

Democratic Republic of Congo

The year 2008 saw little relief for the population of the Democratic Republic of Congo (DRC), especially in the volatile eastern provinces of North and South Kivu, where conflict continued and spiked dramatically in the last months of the year. The incomplete disarmament, demobilization, and reintegration (DDR) process is partly responsible for the ongoing crisis. The situation in the east continues to obstruct peace consolidation efforts in the country by consuming most of the resources of the UN Organization Mission in the Democratic Republic of Congo (MONUC); for much of 2008, MONUC maintained over 90 percent of its nearly 17,000 military personnel in the east.

In late 2007, and in line with the UN Secretary-General's benchmarks for an eventual drawdown, MONUC shifted its policy toward robust operational support to the government as it attempted to forcibly disarm or disrupt armed groups operating in the DRC. Subsequent agreements between the DRC government and the Congrès National pour la Defense du Peuple (CNDP), led by the dissident general Laurent Nkunda, were short-lived. In October 2008, after a series of failed attacks by the DRC's armed forces (the Forces Armées du République Démocratique du Congo [FARDC]) against Nkunda, CNDP forces launched a major offensive which threatened to take the strategic eastern city of Goma before Nkunda's unilateral call for a cease-fire. The fighting in late 2008 not only exposed the weakness of the FARDC, but also highlighted the gap between MONUC's protection-of-civilians mandate and its capacity to implement it in a time of crisis.



UN Organization Mission in the Democratic Republic of Congo (MONUC)

• Authorization and Start Date	30 November 1999 (UNSC Res. 1279)
• SRSG	Alan Doss (United Kingdom)
• Force Commander	Lieutenant General Babacar Gaye (Senegal)
• Police Commissioner	Sudesh Kumar (India)
• Budget	\$1,191.1 million (1 July 2008–30 June 2009)
• Strength as of 31 October 2008	Troops: 16,702 Military observers: 723 Police: 1,090 International Civilian Staff: 934 Local Civilian Staff: 2,183 UN Volunteers: 565

For detailed mission information see p. 230

**EU Security Reform Mission in the
Democratic Republic of Congo (EUSEC RD Congo)**

- Authorization Date 2 May 2005 (EU Council Joint Action 2005/355/CFSP)
- Start Date June 2005
- Head of Mission General Jean-Paul Michel (France)
- Budget \$14.3 million
(October 2007–September 2008)
- Strength as of
30 September 2008 Civilian Staff: 45

**EU Police Mission in the
Democratic Republic of Congo (EUPOL RD Congo)**

- Authorization Date 12 June 2007 (EU Council Joint Action 2007/405/CFSP)
- Start Date July 2007
- Head of Mission Adilio Custodio (Portugal)
- Budget \$8.9 million
(October 2007–September 2008)
- Strength as of
30 September 2008 Civilian Police: 38

Background

The Lusaka Agreement, struck in July–August 1999, sought to put an end to the brutal second war in the DRC, which had begun on 2 August 1998. But it was not until the regionally brokered Global All-Inclusive Accord in 2002 that fighting showed signs of abating, as Ugandan and Rwandan troops began to be withdrawn from the DRC. The agreement established a transitional government for a two-year period leading up to national elections in 2005. During 2003, Joseph Kabila assumed the presidency at the head of a transitional government that was also composed of four vice presidents representing the president’s party, the People’s Party for Reconstruction and Development (PPRD), the Congolese Rally for Democracy (RCD-Goma), the Movement for Liberation of the Congo (MLC), and the unarmed opposition and civil society.

Deployed in 1999, MONUC consisted of 3,900 military observers authorized by Security

Council Resolution 1279 with a monitoring and humanitarian assistance mandate. As the challenges in the DRC became apparent, MONUC’s mandate was commensurately revised and its strength reinforced with additional military and police personnel. In line with its revised mandate, MONUC was authorized to assist the government in its reconstruction agenda and to protect civilians and UN personnel and equipment. During 2008, MONUC remained the largest UN peace operation in the field, with over 18,000 uniformed personnel, backed by robust rules of engagement.

In their national DDR efforts, MONUC and the government employed a framework known as “brassage,” which aimed to reorganize rebel groups in two respects: dismantling the rebel command and control lines and integrating the former combatants within the FARDC, and physically relocating them to different regions of the country. Implementation of the brassage framework included limited military assistance by MONUC to the FARDC for enforced demobilization. However, a large number of groups in the eastern part of the country stayed out of this process, leading to a second attempt known as “mixage,” which also failed to disarm the groups in the east. The breakdown of the mixage process was due primarily to the unwillingness of the parties to negotiate timetables for disarmament; other factors included Nkunda’s exploitation of the Kigali Agreement to consolidate his position, and the minimal payout to combatants under this process, which left thousands of troops stranded and susceptible to other readily available alternative sources for survival.

Meanwhile, in November 2007, the governments of the DRC and Rwanda met in Nairobi, where they agreed on a joint framework to address the security and political threats posed by the remnants of the Forces Démocratiques de Libération du Rwanda (FDLR) still operating in the DRC. The agreement that emerged from what became known as the Nairobi Process called on both countries to refrain from arming and supporting dissident groups, and specified that the DRC government—with the support of MONUC—would begin disarming foreign armed groups through peaceful and coercive

means. MONUC assisted the FARDC in planning and implementing the program beginning in December 2007. By early 2008, of an estimated 6,000 active combatants, 600 had been repatriated to their home countries.

Key Developments

In November 2007, based on the findings of a technical assessment mission, the UN Secretary-General outlined to the Security Council two key benchmarks necessary to begin MONUC's drawdown: the establishment of a stable security environment throughout the DRC and the consolidation of democratic institutions. These were further refined to include the disarmament of all armed groups to the extent that they would pose no threat to the country's stability, specifically in the restive eastern provinces. The development of the DRC's military and rule of law institutions to the extent that they would be capable of conducting the tasks currently performed by MONUC was identified as the second most important step toward disengagement. Finally, the Secretary-General detailed that MONUC would remain at its full strength until after the successful holding of local elections planned for 2009.

Faltering Peace Process

By the end of 2007, it was obvious that the government's attempt at forced DDR with the support of MONUC had failed when confronted with Nkunda's increasingly strong CNDP forces. With the security and humanitarian situations in the east worsening, in January 2008 President Kabila convened a conference on peace, security, and development in the Kivus in Goma. The conference ultimately brought together some 1,250 delegates representing the DRC government, rebel groups, neighboring countries, MONUC, and the broader international community.

The outcome of the conference was the Actes d'Engagement, two statements brokered by the United Nations, European Union, and United States, and signed by all delegates as well as MONUC, that committed the parties to accepting a cease-fire to be monitored by a

MONUC buffer zone force in North Kivu; agreeing that all rebels would go through the brassage process; and facilitating the return of refugees and displaced persons. The Actes d'Engagement, however, did not delineate any technical aspects of implementation. In February 2008, the Kabila government issued executive orders establishing a framework for implementation of the Actes d'Engagement and support of local reconciliation, called the Amani process. Under this process, the disarming of all rebel groups in the Kivus was planned to commence in July 2008, and President Kabila was designated to oversee the program's oversight bodies.

To support the Amani process, and in line with the benchmarks outlined by the Secretary-General at the end of 2007, in early 2008 MONUC, in coordination with the UN Country Support Team, developed a strategy for security and stabilization in the east. The strategy covered four areas of action: the political and diplomatic pillar, under which MONUC would provide political and technical guidance and maintain the engagement of signatories; assistance in extending state authority to the east; facilitating the return of the displaced; and providing support in the security and military realms



People throw stones at UN peacekeepers patrolling on a road in Kibati, north of the provincial capital of Goma, DRC, 28 October 2008.

to ensure that the DDR process would be conducted. The preliminary elements of the strategy began to be implemented, but the escalation of fighting between the government and the CNDP in late October 2008 halted the Amani process, raising concerns that it could be difficult to resuscitate.

In line with the strategy, MONUC modified its military posture, doubling its presence through mobile operating bases in both North and South Kivu that allowed for increased patrolling and cease-fire monitoring. Similarly, MONUC's forward headquarters were moved from Kisangani to Goma. MONUC and the FARDC developed joint plans in early 2008 aimed at increasing military pressure on zones where rebel groups continued to have a hold. Meanwhile, under MONUC's mentoring and logistical support, the FARDC increased its presence in the Kivus, deploying eight battalions in the area.

The heavy concentration of MONUC and FARDC resources in the eastern provinces to oversee the Amani process and to deal with the humanitarian crisis was a source of much concern throughout the year. Fears of overstressing MONUC's capacity were expressed both in the field and at UN headquarters in New York. At the same time, the debate focused on whether a military or political approach was the best way of dealing with foreign groups in the DRC. The debate was partially centered on the sensitivities of the DRC's immediate neighbors, especially those whose political and security interests were affected by the activities of these groups. And given MONUC's mandate to support the DRC government, its role in dealing with foreign fighters was also widely debated throughout the year. Thus, efforts to develop a workable strategy to deal with foreign groups in the DRC are bound to feature prominently in continuing stabilization efforts in the eastern provinces.

For many, the Actes d'Engagement never represented more than words on paper. Violations of the agreement started as soon as it became operational on 10 February 2008, and the Amani process was challenged by Nkunda's

refusal to engage in brassage outside the Kivus. Government authority in the east remained weak in comparison to that established by the CNDP through Nkunda, who continued to build up his forces in the area. By August 2008, frequent cease-fire violations escalated into full-blown conflict between the FARDC and the CNDP, requiring MONUC intervention. MONUC resorted to robust measures, including the use of attack helicopters to respond to the renewed fighting and to prevent Nkunda's forces from advancing on key towns. In September 2008, Nkunda claimed that his rebellion had moved from simply protecting ethnic Tutsis in the area, to "liberating" the entire DRC, and drew several smaller, non-Tutsi Congolese militias and their leaders into his coalition. In October, the Actes d'Engagement and the cease-fire suffered a fatal blow following the withdrawal of the CNDP and other rebel groups from the agreement and a dramatic increase in clashes that saw FARDC elements dissolving and violently turning on the civilian populations they were there to protect.

The conflict in the east had serious consequences for MONUC's public image. The growing humanitarian and security crisis in the Kivus led to violent protests in September, in which two peacekeepers were wounded, over MONUC's perceived failure to protect the population. In the meantime, in November, President Kabila, together with African Union leaders who had assembled to discuss the crisis in the eastern DRC, criticized MONUC for not doing enough to support the government's DDR initiatives, while CNDP officials claimed that MONUC's impartiality had been compromised by the support it had given the FARDC. This situation was further exacerbated by scandals earlier in the year involving MONUC peacekeepers allegedly involved in sexual exploitation, the smuggling of gold, and fraternizing with rebel groups, including Nkunda's CNDP.

The unrest in the DRC during 2008 was not contained to the Kivus. In January, the country's western Bas Congo province was rocked by protests by a political and religious group, Bundu Dia Kongo, which challenged the government's authority. The Congolese National

Police responded unevenly, resulting in significant casualties. MONUC deployed a formed police unit and an infantry battalion comprising several teams of military observers to protect the civilian population in the area. Meanwhile, clashes in Ituri between an FDLR and Patriotes Résistants du Congo (PARECO) alliance, the Forces de Résistance Patriotique d'Ituri (FRPI) rebel groups, and the FARDC were also reported and were another source of instability that required MONUC's attention.

Similarly, in the last weeks of 2008, attacks launched by the Lord's Resistance Army (LRA) rebels from Uganda on civilian populations in northern DRC, prompted MONUC and FARDC to shift their attention to protect those at risk, further complicating an already tenuous security situation.

Security Sector Reform

Notwithstanding the clashes during the year, reform of DRC's security sector inched forward. However, the pace and quality of the progress achieved remained a source of significant concern.

The DRC government maintains that reform of the country's security services is its prerogative and not that of any outside parties. During February 2008, the government presented its long-term security sector reform (SSR) plan to a roundtable discussion in Kinshasa that brought together representatives of the United Nations, the European Union, and principal donor countries. Central to the SSR plan is the development of an FARDC rapid reaction force, for which the DRC concluded assistance programs with Belgium and South Africa. South Africa began providing preliminary assistance in the training and development of the rapid reaction unit, which is viewed as the nucleus of the FARDC and central to restoring peace in the east.

Overall, however, the DRC's security sector reform process is still in its infancy. Through MONUC's assistance, ten FARDC integrated battalions had been trained by late 2008 and an additional twelve battalions are to be trained by mid-2009, depending on progress in the brassage

process in the east. Questions have been raised about the nature of MONUC's training for the FARDC, which is short-term and relatively basic, and does not address the long-term development of fundamental structural and doctrinal issues that will be critical to shaping the future of the FARDC. These shortfalls were manifest in the MONUC-FARDC joint operations carried out during 2008, in which MONUC identified gaps in the capacity and discipline of the FARDC for the effective fulfillment of its responsibilities. These shortcomings are likely to delay MONUC's eventual withdrawal from the DRC, which is partly contingent on the development of a capable FARDC. Meanwhile, efforts to develop the police and judiciary are also lagging. Indeed, according to representatives of the EU Police Mission in the Democratic Republic of Congo (EUPOL RD CONGO) and the EU Security Reform Mission in the Democratic Republic of Congo (EUSEC RD CONGO), the process of bringing these two sectors up to international standards could take more than a decade to achieve.

Rule of Law and Local Elections

MONUC's continued support to the government's efforts to develop the DRC's rule of law sector registered some progress. MONUC's role in this regard consisted of supporting the secretariat of the Conseil Supérieur de la Magistrature in cataloguing the resources—both human and material—available to the court system throughout the country, a process that aimed to develop the capacity of the DRC's judicial system. The mission continued its training program for military magistrates and FARDC personnel on sexual and gender-based crimes during the course of the year.

In addition to representing one of the UN's benchmarks for its departure from the DRC, the conduct of local elections has been identified by the government as a crucial element in extending its authority throughout the country. In 2007, the DRC government requested technical and logistical assistance from the UN to execute its plan for the holding of local elections. Recognizing both the importance and the

complexity of organizing elections in more than 6,000 constituencies, involving some 200,000 candidates, in early 2008 the Security Council authorized MONUC to provide assistance to the DRC government in the preparation, organization, and conduct of local elections. MONUC consequently continued to support the DRC authorities throughout the year, even as several major logistical and technical obstacles slowed the preparation process, eventually delaying the elections until the first half of 2009. Despite the delay, both the DRC government and MONUC expressed commitment to holding the elections, since they are viewed as a crucial step in the long-term consolidation of peace. But given the upsurge in fighting in the country's eastern provinces during the last quarter of 2008, it is doubtful that the elections will take place as planned.

In late 2008, Prime Minister Antoine Gizenga resigned after two years of service. The announcement came amid growing criticism of the government's failure to revitalize the country's economy and its inability to stabilize the eastern provinces. Gizenga, whose resignation was blamed on issues of health, was replaced by Adolphe Muzito, and it was hoped the appointment would inject the energy needed for the tough tasks of peace consolidation that lie ahead.

Conclusion

In the face of escalating violence, international diplomatic pressure involving the African Union, United Nations, European Union, and some of DRC's key bilateral partners increased. As the diplomatic efforts concentrated on ending the fighting and ensuring humanitarian assistance, special attention was paid to dealing with the issue of armed foreign fighters operating in the region, especially the FDLR. The presence of the FDLR (which is believed to have carried out the genocide in 1994) and other armed groups has remained a thorny issue between the DRC and

its neighbors, most notably Rwanda. Fearing a repeat of the failures of peacekeeping in the Balkans and Rwanda in the 1990s, the UN Secretary-General appointed Olusegun Obasanjo, former Nigerian president, as his envoy to the DRC. Obasanjo's mandate includes mediating between the parties, including neighboring countries. In December, the government, CNDP, and a variety of other rebel groups met in Nairobi to discuss the faltering peace process. As the year drew to a close, a resolution looked remote, but the Obasanjo-led talks continued, perhaps offering an opportunity for resolution to the conflict.

But despite the dire humanitarian situation in the eastern DRC, in October 2008 MONUC presented a disengagement plan that had been approved by the government. The plan emphasized that the Actes d'Engagement and the Amani process are the only viable way forward. Meanwhile, the Security Council authorized a temporary surge of 3,000 troops to the eastern DRC to ensure containment of the conflict there and identified the protection of civilians by any means necessary within the mission's capacity as an overriding priority. But with a more belligerent posture by Nkunda and others who had withdrawn from the Goma agreements, the extent to which the deployment of more international troops might lead to sustainable peace in the region, in the absence of resolution of some of the core political and security concerns that underpin the continuing conflict, remained unclear. Given the depth and persistence of the crisis in the east, and its regional implications, MONUC's capacity to contribute to enduring peace and stability in the DRC remained an open question as the year drew to an end. The crisis exposed the disconnect between MONUC's mandate and its capabilities, highlighting a critical dilemma that threatens to undermine the UN's credibility and that of peacekeeping as an effective conflict management instrument.