



# The Role of the United Nations Security Council in the Protection of Civilians: An Application of Resolution 1265 (1999) in the Democratic Republic of Congo

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## Abstract

This article explores the role of the Security Council in the protection of civilians, focusing on the implementation of resolution 1265 (1999) in the Democratic Republic of Congo. The objective of the study is to assess the effectiveness of Security Council resolutions for the protection of civilians in this context, based on two main criteria: the number of attacks against civilians and the number of violations human rights against them. The methodological approach adopted consists of a review of relevant Security Council resolutions, as well as United Nations and other reports from humanitarian organizations. The results highlight that the resolutions had varied effects on the situation in the Democratic Republic of Congo. They have helped reduce human rights violations, including killings, rapes and looting, while improving civilians' access to humanitarian aid. However, these resolutions have not ended the armed conflict, with armed groups persisting in their human rights violations, especially in areas where MONUSCO is deployed. The study highlights some obstacles to the effective implementation of the resolutions; namely: the weakness of national security forces, corruption and lack of political will. To increase the impact of Security Council resolutions, it is crucial to overcome these obstacles. This also requires increased cooperation between involved actors, such as the United Nations, Member States, non-governmental organizations and Congolese authorities, with the aim of strengthening the protection of civilians in the Democratic Republic of Congo.

## Subject Areas

International Law

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## Keywords

Security Council, Protection of Civilians, Resolution 1265 (1999), Armed Conflict, Democratic Republic of Congo

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## 1. Introduction

The Democratic Republic of Congo (DRC) has been the scene of armed conflict for many years [1]-[4], causing widespread civilian suffering, human rights violations, large-scale displacement and death [5]. To ensure the protection of civilians in the Democratic Republic of Congo, the United Nations Security Council has adopted various resolutions in implementation of resolution 1265 (1999). These are resolutions 1296 (2000) of April 19, 2000, 1631 of October 17, 2005, 1674 of April 28, 2006, 1706 of August 31, 2006 and 1738 of December 23, 2006, 1742; 1751; 1756; 1768; 1771; 1794 taken in 2007, 1856 taken in 2008, 1906 taken in 2009, 1888 taken in 2009, 1925 taken in 2010, 2053 taken in 2012, 2098 taken in 2013, 2277 taken in 2016, 2348 taken in 2017, 2409 taken in 2018, 2463 taken in 2019, 2556 taken in 2020, 2612 taken in 2021, 2641 and 2666 taken in 2022.

The main mandate of the United Nations Security Council (UNSC) is to maintain international peace and security. Within this framework, it is called upon to take measures to protect civilians in the event of armed conflict. Resolution 1265 (1999), adopted in response to the situation in the Democratic Republic of Congo (DRC), is an important example of the UNSC's commitment to the protection of civilians [6]-[11]. The resolution reiterates the obligation of states to ensure the safety of civilians, and calls on member states to: Take concrete measures to prevent and end violations of human rights and international humanitarian law committed against civilians during armed conflicts [6] [12]-[16]. Resolution 1265 defines civilians as "all persons not belonging to armed forces or organized armed groups, including those who have laid down their arms and ceased to take part in hostilities. It recognizes that civilians in situations of armed conflict are particularly exposed to the risk of violations of human rights and international humanitarian law and are entitled to special protection [17]. Resolution 1265 calls on member states to take the following actions to ensure the protection of civilians:

- Intervene to prevent and put an end to human rights violations;
- Guarantee the safety of civilians against threats;
- Provide humanitarian aid to civilians.

The stakeholder analysis, in particular the role of the UN Security Council, is crucial as it highlights the importance of a comprehensive approach to ensuring the protection of civilians in the North Kivu region [18]-[22]. This approach must take into account the involvement of the UN Security Council, local actors and other stakeholders in the implementation of resolution 1265 (1999) on the protection of civilians. The protection of civilians in areas of armed conflict has

become a major international concern, and the United Nations Security Council plays a central role in this area [23]-[30]. This literature review aims to explore existing academic work on the role of the Security Council in the protection of civilians, with particular emphasis on its application in the Democratic Republic of Congo in accordance with resolution 1265 (1999). Several authors have examined the role of the Security Council in protecting civilians in conflict zones, highlighting both the successes and challenges encountered in this field [4] [31]. The works consulted offer a variety of perspectives on the role of the UN Security Council in the protection of civilians, focusing specifically on its application in the Democratic Republic of Congo. Bellamy (2003) [32] highlights the importance of Security Council resolutions, such as resolution 1265 (1999), in promoting the protection of civilians [33]-[35]. However, he also criticizes the gaps in their effective implementation on the ground, highlighting the practical challenges encountered in achieving this objective [32]. Hultman *et al.* (2013) [36] offer a fascinating insight, demonstrating that the deployment of peacekeeping forces is linked to a significant drop in the number of civilians killed in internal conflicts. This highlights the crucial role of UN peacekeeping missions in safeguarding civilian populations in conflict zones [36]. Bellamy (2003) [32] offers a detailed analysis of the impact of resolution 1265 (1999) on peacekeeping missions in general. He observes advances in awareness of civilian protection, but also points to persistent shortcomings in its actual implementation. This suggests that, despite the progress made, much remains to be done to ensure adequate protection of civilians in conflict zones. On the other hand, Hultman *et al.* (2013) highlight the particular challenges faced by peacekeeping missions in the Democratic Republic of Congo, such as the presence of multiple armed groups and logistical obstacles. This analysis highlights the complexity of the context in which the Security Council must act to guarantee the protection of civilians in this country [37] [38]. This highlights the need for a comprehensive and collaborative approach involving not only international stakeholders, but also local authorities and civil society organizations. This underlines the importance of a multi-stakeholder approach to civilian protection. Indeed, this literature review highlights a general recognition of the importance of the UN Security Council in protecting civilians in conflict zones, as well as initiatives to strengthen this protection through resolutions such as resolution 1265 (1999). However, the academic research reviewed also highlights persistent difficulties in effectively implementing these measures, particularly in complex contexts such as the Democratic Republic of Congo. Despite the progress made in raising awareness of the issue and putting protective measures in place, obstacles remain. These include gaps in the practical implementation of Security Council resolutions, logistical difficulties and complex conflict environments. This literature review will provide a basis for further examining the role of the Security Council in implementing resolution 1265 (1999) in the specific context of the DRC, and for identifying opportunities for improving the protection of civilians

in this region.

The study is structured in five distinct parts, with a conclusion providing recommendations for improving the effectiveness of Security Council resolutions in fulfilling the mandate to protect civilians in the DRC: Part I provides an overview of armed conflict in the Democratic Republic of Congo (DRC), while examining the relevant Security Council resolutions. Part Two assesses the effectiveness of Security Council resolutions in meeting the specific needs of the DRC. The third part analyzes the implementation of Security Council resolutions in the DRC. The fourth part identifies actions taken to punish the perpetrators of crimes, examining initiatives to detect, prosecute and punish those responsible for crimes against civilians in the DRC. This may include investigations, prosecutions and other measures taken in accordance with Security Council mandates. The fifth section highlights the obstacles to the implementation of Security Council resolutions in the DRC.

The aim of this study is to assess the effectiveness of Security Council resolutions in fulfilling the mandate to protect civilians in the Democratic Republic of Congo. The study addresses the following questions: - To what extent are Security Council resolutions adapted to the specific needs of the DRC? - How are Security Council resolutions implemented in the DRC? - What are the obstacles to implementing Security Council resolutions in the DRC?

## **2. Methods and Methodology**

The study is based on a review of existing documentation and analysis of data from the United Nations. To determine the impact of the resolutions, we use a quantitative approach, collecting data on human rights violations committed against civilians in the DRC since the arrival of the United Nations Mission in Congo (MONUC), now MONUSCO, in 2000. This data is collected from a variety of sources, including UN reports, non-governmental organizations and the media. Analysis of this data enables us to determine whether the resolutions passed by the Security Council in favor of civilian protection have had a positive or negative impact on the protection of civilians. Performance indicators are used in this article to measure and monitor the evolution of the impact of these resolutions.

The performance indicators used in this study are as follows:

- The number of human rights violations committed against civilians;
- The number of displaced people in the east of the country;
- The number of people killed.

Data will be collected from a variety of sources, including United Nations reports, non-governmental organizations and the media. The data will be examined using statistical techniques. Statistical analysis will determine whether the resolutions have had a significant impact on performance indicators. The analysis is delimited by the following elements:

This article looks at the role of the Security Council in protecting civilians: an

application of resolution 1265 (1999) in the DRC, a Central African country that has experienced repeated armed conflicts over the past decades. These conflicts cause untold suffering to civilians, including massacres, rape, forced displacement and destruction of property. The purpose of this study is to assess the effectiveness of Security Council resolutions in fulfilling the mandate to protect civilians in the Democratic Republic of Congo. The measures taken by the United Nations and the Congolese government to protect civilians will be analyzed. It also highlights the obstacles hindering implementation of the resolution.

This article covers the period from 1999, when resolution 1265 was adopted, to 2024. This period corresponds to a period of repeated armed conflict in the Democratic Republic of Congo. By examining the period 1999-2024, it is possible to understand the effectiveness of resolutions concerning the protection of civilians in the Democratic Republic of Congo.

This article looks at the role of the Security Council in protecting civilians from attacks by armed groups. Measures established in various resolutions to prevent attacks, protect civilians during attacks and provide support to victims of attacks are examined. It is important to examine the role of the Security Council in protecting civilians from attacks by armed groups, as this is one of the main priorities of these resolutions.

The study will be carried out in several stages: Definition of performance indicators, Data collection, Data analysis, Interpretation of results and Expected results. The results of the study will be used to determine whether UN resolutions on the protection of civilians in the DRC have had a positive or negative impact on the protection of civilians. The results of the study will be used to formulate recommendations aimed at improving the protection of civilians in the DRC.

### **3. Results**

The Democratic Republic of Congo (DRC) has been plagued by persistent armed conflict for many decades, resulting in major human rights violations against civilians such as murder, rape, looting and forced displacement. As part of its mission to maintain international peace and security, the United Nations Security Council has adopted several resolutions aimed at protecting civilians in the DRC, among which resolution 1265 (1999) is of particular importance. This resolution, drawn up in the wake of the Rwandan genocide and the war in Kosovo, recognizes the right of civilians to be protected from threats during armed conflicts. Our research focuses on the crucial role of the United Nations Security Council in the protection of civilians in the DRC, through its adopted resolutions and with an emphasis on their implementation. This section presents the results of our investigations, responding to various objectives. We begin by providing an overview of the armed conflicts that have marked the complexity of the situation in the DRC, highlighting the particular challenges facing the civilian population. In addition, we outline the findings of our analysis of UN Secu-

rity Council resolutions, highlighting those specifically related to the protection of civilians in the DRC. This section aims to establish a solid basis for assessing the impact of these resolutions on the ground.

We then critically assess the effectiveness of these resolutions in meeting the specific needs of the DRC. The results presented allow us to identify successes and shortcomings in the implementation of these protection measures. An in-depth analysis of the implementation of Security Council resolutions in the DRC highlights concrete actions taken to punish the perpetrators of crimes against civilians, as well as initiatives to detect, prosecute and punish those responsible for such crimes. This provides an overview of concrete efforts to ensure accountability for human rights violations. Finally, we highlight the significant obstacles hindering the effective implementation of Security Council resolutions in the DRC. These findings contribute to an in-depth understanding of the challenges facing international initiatives in this specific context. Taken together, these findings aim to offer a nuanced and in-depth analysis of the Security Council's role in protecting civilians in the DRC, with practical implications for improving future policies and actions.

The Democratic Republic of Congo is a country in Central Africa. It is the second largest country in Africa after Algeria in terms of surface area. The Democratic Republic of Congo is rich in natural resources such as oil, diamonds and gold. But these resources are also a source of conflict. The Democratic Republic of Congo has a long history of armed conflict. The most recent conflict began in the 1990s and continues to this day. These conflicts have resulted in large-scale population displacements, human rights violations and deaths. The conflict in the Democratic Republic of Congo has had a devastating impact on civilians. Civilians have been victims of murder, rape, looting and forced displacement. The conflict has also had a negative impact on the country's economy and development.

The aim of this study is to evaluate the role of the Security Council in the protection of civilians in the Democratic Republic of Congo, by assessing only the effectiveness of resolutions adopted in the context of the protection of civilians in the Democratic Republic of Congo. It seeks to answer the following questions:

- Have Security Council resolutions been effective in protecting civilians in the Democratic Republic of Congo?
- Has the implementation of Security Council resolutions been effective?
- What measures are being taken to punish the perpetrators of crimes against civilians in the Democratic Republic of Congo?
- What are the obstacles to implementing Security Council resolutions in the Democratic Republic of Congo?

To answer these questions, the study uses a methodological approach that examines relevant Security Council resolutions, as well as reports from the United Nations, other humanitarian organizations, representatives, civil society and the government of the Democratic Republic of Congo. The United Nations

Security Council has adopted a series of resolutions to protect civilians in the Democratic Republic of Congo (DRC). These resolutions are based on the principle of the responsibility to protect and recognize the international community's responsibility to protect civilians against genocide, crimes against humanity, ethnic extermination and war crimes. The main resolutions protecting civilians in the Democratic Republic of Congo are:

- Resolution 1279 (2000): the creation of MONUC and the assignment of its initial mission, which included the protection of civilians against serious and imminent threats.
- Resolution 1291 (2000): This resolution marks the beginning of the implementation of resolution 1265 in the Democratic Republic of Congo, one year after the deployment of the UN mission in the country. It extends the mandate granted to MONUC by resolution 1279, while introducing new mandates such as facilitating the delivery of humanitarian aid and ensuring respect for human rights.
- Resolution 1493 (2003): Reinforces MONUC's powers by recognizing the right to use force to protect civilians against serious and imminent threats, including attacks by armed groups.
- Resolution 1565 (2004): establishment of the MONUC Intervention Brigade, a reactive military force tasked with protecting civilians in the face of serious and imminent threats.
- Resolution 1671 (2006): Reconfirms MONUC's mission, including the protection of civilians against serious and imminent threats, including attacks by armed groups.
- Resolution 1756 (2007): Reconfirms MONUC's mission, including the protection of civilians against serious and imminent threats, including attacks by armed groups.
- Resolution 1925 (2010): Establishment of MONUSCO to replace MONUC. MONUSCO's mandate encompasses the protection of civilians against serious and imminent threats, including attacks perpetrated by armed groups.
- Resolution 2076 (2012): Reconfirms MONUSCO's mandate, which involves protecting civilians in the face of serious and immediate danger, including attacks perpetrated by armed groups.
- Resolution 2147 (2014): Reconfirms MONUSCO's mandate, encompassing the protection of civilians against serious and imminent threats, such as attacks perpetrated by armed groups.
- Resolution 2244 (2015): Reaffirms MONUSCO's mission, which includes protecting civilians from serious and imminent threats, including attacks by armed groups.
- Resolution 2348 (2017): reiterates MONUSCO's mission, which includes protecting civilians against serious and imminent threats, such as attacks by armed groups.
- Resolution 2409 (2018): Reiterates MONUSCO's mission, which includes protecting civilians from serious and imminent threats, including attacks by

armed groups.

- Resolution 2468 (2019): Reiterates MONUSCO's mission, which includes protecting civilians from serious and imminent threats, including attacks by armed groups.
- Resolution 2556 (2020): Reconfirms MONUSCO's mission, which includes protecting civilians from serious and imminent threats, including attacks by armed groups.
- Resolution 2603 (2021): Reiterates MONUSCO's mission to protect civilians from serious and imminent threats, including attacks by armed groups.
- Resolution 2644 (2022): Reiterates MONUSCO's mission to protect civilians against serious and imminent threats, including attacks by armed groups (2022).
- Resolution 2687 (2023): reinstates MONUSCO's mission, which includes protecting civilians against serious and imminent threats, including attacks by armed groups.

The protection of civilians remains an ongoing concern within the MONUC and MONUSCO missions. This mission has intensified and strengthened over time, and MONUSCO now has a variety of instruments at its disposal to ensure the protection of civilians against serious and imminent threats.

This section presents evaluation criteria for measuring the effectiveness of Security Council resolutions protecting civilians in the Democratic Republic of Congo. This effectiveness can be assessed using quantitative criteria that objectively measure the impact of resolutions on the situation of civilians. This article focuses on two main criteria:

- Number of attacks on civilians:
- This criterion measures the frequency of attacks on civilians, both before and after the resolutions were approved.
- Number of human rights violations against civilians: This criterion is used to assess the scale of human rights abuses against civilians, by examining variations in the number of human rights violations committed against civilians each year, from 2000 to 2023.

These criteria are appropriate because they directly measure the main objective of Security Council resolutions: the protection of civilians. They are also objective because they can be measured using quantitative data. The following section presents the quantitative data used to evaluate these criteria.

The number of attacks on civilians: According to the report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Joint United Nations Office for Human Rights and the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUC) on the human rights situation in the Democratic Republic of Congo, the following attacks were recorded:

In 2000: 10,000 attacks, in 2001: 12,000 attacks, in 2002: 14,000 attacks, in 2003: 16,000 attacks, in 2004: 18,000 attacks, in 2005: 19,000 attacks, in 2006: 17,000 attacks, in 2007: 20,000 attacks, in 2008: 28,000 attacks, in 2009: 32,000

attacks [39]-[41] in 2010: 1949 attacks, in 2011: 2592 attacks, in 2012: 3455 attacks, in 2013: 3203 attacks, in 2014: 2929 attacks, in 2015: 2818 attacks, in 2016: 2740 attacks, in 2017, 2696 attacks, in 2018: 3,034 attacks, in 2019: 2418 attacks, in 2020: 2838 attacks, in 2021: 3583 attacks, in 2022: 4912 attacks and in 2023: 5853 attacks.

In the light of the data presented above, an analysis emerges, highlighting a failure to meet the major challenge of protecting civilians in the DRC. It can be asserted that the UN has not fully fulfilled its mandate to protect civilians in the Democratic Republic of Congo (DRC), as it has failed to effectively neutralize armed groups and ensure the protection of civilians against imminent attacks, despite the resources placed at its disposal. Number of human rights violations against civilians: This criterion is used to assess the scale of human rights abuses against civilians, by examining variations in the number of human rights violations committed against civilians each year, from 2000 to 2023.

According to the report by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Joint United Nations Office for Human Rights and the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUC) on the human rights situation in the Democratic Republic of Congo, the following human rights violations have been recorded:

In 2000: 15,000 violations, in 2001: 18,000 violations, in 2002: 20,000 violations, in 2003: 25,000 violations, in 2004: 30,000 violations, in 2005: 15,600 violations, in 2006: 35,000 violations, in 2007: 12,000 violations, in 2008: 454 violations, in 2009: 454 violations [42] [43]. in 2010: 600 violations, in 2011: 1200 violations, in 2012: 2300 violations, in 2013: 3100 violations in 2014: 7388 violations, in 2015: 9450 violations, in 2016: 5190 violations, in 2017: 6497 violations, in 2018: 12,133 violations, in 2019: 6545 violations, in 2020: 4540 violations, in 2021: 6989 violations, in 2022: 4540 violations and in 2023: 2564 violations [41]-[48]. In concrete, results found out of this research are:

- Trends in the Impact of Resolutions adopted for the protection of civilians in the DRC in terms of variations in the number of violations against civilians from 2000 to 2023;
- an analysis of the data provided on the number of attacks on civilians in the Democratic Republic of Congo (DRC) from 2000 to 2023 reveals several significant trends;
- determining successes and shortcomings;
- Adapting resolutions on the protection of civilians to the specific needs of the DRC;
- concrete measures for the implementation of resolutions adopted in the DRC for the protection of civilians for the period from 2000 to 2023;
- punishment of perpetrators of crimes against civilians Significant;
- obstacles to the effective implementation of UN resolutions for the protection of civilians in the DRC (2000-2023).

## 4. Discussion of the Results

### 4.1. Trends in the Impact of Resolutions Adopted for the Protection of Civilians in the DRC in Terms of Variations in the Number of Violations against Civilians from 2000 to 2023

To analyze the trend in the impact of Security Council resolutions on the number of Violations against civilians in the Democratic Republic of Congo (DRC) from 2000 to 2023, we can divide the period into different phases and examine the fluctuations in the number of incidents in relation to the resolutions adopted by the Security Council:

- Phase 1 (2000-2007): Steady increase in violations: During this period, the number of human rights violations in the DRC increased considerably, peaking in 2006 at 35,000. Despite the resolutions adopted by the Security Council during this period, it seems that their impact on reducing violent incidents against civilians has been limited.
- Phase 2 (2008-2010): Significant drop in violations: In 2008, the number of violations dropped drastically to 454, and this trend persisted in 2009 and 2010. This period could indicate some success of Security Council resolutions in reducing human rights violations in the DRC.
- Phase 3 (2011-2015): Fluctuations and peak in 2014: The number of incidents began to rise again in 2011, peaking in 2014 with 7388 incidents. This phase suggests that despite initial efforts, the situation has deteriorated, perhaps highlighting a need to reassess peacekeeping strategies.
- Phase 4 (2016-2023): Apparent stability and slight decline: Over this period, the number of incidents showed some stability, with a slight drop recorded in 2023 (2564 incidents). This could indicate a more effective response to security challenges by Congolese authorities and international forces, supported by Security Council resolutions. In conclusion, although Security Council resolutions have shown attenuated results over the years, the 2008-2010 period appears to have been more successful in reducing violent incidents. However, the situation has been subject to fluctuations, highlighting the complexity of the challenges in the DRC and the need for a multidimensional approach to ensure the protection of civilians.

Trends in the Impact of Resolutions adopted for the protection of civilians in the DRC in terms of variations in the number of attacks against civilians from 2000 to 2023.

### 4.2. An Analysis of the Data Provided on the Number of Attacks on Civilians in the Democratic Republic of Congo (DRC) from 2000 to 2023 Reveals Several Significant Trends

- Phase 1 (2000-2007): Steady increase in attacks: During this period, the number of attacks rose steadily, from 10,000 in 2000 to 20,000 in 2007. Despite the possible implementation of Security Council resolutions, effectiveness seems limited, as attacks have continued to rise.

- Phase 2 (2008-2010): Dramatic peak in 2009 followed by a sharp drop: In 2008, the number of attacks rose sharply to 28,000, peaking at 32,000 in 2009. However, a significant decrease occurred in 2010, with only 1949 attacks. This period could suggest a reaction to Security Council resolutions, although the sharp decline requires further assessment.
- Phase 3 (2011-2015): Relatively stable fluctuations: The following years were characterized by relatively stable fluctuations, with attack levels hovering around 2500 to 3500. Although the resolutions may have had an impact, the situation remains worrying.
- Phase 4 (2016-2023): Gradual increase: From 2016 onwards, an upward trend was recorded, culminating in 5853 attacks in 2023. This period suggests persistent challenges despite the international community's efforts to protect civilians in the DRC.

Although significant fluctuations have been recorded, the overall trend suggests a gradual increase in the number of attacks on civilians in the DRC since 2000, underlining the need for constant reassessment of protection strategies and the effectiveness of Security Council resolutions.

### 4.3. Determining Successes and Shortcomings

An assessment of the Security Council's role through the effectiveness of its resolutions on the protection of civilians in the Democratic Republic of Congo (DRC) over the period 2000 to 2023 reveals a complex panorama marked by relative successes and persistent shortcomings. Over this period, segmentation into distinct phases has made it possible to analyze variations in the number of human rights violations and attacks against civilians in relation to the resolutions adopted. Notable successes were identified, but also persistent shortcomings. Notable successes have emerged, such as the significant drop in human rights violations during the period 2008-2010, suggesting a positive response to the measures taken at that time. Similarly, the apparent stability with a slight decrease in attacks during the period of (2016-2023) indicating a possible improvement thanks to coordinated actions by Congolese authorities and international forces. These periods seem to indicate a success of Security Council resolutions, with a drastic decrease in the number of human rights violations in the DRC. This could be interpreted as a positive response to the measures taken during this period. Temporal analysis: Segmenting time into distinct phases provides a better understanding of changes over time, highlighting periods of relative success and times when adjustments are needed.

- Phase 1 (2000-2007): Steady increase in violations: Despite Security Council resolutions, the number of violations continued to rise, highlighting a possible ineffectiveness of the measures taken during this period.
- Phase 2 (2008-2010): Dramatic peak in 2009 followed by a sharp drop: Although the significant decrease in 2010 can be considered a success, the dramatic peak in 2009 requires in-depth evaluation to understand the reasons for this sudden increase.

- Phase 3 (2011-2015): Fluctuations and peak in 2014: Fluctuations during this period, with a peak in 2014, indicating persistent challenges despite initial efforts. This raises the question of the continued effectiveness of the resolutions adopted.
- Phase 4 (2016-2023): Gradual increase in attacks: The upward trend in the number of attacks on civilians, despite years of apparent stability, raises concerns about the sustainability of the progress made, highlighting persistent challenges.

The conclusion underlines that, although there have been successes at certain times, fluctuations continue and the long-term upward trend underlines the continuing complexity of the challenges in the DRC and the need for a multidimensional approach. In summary, the assessment suggests that Security Council resolutions have shown mixed results, with periods of relative success but also persistent shortcomings requiring ongoing attention and adjustments to strategies for protecting civilians in the Democratic Republic of Congo.

#### **4.4. Adapting Resolutions on the Protection of Civilians to the Specific Needs of the DRC**

A review of UN resolutions focusing on the protection of civilians in the Democratic Republic of Congo (DRC) from 2000 to 2023 reveals varying degrees of adaptation to the country's specific needs, such as security, protection of women and children, and access to basic services (health, education and shelter). Over this period, the resolutions have evolved in response to changing challenges, but gaps remain. The initial phase (2000-2007) was marked by a steady increase in human rights violations despite the resolutions adopted, highlighting a possible inadequacy to the complex realities of the DRC. The significant drop in violations during the period 2008-2010 can be interpreted as a positive adaptation to the specific needs of the moment, but the dramatic peak in 2009 requires in-depth analysis. The fluctuations and peak in 2014 reveal a possible inadequacy of the strategies in place, signaling a need for constant reassessment. The apparent stability with a slight drop in 2023 suggests some adaptation, perhaps in response to joint efforts by Congolese authorities and international forces. In conclusion, although adjustments have been made, the issue of effective adaptation to the specific needs of the DRC remains complex, underlining the continuing need for a flexible and targeted approach to meet the country's evolving challenges.

#### **4.5. Concrete Measures for the Implementation of Resolutions Adopted in the DRC for the Protection of Civilians for the Period from 2000 to 2023**

Concrete measures implemented by the Security Council to protect civilians in the DRC include: Reinforcing MONUSCO's presence, setting up patrols and checkpoints in high-risk areas; providing humanitarian assistance to displaced civilians; protecting essential infrastructure, such as schools and hospitals; mak-

ing civilians aware of their rights and the risks to which they are exposed; imposing sanctions on armed groups responsible for human rights violations, publishing lists of sanctioned individuals and entities; cooperating with governments and international organizations to implement sanctions; supporting the Congolese government's efforts to improve civilian safety; providing support services for survivors of sexual and gender-based violence; raising community awareness of the risks of sexual and gender-based violence... These measures have reduced the number of human rights violations against civilians in the DRC. However, the situation remains worrying, as evidenced by the gradual increase in the number of attacks against civilians since 2016. To strengthen the effectiveness of these measures, it is necessary to address the root causes of the conflict in the DRC, including poverty, inequality and impunity.

#### **4.6. Punishment of Perpetrators of Crimes against Civilians**

The United Nations Security Council has imposed sanctions on a number of perpetrators of crimes against civilians in the Democratic Republic of Congo (DRC) from 2000 to 2023. These sanctions include arms embargoes, asset freezes and travel bans. They are designed to deter perpetrators of crimes against civilians from committing further violations, and to hold them accountable for their actions. Among the perpetrators of crimes against civilians in the DRC who have been sanctioned by the UN Security Council from 2000 to 2023 we can cite:

Armed groups; namely, the Allied Democratic Forces (ADF), Cooperative for the Development of Congo (CODECO), Democratic Forces for the Liberation of Rwanda (FDLR), March 23 Movement (M23), Patriotic Movement for the Liberation of Congo (MPLC), Democratic Republican Forces of Congo (FRDC).

Individuals, namely:

- Thomas Lubanga Dyilo, former leader of the Congrès national pour la défense du peuple (CNDP);
- Germain Katanga, former leader of the Mai-Mai Simba militia;
- Bosco Ntaganda, former leader of the M23 militia;
- Sylvestre Mudacumura, former leader of the FDLR militia;
- Abdallah Muhindo, former leader of the ADF militia;
- John Tshibangu, former leader of the CODECO militia.

Although these sanctions have helped to reduce the number of human rights violations committed by armed groups, and to bring the perpetrators to light and hold them accountable for their actions, they are not a magic bullet. They must be combined with other measures, such as the use of force to disarm armed groups and reform of the Congolese security sector, to be fully effective.

#### **4.7. Significant Obstacles to the Effective Implementation of UN Resolutions for the Protection of Civilians in the DRC (2000-2023)**

The Democratic Republic of Congo (DRC) has been the scene of numerous UN resolutions aimed at protecting civilians between 2000 and 2023. However, the

implementation of these resolutions has often been hampered by a number of significant obstacles [18] [49] [50]. Among the most frequently encountered obstacles we can mention:

- 1) Political instability and persistent armed conflicts;
- 2) Presence of complex armed groups;
- 3) Weakness of national institutions: *i.e.* problems of corruption, mismanagement and lack of capacity;
- 4) Difficulties of access to affected areas: vast geographical expanses of the DRC, inadequate infrastructure and difficult access areas, the delivery of humanitarian aid and the protection of civilians in certain regions have been hampered;
- 5) Sexual and gender-based violence;
- 6) Human rights issues;
- 7) Humanitarian challenges: The DRC has experienced recurrent humanitarian crises, including massive population displacements, which have complicated the implementation of civilian protection efforts;
- 8) Lack of resources;
- 9) Complex international coordination: Coordination between different humanitarian agencies, non-governmental organizations and peacekeeping forces has sometimes been difficult, resulting in gaps in the overall response;
- 10) Socio-economic factors: Socio-economic challenges such as poverty, unemployment and lack of access to basic services have contributed to the vulnerability of civilians.

The combination of these factors has made it difficult to effectively implement UN resolutions aimed at protecting civilians in the DRC [51] over the period from 2000 to 2023 [52]-[54].

## 5. Conclusion

An assessment of the Security Council's role in relation to the effectiveness of its resolutions on the protection of civilians in the DRC from 2000 to 2023 reveals a mixed record, with periods of relative success but also persistent shortcomings requiring ongoing attention and adjustments to civilian protection strategies. Security Council resolutions led to a significant drop in human rights violations during the period 2008-2010, suggesting a positive response to the measures taken at that time. Similarly, the apparent stability with a slight decrease in attacks during the period of (2016-2023) indicates a possible improvement thanks to coordinated actions by Congolese authorities and international forces. These periods seem to indicate a success of Security Council resolutions, with a drastic decrease in the number of human rights violations in the DRC. This could be interpreted as a positive response to the measures taken during this period. Despite these successes, the situation remains worrying. The upward trend in the number of attacks on civilians since 2016 raises concerns about the sustainability of the progress made. In addition, fluctuating trends over the period under review highlight the continuing complexity of the challenges in the DRC and the

need for a multidimensional approach. The conclusion underlines that, although successes have been recorded at certain periods, fluctuations continue and the long-term upward trend underlines the persistent complexity of the challenges in the DRC and the need for a multidimensional approach. On the basis of this assessment, the following recommendations can be made: The Security Council should continue to adapt its resolutions to the specific needs of the DRC; Security Council resolutions should address the root causes of conflict in the DRC, including poverty, inequality and impunity; The Security Council should strengthen international coordination between the various humanitarian agencies, non-governmental organizations and peacekeeping forces; and The Security Council should ensure that the perpetrators of crimes against civilians in the DRC are brought to justice.

### Conflicts of Interest

The authors declare no conflicts of interest.

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