

June 21, 2012

The Honorable Hillary Rodham Clinton
Secretary of State
United States Department of State
2201 C St, NW
Washington, DC 20520

Dear Madam Secretary:

We are writing to urge the United States Government (USG) to encourage the Sanctions Committee of the United Nations (UN) Security Council to immediately make public in their entirety the results of the investigation conducted by the UN Group of Experts (GoE) on the Democratic Republic of the Congo, established by UN Security Council Resolution 1533 (2004). We are deeply concerned by reliable reports that members of the Security Council have decided to postpone the publication of a crucial annex of the GoE report, which documents the support provided by the government of Rwanda to the M23 mutiny.

According to recent news reports¹ and sources within the Security Council and the USG, the United States government has been the main proponent of not publishing this information, though it appears that, following the strong protest of the Congolese government and several news stories, the position of the USG is now favorable to the publication of the annex, but in a few weeks time. While we understand that the US government wants to keep the door open for bilateral diplomacy between the Congo and Rwanda to address the security situation, we strongly believe that quiet diplomacy has already reached its limits and that the Group of Experts report and any annex that has been held back should be published officially without any further delay.

Furthermore, we are not sure of the basis of what appears to be the current USG position that Rwanda should be fully briefed on and have time to review the Group of Experts' findings prior to their being made public. We understand that in past occasions, countries have reviewed and responded to experts' findings after publication. Such process should not delay the publication of the GoE findings.

As you know, the situation in Eastern DRC has sharply deteriorated since the creation of the M23 movement in April. More than 200,000 people have been newly displaced since then, and other armed groups, foreign and Congolese, have stepped into the vacuum produced by the Congolese army's focus on the M23. We are concerned that the M23 has been making advances in recent days. There is a serious prospect that the conflict could escalate in the coming weeks if

¹ Congolese officials rebuke US for 'stifling' inquiry over claims Kagame's army is backing Bosco Ntaganda mutiny, <http://m.guardian.co.uk/world/2012/jun/20/rwanda-congo-conflict-blocked-us?cat=world&type=article>

the mutineers gain more territory or open a second front in Masisi territory, making negotiations much more difficult.

There have been credible reports of Rwandan support to the M23, including a leaked MONUSCO report and a recent statement by Human Rights Watch, which documented Rwandan military support to the M23 and ICC war crimes suspect Bosco Ntaganda.²

With the crisis in Eastern DRC rapidly unfolding, time is of the essence before the current military actions yield expanded acts of mass atrocities, including violence against women, and the release of any information collected by the Group of Experts simply cannot wait. We also draw your attention to the 19 June press statement by the United Nations High Commissioner for Human Rights, according to which “The leaders of the M23 figure among the worst perpetrators of human rights violations in the DRC, or in the world for that matter”. The UN reports that the top five commanders have been responsible for massacres of civilians, forced disappearances, gang rape and mutilation of women, recruitment and use of child soldiers between 2006 and 2009.

Our organizations and others in the advocacy community welcomed the commitment of the Obama administration to prevent atrocities wherever they may be committed, including in the President’s recent speech at the US Holocaust Memorial Museum on April 23, 2012. We believe that the any USG decision to block or delay the publication of this information means that the United States is not meeting this commitment in this case.

The Rwandan government is a major recipient of foreign aid by the USG, including military aid. We understand that the USG considers Rwanda a valuable ally in the region, however, if it is true that Rwanda is supporting a rebellion in a neighboring country, the US should seriously reconsider its support. At least, US taxpayers have the right to access such information and engage the administration in an open and transparent debate.

We strongly believe that the publication of the entire Group of Experts report and any related annex could represent an important contribution to peace in the eastern DRC. Indications that the United States may be willing to allow release of the report at some point in the future is not sufficient: this information must be released immediately, in order to help prevent a further escalation of the conflict.



² [DR Congo: Rwanda Should Stop Aiding War Crimes Suspect](http://www.hrw.org/news/2012/06/03/dr-congo-rwanda-should-stop-aiding-war-crimes-suspect-0), <http://www.hrw.org/news/2012/06/03/dr-congo-rwanda-should-stop-aiding-war-crimes-suspect-0>; Is the U.S. blocking a controversial U.N. report to shield Rwanda, http://turtlebay.foreignpolicy.com/posts/2012/06/20/is_the_us_blocking_a_controversial_un_report_to_shield_rwanda