

April 24, 2012

Contact:
Erin A. Weir

DR CONGO: LOCAL COMMUNITIES ON THE FRONT LINE

The day-to-day reality for ordinary people in the Democratic Republic of Congo includes all of the following: latent insecurity, ongoing military operations, and systematic attacks by armed groups – including units of the Congolese military. The international community has been providing humanitarian assistance to the DRC for over a decade and a half, but the need remains acute. The local UN peacekeeping operation (MONUSCO) dedicates the majority of its scarce resources to the protection of civilians, and will need to maintain this critical effort for the foreseeable future. Creative protection efforts by the peacekeepers need to be reinforced and supported. Protection monitoring and coordination efforts – led by the UN Refugee Agency – also need to be repaired.

BACKGROUND

At the end of 2011, the DRC held elections for both its parliament and the presidency. These elections – only the second in the country’s history – were supposed to mark the maturation of the DRC into a democratic, sovereign, and independent country. However, the legitimacy of the vote was called into question due to logistical challenges, claims of widespread vote tampering, and other irregularities. These allegations were made by both national and international observer groups. Many of the parliamentary seats are still being contested at the level of the Supreme Court. Apart from this crisis of legitimacy, the government’s competence is also in question due to the lack of any tangible progress over the past six years towards achieving a secure and economically viable country – particularly in the east.

The recent defection of several units of the Congolese military (FARDC) in the east demonstrates the poor level of control that the DRC government wields over its own institutions and territory. This was further underlined by the fact that neighboring Rwanda played a critical role in helping to stabilize the situation and force the surrender or return of defecting commanders.

Insecurity continues to be a day-to-day issue for hundreds

POLICY RECOMMENDATIONS

- ❑ The U.S. and ECHO should provide funds to restore UN Refugee Agency (UNHCR) protection monitoring staff in North Kivu to prior levels.
- ❑ Donor governments should call on UNHCR – in its capacity as Protection Cluster lead – to strengthen its work on IDP protection. UNHCR protection monitors should be given the task of tracking IDP movements in order to reinforce OCHA’s information gathering, strengthen overall capacity to project the scale of displacement, and respond with timely and adequate assistance.
- ❑ The U.S. should identify bilateral funding – in addition to the assessed contributions to UN peacekeeping – dedicated specifically for the support of additional Community Liaison Assistants (CLAs), communications equipment, and transportation.
- ❑ Donor countries – specifically the U.S., the UK, and the EU – and their institutions must coordinate priorities and key conditions for ongoing support to the government of the DRC. Coordinated offers of funding for development projects must be predicated upon progress in the areas of corruption and impunity, as well as a concrete demonstration of will and a plan to make progress in key areas such as the reform of security sector institutions.

of thousands of civilians, mainly in the east. Ongoing violence being waged by militia groups, the FDLR (the group founded by Rwandan *génocidaires* who fled to the DRC in the mid 1990's) and even some units of the FARDC still threatens the lives and livelihoods of ordinary Congolese people. All armed groups regularly ignore the distinction between combatants and civilians. In addition to organized attacks on communities, the Congolese are constantly exposed to looting, forced labor, forced recruitment, and other predatory behavior.

JOINT FARDC-MONUSCO OPERATIONS

The Congolese military has recently mounted new operations designed to stamp out the FDLR. These operations present direct risks to civilians and increase the likelihood of “reprisal” attacks by militia on communities perceived to have helped the FARDC. Indeed, similar operations created large-scale displacement in the past. As of early March, the operations had begun in South Kivu, but the planned offensives in North Kivu were postponed as a result of the recent FARDC defections.

While these are being referred to as joint operations, soldiers from MONUSCO (the UN Stabilization Mission in DRC) are not fighting alongside the FARDC. Rather, MONUSCO is mandated to provide planning, logistical support, and basic rations to FARDC units in support of the operations.

In order to receive this assistance, the FARDC have agreed to fulfill the requirements of the UN's new Human Rights Due Diligence Policy. Under the terms of this policy, Congolese commanders involved in operations are vetted to ensure that the UN is not providing assistance to military leaders implicated in war crimes and other human rights violations.

This vetting process is imperfect and challenging to enforce. For example, battalion commanders may be vetted and cleared, but regimental commanders (their superior officers) are not. Many of these are alleged to have presided over war crimes and other abusive acts. Nevertheless, the application of Due Diligence rules is showing some positive results.

Joint planning seems to have resulted in the diversion of operations away from populated areas, reducing (though not eliminating) the danger that they pose to civilians. MONUSCO participation in planning meetings and field-based Joint Operation Centers has allowed for some improvement in reporting from conflict areas, as well as better assessments of civilian needs in the areas of operation. The provision of rations and other practical assistance has also helped meet the FARDC's basic needs, thus reducing the predatory behavior of soldiers against local populations – particularly looting – which has been seen in the past.

HUMANITARIAN CONDITIONS

According to the UN Office for the Coordination of Humanitarian Affairs (OCHA), one million people are currently displaced in North and South Kivu as a result of ongoing insecurity and the resumption of FARDC operations against the FDLR. The vast majority of these internally displaced persons (IDPs) live with host families rather than in camps. The camps that do exist (a total of 31, hosting just under 80,000 internally displaced people) are all in North Kivu and have a diminishing population of IDPs. This is due in large part to the fact that reduced aid budgets have resulted in less aid being delivered in the sites.

The current humanitarian response to displacement fits a well-established pattern in DRC. Ordinary villagers in so-called host communities are the first responders to each displacement crisis. They provide shelter and share their food with displaced families in need. On its recent mission, RI researchers interviewed several of these host families. One host woman told RI researchers of her mixed feelings in seeing the IDPs arrive. On the one hand, she wanted to protect them. But on the other, caring for the IDPs placed a tremendous burden on her family and on the wider community. Nevertheless, she made it clear that their departure date was not up to her, but rather depended on when “her” IDPs felt they could return home safely.

[See a video report from this mission.](#)

In most cases, this local response is followed by an initial evaluation by the UN/NGO “Rapid Response” to Population Movements system (RRMP), which is then followed by the RRMP's humanitarian response. The RRMP involves a wide-ranging assessment of an area that has recently received IDPs and alerts the humanitarian community as to the needs. If no other humanitarian agency responds, then the lead RRMP NGOs (two in each province) plan a response to cover the basic needs of IDPs and – to a lesser extent – host families. It often takes many months to mobilize this assistance.

Increasingly, that response takes the form of NGO-coordinated aid “fairs.” Rather than directly distributing household items such as blankets and pots to IDPs, local vendors are organized to bring their goods – including all the items that would traditionally be part of an aid package – to the fair. Vouchers with a set value are distributed to vulnerable families, and then used to purchase the items that each IDP family wants. This provides displaced families with the autonomy to choose what they need, and it stimulates the economy by supporting local vendors. This method also reduces the transport costs and logistical challenges of shipping large quantities of goods to remote areas. A similar system is starting to be used for food assistance.

MONITORING PROTECTION GAPS

The number of UNHCR protection monitors in both North and South Kivu is insufficient. These monitors are dedicated to reporting on human rights abuses committed throughout the Kivus. They are the only source of human rights information for many of the remote and hard-to-access communities in these provinces. The sheer size of the Kivus, coupled with the logistical challenge of accessing remote areas, means that large numbers of monitors are needed to provide adequate protection tracking. In North Kivu, they were reduced this year from 80 to 65. At a minimum, the monitoring team should be restored to 80 personnel.

In addition to collecting basic human rights information, monitors should also be tasked with keeping track of IDP movements – something that they do not do at present. OCHA receives estimates of the numbers of displaced persons from agencies working in the field and from IDP committees themselves. However, UNHCR protection monitors are more widely deployed, and thus could provide a more systematic approach to counting displaced persons and tracking their movements. This would in turn improve OCHA's ability to project the scale of displacement and coordinate an appropriate and timely response. It would also serve to strengthen a pillar of UNHCR's work devoted to displaced persons – one which has been underfunded in the past. IDP numbers remain high, but are allocated a significantly smaller budget compared to the (relatively few) returning Congolese refugees.

UN PEACEKEEPERS AND THE PROTECTION OF CIVILIANS

Within the complex MONUSCO mandate, the protection of civilians continues to be the mission's first priority. The UN Security Council emphasized this in 2008 following a series of high-profile protection failures. Today, the peacekeepers continue to struggle to keep people safe, particularly in the east.

The size of the country, the scale of insecurity, and the severe staffing and equipment limitations faced by the mission – not to mention the near total lack of Congolese security capacity – are to blame for many of the ongoing protection gaps. However, within the existing MONUSCO capabilities, certain units are known to be quite proactive whereas others are much less responsive to protection threats. Much of this depends on the commanders and their individual interpretations of their mandated responsibilities.

In spite of the gaps and challenges, the presence of UN peacekeepers continues to have an important stabilizing

and confidence-building effect. In an effort to get closer to populations at risk, MONUSCO has established small bases in a number of highly remote and deeply insecure areas throughout the eastern provinces. Many have become the center of gravity for spontaneous settlements of displaced people fleeing violence.

The RI team visited a number of these sites – called mobile operating bases (MOB) – in both North and South Kivu. In one case, the base was established within sight of an abandoned village. The residents had created an informal camp right next to the base and told RI staff that it was too insecure for them to go the small distance back to their homes without armed MONUSCO escorts. Without the presence of the MOB, they would have had no choice but to seek shelter in the closest town, located a few days' walk away.

JOINT PROTECTION TEAMS

In addition to the protection afforded by MONUSCO military contingents, the mission has developed a number of innovative civilian tools that have clearly improved the mission's capacity to protect. Joint Protection Teams (JPTs) – first developed in 2009 – are comprised of MONUSCO civilian staff, including representatives from Civil Affairs, Human Rights, Child Protection, and other units as required. They were designed to make short visits to MONUSCO forward operating bases and their surrounding areas to help MONUSCO military commanders better interpret local protection challenges, to design localized protection strategies, and to report on protection gaps and make recommendations to the rest of the mission.

Ten new Human Rights staff members have recently been hired and dedicated to the JPTs. This has increased the overall capacity for sustained advocacy and attention to the protection needs identified during JPT visits. But unfortunately for MONUSCO Civil Affairs, Child Protection, and other relevant units, JPT team members continue to be taken off ongoing projects in order to make the assessment trips possible.

Furthermore, the actual development of local protection strategies has never been implemented in South Kivu, and the emphasis on this element of the JPT work seems to have slipped in North Kivu as well. The development of concrete, localized protection strategies is critical to managing local expectations of MONUSCO capabilities, and to leveraging and empowering local people to protect themselves in case of a crisis.

COMMUNITY LIAISON ASSISTANTS

One of the most important protection developments in the DRC has been the deployment of Community Liaison Assistants (CLAs). These are Congolese staff recruited to link local communities and MONUSCO military contingents. They speak English, French, and often a number of local languages, and act as the focal point for information-sharing and analysis between civilian populations and MONUSCO commanders. These commanders are often unfamiliar with DRC and thus ill suited to analyze the subtleties of local conflict dynamics and civilian vulnerability on their own, making the CLAs a critical asset.

The CLA program has been almost universally hailed as a success. Commanders are increasingly aware of the importance of CLA analysis, and communities are becoming familiar with the CLAs as an effective way to impart information, requests, and complaints to the MONUSCO peacekeepers. Unfortunately, the CLA program continues to suffer from a lack of appropriate equipment, staffing, and support.

Specifically, CLAs, who are responsible for consulting with civilians over wide stretches of territory, still have no independent means of transportation. They depend on the military contingent for movement, and this seriously limits their ability to reach all necessary stakeholders. Communication, which is always difficult in DRC, is made more challenging by the lack of adequate phone credit. Many CLAs pay for additional credit out of their own salaries. Finally, CLAs continue to receive old and inappropriate computer equipment, and unreliable or non-existent internet uplink capabilities mean that CLAs sometime have to send reports back to headquarters on pen drives carried by local people who happen to be traveling into town. This creates obvious privacy and security concerns and hinders effective protection planning and analysis.

In addition to the lack of appropriate equipment, understaffing is creating both logistical and security challenges for the CLA program. Most forward bases are staffed with just one CLA. Member states should make it a priority to fund sufficient CLA positions (including staff to support and manage additional CLAs) to allow for a minimum of two CLAs in each location.

The need for this is twofold. First, the dependence of MONUSCO commanders on the CLA for day-to-day interaction and analysis means that CLAs rarely get a day off. The CLAs should be entitled to the same time off as all other civilian staff, and this requires that there be more than one CLA deployed in each location.

Second, for security reasons, there is a need to rotate CLAs occasionally from one location to another. Given the high rate of rotation amongst MONUSCO military commanders, the CLAs provide the institutional memory in each of the forward bases. It is imperative that a CLA with experience in a particular location is there when a new commander arrives. As such, two CLAs, with staggered deployment periods, can better ensure continuity of community dialogue and sustained levels of support to incoming commanders.

CONCLUSION

The need for large-scale physical and humanitarian protection inputs remains high throughout eastern DRC. Humanitarian needs continue to be astronomical, and donors must recognize the need to sustain high levels of funding for the foreseeable future. MONUSCO peacekeepers, responding to international pressure and the ongoing prioritization of protection by the UN Security Council, have come a long way in developing concrete protection tools and strategies. But these tools are imperfect and in need of greater staffing, equipment, and management support to reach their full potential. Finally, coordination between humanitarian and peacekeeping actors continues to be extremely poor. Shifting contexts and personalities are partly to blame, but greater protection for civilians can only happen if information-sharing and protection coordination is greatly improved.

Over a decade and a half, humanitarian and peacekeeping efforts have not resolved the issues that underpin protection needs in this country – and will not in future. While short-term protection efforts need to be sustained, the international community must invest in efforts to address the underlying security and governance gaps identified in this report.

Erin A. Weir and Peter Orr assessed the humanitarian conditions and security situation in the DRC in March 2012.