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A Window of Opportunity for Reforms in the Congo's Security Sector?

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Abstract:

The Democratic Republic of Congo has recently witnessed a number of historical events, opening space for a new perspective on disarmament, demobilization, and reintegration (DDR) and security sector reform (SSR). The Congolese army, renowned for its extensive human rights violations and inefficiency, underwent a cosmetic facelift directed by President Kabila during the fall of 2013, which contributed to its win against the Rwandan-supported rebel group M23. The United Nation's new offensive approach, which included the deployment of a Force Intervention Brigade made up of 3,000 regional soldiers, also assisted this change, as did the international community's increasing pressure on Rwanda to end its support of M23. Together, these events have produced a narrow window of opportunity for reforms in the Congolese security sector while international attention remains in place. As this brief shows, to seize the opportunity, there is a need for renewed and reinforced collaboration between Congolese and international partners. In particular, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) has an opportunity to grasp its long awaited role as a coordinator for SSR efforts, a role that ideally also should incorporate the DDR process.

As this brief shows, to seize the opportunity, there is a need for renewed and reinforced collaboration between Congolese and international partners. In particular, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) has an opportunity to grasp its long awaited role as a coordinator for SSR efforts.

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Introduction

In the past decade, discussions and analyses about the troubles in the Democratic Republic of the Congo (DRC) have been dominated by, on one hand, the urgent need for security sector reform (SSR), and on the other hand, the massive scale of sexual violence often attributed to the failure of SSR. Yet neither SSR nor sexual violence has been successfully dealt with during these years, despite a number of different initiatives driven by a myriad of actors. In the background of these discussions, the Congolese government's generous integration politics, which have led to an almost constant effort at integration and reintegration of former rebels, have been seen as part of the problem.[1]

However, with few exceptions, these discussions rarely centre on the importance of a successful disarmament, demobilization, and reintegration (DDR) process - one that not only completes the vetting procedure and breaks the former chains of commands but also strongly diminishes (and ideally eradicates) incentives for former rebels to join the vicious circle of integration, desertion, and re-integration with the army.[2] The importance of successful DDR should not be forgotten when discussing the long-drawn out SSR efforts in the Congo.

The latest events in the Congo have brought the DDR process back to the centre of discussions, as the Congolese government embarks on its third attempt to disarm, demobilize, and reintegrate former rebels - in many cases the same rebels who took part in previous DDR efforts. This brief will look into the events that have led up to the current situation and examine challenges and possibilities related to the new DDR process, as well as the danger of its fragile link to future (and continuing) security sector reforms.

Opening the Window of Opportunity

The official "All-Inclusive" peace agreement of 2003, signed after two consecutive wars were fought on Congolese territory between national and foreign government forces and rebel groups supported by regional neighbours, did not stop the conflict completely. Indeed, conflict continued to simmer, particularly in the country's eastern region, which hosted various rebel groups and lacked much in the way of state authority.

In 2009, after three years of fighting, a peace agreement was finally established between the National Congress for the Defence of the People (*Congrès national pour la défense du peuple* or CNDP) rebels and

the Congolese government. The CNDP, composed of members from the disintegrated Rwanda-supported rebel group Congolese Rally for Democracy (*Rassemblement Congolais pour la Démocratie* or RDC) active during the Congo wars, was led by General Nkunda and still backed by Rwanda in 2006. The group claimed to protect the Tutsi population in Eastern Congo and was a well-trained and rather disciplined force. Yet the resulting integration of former CNDP rebels into the Armed Forces of the DRC (*Forces Armées de la République Démocratique du Congo* or FARDC) was a good example of how to fail in an integration process. The FARDC's inability to achieve a military victory over the rebels forced the Congolese government to accept a number of conditions related to their subsequent integration in 2008 and 2009. This included deploying ex-rebels to the natural resource-rich eastern parts of the country and excluding them from vetting and *mixage* processes, which were intended to break the chain of commands and remove human rights violators from the integration. In addition, rebel leader Bosco Ntaganda, already being pursued by the International Criminal Court, was promoted to the rank of general and given safe-haven in Eastern Congo.

The desertion of Ntaganda in April 2012 ignited the creation of a "new" rebel group, largely composed of the former CNDP soldiers, now called M23. The rebels, supported by Rwanda and Uganda,[3] managed to take over Goma in November 2012 after months of fighting against a weak and fragile FARDC and a largely impotent UN force. This prompted negotiations between M23 and the Congolese government in a regional framework under Ugandan auspices, which resulted in the Peace, Security and Cooperation Framework Agreement signed by 11 countries in the region on February 24, 2013 - but somewhat surprisingly not by M23.[4]

As the fighting against M23 continued, the agreement invited the UN to use a more aggressive approach. The deployment of a 3,000-strong Force Intervention Brigade (FIB), mandated to fight "negative forces" in Eastern Congo alongside the FARDC, was the result.[5] The Congolese government thus continued to search for both a political solution via negotiations and a military victory through the use of the UN brigade.

A historic victory by the FARDC over M23 was finally achieved in November 2013, after more than 18 months of fighting. The victory was in part explained by the UN's robust response[6] and partly by international pressure on Rwanda to end its support of the rebels, which included the exertion of considerable influence from former unconditional allies, such as Great Britain and the United States. The FARDC had also been subject to internal changes, including a swift "cleansing process" initiated by Kabila

to remove some of the corrupt officers in the field, as well as the provision of new resources to furnish logistics, supplies and pay for the force.[7]

These events - and in particular the combination of the momentum of a Congolese victory, an upsurge in MONSUCO's popularity, and an international spotlight on Rwanda and Uganda's respective roles - prompted observers and media to talk about a new "window of opportunity" for the Congo.

Regional Focus, Sovereignty, and an SSR Roadmap

The Peace, Security, and Cooperation Framework agreement opened the door for a regional approach to solve the country's eastern problems with 11 signatories committing to respect Congo's sovereignty. It also pointed to the Congolese government's responsibility to implement extensive security sector reforms. Kabila acknowledged this fact and emphasized the priority of army reform in statements made at the end of 2012.[8] Yet, at the time of writing, structural reforms and an overarching SSR roadmap are still items on the "to-do" list.

The Force Intervention Brigade's exceptionality and clear exit strategies, underlined in UN resolutions, have highlighted the need for a Congolese equivalent to replace it once the FIB's mandate expires. In spite of that, the creation of a Congolese "Rapid Reaction Force" is far from finished, let alone properly started.

There are several reasons for this delay. Most obviously, it is related to fighting rebels in Eastern Congo, which has, as so often before, curtailed any effort to implement overarching reforms of the army. This time around, international attention has also focused on how to defeat the rebels, in particular the intervention of the FIB. The Force Intervention Brigade's exceptionality as a force actively engaged in hostilities and its clear exit strategy, underlined in UN resolutions, have highlighted the need for a Congolese equivalent to replace it once the FIB's mandate expires. In spite of that, the creation of a Congolese "Rapid Reaction Force" is far from finished, let alone properly started,[9] which might push the UN brigade to extend its operations into a more open time frame.

However, while SSR has been pushed further down on the agenda, the government has delivered a new (the third to date) disarmament, demobilization and reintegration plan targeting the defeated ex-rebels. Hoping to learn from past mistakes, this DDR plan focuses on security concerns with a strong emphasis on relocation of former combatants from their communities of origins, and a supposedly stricter amnesty law as a way to end impunity.

Congo's Third DDR Plan: Relocation or Deportation?

The Congolese government's previous DDR plans, characterized by generous in-and-out policies for former rebels, were conditioned by the FARDC's inability to end hostilities by way of military victory. In the absence of a military defeat, ex-rebels held the upper hand in negotiations for reintegration into the army. This resulted in a divided and weak army, where multiple parallel networks and personal connections have inflated ranks and lowered combat capability.[10] However, FARDC's military victory over M23 in November 2013 reversed this power imbalance in negotiations. The Congolese government appears to have seized this opportunity to introduce both stricter integration measures through a new amnesty law and policies meant to break the chains of command by relocating former rebels.

The adoption of a new amnesty law in February 2014 prompted an outcry from international human rights activists, who foresaw impunity for crimes committed by both rebel groups and the FARDC. Yet UN officials considered it a welcome step in the peace process. The law extends amnesty for acts of insurgency, acts of war, and political offences, but importantly not for genocide, crimes against humanity, and war crimes.[11] The impunity connected to reintegration has been a stumbling block in the past, when former human rights violators took up senior positions in the army. A good example is what happened to former CNDP leader Bosco Ntaganda. The actual interpretation of which crimes are pardoned under this amnesty provision and which ones are punished, as well the actual implementation of justice processes, will show whether this law differs from previous ones.

In order to break chains of command and remove ex-rebels from their networks and regional allies, the Congolese government has opted to relocate most of the demobilized ex-rebels to camps far away from the combatants' communities of origin, in Kamina, Kitona, and Kotakoli.[12] This decision has evoked doubts about the feasibility of the DDR plan, as the ex-rebels are to be transported across the country; given Congo's lack of infrastructure, new funding sources will likely be required. In addition, the plan entails the separation of ex-fighters from their families and communities of origins for an undefined period of time. This puts the voluntary part of the demobilization into question, as several fighters who are still on foreign territory (Uganda and Rwanda) may be hesitant to join camps on the other side of the country. The Congolese government has offered scarce information on the duration of the stays required in these different camps, while the actual possibility of these former rebels joining

the army seems to be very slim, at least according to some statements by government officials.[13] Such uncertainties contribute to concerns that these efforts are about deportation rather than relocation. The strong focus on the security, rather than the development aspect of the DDR process, also raises questions about the sustainability and feasibility of the reintegration of combatants into their communities of origin.

Practical Challenges of the DDR III plan

Putting the political questions aside, the current DDR plan faces a number of practical challenges. The transportation issue is one of the most urgent tasks on the practical side, which risks being a political one if it is not solved adequately. The distances between the regroupment centres and the camps are thousands of kilometres, meaning that the budgets involved would need to be sizable. Importantly, the vetting processes do not take place until the combatants have reached the demobilization camps. As such, those not eligible for reintegration into the army, which may not be insignificant in number, would have to be transported across the country, representing an additional cost that could be easily avoided. Supporters of this policy might argue that even those rebels not reintegrated in the army should be removed from former networks and connections. Yet this might prove to be a costly exercise with limited return; it remains unclear, for example, whether the cost of the return of these ex-fighters to their communities of origin is included in the USD 100 million budget.

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Practical challenges also remain for the ex-fighters' socio-economic reintegration, which currently lacks the infrastructure and logistics necessary to accommodate the demobilized. Some of the few centres that have adequate infrastructure are former military bases, which implies that demobilized fighters might undergo military-oriented training rather than exercises geared towards successful integration into society.

Finally, the question of who is going to finance the current DDR process, estimated to cost upwards of USD 100 million, remains only partly answered, with the Congolese government attempting to secure funding from its donors and partners.[14]

External Partners and Donors

The first time around, Congo's DDR process was almost exclusively paid for by the World Bank's Multi-Country Demobilization, and Reintegration Program, which supported DDR processes in the region. Yet political mismanagement and corruption by the national unit CONADER (*Commission Nationale de la Demobilization et Reinsertion*) meant that the budget was finished in an impressively short amount of time, leading to a standstill in the DDR process for almost two years. The World Bank nevertheless chipped in the remaining funds needed to complete the program.[15] Given the limited results from preceding rounds, it is thus not surprising that donors appear to be reluctant to split the DDR bill this time. Previous important donors and partners, such as the Netherlands, have decided to withdraw completely from DDR-SSR programs in the Congo.

The UN mission is still active, but is not a financing mechanism per se. The mission, valued at above USD 1.4 billion per year, has more than 20,000 salaries that it must cover in addition to logistics.[16] Yet its current upswing in popularity among the Congolese population, the Congolese government, and the international community at large has optimized its chances at playing the crucial coordinating role it has long sought to secure in the SSR process. So far, however, even MONUSCO appears to have set the SSR process aside to focus on combating eastern rebels and creating the debated "Islands of Stability," which partly build on the military strategy of "shape, clear, hold and build," aiming to establish stability in targeted areas where rebels have been expelled.[17]

To continue a winning streak rather than to embark on highly political and complicated DDR-SSR processes might indeed be tempting. The arrival of a new chief for MONUSCO's SSR unit in May this year may prove to be pivotal if the mission hopes to turn their attention back to SSR and claim a central role in both DDR and SSR. Former Belgian Colonel Junior De Fabribeckers has extensive experience from SSR processes in post-conflict states, most recently in neighbouring Central African Republic, which is needed in order to start the uphill road to SSR in the Congo.

Other crucial international partners on the multilateral side include the European Union (EU), and on the bilateral side Belgium. The EU has provided an overarching approach to SSR, through its EU Security Sector Reform Mission in the Democratic Republic of the Congo (EUSEC RD Congo) and the EU Police Mission in Kinshasa (EUPOL Kinshasa), which might be the only example of such a coherent approach in the country. Its much publicized role in separating the chain of command from chain

of payment and its biometric census of the army are but two of the EU's accomplishments. The withdrawal of these missions[18] will leave a major gap in the network of SSR actors; it remains to be seen whether new EU constellations will be able to replace them. EUSEC RD Congo is also an example of how a relatively small mission, composed of approximately 40 staff members, has been able to make a notable difference. In comparison, MONUSCO's SSR unit counts only nine staff members[19] – a relatively small unit considering the size of the country, the army, and the task of reforming the country's whole security sector.

Due to its historical ties, Belgium is one of the Congo's oldest partners and is involved in various projects within its security sector. The bilateral Military Partner Program oversees most of these initiatives, which have involved different sorts of training and education programs. During the last few years, Belgium has trained three rapid reaction battalions that together form a complete brigade, in what amounts to a relatively successful collaboration, particularly compared to previous training programmes in 2004 and 2005. Belgium has also participated in reopening the new military academy in Kananga and developing a joint 3D (Diplomacy, Defence, and Development) approach, and constructed housing for soldiers' families – a much-needed project that ideally should continue in coming years.[20]

France, the United States, China, South Africa, and Angola are all bilateral partners involved in Congo's security sector, which when taken together could have an enormous influence and capacity if properly coordinated in a comprehensive manner.

Yet an overarching and comprehensive SSR program, similar to the Netherland's example in Burundi, is missing. Instead, Belgium has opted to be involved in several smaller projects simultaneously through its bilateral military partnership. Reasons for this may include the Congolese government's well-documented preference for bilateral rather than multilateral partnerships and reluctance to apply overarching and comprehensive reforms, as well as the reluctance of donors to collaborate and coordinate. The famous lack of political will does not seem to be present only on the Congolese side but also on the "international" side, evidenced by the lack of collaboration between external partners. France, the United States, China, South Africa, and Angola are all bilateral partners involved in Congo's security sector, which, when taken together, could have an enormous influence if coordinated in a comprehensive manner.

The Fragile Link between DDR and SSR

Present efforts in the DDR program and the lack of attention given to SSR at the moment also highlight a recurrent problem, which is the absence of a clear link between the DDR and SSR programs. In theory, the link between the two processes appears evident, given that ex-rebels are reintegrated into the army and thus directly underpin security sector reforms. In addition, successful DDR implementation helps to create a security environment that may be more benign for SSR. From an SSR perspective, a comprehensive reform process can create conditions which benefit a voluntary disarmament process by removing threats and improving transparency.

Yet, in practice, this link does not seem to be acknowledged by Congolese and international actors who continue to treat the programs as two distinct processes without any concrete connection. One example is the existence of two separate units within MONUSCO, one for DDR and one for SSR. Although collaboration hopefully exists between the units, merging them together would perhaps reinforce the linkage in both theory and practice, while ensuring a more central role for MONUSCO in both processes. This also goes for other multilateral actors like the EU, which has chosen to almost exclusively focus on SSR efforts over the last few years, with notable exceptions being the provision of funding and logistics for DDR.

Conclusion

The widely acknowledged window of opportunity in the Congo following the victory against M23 may never have been as open as many assumed, given the existence of dozens of other rebel groups in the East and a number of unresolved conflicts boiling underneath the surface. Yet it was an unlatched window with possibilities for new beginnings. Today, in the midst of a complicated DDR process and a largely stalled effort at SSR, the window appears to be closing quickly, unless the international community - both multilateral and bilateral actors - manages to assume a larger and more central DDR-SSR role. In particular, it appears important for MONUSCO to reclaim its lost role as a coordinator in order to manage donors initiatives, which indirectly would mean applying greater pressure on the Congolese government to actually implement long-awaited security sector reforms.

About the SSR 2.0 Briefs

The *SSR 2.0 Briefs* are intended to advance second-generation approaches to SSR that seek to overcome the challenges and deficiencies encountered by orthodox SSR approaches. The series offers a venue to present new ideas, approaches, and strategies. Authors are encouraged to adopt innovative positions and break new ground in their briefs.

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The Centre for Security Governance (CSG) is a non-profit, non-partisan think tank dedicated to the study of security transitions in fragile, failed and conflict-affected states, a process also known as security sector reform (SSR). A registered charity based in Kitchener, Canada, the CSG maintains a global network of research fellows from a variety of backgrounds, including practitioners, research analysts and academics, as well as partner organizations from the public and private sector engaged in SSR issues.

Notes

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