peacekeeping Operations planners to MONUC between 8 and 19 January.

72. Given the fragile ceasefire, the size of the country and the difficulties of access and mobility beyond major towns, the concept of operations is based upon a gradual build-up of capability that encourages the parties to cease hostilities, positions MONUC to respond in a timely and effective manner once the parties begin the disengagement and redeployment process, and minimizes risks to United Nations personnel.

73. Simultaneously, the measures proposed to be taken by MONUC can set in place the conditions for subsequent expansion of the mission for possible later tasks in the eastern provinces.

74. The revised concept of operations has four phases. During the preparatory phase, which is now under way, MONUC will make maximum use of its existing resources to build on its presence in the Democratic Republic of the Congo by deploying further military observer teams and redeploying others to establish sector headquarters at Kisangani, Mbandaka, Kananga and Kalemie.

75. These sector headquarters are an integral part of the command, control and communications infrastructure that will enable MONUC to coordinate the additional military observer teams required for verification and monitoring of the disengagement and redeployment. The four regional joint military commissions (currently located at Lisala, Boende, Kabinda and Kabalo) will be relocated with the MONUC sector headquarters to facilitate the close liaison, coordination and confidence-building required to effect the verification and monitoring process. The regional joint military commissions have requested that MONUC provide them with limited logistic support to enable them to fulfil their functions.

76. The draft concept proposed in the present report envisages the deployment of up to 550 military observers. It will also be necessary to deploy up to 1,900 armed personnel to guard equipment, facilities and supplies located at the sector headquarters and support bases. Two riverine units totalling some 400 troops are also envisaged, as well as the necessary rotary and fixed-wing air assets. At least initially, all deployment and sustainment are expected to take place



through air transportation. The use of specialized support services, whether provided by military units or through commercial contracts, is also envisaged. The total military personnel required will therefore amount to approximately 3,000 officers and other ranks.

77. It is important to stress that the function of the 1,900 armed personnel will be exclusively to guard United Nations facilities, equipment and supplies against tampering or pilfering. They will not be able to extract other United Nations personnel at risk, or accompany humanitarian convoys, nor will they be able to extend protection to the local population. United Nations personnel will be withdrawn from any situation where undue risk appears to be developing. The guard units may be able to assist in any such evacuation.

78. The Harare disengagement plan allows two weeks for the completion of the verification phase, which begins once the parties have disengaged and moved to designated intermediate and new defensive positions. Thereafter MONUC is to conduct verification and monitoring of the process sequentially across the four areas identified within the plan, in blocks of 14 days, for which an additional 32 four-person military observer teams will be required. These teams will initially be based at the sector headquarter sites. They will also be deployed to conduct verification of the redeployment, predominantly by air, employing a mix of rotary and fixed-wing aircraft.

79. The military observer teams currently deployed at the 13 team sites within the Democratic Republic of the Congo contribute significantly to stability in their immediate vicinity and will remain in place to continue their liaison and reporting functions. Where access permits, they will also conduct verification and monitoring tasks.

80. Significant resources will be required to support completion of the verification phase and enable MONUC to maintain effective monitoring thereafter. Appropriate medical facilities, air assets (including full air operations and ground support), communications, general support services and administrative staff will be deployed to each of the sector headquarters.

81. In order to maximize the confidence-building aspects of the MONUC military deployment, it would also be my intention to deploy civilian staff, including political, human rights, humanitarian, public information and child protection officers, to the sector

headquarters as the operation proceeded. These civilian officers would need to be provided with appropriate support and equipment, including vehicles and communications facilities.

82. Once the initial redeployment verification is complete, MONUC will continue to monitor the 27 new defensive positions to be occupied by the FAC/SADC allies and MLC/UPDF and the 15 intermediate positions of RCD/RPA. A second redeployment of RCD/RPA will follow, under MONUC verification, resulting in the consolidation of these forces at 12 new defensive positions.

83. Upon completion of the disengagement and redeployment operation, MONUC will be positioned and capable of monitoring continuously the parties' forces occupying a total of 39 new defensive positions. In addition, MONUC will need the capability to deploy military observers to investigate specific incidents, report on alleged violations and monitor the activities of any sizeable forces not declared as part of the disengagement plan but within 50 kilometres of the disengagement zone. It is anticipated that a further 38 military observer teams will be required to sustain this prolonged monitoring phase. In the event that RPA withdraws some of its units to any of its 11 designated new defensive positions, further observer teams may be required to provide constant monitoring of up to 53 separate positions. If required, four small coordination centres, subordinated to the four sector headquarters, will be established to ease control of the increased military observer activity.

84. It is intended to deploy river boat units, probably at Kinshasa and Mbandaka, to build confidence by showing a United Nations presence, enhancing the flexibility of MONUC re-supply activities and assisting with the movement of military observers where access is otherwise restricted. An additional benefit could be the stimulation of trade along the river. MONUC also intends to put in place a public information capability that will enable it to explain and clarify MONUC's intentions and activities and to respond in a more timely and effective manner to statements by the parties.

### **Deployment of infantry units**

85. In paragraph 8 of its resolution 1332 (2000), the Security Council expressed its readiness to support the



Secretary-General, as soon as he considered that conditions allowed it, in the deployment of infantry units in support of the military observers in Kisangani and Mbandaka in due course and, subject to the proposals submitted by him under paragraph 7 of that resolution, to other areas he might deem necessary, including possibly to Goma or Bukavu.

86. MONUC will continue to assess the conditions for infantry deployment in the Democratic Republic of the Congo, within the context of paragraphs 7 and 8 of Security Council resolution 1332 (2000). The situation in this regard is expected to become clearer following the successful completion of the present disengagement and redeployment plan, and a separate report will be submitted at that time.

### **Situation in eastern provinces and border areas**

87. The situation in the eastern Democratic Republic of the Congo, in particular the Kivus, remains volatile. The present conflict in the Democratic Republic of the Congo, and its predecessor in 1996, began in the Kivus. The territories are now home to the RCD rebels, RPA troops and several militia groups. They are highly militarized zones and have been the site of widespread suffering, humanitarian deprivation and human rights violations. The economy and society of the Kivus have been devastated and long-standing ethnic tensions have been inflamed by repeated heavy flows of refugees and displaced persons.

88. The Lusaka Ceasefire Agreement acknowledged the concerns of Rwanda, Uganda and Burundi over the presence of the armed groups which threaten the security of their borders, and recognized that the withdrawal of Rwandan and Ugandan troops would be linked directly to progress made in the disarmament and demobilization of the militias. The Agreement called for a mechanism for the disarming of militias and armed groups, including the genocidal forces.

89. The issue was raised in the summit meeting convened by President Qaddafi in November 2000 (see S/2000/1156, para. 14). Subsequently, following the Maputo summit of 16 October, two meetings of Defence Ministers took place in Pretoria to consider plans put forward by the Democratic Republic of the Congo and Rwanda. However, both plans merely assumed that a United Nations force on the borders of

Rwanda and Uganda would have the responsibility for disarmament of the armed groups.

90. MONUC has assessed that a peacekeeping force on its own is unlikely to achieve the desired result of restoring peace, security and stability to the Kivus. Additional efforts are required to repair relations between ethnic groups in the Kivus, ensure respect for human rights, address the humanitarian disaster engulfing the population, and resolve land and citizenship issues.

### **Establishment of a permanent follow-up mechanism**

91. In my last report, I detailed the intense diplomatic activity and personal initiatives of Heads of State in the region and commended their dedication and perseverance in efforts to put the peace process back on track. I observed, however, that broad agreement on the key questions had so far not been achieved, and expressed the view that the best way to achieve such agreement would be to build on the valuable diplomatic initiatives taken and to provide a framework and a stimulus for their follow-up. As noted in paragraph 2 above, the Security Council requested me to report further on this matter.

92. My consideration of the need for the establishment of a mechanism to draw together the various diplomatic initiatives and pursue workable arrangements came at a time when little progress was being made in the peace process. While the underlying problems at the heart of the conflict have not yet been resolved, the positive signals given by the new President of the Democratic Republic of the Congo regarding the implementation of the Lusaka Agreement and his openness towards the international community give reason to hope that the goodwill that he has demonstrated can be translated into progress in convening the inter-Congolese dialogue, implementing the Harare disengagement plan and addressing the complex issue of the armed groups. In addition, an increased level of bilateral contacts have been taking place that could do much to build confidence between the parties and lead to tangible results. The direct talks between President Buyoya and the leader of FDD, and between President Kabila and President Kagame in Washington, D.C., on 1 February, are an indication of a more positive approach by the parties concerned and

the Government of the Democratic Republic of the Congo in particular.

93. I believe that sufficient time should be allowed for the new positive spirit and encouraging contacts to bear fruit. Accordingly, I believe it would be prudent to delay submitting proposals for the establishment of a new mechanism within the peace process and to keep the situation under review. I encourage the Heads of State in the region to pursue their initiatives to reactivate the peace process.

### **Strengthening the MONUC human rights component**

94. The main activities of MONUC's human rights component so far have been monitoring and reporting government activities. With a view to expanding its activities, MONUC, together with the Office of the United Nations High Commissioner for Human Rights, has been designing programmes aimed at building the capacity of the justice and prison systems of the Democratic Republic of the Congo, as well as technical assistance to civil society. Once implemented, these would help the Government of the Democratic Republic of the Congo to meet its human rights obligations under the Constitution of the Democratic Republic of the Congo and the international human rights instruments it has ratified.

95. Additional programmes include raising human rights awareness and stimulating debate; the exercise of individual rights; strengthening civil society; and the integration of human rights principles into the activities of the international community in the Democratic Republic of the Congo. MONUC also intends to deploy human rights officers to the military sector headquarters identified in paragraph 74 above, as well as in Bukavu, Kindu, Gbadolite, Kananga and Boende.

## **XI. Observations and recommendations**

96. The tumultuous events in the Democratic Republic of the Congo, tragic as they were, have transformed the situation in a way that gives grounds for cautious hope. The successive visits of President Joseph Kabila and President Kagame, first to Washington, D.C., and then to United Nations Headquarters to meet with me and with the Security

Council, can be seen as marking the beginning of a new stage in the consideration by the United Nations of the conflict in the Democratic Republic of the Congo.

97. I am heartened by the calm that has descended on the confrontation lines that divide the hostile forces in the Democratic Republic of the Congo. Almost since it was signed, in July and August 1999, the Lusaka Ceasefire Agreement has been subjected to regular, and sometimes large-scale, violations by the parties that signed it. That fact that no significant violations of the ceasefire have been reported since mid-January is in itself a cause of satisfaction.

98. Equally hopeful are the signs, which await clarification, that the Government of the Democratic Republic of the Congo may be willing to accept the role of Sir Ketumile Masire, the neutral facilitator appointed pursuant to the Lusaka Agreement to help bring together all Congolese to discuss the governance of their country. When Sir Ketumile can resume his essential functions in this regard, and whether he will do so in collaboration with a co-facilitator, or some other form of high-level assistance, are questions that remain to be resolved. I look forward to further developments in this matter, and would be grateful for any advice and assistance that OAU may be able to offer. The general liberalization of the political climate in the Democratic Republic of the Congo would do much to set a positive tone for this wide-ranging dialogue.

99. Amid these grounds for cautious optimism, the United Nations should be ready to advance, at least with small steps. The revised concept of operations, which I propose to the Security Council in paragraphs 71 to 84 above, is designed to equip MONUC to assist the parties in carrying out the disengagement of their forces along a confrontation line that currently divides the Democratic Republic of the Congo in half. A successful disengagement, under the monitoring and verification of United Nations military observers, would be an important advance towards the goals that have been endorsed both by the Lusaka Agreement and by the Council. I refer to the early withdrawal of all foreign forces from the territory of the Democratic Republic of the Congo.

100. I therefore recommend to the Security Council the adoption of the draft concept I have proposed, and call for the support of Council members and troop-contributing countries as we take the steps necessary to



carry it out. I also recommend that MONUC be strengthened with the addition of the necessary additional civilian staff, including a reinforced human rights component, as outlined above.

101. The commitment to peace that President Joseph Kabila has already demonstrated is welcome for many reasons. Respect for the ceasefire could permit humanitarian agencies to gain access to all populations in need. Greater progress could be achieved in promoting human rights and the rights of children, including child soldiers, once the fighting has stopped. It would also be possible to address outbreaks of communal violence not directly related to the main conflict, such as those in Ituri and South Kivu.

102. I deplore the outbreaks of intercommunal violence in Bunia and in South Kivu. I call on the local authorities in each case to find peaceful ways of resolving the issues, to permit secure humanitarian access as soon as possible, and to refrain from taking any action that might inflame those issues. I also call on them to cooperate with MONUC human rights officers and the Special Rapporteur in any investigation that might be launched into these outbreaks of violence.

103. The involvement of regional Heads of State in the search for solutions to the conflict in the Democratic Republic of the Congo has been a considerable asset to the international community. I commend the initiatives launched by the Heads of State most concerned aimed at building on agreements reached at Lusaka, Maputo and elsewhere. I had the opportunity to discuss some of these initiatives at the Afrique-France conference at Yaoundé in mid-January and at the Davos economic summit at the end of that month.

104. Finally, I wish to express my appreciation to my Special Representative, Kamel Morjane, and to the MONUC Force Commander and to all the civilian and military personnel of MONUC for their commitment, and encourage them to continue their efforts as they prepare for the next stage of their activities in the Democratic Republic of the Congo.



## Annex

**United Nations Mission in the Democratic Republic of the  
Congo as at 8 February 2001**

	<i>Military observers</i>	<i>Staff officers</i>	<i>Total</i>
Algeria	6	-	6
Bangladesh	4	8	12
Belgium	-	1	1
Benin	5	3	8
Bolivia	1	-	1
Burkina Faso	2	-	2
Canada	-	2	2
Czech Republic	3	-	3
Denmark	1	1	2
Egypt	9	-	9
France	1	2	3
Ghana	4	-	4
India	5	2	7
Jordan	2	-	2
Kenya	-	4	4
Libyan Arab Jamahiriya	3	-	3
Malaysia	2	7	9
Mali	1	-	1
Morocco	-	4	4
Nepal	7	-	7
Niger	2	1	3
Nigeria	6	-	6
Pakistan	13	9	22
Peru	3	-	3
Poland	1	-	1
Romania	5	1	6
Russian Federation	2	-	2
Senegal	8	17	25
South Africa	1	-	1
Switzerland	-	1	1
Tunisia	6	-	6
Ukraine	4	-	4
United Kingdom of Great Britain and Northern Ireland	-	4	4
United Republic of Tanzania	4	1	5
Uruguay	8	8	16
Zambia	5	-	5
<b>Total</b>	<b>124</b>	<b>76</b>	<b>200</b>

## UCM ANNEX 85

Telegrams: EXTERIOR, KAMPALA  
Telephone: 345661 / 257525 / 258252  
Telex: 61007, ADMINISTER  
Fax: 258722 / 232874



THE REPUBLIC OF UGANDA

Ministry of Foreign Affairs  
P. O. Box 7048,  
Kampala  
Uganda

in any correspondence on  
this subject please quote No.

### **PRESS STATEMENT ON THE CONFLICT AND PEACE PROCESS IN THE DEMOCRATIC REPUBLIC OF CONGO.**

1. Ever since the eruption of the Conflict in the Democratic Republic of Congo (DRC), Uganda has been working closely with the regional and international fraternity towards the finding of a peaceful and permanent solution to the problem in the Congo.
2. Uganda's active participation in the peace process for the DRC is born out of the fact that DRC is a neighbouring country. Most importantly, Uganda was sucked into the DRC conflict leading to our military presence there mainly because of the following reasons:
  - (a) Destabilisation attacks on Uganda from the DRC by the ADF and other Ugandan rebel groups as well as by Sudan. The ADF and other Ugandan rebel groups have been receiving support on DRC territory, dating from the last ten years of former President Mobutu's era. In an effort to further destabilise Uganda and in addition to the Northern flank through LRA, Sudan opened another front through South Western Uganda by directly reinforcing activities of Ugandan rebel groups on DRC territory. Sudan also planned to use airports in Eastern DRC to launch massive aerial attacks on Uganda. It would have been a grave omission of its national security duty if Uganda government had not taken appropriate measures to address the threat against our national stability.
  - (b) Whereas Uganda went into the DRC in reaction to acts of destabilisation emanating from DRC territory, our forces were brought face to face with a naked threat of another genocide in the region. There is continued open support

to Interahamwe and ex-FAR on DRC territory. The latter are not only a threat to the region but also have an unforgettable record of committing the most heinous crime against humanity. The evil act at Bwindi in March 1999 by the Interahamwe serves as a reminder that their evil programme is still in place. We all have an obligation to ensure a non-recurrence of genocide in the region unlike during the 1994 genocide in Rwanda when everybody folded their hands as over one million people were being murdered.


3. As a result of our military presence in the DRC, activities of Ugandan rebel groups have been checked and reduced. Uganda is ready to withdraw all her forces as soon as measures spelt out in the Lusaka Ceasefire Agreement are put in place.
4. The Security concerns of Uganda, among other neighbouring countries to the DRC, are regionally and internationally acknowledged. That is why they are provided for in the Lusaka Ceasefire Agreement. The Agreement remains the most viable framework for the resolution of the DRC conflict especially in as far as it addresses:
  - (a) the security concerns of the DRC and the neighbouring countries;
  - (b) the internal dimension of the conflict through a National dialogue involving all the Congolese parties with equal say.
5. Uganda government reaffirms its commitment to the peace process in the DRC and in particular to the full implementation of the Lusaka Ceasefire Agreement. We support the Kampala Disengagement Plan and the subsequent Sub-Plans signed in Harare on 6 December 2000. It is Uganda's ardent hope that all the other parties to the Agreement will continue moving in



the same positive direction, as reaffirmed by all the Parties at the Summit of 15 February 2001 in Lusaka.

6. Uganda welcomes the following recent developments:
  - (a) DRC government's improved rapport with MONUC, as this will contribute towards the early deployment of UN observers to Inter alia monitor the disengagement and deployment exercise.
  - (b) DRC government's expressed commitment to the National dialogue under the facilitation of H.E Sir Ketumile Masire;
  - (c) The planned deployment by the UN of MONUC Observers on 26 February 2001;
  - (d) Reaching of consensus, at the Lusaka Summit, by all the parties to implement the area to area Disengagement and Redeployment Plans.
7. As a demonstration of Uganda's commitment to a successful implementation of the Lusaka Ceasefire Agreement and in order to encourage further progress, Uganda government has decided to withdraw additional 2 battalion from the DRC and invites MONUC to witness the withdrawal. The withdrawal will be in addition to the 5 battalion that were withdrawn in August last year. Uganda expects the other parties to reciprocate this gesture of good-will by implementing all outstanding provisions of the Agreement to enable a total withdrawal of all foreign forces in accordance with the provisions of the Agreement.

8. On DRC's sovereignty and territorial integrity, Uganda has no problem with that. In fact, DRC's Sovereignty and territorial integrity is recognised in the Lusaka Ceasefire Agreement. Uganda's concern is her security especially in as far as it is threatened by activities from the DRC territory. Uganda has neither territorial ambition nor economic interests beyond the normal course of trade between two nations. Uganda believes that her own security will be assured if there is peace and stability in the DRC and in the Great Lakes Region as a whole.



Amama Mbabazi  
**Minister of State for Foreign Affairs  
(Regional Cooperation)**

Kampala: 20<sup>th</sup> February 2001

United Nations

S/RES/1341 (2001)



## Security Council

Distr.: General  
22 February 2001**Resolution 1341 (2001)****Adopted by the Security Council at its 4282nd meeting,  
on 22 February 2001***The Security Council,*

*Recalling* its resolutions 1234 (1999) of 9 April 1999, 1258 (1999) of 6 August 1999, 1265 (1999) of 17 September 1999, 1273 (1999) of 5 November 1999, 1279 (1999) of 30 November 1999, 1291 (2000) of 24 February 2000, 1296 (2000) of 19 April 2000, 1304 (2000) of 15 June 2000, 1323 (2000) of 13 October 2000 and 1332 (2000) of 14 December 2000 and the statements of its President of 13 July 1998 (S/PRST/1998/20), 31 August 1998 (S/PRST/1998/26), 11 December 1998 (S/PRST/1998/36), 24 June 1999 (S/PRST/1999/17), 26 January 2000 (S/PRST/2000/2), 5 May 2000 (S/PRST/2000/15), 2 June 2000 (S/PRST/2000/20) and 7 September 2000 (S/PRST/2000/28),

*Reaffirming* the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and of all States in the region,

*Reaffirming further* the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

*Reaffirming also* the sovereignty of the Democratic Republic of the Congo over its natural resources, and *noting* with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions for security conditions and the continuation of hostilities,

*Expressing* its alarm at the dire consequences of the prolonged conflict for the civilian population throughout the territory of the Democratic Republic of the Congo, in particular the increase in the number of refugees and displaced persons and *stressing* the urgent need for substantial humanitarian assistance to the Congolese population,

*Expressing* its deep concern at all violations of human rights and international humanitarian law, including atrocities against civilian populations, especially in the eastern provinces,

*Deeply concerned* at the increased rate of HIV/AIDS infection, in particular amongst women and girls as a result of the conflict,



*Gravely concerned* by the continued recruitment and use of child soldiers by armed forces and groups, including cross-border recruitment and abduction of children,

*Reaffirming* its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

*Reaffirming* its support for the Lusaka Ceasefire Agreement (S/1999/815), as well as the Kampala plan and the Harare sub-plans for disengagement and redeployment,

*Stressing* the importance of giving new impetus to the peace process in order to secure the full and definitive withdrawal of all foreign troops from the Democratic Republic of the Congo,

*Also stressing* the importance of advancing the political process called for under the Lusaka Ceasefire Agreement and facilitating national reconciliation,

*Recalling* the responsibilities of all parties to cooperate in the full deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), and *noting* with satisfaction the recent statements by the President of the Democratic Republic of the Congo and his assurances of support for the deployment of MONUC,

*Welcoming* the participation of the members of the Political Committee of the Lusaka Ceasefire Agreement in its meetings of 21 and 22 February 2001, and *stressing* the need for the parties to honour the commitments they made to take concrete steps to advance the peace process,

*Commending* the outstanding work of MONUC personnel in challenging conditions, and *noting* the strong leadership of the Special Representative of the Secretary-General,

*Taking note* of the Secretary-General's report of 12 February 2001 (S/2001/128) and his conclusion that the necessary conditions of respect for the ceasefire, a valid plan for disengagement and cooperation with MONUC are being met,

*Determining* that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Notes* the recent progress made in achieving respect for the ceasefire, and *urgently calls* on all parties to the Lusaka Ceasefire Agreement not to resume hostilities and to implement this agreement, as well as the agreements reached in Kampala and Harare and the relevant Security Council resolutions;

2. *Demands once again* that Ugandan and Rwandan forces and all other foreign forces withdraw from the territory of the Democratic Republic of the Congo in compliance with paragraph 4 of its resolution 1304 (2000) and the Lusaka Ceasefire Agreement, and *urges* these forces to take urgent steps to accelerate this withdrawal;

3. *Demands* that the parties implement fully the Kampala plan and the Harare sub-plans for disengagement and redeployment of forces without

reservations within the 14-day period stipulated in the Harare Agreement, starting from 15 March 2001;

4. *Welcomes* the commitment by the Rwandan authorities in their letter of 18 February 2001 (S/2001/147), to withdraw their forces from Pweto in accordance with the Harare Agreement, *calls on* them to implement this commitment, and *calls on* other parties to respect this withdrawal;

5. *Welcomes also* the commitment of the Ugandan authorities to reduce immediately by two battalions the strength of their forces in the territory of the Democratic Republic of the Congo, *calls on* the Ugandan authorities to implement this commitment, and *calls on* MONUC to verify it;

6. *Urges* the parties to the Lusaka Ceasefire Agreement to prepare and adopt not later than 15 May 2001, in close liaison with MONUC, a precise plan and schedule which, in accordance with the Lusaka Ceasefire Agreement, would lead to the completion of the orderly withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo, and *requests* the Secretary-General to report to it by 15 April 2001 on the progress of these efforts;

7. *Demands* that all the parties refrain from any offensive military action during the process of disengagement and withdrawal of foreign forces;

8. *Urges* all the parties to the conflict, in close liaison with MONUC, to prepare by 15 May 2001 for immediate implementation prioritized plans for the disarmament, demobilization, reintegration, repatriation or resettlement of all armed groups referred to in Annex A, Chapter 9.1, of the Lusaka Ceasefire Agreement, and *demands* that all parties cease all forms of assistance and cooperation with these groups and use their influence to urge such groups to cease their activities;

9. *Condemns* the massacres and atrocities committed in the territory of the Democratic Republic of the Congo, and *demands* once again that all the parties concerned put an immediate end to violations of human rights and international humanitarian law;

10. *Demands* that all armed forces and groups concerned bring an effective end to the recruitment, training and use of children in their armed forces, *calls upon* them to extend full cooperation to MONUC, the United Nations Children's Fund, and humanitarian organizations for speedy demobilization, return and rehabilitation of such children, and *requests* the Secretary-General to entrust the Special Representative of the Secretary-General for Children and Armed Conflicts with pursuing these objectives on a priority basis;

11. *Calls on* all parties to ensure the safe and unhindered access of relief personnel to all those in need, and *recalls* that the parties must also provide guarantees for the safety, security and freedom of movement of United Nations and associated humanitarian relief personnel;

12. *Calls also on* all the parties to respect the principles of neutrality and impartiality in the delivery of humanitarian assistance;

13. *Calls on* the international community to increase its support to humanitarian relief activities within the Democratic Republic of the Congo and in neighbouring countries affected by the crisis in the Democratic Republic of the Congo;

14. *Reminds* all parties of their obligations with respect to the security of civilian populations under the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 and *stresses* that occupying forces should be held responsible for human rights violations in the territory under their control;

15. *Welcomes* the expressed willingness of the authorities of the Democratic Republic of the Congo to proceed with the inter-Congolese Dialogue under the aegis of the neutral Facilitator, Sir Ketumile Masire, and in this regard *welcomes* the announcement by the President of the Democratic Republic of the Congo at the Summit in Lusaka on 15 February 2001 that the Facilitator has been invited to Kinshasa, and *calls on* all Congolese parties to take immediate concrete steps to take forward the inter-Congolese dialogue;

16. *Reiterates* that MONUC shall cooperate closely with the Facilitator of the Inter-Congolese Dialogue, provide support and technical assistance to him, and coordinate the activities of other United Nations agencies to this effect;

17. *Calls on* all the parties to the conflict to cooperate fully in the deployment and operations of MONUC including through full implementation of the provisions and the principles of the Status of Forces Agreement throughout the territory of the Democratic Republic of the Congo, and *reaffirms* that it is the responsibility of all the parties to ensure the security of United Nations personnel, together with associated personnel;

18. *Requests* the parties, as a follow-up to the discussions on this matter at the Lusaka Summit on 15 February 2001, to relocate the Joint Military Commission (JMC) to Kinshasa, co-locating it at all levels with MONUC, and *calls on* the authorities of the Democratic Republic of the Congo to ensure the security of all the JMC members;

19. *Reaffirms* the authorization contained in resolution 1291 (2000) and the mandate set out in its resolution for the expansion and deployment of MONUC, and *endorses* the updated concept of operations put forward by the Secretary-General in his report of 12 February 2001, with a view to the deployment of all the civilian and military personnel required to monitor and verify the implementation by the parties of the ceasefire and disengagement plans, stressing that this disengagement is a first step towards the full and definitive withdrawal of all foreign troops from the territory of the Democratic Republic of the Congo;

20. *Emphasizes* that it will be prepared to consider a further review of the concept of operations for MONUC, when appropriate and in the light of developments, in order to monitor and verify the withdrawal of foreign troops and the implementation of the plan mentioned in paragraph 8 above and, in coordination with existing mechanisms, to enhance security on the border of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi, and *requests* the Secretary-General to make proposals when appropriate;

21. *Reaffirms* that it is ready to support the Secretary-General if and when he deems that it is necessary and it determines that conditions allow it to deploy troops in the border areas in the east of the Democratic Republic of the Congo, including possibly in Goma or Bukavu;



22. *Welcomes* the dialogue initiated between the authorities of the Democratic Republic of the Congo and Burundi, *urges* them to continue their efforts, and *emphasizes* in this respect that the settlement of the crisis in Burundi would contribute positively to the settlement of the conflict in the Democratic Republic of the Congo;

23. *Welcomes also* the recent meetings of the parties, including the meeting of the Presidents of the Democratic Republic of the Congo and Rwanda, *encourages* them to intensify their dialogue with the goal of achieving regional security structures based on common interest and mutual respect for the territorial integrity, national sovereignty and security of both States, and *emphasizes* in this respect that the disarmament and demobilization of and cessation of any support to the ex-Rwandese Armed Forces and Interahamwe forces will facilitate the settlement of the conflict in the Democratic Republic of the Congo;

24. *Expresses* its full support for the work of the expert panel on the illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo, and once again *urges* the parties to the conflict in the Democratic Republic of the Congo and the other parties concerned to cooperate fully with it;

25. *Reaffirms* that it attaches the highest importance to the cessation of the illegal exploitation of the natural resources of the Democratic Republic of the Congo, *affirms* that it is ready to consider the necessary actions to put an end to this exploitation, and *awaits with interest* in this respect the final conclusions of the expert panel, including the conclusions relating to the level of cooperation of States with the expert panel;

26. *Reaffirms also* that an international conference on peace, security, democracy and development in the Great Lakes region, with participation by all the Governments of the region and all the other parties concerned, should be organized at the appropriate time under the aegis of the United Nations and the Organization of African Unity with a view to strengthening stability in the region and working out conditions that will enable everyone to enjoy the right to live peacefully within national borders;

27. *Expresses* its intention to monitor closely progress by the parties in implementing the requirements of this resolution and to undertake a mission to the region, possibly in May 2001, to monitor progress and discuss the way forward;

28. *Expresses* its readiness to consider possible measures which could be imposed, in accordance with its responsibilities and obligations under the Charter of the United Nations, in case of failure by parties to comply fully with this resolution;

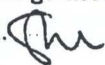
29. *Decides* to remain actively seized of the matter.

**ADM/186/270/01**

The Ministry of Foreign Affairs of the Republic of Uganda presents its compliments to the Embassy of the Democratic Republic of Congo accredited to Uganda and has the honour to refer to a meeting which took place between the Permanent Secretary, Mr Ralph W Ochan, and the Charge d'Affaires, Mrs Isabelle Iboula on 20 March, 2001.

The Ministry wishes to reiterate a verbale request made by the Permanent Secretary that the distinguished Government of the Democratic Republic of Congo asks Mr Taban, son of Idi Amin Dada, to vacate the Uganda Embassy's premises (Chancery and Official Residence) he has been occupying in Kinshasa. The Uganda Government has no arrangement for Mr Taban to occupy those premises.

The Ministry further wishes to state that the Uganda Government would rather have an agent of the Government of the Democratic Republic of Congo occupy the Embassy's premises than Mr Taban, who is a dissident.

The Ministry of Foreign Affairs of the Republic of Uganda avails itself of this opportunity to renew to the Embassy of the Democratic Republic of Congo accredited to Uganda the assurances of its highest consideration. 

**Kampala: 21 March 2001**

The Embassy of the Democratic Republic of Congo  
accredited to Uganda

**KAMPALA**

*Want to send this story to another AOL member? Click on the heart at the top of this window.*

## Most Warring Troops in Congo Meet UN Deadline for Pullback

United Nations, March 29 ([Bloomberg](#)) -- United Nations observers in the Democratic Republic of Congo reported that most armed forces of warring nations and rebel groups have withdrawn their troops to positions mandated in last month's agreement.

Six African nations and rebel forces have been fighting for control of Congo's natural resources, including cobalt, diamonds and copper, in a land area four times the size of France. They agreed in February to pull back nine miles by today, and the UN said it would send more than 3,000 observers and armed troops to Congo, formerly Zaire, to verify the movement.

Congolese troops and soldiers from Rwanda and the rebel Congolese Rally for Democracy have left the towns of Pweto and Kabinda in the south, Ugandan forces have withdrawn in the northeast, and the Congolese government claims to have withdrawn across the Ubangi River in the far north, according to UN spokesman Fred Eckhard.

The rebel Congolese Liberation Movement has not begun to pull back its troops in the northeast region, and its officers said they wouldn't do so until UN forces move in to protect civilians and progress is made in inter-Congolese dialogue, Eckhard said.

What's more, while Congolese and Namibian forces have received orders to withdraw from Kananga, in the south-central part of the country, no movement has been seen, Eckhard added.

UN observers are moving into positions across Congo to monitor troop movements and begin a verification process expected to take 56 days.

A contingent of 110 troops from Uruguay arrived at Kalemie near Lake Tanganyika, almost 1,000 miles east of the capital, Kinshasa, to set up one of four bases to protect supplies and vehicles the observers will use, Reuters reported. The lake forms part of the eastern border of the country.

Mar/29/2001 16:08 ET

For more stories from Bloomberg News, [click here](#).

(C) Copyright 2001 Bloomberg L.P.

*Any redistribution of Bloomberg content, including by framing or similar means, is expressly prohibited without the prior written consent of Bloomberg L.P. Any reference to the material must be properly attributed to Bloomberg News.*

*The information herein was obtained from sources which Bloomberg L.P. and its suppliers believe reliable, but they do not guarantee its accuracy. Neither the information, nor any opinion expressed, constitutes a solicitation of the purchase or sale of any securities or commodities. (C) Copyright 2001 Bloomberg L.P. BLOOMBERG, Bloomberg News, Bloomberg Financial Markets, Bloomberg Television, Bloomberg News Radio are trademarks, tradenames and service marks of Bloomberg L.P.*



**REPORT ON EVACUATION OF UGANDA EMBASSY STAFF AND  
OTHER UGANDANS FROM KINSHASA IN  
AUGUST/SEPTEMBER 1998**

**Circumstances**

1. After eruption of the conflict in the Democratic Republic of Congo (DRC) on 2 August 1998 or there about, the Embassy of the Republic of Uganda in Kinshasa was affected in a number of ways, including:
  - (a) There were sporadic arrests and harassment of Ugandan nationals in the DRC, including Embassy staff. In fulfillment of its consular responsibilities, the Embassy was from time to time involved in ensuring the safety of the affected Ugandans. Sometimes the DRC authorities cooperated and sometimes they did not.
  - (b) A total of thirty two (32) Ugandan nationals sought protection and camped at the Official Residence and at the Chancery. This attracted further harassment of Embassy staff.
  - (c) On 11 August 1998 or there about, DRC Soldiers stormed the Chancery by forcing their way through the main gate of the fence. They held the Ambassador and another diplomat on gun point, demanding for Rwandese nationals purported to have been kept by the Embassy. They left after they were allowed to loot some money. The Embassy protested to the authorities.

**First Evacuation**

2. Ms. Margaret Kedisi, Second Secretary, who had left Kinshasa for Kampala at the beginning of August 1998, was advised by the Ministry headquarters not to return to Kinshasa because of the prevailing circumstances. Similarly, all Ugandan nationals in the DRC were advised to evacuate the country.

### **Second Evacuation**

3. Seventeen out of the thirty two Ugandan nationals, who had sought protection at the Embassy, and the Administrative Attach of the Embassy (Ms. Jane F. Onega Owachgiu) were evacuated to Brazzaville by air through Ndjili Airport on 20 August 1998. UNHCR provided a helicopter. The evacuees were accompanied by the First Secretary (Mr. Henry Picho Okello), the Second Secretary (Mr. Richard K. Bamuturaki) and a Protocol Officer from the (DRC) Ministry of Foreign Affairs. The exercise was very difficult as stated below.
  - ◆ The evacuees were detained at the Airport (Ndjili) for more than three hours while being beaten, insulted and robbed of their valuables and liquid cash;
  - ◆ The Second Secretary and the Protocol Officer were also detained and suffered the same fate as the evacuees.
4. After that ill-treatment, the Embassy feared to release the other remaining group, which was still at the Embassy waiting for transport, until security would be guaranteed by the (DRC) authorities. The Embassy strongly protested to the (DRC) Ministry of Foreign Affairs and requested for more security to enable the next evacuation.

### **Third Evacuation**

5. On or around 28 August 1998, five DRC Ministers, including those of Internal Affairs and Defence, the Dean of the Diplomatic Corps (Ambassador of Switzerland), the Dean of the African Diplomatic Corps (Ambassador of Togo), the UNDP Resident Representative, the UNHCR Representative, Representatives of the DRC Ministry of Foreign Affairs and DRC Immigration Officers assembled at the Embassy and held a meeting with the Ambassador (Dr. Cos Kamanda Bataringaya) and other Embassy Staff. The following transpired.

- ◆ It was communicated that evacuation of the remaining Ugandans would take place that day;
- ◆ Details of how evacuees, including all remaining Embassy staff, would move from the Chancery to the (river) Port on to Brazzaville were communicated;
- ◆ Ambassador Bataringaya informed the (RDC) authorities that Embassy staff were to accompany the other evacuees to Brazzaville. That Embassy staff would evacuate to Brazzaville temporarily and return to Kinshasa as the security situation improved. He therefore requested the DRC authorities to ensure the safety and security of Embassy properties by positioning surveillance security outside and around the fences of the Chancery and the Official Residence. That a local employee, one Mr. Senkunja (Uganda), would be the caretaker inside the fences of both premises in addition to Embassy employed-Askaris who would man the fence gates. Note that flats of the four Embassy diplomatic staff were located at the Chancery compound.
- ◆ Immigration Officers checked passports of all evacuees and counseled their visas, including those of Embassy diplomatic staff. The latter were advised to re-apply for new entry visas at the DRC Embassy in Brazzaville;
- ◆ The DRC authorities reasoned that since Embassy staff were temporarily relocating to Brazzaville and would return to Kinshasa, they should hand over the corridor key of the Chancery in case of a fire outbreak. The key was accordingly handed over to the DRC Deputy Minister of Defence;
- ◆ Meanwhile, security at both the Chancery and the Official Residence had been beefed-up.



6. The evacuation exercise went on as planned despite sporadic gun fire around the town, including gun shots at the boats that carried the evacuees. The boats were arranged by UNHCR, among others. Across the River Congo, in Brazzaville, the evacuees were, inter-alia, received by the Minister in Charge of Security of the Republic of Congo.
7. From Brazzaville, the other evacuees were transported to their destinations. Embassy staff (namely; Amb. Cos Kamanda Bataringaya, Mr. Henry Picho Okello, Mr Richard K. Bamuturaki and Ms Jane F. Onega Owachgiu) remained in Brazzaville for sometime until it became untenable for them to return to Kinshasa. They were accordingly instructed to return to Kampala.

#### **Aftermath of the evacuation**

8. In December 1998, the Ministry headquarters was able to receive a confirmed report that DRC soldiers had broken into both Premises (Chancery and Official Residence) and effectively occupied them in September 1998, including flats at the Chancery. The caretaker and all Askaris were forced away. The Ministry protested the act (copy of diplomatic Note No. XC/A/11504/12 dated 18 December 1998 is herewith attached).
9. Recently, it came to the attention of the Ministry that Mr. Taban, son of Idi Amin Dada and a Ugandan dissident, is now occupying and using the two premises. The attached copy of Protest Note No. ADM/186/270/01 dated 21 March 2001 refers.



Directorate of Regional Cooperation  
Ministry of Foreign Affairs  
**KAMPALA**

**30<sup>th</sup> March 2001.**

### **UGANDA'S INVOLVEMENT IN DRC**

1. The reasons for entry into DRC predate Kabila's government and remained despite the misplaced hope that they would be addressed and resolved with the exit of Mobutu.

The timing of the deployment of troops into DRC was determined by:

- a. Initially, goodwill of the DRC government towards Uganda and acknowledgement of Uganda's security concerns.
- b. Subsequently, by the accelerated change of attitude of the DRC government which demonstrably deteriorated from inability to police eastern and North eastern DRC areas harbouring Uganda's enemies, to indifference and covert support of Uganda's enemies and then lastly to overt hostility and support to subversive activities against Uganda in concert with the Sudan as it had been earlier during Mobutu's era, only with variations in magnitude.
- c. The magnitude of the threat consequently determined the extent of the response.

2. The reasons for Uganda's involvement in DRC are its legitimate security concerns which will be illustrated at length later but are briefly the following:

a. Sudan's long-standing schemes and designs against Uganda through its support, sponsorship, training, offering bases and arming Ugandan rebel groups in DRC to subvert the government of Uganda

This attitude and policy by the Sudan government is well documented and dates back to Aug 1986 when the Pariah international terrorist and fundamentalist regime reorganised and re-armed remnants of the defeated defunct Ugandan army (UNLA) to attack Bibia.

This attack was repulsed but signalled the beginning of an insurgency by the remnants fuelled and backed by the Sudan who have caused untold suffering to the people of Northern Uganda in the districts of Gulu, Kitgum and West Nile.

This was coupled with Sudan's naked and blatant aggression against Uganda through its repeated aerial raids of areas of Koboko, Arua and Adjumani which resulted in destruction of lives and property.

When Sudan failed to make headway in this Northern investment, it decided in concert with Mobutu and subsequently Kabila, to create another front in Western Uganda in order to stretch the Ugandan army by creating bases for Ugandan rebels in North eastern and eastern DRC to be used as launching pads of attacks against Uganda.



The Sudan- created and sponsored Ugandan rebel groups active in DRC with their bases indicated are:

(1) LRA (Lords Resistance Army): Superstitious and murderous group led by Joseph Kony which is responsible for unleashing untold terror and suffering to the people of Northern Uganda through grisly murders, torture, maiming and disfigurement by cutting off limbs of victims, arson, rape, defilement and abductions. Since 1995 over 100,000 children from Northern Uganda have been abducted including the 139 students of Aboke senior secondary school abducted and taken to Sudan in Oct 1996.

The group has bases in Nesitu and Jabellin in Sudan.

(2) UNRF II (Uganda National Rescue Front): Lead by a former officer in Idi Amin's repressive army called Bamuze. Has been engaged in abducting youths in West Nile whom they take to Sudan for training. The group has a base in Rojo in Sudan where its abductees are undergoing training under Sudanese Army supervision.

(3) WNBF (West Nile Bank Front): This group is led by ex-Amin Minister Col Juma Oris and was routed by the UPDF when it attacked West Nile in 1997 but the remnants went back to their base in Juba in the Sudan and are busy regrouping.

(4) UNFA (Uganda National Freedom Army):  
This one is led by young militant Islamic fundamentalists and has also been engaged in abductions from West Nile. It intends to launch a terrorist campaign in West Nile. It is based in Khor Kaya in the Sudan.

(5) ADF (Allied Democratic Front): It is led by Shiekh Jamil Mukulu. This is an Islamist, fundamentalist and militant group created, sponsored and supervised by the Sudan to offer alternative armed opposition to the government of Uganda in the West having registered no progress with their campaign through the aforementioned groups in Northern and North Western Uganda.

This group's activities started in 1993 veiled as a radical religious agitation against the mainstream conservative muslim establishment. It manifested its violent nature when it forcefully took over the Old Kampala mosque. The group killed a policeman when it was being evicted.

The group launched its armed campaign against the government in 1994-95 by establishing a camp in Buseruka in Hoima district bordering the Congo.

This camp was overrun by the UPDF in Feb 1995 with many militants killed in the engagement, 148 captured alive and imprisoned while 45 fled across L. Albert into the DRC and joined remnants of NALU under Ngaimoko in a place called Buhira in Congo.

These Buseruka remnants entered Congo with 15 rifles and reported to the defunct Zaire Army (Ex-FAZ) Unit in Bunia from where they were transported to various Ex-FAZ detachments one of which was Nyangarai in Bunia. These remnants included the following:

- (a) Kassim Mulumba (was arrested this year by UPDF enroute to Congo)
- (b) Menya Muzadaki.
- (c) Medi Basoga
- (d) Kawuma Peter
- (e) Katumba
- (f) Baker Matovu and others.



Others were taken to Rugeji detach. Zaire was also a conduit for weapons from Sudan to Ugandan dissidents connecting from Baazi on the Congo Sudan border to Aruu-Ariwara and on to Beni and Bunia where the weapons would be offloaded and carried to Buhira by the ADF.

It is these weapon supplies that enabled the ADF force of 1400 to attack Mpondwe, Karambi and Bwera on 13 Nov 96.

Their intention had been to capture Kasese airfield in order to create a forward re-supply and reinforcement terminal for logistics and manpower from Sudan and Congo.

The attack was repulsed by UPDF and ADF retreated back into their safe havens in Congo where they had established camps in Lhume, Buhira, Kiribata, Luseke, Mumbiri Lugetse Burangwa, Mutwanga, Nkingi, Kimbe, Kiraro, Kikura and Mughina. They also retreated to places in Uganda but just on the border with DRC for easy thinning out into Congo in case of pursuit like Kahindangoma, Ngwengwe, Kambasa and Kyabitondo.

ADF continued to be replenished by Sudan and would launch terrorist attacks on the rural population in the countryside areas of Kasese, Bundibugyo and Kabarole districts.

b. The complicity of the then Zaire government in Sudan's terrorist schemes against Uganda.

c. The presence of Rwandese genocidal elements of the notorious Interahamwe militia and former Rwandese army (Ex-FAR) elements in eastern DRC in areas of Rutshuru, Kanyabayonga and Virunga National Park from where they would sneak into both Rwanda and Uganda to kill civilians and then withdraw back to their safe havens in DRC.

d. The political/Administrative vacuum in eastern DRC which allowed free reign to these criminal groups and offered them and their mentor Sudan spring boards from which to continue launching attacks on Uganda.

e. The direct commitment of Sudanese troops to back up these groups and Kabila's army in their destructive schemes against Uganda.

3. Following Mobutu's exit and the coming into power of Kabila and his AFDL on 17 May 97, there was a lot of optimism that Uganda's legitimate security concerns would be addressed and it was in this context when the euphoria of good will from Kabila lasted, that Uganda and DRC agreed to

the deployment of UPDF into Congo to conduct joint operations with the DRC army (FAC) against all the aforementioned criminal groups in a Protocol signed by both countries in Kishasha on 27 Apr 98.

4. As earlier mentioned, the good will of the Kabila government towards Uganda did not last and President Kabila embraced the enemies of Uganda as Mobutu had been doing and even started conspiring with Sudan against Uganda.

When the RPA started pulling out in September 1997, the FAC officers' attitude degenerated drastically. Even during the time when the Rwandese were still there, FAC commanders would cohabit with ADF claiming that these were Uganda's enemies and not enemies of DRC.

An example was Col Ebemba, Mobutu's man who had been instrumental in planning the 13 Nov 96 ADF attack on Mpondwe, was posted on Kabila's orders to eastern DRC to continue his old liaison with ADF.

Kinshasha also started to train ADF and interahamwe in Kamina in DRC.

5. Due to internal contradictions in DRC, another revolt broke out on 2 Aug 98 in the western town of Goma and popped up in the Garrison town of Kitona, Banana and to the oil town of Muanda. Uganda's presence in Congo then was at the periphery (near its western border with DRC) and was nowhere near these events in Kitona, where upto 20000 Ex-FAZ soldiers and Interahamwe were being incorporated into FAC at the time the rebellion broke out.



6. The factual illustration of events in DRC including gross violations of human rights by Kabila's army, incitement of genocide and integration of the Rwandese genocidal Interahamwe and Ex-FAR elements into Kabila's army, the Sudanese and Ugandan dissident groups i.e LRA, WNBF, ADF, and UNRF and the co-option of Burundi extremist groups like CNDD and FDD is as follows:

- a. On 05 Aug 99 FAC soldiers killed civilians enmass in Uvira and Bukavu for allegedly being supportive of the rebellion.
- b. The CNDD/FDD are active in Bukavu and Moba and are involved in fighting in Pepa along lake Tanganyika with an unspecified number deployed in Manono.

The RNA (News Agency) of 10 Aug 98 at 1736 GMT reported the following about the unfolding events in DRC:

- (1) On the situation in Kinshasha, the agency cited unnamed diplomatic sources as saying that the witch hunt for ethnic Tutsis and other Congolese with features similar to Rwandese continues to make many victims.

(2) In Goma, residents expressed great concern about the plight of their relatives being harassed or killed by Kabila's forces.

(3) Among the cases brought to the attention of the media in Goma, there was a one Mrs Mukadona, ages 45, a resident of Kisangani who was imprisoned by forces loyal to Kabila. She was arrested because she was allegedly of Rwandese origin one of her relatives in Goma told RNA.

(4) Other people killed in Kisangani include one Faustin, an Engineer in agronomics and several workers of the private Sun Air Company. He was murdered and his sister Sylvia had also gone missing.

Other workers of the Company who were "Kinyarwanda" speaking or of ethnic Tutsi origin were killed or detained in unknown places by government forces.

Capt Mastak, an Ex-FAZ officer reintegrated into FAC and Lt Col Ngonga were among those reportedly killed by FAC.

Others taken to unknown places by government forces were the manager of the Intercontinental Hotel Mr. Clement Ngirabatware of the ethnic Congolese Bagongwe tribe from eastern DRC as well as Leonard Bukombe working with Petro Congo.

A Rwandan banker, Alex Kalisa was also reported to be in the hands of Kabila's Presidential guards. He was the manager of the Bank of Commerce and Industries which had several branches in DRC.

(5) These excesses were condemned by UNHCR and Human rights watch among others.

(6) Kabila and his government used the media and other fora to incite ethnic cleansing by invoking false nationalism. Groups <sup>that</sup> were targeted were the Banyamulenge who were declared Rwandese, the Baisi and Mai-Mai.

This echoed the resurgence of genocide akin to the one that took place in Rwanda and where its main perpetrators the Interahamwe and Ex-FAR were now Kabila's allies.

d. The US Assistant Secretary of State for African Affairs Ms Susan rice in a statement she made to the US House of Representatives International Relations committee's Sub - committee on Africa on 15 Sept 1998 Inter alia said:



(1) Credible reports of inter - ethnic violence, communal massacres and attacks against non-combatants because of their ethnicity echo the tragedies of the 1994 Rwandan genocide and the subsequent alleged massacres inside Zaire in late 1996 and 1997.

(2) There were mass graves left by fleeing government soldiers.

(3) That the political course and economic prospects in DRC had enormous implications not only for the people of Congo but also for many in the central and southern Africa Region as well because it was home to 50 million people and bordered 09 countries.

(4) That the Rwandan genocide set the stage for the recent crisis because while technically the genocide ended with the assumption of power of RPF government in Rwanda in July 1994, those who committed genocide continued to attacks inside Rwanda from the security of the Refugee camps of former Zaire.

(5) That the present conflict had both internal and external antescedents.

(6) That the US was gravely concerned by the detention by Congolese security forces of hundreds if not thousands of Congolese ethnic Tutsis and others believed to be Tutsi or rebel sympathisers many of whom had been reportedly tortured and summarily executed simply because of their presumed ethnicity.

(7) The Congolese government Radio had broadcast hate messages sometimes issued by senior government officials that were reminiscent of those that incited the genocide in Rwanda in 1994.

(8) That the US shares the perspective of regional leaders that a lasting solution will require the withdrawal of all foreign forces and the launching of both comprehensive negotiations to address both the issues of border security for all the parties concerned and issues of inclusive governance for the Congolese.

(9) That the US had indicated to both Uganda and Rwanda its full understanding of their legitimate security interests in countering insurgent attacks from Congolese soil.

(10) That the US government shares regional and international frustration with the Kinshasa government's failures with respect to both democratisation and human rights.

(11) That internally, there will never be long term stability in the Congo and neighbouring states until there is a more inclusive government and a political process firmly based on democracy and a healthy respect for all of Congo's citizens.

(12) That externally, there will never be long term regional stability until meaningful action is taken to address the threat that Congolese based insurgents and genocidaires pose to regional states.

(13) That a way must be found to bar the Democratic Republic of Congo from being used as a base for insurgent movements that carry out genocide.

(14) That given the political and administrative vacuum in eastern Congo, any solution to the current crisis will depend upon creating new border security arrangements.

(15) That the Congolese government has thus far failed to prevent UNITA as well as Rwandan genocidaires and Sudan backed Uganda rebels from operating inside Congo.

(16) That the Congolese government has failed to resolve the crucial issue of Banyamulenge citizenship, to ensure that ethnic Tutsi who have lived in Congo for generations enjoy national rights and privileges.



(17) That these failures have undermined regional security and contributed to the present perilous situation.

(18) In addition, concern was raised by the US about the Kinshasa governments' collaboration with pariah regimes like Sudan who support International terrorism.

(19) That to prevent the resurgence of genocide and ensure the protection of human rights in the Great Lakes region, the US is pursuing the creation of an international coalition against genocide called for at the Entebbe summit attended by president Clinton in March 1998.

e. In January 1999, over 600 Rwandese Hutu genocidaires were flown to Mbandaka and Gbadolite from Buburu- Bomingo and Kinshasha by the Congolese government.

f. On 7 Feb 1999, an unspecified big number of these perpetrators of crimes against humanity in Rwanda were again flown from Kamina to Mwene - Ditu for deployment in various areas to beef up FAC and were deployed in Yakoma, Gbadolite, Gemena, Kananga. Mbandaka, Mwene-ditu, Mbuji-Mayi and Pweto.

g. Kabila and Bashir agreed that Sudan uses the airports of Isiro, Bunia, Beni, Butembo, Aketi, Dulia and Kisangani in DRC to replenish Ugandan dissident groups.

h. On 24 August 1998 Kabila held talks with Sudanese Vice President Ali Othman Taha in Gbadolite and they agreed to reinforce Ugandan rebel bases in Congo in order to destabilise Uganda from the West.

i. Some of the Ugandan rebels were captured in Kindu by the RCD when it fell and they revealed that they were recruited from Sudanese refugee camps by Kabila's son Joseph and Ex-dictator Amin's son Taban Amin.

j. In May 1998, when the genocidaires were about to be flushed out of DRC, Kabila issued a directive that all captured Interahamwe and Ex-FAR (about 5000), be taken to Kamina military training centre in Katanga where they underwent training and were absorbed into FAC. Thousands of dormant Ex-FAR in the southern interior of Rwanda were also targeted for recruitment.

k. The genocide threat became real when at the beginning of the present crisis, Kabila's government incited Congolese to arm themselves with machetes in Isiro and eliminate all people of Rwandese origin or extraction including Congolese Banyamulenge which

constituted grave consequences as regards stability in the region.

l. After their defeat in Gisenyi and Ruhengeri in Rwanda at the hands of RPA in 1998, many Interahamwe withdrew to Masisi in DRC.

m. In late January 1999 a force of 500-800 Interahamwe moved to Rutshuru zone in DRC and started destabilising areas along the Uganda-Congo border i.e Ishasha in Rukungiri, Rubaya, Ndorwa and Bufundi in Kabale and Bunagana, Muramba, Nyarusiza and Busanze in Kisoro.

n. Sudan's direct military involvement in DRC is further exemplified by the following:

(1) Sudan trained Ex-FAZ, Ex-FAR, WNBF, UNRF II, Interahamwe and Chadian soldiers at kit, Frangosika, Tanumule, Rajafu and Kodokonyo camps in Sudan and ferried them to DRC.

(2) On 14 Aug 98 Sudanese Armed Forces Brigadier Saladin Khalil delivered 03 plane loads of weapons to DRC.

(3) On 26 Aug 98 Sudanese Antonov aircrafts bombed Bunia.

(4) On 2 Sept 98 Cargo planes from Yemen ferried weapons to Khartoum for the UNRF II Unit in DRC and the consignment was sent to Gbadolite in the company Col Ibrahim Ismail Habiballah.



(5) On 14 Sept 98 Kabila's aides announced that Sudan and DRC had agreed to jointly reinforce their deployment along Rwanda and Uganda's borders and a one Talindima was appointed by Kabila to co-ordinate the military activities of the Congo based Ugandan rebel groups.

(6) On 15 Sept 98, military Cargo planes from Yemen left Khartoum airport for Kinshasha and Gbadolite.

(7) On 18 Sept 98, President Kabila met the National Islamic Front government leaders in Khartoum and was given Sudanese troops and military equipment.

He also met and held discussions with leaders of the Ugandan rebel groups of LRA, WNBF, UNRF II and ADF.

5. The standard operation procedure of the LRA, WNBF, UNRF II, UNFA, ADF, and Interahamwe is murder, torture, rape, defilement, arson, disfigurement and maiming by cutting of bodily limbs and abductions.

Notable grisly accounts of their atrocities against the people of Uganda from their bases in Congo and Sudan are:

a. **ADF:**

(1) On 15 Jun 1997 ADF moved from their bases in DRC and attacked Bundibugyo, looted the town and massacred 121 civilians and abducted many more.

200,000 people became displaced.

(2) The attack on Kiburara seminary and murder of students and abduction of others in 1997.

(3) The attack of Kitchwamba Technical Institute in Kabarole district in which 33 students were burnt to death in their dormitories and 106 others abducted on 8 Jun 98.

(4) The attack on Kasese town in July 1998 in which a lodge and vehicles were burnt and some people killed.

(5) The attack of a tourist camp at Mainarp in Kibale district in which 03 people were killed in May 99.

(6) Many other isolated attacks on the civilian population, destruction of property, pillage and abductions in the country side areas of Kasese, Bundibugyo and Kabarole districts.

(7) From November 1996 upto November 1998, 552 people had been killed by ADF, over 300 injured, over 1500 abducted and 35000 and 200000 internally displaced in Kasese and Bundibungyo respectively.

b. **LRA:**

(1) The cutting of limbs of civilians in Gulu and Kitgum district.

(2) The rape and defilement of women and girl children.

(3) Abductions in which over 10,000 children from Northern have been abducted, abused and violated and conscripted into rebellion let alone the girl children being forcefully married to LRA commanders in the Sudan. These children include the 139 girls students of Aboke senior secondary school abducted in Oct 1996 and taken to Sudan.

(4) The Atiak massacre in which LRA attacked a refugee camp and indiscriminately massacred over 200 people including women and children.

(5) The Karuma ambush of a convoy of civilian vehicles of 1995 in which lives and property were destroyed.



(6) The use of land mines supplied by the Sudan against the local population.

(7) The killing of elders who had been sent as emissaries of peace between the government of Uganda and LRA.

All the foregoing are testimony that Kabila and allies are the ones that have distinguished themselves as icons of gross human rights violations, aggression and destabilisation of their neighbours which warranted reprisals to safe guard Uganda's sovereignty.

c. **Interahamwe:**

The attack of Bwindi tourist camp on 01 March 99 in which foreign tourists were abducted and brutally murdered by these marauding criminals who retreated back to DRC.

6. Uganda's commitment to Peaceful resolution of the conflict in Congo is exemplified by its active participation in the following summits and ministerial meetings:

- a. The Victoria Falls Summit (7th - 8th Aug 1998).
- b. The Pretoria Summit (23rd august 1998).
- c. The Durban Consultations.

- d. The 2nd Victoria Falls Summit.
- e. The meeting of Defence Ministers and other officials of countries participating in the Victoria Falls II summit of 10th - 11th September 1998 in Adis-Ababa.
- f. The SADC summit (Port Louis 12 - 14 September 1998).
- g. The Libreville Summit (24th September 1998)
- h. The East African Cooperation Consultative Summit of Nairobi (18 October 1998).
- i. The meeting of the Adhoc Committee of Ministers (Gaborone: 20th - 21 November 1998).
- j. The France-Africa Conference held in Paris from 26-28 November 1998.
- k. The Windhoek Summit of 17 - 18 January 1999.
- m. The Lusaka Experts committee meeting of 29 January to 8 February 1999.

n. The Sirte Peace Agreement of 18 Apr 1999 signed in Libya.

o. The cease-fire Agreement signed in Lusaka on 10 Jul 99.



## UCM ANNEX 91

### CHRONOLOGICAL ILLUSTRATION OF ACTS OF DESTABILISATION BY SUDAN AND CONGO BASED DISSIDENTS

S/NO	DATE	TIME	PLACE	DESCRIPTION OF ATTACK	DAMAGE TO PERSONS/PROPERTY	IDENTITY OF ATTACKERS	REMARKS
01	29 Aug 1989	1640 hrs	Kiwanja in Zaire		Robbery of M/Veh belonging to Ministry of Lands		The M/V which was robbed from Uganda was seen at Kiwanja in Zaire under the charge of FAZ soldiers.
02	29 Oct 1989	1530 hrs	Mubirene S/county Goma town		Robbery of M/v land Cruiser Reg No UPB 368.		The said robbed M/V was sighted at the home of a one Limpambo being used by FAZ soldiers and had bullet holes on its wind screen.
	25 Dec 1989	1400-1500 hrs	Bwera	FAZ soldiers SVC No ZA/80150 Cpl Namigobe E crossed into Bwera while armed.	Terrorised the civilian population in Bwera and extorted money from them.	FAZ soldier	The culprit later crossed back into Zaire.
04	27 Dec 1989	0500-0600 hrs	Bwera-Uganda	FAZ soldiers entered Uganda while armed at Bwera	The FAZ soldier defiled a girl, and robbed 4,750= from a civilian	FAZ soldiers	The soldier later fled back into Zaire.

					and some maize flour.		
05	05 Feb 1995	2200hrs	Koboko	An anti-Personnel mine was planted near the residence of a civilian in Koboko	The mine hit the daughter of the resident severing off one of her legs.	WNBF rebels	The rebels withdrew back to Zaire after planting the mine.
06	15 May 1995	0600hrs	Paidha-Nebbi district	A rebel force a of 15 raided Paidha UCD branch	The rebel group shot a policeman dead.	WNBF rebels	The group was led by notorious Ex-UNLA Sgt Sokolo who was subsequently killed in a shoot out with the Ugandan police.
07	04 Jun 1995	2200hrs	Nyakaro-Keri division Koboko county on the Koboko- Oraba road.	Land mine hit an Isuzu lorry.	03 people on the lorry were seriously injured and lost limbs.	WNBF rebels	The rebels later retreated back to Zaire after planting the mine.
08	10 Jun 1995	1400 hrs	Mpondwe-Kasindi road.	A Ugandan, one Paluku, was shot dead after crossing into Zaire	Killing of one Paluku	FAZ soldiers	No action was taken by the Zairois authorities which reinforced the culpability of their trigger happy soldiers in this murder.
09	16 Jun 1995	1800hrs	ULEPI-Madi-Okollo on Arua-Pakwach road.	16 rebels tried to plant mines on the road, but their intention aborted when they were seen by the local	No damage caused	WNBF rebels	The rebels left behind 03 army green land mines of 4 kgs @ and 08 anti-personnel mines with their fuses.

				Administration Police and fled.			
10	24-28 Jun 95	-	Turupa, Odumino and Gombe	Rebels from Alerobo in Sudan were allowed free passage in Zaire upto the Ugandan - Zaire border areas of Turupa, Odumino and Gombe.	None	WNBF rebels.	The rebels, who had intended to attack army units in Koboko, stopped at Nyaugalia on the Uganda/Zaire border and retreated back to Zaire.
11	11 Jul 1995	2400 hrs	Gihita village-Nyarusiza in Kisoro district.	03 rebels infiltrated from Zaire and killed 02 Ugandans.	The 02 people killed are: James Baryabwiriza and christopher Mbonye	EX-FAR/Interaha mwe	The culprits later retreated back into Zaire but one of them Hakizimana John Baptist was arrested, taken to court and extradicted to Rwanda for further action.
12	10 Aug 1995	1300hrs	Kanombe-Sabinili	FAZ military helicopter violated Uganda' airspace	None	FAZ helicopter	Later flew back to Zaire.
13	14 Aug 1995	0600hrs	Koboko-town.	A small rebel group attacked the town.	Destroyed a new building in town with RPG shells. No death registered.	WNBF rebels	Retreated back to Zaire. Col Nelson Katagara and Capt Nazario Mwekwasize then in W/Nile can testify.
14	15 Aug 1995	2300hrs	Arua town	Rebels detonated	NIL	WNBF rebels	Later retreated back



				an offensive grenade in town			into Zaire.
15	17 Aug 1995	1000hrs	Zaire Uganda border	Murder of a Ugandan who had entered Zaire to sell his piece of land (the people along the border are the same i.e Nande).	Tembo Mathias Kisekwa from Karambi sub county was killed.	FAZ troops	
16	20 Aug 95	1500hrs	Andelirwa Ajono-Vurra county	An anti-tank mine was planted on the Arua - Ediofe road by rebels.	A motor veh, Mitsubishi Reg No UW 0828 belonging to Ministry of Works was destroyed and 03 people killed and 01 injured.	WNBF rebels	The victims were Nyakuni Ajua, Jimmy Andrua and Lawrence Atibuni. Ramadhan Issa was injured and admitted in Arua hospital.
17	22 Aug 1995	2300hrs	03 thugs entered areas of Gasovu in Nyaruyiza S/county of Kisoro district.	Fired in the air and took 04 heads of cattle belonging to Mr. Kwizera.	04 heads of cattle belonging to a one Mr Kwizera forcefully taken.	Ex-FAR/ Interahamwe	The rebels retreated back to Zaire.
18	24 Aug 1995	1600hrs	Adraga-Amyavu road which joins Vurra customs from Bondo.	Landmine planted along the road.	M/V Reg No UPE 113 destroyed and 02 civilians injured.	WNBF rebels	The rebels retreated back into Zaire.
19	27 Aug 1995	1800hrs	Rwenzori side of Uganda.	Rebels crossed from Zaire, looted	Food stuffs of the population looted.	ADF rebels	The rebels retreated back to Zaire.

				food stuffs and crossed back.			
20	01 Sept 1995	1400hrs	Kitoro on Uganda Congo border	Raided a market and looted goats and chicken	Loot taken to Congo.	WNBF rebels	Ref New Vision Newspaper of 15 Sept 1995 marked as an Annex.
21.	01 Sept 1995	2300hrs	Nyarusiza Kisoro district.	Rebels raided the area and killed a civilian and stole 15 heads of cattle.	15 heads of cattle taken and 01 person killed.	Ex-FAR/ Interahamwe elements.	Retreated back into Congo where they had come from.
22	01 Sept 1995	1200hrs	Nebbi				A Zairois called Kambaba wa Kabamba alias Hassan Abdalla claiming to be the leader of the Army for the Liberation of Zaire was arrested in Nebbi and forwarded to Gulu.
	02 Sep 1995	1900hrs	Busiga village Bunyangule parish in Bundibugyo	Armed thugs crossed into Uganda and raided the home of an LC official.	Home of one Ngasirwa (LC official) raided and his sister Mbamba Saforozza raped and shot.	ADF rebels	The rebels later retreated back into Zaire.
24.	12 Sep 1995	1100hrs	ULEPI Primary School	Group of 06 armed rebels crossed from Zaire into Arua and staged a	Looted property and extorted money from the civilian	WNBF rebels	The rebels later retreated back into Zaire.

				road block near Ulepi P/Sch and extorted money.	population.		
25	15 Sep 1995	1300hrs	Nyori sub county	A group of rebels entered from Congo and looted property from the population.	Property looted from the civilian population.	FAZ soldiers together with WNBf rebels.	The culprits later retreated back to Zaire.
26	21 Nov 1995	1400hrs	Anyakario and staged road block at Wanju Bridge in Adilang.	A group of rebels entered Uganda via Anyakario on the border with Zaire.	Pillage including forceful taking of property of the population and raping of women.	WNBf rebels	Mounted illegal road block at Wanju bridge to extort from the population and later fled back into Zaire.
27	01 Dec 1995	1000hrs	Malaba Market Zaire	The LC III sec for information of Midia Division of Koboko town board Mr. Christopher Drata was arrested by FAZ soldiers.	The Ugandan LC official was tortured and mistreated by FAZ soldiers.	FAZ soldiers	
28	06 Dec 1995	2100hrs	Arua-Gilgil Road	Planting of mine.	None because it was detected and removed by the army before causing any damage.	WNBf rebels	Fled back to Congo.
29	22 Apr 1996	0530hrs	Kisoro town	120 rebels from Congo attacked Kisoro town	07 UPDF soldiers and wife of a soldier and child	Ex-FAR/ Interahamwe and Ugandan	The rebel group which had entered Uganda via Busanza



				coming from Rutshuru in Congo. The UPDF 25 Bn defence was attacked.	killed	dissidents led by Hajji Mohammed Kabeba.	was later routed by UPDF after reinforcements were sent to Kisoro. Hajji Kabeba was later arrested in Kanyabayonga in Congo but died in prison. Maj G Sambwa to testify.
30	29 May 1996	0630-0930	Koboko Marach County	Over 100 rebels crossed into Uganda from Zaire from Ongbokolo-Kumaro and Leiko-Irumu areas.	Blew bridge at Kivu between Koboko-Maracha border.	WNBF	Later retreated back into Zaire. Col Nelson Katagara and Capt Nazario Mwekwasize to testify.
31	04 Jul 1996	05:00-0600hrs	Bugoye S/county of Kasese	Pillage and Plunder	Houses of the population torched, 03 people killed and Toyota Pick-Up burnt.	ADF	The rebels later retreated back into Zaire.
?	03 Aug 1996	0600hrs	Emissi Trading Centre in Nebbi district.	Rural terrorism.	Businessman killed on 10 Feb 96 at Emissi T/centre.	WNBF	RDG Nebbi then Peter Kalagala wrote a protest letter to the DC Mahagi Mr Mabasi Maroba about Ugandan rebels training in Goma with the support of Zaire authorities. Ref

							New Vision of 03 aug 1996 on the letter of protest.
33	26 Sep 1996	2000hrs	Rebels crossed from Zaire into Kisoro while armed at a place called Mabanga in Nyarusiza.	Shot dead a civilian one Rwagasore Aggrey.	01 person shot dead	EX-FAR/ Interahamwe elements	The thugs later retreated back to Zaire.
34	From 96-Aug1998		Kasese	Abductions	Total of 366 children (less Adults) abducted from Kasese alone since 1996-Aug 1998.	ADF	Refer to the New Vision Newspaper of 10 August 1998 quoting Kasese LC V chairman Bamusede Butambale.
35.	09 Oct 96	1700hrs	Kazima near Mgahinga N/Park	Rebels crossed from Kanombe in Zaire and fired randomly in the air and looted property of the civilians.	Property of the population looted.	EX-FAR-Interahamwe elements	
	10 Oct 96	1500hrs	Kisoro	Interahamwe called Alfred Hakizimana infiltrated from Zaire while armed and was shot and injured by own forces.		Interahamwe genocidaire	The culprit was subsequently hospitalised in Kisoro hospital.
37	12 oct 96	1015 hrs	Simbiri-Gombe	About 120 rebels	UPDF sustained	WNBF	The rebels, who

				entered Uganda from Zaire	01 casualty in the fight that ensued to chase this group of attackers		entered through Simbiri-Gome were later routed and their commander one Capt Moro and 25 of his men killed.
38	14 Oct 96	2100hrs	Kibaya village	FAZ soldiers crossed from Katara in Zaire and robbed 22 heads of cattle.	22 heads of cattle stolen	FAZ soldiers	UPDF pursued the attackers upto Kyengerera in Zaire and in the ensuing exchange of fire FAZ released 02 mortar bombs which landed in Bunagana T/centre but caused no damage.
39	16 Oct 96	200hrs	Bunagana T/centre	Attempt to disarm a UPDF soldier on duty.	The assailant was shot and injured in the leg.	Interahamwe	The Interahamwe was called Madagara and came from Kibaya and he later retreated back to Congo. He was on a reconnaissance mission.
40	23 Oct 96	2400 hrs	Rukongi parish, Murora village in Nyarusiza Kisoro district.	Armed interahamwe crossed from Kanombe in Congo and raided a home of a local.	Took a bull belonging to the local resident a one Charles Munyankende.	Interahamwe	Later retreated back into Congo.
41	29 Oct 96	1100hrs	Bunagana				Over 2250 Congolese



							refugees crossed into Uganda and were registered at Bunagana. Included a FAZ officer armed with a pistol No 245PM 21784.
42	30 oct 96	1000hrs	Ishasha and Nyakabare s/county Hqs in Kisoro				A total of 4027 Congolese refugees crossed into Uganda were registered at Ishasha and 3000 were registered at Nyakabare s/county Hqs in Kisoro.
43	31 Oct 96	1200hrs-1700hrs	Ishasha Rukungiri district.				379 Congolese refugees crossed into Uganda and were registered at Ishasha border post.
44	02 Nov 96	0600hrs	Longem-Ojigo prison in Nebbi district.	30 rebels crossed from Zaire and raided the prison.	Released 70 prisoners killed 03 warders and took their guns.	WNBF rebels	Retreated back to Zaire.
45	08 Nov 96	1300hrs	Okoro	Land mine planted along the road.	Tata lorry Reg No. UBX 057 of one Yeka Azijo of Arua town destroyed.	WNBF rebels	
46	13 Nov 96	06.00 hrs	Bwera-Mpondwe and Karambi in	About 1400 well armed rebels	A lot of property was	ADF rebels	The genesis of this organised and big

			Kasese district.	<p>attacked simultaneously the towns of Bwera, Karambi and Mpondwe. After 07 days of serious fighting, the rebels were repulsed and retreated back into the Congo. The rebels came from Buhira in Congo.</p>	<p>destroyed/looted, thousands of people were displaced and others killed by the enemy. Many people were also abducted by the enemy.</p>	<p>sized attack dates back to the Feb 1995 incident when the ADF's internal and pioneer camp at Buseruka's Kayera Gorge in Hoima district was discovered by government forces and destroyed . About 50 rebels were killed in action, 148 were captured alive (including the ones whose pictures are attached as Annexes) and others escaped across L. Albert with about 15 guns . The 45 who fled into Congo linked up with NALU remnants under a one Ngaimoko in a place called Buhira in Congo. They were later taken to a FAZ Unit in Bunia from where they went to several FAZ</p>
--	--	--	------------------	--	--	--

							<p>detaachments including Nyangarai and Rugeji. This nucleus group embarked on reorganisation, mobilisation, recruitment and armament with the support of both Zaire and Sudan and the 13 Nov 96 attack on Mpondwe, Bwera and Karambi was the out come of this long preparedness using safe havens and facilities offered by Zaire and Sudan.</p> <p>The 45 Buseruka remnants who fled to Congo included Menya Muzadaki, Medi Basoga, Kawuma Peter, Katumba , Baker Matovu and Kassim Mulumba who is now in prison following his arrest by the</p>
--	--	--	--	--	--	--	--



						<p>authorities in Kasese while enroute to congo in 1999.</p> <p>The witnesses to the Buseruka rout of ADF in Feb 95 are Brig Steven Kashaka, Maj Rwija and Maj Fred Mugisha.</p> <p>The witnesses on the 13 Nov 96 attack in Kasese are Col Aronda then Deputy DMI, Lt Col Kakari then 21 Bn Comd, Lt Col G Muhesi, Col P Kerim then Div Comd and Lt Col Oyera.</p> <p>Mulumba, who is a survivor of Buseruka participated in the 13 Nov 96 attack and was very high in the ADF hierarchy can also corroborate all this. Ref photos marked B1-B6</p>
--	--	--	--	--	--	--

47	14 Nov 96	2200hrs	Arua-Koboko road	Land mine planted	Destroyed 08 bridges along Arua Kobkobo road	WNBF rebels	The Bridges destroyed were Inve, Tinyou, Olife, Ayi, Yeyo, Dranye, Kivu and Nyegali bridges.
48	18 Nov 96	0600-0730hrs	Odrama Chako	About 80 rebels attacked from Zaire.	01 Home guard killed by the rebels and his gun charged.	WNBF rebels	05 of the attackers were killed by own forces and the rest retreated back to Zaire.
49	21 Nov 96	1600hrs	Kulukulinge road.	Ambush	Motor vehicle belonging to NGO called Assist set abutze and 01 emp[loyee of the NGO killed.	WNBF rebels	The NGO could furnish details of the incident.
50	21 Nov 96	0630-0700hrs	Bramali Parish, Olebe division, Maracha county	50-60 rebels attacked.	Abducted 12 Young boys whom they took to Zaire for training and conscription into rebellion.	WNBF rebels	
51	30 Nov 96	0530-0600 hrs	Atoro Trading centre	Raided Trading centre.	Killed 01 civilian and looted 09 heads of cattle.	WNBF rebels	Fled back to Zaire.
52	04 Dec 96	0700-0800hrs	Kanyatsi Bwera, Kasese.	About 100 rebels crossed into Uganda.	25 houses set a blaze	ADF rebels	Entered through Kanyatsi (10 kms from Bwera) 50 of them were killed and

							others fled back to Zaire Ref New Vision 5/12/96.
53	15 Dec 96		Kasindi customs post	Incursion from Zaire on the border post.	Motel at Kasindi post destroyed.	ADF rebels	Ref photo marked B 7.
54	27 Dec 96		Arua Nebbi road.	Ambush	Toyota pick-up destroyed at Unepi 01 person killed, 03 injured	WNBF rebels	Owner of pick-up can testify.
55	14 Feb 97	Day long	Ariwara in Zaire	Hot pursuit by UPDF against rebels inside Zaire.	Rebel commander 'Col' Aziz Amua killed.		Brig Wamala Katumba then Col, commanded the reprisal mission and can testify Ref New Vision 14/2/97.
56	29 Mar 97			Surrender on mass of WNBF after reprisal attacks by UPDF			UPDF hot pursuit into Zaire and Sudan resulting in the surrender of 353 WNBF rebels with 276 rifles.
57	16 Jun 97	0530-0600hrs	Bundibugyo	Terrorist attack on the rural population.	Burnt 12 people and shot 10 at Bugombwa village.	ADF	Ref East African New paper of June 22-28 1998.
58	12 Oct 97	0500-0600hrs	Kisinga sub county	Abduction of students	39 Seminarians abducted.	ADF rebels	St Michael Seminary.
59	20 Feb 98		Mitandi secondary school in Kabarole	Abduction and killing of students	Abducted 30 students and		Retreated back to Congo with the



			district		killed 02 students.		abductees.
60	08 Jun 98	05 30 hrs	Kichwamba Technical Institute in Kabarole district	Pillage and Arson	33 Students burnt to death in their dormitories 11 sustained serious burn wounds, 106 were abducted and 08 were rescued. School truck and 03 dormitories burnt.	ADF rebels	The UPDF detach at Kanyamura was also attacked and five soldiers killed. The enemy also looted and destroyed property of the institute and in the T/centres of Kihondo and Kyamukuba a number of civilians were killed and others abducted. See photos marked E1-E7
61	10 Jun 98	0530-0600hrs	3 kms from Kichwamba Technical Institute.	Rebels raid the country side.	05 people killed.	ADF rebels	The monitor 11 June 1998.
	26 Jun 98	0530-0600hrs	Banyangule village Ndugutu, Bundibugyo district	Rebels raid the country side	05 people killed, 06 wounded and 03 houses set ablaze.	ADF rebels	The Monitor Newspaper 26/6/98.
63	5 July 98	0500hrs	Kiburara Kasese	Rebels attacked the Seminary.	19 Seminarians were abducted from St John's Seminary	ADF rebels	New Vision Newspaper of 6 July 98 and Monitor Newspaper of 18 July 98. 02 of the abductees were rescued.
64	01 Aug 98	0500hrs	Kasese town	25 vehicles burnt,	25 vehicles burnt	ADF rebels	The rebels attacked

				Moon light hotel destroyed and some shops ransacked and vandalised.	, Moonlight hotel destroyed shops vandalised and 03 people killed.		the UPDF officers mess in town but were repulsed (see photos marked F1-F4).
65	05 Aug 98	0400 hrs	Kasese	M/veh – Benz lorry burnt with cement along with other vehicles. Kisera lodge also burnt.	Vehicles and building burnt.	ADF rebels	Ref monitor Newspaper of 6 Aug 98.
66	6 Aug 98	0300 hrs	Kyarumba Trading centre, kasese,		33 people killed in the attack	ADF	
68	05 Sep 98	0500 hrs	Kasese district	Country side attack	Elderly man called Yeremia Andyoka killed and 02 members of his family wounded.	ADF rebels	New Vision Newspaper of 05 Sept 1998.
	29 Sep 98		Bundibugyo Kikye	Antonov aerial strike/raid	Dropped bombs at Kikye, 13 kms from the congo	FAC airforce plane	New Vision Newspaper of 29 Sept 1998.
70	29 Sept 98		Rwenshama Rukungiri district.	Abductions	20 ugandan fishermen abducted.	FAC	New Vision report.
71	27 Oct 98		Khartoum				ADF leader Shiekh Jamil Mukulu visits Sudan. Ref New vision of 27 Oct 98.
72	01 Mar 99	Between	Bwindi tourist site,	Marauding	Burnt A, K,	Interahamwe	The attackers

		0630 hrs- 09 30 hrs	Kisoro district	genocidaires numbering between 130-150 armed with automatic rifles and machetes and speaking French and Swahili attacked the Bwindi tourist site.	Kitandara and Community camps as well as 02 M/cycles, burnt to death the Bwindi conservation officer one Mr. Wagaba, abducted 14 foreign tourists and killed 08 of them. Charged 04 guns of rangers, 03 radio sets and 04 walkie talkies		<p>segregated French Nationals whom they released and took the rest. They were particularly irked by the Americans and Britons. They later headed towards Makoka in DRC. Camps of Interahamwe were in Nteko, Mugogo Nyabánira and Rubona all in Rutshuru zone in DRC. Peltier Anna, a french diplomat at the scene can testify as well as Lt Col Benon Biraro (then 2 Division Comd.)</p> <p>The Interahamwe had caused the following havoc in Kisoro district in Feb 99:</p> <p>a. On 08 Feb 99 they raided Mabuyemeru Boarding primary</p>
--	--	------------------------	-----------------	---	--	--	--



							<p>school in Busanza sub-county of Kisoro and looted food, cash and other property.</p> <p>b. They also killed Muhigirwa (LC II Vice chairman, and Ndagije of Busigyi village.</p> <p>They sent threatening letters to the following:</p> <ul style="list-style-type: none"> <li>- Father Sabatware, the parish priest of Kinanira,</li> <li>- Capt Deo Kaita's family,</li> <li>- Claver Gasasira (GISO Busanza) and one Rutajengwa.</li> </ul> <p>c. On 11 Feb 99, 20 people were abducted at Kinyamahoro and</p>
--	--	--	--	--	--	--	---

							a family of 07 was killed at Rubara. See photos marked G1-G10 (Annexs)
73	09 Dec 99	06:30hrs	Katojo Prison in Kabarole.	About 70 rebels raided the prison and abducted 365 prisoners 118 of whom were subsequently rescued/reported back.	A little over 200 prisoners abducted, 01 UPDF soldier killed as well as a prison wardress, the prison truck and the vehicle of the OC prison burnt and 20 prison rifles taken.	ADF rebels	The prisoners released but taken by the attackers included 57 ADF terrorist suspects held in Katojo Gvt prison.
74	10 Dec 99	06:30 hrs	Bundibugyo district in the following places: Kanyamirima in Bubukwanga, Ngite in Busaru, Kabango in Ndugutu, Butama in Ndugutu and Masule and Kinyanga UPDF detachments	Simultaneous dawn attacks on UPDF detachments which were all repulsed.	Soldiers wife and kid killed at the Butama detachmet.	ADF rebels	These simultaneous attacks on army detachments were peculiar because ADF's targets and standard operation procedure was to attack and terrorise civilians. This however was a deceptive ploy to divert the UPDF from the offensive in the high altitude areas of the Rwenzori and in

							<p>eastern DRC which it had dominated and where the ADF has its rear bases.</p> <p>More deceptive attacks in the lowland areas of Bundibugyo followed in Dec 99. Ref Monitor Newspaper of 10 Dec 99 and New vision of 27/12/99. Col Torit and Capt Kashure (2 Div Commander and intelligence officer respectively) can testify as can Brig Kazini the overall commander of operations against ADF in the sector.</p>
75	09 Oct 1996	0530-0600hrs	Aboke High School Apac district."	Rebels raided the School and abducted 139 girls.	139 school girls ranging between the ages of 12-18 abducted and taken to Sudan	LRA rebels	<p>Some of these young girls have since been killed while others were violated and married to LRA commanders in Sudan SISTER RACHEL the H/mistress can testify</p>



**LOSS OF UGANDA GOVERNMENT PROPERTY AT UGANDA EMBASSY,  
KINSHASA**

ITEM	PARTICULARS	QTY	UNIT PRICE (US \$)	TOTAL PRICE (US \$)
	<b>A. PREMISES</b>			
01	Official Residence for Ambassador A Double-storeyed Building with a perimeter wall (newly renovated), situated at 12, Avenue de l'Ouganda, zone de la Gombe, Kinshasa	1	2,000,000	2,000,000
02	Chancery with two detached buildings (three- storeyed and double storeyed) with a perimeter wall situated at 17, Avenue Tombalbaye/Avenue de Travailleur, Kinshasa	1	3,000,000	3,000,000
	<b>B. VEHICLES</b>			
03	A Mercedes Benz 240E (one-week old at the time of evacuation)	1	45,000	45,000
04	A Mercedes Benz 280S (in perfect condition)	1	25,000	25,000
	<b>C. Furniture at the Official Residence and Officers' Houses</b>			
05	Settees (Set)	3	5,000	15,000
06	Easy Chairs (Set)	7	2,000	14,000
07	Wing Chairs	2	600	1,200
08	Dinning Chairs	60	200	12,000
09	Elbow Chairs	2	600	1,200
10	Single Chairs	15	200	3,000
11	Upholstered Dressing Chair	1	350	350
12	Bedroom Chairs	10	300	3,000
13	Long Chairs	2	800	1,600
14	Writing Chairs	5	300	1,500
15	Divans (Sets)	6	5,000	30,000
16	Curtains (Pairs)	60	400	24,000
17	Curtains Boxes	30	100	3,000
18	Curtains Rails	60	50	3,000
19	Ordinary Tables	17	150	2,550
20	Coffee Sets	16	500	8,000
21	Dinning Tables	6	2,000	12,000
22	Carving Tables	6	350	2,100
23	Dressing Tables	5	1,500	7,500
24	Side Tables	6	200	1,200
25	Nests of Tables (Sets)	5	400	2,000
26	Occasional Tables	4	1,200	4,800
27	Trolleys	6	450	2,700
28	Sofa Chairs (Sets)	6	2,500	15,000
29	Double Beds	15	3,000	45,000
30	Table Flags	2	50	100
31	Flag Stand	2	300	600
32	Flag Mast	1	500	500
33	Rugs	27	4,000	108,000
34	Writing Desks	5	1,000	5,000
35	Carpets (m <sup>2</sup> )	1,700m <sup>2</sup>	40	68,000
36	Sideboards	6	7,000	42,000
37	Dressing Chests	2	900	1,800
38	Headboards	6	1,500	9,000
39	Bedside Lockers	42	300	126,000
40	Standard Lamps	12	200	2,400

41	Bedside Lamps	26	100	2,600
42	Lamp Shades	12	50	600
43	Chests of Drawers	6	350	2,100
44	Bedside Rugs	32	150	4,800
45	Welsh Dressers	2	4,000	8,000
46	Wardrobes	16	1,500	24,000
47	Desk Lamps	5	150	750
48	Cupboards	2	800	1,600
49	Bedside Cabinets	2	300	600
50	Book Cases	5	1,500	7,500
51	Mattresses	15	800	12,000
52	Pillows	42	50	2,100
53	Ash Trays	20	10	200
54	Waste Baskets	30	10	300
55	Dust Bins	11	20	220
56	Portraits	7	500	3,500
57	Art Crafts	70	500	35,000
58	Flags (Standard)	3	50	150
59	Maps	13	50	650
60	Bathroom Curtains	14	200	2,800
61	Bathroom Mirrors	14	70	980
62	Bathrooms Mats (Sets)	14	150	21,000
63	Door Mats	10	30	300
64	Ironing Boards	5	70	350
65	Sundry Items	Various	-	2,000
<b>D. FURNITURE AT CHANCERY</b>				
66	Executive Desks	4	2,000	8,000
67	Executive Chairs	4	500	2,000
68	Side Drawers	5	200	1,000
69	Sofa Chairs (Sets)	7	2,500	17,500
70	Easy Chairs (Sets)	3	2,000	6,000
71	Coffee Sets	7	400	2,800
72	Ordinary Tables	4	150	600
73	Ordinary Chairs	14	50	700
74	Side Tables	4	80	320
75	Nests of Tables (Sets)	2	400	800
76	Carpets (m <sup>2</sup> )	500	40	20,000
77	Sideboards	2	7,000	14,000
78	Lamps and Lamp Sheds	4	250	1,000
79	Filing Cabinets	14	200	2,800
80	Trolleys	2	450	900
81	Secretarial Desks	2	1,500	3,000
82	Secretarial Chairs	2	300	600
83	Long table	1	500	500
84	Stools	5	30	150
85	Cupboards	4	800	3,200
86	Book Shelves	4	1,500	6,000
87	Ash Trays	10	10	100
88	Waste Baskets	10	10	100
89	Dust Bins	2	20	40
90	Portraits	6	500	3,000
91	Art Crafts	20	500	10,000
92	Flags	1	100	100
93	Flag Mast	1	500	500
94	Table Flags	1	50	50
95	Sales	2	4,000	8,000
96	Curtains (Pairs)	20	400	8,000

97	Curtains Boxes	10	100	1,000
98	Curtain Rails	20	50	1,000
99	Door Mats	2	30	60
100	Maps	8	50	400
101	Sundry items	various	-	2,000
	<b>E. OFFICE AND OTHER EQUIPMENT AT CHANCERY</b>			
102	Computers	2	2,000	4,000
103	Printers	2	700	1,400
104	Photocopier	1	15,000	15,000
105	Fax Machine	1	1,500	1,500
106	Television	1	1,500	1,500
107	Video Recorder	1	700	700
108	Radio	1	1,200	1,200
109	Refrigerator	2	800	1,600
110	Cooker	1	800	800
111	Vacuum Cleaners	1	500	500
112	Telephone Switch Board	1	12,000	12,000
113	Shredders	4	350	1,400
114	Fans	10	150	1,500
115	Air Conditioners	6	250	1,500
116	Punches	5	10	50
117	Staplers	5	10	50
118	Heaters (Water)	2	300	600
119	Gardening Tools	Assortment	-	300
120	Car Tools	Assortment	-	1,000
121	Lawn Mower	1	450	450
122	Typewriters	3	300	900
123	Tea Set	1	100	100
124	Coffee Set	1	100	100
125	Trays	3	20	60
126	Cutlery	Various	-	300
127	Sundry Equipment	various	-	1,500
	<b>F. HOUSEHOLD AND OTHER EQUIPMENT AT THE OFFICIAL RESIDENCE AND OFFICERS' HOUSES</b>			
128	Refrigerators	7	1,000	7,000
129	Freezers	2	800	1,600
130	Cookers	7	800	5,600
131	Televisions	2	1,500	3,000
132	Video Recorders	2	700	1,400
133	Microwave	1	400	400
134	TV Racks	2	175	350
135	Kitchen Chef	1	1,500	1,500
136	Lawn Mower	1	450	450
137	Fans	20	150	3,000
138	Air Conditioners	22	250	5,500
139	Vacuum Cleaners	5	500	2,500
140	Gardening Tools	Assortment	-	600
141	Heaters (Water)	6	300	1,800
142	Radio	2	1,200	2,400
143	Flat Irons	5	100	500
144	Kettles	5	50	250
145	Flasks	10	25	250
146	Brandy Glasses	24	3	72
147	Sherry Glasses	24	3	72
148	Liqueur Glasses	24	3	72



149	Claret Glasses	24	4	96
150	Tumblers	68	4	272
151	Glass Butter Dishes	6	5	30
152	Table Forks (DOZ)	10	24	240
153	Table Knives (DOZ)	10	24	240
154	Table Spoons (DOZ)	10	24	240
155	Soup Spoons (DOZ)	10	24	240
156	Dessert Spoons (DOZ)	10	24	240
157	Dessert Forks (DOZ)	10	24	240
158	Tea Spoons (DOZ)	10	24	240
159	Coffee Spoons (DOZ)	10	24	240
160	Fish Eaters (DOZ)	10	24	240
161	Sauce Ladles	18	5	90
162	Sugar Tongs	6	3	18
163	Beef Carvers	2	5	10
164	Cheese Knives (DOZ)	5	24	120
165	Grape Fruit Spoons (DOZ)	5	24	120
166	Meat Plate (China)	10	15	150
167	Pudding Plates (DOZ)	10	24	240
168	Cheese Plates (DOZ)	5	24	120
169	Fish Plates (DOZ)	10	24	240
170	Soup Plates (DOZ)	10	30	300
171	Dishes	40	30	1,200
172	Sauce Boats and Stands (Sets)	6	20	120
173	Vegetable Tureens and Covers	6	20	120
174	Electric Washing Machines	1	800	800
175	Saucepans for Electric Stove	40	15	600
176	Milk Saucepans for Electric Stove (Sets)	6	40	240
177	Cream Bowls	6	20	120
178	Tea Cups and Saucers (China) (DOZ)	10	100	1,000
179	Tea Plates (DOZ)	10	30	300
180	Coffee Cups and Saucers (DOZ)	10	100	1,000
181	Sugar Bowls	6	5	30
182	Dish Washers	1	550	550
183	Salad Bowls	7	20	140
184	Trays	12	20	240
185	Soup Bowls	10	24	240
186	Spatulas	8	10	80
187	Potato Mashers	6	5	30
188	Strainer Spoons	6	3	18
189	Sandwich Machine	1	40	40
190	Sausage Tins	6	5	30
191	Bun Tins	6	5	30
192	Cake Trays	6	8	48
193	Baking Tins	6	8	48
194	Biscuit Tins	6	8	48
195	Cake Tins	6	8	48
196	Toilet Brush Holders	11	2	22
197	Linen Boxes	2	30	60
198	Fruit Sets	2	50	100
199	Table Clothes	4	60	240
200	Napkins (DOZ)	4	15	60
201	Milk Jugs	10	10	100
202	Dusters	20	2	40
203	Egg Beaters	2	50	100
204	Omelette Pans	3	20	60
205	Dustpans	2	10	20
206	Tea Pots	8	20	160

207	Coffee Pots	8	20	160
208	Water Jugs	10	15	150
209	Ice Buckets and Tongs	6	30	180
210	Vase Cuts	10	20	200
211	Soup Cups and Saucers (DOZ)	10	24	240
212	Basins	5	2	10
213	Canister Racks	2	5	10
214	Kitchen Knives	20	2	40
215	Pedal Bins	6	3	18
216	Glass Jars	8	5	40
217	Buckets	5	2	10
218	Brushes	15	1	15
219	Rolling Pins	5	2	10
220	Mops	20	2	40
221	Chopping Boards	6	15	90
222	Brooms	20	3	60
223	Can Openers	6	2	12
224	Strainers	7	2	14
225	Tea Strainers	7	1	7
226	Oval Plates (DOZ)	2	30	60
227	Casseroles (DOZ)	2	20	40
228	Roasters	2	50	100
229	Beverage Openers (Assortment)	-	2	20
230	Jugs	10	5	50
231	Servicing Mats (DOZ)	4	15	60
232	Cocktail Mats (DOZ)	8	5	40
233	Bath Towels	1	180	180
234	Blankets	2	200	1500
235	Sundry Household items	Assorted	-	-
<b>G. DOCUMENTS AT THE CHANCERY</b>				
236	Confidential Files	-	-	Priceless
237	Open files	-	-	Priceless
238	Books	-	-	Priceless
239	Agreements	-	-	Priceless
240	Titles	-	-	Priceless
241	Certificates	-	-	Priceless
242	Printed Materials	-	-	Priceless
243	Inventories	-	-	Priceless
244	Registers	-	-	Priceless
245	Passports for renewal	-	-	Priceless
246	Archives	-	-	Priceless
247	Sundry documents	-	-	Priceless
<b>H. SUPPLIES AT THE CHANCERY AND OFFICIAL RESIDENCE</b>				
248	An assortment of detergents and other Cleaning Materials	-	-	3,000
249	Stationery	-	-	10,000
250	Beverages and related Office Sundry Supplies	-	-	3,000
251	Flags (DOZ) - standard	-	-	600

	<b>1. PRIVATE PROPERTY AT THE OFFICIAL RESIDENCE</b>			
252	Computers for Uganda Airlines	2	2,000	4,000
253	Printers	2	600	1,200
254	Fax Machine	1	1,600	1,600
255	File and Document	-	-	Priceless
256	Nissan Saloon Car belonging to a Ugandan (Mrs. Jachlean Mbabazi)	1	12,000	12,000
257	Mercedes Benz Car belonging to a Ugandan	1	20,000	20,000
258	Mazda Saloon Car belonging to a Ugandan	1	11,000	11,000
	<b>PROPERTY LOOTED FROM DIPLOMATS IN KINSHASA MISSION-DRC</b>			
	<b>J. COS KAMANDA BATARINGAYA (DR)</b>			
259	One Brand New Nissan vehicle	1	38,000	38,000
260	Two New leather sofa sets	2	5,000	10,000
261	One Deep Freezer	1	1,800	1,800
262	One Music System	1	6,000	6,000
263	One Cooker	1	1,000	1,000
264	Clothing (10 suits, 13 shirts, 8 trousers 3 night dresses, shorts, socks, ties	-	13,000	13,000
265	Beddings (2 mattresses, 8 pairs of bedsheets, 4 bed covers, towels	-	-	2,000
266	4 suitcases, 2 travelling bags and one brief case	-	1,700	1,700
267	Sets of tables (glass)	3	-	2,000
	<b>K. HENRY PICHOK-OKELLO</b>			
268	Brand new Lap-top computer complete with its components, stabiliser and electric wire connections etc	1	3,500	3,500
269	Brand new portable office organiser	1	300	300
270	Brand new Camera with zooming lens	1	50	50
271	Clothing: (8 suits, 16 shirts, 6 trousers, 2 sleeping clothes, 2 bath robes, 12 silk-ties, socks hankies etc)	-	-	5,620
272	4 pairs of shoes and 2 pairs of sandals	-	-	450
273	Bedding: ( 8 pairs of bed-sheets, 3 bed covers, 4 complete set of towels, 3 mosquito nets)	-	-	1,190
274	2 suit cases, 1 travelling bag	-	-	350
	<b>L. M. KEDISI</b>			
275	Household property/furniture	-	-	4,500
276	Beddings	-	-	4,000
277	Clothes	-	-	3,000
278	Fax Machine	1	1,200	1,200
279	Decoder	1	2,000	2,000
280	Video Recorder	1	1,500	1,500
281	T.V	1	900	900
282	Music System	1	1,200	1,200
	<b>M. BAMUTURAKI K. RICHARD</b>			



284	One Deep Freezer/Fridge Worth	1	1,200	1,200
285	One Computer (Pancard: Model April, 1997 together with all its Components namely UPS, Printer/Fax (Canon: 5 in one), stabiliser, wire connections etc...	1	4,500	4,500
286	One TV Worth	1	800	800
287	One Video Deck Worth	1	500	500
288	Radio Worth	1	50	50
289	One Cooker Worth	1	700	700
290	Household property such as clothes, cutlery, voltage stabilisers for different electronic gadgets e.t.c.	1	8,000	8,000
<b>N. F. ONEGA-WACHHGIU</b>				
291	1. Music Systems: (i) One Unit Multi System TV and Video Recorder Full Set with Table  (ii) One Unit HIH Stereo System mid size stereo equipment with amplifiers, surround prologic, tuner double deck, equalizer, SCD  (iii) Audio Accessories, Adaptors, Alarm Clock, Flask lights, torch etc	1  1  1	2,500  3,000  1,200	2,500  3,000  1,200
292	<b>Beddings</b>  Bed Linens, Blanket, Bed sheets, 5 Pillows, 3 Mattresses, 4 Mosquito nets, Tables Cloths, Bath Towels, Robes, etc	-	-	3,000
293	<b>Clothing</b>  Dresses, Ladies Shoes & Slippers, Ladies Shoulder 2 Hand Bags, 2 Travelling Bags, Ladies Fragrances, Lingerie, etc	-	-	6,000
294	<b>Furniture and Equipment</b>  9 Black Ebony Stools, 1 Coffee Set, etc	-	800	800
295	<b>Cookeries and Cutleries</b>  Proclaim, Glassware, Tableware, Stainless Steel Wares etc	-	1,200	1,200
296	<b>Household Accessories &amp; Appliances</b>  1 Water distiller, 1 Electric Flat Iron, 1 Electric Kettle, 1 Electric Fan, 1 Hair Drier, 1 Juice Extractor etc	-	800	800
<b>Total</b>				

## **CERTIFICATION**

The undersigned Agent of the Republic of Uganda hereby certifies that the texts of the Documents reproduced in this Volume, as attachments to the Counter-Memorial submitted by Uganda in the proceedings relating to *Democratic of the Congo v. Uganda*, are accurate copies of the texts of the documents they purport to reproduce.

21 April 2001

Honourable Bart M. Katureebe  
Attorney General  
Republic of Uganda  
(signed)

*Agent of the Republic of Uganda*