



CONSULTATIONS ON THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC) MISSION IN THE DEMOCRATIC REPUBLIC OF CONGO (SAMIDRC) HUMAN RIGHTS AND INTERNATIONAL HUMANITARIAN LAW COMPLIANCE FRAMEWORK

Goma, 19- 21 November 2024

Final Communiqué

We, representatives of the Southern African Development Community (SADC), the SADC Mission in Democratic Republic of the Congo (SAMIDRC) the African Union (AU), United Nations Organization Stabilization Mission in the DRC (MONUSCO), and the Office of the United Nations High Commissioner for Human Rights (OHCHR), as participants in the consultations on the SAMIDRC human rights and international humanitarian law compliance framework held from 19 to 21 November 2024 in Goma.

Aware of the security challenges facing the eastern part of the Democratic Republic of the Congo, resulting mainly from the activity of armed groups, which is having a disastrous impact on human rights, in particular the massive displacement of civilian populations and the resulting humanitarian crisis.

Taking note of the efforts made by the authorities of the Democratic Republic of the Congo to restore peace and security in the areas affected by the armed conflict and noting the support of the United Nations, the African Union and SADC to this end.

Noting the adoption by the United Nations Security Council of Resolution 2717 (2023) emphasizing that the operations of SAMIDRC (Regional Force) should be conducted in compliance with United Nations Human Rights Due Diligence Policy (HRDDP), protection of civilians and that there should be close coordination and information sharing on matters regarding the international human rights law and international humanitarian law.

Also noting the adoption by the United Nations Security Council of Resolution 2746 (2024) further authorising MONUSCO to provide support to SAMIDRC through enhanced coordination, information-sharing and technical assistance as well as use of MONUSCO's logistical assets and military capabilities, in strict compliance with the HRDDP. Noting that the Security Council has requested "the troop-contributing countries of SAMIDRC and the Force

Commander of SAMIDRC (FC-SAMIDRC) to take active steps to minimize the risk of harm to civilians in all areas of its operations and to ensure the highest standards of transparency, conduct and discipline for their contingents operating in the framework of the SAMIDRC, to establish a robust compliance mechanism in line with the African Union's Strategic Compliance Framework to prevent, investigate, address and publicly report on allegations of human rights violations and abuses, and violations of international humanitarian law by SAMIDRC forces”.

Noting the Communique of the AU Peace and Security Council (PSC), PSC/PR/COMM.1203 (2024), endorsing the deployment of the SAMIDRC and requesting the African Union Commission (AUC) to work in close collaboration with SADC, to devise practical modalities of AU support to SAMIDRC.

Aware that the effective implementation of a robust human rights and international humanitarian law compliance framework is an enabler to the success of SAMIDRC's operations, including maintaining the confidence and support of the civilian population, in particular protection of women and children.

Reiterating the commitment of our respective organizations to the rules and principles of human rights and international humanitarian law and their added value in the promotion and preservation of peace and security in the DRC and Africa.

Noting SAMIDRC's commitment to implement its mandate in strict compliance with international human rights law and international humanitarian law and the request for support to develop and implement a robust compliance framework, in line with the African Union Compliance and Accountability Framework (AUCF).

Noting the mandate given to MONUSCO through the United Nations Joint Human Rights Office (UNJHRO) by the Security Council to support SAMIDRC in the design and implementation of its human rights and international humanitarian law compliance framework.

Bearing in mind our organizations' respective expertise and long-standing cooperation on issues relating to the promotion of peace and stability in Africa.

Taking note that the design and implementation of the SAMIDRC compliance framework, as requested by the United Nations Security Council and the African Union Peace and Security Council, requires, inter alia, trust, political will, close coordination, a spirit of partnership and transparency among the various stakeholders.

Underlining with satisfaction the constructive approach that has prevailed throughout these consultations and the willingness shown since the deployment of SAMIDRC by our various organizations to combine their efforts to make this regional initiative a success.

Aware, in particular on the basis of past experience, that the design and implementation of a robust human rights and international humanitarian law framework requires political will,

significant financial and human resources from the international community, including Member States.

We:

1. **Affirm** the imperative need for SAMIDRC to put in place a robust Compliance and Accountability framework as a tool to prevent, respond and address potential violations of human rights and international humanitarian law and applicable standards of Conduct and Discipline.
2. **Affirm** that a common understanding of our respective roles, trust and coordination are key to the effectiveness of our organizations' support to SAMIDRC in the design and implementation of its compliance framework.
3. **Commit** to work in a concerted and coordinated manner to support SAMIDRC in the design and implementation of its Compliance and Accountability framework, in accordance with Security Council Resolutions 2717(2023) and 2746 (2024), and the PSC Communique 1203(2024), and to establish a taskforce to this end.
4. **Decide** that the aforementioned task force will finalize the roadmap for the design and implementation of the SAMIDRC human rights and international humanitarian law compliance framework.
5. **Task** the UNJHRO with coordinating the efforts of all relevant stakeholders, in consultation with AU and SADC, to support the work of SAMIDRC in designing and implementing its human rights and international humanitarian law compliance framework in line with the African Union's Compliance Framework.
6. **Call on** the international community, in particular Member States, to provide the necessary financial and political support for the design and implementation of the SAMIDRC Compliance Framework.
7. **Decide** to organise regular dialogues on human rights and international humanitarian law between SAMIDRC, MONUSCO, DRC's defence and security forces, OHCHR, UN humanitarian agencies and civil society organizations.
8. **Welcome** the exemplary triangulation between the United Nations, the African Union, and the Southern African Development Community to support SAMIDRC in the implementation of its mandate to help restore peace and security in eastern DRC.

Done at Goma, Democratic Republic of Congo, on 21 November 2024.