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DR CONGO: ADAPT STRATEGIES TO ASSIST VULNERABLE PEOPLE

With the recent shift in the security situation in eastern Democratic Republic of the Congo (DRC), United Nations agencies and non-governmental organizations (NGOs) must quickly reorient their strategies to assist and protect vulnerable people. Ongoing violence and a lack of access to basic services are taking their toll on the Congolese people and a more aggressive humanitarian response is now needed. The UN mission to the DRC (MONUC), working closely with UN agencies and NGOs, must also be more proactive in fulfilling its commitment to protect civilians.

TAKE HOLD OF NEW OPPORTUNITIES IN NORTH KIVU

Congolese civilians have paid the price for years of conflict in eastern DRC. Many people have been displaced multiple times as a result of fighting between numerous armed groups. The escalation in fighting in North Kivu between Laurent Nkunda's CNDP rebel group and the Congolese national army (FARDC) in late 2008 was but another wave in a long cycle of violence that continues to force people to flee their homes.

In January 2009 the security situation for local people shifted once again with the arrest of Nkunda in Rwanda and the entry of the Rwandan national army (RDF) into North Kivu to root out the FDLR rebel group in joint operations with the FARDC. This change, while having serious security implications for local people, also means a new opportunity for humanitarian organizations to take advantage of increased access and assist those in need.

Masisi

The limited humanitarian response in Masisi is having a devastating impact on displaced people, and conditions in the camps in Masisi center and Lushebere have fallen well below standards.

POLICY RECOMMENDATIONS

- ❑ UN agencies and NGOs must increase their activities to assist and protect vulnerable populations in North Kivu and South Kivu, including host families and newly displaced people.
- ❑ Humanitarian actors in South Kivu, led by OCHA, must ensure that there is adequate capacity and resources to respond to new displacement.
- ❑ The Protection Cluster, led by UNHCR and MONUC's Civilian Affairs Section, must ensure that MONUC Joint Protection Teams and humanitarian organizations are sharing information adequately to enhance civilian protection.
- ❑ The U.S. government and other members of the UN Security Council must pressure the governments of the DRC and Rwanda to reach definitive political and social solutions to the presence of the FDLR and Rwandan refugees in the Congo.

Fighting in the fall forced thousands of people to flee the main camp in Masisi center, as the CNDP came close to taking the town. This also made it difficult for humanitarian agencies to access new displaced people. However, the threat of a CNDP takeover has since diminished and UN agencies and NGOs should now increase their activities to meet the needs of the people in the area.

People living in camps in Masisi center and nearby Lushebere told Refugees International (RI) that there had been no food distributions since October 2008, and that at least 100 families have been forced to go home in order to search for food, despite their worries of continued CNDP presence in their home areas. As one camp leader told RI, these people are “committing suicide” by returning to insecure areas, but they were left with no other choice.

Displaced people raised concerns for those who go outside of the camps to search for food and firewood, in particular reports of women being raped. In addition to the lack of food, access to water & sanitation and education were also voiced as serious needs. However, as one displaced woman told RI, “Other people talk of latrines as an issue, but how can you go to the toilet if you haven’t eaten.”

The camps in Masisi center and Lushebere have been organized under the UN Refugee Agency’s (UNHCR) Camp Coordination Camp Management (CCCM) system since 2008. While normally a CCCM designation should lead to improved standards of assistance, displaced people in Masisi expressed frustration over the ad hoc nature of the aid they had received. They were also dismayed by the lack of proper communication from NGOs that had frequently pulled out their staff due to security concerns.

The poor condition of the road from Goma to Masisi remains a serious constraint, and more resources need to be devoted to ensuring that it is passable. However, UNHCR must establish a stronger presence in Masisi in order to monitor the implementation of assistance in the camps. Working with MONUC, NGOs must properly assess the real security threats in the area and work towards creating a more sustained presence and communication with the displaced.

Rutshuru

The violent upsurge in fighting between the CNDP and the FARDC in late 2008 has resulted in an unknown number of displaced people around Rutshuru needing assistance. The capture of Rutshuru by the CNDP led to the destruction of all of the displacement camps in the area. When they arrived, the CNDP told people that they were now “liberated” and that they must return home, forcing thousands

of displaced people to flee the camps and sites where they had previously sought safety.

It remains unclear where the people forced out of the camps in Rutshuru are now living and UNHCR should ensure that a protection assessment is conducted in order to identify vulnerable people. Several thousand fled to Uganda as refugees. Some are in a new displacement site next to the MONUC base in Kiwanja or are renting from host families in the area. Others fled north towards Kanyabayonga. However, the majority of the displaced did not return home as the CNDP ordered them to do and as the Government of the DRC has stated.

In the chaos of the destruction of the camps, families became separated, and those who had nowhere else to go were left behind. In late January, next to the former Kinyandonyi catholic camp, RI found several displaced people, including an elderly woman, squatting in an abandoned building. The elderly woman told RI she had nowhere else to go, and that she relied on the kindness of strangers to give her food, since she had received no other assistance to date.

The security situation in the fall made it difficult for humanitarian organizations to respond to affected populations in the Rutshuru area. The CNDP limited the assistance that could be given to people under their control, in particular to those who had been living in the camps. People were also afraid to identify themselves to humanitarian agencies as being displaced for fear of reprisals from the CNDP.

However, Rutshuru is back in government hands and humanitarian access is again possible. Despite this, the UN was still restricting movement of staff outside Goma through early February, and NGOs had pulled back their teams in order to wait and see what would happen with the FDLR operations. Humanitarian organizations should quickly re-establish their presence in Rutshuru in order to respond to urgent needs among both the displaced and host communities.

STRENGTHEN EMERGENCY RESPONSE CAPACITY IN SOUTH KIVU

The joint operations against the FDLR in North Kivu have forced thousands of newly displaced people to flee to South Kivu. Due to its comparative stability in recent years, humanitarian organizations in South Kivu have been primarily focused on assisting with returns and the transition to early recovery activities. UN agencies and NGOs must now strengthen their emergency response in order to tackle immediate needs.

Civilians in eastern DRC have been impacted by all sides involved in the joint operations. The majority of new displaced people in South Kivu fled as a result of exactions carried out against them by the FDLR in North Kivu. After the announcement of the joint operations, the FDLR began restricting the movements of people in their areas of control in order to use the presence of civilians to complicate the military offensives against them. They also punished communities after accusing them of collaborating with the Congolese and Rwandan armies.

Others fled as a result of their fears of the arrival of the RDF, as many Congolese civilians suffered atrocities by the Rwandan army between 1996 and 2002 and are still recovering from the trauma. Some recently displaced people also said they knew of attacks by the RDF against Congolese civilians in North Kivu at the start of the joint operations.

RI met with newly displaced people in Minova who had recently fled FDLR attacks in Ufamandu in Masisi territory following the arrival of the RDF and FARDC. People reported seeing the FDLR attack the population with machetes and women being raped. One woman told RI that she had become separated from her husband and two children while fleeing and she did not know where they were. Many said that, while they had not yet received any assistance, they expected more significant numbers of civilians would flee to Minova as a result of the fighting.

In Hombo, RI met with representatives of the estimated 15,000 new displaced people who had arrived there after the joint operations in southern Masisi and Walikale territories in late January. They were living with host families, and the local administrator told RI that the community was struggling to support the large influx of people. Displaced women raised concerns about the lack of access to medical assistance and schooling for their children due to costs. They were also frustrated about not being able to contribute anything to the households that had taken them in.

The capacity of humanitarian organizations to respond quickly to emergency needs in South Kivu is insufficient. In Hombo, it took at least two weeks after the arrival of the new displaced people before an inter-agency assessment was conducted. Another problem is the current phasing-out of UNICEF's Rapid Response Mechanism (RRM) in South Kivu. This is a critical component of emergency response in South Kivu and must be retained to quickly deploy emergency assistance to newly displaced people. Currently, sectoral clusters are responding first to new humanitarian crises. This has slowed activities given the time it takes for the clusters to identify available actors and resources.

At the same time, the RRM is not meant to be the sole emergency responder, but rather to fill in gaps where needed. OCHA should ensure that humanitarian organizations in South Kivu work towards scaling up their emergency capacity in case of future waves of displacement.

It is vital that agencies recognize that most displaced people in South Kivu are living with host families. The 2009 Humanitarian Action Plan acknowledges the need to support host communities. Humanitarian organizations must now put this into action. In North Kivu, UNICEF and its partners are piloting a new approach to the RRM that gives assistance based on vulnerability criteria, rather than categories such as displacement. The application of this pilot approach should be accelerated to meet the needs of both previously and newly displaced in South Kivu.

ENHANCE THE PROTECTION OF CIVILIANS

The exclusion of MONUC by the FARDC and the RDF in the planning and execution of the joint military operations seriously limited the UN mission's ability to protect people from the fighting. Without information on where, when, and how these operations would take place, MONUC was severely constrained in its efforts to ensure the safety and freedom of movement of communities caught between the FDLR and the joint forces.

Despite these challenges, MONUC's Civilian Affairs Section (CAS), working with UN agencies and NGOs through the Protection Cluster, developed contingency plans based on the new military landscape and protection concerns. A matrix was created prioritizing critical areas and vulnerable populations in places where joint operations could reasonably be predicted. The contingency planning process in North Kivu brought positive results -- the North Kivu Brigade rapidly shuffled its military contingents and re-deployed new Mobile Operating Bases (MOBs) in line with the priorities laid out in the contingency plan.

However in South Kivu, there remain serious concerns about the ability of MONUC to react quickly and strategically to enhance civilian protection. For example, given the fact that most newly displaced people in South Kivu will not be located in camps, MONUC Commanders deployed in critical FDLR zones such as Mwenga and Bunyakiri need to increase foot patrols in villages off the main roads in order to access and deter threats to vulnerable populations.

Of particular concern in South Kivu is MONUC's response in Hombo, where there has been a large influx of new displaced people since joint operations began. Hombo is divided between North and South Kivu, which means that it

falls under two different areas of responsibility. An MOB will soon be established in Hombo South, and it is critical that MONUC's South Kivu Brigade immediately extend its presence and patrolling to include Hombo North as well, since it would be too difficult for any contingent from North Kivu to reach the population there.

In response to MONUC's 2008 mandate renewal, which prioritized civilian protection, CAS is currently implementing a new initiative referred to as Joint Protection Teams (JPTs). If strengthened, these teams could play an important role in enhancing civilian protection. Staff from Human Rights, Child Protection, Public Information, and CAS are being deployed alongside MONUC's military contingents and tasked with working with commanders to enhance their capacity to protect civilians. In addition to establishing networks to improve communication with local leaders, JPTs are designed to provide analysis of security dynamics and potential population movements, which can then be incorporated into context-specific planning for the contingents.

More resources and an increase in civilian staff are needed to reinforce the JPTs as well as to expand their territorial coverage throughout the Kivus. Due to personnel constraints, JPTs have been conducting short missions to limited military deployments in North Kivu. Excluded from the planning of joint operations, they have often arrived to zones like southern Masisi well after fighting had caused significant civilian displacement.

The Protection Cluster, led by UNHCR and MONUC CAS, should ensure that there is coordination between the JPTs and humanitarian organizations, particularly with the constant changes in the security environment. Many NGOs have frequently pulled their teams out of the field for security reasons over the past several months. Information and analysis on threats gathered by the JPTs and shared with humanitarian organizations could facilitate a more rapid emergency response to accessible areas.

THE ROAD AHEAD

The attempted military solution to the FDLR appears far from having succeeded in crippling the rebel group, despite the recent disarmament of over 400 combatants by MONUC. Instead, the operations led to serious consequences for the Congolese in North and South Kivu, including significant new displacements. With the RDF now set to leave eastern DRC, the international community, through the UN Security Council, must seize this moment to pressure the governments of the DRC and Rwanda to build on their newly established collaboration and commit to non-military

avenues, including political means, to assure a definitive solution to the FDLR's presence in the DRC.

These strategies must ultimately include direct dialogue with FDLR leadership not linked to Rwanda's genocide and uphold previous commitments regarding the relocation of those combatants and refugees legitimately fearful of returning home. In addition, members of the Security Council, including the U.S., must push the government of the DRC to include MONUC in the planning for new offensives against the FDLR to ensure that civilians are protected.

Displaced people continue to be concerned about the consequences of the operations against the FDLR and the ongoing presence of CNDP soldiers in their home areas, even if they have now been, in theory, integrated into the FARDC. If humanitarian access and sustainable returns are to increase, MONUC must utilize the JPTs to ensure civilian protection in areas which have recently come under control of the FARDC, given their track record of abuse against Congolese civilians.

The continued uncertainty of the security situation in eastern DRC means that many displaced people will not be going home quickly. Humanitarian organizations must increase their efforts to access affected populations and assist those who do not wish to return home. In South Kivu, humanitarian organizations should continue to build capacity to respond to any future displacement. The situation in North and South Kivu may be ever changing, but the basic needs of the Congolese people remain the same.

Camilla Olson and consultant Steve Hege assessed the situation for displaced people in North Kivu and South Kivu in January and February 2009.