

Final Draft of the Portfolio Committee on Defence on an oversight visit to the Democratic Republic of the Congo, dated 15 November 2005.

The Portfolio Committee on Defence, having undertaken an oversight visit to the Democratic Republic of the Congo on 12 to 13 Oct 2005, reports as follows.

A. EXECUTIVE SUMMARY

The Democratic Republic of the Congo (DRC) [see appendix A - abbreviations] is abundant with natural resources, but the enormous size of the country, the poor transport and communication infrastructure, as well as the political instability are impediments to economic growth. The delegation [Appendix B] met with several persons [Appendix C] to establish the impact of the contributions of the South African National Defence Force (SANDF), specifically and South Africa, in general, to the *United Nations' Peace Mission in the Democratic Republic of the Congo* (MONUC)[see Appendix D – MONUC Force, Appendix E – History of the peace process]. It visited the SANDF contingent in Kindu (eastern DRC) and the MONUC headquarters in Kinshasa (western DRC).

The SANDF, as South Africa's ambassadors in uniform, is meeting the challenge and has earned the respect of the local population and the international community. Even though only the negative stories (alleged sexual misconduct of a few soldiers) make headlines in South Africa, the deployment is achieving its goals, i.e. providing a secure environment for elections, training of the *Forces Armees de la Republique Democratique du Congo* (FARDC), i.e. the DRC Defence Force and demobilisation of other combatants.

There are however financial, political and technical challenges that need to be addressed to ensure that the DRC has successful elections in March –May 2006, which will put the DRC on the road to political stability and eventual economic prosperity.

Ambassador Swinger, Special Representative of the Secretary General of the United Nations (UN), who heads MONUC, expressed his gratitude to the SANDF and Pres Mbeki for the contribution that South Africa is making in bringing stability to the DRC. He also expressed his condolences for the human losses [1] that South Africa suffered as part of MONUC. Gen Kisempia, Chief of the General Staff (DRC Armed Forces) was also appreciative of the contributions of SA to the peace process in DRC. He stated that SA was the "father of transition in the DRC".

B. MAIN FINDINGS

1. The SANDF contributes positively to the peace process in the DRC and has good relations with the FARDC, other MONUC contributors and the local population. It is quite involved with the community and has contributed (financially and in kind) to the church, orphanage, school and the sport field.
2. The terms and conditions of the Memoranda-of-Understanding (MOU) between South Africa and the United Nations needs reviewal
3. The incidences of sexual exploitation and sexual abuse by SANDF members are not widespread, but can impact negatively on the overall performance of the SANDF.

4. The strict application of the 'standard of force agreement' (SOFA) between South Africa and the DRC has a detrimental effect on the provisioning of supplies and personnel to the operational areas.
5. The drawn-out procurement process of the Department of Defence prevents the timely supply of goods and equipment, which impact negatively on the maintenance and repair of equipment, especially vehicles and generators, as well as the morale of personnel.
6. The poor communication and transport infrastructure of the DRC make the execution of MONUC's mission difficult and strenuous on humans and machines.

C. THE DEMOCRATIC REPUBLIC OF THE CONGO

1. Geography

The DRC is bordered by nine countries [2], which make it the economic and political center of gravity of Africa. This makes political and economic stability in this country imperative for peace in the region and the continent. It has immense natural resources [3] and a land area of 2,3 million m², i.e. four times the size of France and 213 times the size of Kosovo, and the same size as South Africa and Namibia combined which received a UN peace mission of 45 000 personnel which include NATO to protect 2 million people, whilst the DRC with 60 million people received a peace mission of 16 700 personnel.

2. Political process

The DRC and five regional countries signed the Lusaka Ceasefire agreement [4] in July 1999. The Transitional Government was installed on 30 June 2003 to prepare for elections in two years, but the Transitional Government can be extended by 6 months for a maximum of two occasions. It did not meet the initial deadline for elections and was extended to 30 June 2006.

D. MONUC

1. Mandate

MONUC was created on 30 November 1999 by UN Security Council Resolution 1279. This mandate, under Chapter VI of the United Nations Charter, also known as peacekeeping, excluded the use of force, as it only authorised the monitoring of violations of the peace agreement. The total strength of MONUC was 90 personnel, who had to liaise with the different signatories to the peace agreement.

In March 2005 MONUC's mandate was upgraded by UN Security Council resolution 1592 [Appendix F] to a Chapter VII of the United Nations Charter [see Appendix G], which allowed the use of force to protect the political process and civilians under imminent threat of physical violence. Its 2005/2006 budget is \$US 957.8 million and it has a personnel of 16258 [5]. The mandate of MONUC is renewed periodically by the UN Security Council, which can end, extend or change the mandate. The current mandate is due to end on 1st October 2006.

The main goals of MONUC are (a) to maintain stability for the elections and (b) to establish general peace and security through the 'disarmament, demobilisation and reintegration' (DDR) and 'disarmament, demobilisation, rehabilitation, repatriation and Reintegration' (DDRRR) processes. MONUC has to ensure the success of the largest elections that the UN would be monitoring, consisting of an estimated 26,3 million

voters. It would be the DRC's first elections in 45 years. The DRC represents a humanitarian challenge [6] to MONUC and the world.

The objectives of MONUC are:

1. Support to the FARDC with the DDR and DDRRR of former combatants.
2. Assistance with the election registration process.
3. Assistance with the integration of former combatants into the FARDC.
4. Assistance to the Transitional Government to maintain a secure environment for democratic elections.

MONUC has a headquarters in Kinshasa, 15 field offices, 3 regional offices, 5 military headquarters and 4 logistical bases. MONUC's task is complicated by the relatively small force, the poor infrastructure and the lack of aeroplanes and helicopters, which are the preferred mode of transport, because in some areas even off-road vehicles are incapacitated.

2. Arms embargo

The arms embargo was imposed through Resolution 1493 in 28 July 2003. It is difficult to monitor, because (a) the bad roads make many areas inaccessible, (b) numerous unmonitored airfields are used by certain private aircrafts for illegal purposes, (c) no effective border control, (d) appropriate resources are lacking to monitor the movement of people and vehicles, i.e. (i) aerial surveillance and (ii) UN aircrafts and (e) the illegal mining activities of the militia elements lead to increased illegal movement equipment and weapons.

3. The DRC Defence Force

The FARDC experiences several challenges, i.e.

- o unification & *esprit de corps*,
- o lack of government support, especially logistical and financial
- o misconduct & discipline

The FARDC has to assist with the stabilisation, but it did not yet have the capacity to deal with the FAGs (foreign armed groups) which includes FDLR. One of the key objectives of MONUC is to support and capacitate the FARDC, apart from providing support for the elections. The FARDC has limited resources and are supported by MONUC to a limited extent with logistical resources such as ammunition, food, fuel and transport. The DRC soldiers do not receive regular salaries currently, which contributes to instability. Non-payment of salaries also applies to other public servants, e.g. teachers who were on the strike for the last three weeks. The situation was worse in the rural areas and is exacerbated by the fact that payment is made in cash, i.e. out of the hand, which can lead to corruption and the self-enrichment of senior officials.

The FARDC can perform limited operations successfully, however, some elements in the FARDC have been extorting money from the local communities by setting up roadblocks, because they do not receive wages regularly from the government and in some instances indulging in looting, killing, and raping civilian population.

E. DDRRR PROCESS

1. Contribution of South Africa

1.1 Operation TEUTONIC

Operation Teutonic is a tripartite agreement between South Africa, Belgium and the DRC. According to a MOU between South Africa and the DRC, the SANDF would assist with the demobilisation, integration and training of the new DRC armed forces and to assist the Netherlands with the construction and management of two 'demobilisation' sites in the DRC. Transit camps were established, but no insurgents have yet been registered. According to a separate agreement between S.A. , DRC and Netherlands, the Netherlands government has provided 5 million euros for that purpose. It was believed that the DDRRR process at the current rate would not reach the deadline.

The initial strength of the South African Detachment Assisting with Integration & Training (SADAIT) was 19 personnel (Teutonic 1), but increased to 39 personnel (Teutonic 2).

Operation Teutonic announced seven assembly points for demobilisation and integration over the radio and in the newspapers. 15 607 combatants were disarmed between September 2004 and April 2005, of which 4395 were children. However the personnel register is non-existent, which made budgeting, administration and planning difficult.

One of the main challenges is that the procurement process of the SANDF is lengthy with the result that equipment (e.g. tents) does not arrive, when the troops need it. The procurement process entails the adherence to certain guidelines, e.g. the Public Finance Management Act (Act 1, 1999), however the process ignores the fact that the SANDF is not operating in a classical peace-time role.

1.2 Other Projects

South Africa is involved in numerous projects to assist the DRC to rebuild the country. The Government of the Netherlands has funded some of these projects. South Africa's Department of Public Service and Administration is assisting with a census to accurately determine the size of the public service in the DRC, which would assist to address the issue of 'ghost workers'. South Africa's Home Affairs department is assisting with population registration to enhance effective planning and service delivery, while the Departments of Defence and Safety & Security are assisting with the training of soldiers and police, respectively.

South Africa is also assisting with the identification, verification and control of the FARDC, because it was important for the DRC government, military planners, neighbouring states and the UN to know the strength of the armed forces. It is estimated that there are 250 000 combatants in the FARDC.

2. Three-pronged approach to DDRRR

MONUC applies a three-pronged strategy to DDRRR, i.e. (a) political pressure, (b) robust military measures and (c) justice system.

2.1 The Political Process

Rwanda indicated that those combatants that were under the age of 14 years, during the genocide in 1993/4 would not be prosecuted. The *Force Democratique pour le Liberation du Rwanda* (FDLR), i.e. the 'rebels' renounced violence and agreed to the DDRRR process, including the denouncement of the 1994 Rwandan genocide. However, since June 2005, a rift has appeared in the FDLR leadership, which led to infighting in the South Kivu area.

The UN believes that the large majority of the FDLR supports the peace process, but that some of the hard line commanders hold the younger fighters, who wants to return to Rwanda, hostage. These commanders fear retribution, because they face prosecution for the Rwandan genocide in which 800 000 ethnic Tutsis and moderate Hutus died. It is estimated that there are 12 000 to 15 000 Rwandan Hutu rebels with 30 000 to 40 000 dependants, mostly wives and children in the DRC.

2.2. Military pressure

The objectives of military pressure on the rebel forces are (a) the security and safety of the population and (b) to ensure a controlling presence in areas that are held by foreign groups. MONUC has certain constraints, i.e.

1. Absence of adequate mapping, which make the planning of missions difficult,
2. Lack of accurate intelligence on FDLR positions,
3. Insufficient operational capacity of the DRC armed forces,
4. The DRC armed forces has poor to no logistical and operational support.

2.3 The Justice System

MONUC and the Transitional Government place pressure on the FDLR through the justice system, which entails (a) increased cooperation with the International Criminal Tribunal for Rwanda (ICTR) and (b) the establishment of extradition between the DRC and other countries to bring certain former combatants to book.

		Ex-combatants	Civilians	Total
Rwanda		3 930	3 710	7 640
Uganda		388	239	627
Burundi	Assisted by MONUC	355	124	479
	Self-organised	3 605	124	3 729
TOTAL		7 837	4 021	11 858

Table. 1 (DDRRR Repatriation, as at 10 October 2005)

F. ELECTIONS

1. Voter Registration

The mandate of MONUC includes support to the Transitional Government and the Independent Electoral Commission, organise the general and presidential elections. The election registration process [8] started on 20 June 2005 in Kinshasa with 16 million people registered, as at 10 October 2005 and referendum is planned for 18 December

2005. Elections are planned for June 2006. The population of the DRC is approximately 60 million and the electorate are estimated at between 26 to 28 million because a census was not done for the past 40 years.

The voter registration process also had certain difficulties:

- (a) The proficiency of the Independent Electoral Commission (IEC) personnel,
- (b) Problems to deliver the registration kits and supplies, because of the poor transport infrastructure,
- (c) Difficulties to deliver administrative and technical support to personnel (e.g. payment of salaries)
- (d) The weak to no capacity in the country to run election process, taking into account that the last elections was 45 years ago.
- (e) Funding shortages - The UN requires US\$ 270 million for the elections, US\$ 103 million for logistics and US\$ 48 million for electoral security, but the pledges from international donors are not enough and a shortfall of US\$251 million was registered.

2. Electoral security concerns

There are four concerns:

- o The MONUC force is limited in numbers and is focused in the eastern areas.
- o the DDRRR process has to deal with 8000 to 15000 foreign combatants.
- o the DDR process has to deal with 250 000 combatants.
- o the security plan will cost US\$48 million.

The FDLR was not considered a threat to the elections, because (a) they were concentrated in the eastern areas, (b) its leadership came from Europe to mobilise political support prior to the elections and (c) MONUC forces will stabilise the main areas, even though it is impossible to secure all the strewn-out villages. The FDLR might provide a challenge in certain areas, because (a) it is suspected that there might be elements in the Tanzanian government, which support certain factions of the FDLR, however there is no supporting evidence and (b) the eastern area is flooded with weapons.

G. THE SANDF CONTINGENT

1. Function

The SANDF battalion [9] is used (a) for force projection, (b) for the extraction of UN personnel and (c) as dedicated air assets with 3 hours lead-time. The SANDF also assists with the operations of the lake-ferry [10], destruction of unexploded ordnances, as well as ammunitions and weapons that were surrendered. The SANDF is reliant on accurate intelligence in the operational area to achieve its mission objectives, however they do not collect their own intelligence, but is part of the intelligence network of MONUC with the FARDC. The network of MONUC is however weak, because it does not have the finances to maintain sources in the local community, nor the technical and expensive equipment to gather intelligence, due to the non-involvement of the big countries.

2. Logistics

The battalion operates over a large area in a country that has poor infrastructure and forward areas can only be reached by helicopter. The battalion (about 800 troops) does not have the required number of skilled personnel (e.g. engineers) and transport platforms

(especially airlift) to move supplies over long logistical lines. It sometimes takes three weeks to reach Goma and Beni in the eastern DRC, where the SANDF battalion is deployed. These units are more than 2000kms from Kinshasa, which is in the western DRC.

According to a memorandum-of-understanding between South Africa and the United Nations (UN), the SANDF would be self-sufficient, i.e. a 'wet lease' arrangement. The SANDF has to maintain and repair its own equipment to serviceable levels in order to receive funding (i.e. reimbursement) from the UN. It is difficult to maintain equipment in the harsh climatic conditions, poor infrastructure, long procurement process and poor local population (who steal much needed equipment for their own use).

3. Discipline

The contingent is under the discipline of the administrative command of the SANDF, but under the operational control of the UN, which impacts on the payment of SANDF salaries and UN allowances, the implementation of UN curfews, fraternisation and 'sexual exploitation & abuse' policy. In certain quarters, there are some grey areas, with regard to the understanding of fraternisation with the local community, which does not necessarily include sexual activities.

The SANDF contingent receives regular visits from South African interest groups, like the Ministry, Inspector-General and senior commanders of the SANDF. It was stated that the deployed soldiers would receive Christmas gift from a corporate sponsor. The delegation was informed that soldiers have an open platform during visits, so that they can raise issues.

4. Challenges

The SANDF has several challenges, i.e.

1. Compliance with the MONUC MOU's,
-The MOUs are enforced even when the requested tasks and location changed. It overstretches the limited resources (equipment, financial and human) of the SANDF.
2. Meeting 'contingent owned equipment (COE) standards
-the SANDF cannot maintain the serviceability of its equipment, due to the non-arrival of supplies and spares from South Africa. The SANDF then forfeits the UN's re-imbursement (based on the 'wet lease' agreement), which places its credibility and performance at stake,
3. Keeping to the 'standard of forces agreement' (SOFA)
-liaison should be done well in advance for traveling, but due to sudden itinerary changes, landing rights and flight clearances are not approved by the UN for military and the DRC for civil flights. This impacts negatively on transport of personnel and supplies.
4. The execution of command and control
-the SANDF is administratively (i.e. command) responsible for its soldiers, but they are under the operational control of MONUC. This sometimes leads to conflict between SANDF and other commanders.
5. Image of the SANDF
-the SANDF, as representative of South Africa in the DRC, should conduct itself professionally on and off duty, but it sometimes does not occur.

H. SEXUAL EXPLOITATION AND ABUSE (SEA)

Peace Keeping Operations (DPKO) at the UN headquarters in New York. The DPKO forward the record of proceedings of the cases' investigations, of which the allegations are substantiated, to the Permanent Mission of the relevant country with a request that it be forwarded to the national authorities for appropriate action. The investigative process (i.e. preliminary investigation and board of inquiry) of the UN was administrative in nature, because the relevant defence force imposes punishment.

Many cases remained unsubstantiated because of: (i) a lack of evidence or witnesses and (ii) the long time between the alleged event and the completion of the judicial process. Four new cases, involving 7 SANDF soldiers were received, but it has been referred to the OIOS. It was stated that the OSEA and OIOS received the fullest support and The soldiers blame their transgressions on a lack of understanding of the code of conduct standards, because they have been deployed to protect and not to destabilise the local community.

RECOMMENDATIONS

1. The Memoranda-of-Understanding (MOU) between South Africa and the United Nations should be reviewed in the context of MONUC's changed mandate, as well as the socio-economic conditions of the locals, who vandalises SANDF equipment.

2. Discipline should be strengthened, so that SANDF members adhere to the UN's code of conduct and SANDF military code.
3. The 'standard of force agreement' (SOFA) between South Africa and the DRC should be reviewed and mechanism put in place to deal with technical and administrative problems.
4. The procurement process of the Department of Defence should be adapted, because the SANDF is not in a classical peace-time role.
5. The communication equipment and vehicles of the SANDF should be maintained at 100% serviceability, so that SANDF equipment and personnel can operate in the harsh environment.

ACKNOWLEDGEMENTS

The delegation wishes to thank Mr Mujahid Alam, head of the MONUC office in South Africa and the Department of Defence for the briefings on the DRC peace mission, before the delegation left South Africa. It also wishes to thank the Department of Defence for the air transport and logistical arrangements in the DR, furthermore the Defence Committee, peace is gratitude to the respective members of SANDF that accompanied the delegation.

NOTES

1. MONUC suffered 62 deaths, as at 10 October 2005: 51 troops, 8 military observers, 2 international civilians and 1 local civilian. In February 2005, MONUC lost nine Bangladeshi peacekeepers in a militia ambush. The SANDF lost 12 members – vehicle accident (1), illness (2), combat (3) and drowning (6).

2. Republic of the Congo, Sudan, Tanzania, Angola, Central Africa Republic, Burundi, Rwanda, Tanzania and Zambia.

3. The DRC has 50 per cent of Africa's forests and has an immense river system that can provide hydroelectricity to the entire continent. It contains one third of the world's reserves of cobalt and one tenth of its copper reserves. It contains 80 per cent of the world's columbite-tantalite (coltan) and it has substantial gold and industrial diamonds deposits.

4. The Lusaka Agreement of July 1999 followed a civil war, which broke out in 1998 in the DRC, between the government, which was supported by Angola, Chad, Namibia and Zimbabwe on the one side and more than 20 armed groups including the Rwandan-sponsored RCD and Ugandan-sponsored MLC on the other. The agreement led to the establishment of MONUC in November 1999.

5. As at 30 September 2005, MONUC stands at 16 258 personnel, i.e. 15 369 troops, 524 military observers, 365 police, 803 international civilian personnel, 1359 local staff and 460 UN volunteers.

6. It is estimated that since 1998, 3.5 million people died and 3.4 million people are internally displaced, of which 1 million is children. Half of the population (about 60 million) is under the age of 18. Children are particularly affected by the crisis: one out of five does not reach the age of five; 38 per cent suffer from malnutrition; 50 per cent between 6 and 11 do not attend school, some 9.3 per cent are believed to have lost one or

both parents to the AIDS pandemic; thousands of other children have been recruited in armed groups or have been victims of grievous human rights abuses including killing and rape.

7. The Elections calendar

- 20 June 2005 - start of the election registration in Kinshasa
- 18 Dec 2005 - referendum on the Constitution
- 31 Dec 2005 - end of the Prolongation of the Transition
- 20 Mar 2006 - combine polls (presidential & parliament)
- 24 Apr 2006 - 2nd presidential & provincial
- 10 May 2006 - proclamation of results (presidential)
- 25 May 2006 - senate poll (indirect)
- 30 June 2006 - deadline of transition (end of the transitional government)

8. SANDF contribution to MONUC since April 2003

- Task Force Headquarters
- Infantry Battalion Group:
 - Level 1 Medical Facility
 - 4 x Infantry Rifle Companies
 - 1 x Support Company
- Engineer Squadron
 - Level 1 Medical Facility
 - Construction Capability
- Ferry Unit (Engineers).
- Well Drilling Capability (Engineers).
- Military Police Unit
- Headquarters Support Unit

9. The lake-ferry is used to transport people, equipment and goods across the Congo River.

10. Sexual exploitation and abuse

According to the UN code of conduct: 'sexual exploitation is "any actual or attempted abuse of position of vulnerability, differential power, or trust for sexual purposes, including profiting monetarily, socially or politically. Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

11. These power relations are physical, psychological, financial and political.

APPENDIX A

ABBREVIATIONS

ANC	: African National Congress
Brig. Gen	: Brigadier-General
DA	: Democratic Alliance
DDR	: Disarmament, Demobilisation and Reintegration
DDRRR	: Disarmament, Demobilisation, Rehabilitation, Repatriation and

	Reintegration
DPW	: Department of Public Works
DoD	: Department of Defence
FDLR	: Force Democratique pour le Liberation du Rwanda (ex-Interahamwe)
FARDC	: Forces Armees de la Republique Democratique du Congo (Congolese Army)
ICTR	: International criminal Tribunal for Rwanda
IFP	: Inkatha Freedom Party
Lt. Gen	: Lieutenant-General
MONUC	: United Nations Mission in the Democratic Republic of the Congo
NCO	: non-commissioned officer
NCoP	: National Council of Provinces
R.Adm	: Rear-Admiral
SADAIT	: South African Detachment Assisting with Integration & Training
SANDF	: South African national Defence Force

APPENDIX B

Delegation of Committee

1. Mr MS Booie - ANC (delegation leader)
2. Mr SB Ntuli - ANC
3. Dr GW Koornhof - ANC
4. Mr GP Mngomezulu - ANC
5. Mr OE Monareng - ANC
6. Ms XC Makasi - ANC
7. Mr L Moseki - ANC (NCoP)
8. Mr MR Shah - DA
9. Mr VB Ndlovu - IFP
10. Mr G Campher - Committee Secretary

Accompanying Officials

- | | |
|------------------|---|
| Lt.Gen Z Binda | - Chief of Joint Operations (SANDF) |
| Maj.Gen Hlatwayo | - Group Officer Commanding : Operations (SANDF) |
| Brig.Gen Ledwaba | - Chief : Military Police Agency (SANDF) |
| R.Adm Schoultz | - Director : Operations (SANDF) |
| Col D Boshoff | - Senior Staff Officer : Communications |
| Col C Geldenhuys | - Personal Staff Officer : Chief – Joint Operations |
| Adv L Mtshali | - Acting Director : Operations Policy |
| Mr M Zamisa | - Parliamentary Officer : Ministry of Defence |
| Mr S Ngcobo | - Assistant Director : National Office for Coordination of
Peacekeeping Missions (Department of Foreign Affairs) |

APPENDIX C

The Committee met with:

1. Mr William Lacy Swing
-Special Representative of the United Nations Secretary General in the DRC
2. Mr K Pedro

- Charge de Affaire (South African Embassy – DRC)*
3. Lieutenant-General S Kisempa
-*Chief of General Staff – DRC Armed Forces*
 4. Lieutenant-General Babacar Gaye
Force Commander (MONUC)
 5. Brigadier-General VA Nelwamondo (SANDF)
-*Commander : South African Detachment Assisting with Integration & Training*
 6. Colonel ZA Mpapela (SANDF)
-*Commander : SANDF Contingent in UN Mission in DRC (MONUC)*

APPENDIX D

MONUC

List of troop contributing countries, as at 24/08/2005

Country	Military Observers	Contingent	Totals
Algeria	3	0	3
Bangladesh	24	1293	1317
Belgium	8	0	8
Benin	18	0	18
Bolivia	7	218	225
Bosnia	5	0	5
Burkina Faso	12	0	12
Cameroon	4	0	4
Canada	8	0	8
Chile	0	0	0
China	12	218	230
Czech Republic	3	0	3
Denmark	2	0	2
Egypt	23	0	23
France	6	3	9

	Reintegration
DPW	: Department of Public Works
DoD	: Department of Defence
FDLR	: Force Democratique pour le Liberation du Rwanda (ex-Interahamwe)
FARDC	: Forces Armees de la Republique Democratique du Congo (Congoese Army)
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2. Mr SB Ntuli - ANC
3. Dr GW Koornhof - ANC
4. Mr GP Mngomezulu - ANC
5. Mr OE Monareng - ANC
6. Ms XC Makasi - ANC
7. Mr L Moseki - ANC (NCoP)
8. Mr MR Shah - DA
9. Mr VB Ndlovu - IFP
10. Mr G Campher - Committee Secretary

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- R.Adm Schoultz - Director : Operations (SANDF)
- Col D Boshoff - Senior Staff Officer : Communications
- Col C Geldenhuys - Personal Staff Officer : Chief – Joint Operations
- Adv L Mtshali - Acting Director : Operations Policy
- Mr M Zamisa - Parliamentary Officer : Ministry of Defence
- Mr S Ngcobo - Assistant Director : National Office for Coordination of
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Burkina Faso	12	0	12
Cameroon	4	0	4
Canada	8	0	8
Chile	0	0	0
China	12	218	230
Czech Republic	3	0	3
Denmark	2	0	2
Egypt	23	0	23
France	6	3	9

Ghana	21	461	482
Guatemala	6	104	110
India	49	3498	3547
Indonesia	13	175	188
Ireland	3	0	3
Jordan	26	0	26
Kenya	35	6	41
Malawi	26	0	26
Malaysia	17	0	17
Mali	24	0	24
Marocco	4	801	805
Mongolia	2	0	2
Mozambique	1	0	1
Nepal	21	1118	1139
Niger	19	0	19
Nigeria	30	0	30
Pakistan	43	3752	3795
Paraguay	17	0	17
Peru	5	0	5
Poland	3	0	3
Romania	22	0	22
Russia	23	0	23
Senegal	12	458	470
Serbia	0	6	6

South Africa	19	1390	1409
Spain	2	0	2
Sri Lanka	2	0	2
Sweden	5	0	5
Switzerland	2	0	2
Tunisia	28	465	493
UK	6	0	6
Ukraine	13	0	13
Uruguay	48	1524	1572
Zambia	21	0	21
	703	15490	16193

APPENDIX E

BRIEF CHRONOLOGY OF THE PEACE PROCESS

17 May 1997:

Rebels belonging to the Alliance of Democratic Forces for the Liberation of the Congo (AFDL), led by Laurent-Désiré Kabila and backed by Rwanda and Uganda, forced President Mobutu Sese Seko into exile.

28 May 1997:

LD Kabila proclaims himself President of Zaire and renames the country the DRC.

03 August 1998:

Congolese Tutsi officers and Rwandan soldiers, backed by Rwanda, take up arms against President Kabila.

10 July 1999:

A ceasefire is signed in Lusaka, Zambia. (The Lusaka Ceasefire Agreement)

30 September 1999:

Resolution 1279 of the UN Security Council establishes MONUC.

24 February 2000:

Resolution 1291 of the UN Security Council approves the deployment of 5,537 peacekeepers to monitor the implementation ceasefire.

16 June 2000:

UN Resolution 1304 calls for the withdrawal of all foreign forces from the DRC, without specifying any deadline.

16 January 2001:

LD Kabila is killed in Kinshasa by one of his officers.

17 January 2001:

Joseph Kabila, son of LD Kabila, takes over as Head of State.

29 March 2001:

MONUC deploys its first contingent to the east, first in rebel-held areas, and then, on 4 April, in government-controlled zone.

15 October 2001:

The Inter Congolese Dialogue officially opens in Addis Ababa, Ethiopia. Its aim is to address the political aspects of the Lusaka Ceasefire Agreement.

25 February 2002:

The Inter Congolese Dialogue opens in Sun City, SA, with Sir Masire, former President of Botswana, as mediator. A partial power-sharing accord is reached, but several opposition groups refuse to sign.

30 July 2002:

The DRC signs an agreement with Rwanda in Pretoria, South Africa. The Rwanda agrees to withdraw its 30 000 troops from the DRC in exchange for the repatriation of Rwandan Hutu extremists (ex-FAR/Interahamwe) responsible for the 1994 genocide in Rwanda.

06 September 2002:

The DRC signs an agreement with Uganda in Angola, for the total withdrawal of Ugandan forces from the DRC.

05 October 2002:

Marks the end of the withdrawal of troops of the Rwanda Patriotic Army.

30 October 2002:

Marks the end of the withdrawal of Angolan, Namibian and Zimbabwean troops, allied to the DRC government.

17 April 2002:

The Inter Congolese Dialogue resumes in Pretoria, under the mediation of the UN and South Africa. Under this agreement, Joseph Kabila remains President with four Vice-Presidents of the other groupings.

02 April 2003:

Marks the closure of the Inter Congolese Dialogue in Sun City, South Africa, with the signing of the Global and All Inclusive Agreement.

04 April 2003:

Marks the promulgation of the **Transitional Constitution**.

07 April 2003:

President Joseph Kabila is sworn in under the new Constitution.

30 June 2003:

The installation of the Transitional Government by President Joseph Kabila assisted by four Vice-Presidents, to prepare for free elections in two years' time.

01 January 2004:

Resolution 1565 (2004), increases MONUC's troop strength and reinforces its mandate to Chapter VII.

29 March 2005:

Resolution 1592 extends MONUC's mandate until 1 October 2005.

16 May 2005:

The official adoption by the Transitional Parliament of the draft Constitution to be approved by the people

in a national referendum.

APPENDIX F

United Nations Security Council

Resolution 1592 (2005)

Adopted by the Security Council at its 5155th meeting,
on 30 March 2005

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolution 1565 of 1 October 2004, and the statement of 2 March 2005 (S/PRST/2005/10), *Reaffirming its commitment* to respect the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as of all States in the region, and its support for the process of the Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo, signed in Pretoria on 17 December 2002, and calling on all the Congolese parties to honour their commitments in this regard, in particular so that free, fair and peaceful elections can take place,

Reiterating its serious concern regarding the continuation of hostilities by armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, and by the grave violations of human rights and of international humanitarian law that accompany them, *calling* on the Government of National Unity and Transition to bring the perpetrators to justice without delay, and *recognizing* that the continuing presence of ex-Forces armées rwandaises and Interahamwe elements remains a threat for the local civilian population and an impediment to good-neighbourly relations between the Democratic Republic of the Congo and Rwanda, *Welcoming* in this regard the African Union's support for efforts to further peace in the eastern part of the Democratic Republic of the Congo, and *calling on* the African Union to work closely with MONUC in defining its role in the region, *Recalling its condemnation* of the attack by one of these militias against members of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), on 25 February 2005, and welcoming the first steps taken to date to bring them to justice, in particular the arrests of militia leaders suspected of bearing responsibility for human rights abuses, *Reiterating its call* on the Congolese parties, when selecting individuals for key posts in the Government of National Unity and Transition, including the Armed

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Forces and National Police, to take into account the record and commitment of those individuals with regard to respect for international humanitarian law and human rights, *Recalling* that all the parties bear responsibility for ensuring security with respect to civilian populations, in particular women, children and other vulnerable persons, and *expressing concern* at the continuing levels of sexual violence, *Reaffirming* its full support for MONUC and for its personnel, who operate in particularly hazardous conditions, and *welcoming* the robust action it is undertaking in pursuit of its mandate, *Recalling* the link between the illicit exploitation and trade of natural resources in certain regions and the fuelling of armed conflicts, *condemning categorically* the illegal exploitation of natural resources and other sources of wealth of the Democratic Republic of the Congo, and *urging* all States, especially those in the region including the Democratic Republic of the Congo itself, to take appropriate steps in order to end these illegal activities, *Bearing in mind* the third special report of the Secretary-General on MONUC, dated 16 August 2004 (S/2004/650), and its recommendations, and *aware* of the importance of keeping under review the situation in the Katanga and Kasai provinces,

Taking note of the seventeenth report of the Secretary-General on MONUC, dated 21 March 2005 (S/2005/167), and *looking forward* to the special report on the electoral process announced by the Secretary-General in paragraph 34 of his seventeenth report, *Noting* 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. *Decides* to extend the mandate of MONUC, as contained in resolution 1565, until 1 October 2005, with the intention to renew it for further periods;

2. *Reaffirms its demand* that all parties cooperate fully with the operations of MONUC and that they ensure the safety of, as well as unhindered and immediate access for, United Nations and associated personnel in

armed group, foreign or Congolese, in particular the ex-FAR and Interahamwé, *encourages* MONUC in this regard to continue to make full use of its mandate under resolution 1565 in the eastern part of the Democratic Republic of the Congo, and *stresses* that, in accordance with its mandate, MONUC may use cordon and search tactics to prevent attacks on civilians and disrupt the military capability of illegal armed groups that continue to use violence in those areas; 8. *Calls on* all the parties to the Transition in the Democratic Republic of the Congo to make concrete progress towards the holding of elections, as provided for by the Global and All-Inclusive Agreement, in particular in furthering the early adoption of the constitution and of the electoral law, as well as the registration of voters;

9. *Demands* that the Governments of Uganda, Rwanda, as well as the Democratic Republic of the Congo put a stop to the use of their respective territories in support of violations of the arms embargo imposed by resolution 1493 of 28 July 2003 or of activities of armed groups operating in the region;

10. *Further urges* all States neighbouring the Democratic Republic of the Congo to impede any kind of support to the illegal exploitation of Congolese natural resources, particularly by preventing the flow of such resources through their respective territories;

11. *Requests* the Security Council to investigate all reports of misconduct, discipline those found responsible and provide support to the victims, and to pursue active training and awareness activities.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.
2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.
3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfilment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.
2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.
3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.
4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.
2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Sources: United Nations website, MONUC documents, SANDF documents and briefings