

September 28, 2010

Contact:
Erin A. Weir

DR CONGO: MANAGING THE TRANSITION

Discussions about the future of peacekeeping in the DR Congo and the modalities of withdrawal are happening while the east of the country remains steeped in conflict. Joint efforts by the UN stabilization mission and the Congolese Government to map remaining challenges have been rushed and incoherent. Assessment methodology was designed without reference to key actors, both inside and outside the mission. As the UN Security Council begins discussing the withdrawal of MONUSCO (formerly MONUC) forces, the assessment planning process must be made more consistent, UN agencies and civil society must be given a voice in the process, and critical civilian efforts must continue to be developed and supported.

THE VIOLENCE CONTINUES

While a fragile stability exists in many parts of the DR Congo, the eastern region – the birthplace of the current conflict – is still host to numerous armed groups and daily brutal violence against civilians.

In Oriental province, one major armed group dominates the agenda. The Lord's Resistance Army (LRA) which began its assaults against civilians in northern Uganda over 20 years ago, now operates in northeast DRC and across the borders in southern Central African Republic and southern Sudan. This group is believed to be behind the massacre of 150 Congolese civilians in February of this year. The group's vicious attacks on civilians routinely involve sexual violence; forced recruitment of children and others; and mutilation, including the cutting off of victim's lips, ears and breasts.

In North Kivu, near the border with Uganda, ADF-NALU (an alliance between the Allied Democratic Forces and the National Army for the Liberation of Uganda) represents another major threat. This group is suspected of linkages to the July terrorist attacks of two FIFA World Cup viewing parties in Kampala in which 74 civilians were killed. They are also responsible for the displacement of tens of thousands of people in the summer months of this year, when

POLICY RECOMMENDATIONS

- ❑ MONUSCO Senior Management and the Government of the DRC should review the various methodologies used in the first joint assessment process, identify gaps and lessons learned in advance of the next joint assessment effort.
- ❑ MONUSCO should establish, and the Government of the DRC should support, a mechanism that allows the UN Country Team organizations, local civil society organizations, and NGOs to comment on the findings put forward in the joint assessment reports. Those comments should be made available to the Security Council alongside the Joint Assessment report.
- ❑ The UN Security Council should use the joint assessment reports to guide the reallocation and redeployment of MONUSCO staff and resources, and not just as a means to identify areas for MONUSCO withdrawal.
- ❑ The MONUSCO Heads of Office in North Kivu, South Kivu and Ituri should be made a part of the MONUSCO Senior Management team.

they attacked civilians in response to Congolese military operations against them.

In North and South Kivu provinces, ongoing operations by the Congolese national army (FARDC) against the FDLR militia group continue to have terrible consequences for civilians, with few apparent military gains. FARDC operations are routinely followed up by reprisal attacks on the population, both as a message to the Congolese military – who have proven incapable of holding territory once it has been “cleared” – and as retribution against civilians who are perceived to have supported the army.

The FDLR leadership includes Rwandan Hutu *genocidaires* who fled to DRC (then Zaire) in the aftermath of the genocide in 1994. Their presence helps fuel ethnic tensions over land and refugee repatriation – both Rwandan and Congolese – that is steadily worsening.

Finally, recent violence has targeted civilians and international personnel. On August 18 three UN peacekeepers were hacked to death on their base in Kirumba, North Kivu when a number of men posing as civilians approached the base asking for assistance in the middle of the night. When the peacekeepers opened the gate, 50 Mayi Mayi militia emerged from the forest and attacked. This was a first for the MONUSCO (formerly MONUC) peacekeepers who had never been directly attacked on their base.

More worrying were the systematic attacks in the Luvungi area only a few weeks ago during which over 240 women and girls were systematically raped over the course of four days. This is unprecedented in scale and in method, even in DRC where rape has been a weapon of war for years.

THE END OF UN PEACEKEEPING IN DRC?

It is in this violent context that the Government of the DRC and the UN Security Council have begun to discuss the drawdown and withdrawal of the peacekeeping mission that has been a stabilizing presence in the DRC for a decade.

In December 2009 and in anticipation of the 50th anniversary of Congolese independence in June of this year, the government of the DRC began to announce that the peacekeepers were no longer required and that the UN should make plans for their withdrawal. After intense negotiations, the UN Security Council struck a compromise with the Government of the DRC and a new mandate

was adopted in May 2010. The mission was renamed from MONUC (the UN Mission in the DR Congo) to MONUSCO (the UN Stabilization Mission in the DR Congo) with a new emphasis on stabilization and laying the groundwork for the slow withdrawal of the mission over the coming years.

One critical paragraph in the new mandate states that withdrawal will be contingent upon an “evolution of the situation on the ground.” This implies that withdrawal should be done responsibly and only in areas where the security situation has improved to the extent that the peacekeepers are no longer needed. The mandate did not specify how this “evolution” was to be assessed.

IMPROVE THE INCONSISTENT JOINT ASSESSMENTS

At the end of July the Government of the DRC led a process with MONUSCO headquarters staff to formulate the process behind the first of three planned joint assessment exercises. The first of these processes was carried out in a handful of critical provinces and territories in late July and early August, focusing on three key indicators of stability: the presence of state authority, the capacity of security forces, and the relative safety/protection status of civilians. Each of these indicators is to be assessed in each of the targeted communities, and the teams have been asked to assign a rating of red (indicating that the capability is entirely absent); yellow (indicating some presence, but lack of practical capacity); or green (indicating both presence and capacity). These color coded ratings will be applied in a mapping exercise designed to determine which regions have stabilized, and which ones are in need of MONUSCO support.

Teams composed of Congolese government officials and MONUSCO staff conducted interviews at the local level, asking the questions that had been laid out in the capital, Kinshasa. Interview techniques varied considerably from team to team. In some areas, teams conducted group interviews, whereas other teams chose to interview people individually. The range of people interviewed and perspectives represented varied dramatically. In at least one case local civil society and even opposition political figures were shut out of the assessment interviews at the insistence of the Government official co-chairing the assessment team.

The planning and execution of this process was rushed. The assessment was designed in the capital, and did not include the MONUSCO heads of office in the areas to be assessed. Nor were UN humanitarian agencies and the

many national and international Non-Governmental Organizations (NGOs) that currently provide critical humanitarian and development assistance throughout the DRC made aware that these discussions were taking place. To date, no mechanism has been established to allow these organizations and agencies to comment on or contest the findings of the joint assessment teams.

In addition to the inconsistencies in the range of opinions sought out by the assessment teams, the level of comfort, and therefore honesty, of the interviewees seems to have differed from group to group. For example, during interviews of local military officers over the competence of the FARDC troops, the presence of Congolese military officials might lead people to use significantly different terms to describe the prevailing situation. In future assessment phases it is important that the methodology take into account the impact that the presence of particular officials on the assessment team might have on the kinds of responses the team gets from individuals being interviewed.

Furthermore, the short time period allocated for the assessment and the ever-present logistical and security challenges associated with travel in the DRC meant that many teams had access to target communities for as little as three or four hours. This constrained the number and length of interviews conducted, presumably affecting the depth of the interview and the responses. The short window also limited the number of respondents that were able to access the interview sites on the appropriate days, thereby reducing the range of opinions and expertise available to the assessment teams.

SUPPORT PROTECTION INITIATIVES

In spite of the broad changes in the mission's mandate, the protection of civilians continues to be a MONUSCO priority. While wider drawdown efforts are underway, it is critical that protection efforts continue to be supported and if necessary, augmented in areas where civilians remain particularly vulnerable to violence and insecurity.

In North Kivu a number of protection innovations continue to be developed and expanded. Joint Protection Teams (JPTs) -- which draw their staff from Civil Affairs, Human Rights, and other substantive sections of the mission -- work with MONUSCO military commanders on a rotating basis to develop localized protection plans in the areas where the mission has deployed forces. In March of this year, the JPTs were reinforced with the recruitment

and deployment of Community Liaison Interpreters (CLIs), local staff drawn primarily from the communities at risk. They act as a day-to-day link between the MONUSCO military forces and the communities they have been assigned to protect.

In order to further strengthen these communication links between the community and the mission, MONUSCO is preparing to distribute telephones to both the CLIs and community "focal points" -- at least 10 representatives in each community -- in areas where cell phone coverage is available. In areas where it is not, the CLIs are still in need of satellite phones and vehicles to stay in contact with vulnerable communities throughout the eastern DRC.

As the August case of mass rape in Luvungi has reminded us, communication with communities at risk remains a key hurdle, and the implementation of concrete protection strategies is far from perfect. While MONUSCO has made great strides in civilian protection, particularly in the face of daunting logistical and resource challenges, there is still a good deal of room for improvement. The UN Security Council and international donors must continue to find ways to support and strengthen initiatives such as the JPTs and CLIs. In particular, fulfilling the mission's requests for additional staffing and resources for these important new initiatives is a low-cost way to significantly enhance MONUSCO's overall protection capacity.

NECESSARY NEXT STEPS

After over a decade of international presence and support, the transition away from UN peacekeeping in DR Congo needs to be done in a careful, responsible way. In the coming year, the joint evaluations between the mission and the Government of the DRC will set the stage for changes in the mission's geographic and substantive areas of responsibility. It is critical that these assessments accurately reflect current conditions. MONUSCO and the Government of DRC need to do a thorough review of this first assessment effort to evaluate the methodology and identify instances where the short timeline, divergent interview processes, or discrepancies among the pools of respondents might have resulted in inaccuracies in the overall results. The short timeline and rushed visits of the assessment teams should be reconsidered, and future assessment reports should be based upon an ongoing assessment process that allows for more thorough discussions with a wider and more representative range of respondents.

Furthermore, MONUSCO must make it possible for outside actors to comment on the assessment results. While the joint assessment is designed primarily to determine where the peacekeepers should remain present, and how they should focus their work, the results of these assessments will inevitably have an impact on the programs of non-peacekeeping actors. UN agencies, as well as local civil-society organizations and both local and international NGOs have a stake in the results of these assessments. These agencies -- many of which are working in areas of concern to the peacekeepers -- might have additional information about the evolving security situation that would be useful in Security Council discussions regarding the future of the mission. A formal mechanism needs to be established to ensure that these actors are given the opportunity to comment on the findings of the joint assessment teams, and that their comments are made available to UN Security Council members along with the formal joint assessment reports.

The joint assessment reports are likely to identify some areas where peacekeepers are no longer needed. It will also find places -- like North and South Kivu, and Oriental province -- where a peacekeeping presence is not only needed, but needs to be reinforced. In this regard, MONUSCO officials, the Government of the DRC and the UN Security Council should view these assessments as a guide for the redistribution of mission resources. This should be seen as an opportunity to maximize the impact of the mission in areas where peacekeepers continue to be needed, and not simply as a guide for drawdown.

Finally, the development of the joint assessment tool should never have taken place without the direct, formal involvement of MONUSCO staff and officials in the areas that were being targeted for assessment. As mission resources and protection tasks continue to be consolidated in the east, it is critical that information, views and experiences from eastern staff and officials are formally incorporated into the planning and decision-making processes in Kinshasa. To that end, the MONUSCO Heads of Office from eastern provinces -- and most critically in North and South Kivu and Ituri -- should be incorporated into the mission's Senior Management team.

The assessments conducted over the course of the coming year will guide major changes in the geographic scope and the nature of MONUSCO's work in DRC. Most critically, the capacity of the mission to respond to civilian protection crises could be deeply affected by any reconfiguration or withdrawal of peacekeepers recommended by the assessment teams. As such, it is essential that these assessments be done in a consistent, credible and transparent manner, and that the UN Security Council take outside comments and criticisms into account when considering changes in the mission posture and deployment. Most importantly, civilian protection must remain the central consideration of the mission, the UN Security Council, and the government of DRC, even as the UN peacekeeping effort draws to its eventual close.

Erin A. Weir and Matt Pennington assessed the UN peacekeeping mission in eastern DR Congo in August 2010.