

System-wide SSR Support in the DRC

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Summary

Security Sector Reform (SSR) relates to a wide range of activities that seek to enhance the security of states and societies through building more effective and accountable security and justice institutions. Improved human security is essential to allow sustainable development in fragile states and post-conflict situations to take place. In the Democratic Republic of Congo, MONUSCO must be the entry point and the institutional point of reference, and take on the task to foster common understanding and ground among key players. SSR is a national process and the DRC Government must be encouraged to take on greater national ownership of SSR and start the development of a national and inclusive SSR vision and strategy.

MONUSCO must enhance its role as an information hub and should step up its technical and substantive support to the DRC Ministry of Planning's SSR Matrix in order to overcome its existing problems of data collection, editing and access.

- The security sector is a closely interlinked system, and should be addressed as a whole in order to achieve meaningful change involving political actors and civil society organizations, including women's groups, in the processes.
- MONUSCO could improve the foundations for international system-wide SSR support. Now that the FARDC with the help of MONUSCO has defeated the M 23 militarily, there is now a window of opportunity to do so.

Introduction

The protection of civilians remains the overall priority task for the United Nations Organization Stabilization Mission for the DRC (MONUSCO). But Security Council (SC) resolutions 2053 (2012) and 2098 (2013) have also indicated that security sector reform (SSR) needs to be the primary focus within MONUSCO's stabilization and peace consolidation mandate. This brief covers major developments in the Democratic Republic of the Congo (DRC), after the implementation of national commitments under the Peace, Security and Cooperation Framework for the DRC and the Region¹ and progress made by MONUSCO.

The SC also requested the Government of the DRC to ensure progress on a number of SSR-related issues and to engage in a new strategic partnership with MONUSCO. MONUSCO should prioritize possible new approaches to support Congolese authorities to improve the capacity of the military, police, justice and other security institutions in order to consolidate the overall Congolese State authority. This process includes the reconfiguration of MONUSCO and the development of the road map for the transfer of activities to the United Nations country team (UNCT), which was introduced in the Secretary-General's report to the SC in October 2013 (S/2013/581).

Background: SSR Support as a UN Policy

Security Sector Reform (SSR) relates to a wide range of activities aimed at enhancing the security of states and societies by building more effective and accountable security and justice institutions. In fragile states and post-conflict situations, the basic assumption is

¹ *Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region*, 24 February 2013. Available at: <http://www.peaceau.org/uploads/scanned-on-24022013-125543.pdf>

that an improved human security platform is essential to allow for sustainable development to take place. Hence, SSR links security-focused peacekeeping with development-focused peacebuilding. The security and justice sphere is not limited to 'executive' actors, such as armed forces, police services, the judiciary, prisons, private security companies, border control and intelligence agencies, but includes legislative, advisory and oversight mechanisms, such as parliamentary commissions and civil society organizations. SSR is therefore not only about technical interventions aimed at building the capacity of specific security and justice providers; SSR is first and foremost a political process, addressing governance of a whole system of actors. The international community has an important role to play in supporting SSR. However, national ownership of SSR is ultimately the key to its success.

Based on this understanding, the UN General Assembly adopted in 2008 the UNSG Report *Securing peace and development: The role of the United Nations in supporting security sector reform*.² A follow-up report, entitled: *Securing States and Societies: Strengthening the United Nations Comprehensive Support to Security Sector Reform*, was issued 13 August 2013 (S/2013/480). The report reviews the United Nations' support to security sector reform, and includes recommendations on how best to strengthen the UN's comprehensive approach in this area.

Challenges for System-wide SSR Support in the DRC

The lack of progress on SSR since 2003 continues to undermine the objectives of the International Security & Stability Support Strategy (ISSSS)³ and the DRC's Government Stabilization & Reconstruction (STAREC) plan. STAREC targets the 5 provinces in Eastern Congo affected by armed conflict.⁴ Without addressing the nation-wide need for a comprehensive SSR, many efforts in the conflict-ridden STAREC provinces remain doomed to fail.

In his New Year's speech for 2013, DRC President Joseph Kabila recognized the problem and specified army reform as a national priority. The commitment of the DRC Government to SSR was reiterated again in the *Security, Peace and Cooperation Framework for the DRC and the region*, which was signed in February 2013 by 11 African states and four multilateral organizations.⁵ Unfortunately, progress has remained limited in the first quarter of 2013, with the major event being the promulgation of a law defining the status of military person-

nel.⁶ However, further decrees to the law are needed in order to implement it and address the dire social situation of the FARDC soldiers and their families. The law will therefore not make any practical difference until the Government has passed it and set it into action.

Like previous UN SC resolutions on the DRC, the current UNSC resolution 2098 calls the DRC Government to develop a national SSR strategy and roadmap.⁷ A possible forum for this exercise could be the 'national dialogue', which was also announced in President Kabila's 2013 New Year's speech. On 7 September the President opened this long expected national dialogue, stressing that it should help foster internal cohesion in order to overcome external aggression, reinforce state authority throughout the country, end the cycle of violence in the east and pave the way for lasting peace and development. So far the surge of violence in the east has undermined this initiative, but the recent events in November 2013 with the M23 ending the military operations and fleeing the area, may create a long awaited window of opportunity for partners supporting the development initiatives in the DRC. The reconfiguration of MONUSCO and the development for the transfer of activities to the United Nations Country Team (UNCT) may prove to be a very well-timed initiative.

In order to obtain an SSR strategy that is inclusive and supported by all parties, it is critical to involve political actors, such as the government and the parliament, as well as consulting civil society organizations, including women's rights groups. The Congolese civil society has created the *Réseau pour la Réforme du Secteur de Sécurité et de la Justice* (RRSSJ), which is a functional and vocal SSR advocacy network represented in all 11 provinces of the DRC.⁸ Working with local partners would permit the dialogue to grow and spread from the 'bottom-up', reflecting local and provincial needs and concerns, instead of it becoming a 'top-down' affair led by the President's office, which could lead to its politicization and a consequent loss of faith by the population in dialogue principles.

The political need to develop a national and inclusive SSR strategy and the immediate need to provide security, is reflected in the current mandate through the development and implementation of a national SSR vision and roadmap for the creation of a Congolese "Rapid Reaction Force (RRF)".⁹ This force should form the nucleus for a professional, accountable, well-sustained and effective national defence force. MONUSCO will advise and provide support to the Government for reform of the army and should include support to train the Rapid Reaction Force (RRF) in accordance with the benchmarks and deadlines set by the SSR roadmap. The force should assume as soon as possible the security responsibilities from MONUSCO.

2 UN, 'Security Peace and Development: the role of the United Nations in supporting security sector reform', Report of the Secretary General, 23 January 2008. Available at: http://www.un.org/ga/search/view_doc.asp?symbol=S/2008/39

3 ISSSS or I4S = The International Security and Stabilization Support Strategy (ISSSS). See MONUSCO webpage 'The ISSSS' at: <http://monusco.unmissions.org/Default.aspx?tabid=10831&language=en-US>,

4 Province Orientale (including the Ituri District), North Kivu, South Kivu, Maniema and Katanga.

5 These states are the DRC, the Republic of Congo, the Central African Republic, South Sudan, Uganda, Rwanda, Burundi, Tanzania, Zambia, Angola, South Africa. The multilateral organizations are the UN, the AU, the ICGLR and the SADC. See the full text note 2.

6 The 'Loi portant statut du militaire des FARDC' was adopted by the National Assembly on 13 July 2013.

7 UN Security Council Resolution 2098 (2013). Available at: [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2098\(2013\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2098(2013))

8 See the webpage for RRSSJRD at <http://www.rrssjrdc.org/> and <https://www.facebook.com/rrssjrdc>

9 UN Security Council Resolution 2098 (2013) para 14 c, e.

Key Points for System-wide SSR Support in the DRC

The UN's SSR policy approved by the General Assembly in the current UNSC resolution 2098 and in the previous mandates, provide a strong basis for MONUSCO to play a leading role in coordinating the support for SSR provided by international and bilateral partners and the UN system in the DRC. Supporting SSR does not only contribute to the stabilization and peace consolidation mandate of the mission, but also affects the protection of civilians in a positive way. Since SSR is a national process, the DRC Government should be encouraged to take on greater national ownership of SSR through a national strategy for developing effective, inclusive and accountable security and justice institutions. MONUSCO should offer assistance to design and implement a national SSR strategy. As previously noted, the UN looks at the security sector as a closely interlinked system, which should be addressed as a whole in order to achieve meaningful change. A strictly technical approach to SSR with focus on training, equipment and infrastructure, has so far failed to have a long-term impact on the DRC's security situation. As a part of a system-wide approach to the SSR support, MONUSCO could speed up the SSR process by facilitating the international SSR support wherever possible.

MONUSCO as SSR Coordinator

To fulfill the current UNSC resolution 2098 and meet the expectations of both national and international SSR partners, MONUSCO should take on a much more active approach. The focus should be to promote the good offices, give advice and support to the Government of the DRC enabling the development and finalization of a clear and comprehensive SSR implementation roadmap. Such a roadmap should include benchmarks and timelines for the establishment of effective and accountable security institutions. MONUSCO should function as the entry point and the institutional port of reference. Related SSR- projects within the framework of cross-cutting strategies, such as e.g. Sexual Violence and Child Protection, would be carried out by the specialist sections.

For coordinating purposes key DRC ministries (Office of the Prime Minister, Defence, Interior, Justice, Planning, etc.), relevant civil society organizations, MONUSCO Sections (Political Affairs, SSR/Mil, SSU, UNPOL, Justice Support, UNJHRO, DDR/RR, UNMAC, Civil Affairs, Gender, Sexual Violence in Conflict, Child Protection, etc.), UN agencies (IASSRTF members, etc.), multilateral actors (EU, AU, CSRP¹⁰, etc.) and bilateral actors (Belgium, China, France, South Africa, UK, USA, etc.) should be invited to SSR coordination meetings. Such meetings would provide a forum to exchange information and analysis and foster relationships between SSR partners. The conclu-

sions in the SSR coordination groups should be fed into the *Groupe de Coordination des Partenaires* (GCP).¹¹

MONUSCO – to Act as the Political Coordinator

There have been a number of initiatives to identify a broad set of principles needed for SSR. Unfortunately up to now this hasn't been very successful and that has caused frustration both for the national authorities as well as donors from the international community. Local ownership is a key factor in this respect.

It seems clear that when many speak of SSR, they are referring only to the military component, omitting the importance of the police, justice and the corrections system in the daily security of people. MONUSCO should take on the task to prepare some common ground and understanding among key players on a strategic level. This role of MONUSCO is also highlighted in the latest mandates.

Security + Development = SSR

Without any economic development in the area, there can be no security and vice versa. The role as political coordinator of MONUSCO provides an important national framework for the activities under the Security Pillar of the revised ISSSS program. Supporting FARDC's 'holding capacities', and setting up local security discussion platforms between FARDC and the population will improve cohabitation and social cohesion. It is understood that these activities can only lead to short-term 'damage control' unless the SSR-process at the national level is pushed ahead. The latest involvement of the World Bank in the area is very promising as \$ 1 billion has been made available for developing the infrastructure in the Great Lakes area.¹² Providing security is obviously very important for the success of this program.

SSR Sensitization

As SSR comprises a wide range of activities carried out by different MONUSCO sections, UN agencies, multilateral and bilateral donors, DRC state institutions and civil society organizations. It is crucial that all actors have a shared understanding of the SSR principles. A sensitization campaign to raise awareness on SSR through briefings and reports should target key SSR actors in order to assure a common understanding of the objectives and methodology of SSR.

SSR Achievements

It is a fair estimation that significant progress has not been achieved over the latest years. This is partly due to the difficulty security situation in many parts of the country. But it can also be said that all the resources invested in the DRC have been directed to areas where the

¹⁰ *The Comité de Suivi pour la Réforme de la Police*, or the Monitoring Committee for Police Reform, is a political organ with an executive secretariat, including PNC and civil society representatives on the national side, and EUPOL and UNPOL representatives on the international side. A similar structure for army reform is under consideration. More info on: <http://www.csrp.cd/>

¹¹ Donor Coordination Group (*Groupe de Coordination des Partenaires – GCP*) was formed on 06 June 2012.

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¹² World Bank, 'World Bank Announces US\$1 Billion Pledge to Africa's Great Lakes Region, Targeting Energy, Roads, Agriculture, Cross-Border Trade, Health, and Jobs', Press Release, 22 May 2013. See: <http://www.worldbank.org/en/news/press-release/2013/05/22/world-bank-announces-us-1-billion-pledge-to-africa-great-lakes-region-targeting-energy-roads-agriculture-cross-border-trade-health-jobs>

¹³ Open Society Foundation, *The Democratic Republic of Congo: Taking a Stand on SSR*, April 2012. Available at: <http://www.opensocietyfoundations.org/sites/default/files/drc-ssr-report-20120416-1.pdf>

return hasn't been apparent in terms of improved security and economical situation for the civilian population. DRC civil society representatives published an analysis in April 2012¹³ stating that of the allocated funds to the DRC the last 10 years, only 1 % had been allocated to SSR activities. That is why there have been limited activities only in some sectors. Some of these projects involve sensitization of police and army officers.¹⁴

There are a few encouraging developments lately which should allow for some shared optimism. One of these activities is the development within the Congolese National Police, which has produced a 5-year reform plan which has also been given a budget and an executive secretariat to ensure the progress. The plan has received broad political support. *The Plan Global de Formation (PGF)* for the army on the other hand, is very ambitious and has no budget or an executive secretariat. The education of the Rapid Reaction Forces, which is scheduled to resume the duties of the Intervention Brigade by the end of 2014 is based on the PGF and relies heavily on support of MONUSCO. MONUSCO and other international partners continue to provide technical assistance and financial support for the training of new recruits in compliance with Human Rights Due Diligence Policy. This effort is based on the estimate that only the active intervention of the national army (FARDC) and the Congolese National Police can provide security in the area thus providing conditions for economic development to take place.

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Justice and corrections institutions have received assistance aiming at strengthening the criminal justice system. The deployment of mobile courts has proved to be a very visible manifestation to the civilian population of this much needed support. Along the same line is the strengthening of the prison capacities. Only by improving the reaction by the entire chain of justice towards criminal activities one can hope for improvements.

¹³ Open Society Foundation, *The Democratic Republic of Congo: Taking a Stand on SSR*, April 2012. Available at: <http://www.opensocietyfoundations.org/sites/default/files/drc-ssr-report-20120416-1.pdf>

¹⁴ Examples of these programs are the so called 1, 2 and 3. Allocation projects. These projects were designed for sensitization on sexual violence aspects in the FARDC and CNP which has taken place in the eastern part of the DRC in 2011-2013).

SSR Matrix

Experience has shown that there is a requirement for a complete summary of all programs and activities being undertaken in SSR. Such an overview will provide an overview of current activities and be available for all partners. In order to fulfill its mission to coordinate SSR support, it is important that MONUSCO should step up its technical and substantive support to the DRC Ministry of Planning's SSR Matrix in order to overcome its existing problems of data collection, editing and access. Although "everyone" recognizes the need for such a Matrix, it has proved difficult to populate the database for a number of reasons. Some of them are practical and some of them are of a political nature. The deployment of a consultant database expert should be considered, as a fully operational and user-friendly SSR Matrix constitutes a necessary coordination tool. Both national and international partners should consider it their responsibility and populate the database to the best of their ability. A proper overview will show areas where there is little or no effort, so that partners can focus their resources on areas where attention is needed.

Conclusion

Rather than intervening in different pillars of the security and justice sectors separately, current UN policy sees SSR support as a wide range of coordinated interventions. It should be recognized that the different pillars of the security and justice sectors form a closely interlinked and interdependent system. This system is highly sensitive in fragile states and post-conflict situations, with the DRC being no exception to this rule. SSR will never be without political risk.

- As SSR addresses the root causes of violent conflict, SSR is part of the solution. Hence, while the DRC government needs to begin developing a national and inclusive SSR vision and strategy to fulfill its obligations towards its population and the international community in the longer term, MONUSCO could improve the foundations for international system-wide SSR support in the short term.
- As the FARDC, assisted by MONUSCO, has recently defeated the M23 militarily, there is now a window of opportunity to take such action.



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