

## RESEARCH ARTICLE

## State Sovereignty Vs. International Law: The M23 Resurgence in 2025 And Cross-Border Military Interventions in Africa

Achieng' J. Okello

Faculty of Political Science and International Studies, University of Warsaw, Warsaw, Warszawa, 00-927, Poland

### Abstract

The resurgence of the March 23 Movement (M23) in 2025 has reignited one of the most protracted security crises in the Great Lakes region of Africa, raising urgent questions about the relationship between state sovereignty and the evolving norms of international law. Despite its earlier defeat in 2013, M23 has re-emerged as a formidable non-state actor, reportedly supported by regional powers such as Rwanda and Uganda. These developments have intensified debates around the legitimacy of cross-border military interventions, the erosion of Westphalian sovereignty, and the legal thresholds for humanitarian and security-driven involvement in domestic conflicts. Against this backdrop, the article employs a qualitative research design, utilizing comparative case studies, legal document analysis, and discourse review. It draws on theoretical frameworks including Regional Security Complex Theory (RSCT), Responsibility to Protect (R2P), and hybrid sovereignty to examine how African states and international actors negotiate the tension between sovereignty and interventionism. Key questions addressed include: under what legal frameworks are military interventions in Africa justified; how regional organizations such as the African Union (AU), East African Community (EAC), and the United Nations (UN) mediate such crises; and what implications the M23 crisis holds for the future of sovereignty and security governance in Africa. Findings reveal systemic gaps in enforcement mechanisms, the inadequacy of multilateral responses, and the increasingly contested nature of sovereignty in conflict zones. Regional and international interventions are frequently hindered by competing political agendas, poor coordination among security actors, and the politicization of humanitarian norms such as R2P. The article concludes that the M23 crisis underscores the urgent need to strengthen regional security cooperation, reinforce international legal norms, and address the structural drivers of insurgencies in the Democratic Republic of Congo and beyond. Coherent, coordinated, and accountable multilateral mechanisms are essential to safeguard both state stability and the protection of civilians.

### Keywords

State Sovereignty, International Law, M23, Intervention, Responsibility to protect (R2P), Regional Security, Peace Keeping, Cross Border Conflict

**Corresponding author:** Achieng' J. Okello (j.okello@uw.edu.pl)

**Author roles:** Okello AJ: Methodology, Writing – Original Draft Preparation, Writing – Review & Editing

**Competing interests:** No competing interests were disclosed.

**Grant information:** The author(s) declared that no grants were involved in supporting this work.

**Copyright:** © 2025 Okello AJ. This is an open access article distributed under the terms of the Creative Commons Attribution License, which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.

#### How to cite this article:

**For printed version:** Okello Achieng' J. "State Sovereignty Vs. International Law: The M23 Resurgence in 2025 And Cross-Border Military Interventions in Africa". *Stosunki Międzynarodowe – International Relations* 61, (2025): 167–184. Printed 2025. <https://doi.org/10.12688/stomiedintrelat.18006.1>.

**For online version:** Okello AJ. **State Sovereignty Vs. International Law: The M23 Resurgence in 2025 And Cross-Border Military Interventions in Africa**. *Stosunki Międzynarodowe – International Relations* 2025, 5:25 <https://doi.org/10.12688/stomiedintrelat.18006.1>

## Introduction

The resurgence of the March 23 Movement (M23) in early 2025 has reignited a regional security crisis in the eastern Democratic Republic of the Congo (DRC), highlighting ongoing tensions between state sovereignty and international interventionism. After remaining dormant since its military defeat in 2013, the Rwanda-backed rebel group resurfaced with considerable force, capturing strategic cities such as Goma and Bukavu.<sup>1</sup> The reemergence of M23 is not an isolated event but the latest manifestation of long-standing regional instability rooted in the aftermath of the 1994 Rwandan genocide. That tragedy triggered mass migrations of both Tutsis and Hutus into Zaire (now the DRC), including génocidaires who entrenched themselves in eastern provinces, arming themselves and attacking Tutsi populations and Rwandan forces alike.<sup>2</sup>

In response to the threat posed by Hutu militias operating from Congolese territory, Rwanda and Uganda began training Tutsi militias inside Zaire. This paved the way for the 1996 Tutsi-led insurgency that ousted President Mobutu and led to the establishment of the DRC under Laurent-Désiré Kabila in 1997.<sup>3</sup> The M23 emerged from the remnants of the CNDP (National Congress for the Defense of the People), which had signed a peace deal with the Congolese government in 2009. That agreement was meant to integrate CNDP fighters into the national army (FARDC), instead; CNDP command structures remained intact, particularly in North and South Kivu, and senior rebel leaders continued to wield operational control, especially in anti-FDLR missions.<sup>4</sup>

The current M23 resurgence began in 2021 but escalated dramatically in 2025 due to several regional developments. The DRC's accession to the East African Community (EAC) in 2022, promoted by Kenya but opposed by Rwanda, disrupted existing power balances in the region.<sup>5</sup> Further strain came from the collapse of clandestine talks between Kinshasa and Kigali over Rwanda's long-term military presence in eastern Congo.<sup>6</sup> Additionally, Uganda's joint operations with FARDC against

---

<sup>1</sup> Africa Center for Strategic Studies, "The DRC Conflict Enters a Dangerous New Phase: The regionalization of the Democratic Republic of the Congo crisis raises prospects for another multinational Congo War and the need for a robust African response," 2025.

<sup>2</sup> L.F. Reis, "Continuation Rather Than Culmination: The Utility of Force in the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo," ANSI Std. Z39.18, 2020.

<sup>3</sup> T. Findlay, "'Round One' continued: Operation Morthor, September 1961," in *The Use of Force in UN Peace Operations*, ed. T. Findlay (Great Clarendon Street, Oxford: OXFORD University Press, 2002), 75–77.

<sup>4</sup> S. Wolters, "The M23 Crisis – An Opportunity to Bring Sustainable Peace to the Great Lake Region?," *African Perspectives Global Insights: South African Institute of International Affairs-Occasional Paper 344* (2023): 7–9.

<sup>5</sup> F. Bauma *et al.*, "The East African Community Regional Force in The DR Congo: A Regional Retrospective," Friedrich-Ebert-Stiftung Peace and Security Competence Centre, 2024, 30.

<sup>6</sup> B. Verelst and N. Minde, "Eastern DRC: unpacking the difficult task of regional diplomacy," Institute for Security Studies, 2025.

the Allied Democratic Forces (ADF) in North Kivu occurred without Rwanda's involvement, provoking resentment in Kigali.<sup>7</sup>

The consequences of M23's return have been dire for the DRC. Rwanda has provided direct military support to the group, including evidence of RDF troops operating on Congolese soil.<sup>8</sup> Kigali denies the allegations, asserting that the DRC is deflecting attention from its internal governance failures. In response, various regional mechanisms have been activated, including the deployment of the EAC Regional Force, diplomatic efforts through the Nairobi and Luanda processes, and UN peacekeeping via MONUSCO. Despite these interventions, M23 maintains control over key locations such as Bunagana and the Rumangabo military camp, threatening national cohesion and regional peace.<sup>9</sup>

This article critically examines the implications of the M23 resurgence for African state sovereignty and international legal norms. The analysis addresses the erosion of sovereignty through cross-border interventions and evaluates the limitations of existing regional and international responses. The objective is to assess whether a new post-Westphalian legal order is emerging in Africa, one where sovereignty is increasingly defined by a state's ability to protect its population and uphold regional stability. The M23 crisis necessitates a re-evaluation of sovereignty and the emerging norm of the Responsibility to Protect (R2P) within African security governance. Since its defeat in 2013 and revival in 2021, M23 has broadened its demands, now calling for the protection of Tutsi communities, the reform of the FARDC, and improved governance structures.<sup>10</sup> These demands, coupled with Rwanda's verified support, complicate traditional interpretations of sovereignty as absolute control over territory.

Since the end of the Cold War, sovereignty has increasingly been reconceptualized not just as a right but also as a responsibility. This shift asserts that states earn sovereign rights only if they fulfill obligations to protect their citizens' welfare and safety.<sup>11</sup> The international norm of R2P has emerged as a doctrinal framework that legitimizes intervention under certain conditions. However, the M23 crisis exposes how this doctrine can be distorted. Rwanda's use of humanitarian rhetoric to justify involvement in DRC's affairs raises questions about the abuse of R2P for strategic

---

<sup>7</sup> Verelst and Minde, "Eastern DRC: unpacking the difficult task of regional diplomacy."

<sup>8</sup> J.Z. Walker, *The Resurgence of the M23: Regional Rivalries, Donor Policy, and a Stalled Peace Process* (New York: Ebuteli Congo Research Group, 2024).

<sup>9</sup> K. Sabala and J.M. Vyalirendi, "The East African Community Regional Force in the Democratic Republic of the Congo: Successes, Challenges and Prospects," *ACCORD* (2025).

<sup>10</sup> T. Kiyiremba, "Blurred Lines: Conflict Classification, Proxy Militias, and the Quest for Accountability in the Democratic Republic of the Congo," *Law & Criminology Journal* 2, no. 1 (2025): 1–23.

<sup>11</sup> H. Ollington, "A Critical Analysis of the Shifting Attitudes Towards the Concept of Sovereignty Since the End of the Cold War To what extent has the redefinition of sovereignty from one of "right" to one of "responsibility" facilitated abuses of power?," *Research Gate* (2024): 23.

gains.<sup>12</sup> MONUSCO's presence exemplifies the practical limitations of international protection frameworks. Although the mission is mandated to stabilize conflict zones and protect civilians, violence has escalated. Between 2017 and 2019, killings, displacement, and militia activity surged, demonstrating the growing mismatch between R2P's aspirational goals and its effectiveness on the ground.<sup>13</sup> In regions like Eastern DRC, traditional peacekeeping often struggles to keep pace with the adaptive strategies of armed actors.

This context highlights the dual challenge: protecting populations without undermining legitimate state authority. When external actors exploit humanitarian norms for geopolitical advantage, as arguably seen in Rwanda's conduct, the legitimacy of intervention is eroded. The DRC's experience exemplifies the need for more nuanced frameworks that balance sovereignty, legality, and humanitarian imperatives. This article is therefore driven by the central tension between classical notions of sovereignty and the evolving norm of "sovereignty as responsibility". The Great Lakes region serves as a critical site for analyzing this transformation. The M23 resurgence offers a concrete case through which to examine how African actors and institutions navigate the conflicting imperatives of non-interference and regional security. It also provides a lens through which to assess whether African security governance is transitioning toward a post-Westphalian order.

The article addresses two core research questions. Firstly, how do regional and international actors navigate the balance between state sovereignty and intervention in the M23 context? and secondly what are the broader implications of this case for future African conflicts? A qualitative research methodology is employed and is structured around comprehensive policy analysis of legal instruments, government statements, and regional security frameworks. Secondary data review including scholarly publications, UN reports, diplomatic cables, and expert policy briefs that will provide diverse perspectives on the legal, political, and normative dimensions of intervention, sovereignty, and regional cooperation. Lastly, the article incorporates comparative case studies of interventions in other African contexts to offer practical insights into the mechanisms of regional cooperation and legal precedents that may inform future interventions.

The theoretical framework is grounded in Regional Security Complex Theory (RSCT). Developed by Buzan and Wæver, RSCT posits that security concerns are more intense among neighboring states because threats can easily cross border.<sup>14</sup> This model helps explain why Rwanda, Uganda, and other neighbors are deeply entangled

---

<sup>12</sup> European Parliament, "European Parliament resolution on the targeted attacks against Christians in the Democratic Republic of the Congo: defending religious freedom and security (2025/2612(RSP))," 2025.

<sup>13</sup> Reis, "Continuation Rather Than Culmination."

<sup>14</sup> B. Buzan and O. Wæver, *Regions and Powers: The Structure of International Security* (New York: Cambridge University Press, 2003).

in the DRC's internal conflicts. Regional security interdependence means that instability in one state inevitably affects others. The concept of hybrid sovereignty further illustrates the dynamics at play. In eastern DRC, multiple actors compete for authority. This creates a situation where sovereignty is not solely exercised by the state but by a group of formal and informal entities.<sup>15</sup> The distinction between “idealized sovereignty” and “lived sovereignty” is crucial: while international law recognizes DRC's territorial rights, on the ground, authority is shared, fragmented, or contested.<sup>16</sup> The Responsibility to Protect (R2P) doctrine provides a normative foundation for addressing egregious violence, emphasizing three pillars: the state's duty to protect, international assistance, and collective action when states fail.<sup>17</sup> Yet, implementation remains uneven. In cases like the DRC, R2P has been hindered by UN Security Council politics, regional rivalries, and limited resources.<sup>18</sup>

These evolving norms reflect a broader shift from Westphalian to post-Westphalian governance. While the 1648 Peace of Westphalia institutionalized non-interference and state equality, today's conflicts demand shared responsibilities and collective security.<sup>19</sup> Regional organizations such as the African Union and ECOWAS increasingly assert intervention rights in cases of mass atrocities, even at the expense of national sovereignty.<sup>20</sup> The rise of security regime complexes overlapping interventions by UN missions, regional forces, and bilateral coalitions creates institutional fragmentation.<sup>21</sup> These networks can dilute accountability and hinder coordination, as seen in the DRC where MONUSCO, the EAC Regional Force, and bilateral actors pursue parallel agendas.

---

<sup>15</sup> J.L. Henry, “The Responsibility to Protect (R2P) and the Problem of Political Will,” *Polish Political Science Yearbook* 47, no. 3 (2008): 553–570.

<sup>16</sup> S. Srivastava, “Hybrid Sovereignty in International Theory,” in *Hybrid Sovereignty in World Politics*, ed. S. Srivastava (Cambridge University Press, 2022), 12–39.

<sup>17</sup> A.J. Bellamy, “Realizing the Responsibility to Protect,” in *International Studies Perspectives* (Oxford University Press, 2009), 118–129.

<sup>18</sup> UNSC, *Security Council Strongly Condemns Ongoing Offensives by M23 Rebel Movement in Eastern Democratic Republic of the Congo, Unanimously Adopting Resolution 2773* (2025) (United Nations Meetings Coverage and Press, Releases, February 21, 2025), <https://press.un.org/en/2025/sc16004.doc.htm>; ICJ, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) - Nicaragua withdraws its Application for permission to intervene in the proceedings* (International Court of Justice Press Releases, March 25, 2025), <https://www.icj-cij.org/press-releases>.

<sup>19</sup> Y. Ford *et al.*, “M23 Advance Continues Unchallenged; SAF Grows Partnerships with Iran and Russia; RSF Creates Parallel Government in Sudan,” Institute for the Study of War, 2025.

<sup>20</sup> J.J. Hentz *et al.*, “Regional Organizations and African Security: Moving the Debate Forward,” in *African Security*, eds. J.J. Hentz, F. Söderbaum and R. Tava (Taylor & Francis, Ltd., 2009), 207–210; B. Erforth, “Securitizing Mali: No Free Ride for Terrorists in Francophone Africa,” in *Contemporary French Security Policy in Africa (The Sciences Po Series in International Relations and Political Economy)*, ed. B. Erforth (Springer International Publishing, 2019), 53–84.

<sup>21</sup> S. D'Amato, “Patchwork of Counterterrorism: Analyzing European Types of Cooperation in Sahel,” *International Studies Review* 23, no. 4 (2021): 1518–1540.

## The M23 resurgence: historical context, dormancy (2013–2025) & key actors in 2025 resurgence

The M23 rebellion originated in April 2012 following a mutiny by primarily Rwandophone Armed Forces of the Democratic Republic of the Congo (FARDC) officers in North and South Kivu. The movement's leadership included former members of multiple Rwandan-backed rebellions, including Bosco Ntaganda and Sultani Makenga, who had previously served in the Rwandan Patriotic Front (RPF), the Alliance of Democratic Forces for the Liberation of Congo (AFDL), the Rally for Congolese Democracy (RCD), and the National Congress for the Defence of the People (CNDP). Their rebellion was driven by longstanding grievances against the DRC government, including allegations of broken peace agreements, marginalization, and inadequate governance.<sup>22</sup>

The first M23 rebellion (2012–2013) triggered significant regional geopolitical shifts, leading to Southern African Development Community's (SADC) involvement through the deployment of a military force that was eventually integrated into the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) as the Force Intervention Brigade (FIB), comprising troops from South Africa, Tanzania, and Malawi leading to the M23's military defeat and retreat by late 2013.<sup>23</sup> The **Post-2013 Dormancy** led to the split of M23 into two factions where one was led by Sultani Makenga, based in Uganda and the other led by Jean-Marie Runiga, based in Rwanda. While most fighters self-demobilized and returned to DRC and Rwanda, a small group under Makenga relocated to Mount Sabyinyo in DRC by 2016, maintaining sporadic confrontations with FARDC, though largely remaining dormant until late 2021.

The **M23's recent resurgence** began in November 2021, marked by several key developments. In its initial operations, the first major battle occurred at Bunagana on March 28, 2022, with M23 deploying approximately 400 fighters. The conflict escalated with Rwanda's alleged support while leading to significant territorial gains. The territorial control led to the rapid expansion on M23's territory where it captured strategic towns including Rutshuru and Kiwanja. By late 2022, they gained control of Route Nationale 2, affecting trade routes between Goma and northern towns severely disrupting economic activity and governance in the region.<sup>24</sup> The movement's political dynamics evolved notably by December 2023, leading to the formation of the Congo River Alliance (AFC). The AFC incorporated former

---

<sup>22</sup> B. Shepherd, *Elite Bargains and Political Deals Project: Democratic Republic of Congo (M23) Case Study* (London: UK Government Stabilisation Unit, 2018).

<sup>23</sup> G.A. Dzinesa and A.M. Rusero, *Another Regional Intervention Falls Short in the Democratic Republic of the Congo* (IPI Global Observatory, 2025).

<sup>24</sup> L. Serwat, "The Resurgence and Alliances of the March 23 Movement (M23)," *Armed Conflict Location & Event Data (ACLED)*, 2023.



politicians from various parties, including ex-members of Joseph Kabila's party reflecting a sophisticated attempt to establish political legitimacy beyond military might.

This development marked M23's transformation from an armed rebellion into a significant political-military actor, deepening the complexity of resolving the conflict. The Congolese government's response to M23's resurgence has been characterized by a stringent security policy. Legislative measures specifically prohibited integrating rebel factions into national security structures, reflecting past failures of integration attempts.<sup>25</sup> Moreover, DRC's Government (**as one the key actors**) response implemented a hardline approach, with parliament passing legislation prohibiting integration of armed groups into security forces and engaging the supporting local armed groups against M23, including the formation of "wazalendo" militias against M23 exacerbated community-level violence, further compromising state legitimacy and complicating governance.<sup>26</sup>

Regional actors (Rwanda, Uganda, and Burundi) significantly influenced the resurgence dynamics. Rwanda faced persistent allegations of providing substantial military and logistical support to M23, despite Kigali's repeated denials. Uganda displayed complex involvement, initially opposing M23 before reportedly finding common ground with Rwanda on security and political interests. Burundi's deployment of troops in South Kivu added complexity, underscoring regional dimensions of the conflict and broader geopolitical rivalries in East Africa. The International Response through MONUSCO and the United Nations (UN) revealed that mission faced significant challenges in effectiveness. The lack of comprehensive political process limited MONUSCO's role primarily to monitoring human rights and providing logistical support.<sup>27</sup>

The role of MONUSCO and **international actors** revealed limitations in existing peacekeeping strategies. MONUSCO faced criticism for limited effectiveness and insufficient engagement in meaningful political processes, restricting its role largely to monitoring human rights violations and logistical assistance. The conflict's persistence emphasized the urgent need for comprehensive diplomatic interventions, similar in scope and ambition to the earlier Sun City peace accords. The crisis revealed the need for coordinated international intervention similar to the 2002–2006 Sun City peace process.<sup>28</sup>

---

<sup>25</sup> P. Huon, "After the fall of Goma and Bukavu, where is DR Congo's M23 war headed?," *The New Humanitarian*, 2025.

<sup>26</sup> P. Nantulya, "A shifting political calculus by sponsors of the M23 rebel group risks triggering another war in the Great Lakes Region, underscoring the importance of African mediators and global partners acting quickly to stem the fighting," African Centre for Strategic Studies, 2025.

<sup>27</sup> T. Demirtaş, "Regional crisis, global balance: The DRC-Rwanda conflict, M23 and minerals," SETA Foundation for Political, Economic and Social Research, 2025.

<sup>28</sup> R.K. Kimathi *et al.*, "Challenges and Opportunities Faced by the United Nations Stabilization Mission in the Democratic Republic of Congo in Fulfilling Its Mandate for Peace and Security in the DRC," *African Journal of Empirical Research* (2024): 13.

The **current state and implications of the situation** has led to severe humanitarian consequences, with the M23 rebellion displacing approximately 1.7 million people and becoming a focal point of geopolitical rivalry between DRC, Rwanda, and Uganda. The resurgence has and continues to highlight the need for comprehensive security sector reform, addressing community reconciliation, managing regional diplomatic tensions and establishing effective peacekeeping mechanisms. The government's response has been complicated by internal challenges, including weak security apparatus reform and continued presence of controversial military leadership. Addressing this complex crisis requires coordinated efforts toward security reform, diplomatic engagement, regional cooperation, and robust peacekeeping frameworks to sustainably stabilize the Democratic Republic of the Congo.

### Legal and political dimension of the resurgence

The legal implications of the M23 crisis under international law center on two key aspects: sovereignty violations and legal justifications for intervention. Regarding sovereignty violations, Rwanda and Uganda's support for M23 represents a significant breach of international law and DRC's territorial integrity. Multiple UN reports have provided substantial evidence of Rwanda's direct military involvement, documenting that the Rwandan Defense Forces (RDF) have supplied arms, ammunition, and uniforms to M23.<sup>29</sup> The scale of this involvement is particularly concerning, as UN Group of Experts has found that in some operations, RDF forces matched or even exceeded M23 in numbers, representing a clear violation of DRC's sovereignty.

The legal framework governing military intervention in this context is complex and contested. Traditional international law principles emphasize the fundamental nature of state sovereignty, as consistently affirmed by the International Court of Justice.<sup>30</sup> However, modern interpretations recognize that sovereignty is not absolute, particularly when international peace and security are at stake, as outlined in the UN Charter.<sup>31</sup> Within this context, regional organizations like the African Union (AU) and East African Community (EAC) have attempted to establish legitimate channels for intervention, exemplified by the EAC's deployment of a military contingent East African Community Regional Force (EACRF) to address the crisis.

The debate surrounding cross-border military interventions has focused heavily on the relative merits of unilateral versus multilateral approaches. The deployment of the EACRF represents a multilateral intervention approach, standing in contrast to the unilateral actions taken by Rwanda and Uganda, which have faced

---

<sup>29</sup> D.P. Zongwe *et al.*, *Overview of the Legal System of the Democratic Republic of the Congo (DRC) and Research* (GlobaLex, 2025).

<sup>30</sup> M. Saul, "The Normative Status of Self-Determination in International Law: A Formula for Uncertainty in the Scope and Content of the Right?," *Human Rights Law Review* (2011): 610–633.

<sup>31</sup> Henry, "The Responsibility to Protect (R2P)."



criticism for their potentially destabilizing effects on the region. The EAC-led Nairobi Process, focused on facilitating dialogue between belligerents and deploying peacekeeping forces, showed how regional organizations can create frameworks for conflict resolution. However, as evidenced by the fundamental disagreement between DRC and Rwanda over the M23 issue, such processes can be hampered by divergent national interests and lack of political will among member states. While the force demonstrated the potential for regional military cooperation, EAC's eventual withdrawal at Congo's request in late 2023 due to accusations of passivity towards M23 rebels exposed the limitations of such interventions. This situation has been further complicated by the existence of multiple parallel diplomatic processes. These overlapping initiatives, while demonstrating regional commitment to resolution, have also created challenges in coordinating effective responses to the crisis.<sup>32</sup>

SADC's deployment of SAMIM (SADC Mission in Mozambique) that took over from the EAC under the AU auspices provides empirical insights into the challenges of regional military cooperation. The mission, while demonstrating regional commitment to addressing security threats, has faced significant resource constraints and operational challenges. This highlights how economic disparities among member states can impact the effectiveness of regional security initiatives. The replacement of the EAC force by SADC forces in DRC (SAMIDRC) also illustrates how regional organizations can step in when other frameworks fail. However, this transition also reveals the complexities of coordinating multiple regional security mechanisms and the potential for competition rather than cooperation between regional bodies.<sup>33</sup>

The EAC, SADC and AU demonstrate the success of interventions heavily depends on member states' political commitment and willingness to subordinate national interests to regional objectives, coordination challenges in multiple national forces and aligning different strategic objectives and lastly sovereignty Concerns where interventions faced challenges related to state sovereignty and resistance from host nations, as seen in DRC's rejection of EAC forces and withdrawal of Southern African bloc troops.

The legal justification for military intervention against the M23 resurgence can be understood through multiple interconnected frameworks of international law and humanitarian principles. First, the scale and intensity of M23's operations have reached a threshold that warrants international response, as evidenced by their control of vast territories in North Kivu province and their displacement of approximately 1.7 million people.<sup>34</sup> The group's evolution into a force with conventional military capabilities demonstrates a level of organization and threat that

---

<sup>32</sup> G.A. Deng, "Sub-regional interventions in Africa: Why EAC intervention fail in DR Congo Conflict Resolution?," *International Journal of Advanced Multidisciplinary Research* (2024): 15.

<sup>33</sup> P. Fabricius, "Once more into the breach: SADC troops in DRC," Institute for Security Studies (ISIS), 2024.

<sup>34</sup> Walker, *The Resurgence of the M23: Regional Rivalries, Donor Policy, and a Stalled Peace Process*.

justifies intervention under international humanitarian law. As shown in Table 1, legal frameworks such as Article 2(4) and 51 of the UN Charter, as well as the AU's Articles 4(g) and 4(h), provide a basis for evaluating both the legality and legitimacy of interventions in such complex conflicts.

The doctrine of Responsibility to Protect (R2P) provides a fundamental legal basis for intervention, as it establishes that state sovereignty becomes conditional upon the protection of civilian populations. When states fail to protect their citizens from mass atrocity crimes, the international community has an obligation to intervene. This is particularly relevant in the M23 case, where documented human rights violations and civilian casualties have been extensive. The internationalized nature

**Table 1. Key International Legal Frameworks and their relevance to the DRC/M23 crisis.**

Legal Framework	Description	Application in the M23/DRC Context
<b>UN Charter Article 2(4)</b>	Prohibits threat or use of force against the territorial integrity or political independence of any state. Exceptions only via UNSC or self-defense.	Rwanda's backing of M23 (force by proxy) breaches this norm. DRC's sovereignty is protected by this article; any unauthorized foreign troop presence is illegal.
<b>UN Charter Article 51</b>	Upholds the inherent right of individual or collective self-defense if an armed attack occurs, until the UNSC acts.	Rwanda invokes this regarding FDLR; however, M23 operations far exceed legitimate self-defense. No direct armed attack from DRC on Rwanda occurred, making Article 51 claims uncertain.
<b>AU Constitutive Act Article 4(h)</b>	Gives the AU the right to intervene in a member state upon Assembly decision in cases of war crimes, genocide, and crimes against humanity. (Reflects "non-indifference").	Invoked in principle in AU statements condemning M23. AU hasn't militarily intervened under 4(h) in DRC, but backs regional efforts. Provides legal/moral basis if atrocities escalate (R2P-like justification).
<b>AU Constitutive Act Article 4(g)</b>	Affirms non-interference by AU member states in internal affairs of another (except as authorized) – essentially the sovereignty norm.	DRC invokes this to protest Rwanda/Uganda meddling. Neighbors breaching this face diplomatic isolation. AU must balance 4(g) with 4(h) in responding to the crisis.
<b>EAC Protocols / Regional Agreements</b>	EAC's nascent security architecture; ICGLR's Pact on Stability includes commitments not to support rebels in neighboring states. SADC Mutual Defense Pact allows collective action against aggression.	EAC deployment (EACRF) was consensual, hence lawful. Rwanda, as an ICGLR member, violates its pledge by aiding M23. SADC's SAMIDRC, under a mutual defense rationale, treats M23 as a regional security threat requiring joint force.
<b>Responsibility to Protect (R2P)</b>	Global norm (UN World Summit 2005) that the international community should protect populations if their state is unwilling or unable to do so, using diplomatic, humanitarian, and as last resort military means.	Invoked rhetorically to justify robust peace enforcement. Could support calls for UN/AU action against M23 to protect civilians. However, any forceful intervention still requires UNSC/AU approval: R2P is a principle, not a law.

of the conflict strengthens the legal basis for intervention. Evidence shows that Rwanda has provided substantial support to M23, including direct military assistance and operational control, creating what legal experts classify as an international armed conflict by proxy.<sup>35</sup> This classification broadens the scope for legitimate international military response, as it moves beyond purely internal conflict dynamics.

From a humanitarian law perspective, the presence of multiple armed groups and the complex nature of the conflict create conditions that warrant intervention to protect civilians. The M23's demonstrated capacity to seize and control strategic territories, coupled with their record of human rights violations, establishes a clear legal threshold for intervention under international humanitarian law.<sup>36</sup> This is further supported by the group's role in perpetrating documented abuses and violations of international humanitarian law. The legal framework for intervention is also strengthened by the failure of existing peace mechanisms and diplomatic initiatives. When diplomatic efforts prove insufficient to protect civilian populations and maintain regional stability, military intervention becomes legally justifiable under Chapter VII of the UN Charter, as demonstrated in similar cases.<sup>37</sup> Moreover, the international community's responsibility to act is heightened by the cross-border nature of the threat and its potential to destabilize the entire Great Lakes region.

The intervention is further legitimized by the existence of established legal precedents and institutional frameworks. The UN Security Council's previous authorization of military force against similar threats, combined with the presence of UN peacekeeping forces in the region, provides a legal foundation for continued and enhanced military action. This is particularly relevant given that traditional peacekeeping approaches have proven insufficient to address the scale and complexity of the M23 threat. The political dimensions are equally complex, particularly regarding regional dynamics and international response. The international community's reaction has been notably inconsistent, with major donors publicly condemning Rwanda's support for M23 while continuing to provide significant aid. This is evidenced by the fact that donors provide approximately 74% of Rwanda's budget in foreign aid, yet have failed to use this leverage effectively despite clear evidence of support for M23.

A significant political challenge emerges from the parallel peace processes and competing diplomatic initiatives. Two main processes have been established: one based in Nairobi under the East African Community (EAC) focusing on national dimensions, and another in Luanda under African Union auspices addressing international aspects of the crisis. However, these processes have struggled to make substantial

---

<sup>35</sup> J. Maddocks, "The Conflict in Eastern DRC and the State Responsibility of Rwanda and Uganda," The Lieber Institute for Law & Warfare at West Point, 2025.

<sup>36</sup> L.M. Redae and F.A. Abebe, "Armed Conflict in the Democratic Republic of Congo (DRC)," Addis Ababa University International Humanitarian Law Clinic, 2023.

<sup>37</sup> V. Holt *et al.*, "Protecting Civilians in the Context of UN Peacekeeping Operations; Successes, Setbacks and Remaining Challenges," UN Security Council, 2009.

progress due to fundamental disagreements about the legitimacy of M23 and the role of Rwanda.<sup>38</sup> The resurgence has also exposed the limitations of international peacekeeping efforts. The withdrawal of the EACRF at the request of the Congolese government, which accused it of passivity towards M23, and its replacement by the Southern African Development Community force (SAMIDRC) demonstrates the political complexities of regional security arrangements.

From a sovereignty perspective, the situation challenges traditional notions of state authority and intervention. The DRC government's response has included supporting armed groups and employing private security firms, which has exacerbated community tensions and complicated the legal landscape. This has led to intensified ethnic tensions and increased attacks on civilians, further complicating the political and legal dynamics of the conflict. The international community's approach to resolution requires a new impetus similar to the Sun City peace process of 2002–2006. Given Rwanda's role in triggering the resurgence, increased pressure, including financial measures, is considered a crucial first step in addressing the M23 situation. However, the Congolese government also bears responsibility, as the M23 rebellion is just one element of a broader crisis requiring comprehensive political solutions.<sup>39</sup> The overall control standard in international law provides a legal basis for intervention by focusing on the broader pattern of support and coordination rather than requiring specific evidence of direct control. This legal framework is particularly relevant in addressing proxy warfare situations like the M23 conflict, where the combination of external state support and internal armed group activities creates a compelling case for international military intervention.

## Role of regional organizations

Regional organizations significantly influence conflict resolution and intervention processes. For instance, the Southern African Development Community's deployment of the SADC Mission in the DRC (SAMIDRC) highlights regional attempts to stabilize the situation through collective action. Similarly, diplomatic efforts coordinated through the EAC's Nairobi process reflect regional attempts to mediate and legitimize conflict resolution strategies. Nonetheless, these organizations often encounter considerable challenges related to resource allocation, coordination, and sustaining unified political positions amid diverse regional interests.<sup>40</sup>

**The United Nations Security Council (UNSC)** has played a pivotal role in international responses to the M23 crisis. Through MONUSCO, currently the largest

---

<sup>38</sup> A. Day *et al.*, "The Political Practice of Peacekeeping; How Strategies for Peace Operations are Developed and Implemented," United Nations University; Centre for Policy Research, 2020, 168.

<sup>39</sup> IPIS, "The (new) M23 offensive on Goma: Why this long-lasting conflict is not only about minerals and what are its implications? – Q&A," 2025.

<sup>40</sup> ACCORD, "SADC Interventions in the Democratic Republic of the Congo: Analysing the impact of the Southern African Development Community's Interventions have on conflict in the DRC," 2016.

and most expensive UN peacekeeping mission, the international community demonstrates significant commitment. However, the UNSC's strategies and MONUSCO's effectiveness in civilian protection and peace enforcement have been questioned. Operational challenges, ambiguous mandates, and limitations in implementing forceful responses have all contributed to ongoing debates about its efficacy.<sup>41</sup> **MONUSCO's robust mandate** faces ongoing conceptual and operational challenges. Divergent interpretations of 'robust peacekeeping' have led to uncertainties regarding the mission's strategic clarity and practical application, complicating peace enforcement efforts. Additionally, persistent critiques regarding MONUSCO's ability to protect civilians highlight fundamental gaps between mandate intentions and actual outcomes, underscoring the need for clearer operational guidelines and enhanced strategic coherence.<sup>42</sup>

The African Union has actively engaged in mediation through various initiatives, notably the Luanda process. Despite commendable diplomatic efforts, AU-led mediation encounters significant obstacles posed by complex regional geopolitical dynamics and competing member-state interests. As outlined in Table 1, regional organizations such as the AU, EAC, and SADC operate within legal frameworks that both empower and constrain intervention, depending on how principles of non-interference and collective security are interpreted. Further challenges include coordination with parallel regional processes and sustaining coherent, unified conflict resolution strategies. Addressing these issues is vital for improving AU mediation outcomes and ensuring sustained regional peace and stability. The legal and operational complexities evident in the M23 crisis underscore deep-seated tensions between sovereignty principles, regional security imperatives, and international legal norms. Strengthening coherence among international and regional actors, enhancing legal clarity, and improving operational coordination remain critical to effectively addressing regional conflicts.

## Humanitarian and security impacts

The M23 resurgence has triggered a severe humanitarian crisis in the Democratic Republic of Congo (DRC), with approximately 1.7 million people displaced since November 2021. The displacement crisis has particularly affected North Kivu province, where M23 controls large territories including strategic towns like Rutshuru and Kitshanga. The situation has been exacerbated by intense fighting, with specific incidents such as the battles around Sake causing the displacement of over 150,000 civilians. The conflict has been marked by serious human rights violations and war crimes. M23 has been implicated in targeted killings and attacks on civilians, with documented cases of revenge killings in response to local resistance. For

---

<sup>41</sup> United Nations, "Crisis in DRC: UN peacekeepers protecting civilians -and themselves - from large-scale offensive operations by M23 rebels," United Nations Peace Keeping, 2025.

<sup>42</sup> J. Reynaert, "MONUC/MONUSCO and Civilian Protection in the Kivus," International Peace Information Service (IPIS), 2011, 14–35.

instance, after local group attacks in Rushovu and Kanaba in November, M23 retaliated by killing dozens of people in the villages of Kishishe and Bambu. The recruitment of child soldiers has been a particular concern, with M23 engaging in both voluntary recruitment through financial incentives and forced recruitment of children and adolescents.<sup>43</sup>

The security implications for the Great Lakes Region are significant and multifaceted. The conflict has created a complex regional crisis involving multiple countries and armed groups. Rwanda's involvement has been particularly controversial, with UN experts confirming the presence of 3,000 to 4,000 Rwandan Defense Force (RDF) soldiers on Congolese territory.<sup>44</sup> This military presence has heightened tensions between the DRC and Rwanda, leading to diplomatic crises such as the DRC's expulsion of Rwanda's ambassador. The impact on regional trade and border security has been substantial. The strategic location of affected areas, particularly Goma, which lies only 100 miles from Kigali and 350 miles from Kampala, has significant implications for regional economic integration. The conflict has disrupted traditional trade routes and economic activities, affecting both formal and informal cross-border commerce.

External actors have played significant roles in the conflict, often driven by economic and geopolitical interests. The DRC's vast mineral resources have attracted international attention, with various countries seeking to secure their interests in the region. Private military contractors have become increasingly involved, with both African and foreign PMCs operating in the region. However, their involvement has sometimes complicated the situation, with some PMCs being cited for violations of domestic and international laws. The use of PMCs has raised concerns about accountability and their impact on local stability.

The international community's response has been criticized as inadequate. Despite donors providing significant aid to Rwanda (equivalent to 74% of its budget), there have been limited material consequences for its support of M23. The United Nations peacekeeping mission, MONUSCO, has faced challenges in effectively responding to the crisis, despite being one of the largest UN missions. Regional peace initiatives, including the Nairobi and Luanda processes, have struggled to make progress due to fundamental disagreements between the parties involved.

The M23 resurgence has created a complex humanitarian and security crisis with far-reaching implications for the entire Great Lakes Region. The situation is characterized by mass displacement, human rights violations, regional security tensions, and complicated by the involvement of various external actors and private military contractors. The lack of effective international response and the continuing cycle of

---

<sup>43</sup> Walker, *The Resurgence of the M23*.

<sup>44</sup> P.S. Handy, "Overcoming security dilemmas in the Great Lakes region," Institute for Security Studies, 2025.



violence suggest the need for a more comprehensive and coordinated approach to addressing both the immediate humanitarian needs and the underlying causes of the conflict.

### Strategic pathways and conflict scenarios

The military containment scenario prioritizes a robust regional military response to halt and reverse the territorial advances of the M23 rebel group. Joint military operations involving the Armed Forces of the Democratic Republic of Congo (FARDC) and regional military forces, particularly from the East African Community (EAC) and the Southern African Development Community (SADC), are crucial. Effective collaboration between these regional entities is essential to form a unified and coherent military strategy against M23. An essential component of this scenario is the deployment of specialized forces such as the UN Force Intervention Brigade (FIB), endowed with a clear offensive mandate to actively engage and neutralize armed groups like M23. Historically, the FIB has demonstrated effectiveness in altering conflict dynamics, particularly during its initial deployment in 2013 against M23. Additionally, improved coordination mechanisms between EAC and SADC military contingents would significantly strengthen regional military capabilities. Enhanced logistical, intelligence-sharing, and operational synchronization would maximize the impact of regional interventions, reducing M23's ability to operate freely and consolidating regional stability.

The diplomatic and political resolution scenario underscores the necessity of addressing the underlying causes of conflict through sustained diplomatic engagement. Regional peace initiatives, such as the Nairobi, Luanda, and Dar es Salaam processes, are central to fostering dialogue among conflicting parties. These platforms aim to facilitate negotiations, encouraging peaceful resolution and political settlements rather than relying solely on military measures. To achieve sustainable peace, diplomatic efforts must incorporate comprehensive strategies that address systemic issues such as security sector reform, equitable resource management, and community reconciliation. These components address grievances fueling the conflict, reducing incentives for armed rebellion. Moreover, the implementation of the Peace, Security, and Cooperation Framework is integral to diplomatic success, reinforcing commitments to regional cooperation, stability, and comprehensive governance reforms. This framework provides a roadmap for achieving durable peace and underscores collective regional accountability.

The worst-case scenario involves prolonged instability characterized by continued territorial gains and strengthened military capabilities of M23. The group's ability to maintain control over strategic locations in North Kivu exacerbates political fragmentation and institutional collapse in the DRC. This scenario risks escalation into broader regional conflict due to increasing foreign interventions and proxy warfare. External actors with competing geopolitical interests could further complicate conflict dynamics, making resolution significantly more challenging and

increasing humanitarian costs. Furthermore, prolonged instability would severely undermine DRC's sovereignty, institutional capacities, and governance structures, exacerbating the humanitarian crisis and regional instability. Such deterioration presents severe implications for regional and international security.

## **Policy recommendations**

To effectively mitigate conflict scenarios, regional security mechanisms must be fortified by strengthening regional security mechanisms. Enhanced coordination between EAC and SADC, development of robust regional peacekeeping capabilities, and improved cross-border security cooperation represent critical steps. These efforts should be supported by clear mandates, sustained resource allocation, and continuous international support. Effective conflict resolution also necessitates robust legal and accountability frameworks to address human rights abuses, transparency in mineral resource management, and rigorous monitoring of peace agreement compliance. Table 1 highlights that international legal frameworks offer a foundational basis for accountability. Even so, their unparallel enforcement highlights the urgent need for more effective regional and international implementation mechanisms. Strengthening these accountability mechanisms reinforces the rule of law and builds trust among affected populations. Fundamental to sustainable conflict resolution is addressing root causes through comprehensive security sector reform, community reconciliation efforts, and fostering economic opportunities in conflict-affected areas. Investment in these areas addresses the socio-economic and governance deficits that underpin persistent instability. Given the humanitarian dimension of the crisis, immediate attention must be directed towards addressing the displacement crisis affecting vulnerable populations. Additionally, reinforcing governance structures and promoting regional economic integration can significantly reduce drivers of conflict and strengthen overall stability. The success of these recommendations critically depends on sustained international engagement and robust regional cooperation. Without addressing immediate security concerns alongside structural issues, instability in eastern DRC will likely persist, with significant regional and international consequences.

## **Conclusion**

The resurgence of the M23 rebellion in the Democratic Republic of Congo (DRC) has highlighted the intricate relationship between state sovereignty and international intervention, significantly reshaping regional security dynamics. Central to understanding this ongoing crisis is the delicate balance between respecting sovereignty, ensuring security, and addressing humanitarian needs in Africa. The DRC situation exemplifies how traditional concepts of sovereignty increasingly clash with humanitarian imperatives. The Congolese government's struggle to maintain territorial integrity while facing external intervention continues to highlight the limitations of conventional sovereignty principles. This tension is further complicated

by Rwanda's alleged support for M23, creating a complex scenario where state sovereignty is challenged both by non-state actors and neighboring countries.

The M23 resurgence has fundamentally reshaped African security and diplomatic frameworks. The conflict has exposed significant weaknesses in regional response mechanisms, with multiple parallel peace processes - including the Nairobi and Luanda initiatives - struggling to achieve lasting results. The situation is further complicated by the proliferation of security actors, including UN peacekeeping forces, regional military interventions, and private military companies. This complexity has challenged traditional approaches to conflict resolution and peacekeeping in Africa. The experiences of EAC, SADC, and ECOWAS provide valuable empirical insights into both the potential and limitations of regional security cooperation in Africa. While these organizations have demonstrated the possibility of effective regional responses to security challenges, they have also revealed significant obstacles to successful intervention and military cooperation. These insights suggest the need for strengthened institutional frameworks, enhanced resource mobilization, and greater political commitment from member states to improve the effectiveness of regional security initiatives. Moving forward, these lessons should inform efforts to strengthen regional security mechanisms and improve coordination between different regional organizations. Success will require addressing both structural challenges like resource constraints and political issues such as sovereignty concerns and divergent national interests.

Looking toward the future of African sovereignty and international law, the M23 crisis reveals the need for more nuanced approaches to intervention. The international community's response has been notably inconsistent, with donors condemning Rwanda's support for M23 while continuing to provide substantial aid. The disconnect between rhetoric and action undermines the effectiveness of international legal frameworks. The enforcement of international norms in Africa requires significant strengthening. Current mechanisms have proven inadequate in addressing the complex nature of modern African conflicts. The situation in eastern DRC demonstrates how the absence of effective enforcement mechanisms can lead to prolonged instability and humanitarian crises. This enforcement gap is particularly evident in the inability to prevent foreign support for rebel groups despite clear international prohibitions.

Balancing sovereignty with humanitarian intervention needs has emerged as a critical challenge. While the Responsibility to Protect (R2P) doctrine provides a framework for intervention, its application remains controversial and inconsistent. The case of M23 demonstrates how humanitarian concerns often clash with traditional notions of state sovereignty, requiring a delicate balance between respecting national autonomy and protecting civilian populations. The M23 conflict has also highlighted the importance of regional cooperation and coordination. The East African Community's involvement in seeking resolution demonstrates both the potential and limitations of regional organizations in addressing complex security

challenges 14. However, the effectiveness of these efforts has been hampered by competing national interests and lack of consistent international support.

In terms of practical implications, the situation calls for several key reforms. First, there is a need for stronger mechanisms to enforce international norms and hold violators accountable. Second, regional security frameworks must be strengthened to provide more effective responses to cross-border threats. Finally, there must be greater coordination between international, regional, and national efforts to address complex security challenges. The ongoing crisis in Eastern DRC serves as a crucial test case for the future of African security governance. It demonstrates that traditional concepts of sovereignty must evolve to address modern security challenges while protecting civilian populations. Success will require balancing respect for state sovereignty with the imperative to prevent humanitarian disasters, supported by robust international enforcement mechanisms and coordinated regional responses.

In conclusion, the M23 resurgence has exposed both the limitations of current approaches to African security and the urgent need for reform. Moving forward, the international community must develop more effective mechanisms for balancing sovereignty with humanitarian intervention, while strengthening enforcement of international norms. Only through such comprehensive reform can Africa achieve lasting peace and security while protecting its most vulnerable populations.

## Ethics statement

This study did not involve human participants, personal data, or biological material. It is based entirely on secondary sources, legal instruments, and publicly available documents. Therefore, ethical approval was not required.

## Data availability statement

All data underlying this study are derived from publicly available sources, including policy documents, legal instruments, reports from intergovernmental organizations, and academic literature cited within the article. These materials have been compiled, coded, and thematically analyzed to produce the findings presented in the study.

A dataset from the analyzed documents, thematic summary table, and the reference list used in the research, is deposited under the Creative Commons Attribution 4.0 International (CC BY 4.0) license in the Zenodo repository. Sensitive operational details will be removed to comply with ethical and security considerations. The dataset will contain all materials necessary to replicate the qualitative findings reported in this article and is publicly available at:

Okello, A. (2025). *Data for "State Sovereignty vs. International Law: The M23 Resurgence in 2025 and Cross-Border Military Interventions in Africa"* [dataset]. Zenodo. <https://doi.org/10.5281/zenodo.16880911>.<sup>45</sup>

---

<sup>45</sup> A. Okello, "Data for "State Sovereignty vs. International Law: The M23 Resurgence in 2025 and Cross-Border Military Interventions in Africa"," [dataset], *Zenodo*, 2025, <https://doi.org/10.5281/zenodo.16880911>.