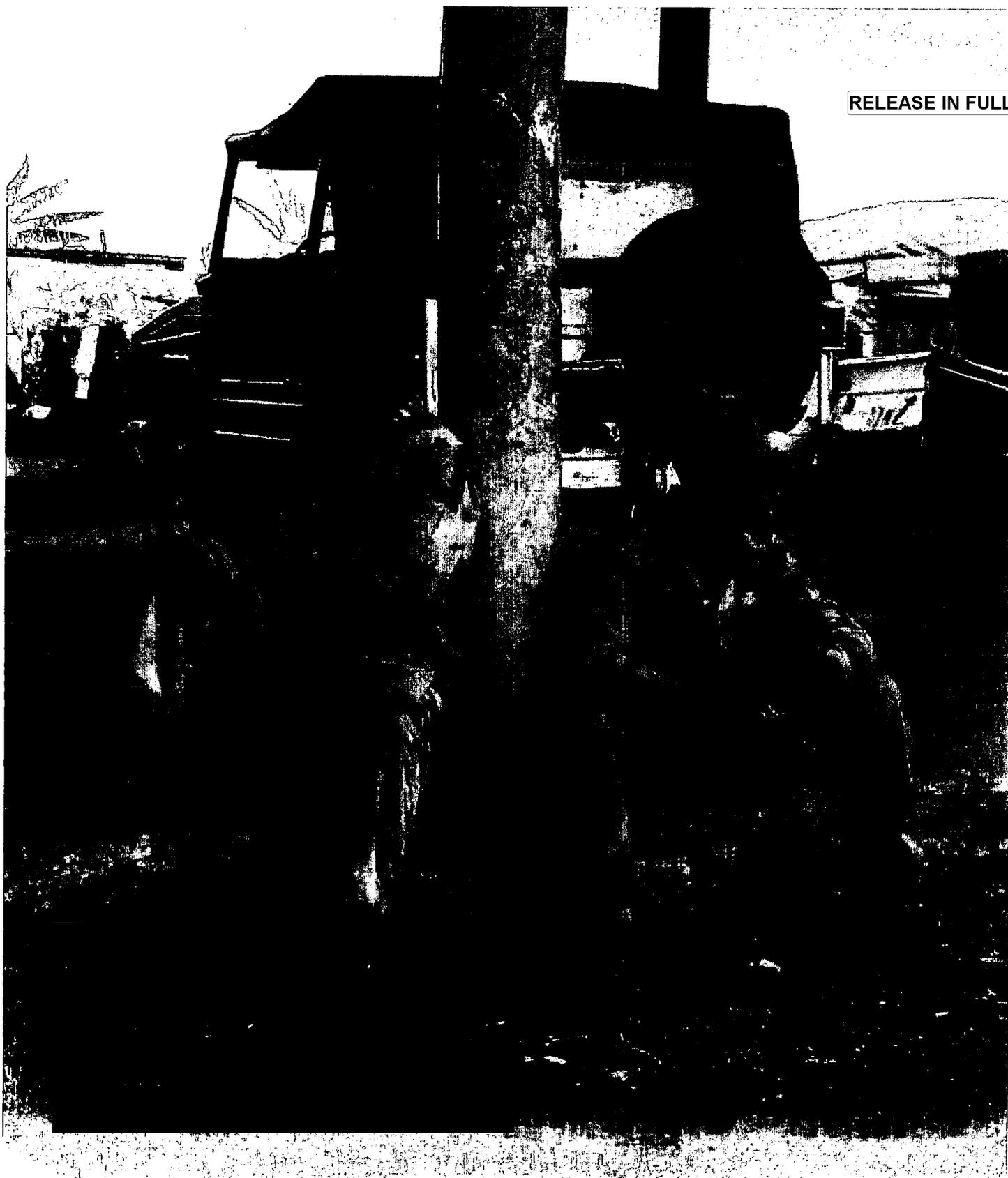
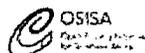


RELEASE IN FULL



ASADHO

EASTERN CONGO INITIATIVE



REFUGEES INTERNATIONAL



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INTERNATIONAL ORGANIZATIONS

- Eastern Congo Initiative (ECI)
- The Enough Project
- Eurac: European Network for Central Africa
(Consisting of 48 European NGOs working
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- International Federation for Human Rights (FIDH)
- OENZ: Ecumenical Network for Central Africa
- Open Society Initiative for Southern African (OSISA)
- Refugees International
- UK All-Party Parliamentary Group
on the Great Lakes Region of Africa (APPG)

CONGOLESE ORGANIZATIONS

- African Association of Human Rights
(Association Africaine des Droits de l'Homme (ASADHO))
- Congolese Network for Security Sector Reform
and Justice (Consisting of 289 Congolese NGOs
and set up to monitor progress of security sector reform)
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- League of Voters (Ligue des Electeurs)
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EXECUTIVE SUMMARY

1. The 2006 elections were a moment of great hope for the DRC, as the country and its people moved out of the shadow of one of the most destructive conflicts the world has known. The international community has invested heavily in the years since. Official development assistance since the end of the post-war transition totals more than \$14 billion¹. External funding makes up nearly half of the DRC's annual budget². The UN peacekeeping mission, MONUSCO, costs more than \$1 billion a year³. The international financial institutions have buttressed the DRC's economy, most importantly through writing off⁴ \$12.3 billion debt and granting access to IMF loans. Trade deals, notably the one struck with China⁵, push the aggregate figure up still further.
2. Taking stock of progress as the DRC moves through its second post-war electoral cycle is sobering. Investment has not resulted in meaningful change in the lives of ordinary Congolese. The country is now in last place in the annual UNDP development rankings, 187th out of 187 countries⁶. Despite slight improvements, life expectancy and child mortality are below average for the region. National income per capita is less than 50 cents a day⁷. The DRC will miss all of its Millennium Development Goals. 1.7 million Congolese are displaced⁸, a further 500,000 refugees outside the country⁹. There are worrying signs of renewed conflict in the East. The investment of billions of dollars has had little impact on the average Congolese citizen.
3. The central cause of this suffering is continued insecurity. The Congolese government's inability to protect its people or control its territory undermines progress on everything else. An effective security sector - organized, resourced, trained and vetted - is essential to solving problems from displacement, recruitment of child soldiers and gender-based violence, to economic growth or the trade in conflict minerals. This is not a new finding. The imperative of developing effective military, police and judicial structures has been repeatedly emphasized. Yet, far from showing sustained improvement, Congolese security forces continue posing a considerable threat to the civilian population rather than protecting them¹⁰. The recent allegations of an army Colonel leading his troops to engage in widespread rape and looting of villages near Fizi in 2011 underscores the fact that failed military reform can lead to human rights violations¹¹. The military - the Forces Armées de la République Démocratique du Congo (FARDC) - has been accused of widespread involvement in the most serious human rights violations. Police corruption is endemic, and almost any form of judicial protection out of reach for the vast majority¹².
4. The root of the failure to implement security sector reform (SSR) is a lack of political will at the highest levels of the Congolese Government. Rather than articulating a vision for Congolese security and marshaling assistance to achieve it, the Government has instead encouraged divisions among the international community and allowed corrupt networks within the security services to flourish, stealing the resources intended to pay basic salaries or profiting from exploitation of natural resources. Unless this is changed, sustainable reform will be impossible. The investment made by Congo's partners could be wasted, and Congo's people will continue to suffer.
5. The international community also bears significant responsibility. The DRC's international partners have been politically incoherent and poorly coordinated. Little has been spent on security sector reform, despite its paramount strategic importance - official development aid disbursed for conflict, peace and security totaled just \$530 million between 2006 and 2010, roughly 6% of total aid excluding debt relief. Spending directly on security system management and reform is even lower, \$84.79 million over the same period, just over 1%¹³. A lack of political cohesion after 2006 undermined effective joint pressure on the Congolese government¹⁴. Poor coordination resulted in piecemeal interventions driven by competing short-term imperatives. The resulting failures have led many to give up on systemic reform altogether.

6. This is unsustainable and unacceptable. The DRC's external partners, old and new, must take a stand on SSR. As the dust settles after the 2011 presidential elections, many of the DRC's partners are reassessing their programs¹⁵. The international community must take this opportunity to be more forceful in pressing the DRC government to engage in reform. If international donors acted in concert, and effectively capitalized on their political and economic investment in the DRC, they could positively influence DRC government behavior. Their full weight needs to be brought to bear.
7. The international community therefore needs to create a new pact with the Congolese government, one that puts in place clear conditions and benchmarks for progress on achieving army reform and minimizing harm to the population in return for continued assistance and recognition. These benchmarks must be based on positive efforts to achieve change. A strategic plan for military reform must be implemented, and a high-level body to coordinate on-going programs set up. And steps must be taken to improve the protection of Congolese civilians, through minimizing human rights abuses carried out by the security forces, and prosecuting the worst offenders.
8. This new pact must transcend traditional donors. China will need peace in the DRC for future generations to reap the rewards from its investment. South Africa also has huge and growing economic interests in the DRC. Angola has pressing issues of national security at stake. All need the stability that can only come from effective SSR. The international financial institutions (IFI) have rewarded the stabilization of Congo's macro-economic situation with significant support¹⁶. They must recognize that continued growth will be dependent on new investment, which in turn demands security. Regional organizations, most importantly the African Union (AU) and Southern African Development Community (SADC), need to play an active role in marshaling effective pressure, and providing a framework for discussion. Critically, this pact must also include the Congolese population. Congolese civil society must have a key voice in defining a global vision for Congo's security, and connecting high-level reform processes with those that matter most, Congo's people.
9. And the new pact must happen now. Flawed presidential elections have been completed. The DRC's relations with its neighbors have improved significantly in recent years. Though security in the DRC is precarious, and there are worrying signs of a resurgence of violence in the East, challenges to the Congolese government from non-state armed actors have receded. In fact, the biggest threats perhaps now come from within the army itself. The government needs effective SSR, particularly of the military, to rebuild its reputation at home and abroad, an imperative reflected by President Kabila in his speech to the UN General Assembly in November 2011¹⁷. Since the elections there have been some promising signs of greater receptivity on the part of the Congolese government¹⁸. The opportunity to engage in an honest dialogue with the Government must not be missed.
10. Though the picture painted above is bleak, it is leavened with hope. There are signs that, with the right will and appropriate support, change is possible. Increased numbers of prosecutions for sexual violence (including of a senior officer¹⁹) and the reintegration of child soldiers show that justice can be done. FARDC formations trained by the US, South Africa and Belgium have performed well in intervening in delicate domestic environments. A census of military personnel is nearly complete. If these glimmers of hope are to be sustained and magnified, robust action is necessary. With the right political will in Kinshasa, endemic corruption can be tackled, salaries paid, and the worst abusers removed. Once the right conditions are in place, the long term and large scale work so clearly necessary – reducing the size of both police and military through retirement or new demobilization programs, vetting, reinforcing capacity and increasing the combat effectiveness of troops – can begin in earnest.

RECOMMENDATIONS

To the Congolese Government

Recognize the urgent need for serious reform to create an effective, professional security sector, especially the military. Overcome previous suspicions and engage positively with the international community in building a new coalition to assist with SSR efforts. Ensure that the voices of the Congolese people are heard in elaborating a new vision for security in the DRC.

1. Renew political commitment to security sector reform at the highest levels. Make military reform a top political priority of the new government. Remove from office those individuals that are obstructing SSR and take all necessary steps to achieve effective reform.
2. Urgently develop and implement a global vision for security and defense in the DRC in collaboration with Parliament and Congolese civil society, and implement a strategic action plan for achieving the vision of the FARDC set out in legislation. Request international expertise or assistance as appropriate.
3. Positively engage with international partners, notably in a high-level international forum on security sector reform, including through allocating a senior co-Chair, and agree on transparent, measurable benchmarks for progress.
4. Collaborate with international partners in re-launching a working-level cooperation body for military reform, based in Kinshasa, including through nominating a high-level co-Chair. Agree on an international partner to provide appropriate technical and administrative support.
5. Take urgent action to address the most pressing short-term requirements for ameliorating the performance of the security sector, notably the progressive demilitarization of the East, effective action to end corruption in the security services, and bringing the worst military human rights abusers to justice, including through requesting appropriate international support to meet short-term resource gaps.

To all DRC's international partners²⁰

Overcome the legacy of frustration and failure built up since 2006, and use political space opening up in Kinshasa and the new government's need for support to generate new political will on security sector reform. Provide high-level political commitment and coordination, including the appointment of sufficiently senior officials to provide momentum and leadership. Robust benchmarks and nuanced conditionality will be essential. Assistance must be sustained for the long term, and founded on a realistic understanding of what is possible.

6. Re-energize efforts and cooperation on security sector reform in the DRC through concerted pressure at the highest level for Congolese Government commitment to effective security sector reform.
7. Collaborate in a broad-based coalition of international and regional actors engaged in the DRC, notably through the launch of a high-level forum on security sector reform in the DRC.
8. Agree benchmarks for progress with the Congolese government, to include: progress on the human rights record of the security services, development of a global vision for security and a strategic reform plan for the military; and the establishment of an effective coordination body on military reform. Put in place a binding series of conditions for on-going political and programmatic support.
9. Ensure that the imperative of effective SSR, and the benchmarks and conditions agreed at the high-level forum, are reflected in any new programming decisions or bilateral agreements.
10. Assist with short-term quick-win projects to raise confidence and open space for broader reform, notably progressive demilitarization of conflict-affected areas, anti-corruption activities and effective judicial action against human rights abuses committed by the security forces, as requested by the Congolese Government, and urge for long-term, sustained reform efforts.

To the Great Lakes Contact Group (US, UK, EU, UN, France, Belgium and the Netherlands)

11. Catalyze diplomatic efforts to build a new coalition on SSR, though pro-active high level diplomatic contacts with key partners, notably Angola, South Africa, China, the AU and SADC, and their inclusion in an expanded Great Lakes Contact Group.

To the UN Security Council and MONUSCO

12. Generate renewed engagement on security sector reform through an urgent debate on the issue. Encourage, in parallel with the AU, the organization of a high-level forum on security sector reform in the DRC.
13. Amend the mandate of MONUSCO to include assisting the DRC government on all aspects of SSR, including military reform.
14. Increase the resources allocated to the MONUSCO SSR unit, notably in fulfilling its mandated task of collating information on existing and planned SSR programs. Remind all member states of their responsibility to share information.
15. Extend the UN sanctions regime to include political and military leaders impeding effective SSR and direct the group of experts to provide information about the identity of these individuals.
16. Ensure that the UN system has sufficient in-country resources to make a comprehensive assessment of the human rights performance of the Congolese security services.

To the EU

17. Renew the mandates of EUSEC and EUPOL, and reflect the imperative for progress on SSR in the planned 2012 program review. Stand ready to offer technical assistance to the DRC in elaborating a strategic reform plan for the army.
18. Extend targeted sanctions to individuals hindering effective SSR.

To the AU

19. Encourage, in parallel with the UN, the organization of a high-level forum on security sector reform in the DRC
20. Participate actively in the high-level forum and technical cooperation mechanism, including through agreement of benchmarks and conditions.

To the World Bank and IMF

21. Expand the assessment criteria for on-going support to the DRC, notably access to the IMF loans, to include progress on security sector reform and budget allocations to key priority areas, especially justice.



Soldiers cooking their breakfast on a campfire. Many troops are missing basic requirements like military issue boots

Insecurity: Congo's Achilles Heel

1. Taking stock of progress in the DRC since 2006 is sobering. The war has been over for a decade. An elected government has served a full term. Between 2006 and 2010, the DRC received considerable external assistance, including more than \$14 billion in official development aid and a UN mission costing more than \$1 billion a year. Yet this investment has yielded little result. Life expectancy and child mortality remain far below the Central Africa average. National income per capita is less than 50 cents a day²¹. In fact, the DRC has slipped to last place in UN development rankings, 187th out of 187 countries²². Public discontentment is rife, and there are concerning signs of renewed violence in the East. A decade on from the end of a devastating war, and all that has been invested in the DRC risks going to waste. The Congolese people deserve better.

2. The proximate cause of this failure is simple. Congo's population continues to suffer, directly and indirectly, at the hands of men with guns. There are an estimated 1.7 million²³ internally displaced people in the DRC, most in the conflict-affected Eastern provinces, driven from their homes by fear of a variety of armed groups – from the Lord's Resistance Army (LRA) in the North East, to Mai Mai groups, bandits and Front Democratique pour la Liberation de Rwanda (FDLR) rebels further South – and at the mercy of malnutrition, ill-health and pervasive fear.

Nearly half a million are refugees outside the country²⁴. UNICEF estimates that thousands of children are still being used in various capacities by armed groups in DRC, including by the Congolese Army²⁵.

3. This failure is not just indicative of the inability of the Congolese security apparatus to defeat these groups. It is also the result of abuses at the hands of the security services themselves. A survey of more than 10,000 households in North and South Kivu cited the FARDC as the second most common source of insecurity, after banditry²⁶. In June and July 2011, UN human rights monitors recorded more abuses at the hands of the FARDC than armed groups²⁷. Congolese soldiers are responsible for some of the rapes reported across Eastern DRC²⁸. Members of the security services are also responsible for pervasive low-level predation, including involvement in illegal resource exploitation and theft²⁹. Many abuses have been perpetrated by deserters from the military, or by those reacting to abuses at the hands of the army.

4. Abuse by Congolese security forces extends beyond immediately conflict-affected zones. The abuse has been most visible in the brutal suppression of political protest or internal unrest, notably in the suppression of the Bundu dia Kongo group, the crushing of MLC forces loyal to Jean-Pierre Bemba

in Kinshasa, and heavy-handed responses to political protests around the 2011 elections. It has also been felt in the arbitrary arrest or killing of regime opponents, human rights activists and journalists, as well as day-to-day predation and lack of access to even-handed justice.

5. This is not a new insight. The establishment of an effective security sector is the fundamental step to meeting all other objectives, from ending the humanitarian crisis, preventing human rights abuses, encouraging investment and growth, stopping the trade in conflict minerals and preventing regional tensions from escalating. Adequate security is widely acknowledged to be a development, economic and geostrategic imperative. The Congolese Government recognized its pivotal importance in the 'Governance Compact' it produced immediately after the 2006 elections³⁰, repeated again by

President Kabila in his address to the UN in November 2011³¹. All major bilateral and multilateral actors have engaged in a wide variety of security sector reform programs, from capacity building in the justice system, to rebuilding key infrastructure, or training military and police. The UN considers SSR to be the process of enhancing effective and accountable security in a country and the transformation of "security institutions to make them more professional and more accountable"³². Security institutions can include the armed forces, police, judiciary and others³³.

6. Yet despite this consensus, military reform efforts have failed, both during the transition and afterwards. They have failed for two primary reasons. The first is the lack of political will on the part of the Congolese government; the second inadequate and poorly coordinated assistance from the donor community.

Congolese Government: Insufficient Political Will

7. The Congolese Government has lacked the will to follow through with reforms of the security sector, notably the military. A brief look at the record of reform failure demonstrates the government has not wanted a professional and effective military, as it would constitute a threat to the entrenched political and financial interests of the Congolese elite, especially those around the Congolese President. The Congolese government stalled on senior appointments to key bodies, failed to agree a workable strategic blue-print for reform or effectively follow up plans that were agreed³⁴, enabled or turned a blind eye to corruption, delayed the passing of essential legislation, and consistently undermined donor coordination.

8. This was in part due to a lack of capacity and a very low baseline for reform. The integration of former belligerents into unified military and police structures during the transition, a process known as 'brassage', was partial and ineffective³⁵. Parallel chains of command survived within the army and other security structures, and tens of thousands of combatants remained in non-state armed groups. Government administrative control was weak, notably in the East. The post-2006 administration immediately faced a variety of armed opponents³⁶. Additionally, sensitivity to international interference on security issues was acute - the close supervision that the international community had exercised during the transition, embodied in CIAT³⁷ and MONUC, had been a source of considerable frustration, even humiliation. Memories of wartime occupation were vivid, by powers widely perceived - rightly or wrongly - to be acting on behalf of elements of the international community³⁸. The government is defensive of its autonomy, and wary of dealing collectively with the international community.



Officers' Quarters at Camp Katindo in Goma, North Kivu province. Originally intended to house 150 people, the camp is now home to more than 16,000 people including many soldiers' families.



Most military families cannot afford to send their children to school. Children often work from a young age to contribute to the family income.

9. But these issues are as much a result of continued failures of SSR as they are the cause – and they do not present a compelling reason to ignore the need for SSR. The fact remains that the Congolese government consistently failed to give sufficient political backing for serious change. Most importantly, it did not take steps to end corruption, ill-discipline and weak command structures undermining reform efforts in the security sector. Despite President Kabila's high-profile declaration of 'zero tolerance' for sexual violence and corruption in July 2009, not enough has changed on the ground. Support to justice, investigation and anti-corruption efforts are minimal and inadequate – the Justice Ministry was allocated just 0.1% of government spending in 2011³⁹, and its budget reportedly fell by 47% between 2007 and 2009⁴⁰. Many in senior positions in the government and military continue to profit from corruption, either in raking off salaries, taking kickbacks, or involvement in illegal mining, trade or protection rackets.

10. No comprehensive national vision exists for defense and security policies, despite UN Security Council insistence and the emphasis placed on SSR in the government itself. A blueprint for the Congolese military has been developed, after many false starts⁴¹, and has finally been given legal foundation with the promulgation, in 2011, of much delayed legislation⁴².

A joint committee on justice reform was formed in 2005, the 'Comite Mixte de la Justice', co-chaired by the Minister of Justice and a senior diplomat, and a three year 'priority action plan' for the justice sector was launched in 2007. A coordination body for police reform, the 'Comite de Suivi de la Reforme de la Police' was launched by the Ministry of Interior in 2008⁴³.

11. Though they represent positive steps forward, these bodies are reportedly of mixed effectiveness⁴⁴, suffer from poorly defined roles and tensions between stakeholders, and are not part of a comprehensive strategy for security. The army reform plan has not been followed up with practical planning for implementation⁴⁵, remains theoretical and is routinely bypassed or undermined in day-to-day decision-making. Changes to military structures such as the 'regimentation' process of 2011⁴⁶, for instance, bear no relation to the vision enshrined in official military planning. The Presidential Guard and intelligence services have been systematically excluded from reform, and remain completely unaccountable. Salaries for police and soldiers, despite some limited increases, remain inadequate and frequently unpaid⁴⁷. An ICC indictee, Bosco Ntaganda, holds high rank in the military⁴⁸. Senior positions remain unfilled, and formal command structures are routinely bypassed.

International Community: Inadequate and Incoherent

12. The second aspect key to understanding SSR efforts since 2006 is the attitudes and actions of the international community. The international community has been frequently criticized for political incoherence, leading to inadequate, incompatible and ineffective interventions, based on short-term national priorities and imperatives rather than achieving meaningful, sustainable reform⁴⁹. There is a long list of donors and agencies that have engaged in reform or training of elements of the security services⁵⁰. These efforts have not resulted in meaningful, sustained improvements, let alone the transformation in attitudes and effectiveness required.

13. The international community had been remarkably unified up to 2006. Under the leadership of an activist UN mission and heavy-hitting SRSG, and coordinated through a body, CIAT, with legal standing under the transitional arrangements, the widely agreed goal of elections drove policy. But once the transition was completed, divisions began to appear. Some of the signatories to this report urged the creation of a successor organization to CIAT, but the Congolese government rejected it as unacceptable. In the absence of a 'lead nation'⁵¹, and with the UN looking towards managing its departure, there was no overarching authority to harmonize police and, following elections, no single goal to work towards. International forums, notably the Great Lakes Contact Group, which had a broad membership⁵² during the transition, swiftly devolved to include only traditional donors, and policy coherence even within multilateral organizations such as the EU fractured⁵³. Pressure on the Congolese Government to sustain reform faltered.

14. The success of the 2006 elections resulted in attention across much of the international community turning away from the DRC. With the DRC redefined in many capitals as a 'post-conflict' state, resources were reallocated to concentrate on other issues of immediate concern across Africa. Policy was recalibrated to reflect this new reality. Many donors looked to long-term development. Despite manifest needs, official development spending on security-related programs between 2006 and 2010 was just \$530 million, roughly 6% of the total⁵⁴ - this drops to just 1% for projects working on security system management and reform. This figure is alarmingly low given the fundamental importance of an effective security sector in protecting civilians, and in achieving all other development objectives.

15. And, far from being 'post-conflict', the DRC continued to suffer from extremely serious bouts of violence. Through the post-2006 period, successive spikes of conflict or regional tension left the international community scrambling to address acute short-term political crises or humanitarian emergencies. There were demands for immediate action against armed groups such as the CNDP, FDLR or LRA - necessitating the mass deployment of ineffective and poorly trained FARDC units⁵⁵.



A commander inspects his troops. Formal command structures in the FARDC are routinely bypassed.

Political settlements with Congolese armed groups, notably the CNDP, resulted in the unplanned, ad hoc integration of tens of thousands of former rebels and indicted war criminals into the ranks of the Congolese army⁵⁶. Demobilization programs have unwittingly encouraged a churn of individuals from disarmament to recruitment. All of these factors are incompatible with strategic reform.

16. International incoherence has perhaps been most acutely felt in relation to SSR, particularly military reform, despite consistent calls for harmonization⁵⁷. Technical coordination on the ground has been mixed. As seen above, committees bringing together donors, agencies and the Congolese government have been established on police and justice. They are functional, albeit with uncertain effectiveness. But no coordination body exists between the Congolese government and donors in relation to the military, worsened by the Congolese Government's infamous refusal to coordinate SSR attempts with its different partners.

17. This is reflected by a failure of coordination between members of the international community themselves. There have been attempts at harmonization, including informal consultations between Defense Attaches in Kinshasa agreeing a local division of labor, an Ambassadors Forum on SSR chaired by the UN, and regular diplomatic frameworks such as regular meetings of EU Heads of Mission. But while ad hoc communication may have avoided the most egregious duplication of effort, it was insufficient to generate real coherence, or political momentum for reform. Many resist sharing the detail, or even the fact, of their programs. There is no consolidated list of SSR-related interventions⁵⁸, or a comprehensive record of bilateral military programs and financing. Given the weakness of Congolese administrative capacity, it is likely that not even the Congolese government had a coherent picture of SSR activities at any one time.



Congolese police patrol the main streets of Goma.

18. The result has been a range of disconnected bilateral initiatives on training, sensitization, infrastructure rehabilitation or capacity building. There have been some successes, notably in relation to justice and police⁵⁹, and in the performance of some military units, though many were short-lived, due to a subsequent lack of support - accommodation, equipment and salaries - or the break-up of units. Some offers of training have not been taken up, with centers and instructors standing idle. There have been attempts to engage with structural issues within the FARDC undertaken by MONUSCO⁶⁰ and EUSEC, a mission of the European Union launched in 2005. Involving small numbers of embedded European officers, EUSEC has had some success in relation to the 'chain of payments' - ensuring salaries reach individual soldiers - and in conducting a census of FARDC personnel, as well as in administrative reform⁶¹. But while these initiatives have been valuable, they are not sufficient to bring about systemic change.

19. This is by no means the exclusive responsibility of donors. As argued above, all coordination attempts suffered from patchy or inadequate engagement and political obstruction by the Congolese authorities. This has been most acutely felt by the UN. The most obvious candidate to carry out the role of in-country coordination is MONUSCO. But while it has a unit devoted to SSR, and has been mandated by the Security Council to act as coordinator and information hub since 2008, it has not been sufficiently well resourced, and was systematically undermined by a Congolese government reluctant for the UN to play such a prominent role. MONUSCO essentially stopped facilitating collective discussion on SSR following the demise of the Ambassadors Forum, which has been moribund since 2010. It currently has no mandate to engage in military reform.

The Shared Imperative of SSR

20. In combination, these factors have resulted in the view that the Congolese security sector, and particularly its military, are simply too dysfunctional for reform to be achieved. The result has been an increasing detachment on SSR. Support for military reform is now frequently subsumed under wider stabilization efforts⁶², or framed as a response to a specific threat, such as the US project to train units to tackle the LRA⁶³. Though numerous projects are on-going to improve the justice system and build police capacity⁶⁴, and some progress has been made, the most important challenge facing the country, namely systemic transformation of the military, has largely been abandoned. Initiatives on large-scale FARDC training reduced to the point that only two bilateral programs were reported to be operational in January 2011⁶⁵.

21. This is compounded by the view that pushing the DRC government to take serious action is too dangerous to attempt - that effective sanctions would generate a political backlash, disrupt bilateral relationships, and risk defections, mutiny or insurrection. This is certainly the case in relation to entrenched corrupt networks and the impunity of the most infamous war criminals.

22. But this view must no longer be allowed to dominate. The status quo, of failed reform and popular discontent, presents far greater dangers. The most significant risk of renewed conflict comes from within the Congolese security services itself, particularly the FARDC⁶⁶, and from the inability of the Congolese government to control its territory or protect its people⁶⁷. Reform of the security sector would no doubt bring short-term pain, but the long-term risk of inaction is far greater. The human, political and financial cost of the DRC again collapsing back into war is difficult to fathom.

23. Yet these costs would be felt by all of the DRC's external partners. China struck a landmark deal with the DRC government in 2007, exchanging a \$6 billion investment in infrastructure – building roads, hospitals and universities – in return for long-term access to Congolese mineral resources, extending decades⁶⁸. Internal and regional stability will be vital for this deal to come to fruition, demanding an effective security sector. South African companies have invested heavily in the DRC, and peace in the DRC and across Central Africa will be vital for its long term prosperity⁶⁹. And Angola, the DRC's key regional security partner, considers chaos across the border to be a core threat to its national security⁷⁰. It too needs an effective Congolese state. All three states have already engaged in bilateral reform and retraining.

24. Regional organizations, most importantly the African Union (AU) and the Southern Africa Development Committee (SADC) have a pressing and legitimate interest in regional prosperity and stability. And the international financial institutions – frequently cited as the actors with the most significant leverage and access in Kinshasa⁷¹ – are committed to helping the DRC achieve sustained economic growth. The IMF is the only actor currently providing direct budget support to the DRC government⁷².



A military family living in Camp Katindo, North Kivu. Most families in the sprawling army camp live in tents or makeshift structures.

25. Reform is not only vitally necessary, it is possible. Compared to 2003 or 2006, political and military conditions in the DRC are now such that renewed, joint efforts on SSR could yield real and lasting results. The transition was characterized by acute political competition between wartime enemies, enmeshed in an unwieldy political structure. The years immediately after saw a fragile new government challenges by sustained and serious violence. Both acted as severe constraints on the possibilities for reform⁷³.

26. These constraints are now less acute. Congolese non-state armed groups may be reduced in number and scope⁷⁴. Foreign armed groups are significantly less powerful than in the past⁷⁵. Though both remain a considerable threat to civilians, neither presents the same challenge they once did to regional peace and security, or to the Kinshasa government. The political context has also changed. President Kabila and his government are facing a crisis of legitimacy. The 2011 elections were roundly criticized by international and Congolese election monitors, and have little popular credibility. The single most telling step that the government could take to rebuild its reputation at home and abroad, and to improve the lot of the population, would be to undertake meaningful reform of the security apparatus. There have been some promising signs recently. For example, the Commissioner General of the National Police in March 2012 publicly asked the international community for assistance in completing the police reform process⁷⁶.

27. The overriding need for meaningful SSR cannot be questioned. There is a broad synergy of interests across the international community and the DRC's neighbors, economic partners and population. The timing is right. It will be a long and difficult road, but the first step to unlocking a more hopeful future for the population is simple. The Congolese government must take responsibility for serious, sustained and strategic reform, particularly of the military, backed by political commitment at the very highest levels.

28. The international community must recognize this imperative. It must act on it. All other objectives – humanitarian, developmental, economic or security-related – will be difficult or impossible to achieve without concerted SSR. The DRC's external partners must make a collective stand on serious security sector reform, both to engender political will and to support resulting Congolese reform processes. The Congolese government has received significant financial and diplomatic support since the end of the war. The weight of these commitments must be brought to bear.



Military wives seek to supplement their income with small-scale trade in the local markets. "We have to beg for support from our acquaintances. The government does not support us at all," said one soldier.

A New Deal on SSR

29. It is a new political commitment that is urgently needed above all, on both sides. The international community should seek to strike a new collective pact with the Congolese Government on SSR. This need not involve the immediate allocation of significant new resources. In the absence of political will and the establishment of oversight structures, significant new programs could be counter-productive, replacing functions that need to be carried out by government. Though investment will certainly be necessary, a new push on SSR need not be expensive in the short-term.

30. Such a pact would see political backing and coordinated, targeted programmatic support exchanged for Congolese leadership and robust benchmarks on progress towards mutually agreed goals. It would need to involve all international actors engaged in the DRC, including the traditional donor community, newer international actors including China and South Africa, the DRC's neighbors either bilaterally or through regional organizations (AU and SADC), and the international financial institutions. It would demand renewed commitment, coordination and communication, robust benchmarks, and quick-win confidence raising projects.

31. It should be launched in a spirit of transparency and collaboration, recognizing that a new effort on SSR is a need shared by the Congolese government, its people, and all of its economic, diplomatic and development partners. An overly

confrontational attitude on the part of the international community could cause an unhelpful political backlash – managing tensions will require astute and fleet-footed diplomacy, and a leading role to be played by African actors. But equally, no one should be under any illusion as to difficulties that will need to be faced – there is no magic bullet to security sector reform in the DRC. It needs sustained political commitment above all. There will be disagreements, with Congolese Government, and between elements of the international community. Such a push will need sustained, high-level political commitment, and must be backed by real conditions.

Coordinate and Communicate

32. Renewed coordination among all partners at both political and technical levels is an essential pre-requisite. A broad-based coalition of international partners will be vital, including African bilateral actors, regional organizations – notably SADC and the African Union – the DRC's key economic partners, and traditional donors. This would enable on-going information sharing and ensure complementarity of support, as well as ensuring coherent and concerted messaging. This could initially be generated by an expanded Great Lakes 'Contact Group', bringing together all players to agree to parameters of benchmarks and follow-up. This would need to be backed with active diplomacy by key donors – the US, EU, UK, France and Belgium – to bring in the most important African bilateral actors, China and multilateral organizations essential to managing political fall-out in Kinshasa.

33. Such a forum should launch a high-level political follow-up mechanism on SSR in the DRC, under the auspices of the AU and UN, and the joint leadership of the Congolese Government, that would bring together all parties, including donors and multilateral actors. It is also vital that it include representatives of Congolese civil society. Successful reform will depend on the input of the Congolese population, at all levels, and their views must be heard. The forum should meet quarterly, and provide for on-going oversight and a mechanism for the resolution of disputes or disagreement. It should also seek to address problems of policy incoherence, linking an on-going assessment of political conditions to decision making in multilateral bodies such as the IMF and World Bank.

34. Finally, a new working level cooperation mechanism on military reform should be launched in Kinshasa, again co-chaired by the Congolese government, with support or a permanent secretariat provided by MONUSCO, EUSEC or a mutually acceptable alternative. It would ensure harmonization, communication and effective burden-sharing. It would also map on-going and planned programs and interventions, maintain comprehensive project database, and act as a communication hub between donors, government and civil society.



FARDC troops assemble for inspection.

Benchmarking

35. Though a new partnership should be launched in a spirit of positive collaboration, it should also be backed by robust, binding benchmarks. These would need to be discussed and calibrated against a realistic assessment of what is achievable. They should center on two key areas. The first key benchmark should be rooted in the human rights performance of the Congolese security services. This is a metric that would reflect whether soldiers or police are violating human rights, whether war criminals in the military have been arrested or removed (through vetting and effective military justice), and would act as a proxy for improved internal discipline and the coherence of formal command structures. Information is already collated by the UN Joint Human Rights Office, and could be complimented by Congolese human rights organizations, international NGOs or ad hoc bodies such as those authorized by UN sanctions bodies. Progress should be reported on a quarterly basis to the political follow-up mechanism. The MONUSCO mandate should provide for increased resources to monitor progress on SSR.

36. The second should be the development and implementation of a practical path for FARDC reform. Legislation passed in 2010 and promulgated by the Congolese President in 2011 provides a framework, enshrining in law a long term vision for the security sector. A practical plan for its achievement is urgently necessary. Appropriate technical support should be made available via MONUSCO, EUSEC or an alternative.

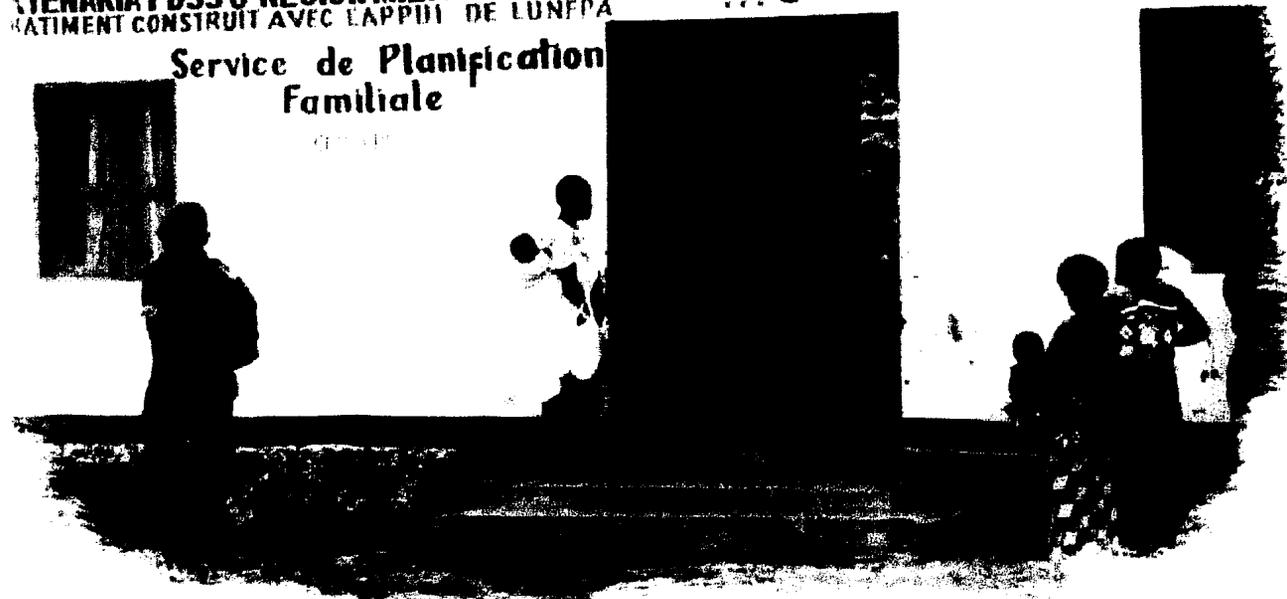
Consequences

37. These conditions must be backed by real consequences in the event of continued failure or obstruction. This would not necessarily need to include hard conditionality on development spending or humanitarian aid, which would endanger the poorest and most vulnerable, and would risk a political backlash from Congolese actors that reduced rather than expanded the space available for reform. But there are many other avenues for international leverage, starting with sustained political and diplomatic pressure at the highest levels. These could include:

- A publicly available quarterly progress report discussed at each meeting of the high-level political follow-up mechanism;
- Explicit linkage of progressive MONUSCO draw-down with successful SSR, as measured by agreed criteria;
- A sliding-scale of suspension of financing, projects, grants and aid disbursements, with excess funding transferred to supporting civil society, Parliamentary oversight, humanitarian needs or governance mechanisms;
- A moratorium on non-essential inward and outward visits by senior officials and ministers, and the hosting of large-scale conferences and events in the DRC⁷⁷; and
- Extension of UN and EU targeted sanctions to military and political figures blocking security sector reform.

STENARIAT DSS 8 REGION MILITAIRE UNFPA
 BATIMENT CONSTRUIT AVEC L'APPUI DE L'UNFPA

Service de Planification
 Familiale



The rudimentary hospital in the camp provides basic medical services to military families.

Confidence-Building

38. Rather than looking immediately to long-term objectives, the high-level forum should, in the first instance, seek to elaborate achievable, realistic and high-impact short-term projects, to raise confidence and open space for reform. The first steps would need to be focused on minimizing the harm done by elements of the Congolese security apparatus to the civilians in their areas of deployment, and beginning to tackle the corruption and ill-discipline that undermine all other efforts. These would again need to be discussed and agreed, but could take three initial forms – the progressive demilitarization of the East, action on corruption, and prosecution of those guilty of the most serious human rights abuses.

39. Demilitarization would bring multiple benefits. The East of the DRC, particularly the Kivus, has seen large-scale deployments of Congolese military⁷⁸. By moving troops to barracks, away from contact with civilians, it would remove one of the key sources of insecurity for the population. Having the majority of troops in barracks would allow salaries and support to be monitored, removing the need for income from illegal trade, predation or corruption. And it would allow structures to be mapped, training needs to be assessed, and discipline rebuilt. It would thus both protect civilians and simultaneously open space for reform. It would need to be progressive and carefully considered, so that the most vulnerable were not left open to attack by non-state armed groups, and MONUSCO would need to fill any resulting security vacuums. Necessary international support to the process would include provision of sufficient barracks, support to redeployed troops and dependents, and logistics. Such support could be coordinated by the UN through MONUSCO and the ISSSS, already engaged in similar projects in conflict affected regions.

40. The second would be to take on the entrenched corrupt networks that have undermined reform. This would be a necessary step in pursuing demilitarization – without the expectation of support, soldiers might refuse to deploy away from resource-rich areas, or simply prey on the population around barracks. It would also bring enormous long-term benefits in building formal command structures, discipline and capacity. This would be the key litmus test of high-level political will in Kinshasa – it is a truism in anti-corruption initiatives that enforcement mechanisms are ineffective in the absence of commitment at the highest levels. It would demand the clarification of senior command structures, the strengthening of central administrative control, and the appointment of capable personnel.

41. Third, significant steps should be taken to bring to justice those members of the security forces accused of the most serious human rights abuses, including those in the most senior ranks. Not only would this be of clear benefit in its own right, it would send a message that criminality on the part of members of the military or police would no longer be tolerated, and be a vital step to changing the ethos of the security services. This would demand significant support to the capacity of Congolese military and civilian justice systems.

42. These three goals interlock, and would constitute a significant test of Congolese political will. Once they were achieved, and the steps outlined above taken, longer-term necessities – such as reducing the number of personnel in both police and military, and conducting a thorough vetting of all personnel – could begin to be planned and implemented.

Learn from successes – and failures

43. Finally, the international community should learn the lessons of the past. The implementation of MONUSCO's conditionality policy - whereby peacekeepers do not work with Congolese personnel guilty of human rights abuses - shows that perpetrators can be identified and held to account⁷⁹ if made a priority. Improved rates of arrest and trial for sexual and gender-based violence (SGBV) in the Kivu provinces, notably the prosecution of a Lieutenant Colonel for rape in 2011⁸⁰, show that justice is possible with the right combination of training, material support and political attention. That this landmark judgment was delivered by a 'mobile gender court' – a long-standing Congolese solution to delivering justice in remote areas – demonstrates the importance of working flexibly within Congolese realities. The court was supported by the American Bar Association, using funding from an international NGO, and worked with the Congolese judicial system, local government and civil society⁸¹.

44. Additionally, more than 30,000 children have successfully been demobilized from armed groups since 2006 through interventions executed in concert with the Congolese government, UN agencies and local Congolese organizations. Children and adolescents who join armed groups whether through force or ignorance have a difficult time returning to their homes and communities if they are demobilized. Disarmament, demobilization and reintegration programs supported by UNICEF make a difference by reuniting some with their families and communities and supporting others in vocational training programs⁸².

45. The EUSEC project on reform of the Congolese military demonstrates that structural reform need not be expensive if support is correctly targeted. EUSEC was launched in 2005 and embedded small numbers of European officers at senior levels in both headquarters and with individual units. Designed to offer strategic advice and targeted support, its most significant initiatives have been working on the 'chain of payments' –



A soldier at home in his barracks, Katindo Camp, Goma

ensuring salaries reached individual soldiers – undertaking a census of FARDC personnel, developing a 'logistics doctrine' for the FARDC, and conducting administrative training. The census started in 2006, and has been able to offer a far more reliable idea of numbers of serving soldiers than was previously available⁸³. The strategic purpose of interventions matters more than their cost.

46. The positive performance of military units trained by the US, Belgium and South Africa demonstrate that improvements in conduct and discipline are possible. Many police units trained for the 2006 elections were reported to have functioned well. But once elections were past, support dropped away, and the trained units swiftly degraded, with equipment going missing, unit structures being broken up and discipline slipping⁸⁴. Training and equipment are vital, but attention also needs to be sustained.

ANNEX I – OECD statistics on spending in the DRC

Fig 1. OECD Development spending 2006-2010⁸⁵

| | 2006 | 2007 | 2008 | 2009 | 2010 | Total |
|-----------|----------|----------|----------|----------|----------|------------|
| Disbursed | 2234.573 | 1448.157 | 1928.990 | 2548.207 | 5972.137 | 14,132.064 |
| Committed | 2175.442 | 1983.223 | 2224.644 | 3083.140 | 3732.631 | 13,199.1 |

This gives a headline total of more than \$13 billion in official development commitments to the DRC between 2006 and 2010, and more than \$14 billion in disbursements. This translates to an overall financial commitment of \$2.8 billion a year between 2006 and 2010.

However, debt relief for past projects causes a sharp spike in total disbursements in 2010 (see below for more detail on debt relief). Thus, though indicative of the level of financial support received by the DRC, it does not necessarily reflect actual year-on-year resource flows.

Fig 2. OECD development spending 2006-2010 (excluding debt)⁸⁶

| | 2006 | 2007 | 2008 | 2009 | 2010 | Total |
|-----------|----------|----------|----------|----------|----------|------------|
| Disbursed | 1198.729 | 1156.323 | 1754.167 | 2338.246 | 2116.93 | 8,564.395 |
| Committed | 1183.808 | 1740.224 | 2099.748 | 2939.14 | 2282.966 | 10,254.651 |

Non-debt related development commitments totaled roughly \$10.2 billion between 2006 and 2010, with disbursements at \$8.5 billion, and an average commitment of just over \$2 billion a year. This spending was overwhelmingly on project aid. Official disbursed budget support was just \$474 million,

or 5.5%, largely from the IMF and EU in 2009 and 2010, as well as some 'emergency' budget support to assist the DRC to achieve HIPC completion point, and pay teachers' salaries, which was not necessarily included in OECD statistics⁸⁷.

Fig 3. OECD development spending on 'Conflict, Peace and Security' (disbursement only)⁸⁸

| | 2006 | 2007 | 2008 | 2009 | 2010 | Total |
|---|-------|-------|-------|--------|--------|--------|
| 'Conflict, Peace and Security' | 99.99 | 73.96 | 89.4 | 124.83 | 142.32 | 530.51 |
| 'Security System Management and Reform' | 1.05 | 8.02 | 19.64 | 21.48 | 35.60 | 85.79 |

Thus disbursed development spending on conflict peace and security between 2006 and 2010 is equivalent to 3.75% of the headline financial commitment to the DRC of \$14 billion and on security system management makes up 0.6%. If compared to total development spending excluding debt relief over the same

period, the equivalent figures are 6.19% and 1% respectively. By comparison, disbursements on humanitarian aid were \$1.875 billion over the same period, or 21.89% of total development spending, excluding debt.

Fig 4. MONUC/MONUSCO budget⁸⁹

| 2006-2007 | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | Total |
|-----------|-----------|-----------|-----------|-----------|-------|
| 1091.242 | 1112.739 | 1187.676 | 1346.584 | 1365 | 6099 |

The total operating budget for the UN peacekeeping mission totaled \$6.099 billion between July 2006 and July 2011. The US paid 27.14% of peacekeeping costs, or \$1.47 billion, over the same period, the UK paid 8.15%, or \$499 million, and France paid 7.55%, or \$463 million.

Fig 5. Top ten OECD bilateral donors to DRC 2010 (disbursement, excluding debt⁹⁰)

| Country | Total |
|-------------|--------|
| USA | 277.85 |
| UK | 187.77 |
| Belgium | 164.69 |
| Japan | 80 |
| Germany | 77.11 |
| Sweden | 71.48 |
| Spain | 32 |
| Norway | 28.30 |
| Canada | 26.52 |
| Netherlands | 19.59 |

These figures do not include peacekeeping (see above), bilateral military assistance or contributions via multilateral agencies. They do not include assistance provided by non-OECD members, such as China, Angola, and South Africa, for which no comprehensive set of spending data exists.

The largest multilateral agencies in the DRC over this period were the EU and International Development Agency (World Bank). The IDA disbursed a total of \$1.47 billion between 2006 and 2010 (excluding debt relief), and the EU disbursed \$1.2 billion in the same period.

Fig. 6 Development spending by Contact Group core members, 2006-2010 disbursements, excluding debt⁹¹)

| US | UK | France | Belgium | The Netherlands | Total |
|---------|---------|---------|---------|-----------------|----------|
| 970.544 | 849.058 | 130.457 | 758.833 | 199.155 | 2908.047 |

Again, these figures do not include contributions to multilateral agencies, to peacekeeping, or to bilateral military programs.

Fig. 7 DRC debt relief

| Nominal debt relief (\$US millions) | 2010 | 2011 | 2012 | 2013 | 2014 |
|-------------------------------------|-------|-------|-------|-------|-------|
| Under enhanced HIPC | 389.5 | 528.4 | 478.2 | 511.2 | 498.6 |
| Under MDRI | 4.5 | 14.8 | 16.8 | 18.9 | 19.8 |
| Total | 394 | 543.2 | 495 | 530.1 | 518.4 |

These numbers give the best estimate of the annual savings to the DRC through debt relief initiatives⁹². They also represent the annual cost to the creditors of agreeing this debt relief.

ACRONYMS

ADF-NALU: Allied Democratic Forces-National Army for the Liberation Uganda (ADF-NALU)

AU: African Union (AU)

CAR: Central African Republic (CAR)

CIAT: Comité International d'Appui à la Transition - The International Committee to Accompany the Transition (CIAT)

CNDP: Congrès national pour la défense du peuple - National Congress for the Defense of the People (CNDP)

DAC: Development Assistance Committee (DAC)

DRC: Democratic Republic of the Congo (DRC)

ECF: Extended Credit Facility (ECF)

EU: European Union (EU)

EUPOL: EU Police Mission in DRC (EUPOL)

EUSEC: EU Advisory and Assistance Mission for Security Reform in DRC (EUSEC)

FARDC: Forces Armées de la République Démocratique du Congo - Armed Forces of the DRC (FARDC)

FDLR: Forces démocratiques de libération du Rwanda - Democratic Forces for the Liberation of Rwanda (FDLR)

FNL: Forces for National Liberation (Burundian FNL)

GNI: Gross National Income (GNI)

HIPC: Heavily Indebted Poor Countries (HIPC)

ICC: International Criminal Court (ICC)

IDA: International Development Association (IDA)

IFI: International Financial Institutions (IFI)

IFRI: French Institute of International Relations (IFRI)

IMF: International Monetary Fund (IMF)

ISSSS: The International Security and Stabilisation Support Strategy (ISSSS)

LRA: Lord's Resistance Army (LRA)

MDRI: The Multilateral Debt Relief Initiative (MDRI)

MLC: Movement for the Liberation of the Congo (MLC)

MONUC: United Nations Mission in the Democratic Republic of Congo (MONUC)

MONUSCO: The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO)

NGO: Non-Governmental Organization (NGO)

ODA: Official Development Aid (ODA)

OECD: The Organization for Economic Co-operation and Development (OECD)

SADC: Southern African Development Community (SADC)

SGBV: Sexual and Gender-based Violence (SGBV)

SRSG: Special Representative of the Secretary-General (SRSG)

SSR: Security Sector Reform (SSR)

STAREC: Stabilization and Reconstruction Plan for War-Affected Areas (STAREC)

UK: United Kingdom (UK)

UN: United Nations (UN)

UNDP: United Nations Development Programme (UNDP)

UNHCR: United Nations High Commissioner for Refugees (UNHCR)

UNICEF: United Nations Children's Fund (UNICEF)

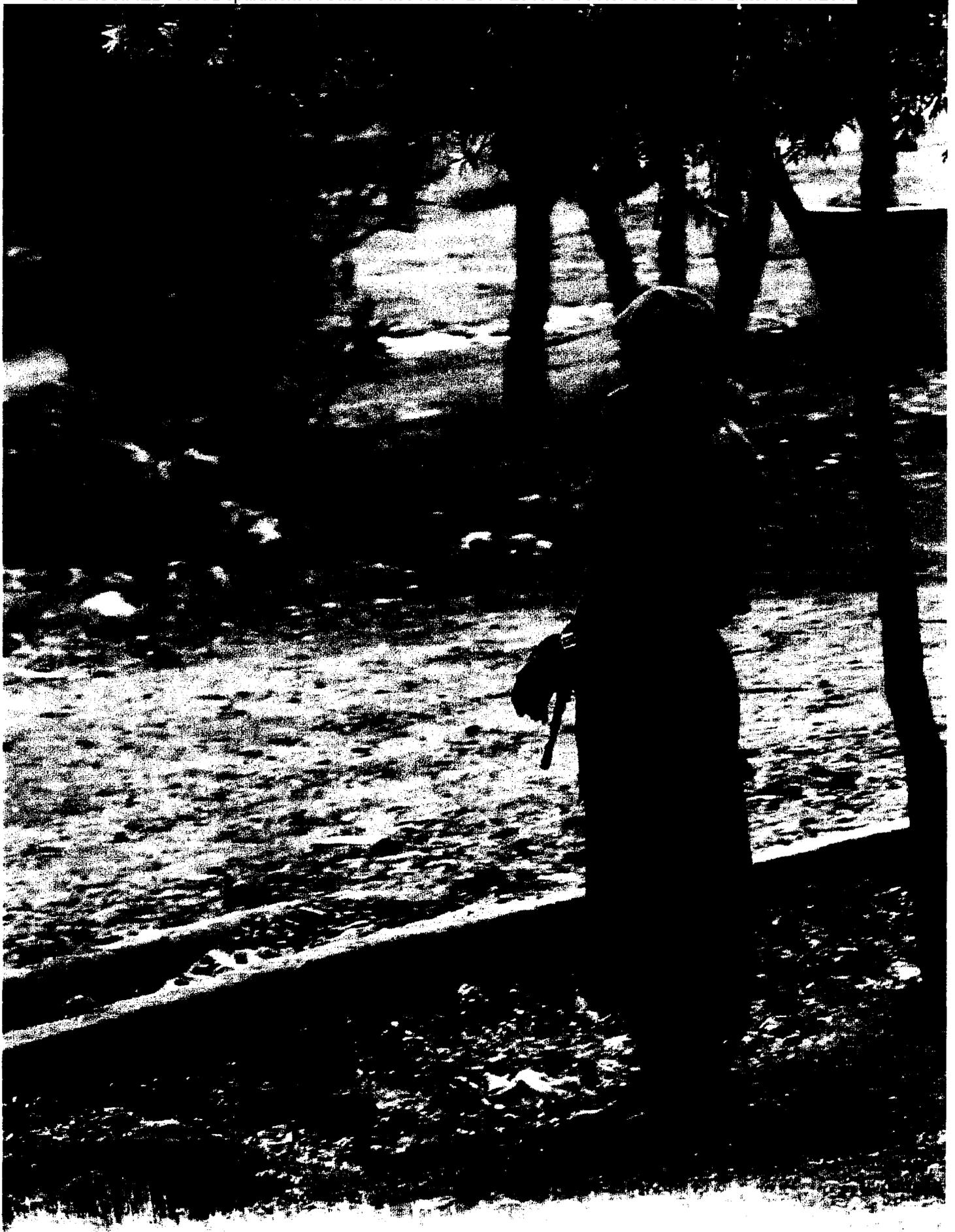
US: United States (US)

ENDNOTES

- 1 Figures from OECD-DAC. This includes all disbursed multi-lateral and bilateral official development aid (ODA), but excludes military assistance, peacekeeping, aid from non-members of the OECD and some budget support. See annex 1 for more details.
- 2 According to official figures, the total Congolese budget for 2010 was \$5.9 billion, of which external receipts made up \$2.8 billion, or 45.47%, the vast majority of which was project financing. The 2011 budget anticipated total spending of \$7.3 billion, and total external receipts were expected to be \$3.3 billion, or 45.2%. Figures accessed at <http://www.ministredubudget.cd>.
- 3 The annual MONUC/MONUSCO budget has increased slightly, from \$1.1 billion for 2006-2007 to \$1.3 billion for 2010-2011.
- 4 The DRC reached completion point under the HIPC program in June 2010, unlocking 12.3\$ billion in debt relief. This is estimated to equate to roughly \$500 million per year in additional government revenues.
- 5 A deal signed in 2007 will see some \$6 billion of investment in infrastructure exchanged for access to the DRC's mineral resources.
- 6 UNDP Human Development Index 2011, accessed at <http://hdr.undp.org/en/statistics/>
- 7 GNI per capita is \$180 (2010). Accessed at <http://data.worldbank.org/country/congo-democratic-republic>
- 8 Internal Displacement Monitoring Centre, accessed at <http://www.internal-displacement.org/8025708F004CE90B/%28httpCountries%29/554559DA500C8588802570A7004A96C7?opendocument>
- 9 467,693 at January 2012 (UNHCR), accessed at <http://www.unhcr.org/pages/49e45a6c6.html>
- 10 "We are entirely exploitable" The lack of protection for civilians in eastern DRC", Oxfam Briefing Note, July 2011; 'Small Arms in Eastern Congo, A Survey on the Perception of Insecurity', GRIP, 2011.
- 11 In June 2011, ex-PARECO Hutu commander, Colonel Kifarur Niragiye allegedly led over 100 soldiers to engage in serious human rights violations of civilians in the Fizi area. Col Kifarur had apparently deserted from the military due to the reorganization of military command. See eg <http://reliefweb.int/node/421990>; <http://reliefweb.int/node/421945>
- 12 See State Department 2010 Country Reports on Human Rights Practices (accessed at <http://www.state.gov/documents/organization/160453.pdf>) or 'Second joint report of seven United Nations experts on the situation in the Democratic Republic of the Congo', UN Human Rights Council, 10 March 2010.
- 13 Figures for the amount spent on military assistance are not collated by the OECD, and no comprehensive database exists for past or on-going projects, itself indicative of poor coordination. See annex I.
- 14 See paragraph 13
- 15 This includes the private as well as public sectors - business confidence reportedly fell from 5.7% in November to 2.7% in December 2011 as a cause of uncertainty over elections ('No Confidence Vote from Companies', Africa Confidential, 20 January 2012.
- 16 The DRC reached completion point under the World Bank HIPC program in June 2010. It has had access to an IMF Extended Credit Facility since 2009.
- 17 See report at <http://gdebate.un.org/66/democratic-republic-congo>
- 18 Confidential interviews by author with various policymakers, January 2012. See also, Radio Okapi: Police reform: General Bisengimana asks the international community for help, March 21, 2012 <http://radiookapi.net/actualite/2012/03/21/reforme-de-la-police-le-general-bisengimana-demande-l'aide-de-la-communaute-internationale/>
- 19 'DR Congo colonel Kibibi Mutware jailed for mass rape', BBC, 21 February 2011.
- 20 Including the US, EU, UK, France, China, Angola, South Africa, Belgium, The Netherlands, the UN, AU and SADC.
- 21 Accessed at <http://data.worldbank.org/country/congo-democratic-republic>
- 22 UNDP Human Development Index 2011, accessed at <http://hdr.undp.org/en/statistics/>
- 23 Internal Displacement Monitoring Centre, accessed at <http://www.internal-displacement.org/8025708F004CE90B/%28httpCountries%29/554559DA500C8588802570A7004A96C7?opendocument>
- 24 467,693 at January 2012 (UNHCR), accessed at <http://www.unhcr.org/pages/49e45a6c6.html>
- 25 In 2011, more than 270 new cases of child recruitment were documented, while 5,403 children, including 1,915 girls, formerly associated with armed forces and groups who were released or escaped in 2011 or during previous years, were provided with reintegration. Interviews with UNICEF staff in March 2012 and see also http://www.child-soldiers.org/Child_Soldiers_Coalition_DRC_shadow_Report_13April2011.pdf
- 26 'Small Arms in Eastern Congo, A Survey on the Perception of Insecurity', GRIP, 2011.
- 27 Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, 21 October 2011 (S/2011/656)
- 28 'Soldiers who rape, commanders who condone', Human Rights Watch, 2009.
- 29 See, for instance, 'The complexity of resource governance in a context of state fragility: The case of eastern DRC', International Alert, 2010; "We are entirely exploitable" The lack of protection for civilians in eastern DRC", Oxfam Briefing Note, July 2011.
- 30 The 'Governance Compact' was circulated to donors along with the first post-election budget in 2007, laying out the government's reform priorities. SSR was the first issue addressed. Accessed at <http://www.un.int/drcongo/archives/ContratdeGouvernance.pdf>
- 31 See report at <http://gdebate.un.org/66/democratic-republic-congo>

- 32 United Nations Peacekeeping Security Sector Reform website: <http://www.un.org/en/peacekeeping/issues/security.shtml>
- 33 It can also include, "corrections, intelligence services and institutions responsible for border management, customs and civil emergencies. <http://www.un.org/en/peacekeeping/issues/security.shtml>
- 34 See paragraph 10.
- 35 The 'brassage' process was intended to create 18 new integrated brigades, with training conducted by international actors including Belgium, South Africa, Angola and the UN. Only 14 integrated brigades were formed by the end of the transition, and many tens of thousands of armed men remained outside formal structures. The failure of army integration during the transition was a direct cause of violence after 2006, which in turn undermined future SSR efforts.
- 36 The most immediate challenges were posed by the armed guard of Jean-Pierre Bemba, in central Kinshasa, and the CNDP of Laurent Nkunda in the East, as well as the FDLR and LRA, Congolese Mai Mai groups and sporadic inter-community violence.
- 37 The International Support Committee for the Transition - known by its French acronym CIAT - was an Ambassador-level committee that had a formal advisory position to the transitional authorities. It took a strong stance in disagreements with the transitional government, and was greatly resented by many Congolese actors as an infringement of their sovereignty.
- 38 The strong relationship between key donors - notably the UK, US and EU - and the governments of Rwanda and Uganda led to widespread suspicion among Congolese actors during the war and post-war years.
- 39 2011 budget allocation to the Justice Ministry was \$5.6 million, out of a projected total budget of more than \$7 billion - less than 0.1%. Figures from www.ministerebudget.cd
- 40 'Putting Complementarity into Practice: Domestic Justice for International Crimes in DRC, Uganda, and Kenya', Open Society Justice Initiative, 2011.
- 41 A 'Plan de Reforme de L'Armee', was developed in 2009, following an earlier blueprint - 'Plan Directeur de la Reforme De L'Armee' - that was presented to the international community at a round-table in Kinshasa in 2008, and subsequently largely rejected. This was the successor to a 'National Strategic Plan for the Integration of the Armed Forces' released in August 2005.
- 42 The organic law on the 'Organisation and Functioning of the Congolese Armed Forces' sets out the structures, responsibilities and outlook of the FARDC, and reflects the vision initially set out in the Army Reform Plan of 2009. An organic law on the 'Organisation and Functioning of the Police' was promulgated at the same time.
- 43 See www.consilium.europa.eu/uedocs/cmsUpload/081204EUPOLComitedeSuividelareformedelapolice-CSRP.pdf. The CSRP has reportedly developed a three year reform plan and as strategic 15 year vision for the police.
- 44 A 'Joint Committee for SSR' was established in 2005, but was ineffective - its defense sub-committee had to be chaired by a MONUC officer because 'no suitable Congolese was available'. This is indicative of the low political salience given to coordination by the Congolese government.
- 45 A 'logistics plan' was developed in conjunction with the EU EUSEC mission in early 2011, but has not been implemented.
- 46 The 'regimentation' was an ad hoc restructuring of military units in Eastern DRC undertaken during 2011. It involved the withdrawal of units from active deployment and their reallocation into new command structures, intended to disrupt parallel chains of command.
- 47 Salaries for rank-and-file in both police and army are around \$40 per month, moving up to \$60 for a general.
- 48 Bosco Ntaganda was indicted by the ICC for war crimes in 2006. He is a serving General in the Congolese armed forces.
- 49 See for instance Henri Boshoff, Dylan Hendrickson, Sylvie More Clingendael, Thierry Vircoulon, Supporting SSR in the DRC: between a Rock and a Hard Place. An Analysis of the Donor Approach to Supporting Security Sector Reform in the Democratic Republic of Congo. Clingendael Paper, June 2010, and Sebastien Melmot, Candide au Congo : L'Echec annonce de la reforme du secteur de securite (RSS), Focus Stratégique No. 9, IFRI, September 2008.
- 50 The key actors with an interest in SSR are US, EU, AU, UK, China, Angola, Belgium, The Netherlands, South-Africa and Japan. A partial list of activities includes military reform or training by the US, EU, Angola, South Africa, Belgium, France, China and the UN; police reform or training by France, the UK, EU and UN; and justice reform training and capacity building by the EU, the UN, US, and others.
- 51 Ideally a single bilateral actor would take responsibility for leading reform in the DRC, as the UK did in Sierra Leone or the US in Liberia. However, the scale of the challenge posed by the DRC and the political risk that any state would face in taking responsibility, mean that the emergence of a 'lead nation' is increasingly unlikely, even if it were accepted by the Congolese Government.
- 52 The Great Lakes Contact Group involved a broad range of the international community, including African states, multilateral organizations and key players such as China. In recent years its membership has been restricted to the traditional donors - US, EU, UN, UK, France, Belgium and The Netherlands.
- 53 See, for instance, Justaert, Arnout and Stephan Keukeleire. (2010): The EU's Security Sector Reform Policies in the Democratic Republic of Congo, In: Vanhoonaeker, Sophie, Hylke Dijkstra and Heidi Maurer (eds). Understanding the Role of Bureaucracy in the European Security and Defence Policy, European Integration online Papers (EIoP), Special Issue 1, Vol. 14, <http://eiop.or.at/eiop/texte/2010-006a.htm>.
- 54 This does not include financing for military projects, as they are not collated by the OECD-DAC, and comprehensive figures are unavailable. Nor does it include projects run by bilateral actors that are not members of the DAC - notably South Africa, Angola and China - or actions undertaken directly by MONUC/MONUSCO.
- 55 The latest iteration of this has been seen in reporting in March 2012 of a new UN-supported offensive against the FDLR that observers have claimed could displace 100,000 - 'UN-backed Congolese army drive could displace 100,000 people, analysts warn', The Guardian, 16 March 2012.
- 56 The ad hoc integration of a new caseload of some 12,000 former rebels in 2009 is reported to have undone years of efforts to map numbers and deployments of the Congolese military, as well as further weakening unit cohesion and command structures.
- 57 "While there is broad agreement among international actors that security sector reform is a key issue, donors need to harmonise their support to the Government in developing a security sector reform strategy" Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, 21 September 2006, S/2006/759
- 58 MONUSCO SSR unit has been attempting to map programs for several years, but still has an incomplete record.
- 59 The most significant justice reform programs have been run by the EU, as well as the UN, NGOs and others. Where abuses were previously almost-completely unpunished, in 2008, 27 soldiers were convicted of crimes of sexual violence in the Kivus (HRW, 2009). The EU POL mission of the EU is mandated to engage in central police reform, but though it had some successes, including helping draw-up a 15 year reform plan, it has since been assessed as 'struggling to fulfil its strategic level mandate' (House of Commons, European Scrutiny Committee, 7th Report 2010-11, p51) The UK launched an innovative multi-year program to build police accountability and performance in 2009 (<http://projects.dfid.gov.uk/project.aspx?Project=113961>).
- 60 The MONUSCO SSR unit was launched in 2008. It had just 9 staff as of October 2011 (<http://monusco.unmissions.org/Default.aspx?tabid=3896>)
- 61 http://consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/110711%20Fact%20sheet%20EUSEC%20DR%20Congo%20%28%2013%29.pdf
- 62 The International Security and Stabilisation Support Strategy (ISSSS) acts in support of the Democratic Republic of Congo's Stabilization and Reconstruction Plan for War-Affected Areas (STAREC), launched in June 2009. It has undertaken a range of SSR-related activities in the East of the country, designed to increase security extend state authority, including training of police, reconstruction of training centers and barracks, demobilization and infrastructure projects. It is supported by 13 donors, and had spent roughly \$168 million from 2009 to 2011.
- 63 The US has been engaged in training Congolese light infantry since December 2009, with the first units graduating in September 2010, since deployed to the LRA-affected area. It was intended to create a 'model unit' to inform other programs. It included elements intended to make units self-sufficient, as well as 'training the trainer', human rights awareness and operational effectiveness. <http://www.africom.mil/getArticle.asp?art=5256>
- 64 These include, but are not limited to, a UK-funded program on police reform, police training by the UN, police reform through the EU EUPOL initiative, a variety of EU-funded support and capacity building programs for the justice sector, a UNDP-led joint initiative on military justice reform.
- 65 Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, 17 January 2011, S/2011/20. Training of specialist troops - demining, medical and so on - continues, as does officer training, both in-country and overseas conducted by France, Belgium, China and others. Unit-level training is conducted by MONUSCO, and work on strategic military reform is on-going through the EU EUSEC program, and by MONUSCO SSR unit.
- 66 There have been numerous reports of defections by military officers and men, frequently by former armed group members. For instance, a former CNDP battalion commander, Major Patient Akiliman, was reported to have defected from the army in October 2010 with 28 men, and a former armed-group officer, Col. Albert Kahasha was reported missing from his post with 30 men in January 2012. (www.radiookapi.net/actualite/2010/10/28/goma-defection-de-28-soldats-30-un-commandant-de-bataillon-des-fardc-a-alimbongo/; www.lepotentiel.cd/2012/01/nord-kivu-un-colonel-des-fardc-disparait-avec-30-de-ses-soldats-a-beni.html)
- 67 There are concerns over the sustainability of the transition of the CNDP from military to political actor given the de facto independence of former CNDP combatants, despite their integration into official structures, and continuing control over fiefdoms in North Kivu, including lucrative mining areas. Resentment is reported to have led to regrowth of informal armed groups, and risks a return to inter-communal violence. Remaining armed groups, both foreign and Congolese pose an acute threat to civilians.
- 68 'China and Congo: Friends in Need', Global Witness, March 2011
- 69 Most striking is the Grand Inga project, to develop the hydropower resources of the Congo River, being jointly developed by the DRC and South Africa, involving the South African national power company, Eskom, designed to meet South Africa's future energy needs. A new bilateral agreement was signed in November 2011. See <http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=23176&tid=48818>

- 70 Confidential interviews by author with various policymakers, January 2012.
- 71 Ibid.
- 72 The IMF provides finance to the DRC under an Extended Credit Facility (ECF) launched in 2009, worth about \$550 million over three years. It expires in June 2012. The previous IMF program had been completed in 2006. The IMF, World Bank, African Development Bank and European Union also provided budget support in 2009 and 2010 to help the DRC reach the HIPC completion point, and for emergency payment of teachers' salaries.
- 73 Estimates vary as to the number of armed men in the DRC at the beginning of the transition – according to figures provided by the belligerents themselves there were more than 300,000. More than 180,000 had passed through a demobilization process by December 2006. Figures from 'Completing the demobilization, disarmament and reintegration process of armed groups in the Democratic Republic of Congo and the link to security sector reform of FARDC', Institute for Security Studies Situation Report, Henri Boshof, 23 November 2010.
- 74 The large scale, formed military units left over from the war and failed transitional integration – notably those loyal to war time rebel groups – that were present immediately after the 2006 elections have either largely disintegrated or been brought into official structures, however nominally. But a constellation of smaller groups remain, and there are no comprehensive estimates of the numbers available. Assessment is particularly difficult given the terrain, fluid nature of multiple militias, defections, re-recruitment and blurring between criminality and organized activity.
- 75 Between 2002 and early 2012, the UN repatriated more than 26,000 foreign fighters and dependents. The FDLR has seen its numbers drop tenfold from 20,000 in 2001 to some 3000 at present. The LRA has carried out horrific attacks on civilians in the DRC, as well as in the CAR and South Sudan, but is down to some 300 fighters scattered in small groups across a wide area. Other significant groups are the Uganda ADF-NALU, estimated to have 500 fighters, and the Burundian FNL.
- 76 See Radio Okapi: Police reform: General Bisengimana asks the international community for help, March 21, 2012 <http://radiookapi.net/actualite/2012/03/21/reforme-de-la-police-le-general-bisengimana-demande-laide-de-la-communaut-internationale/>
- 77 For instance, the 14th Summit of La Francophonie is due to take place in Kinshasa in late 2012.
- 78 There were an estimated 60,000 FARDC troops deployed in the Kivu provinces in late 2009. Latest estimates compiled by EUSEC are that the total number of men in the Congolese military is 105,000, meaning that nearly 60% of the FARDC are deployed in just two provinces. A census of police numbers is underway, with numbers estimated at around 100,000.
- 79 See Thirtieth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo, 4 December 2009, s/2009/623
- 80 Lt Col Kibibi Mutware was sentenced to 20 years imprisonment for crimes against humanity, along with 3 officers and 5 men. 'DR Congo colonel Kibibi Mutware jailed for mass rape', BBC, 21 February 2011.
- 81 DRC Mobile Gender Courts Factsheet, accessed at http://www.soros.org/initiatives/justice/articles_publications/publications/congo-mobile-20110719
- 82 Interviews with UNICEF staff in March 2012.
- 83 Latest estimates are of a total of approximately 105,000.
- 84 Confidential interviews by author with various policymakers, January 2012
- 85 OECD-DAC, all figures in USD millions, current prices. Accessed on 20 March 2012
- 86 Ibid
- 87 See 'Budget Support and Fragile States: Mokoro Study for Oxfam Novib, Handout 3: Individualising the cases – Ethiopia and DRC' for further information, accessed at www.odi.org.uk/events/docs/4640.pdf
- 88 OECD-DAC, all figures in USD millions, current prices. Accessed on 20 March 2012
- 89 Figures in USD millions, from UN Secretary General's reports, accessed at www.un.org
- 90 OECD-DAC, all figures in USD millions, current prices. Accessed on 20 March 2012
- 91 Ibid
- 92 'Democratic Republic of the Congo: Enhanced Initiative for Heavily Indebted Poor Countries—Completion Point Document and Multilateral Debt Relief Initiative Paper', IMF Country Report No. 10/36, December 2010



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