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**Briefing to the Security Council**

**Mary Robinson**

**Special Envoy of the Secretary-General for the Great Lakes Region of Africa**

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Mr. President,

Distinguished members of the Security Council,

Excellencies,

I am very pleased for the opportunity to brief the Council today. First, allow me to thank you for your continuous and valuable support to SRSK Kobler and myself in the implementation of our respective mandates. Your recent visit to the region has sent a strong signal about the Council's commitment to supporting the long-term stability of the Democratic Republic of the Congo and the Great Lakes region. Furthermore, the Council's participation at the second meeting of the Regional Oversight Mechanism, held on 23 September in New York, preceded by the 25 July high-level ministerial meeting on the Great Lakes Region, presided over by Secretary of State John Kerry, are concrete demonstrations of this strong commitment.

My briefing will focus on the following elements: the Kampala Dialogue, the progress on the implementation of the Peace, Security and Cooperation Framework, as well as the priorities and next steps in the implementation of my mandate.

Excellencies,

I arrived here in Addis Ababa after spending 4 days in Kampala where I led a Team of Envoys from the UN, the AU, the US, and the EU to the latest round of Dialogue between the M23 and the Government of the Democratic Republic of Congo (DRC).

The Envoys – referred to as the E-Team - comprised of SRSK Kobler, US Special Envoy Feingold, AU Special Representative Diarra and the EU Senior Coordinator Vervaeke arrived in

Kampala in the wake of alarming reports of a military build-up around Goma and the areas held by the M23 rebels. This situation highlighted the urgency of reaching a political agreement to prevent a return to hostilities and the escalation of tensions in the region. It was also important to conclude the Kampala Dialogue in order to shift the focus towards addressing the deeper and long-term causes of instability in the DRC and the region, including through the implementation of the Peace, Security and Cooperation Framework. At my request, the E-Team agreed to travel to Uganda to collectively provide assistance in the conclusion of an agreement between the parties.

We arrived in Kampala on 16 October. Prior to that, I obtained the assurance of Foreign Minister Raymond Tshibanda that he would lead the DRC delegation, which was crucial, for significant progress to be achieved. He also assured me that the Government of the DRC was willing to negotiate an agreement with the M23 in good faith, which was evident during the recent dialogue process.

In Kampala, we met with the parties several times on the margins of the Talks, to listen to their views and concerns as well as to encourage them to adopt a constructive approach. From the outset, we made it clear that we were not there to convene the process but to assist the Facilitator and the parties reach a negotiated solution to the process, which had been ongoing for far too long. We stressed the need for adopting of a principled approach towards the issues of amnesty and integration. We concurred with the parties on the crucial role that MONUSCO will have in facilitating the implementation of the security arrangements, and in building confidence between the parties on the ground, especially during the disengagement, cantonment and disarmament process of the M23. We were also clear that any role envisaged for MONUSCO in the peace agreement should remain within the Mission's mandate and receive the consent of the Security Council.

The Facilitator of the talks, Dr. Crispus Kiyonga, Minister of Defence of Uganda very much welcomed our presence. On the margin of the process, we worked closely with him, advised him and reinforced his facilitation efforts, including in reducing the gaps between the parties, keeping the Talks alive and the parties present at the negotiation table, and in generating regional and

international pressure on the parties in support of the conclusion of an agreement. While in Kampala, I spoke to President Kabila who demonstrated good will and agreed to extend the presence of his Foreign Minister and Head of Intelligence for several additional days in order to increase the chances to reach an agreement.

Furthermore, on 18 October, the E-Team visited Kigali to provide President Kagame with an update on the ongoing negotiations and seek his support for a quick conclusion of an agreement. We told the President that the Kampala process had run its course and it was now the moment to conclude in order to provide the required attention to the broader challenges at hand in the DRC and the region. We emphasized that a peace agreement will enable the Force Intervention Brigade to deal with other armed groups in eastern DRC including the FDLR and the ADF. President Kagame saw the presence of the E-Team in Kampala as very useful. The President believed that while the M23 was not Rwanda's issue, a peace agreement between the rebel group and the Government of the DRC would benefit the entire region. He further assured the Envoys of his support and commitment to encourage a peace agreement.

Excellencies,

Let me now give you a brief overview of the negotiations and content of the draft agreement.

Despite a very difficult resumption on 17 October, the talks gained some speed on 18 October. On 19 October, the parties reached consensus on eight out of the 12 articles of the draft agreement under discussion. These are: the release of prisoners; the end of M23 as a rebel movement, and the possibility to establish itself as a political party; the return and resettlement of refugees and IDPs; the extorted and looted properties during the M23's brief occupation of Goma in November 2012; the establishment of a national reconciliation Commission; Governance and socio-economic reforms; implementation of the provisions of the March 23, 2009 peace agreement which were partially or not implemented, and, are still relevant; as well as the implementation, monitoring and evaluation mechanisms of the Kampala Agreement.

However, the parties found it difficult to agree on certain contentious and difficult issues that had remained problematic throughout the talks, namely the amnesty, disarmament and integration of M23.

As experts can tell, several articles discussed and agreed upon in Kampala are similar – at least in spirit to – those of the 2009 peace agreement between the DRC Government and the CNDP rebel movement. In this regard, one should also be mindful that this process also carries with it some of the limits of the 2002 peace agreement, particularly with some provisions that could be easily interpreted as general commitments. However, I'm also glad to stress that the parties and the Facilitator considered positively our strong message that the Kampala agreement should be based on certain principles, including sustainability, accountability and related to that, no amnesty for those who have committed crimes against humanity or war crimes. I believe it is the big picture that we should have in mind, including the fact that continuous direct and indirect pressure on the M23, and, the determination of the DRC Government and the Facilitator to draw lessons from the 2009 peace process resulted in a principled approach in negotiating the provisions on amnesty and integration.

In the draft under consideration, amnesty and integration would be granted to “all members of M23 for all acts of war and insurrection covering the period from 1 April 2012 to the date of signature of the Agreement, except for individuals indicted for war crimes, crimes against humanity, acts of genocide or gross violations of human rights, including sexual violence, recruitment of child soldiers”. Moreover, amnesty would “be subject to each beneficiary making a written personal commitment to permanently refrain from acts of rebellion”. It would also “be automatically withdrawn in the event of the commitment being violated”.

The integration or reintegration process of commissioned officers, non-commissioned officers and troops of M23 would take place on a case-by-case basis and be subject to conditions. Key amongst them would be to “swear allegiance to the state and constitution of the DRC” and “commit themselves, individually and unconditionally, to serve in any part of the country”.

While the parties have made progress in the negotiations they have not been able to reach an agreement on the issues of amnesty, integration, disengagement and security arrangements. They have agreed to reconvene soon in order to overcome their differences. It will be critical that that

the parties and the Facilitation remain committed to a swift conclusion of the Kampala process. The E- Team will continue to be helpful with the view to achieving that goal.

Excellencies,

The conclusion of the Kampala dialogue will pave the way for the end of the conflict in eastern DRC. I know some of you have expressed doubts about the usefulness and legitimacy of these talks. I am also aware that some of you have expressed their opposition to UN support to this process, for fear of being associated with a “bad deal”. I fully understand and share with you these concerns. But, as we all know, there is no perfect agreement. There is also no certainty that even with the best possible peace agreement, there will be lasting peace and stability in eastern DRC and the Great Lakes Region. Sustainable peace, development and justice in the DRC and the region require political will from all stakeholders, including the international community to make it happen.

For the first time in years, the DRC, the region and the international community have decided to tackle the root causes of instability in this part of the world in a genuine and concerted manner. The Kampala talks are not meant to address all the root causes of the conflict; but if an agreement is reached, it would have immediate value in ending the fighting and the unacceptable sufferings of the people in eastern DRC; and second, it would pave the way for progress in our collective work to fully implement the commitments made under the PSC Framework.

I would like to pay tribute to the Facilitator, Dr. Crispus Kiyonga, for his tireless efforts in support to the process. I would also acknowledge the commitment shown by the Government of the DRC and Foreign Affairs Minister Raymond Tshibanda who has demonstrated a great sense of leadership and patience throughout the process despite other pressing commitments.

Obviously, the progress in the talks would have not been possible without the good faith and political will of Presidents Kabila, Museveni and Kagame, who have, on several occasions, assured me of their determination to do whatever would be possible for peace in the region. I would also like to thank SRSK Kobler, my Special Advisor Modibo Touré, who is still in Kampala on my behalf, for the support provided to these peace talks.

As much as we all look forward to the rapid conclusion of the Kampala talks, we should also acknowledge that peace should not be achieved to the detriment of justice. As I have said

privately and publicly, and as former High Commissioner for Human Rights, that we should no longer tolerate impunity in the Great Lakes Region. There should be accountability, not only for the M23 members but also for those of other armed groups found responsible for war crimes, crimes against humanity, acts of genocide, or gross violations of human rights, including sexual violence and the recruitment of child soldiers. The minimum we can do for the memory of the millions of victims and their families is to ensure that a fair judicial process is carried out against the perpetrators of those atrocities, at the appropriate time.

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Excellencies,

Let me now say a few words on the progress in the implementation of the Peace, Security and Cooperation Framework.

In the Democratic Republic of the Congo, with regards to the National Dialogue, which was opened by President Joseph Kabila on 7 September and ended on 5 October, a list of recommendations was developed, focusing on the six reform areas outlined by the Peace, Security and Cooperation Framework. President Kabila has presented these recommendations to the two houses of the Parliament meeting on 15 October. SRSK Kobler will provide you with further details on this issue.

At the regional level, the Chiefs of Defense Staff of the International Conference for the Great Lakes Region (ICGLR) met in Dar es Salaam, Tanzania, on 7 October and agreed on the modalities to strengthen existing security mechanisms, in particular the Expanded Joint Verification Mechanism (EJVM) as decided by the last extraordinary Summit in Kampala on 5 September. The EJVM will now have MONUSCO and the African Union representatives and this would significantly help overcome some of its current shortcomings. Although divergence of opinions exist between Member States, the security mechanisms of the ICGLR remain useful confidence-building tools and are essential to advance collective security efforts in the region. The support of the international community to the strengthening of these mechanisms is crucial and I count on your support in this regard.

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Excellencies,

I would like now to highlight some of the next steps and outline the priority areas, which I plan to focus on in the next few months.

At the regional level, the Regional Oversight Mechanism has tasked its Technical Support Committee to prepare a plan of action for the implementation of the Peace, Security and Cooperation Framework. The Technical Support Committee (TSC) will meet on 24-25 October in Nairobi to discuss and – hopefully - finalize a plan of action. I will personally take part in these discussions in the coming days in Nairobi.

Furthermore, it is my intention to propose modalities for monitoring and evaluation of the plan of action upon finalization by the TSC. In addition, I will follow up with the Committee on the establishment of a multi-donor trust fund to support the implementation of regional priority programs and projects as requested by the Regional Oversight Mechanism. The establishment of this trust fund will be essential for the implementation of the Framework.

I also plan to engage in the coming weeks the international partners with the view to finalizing the international benchmarks. In this regard, I would also like to discuss areas of collaboration between international partners and the member states of the Great Lakes region.

I intend to seize the platform offered by the upcoming joint Summit SADC-ICGLR to promote the implementation of the PSC Framework. I also plan to use existing political platform such as Oyo quapartite process and the Tripartite Framework between the DRC, South Africa and Angola to continue to support peace initiatives in the region.

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Excellencies,

I would like to conclude by outlining elements of the roadmap, which should guide my engagement for the period 2013-2014. In line with my mandate and with UNSCR 2098, this roadmap seeks to (i) address the immediate obstacles which could hamper the implementation of

the Framework, (ii) encourage measures to address the root causes of instability in the region, and (iii) continue advocacy to promote confidence-building and regional cooperation, as defined by the Framework. The sequenced political approach I propose is articulated around six priorities.

- 1) Support the Kampala Dialogue: Since July, I have been supporting the Facilitator in close collaboration with SRSG Kobler and with the other envoys. We will continue to encourage a quick conclusion of the process and continue to assist in this regard.
- 2) Rebuild trust and confidence between countries in the region: I will continue to work with governments, particularly the DRC and Rwanda to bolster the ongoing peace process with the inclusion of active participation by civil society and international partners. I also plan to use my good offices to consolidate relations between the countries, by identify potential flash points and proactively initiating mitigating measures, in close coordination with regional leaders and other key high-level officials.
- 3) Support the development of a plan of action for the implementation of the commitments under the Framework: My Office will continue to support the Technical Support Committee and will also develop modalities for an independent monitoring and evaluation capacity. In this regard, our attention will focus a set of priority benchmarks against which I will assess the implementation of the key commitments. These include:
  - a. At the national level: I shall, in close coordination with SRSG Kobler, engage the DRC government on critical follow-up actions to the recently concluded National Dialogue, including, monitoring the progress on national structural reforms and decentralization, electoral reform and the calendar for local elections, Security Sector Reform and the national economic development agenda.
  - b. At the regional level: I shall work with regional governments in order to achieve progress in enhanced cooperation on justice matters, joint security strategy, strengthening the EJVM and other security mechanisms, joint measures to curb illegal exploitation of natural resources and regional economic integration.

- 4) I shall work with regional governments and partners on comprehensive measure to enable the reduction and strength of armed groups operating in eastern DRC including through the development of a regional DDR initiative.
- 5) I shall continue to provide leadership and coordinate the international community's support to the implementation of the Peace, Security and Cooperation Framework agenda which is a shared responsibility, requiring unity of purpose and actions. To this end, I will encourage greater collaboration amongst partners to ensure convergence of agendas. I will also support efforts that will create immediate peace dividends on the ground. Furthermore, it is my intention to seek the support of bilateral and multilateral donors to fund specific activities such as those included in the action plan for the implementation of the Framework. In addition, I will work closely with other guarantors of the Framework to ensure that the Great Lakes region remains high on their agenda. I will also continue to pay close attention and support to women and youth interests in the region.
- 6) I will work in close collaboration with UNCHR and the Governments of DRC and countries in the region to support efforts to alleviate the conditions of refugees and internally displaced people (IDPs), by ensuring that conditions for voluntary return are in place.

These ongoing and anticipated actions are based on the assumption that national, regional and international actors will remain willing and focused to implement the commitments made under the PSC Framework. The momentum that was generated by the signing of the agreement must be sustained by all means, and, this would require the determination of all concerned.

Let me conclude here by thanking you again for your support.

Thank you for listening.

