

## **DEMOCRATIC REPUBLIC OF CONGO: TRANSITION WITHOUT MILITARY TRANSFORMATION**

After the 2006 elections in the Democratic Republic of the Congo, the new government assumed formal responsibility for the intractable security problems, incomplete disarmament and demobilization processes, and protection challenges in the east, taking over from the UN peacekeeping operation, MONUC. MONUC continues to ‘support the transition’ and to provide training and operational assistance to the Congolese army, the Forces Armées de la République Démocratique du Congo (FARDC). Security sector reform (SSR) – or more pertinently defense sector transformation – is key to meeting the remaining disarmament and civilian protection challenges in the DRC. However, it has not been pursued with sufficient vigor to actually enhance security in the eastern Congo. Rather, an inadequately resourced and supported SSR program has contributed to the FARDC becoming a major source of insecurity for civilian communities in the east.

With the disarmament of all armed groups in the DRC far from complete, donor governments supported the build up of a new Congolese army through a process of integration of the disparate armed forces that were signatory to the April 2003 Sun City agreement. This process, called brassage, was conceived as an emergency measure rather than strategically-planned process of defense sector reform. After a mere 45-day basic training program “Integrated Brigades” were deployed. But brassage was at best a process of amalgamation rather than integration or even assimilation.

The resultant national army is out of control – at least, by democratic and professional military standards. Command and control are weak and unstructured. The army lacks cohesion and basic operational capability. FARDC exactions and harassment of the local population continue in virtually all areas of deployment. Soldiers take their families with them on operations, where they often live in far worse conditions than the thousands of displaced civilians. Government troops have been responsible for serious human rights violations, including sexual violence, which remains rife in eastern DRC. Illicit taxing by government forces is ubiquitous. FARDC elements cooperate with the FDLR, the remnants of the Hutu forces that committed the genocide in Rwanda, who they are supposed to disarm, sharing looted items and taxes and the proceeds from gold and coltan mining operations. Serious criminal acts, such as murder and rape, go unpunished.

### **Policy Recommendations**

1. MONUC take responsibility for coordinating offers of short-term military assistance to the DRC and a multilateral mechanism for negotiating these with the Government.
2. The European Union take the lead in providing unambiguous direction and guidance to the longer-term process of defense sector transformation in the DRC; forge agreement on the issue with the Government and all partners providing military assistance; and create an effective mechanism for pooling funding and resources towards the achievement of an agreed professional end-state for the FARDC.
3. All external actors supporting defense sector transformation insist – as a precondition for further military assistance (short or long term) – upon the constructive resolution of the internal governmental dispute on plans for reform, and upon the convening at the earliest opportunity of the Round Table for the presentation and refinement of a unified plan for the transformation of the DRC defense sector.

During and beyond the transition, there has been a chronic lack of international funding, leadership and coordination for defense sector transformation. At the same time, the Congolese government prefers bilateral agreements to meaningful international coordination, so as to extract as much as possible from individual donor countries. While the Congolese Minister of Defense mandated an expert commission to develop a comprehensive plan for military reform, he has rejected the resultant model produced with the assistance of European Union and other international military advisors because the plan is based on a 'Western' model of a professional defense force and does not accord with his own "Master Plan" for a bloated army that will engage in agricultural production and infrastructure development work. The discrepancy between the two plans has led to fall out between the Minister and the Chief of General Staff, and a Round Table that was to be convened in mid-October 2007 to present defense reform plans and identify specific programs for coordinated donor support has been repeatedly postponed.

Donor partners in Kinshasa are concerned that President Joseph Kabila will not take comprehensive military reforms seriously until such time as the eastern DRC has been stabilized and the brassage process has been completed. Most international assistance to the FARDC has therefore been focused on meeting these short-term challenges. MONUC is trying to impart basic military skills to all FARDC battalions deployed operationally alongside its forces, while bilateral training support for the creation of a "Rapid Reaction Force" has been offered in an unseemly and uncoordinated manner by the USA, China, South Africa and Zimbabwe. The Congolese government and its international partners appear to be blind to the real needs – for military organization, professional military education and socialization, and the institution of effective command and control.

The current situation of military mal-integration and ongoing insecurity in the eastern DRC stems from a transition process that was fundamentally flawed. Elections were held with sub-national armed groups still operative, and long before the creation of a unified and integrated national military. Primary responsibility for security and civilian protection was prematurely passed from MONUC to the FARDC. Efforts to redress this problem remain concentrated on limited short term training to enhance the basic operational capabilities of FARDC, and do not effectively address the deeper-rooted military pathologies. MONUC and bilateral partners are engaged in low-level capacity building rather than defense sector reform. MONUC is merely holding the line, keeping a lid on the FARDC in attempt to prevent force disintegration and the widespread commission of human rights abuses, while using the FARDC to stabilize the eastern DRC.

Efforts to consolidate democracy and rule of law in the DRC are doomed to failure unless accompanied by urgent, concerted and sustained international and Congolese efforts to engage in a process of fundamental transformation of the national army. Post-colonial African history is replete with examples of nascent democracies that have been abruptly terminated by armies that are weak on professionalism and strong on political and/or pecuniary ambition.

There is thus a pressing need for a unified vision of national defense and urgent work on the base of the FARDC. The UN Security Council, MONUC, the "P3+2", the European Union, the Contact Group – and others who are dabbling in military assistance to the DRC – must get a grip on the real challenges of defense sector transformation in the DRC and be prepared to commit resources for the long term. Human resource management systems must be developed and implemented, administrative and logistic systems created, new training schools and barracks built, etc. Building new armed forces from the base up will require 10-15 years of sustained effort and coordinated international support.

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# DR CONGO: KEY FACTS ON MILITARY INTEGRATION

- ❑ The process of integrating the various fighting forces in the Democratic Republic of the Congo, known as *brassage*, was seen as a necessary precondition for the organization of the 2006 elections. The idea was to dissipate the capacity of former combatant leaders to veto by means of force an unfavorable electoral outcome, while also providing integrated army units to stabilize the east of the country.
- ❑ *Brassage* was conceived as an emergency plan, rather than a strategically-planned process of defense sector reform. It required all armed forces to assemble at regrouping centers under the authority of the Chief of General Staff, where they would be separated into those eligible and those ineligible to become members of the Congolese national army, the FARDC. Centers for *brassage* and re-training (CBRs) were established at six locations around the country, where former combatants were registered and issued an ID card: green for those considered eligible for service in the military; red for those not meeting the requirements for FARDC employment (the old, the seriously ill, the disabled, children under 18 years old, and those otherwise considered physically unfit for the rigors of military service).
- ❑ In practice, many who were well below par by military standards were enlisted in the FARDC. The resultant army is bloated, with a total estimated strength of 164,000 personnel (30,000 of them reputed to be “ghosts”) on the payroll. The military hierarchy is badly skewed; about 33% of the FARDC are officers; 44% are warrant officers and non-commissioned officers; and only 30% are privates.
- ❑ Belgium, Angola, South Africa, the Netherlands, and the European Union provided training support. Eighteen standard infantry brigades of 4,200 troops were to be formed and trained at the CBRs. Fifteen under-strength brigades were ultimately formed. There was little professional military organizational structuring; individuals were grouped together and “topped up” with new arrivals until brigade strength was more or less reached, at which time the whole group entered a 45-day basic training program, upon completion of which the group became a numbered “Integrated Brigade” and deployed operationally. A cohesive, operationally proficient and combat effective brigade cannot be formed in 45 days.
- ❑ The army ‘integration’ process is far from complete. There is no system in place for validating the total number of personnel serving in the FARDC. There is to date no centralized personnel database. In addition to serving members of the FARDC, another 80-90,000 individuals are still awaiting registration and *brassage*. The *mixage* process had very perverse consequences, with renegade General Laurent Nkunda consolidating his position in North Kivu and remaining the most serious and salient threat to peace and security in the DRC.
- ❑ The *brassage* and *mixage* processes did nothing to address the issue of impunity for war crimes and gross human rights violations. There was no screening or vetting process, and several suspected war criminals have been promoted to colonels and generals in a process supported by the international community.
- ❑ Giving all combatants the opportunity to assimilate into a new army has inflated retirement benefit costs downstream and created huge problems for any future right-sizing exercise. There are some 30,000 members of the extant FARDC who have reached 60 years of age and are due for retirement, but the state cannot afford to retire them (at an estimated cost of \$80 million for severance benefits).

# DR CONGO: KEY FACTS ON MILITARY PATHOLOGIES

- ❑ Command and control of the national army are weak and unstructured. According to sources working closely with the Congolese national army, the FARDC, there is no cooperation between the President and the Minister of Defense. President Joseph Kabila does not trust his military staff, and issues orders directly to his regional commanders and brigade commanders in the field. The General Staff has no detailed knowledge about the tactical situation in North Kivu.
- ❑ The FARDC headquarters in Kinshasa has little utility, and there is no divisional command in the east to parallel MONUC's Eastern Division structure. Not one written operational order has been issued, and there are no written administrative and logistic reports within the FARDC.
- ❑ The FARDC lacks cohesion and basic operational capability. The basic standard of military performance of FARDC troops is very weak. In four major operations conducted by the FARDC against the Democratic Forces for the Liberation of Rwanda in South Kivu, not one rebel was apprehended. Operations merely succeeded in displacing the FDLR to areas deeper inside the DRC, and all were followed by retaliatory massacres of civilians. In North Kivu, the FARDC 15th Integrated Brigade disintegrated in September 2007, and there is an ongoing tendency for FARDC forces to over-react with heavy weapons fire or to flee when attacked.
- ❑ FARDC exactions and harassment of the local population continue in virtually all areas of deployment. Government troops have been responsible for arbitrary arrests, sexual violence, and other serious human rights violations throughout the country. Cordon and search operations have been conducted by the FARDC, in order to press gang local youths into service as porters to carry equipment and supplies to the front.
- ❑ Illicit taxing by government forces is ubiquitous in North and South Kivu. The official salary of a FARDC general is around \$100 per month, but many enjoy large residences and lavish lifestyles. The chain of command and the chain of salary and other payments have up to now been one and the same, and FARDC elements continue to cooperate with the FDLR, sharing looted items and taxes, and the proceeds from gold and coltan mining operations.
- ❑ MONUC has dossiers on a number of troops who have committed crimes and abuses, but FARDC commanders have taken no action to prosecute them. Nevertheless, there are currently about 3,000 FARDC members in prison, many of them in pre-trial detention. This number represents about 25% of the Congolese prison population. The DRC military justice system is partially dysfunctional, and prosecutors and judges remain subject to interference from the chain of command.
- ❑ FARDC troops and their dependants receive very little support from the military hierarchy. FARDC soldiers are extremely badly paid, even by African standards. They take their families with them on operations in the east, where they face cholera and other clear risks to their safety, often living in far worse conditions than most internally displaced people. There are 500 cubic meters of medical supplies lying in the army warehouse in Kinshasa, while there are no medical supplies for the forces in eastern DRC. Non-governmental organizations provide what little medical care they receive, and MONUC takes care of MEDEVAC for combat operations.

# DR CONGO: KEY FACTS ON SHORT-TERM TRAINING ASSISTANCE

- ❑ Restructuring and training military forces is best done when troops are in barracks. But most FARDC integrated units are deployed to front-line positions in North Kivu. There is only one battalion of troops, plus the Republican Guard left in Kinshasa.
- ❑ The FARDC integrated brigades are not considered capable of effectively carrying out joint operations with MONUC. Therefore, in early July 2007 MONUC commenced a short-term training program for 33 battalions (11 brigades) as mandated by Security Council resolution 1756 (2007). The 12-week program focuses on discipline and conduct, as well as on enhancing operational capacity and cohesion. All 33 FARDC battalions are supposed to have completed the 12-week training program by September 2009. A total of 3,750 FARDC troops have completed the first training series (including 1,500 who participated in a six-week pilot program).
- ❑ The envisaged goal to be achieved is to “raise the operational capability of FARDC battalions, and to provide the necessary ‘ethical sensitization’ for the conduct of joint operations, and to improve units’ internal cohesion.” The training concept issued by the government’s Eastern Division states that the training is to improve the combat potential of the FARDC units.
- ❑ The training provided by MONUC is basic infantry training, at best, at extremely rudimentary training facilities. MONUC has no specific funds budgeted for the provision of training to the FARDC; its logistic support for these efforts has therefore been extremely limited. There were not enough training aids available for training, including targets, which meant that the desired number of firing practices could not be completed. Most of the personal weapons brought by the FARDC to the training were unserviceable, and there was a lack of battalion support weapons.
- ❑ Despite shortcomings, MONUC’s Training Task Force initiative offers a common base-line training program in the face of a number of other uncoordinated training assistance offers by China, the USA and South Africa, among others. Offers of assistance have been pitched at training components of an FARDC “rapid reaction force” of six brigades, to provide a capability for the Government of the DRC to stabilize the eastern part of the country and to take over from MONUC forces.
- ❑ According to a MONUC source, 400 Chinese instructors will be arriving shortly in the DRC to assist with FARDC training. While there is some degree of coordination among most international donors, the Chinese do not coordinate their bilateral military assistance efforts with other partners.
- ❑ On 29 October, the U.S. Embassy in Kinshasa announced that the United States plans to help train a FARDC rapid reaction force to stabilize the east, and that U.S. State Department officials are negotiating the terms of a training contract. No contract has been finalized or signed at yet, but \$5 million has been earmarked and it is envisioned that training will be provided by private company. The South Africans have also offered to train two battalions of the rapid reaction force, and have offered places in “train-the-trainer” courses in South Africa for select FARDC personnel.
- ❑ On 5 December, local media reported that a clandestine deal was recently agreed by President Mugabe and the DRC government – whereby the Zimbabwe Defense Force is sending trainers and possibly troop reinforcements to the DRC in return for mining concessions. The deal apparently also includes the sale of weapons to the DRC by the Zimbabwean government.

# DR CONGO: KEY FACTS ON DEFENSE RESTRUCTURING

The European Union must take the lead in providing unambiguous direction and guidance to the longer-term process of defense sector transformation in the DRC; forge agreement on the issue with the Government and all partners providing military assistance; and create an effective mechanism for pooling funding and resources towards the achievement of an agreed professional end-state for the FARDC. Further, all external actors supporting defense sector transformation should insist – as a precondition for further military assistance (short or long term) – upon the constructive resolution of the internal governmental dispute on plans for reform, and upon the convening at the earliest opportunity of the Round Table for the presentation and refinement of a unified plan for the transformation of the DRC defense sector.

- ❑ In June 2005, the European Union launched its Security Sector Reform Mission (EUSEC RD Congo) with the principal aim of “support[ing] the transition process in the DRC, including the creation of an integrated, restructured, and inclusive national army.” The first priority of EUSEC is to provide technical expertise to the Government of the DRC on issues of military command and control, budgetary and financial management, training, accounting and dealing with contracts and tenders. A project known as ‘EUSEC FIN,’ which is aimed at setting-up a chain of payment system for the FARDC, was launched in December 2005. It aims to rectify several of the key weaknesses of the FARDC: the embezzlement of a considerable part of the soldiers’ salaries at various points in the chain of command, and the issue of ‘ghost soldiers’ on the military payroll.
- ❑ While the Congolese government needs considerable help with defense restructuring and the build-up of a professional army, there is a chronic lack of international funding for such a process. The EUSEC team consists of 49 personnel from 13 different EU member states, but EUSEC cannot access any money at all from the European Commission’s development assistance budget. Although it is widely accepted that security is a prerequisite for development, no means has yet been found to convert this common wisdom into tangible funding for the establishment of capable and sustainable defense forces.
- ❑ In order to harmonize the EU initiative with those of other donor partners, a Contact Group was created as a centralized forum for engagement with the government on issues of security sector reform. At the first Contact Group meeting in July 2007, the Congolese Minister of Defense presented a “Master Plan”. It provided for a national army that rests on four pillars, or a four part strategy to establish: a deterrent army, including a rapid reaction force capable of taking over responsibility for the territorial integrity of the DRC from the UN by 2009; an “army of excellence” that will include training and education on human rights, as well as improved benefits and living conditions for troops and dependants; an “army of production”, based on the Chinese concept of an army that produces food for self-sufficiency and also a surplus for the broader population; and an “army of construction” that undertakes construction work for the armed forces, but also civilian infrastructure projects such as the building of roads, bridges, schools and hospitals.

- ❑ The Defense Minister tasked the Chief of General Staff (CGS), General Dieudonne Kayembe, to convene a commission of experts to elaborate on his plan and fill in the technical details. The Minister of Defense further directed that the Commission should present its plans at a Round Table to be convened in mid-October 2007. The expert Commission was not established until mid-September 2007. This left very little time for a thorough and consultative planning process. The detailed, technical plan produced by 81 officers – Congolese together with 58 international experts (from the UN, EU, Belgium, South Africa, USA, UK and France) – proposes a three-phase approach to building up a professional and affordable army.
- ❑ The Minister of Defense apparently objects to the Commission’s plan because it is based on a ‘Western’ model of a professional defense force and does not incorporate the four pillars contained in his “Master Plan.” Moreover, the Minister’s plan is a short-term one, drafted with a two-year horizon in mind, and based on the need to consolidate the brassage process while at the same time providing the military capability to stabilize the eastern DRC, while the Commission’s plan envisages a 20-25 year time frame for building a professional army.