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Stabilising the Congo

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Forced Migration Policy Briefings

The Refugee Studies Centre's (RSC) Forced Migration Policy Briefings series seeks to stimulate debates on issues of key interest to researchers, policy makers and practitioners from the fields of forced migration and humanitarian studies.

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Glossary of acronyms

CEPGL	Economic Community of the Great Lakes Countries (Communauté économique des Pays des Grand Lacs)
CIAT	International Committee in Support of the Transition (Comité international d'accompagnement de la transition)
CLPC	Permanent Local Reconciliation Committees (Comités locaux permanents de conciliation)
CNDP	National Congress for the Defence of the People (Congrès national pour la défense du peuple)
DDR	Disarmament, demobilisation and reintegration
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
FARDC	Congolese armed forces (Forces armées de la République démocratique du Congo)
FDLR	Democratic Forces for the Liberation of Rwanda (Forces démocratiques de libération du Rwanda)
GDP	Gross domestic product
IDP	Internally displaced person
IRC	International Rescue Committee
ICGLR	International Conference on the Great Lakes Region
IMF	International Monetary Fund
ISSSS	International Security and Stabilisation Support Strategy
MONUC	United Nations Peacekeeping Mission in Congo (Mission de l'Organisation des Nations Unies en République démocratique du Congo)
MONUSCO	United Nations Organisation Stabilisation Mission in the Democratic Republic of Congo (Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo)
OCHA	Office for the Coordination of Humanitarian Affairs
RR&R	Return, reintegration and recovery
SGBV	Sexual and gender based violence
SRSG	Special Representative of the Secretary-General
SSR	Security Sector Reform
STAREC	Stabilisation and Reconstruction Plan for Eastern DRC (Programme de Stabilisation et de Reconstruction des Zones sortant des conflits armés)
SRFF	Stabilisation and Recovery Funding Facility in Eastern DRC
UN	United Nations
UNHCR	Office of the United Nations High Commissioner for Refugees
UNSSS	UN Security and Stabilisation Support Strategy

Executive summary

Stabilisation has become a leading approach and process to address so-called failed, failing, and fragile states (Stewart 2011). The strategy builds on the increasingly prevalent view that development, governance, and security problems create a vicious cycle that demands comprehensive and integrated solutions that require far-reaching policy and conceptual restructuring. Combining both 'hard' (military) and 'soft' (civilian) tools, stabilisation operations employ an array of policies and strategies with the overarching aim of bringing about long-term 'stability' in a given context. As Elhawary explains, in stabilisation operations, '[s]oldiers, diplomats, development practitioners and aid workers are encouraged to work together so as to promote more effectively peace and stability in such settings' (2010: 388).

Despite its increasing prominence, stabilisation remains a vague concept. The meaning of stabilisation is often specific to the context in which the concept is put into practice. At a minimum, stabilisation concerns the realisation of security objectives by countering immediate and systemic threats. At most, stabilisation operations aspire to nothing short of total social transformation through a combination of broader peacebuilding, statebuilding and development efforts. Across this spectrum, stabilisation operations are based on a 'security imperative' and 'the pursuit or support of a particular political order by powerful actors' (Bailey 2011: 5, see also Collinson et al. 2010).

Conceptual ambiguity has contributed to stabilisation's diffusion across various institutional and geographic settings. Initially a policy approach adopted by western countries in the wake of 9/11 to address weak governance, endemic instability, and violent conflict in Afghanistan and Iraq, stabilisation operations have expanded greatly over the last decade and the nomenclature has entered the lexicon of multilateral institutions, including the United Nations (UN). While the UN has yet to develop a stabilisation doctrine or overarching institutional agenda, blue helmets deployed in contexts such as the Sudan and Haiti have in recent years been tasked with 'stabilisation' as a core mission objective (Bailey 2011). Concurrently, recent history has also witnessed the genesis of 'nationally-led stabilisation plans' where governments in conflict-afflicted states, for instance Sri Lanka and Colombia, have adopted a stabilisation agenda and 'recast what might previously have been labelled civil wars or political crises as legitimate "stabilisation" efforts' (Collinson et al. 2010: 4).

Stabilisation has relevance for a range of actors in different policy fields. As well as having implications for security and development, it is of significance to an array of humanitarian actors, not least those working with refugees and internally displaced persons. As humanitarian and asylum space have diminished over time (Abild 2009; Crisp 2003), protection and assistance to forcibly displaced people takes place in contexts of fragility. Significant proportions of internal displacement take place in contexts of state fragility or internal conflict in which 'stabilisation' missions are either underway or have potential relevance for protection and assistance (Koser 2011). Furthermore, when repatriation operations take place, they often do so alongside attempts to engage in stabilisation activities in and around refugees' regions of origin (Stepputat 2004).

This brief focuses on the Democratic Republic of Congo (DRC), in which both the national government and the international community have formally adopted a stabilisation approach to address the country's continued insecurity.[1] Particular focus is given to the international community's primary stabilisation efforts in the DRC, the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO). Recent analysis has focused primarily on the humanitarian stakes of the stabilisation agenda in Congo – the implications for assistance delivery and humanitarian 'space' or 'access' (Bailey 2011). While this is an important issue within stabilisation, the inherent political dimensions of the approach have not been fully examined. In this brief the political implications of the stabilisation agenda are brought into sharper relief by focusing on a single question: stabilisation by whom and for whom?

We argue that, as employed in the DRC, stabilisation has been a technical solution to what are fundamentally political problems for an increasingly disinterested international community. The agenda has been heavily focused on 'stabilising' the central state, overlooking other critical levels of governance and legitimate authority. Where stabilisation is focused on statebuilding, the nature and motive of the state is fundamental to explaining the relative success or failure of such efforts and the perceived legitimacy of intervening actors. As this brief argues, stabilisation policy in the Congo has thus far been largely ineffective, has contributed to strategic confusion and is likely to bring about 'selective stability' and 'partial peace', for which the long-term prospects are bleak.

Learning lessons from the successes and failures – and, critically, the politics – of stabilisation in the Congo matters for a range of security and peace-building actors working both in the country and in other contexts. However, it also has significant implications for humanitarian actors and in particular those concerned with the protection of and assistance for forcibly displaced populations. First, protection of internally displaced persons (IDPs) crucially relies upon the creation of humanitarian space within what are often insecure environments. When effective, stabilisation efforts can enhance such space. Second, repatriation and reintegration of both IDPs and refugees are contingent on security guarantees that stabilisation efforts, in theory, aspire to realise. Thirdly, policy debates on forced displacement tend to focus almost exclusively on addressing the symptoms of displacement. Considering stabilising offers a way of conceptualising and engaging with the root causes of displacement. However, in order to have these and other positive implications for humanitarianism and for the long-term protection of the most vulnerable, a number of key lessons must be derived from the stabilisation experience in Congo. The report concludes with a series of recommendations specific to the Congo context for the post-election period. It calls for:

- A Special Report by the Secretary General on the State of Constitutional Reforms and Institution Building in the DRC since 2006, which will review action taken by the Congolese Government and Parliament to implement the provisions of the Constitution, identify policy areas that need to be resuscitated, and obstacles to reform. The Special Report would offer a consolidated set of benchmarks for the overall success

of the stabilisation endeavour and would include detailed conditions for MONUSCO's withdrawal.

- An international conference should be convened in early 2012 to develop a Roadmap for Good Governance and Stability based in part on the UN Secretary General's Special Report. This Roadmap should prioritise decentralisation, the holding of local elections in 2013, Security Sector Reform (SSR) and the rule of law. International donors and organisations, regional institutions and Congolese stakeholders from civil society to national politicians should be actively involved in the conference proceedings.

- The Roadmap should guide future policy towards the Congo and determine donor interactions. The Secretary General should appoint a Strategic Donor Advisor to coordinate activities and liaise with the government, international institutions and the Special Representative of the Secretary-General (SRSG).

- Future international technical and financial assistance, including from bilateral and multilateral donors, must be provided only on the basis of reciprocal engagement by the Congolese government and on progress in implementing the Roadmap. The Strategic Donor Advisor should actively coordinate policy positions.

- The failure of the Congolese government to abide by the terms of the Roadmap for Good Governance and Stability and/or further donor disengagement should result in the reduction of international support to the state, withdrawal of MONUSCO and a cessation of development or stabilisation activities in favour of critical lifesaving humanitarian assistance.

1. The Congo context: the causes of persistent conflict

The DRC has a long and tragic history of plunder, predation and pillaging, first under Belgian colonial rule and then under President Mobutu. The country's recent history is one of intractable armed conflict, poor governance, pervasive poverty, and massive humanitarian suffering, including widespread human rights violations and large-scale population displacement. Over the last 15 years, including the First and Second Congo Wars (1996–1997 and 1998–2003, respectively), conflict in the Congo has killed some 5 million people (IRC 2008). The majority of these deaths are attributable to disease and malnutrition, and are often linked to displacement. At the height of the crisis in early 2003, there were over 400,000 Congolese refugees in neighbouring states (UNHCR 2003) and three million internally displaced people (UNOCHA 2003).

While the trappings of a sovereign state became visible following the formal cessation of hostilities in July 2003 and the subsequent elections in 2006, Congolese political space continued, and still continues, to be defined by those who bear arms and money, and violence plagues much of the country's eastern region. Rather than a 'simple binary conflict neatly arrayed along a single issue dimension', persistent violence in the DRC is the result of 'welters of complex struggles' that have local, national and regional dimensions, giving rise to conflicts within conflicts (Harding 1984 cited in Kalyvas 2003: 479). In many places within the country, acute vulnerability or 'pockets of crisis' coincide with a more pervasive chronic vulnerability symptomatic of under-development (Darcy and Foliot 2009).

Continuing instability in the Congo, which the stabilisation approach outlined in the following section aims to address, is the result of four inextricably linked factors.

The first is the *absence of a functioning state*. State institutions in the DRC lack authority and are mired in corruption, leading many Congolese to conclude that the state itself is the 'malfaiteur' (criminal). The DRC consistently ranks among the highest countries on the *Failed State Index* with over 50 per cent of the state budget supplied by the IMF, World Bank and African Development Bank (Foreign Policy 2011). Rather than a function of the state, the provision of social goods to the country's population continues to be a task left to the humanitarians and international development agencies that are present in large numbers throughout the country. State weakness is not a new phenomenon but rather has a long lineage in the Congo, including notably under Mobutu, who was nicknamed 'the Mayor of Kinshasa' for the little control he exerted over much of the country. While part of the problem is geographic, the sheer size of the country encouraging division over unity and making power projection all the more difficult, governance is also critically undercut by a logic of patrimonialism in which the vested interests and predatory practices of powerful elites and armed actors take precedent over the needs of the country's population. This is the paradox of the country's persistence: the state of Congo is maintained, as Englebert writes, 'in order for it to be emptied of its substance' (2006: 122).

The persistence of weak and venal state institutions is most visible in the security sector, where the Congolese national army, the Forces Armées de la République Démocratique du

Congo (FARDC), is largely unpaid and poorly trained. The army has an estimated strength of 120,000 soldiers: a rag tag team of some 50 rebel groups that were incorporated into the FARDC following various peace deals and continue to form temporary and opportunistic alliances with various militias. Keeping alive the spirit of Mobutu whereby soldiers were not paid and lived off the population, the FARDC is often the single greatest threat to the Congolese and routinely terrorises civilians, extorting protection money, looting villages, raping and killing civilians. In the absence of a functioning state and credible security guarantees, force continues to be the principal means to power.

The reform of state institutions is impeded by the second factor, the *fragility of state power* or what others have referred to as the 'fight for Kinshasa'. A history of attempted coups serves as a reminder to President Kabila that power at the top is tenuous, and deepens paranoia that his fate could be similar to that of his father, who was killed by a close bodyguard. Seen this way, resistance to reform is both a way for those in government to dominate – the practice of dividing and conquering, but also, critically, one of self-preservation – and a way of placating others for whom reform could jeopardise entrenched interests and provoke actions leading to their own demise. While the saliency of this factor has ebbed and flowed over the years, it has never fully disappeared, as those in power are skilled at instrumentalising threats, real or fabricated, for their own political gain.

The third factor, particularly prevalent in the eastern region of the country, is that of continued *tensions over land, citizenship and the control of space*, including, critically, the natural resources within a given area. These tensions are inextricably bound to issues of identity and belonging, and often have a strong ethnic dimension that fuels mutual suspicion. Tensions over land have been complicated by historical and present-day patterns of displacement and migration leading to clashes between 'indigenous' and 'migrant' communities, and, related, demographic pressures that intensify competition. The persistence of a large number of IDPs within the country exacerbates conflict, as people fight both over the land they have fled to, and the land they have left behind, often with dire humanitarian consequences (Sylla 2011). Similarly, refugees returning after years in exile often find that their property has been seized or destroyed by armed groups or locals, further undermining political stability at the local, national and regional level. Legal ambiguities with regard to citizenship and land rights have impeded the potential resolution of such conflicts. In many areas of the country, a system of legal pluralism persists in which land is both collectively and individually owned (Vlassenroot and Huggins 2005). The system is easily manipulated and, given the absence of credible state institutions, protection of ownership rights is often found wanting.

Lastly, and closely related, conflict in the DRC persists because of the *externalisation of neighbouring instability*, and, in particular, that of Rwanda. The weakness of Congolese institutions and the country's porous borders has enabled the flow of people and goods, including arms, from around the region, compounding pre-existing tensions. From the influx of over one million refugees into eastern parts of then-Zaire following the Rwanda genocide in 1994 to the continued presence of the Forces démocratiques de libération

du Rwanda (FDLR) and the advent of new armed groups hostile to the regime in Kigali, much of the violence in Eastern Congo has been the exportation of Rwanda's political instability onto foreign soil. Faced with extreme demographic pressures and the necessity of continuous GDP growth to appease the masses in the absence of political freedom, Rwanda has continued to deepen its economic, political and security networks within the neighbouring North and South Kivu States of the Congo (the Kivus). As detailed by several UN Panel of Expert reports, those in the highest echelons of the Rwandan state have supported proxy militia forces, dealt in the illicit minerals trade and forcibly displaced local populations to make way for Rwandan settlers and their cattle (UNSC 2008, 2009, 2010; see also Crisis Group 2010). Indeed, the Kivus are what Pugh and Cooper refer to as a 'marginalized borderland' – 'a center of shadow economic activity… that makes for prolonged and intractable conflict' (2004: 2). Critically, many Congolese perceive it as such and the issue of 'rwandophone power' in eastern Congo is a source of endemic hostility (IRRI and SSRC 2010, IRRI 2011).

These four factors explain persistent violence and suffering in the Congo, and specifically in the country's eastern region. Identifying the underlying causes of conflict is essential as a basis not only for engaging with the conflict itself but also for creating a workable stabilisation policy that can in turn improve the humanitarian space within which protection and assistance can be provided to displaced populations. The next section examines the stabilisation agenda, which is aimed at addressing the DRC's instability.

2. Stabilisation in the Congo: the policy

Stabilisation is conceived as a joint partnership agenda between President Kabila's government and the international community to bring about stability in the Congo. The framework for stabilisation in the DRC is composed of two strategies – the International Security and Stabilisation Support Strategy (ISSSS), which, as the name suggests, is the international community's framework, and the Stabilisation and Reconstruction Plan for Eastern DRC (STAREC), which is the purview of the Congolese state.

The ISSSS supports STAREC and MONUSCO's Security Council resolutions and is intended to transition the UN's role from one of peacekeeping to peacebuilding, laying the groundwork for the mission's eventual handover to the government and withdrawal from the country. The implementing partners of ISSSS include UN agencies, international NGOs and both the military and civilian components of MONUSCO. The majority of the programme activities are located in the eastern provinces (North Kivu, South Kivu and Orientale Province), where roughly 90 per cent of MONUSCO's military is deployed. A million and a half of the Congo's 1.7 million IDPs are located in these three provinces (UNOCHA 2011).

The overarching stabilisation framework is focused around three core objectives (see Table 1):

- *Security:* Reduce threats to life, property and freedom of movement.
- *State authority:* Progressively restore and strengthen public security, access to justice and administrative services.
- *Return, reintegration and recovery (RR&R):* Support the secure return and durable socio-economic reintegration of internally displaced persons and refugees in their place of origin, and contribute to local economic recovery.

The ISSSS has since its inception also included two additional objectives focused on supporting political processes and the implementation of a comprehensive strategy on sexual violence (see Table 1). These five objectives are tied to the drawdown benchmarks set by the Security Council, namely: 1) the reduction of threats from armed groups; 2) improved capacity of the government to effectively protect the population; and 3) the consolidation of state authority throughout the territory (S/RES/1925, para 6).

Table 1. International and national stabililisation framework and structures

International Security and Stabilisation Support Strategy (ISSSS)

Improve security
Reduce threats to life, property and freedom of movement by:
- Strengthening security forces
- Supporting the disbanding of armed groups through either demobilisation or integration into security forces
- Improving operational and internal systems for FARDC

Support political processes
Support national and provincial governments to advance peace processes by:
- Helping to improve diplomatic relations between the DRC and key neighbouring countries
- Identifying and sanctioning spoilers, serious human rights abusers and those involved in sexual violence, child recruitment, illicit trafficking of natural resources and breaking the arms embargo
- Supporting political leaders to follow through on commitments made under key agreements

Strengthen state authority
Restore and strengthen the state in areas where it has been weak or non-existent by:
- Ensuring reliable road access
- Deploying police, courts and prisons to uphold the rule of law and ensure public order
- Re-establishing decentralized administrative services'

The Stabilisation and Reconstruction Plan for Eastern DRC (STAREC)

Security
- Consolidation of gains made by security operations and accords with armed groups (reinforce the capacity of the FARDC, avoid the resurgence of armed groups, prevent exactions on civilians, ensure the regular payment of soldiers and their temporary lodging, restore the state through the deployment of police, judicial and civil administration)
- Integration of Armed Groups into FARDC, DDR and community reinsertion
- Establishment of control mechanisms for mineral resources and forest to prevent their illegal exploitation by armed groups

Humanitarian and social
- Ensure the voluntary return of refugees and IDPs
- Socio-economic reintegration of refugees and IDPs
- Protection of civilians (all efforts should fully involve of the provincial government and communities)

Facilitate return, reintegration and recovery
Ensure the voluntary and safe returns of refugees and IDPs, and sustainable reintegration by:
· Addressing priority social needs, restoring basic social services and infrastructure
· Promoting employment generation and agriculture
· Facilitating local reconciliation and conflict resolution linked to housing, land and property issues

Combat sexual violence
Strengthen prevention, protection and responses to sexual violence by:
· Combating impunity and improving access to justice
· Preventing, mitigating threats and reducing vulnerability to sexual violence
· Addressing sexual violence in SSR processes
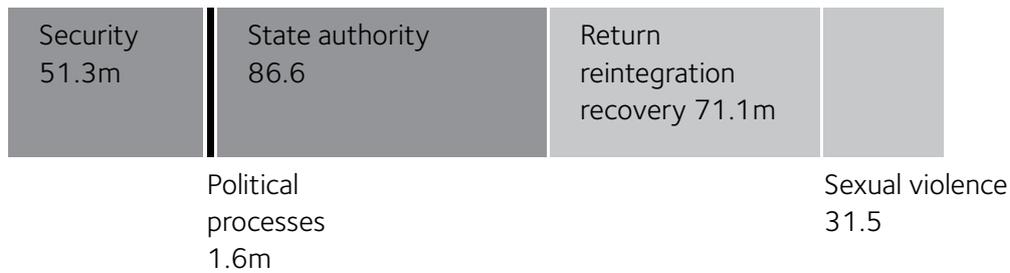· Improving access of survivors to multi-sectoral services
· Improving data

Economic recovery
· Re-establish conditions for sustainable economic activity (rehabilitation of road infrastructure, recovery of key economic sectors: agriculture, livestock, small industry)
· Establishment of regional projects to harmonise economic relations, notably through the Economic Community for the Great Lakes Region (CEPGL)

Combat sexual violence (objective added in November 2010)

Source: Bailey 2011

The stabilisation framework is funded by a mix of mission resources and bilateral donor support, and is overseen by the Stabilisation and Recovery Funding Facility in Eastern DRC (SRFF), which is intended to provide a flexible mechanism for managing international funds for stabilisation programmes. As of June 2011 ISSSS had US $242.1 million in resources, of which $167 million had been spent in its initial three years or Phase I of programming (MONUSCO 2011b). Roughly 88 per cent of the ISSSS funding is from bilateral donors, of which the United States is the largest donor with $61.5 million. The total requested budget for the ISSSS is roughly $835 million, resulting in a $595 million shortfall. The total approved annual peacekeeping budget for MONUSCO is $1.42 billion dollars (UN General Assembly Resolution A/C.5/65/19).

Box 1. ISSSS project funds (as of 30 June 2011) USD

Security 51.3m	State authority 86.6	Return reintegration recovery 71.1m	
	Political processes 1.6m		Sexual violence 31.5

Source: MONUSCO 2011b: 8

Where did stabilisation come from and is it new? The transition from MONUC to MONUSCO in 2010, and the latter's attendant focus on stabilisation led many to conclude incorrectly that stabilisation was something of a new strategy in the DRC. Instead, the strategy was first formulated in late 2006 and early 2007 following Kabila's first mutterings that the mission should begin to withdraw. Lise Grande, the DSRSG and Humanitarian Coordinator, drafted the initial strategy known as the UN Security and Stabilisation Support Strategy (UNSSSS), but quickly had to shelve the policy given a deterioration in security and the re-emergence of the Congrès National pour la Défense du People (CNDP) war in the east.

UNSSSS was resuscitated and further developed in January 2008 following the Goma Agreement – a broad-based dialogue that took place amongst 21 different armed groups, civil society, the Rwandan-backed CNDP and the FARDC. In order to reflect that UNSSSS was not just a UN strategy, but one supported by the international community, the framework was renamed ISSSS the following year. Similarly, STAREC was launched in mid-2009 by the Congolese government following the sudden rapprochement between Kinshasa and Kigali, and the integration of powerful armed groups into the FARDC, which culminated in the March 23rd Peace Agreement.[2] According to one former UN official, 'the government realised it needed another strategy, so they basically took the ISSSS framework and cut and pasted it into their STAREC strategy'. Stabilisation was seen by its architects as a way to consolidate 'peace' and the security gains that were said to be realised through on-going military operations against the remaining armed groups in the Kivus, including notably the FDLR.

The development of the stabilisation policy took place without taking into account the regional dimensions of continued violence. Between 2006 and 2009, the International Conference on the Great Lakes Region (ICGRL) and the Economic Community of the Countries of the Great Lakes (CEPGL) were being revived with the goal of promoting a collective approach to economic integration, security, stability and development. These

sub-regional organisations were not associated with ISSSS and STAREC despite the regional causes of instability and the importance of economic recovery for stabilisation.

As activities under the rubric of stabilisation have increased disagreement over the policy's legitimacy and the process of its development have come to the fore. The stabilisation framework was formulated in the mission's integrated office and was far from an inclusive process. What little consultation there was took place in Kinshasa with Prime Minister Adolphe Muzito, and Apollinaire Malu Malu, who was then Coordinator of the Amani Leo Programme which followed the Goma Agreement and is now deputy head of STAREC. As such, ISSSS and STAREC are rightly regarded by many Congolese as a 'top down' policy – one that was drawn up in Kinshasa with no input from the Congolese people, provinces and territories.

Consequently, civil society groups and local and provincial authorities charge that the strategy does not address local grievances and the daily insecurities faced by many, including, in particular, IDPs and refugees. In certain areas, particularly those where ex-CNDP forces have been deployed as part of the FARDC, civilians perceive the state *as* the primary security threat. As one official asserted, 'how can the UN have a mandate both to protect civilians and stabilise the state – when it is agents of that state that need stabilising in order to bring about protection'. As such, the recent rise in rhetoric surrounding stabilisation, and its stark contrast to a reality that is far from stable for many communities, has led to increasing ambiguity over and hostility towards this strategic approach, its activities and objectives.

During focus groups in South Kivu in March 2011, members of civil society and NGOs argued that stabilisation had emerged as a buzzword or, worse, a 'gros mot' (swear word). As one female participant lamented, 'it means everything and nothing'. Similarly a young Congolese male working for an international NGO in South Kivu argued that stabilisation was inconsistent, confusing and seemingly arbitrary; used to justify both inaction and action: 'Peacekeepers say that they can't patrol certain roads where people need protecting because they are not priority axes... We are very confused.'

This lack of consultation and local buy-in on stabilisation has weakened the legitimacy of the UN. In interviews conducted with local and provincial authorities, the UN was described as working in isolation, 'en vase clos', with the state and not necessarily with, or in the interest of, the Congolese people.

3. The results: stabilisation in practice

Since its inception in 2008, stabilisation efforts have made very little meaningful progress towards the realisation of the framework's three core objectives. Drawing on assessment material published by the UN Stabilisation Support Unit, and interviews conducted throughout the Kivus, the track record on each of these objectives is examined in turn below. The two additional objectives included in the ISSSS framework – support to political processes and combating sexual violence – are not examined in each of the substantive sections, as they are omitted from ISSSS' own strategic assessment. That they are omitted from the strategic assessment is telling.

The development of a comprehensive strategy to address sexual and gender based violence (SGBV) was the last objective to be included in the stabilisation framework at the request of donors who felt the issue deserved attention given the sheer scale of the problem. Rape, however, is complex and the case of Congo is no exception. Sexual violence manifests as a consequence of long-term insecurity, impunity and deep social de-structuration from decades of conflict. Without meaningful traction on these systemic causes, as discussed below, foreign actors have had little success in halting sexual violence and responses have tended to be palliative. As a result, incidents of sexual violence continue to mount unabated and indicators of progress are difficult to ascertain.

In addition to combating sexual violence, the ISSSS aims to support political processes and key peace agreements by providing assistance to political leaders, fostering dialogue with residual combatants and helping regional relations. At the time of its inclusion, UN Assistant Secretary-General for Political Affairs Mr. Haile Menkerios emphasised that aid coordination frameworks such ISSSS should depend on an objective needs assessment, including political risk indicators, and that addressing the causes of conflict through improved governance should figure prominently in such approaches. However, as discussed at length in the following substantive section, this approach never came to fruition since lack of donor interest and government unwillingness to involve international actors meant that the UN was increasingly left out of national and regional political negotiations of consequence. ISSSS could not adequately assess support to political processes because those processes were purposefully opaque and, as the Unit's more recent quarterly report states, 'the government has not requested MONUSCO support' (MONUSCO 2011b). The international community still remains in the dark as to the true contents of the historic rapprochement between Kigali and Kinshasa in late 2008 – a realignment of regional relations which one MONUC official described as 'probably the most significant development here for 15 years' (quoted in Smith 2010).

Security

In the wake of this political rapprochement, the FARDC launched several large-scale offensives against the FDLR and remaining Congolese rebel groups in the east. These operations were conducted jointly – first with Rwanda forces, under Operation Umoja Wetu, and then with the support of MONUC under Operation Kimia II and the now on-going Operation Amani Leo. MONUC provided significant material, logistical and

operational support to the FARDC, including intelligence gathering and operations planning, air strikes, transportation, provision of rations, fire support, joint patrolling and medical evacuations. The initial ISSSS monitoring reports indicate that the UN mission was contributing to stabilisation efforts by supporting these military operations.

No sooner had the joint operations commenced, then evidence began to surface of widespread FARDC abuse of civilians and repeated human rights violations, contributing to the deterioration of security conditions (HRW 2009). Given its support, MONUSCO was tarnished with the same brush. In December 2009, after nine months of support, the UN attempted to mitigate the potential legal and moral liability of continuing to support to the FARDC by adopting a conditionality policy. However, UN military officers on the ground lament that the policy has proved to be largely unenforceable due to the UN's lack of oversight over key parts of their mission: material assistance (e.g. rations can be diverted), control over FARDC deployment and redeployments (i.e., which commander gets sent where) and inability to enforce punitive measures against FARDC forces when abuses are detected. As such, the UN continues to 'work alongside' those with significant human rights abuse records.

It is perhaps of little surprise then that the UN's operational assistance to the FARDC no longer features prominently in ISSSS documentation. Indeed, the UN mission currently downplays the military dimension of the international strategy of stabilisation as the Congolese authorities continue to set their military objectives without genuine consultation with the blue helmets and frequently take unilateral operational decisions outside of any coordinated framework.

During the period covered by the most recent assessment, April–July 2011, FARDC troops were withdrawn from certain areas of North and South Kivu as part of the 'regimentation process'. The process, which consolidates the army's various brigades in the east into 27 regiments of 1,400 soldiers each (13 in South Kivu and 14 in North Kivu), was conducted without coordination with MONUSCO. This strategic move, intended to break former rebel allegiances, resulted in a security vacuum that was quickly exploited by armed groups. In addition, ex-rebels who had recently integrated into the FARDC refused to withdraw from their locations and in some cases deserted and abused civilians. Meanwhile, against the advice of UN specialists, the Congolese Ministry of Defence ordered the suspension of all domestic disarmament, demobilisation and reintegration programmes (DDR) funded under ISSSS, thereby halting the peaceful return of roughly 4,000 residual combatants to a civilian life.

As a result of these developments, UN analysts in New York and in the field assert that 2011 has been marked by the deterioration of security in eastern Congo where ISSSS activities are focused. The UN Stabilisation Support Unit opened its most recent quarterly report with a bleak outlook:

The proximate causes of violence are not yet addressed; and work with civil institutions remains premature. At the same time, there is no political framework for action and the role of the ISSSS in the security sector remains limited (MONUSCO 2011b)

In this context, the Stabilisation Unit assessed the relative threat posed by the various armed groups in each of the eighteen ISSSS territories. The FDLR was identified as a serious factor of insecurity for nine of the eighteen territories; Congolese residual combatants were deemed a security threat in eight of the territories; and, more damningly, the FARDC were identified as a causal factor contributing to insecurity in eleven territories. Indeed, impunity, lack of discipline, and recourse to illegal means still mark the FARDC despite a recent restructuring of the units to build more cohesion within the ranks.

Map 1. Security situation in eastern DRC
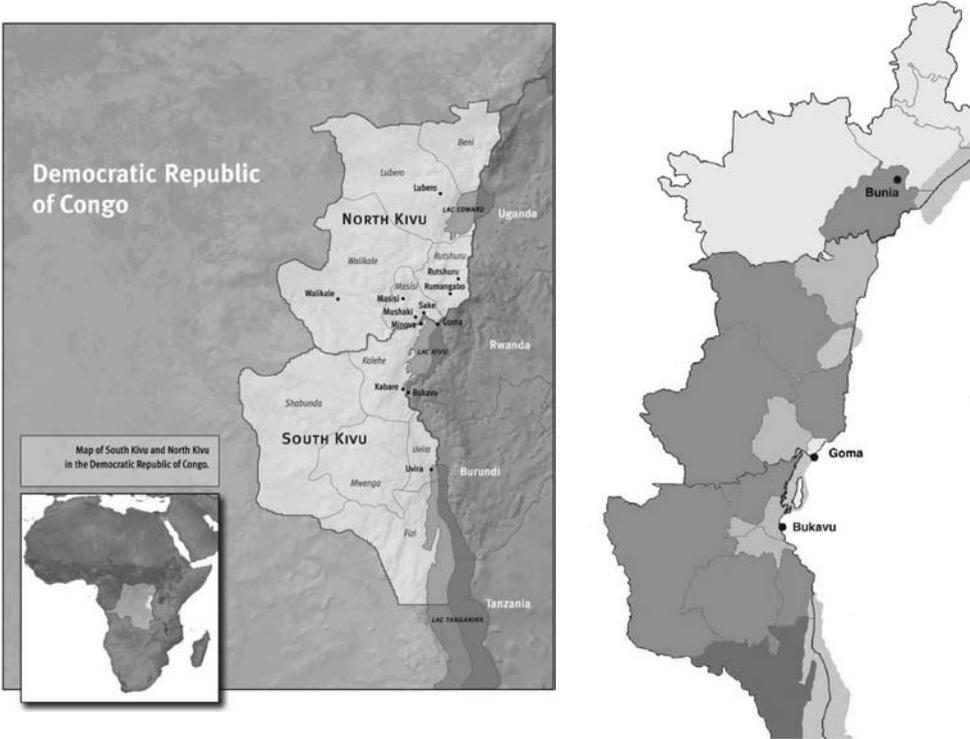
Security situation
Territories shaded in darker black experience worse insecurity, affecting densely populated areas, key roads and (in the worst cases) the territorial capital.

Major threats to civilians remain common
• Eight territories: 'serious and widespread threat'.
• Four territories: 'serious threat, but localised in small areas'.
• Capital not directly affected for any of 18 territories.
• A mostly secure zone of 40–50km around Goma, Bukavu and Bunia.

Source: MONUSCO 2011b: 14   Source of map: Human Rights Watch

State authority

The Stabilisation Unit reports that ISSSS has laid the groundwork to expand state presence in sensitive territories, but that there has not been durable change on the ground to date. Strategic roads and infrastructure have been built and restored; indeed, this is the only category of activity for which the strategic assessment sees 'good progress' (ISSSS 2011: 23).[3] This has not, however, led to an improvement of security in, or the deployment of functional civil servants to, newly opened up areas and territories. On the six strategic axes that have now been reopened in the Kivus and the Ituri district, only two have resulted in a local improvement in security, while the completion of two others coincided with deterioration in security. Despite the building of 85 state facilities and arrangements for the permanent garrisoning of soldiers, only 45 per cent of the trained personnel envisioned for deployment were present at their duty stations in the summer of 2011. Moreover, not one of the planned 305 judicial and corrections officers has been deployed, and many national policemen are still waiting in Kinshasa to be sent to the east. Illegal CNDP parallel administrations still active in parts of North Kivu continue to negatively impact ISSSS work in violation of the March 23rd 2009 peace agreement.

After three years of preparation with international partners, the Congolese authorities have not deployed the required number of trained personnel from state agencies to eastern Congo, leaving a vacuum of personnel. The lack of leadership observed in STAREC technical committees at the national level demonstrates that the anticipated national ownership of the stabilisation process has still not taken place. A former UN stabilisation officer recalled how ISSSS was initially intended as a mechanism that would contribute meaningfully to the building of the Congolese state's ability to sustain itself without international peacekeeping assistance. However, three years on, the officer questioned the mission's mandate and what he saw as the very real likelihood that rather than contributing to reinforce the capacities of the state, the UN has acted as a substitute for the state.

Return, reintegration and economic recovery

Pervasive insecurity in the Congo's eastern provinces and the reluctance of many international actors to see displacement as a fundamentally political issue continues to impede the return of the country's 1.7 million internally displaced people and the hundreds of thousands of Congolese refugees located in Rwanda, Uganda, Burundi and Tanzania (UNOCHA 2011). Where refugees have returned it has been poorly documented, outside the formal process and has aggravated tensions between communities.

As such, the persistence of high numbers of IDPs and refugees in part reflects the poor sequencing of ISSSS' programmatic areas and the underlying assumption that stabilisation is a linear and relatively rapid process. In practice, the failure to bring about security and the necessary conditions for safe return has stultified RR&R activities. Local conflicts over land and customary authority are identified as a serious factor for nine of the territories. These tensions limit the possibilities of durable return and pose a potential risk

of becoming militarised. Five territories are said to be suffering from an 'acute food and livelihood crisis' with five more at risk of 'falling into one' (MONUSCO 2011c: 13).

The only active STAREC committees at the provincial level are those that deal with local conflict mitigation. Together with UN Habitat, they run programmes in the two Kivu provinces to mediate disputes over land and to manage tensions around IDP and refugee returns. This includes the establishment of Permanent Local Reconciliation Committees (Comités Locaux Permanents de Conciliation – CLPCs) to address issues arising as IDPs and refugees return to their villages or settle in new areas. The CLPCs and the broader RR&R programme have, however, failed to make critical links between the issues of displacement and return on the one hand, and local and national peacebuilding on the other. Bailey notes that there have been 'concerns that [CLPCs] have been established in haste, without due regard for local ethnic and other dynamics, and without considering pre-existing institutions that also deal with land'. She contends that 'insufficient attention has been paid to how the committees will interact with powerful local elites and groups with vested interests in land claims' and argues that 'their limited power, legitimacy and resources' will likely at best 'confine them to helping to resolve simple, local disputes, rather than getting at the drivers of conflict in any more fundamental way. At worst, these committees could exacerbate tensions more than they resolve them' (2011: 8). The significant rise in local conflicts in areas where the CLPCs are active is perhaps the best indication of their limited impact.

Persistent insecurity has profound implications for the displaced many of who have been uprooted for years and eagerly await return. Indeed, they continue to be amongst the worst afflicted by conflict, suffering deliberate physical attacks, including rampant sexual violence. Moreover, as Human Rights Watch and others have recently chronicled, the displaced are often among the civilians most vulnerable to further abuse, hunger, and disease, and yet they have limited access to services such as health care and education (HRW 2010). Their rights are run roughshod over and they are excluded as stakeholders from political negotiations and processes, exacerbating grievances that have the potential to contribute to future violence. Their fate is inextricably bound to the resolution of disputes over land, identity and citizenship at the core of persistent conflict, which require comprehensive approaches if peace is to be durable.

Stabilisation efforts have been impotent and largely ineffective thus far. This is in part because their implementation began in a highly insecure environment, and in part because the state has proved unwilling to address the root causes of conflict and to reform the very Congolese institutions necessary for stability. Analysts condemn how the government has been able to 'pick and choose' which programmes it implements and which ones it disregards. For example, the Congolese government has encouraged the rehabilitation of roads and infrastructures but has successfully avoided fulfilling its obligations in implementing politically sensitive policies that would have increased the effectiveness of state agencies, such as the FARDC or the police, in eastern Congo. The initial assumptions underlying the design of ISSSS were based on an oversimplification of

a complex reality in which the most controversial factors had been deliberately omitted. As discussed in the following section, the political dimensions of lasting peace have largely been ignored in favour of a more convenient technical approach that has turned the concept of stabilisation into a tool that is largely isolated from the nature and motives of Congo's principal actors.

4. Stabilisation in the Congo: the politics

ISSSS/STAREC aims to expand the authority of a central state resistant to governance reform and to the decentralisation of power necessary for peace.

Following Congo's landmark elections in 2006, the international community took for granted that the newly elected leadership would be a productive stakeholder in building a comprehensive peace throughout the country and particularly in the east. Despite President Kabila's international posturing, the last five years have demonstrated that the government is more interested in preserving and augmenting its own power than in democratic and equitable peacebuilding for the benefit of the country's population. In the absence of meaningful reform, stabilisation has been implemented in a political environment in which governance is structured around similar power dynamics to those which existed at the peak of the Congolese conflict. These dynamics are defined by a lack of accountable leadership at both the local and national level, and the extreme centralisation of formal power in Kinshasa. As section two outlined, the problems of social and political exclusion are at the core of the Congo's instability and continue to inflame tensions at the local level, particularly over land and ethnicity. However, as a 'top down' strategy lacking in local buy-in, stabilisation efforts have largely failed to address these grievances.

The stagnation of the decentralisation process is perhaps the clearest example of the government's intent to hold onto power at the expense of peace. The idea of decentralisation dates back to the early 1990s when Mobutu agreed to hold a short-lived national dialogue to examine the conditions for long-term stability and democracy in Zaire. Citing Congo's sheer size and the local nature of conflict, a consensus emerged on the necessity of adopting significant decentralisation reforms for effective democratic rule. During the transition that followed the Second Congo War, a new constitution for the DRC was adopted by referendum in 2005. Article 2 called for the creation of 26 provinces out of the current 11 and introduced several measures to increase the financial and political power of the provinces. For example, a 'caisse de péréquation' (equalisation fund) was to be established to allow provincial authorities to keep a portion of the taxes they collect rather than to depend entirely on funds distributed from the national government. The aim was to provide provincial elected leaders with more autonomy.

The decentralisation reforms stipulated by the Constitution have been ignored and the power of the provinces has been greatly limited since the elections. None of the 11 provincial governors currently in place belong to a political party of the opposition. Governors from Kinshasa, Bas-Congo, Equator or Maniema who didn't please President Kabila have either been expelled on charges of corruption or simply forced to step down. Even more disconcerting, however, is the series of constitutional revisions passed by the government in early 2011, which greatly strengthen the power of the central state and limit the possibility of opposition in the future. These include a provision to allow the president to dissolve the provincial assemblies and revoke sitting governors, as well as the removal of the clause which stipulates that the 26 new provinces be created within three years – a clause which had already expired at the time of its repeal.

In addition to centralising power in Kinshasa, the government has not held local elections to expand democracy and accountability. These elections were scheduled to follow the general election of late 2006, which encompassed presidential, legislative and provincial polling. These local elections were postponed several times and still have yet to take place. As such, in eastern Congo, as throughout the rest of the country, the process of appointing civilian officials at the district and municipal level is not a democratic and inclusive one; rather, it continues to be the purview of the dominant ethnic group. This creates a shortage of local and representative governance, and ensures that community tensions and grievances remain unaddressed.

The collapse of decentralisation and the failure to hold local elections has implications for the resettlement and return of the large numbers of IDPs in eastern Congo and Congolese refugees in neighbouring countries. Peaceful resettlement depends on good governance and effective community reconciliation. In a community-based power system, (re) settlement becomes a profoundly political issue. Without transparency and accountability measures, community leaders have shaped local demographics – deciding when and where people return – in an effort to consolidate power in the richest areas of the Kivus. Congolese officials and UN personnel working on STAREC and ISSSS are ill-equipped to address the political dimension of this issue and don't have leverage in deciding when and where returns of IDPs and refugees take place.

In the absence of reforms to address local governance, impunity and injustice, the national government has negligible authority in many areas, provides little by way of social services and is often part of the protection problem. In this context, stabilisation must be understood as a policy geared towards stabilising a particular kind of state that many Congolese see as counter-productive to the long-term goals of peace and stability.

Stabilisation, reduced to its technical dimensions, is both the result of, and further contributes to, the international community's disengagement from the thorny political issues at the core of Congo's instability and is a testament to the international community's waning leverage in the country.

As the government's intransigence became evident, UN officials and Western diplomats became both more reluctant, and increasingly unable, to meaningfully engage President Kabila and his government on principles of good governance and reform. This had not always been the case.

At the end of the Second Congo War, international partners of the DRC established the *Comité international d'accompagnement de la transition* (CIAT). Chaired by MONUC and composed of interested ambassadors, the CIAT was a high-level coordination body and the international community's main liaison mechanism with the transitional government.[4] Throughout the transition period, the CIAT met regularly and played an important and decisive role: it supported the drafting of the constitution, prevented the transition from derailing at several critical junctures, including during the elections, and developed an

ambitious programme of institutional reform to be undertaken by the new government during its first term.

Once elected following a run-off vote, Kabila saw his victory as the end to all opposition and criticism both domestically and internationally. The CIAT was disbanded at the president's request and attempts at international coordination to exert political leverage were thwarted. The elections had provided Congo's foreign partners with something to work towards and around which resources could be focused. However, following the elections that unity was lost and donors were reluctant to put pressure on the new government with whom many wanted to curry favour in hopes of signing lucrative mining contracts.

Moreover, the West's combined diplomatic leverage was further weakened by Kabila's deepening economic ties with China and other non-traditional donors willing to build much needed infrastructure in Congo in return for natural resources, without good governance conditions. As a political affairs officer deployed in eastern Congo remarked, 'It is difficult for MONUC and member states who share a similar vision to say that assistance is conditional, tied to human rights performance and better vetting of the army, when China just comes along and gives $6 billion without asking any questions'. The lack of coordination between the IMF, the World Bank and the UN has also meant that China has been able to wield greater influence relative to other international players. Kabila's intransigence combined with donor disunity has led many senior UN officials to question, in private, whether the mission should perhaps have been withdrawn in the initial post-election period.

From its position of relative strength, the government in Kinshasa has, according to senior UN officials, made it consistently clear that if the UN was not willing to 'uncritically support the state and specifically the FARDC, it had no business in the country'. When UN or international officials have found fault with the government and its policies, Kabila has responded with demands for withdrawal. Whether Kabila's calls were genuine is uncertain, as the government benefits materially from the mission's continued presence. What is clear, however, is that the Security Council has shied away from calling his bluff. In November 2009, when international NGOs revealed the catastrophic consequences of the military operations against the FDLR, which were conducted by the FARDC and were initially supported unconditionally by MONUC, Kabila requested the beginning of the mission's drawdown. These calls were made again and more forcefully in March 2010.

In response, the UN Security Council intervened and successfully negotiated the continued deployment of the blue helmets in return for continued UN support to the FARDC in joint operations. In addition, the mission was relabelled MONUSCO, which, through its emphasis on stabilisation, aligned the UN even more closely and compromisingly with the Congolese state. At this critical juncture, there was surprisingly little debate amongst international actors as to whether the necessary security conditions and political will existed for a strategic shift towards real stabilisation. Emptied of its political dimensions and increasingly marginalised, the ISSSS was reduced to a technical

approach. The rebranding of past policies for political purposes, stabilisation – its concomitant support to the state and drawdown timetable – was the price the mission had to pay to secure its continued presence in the short term.

Discouraging prospects for the UN mission in the DRC following the upcoming elections

The discussion on MONUSCO's mandate will surely be reopened following the general elections. President Kabila has already insisted publicly that international assistance in the post-election period be restricted to development rather than peacekeeping. If Kabila wins the presidential elections, the priority of his second term will likely be to develop international partnerships to exploit Congolese natural resources, such as oil, and it would not be a surprise if such priorities were coupled with a demand for MONUSCO's withdrawal, or, perhaps worse, its further marginalisation. The international community will likely face some tough decisions.

MONUSCO's mandate stipulates that reconfiguration of the mission be based on progress towards the reduction of threats from armed groups in eastern Congo; improved capacity of the government to effectively protect the population; and consolidation of state authority throughout the territory. None of these objectives have yet been reached. Security in eastern Congo has not significantly improved since the implementation of ISSSS and the proportion of FARDC abuses against civilians have increased. Current conditions undermine the possibility of economic recovery and prolong the humanitarian crisis. Meanwhile, a lack of political will and constitutional reforms have blocked meaningful reform on governance, and political and financial power continue to be highly centralised. In this context, international partners – many of whom contribute to stabilisation in the DRC – have chosen to refocus resources on technical tasks and largely disengage from the political process at both the national and regional levels.

After over a decade of engagement and faced with a global economic crisis, the likelihood of 'donor fatigue' is very real and difficult to overcome. Congo will never be of great strategic relevance, particularly as other countries and regions of Africa have recently taken priority. In this context, donors might very well scale back their assistance and further disengage from Congo in the post-election period. In such an event, Western partners might focus on security sector reform as an alternative exit strategy to ISSSS. The risk, however, with such a strategy is that much needed state-building reforms, such as decentralisation and local elections, would be a casualty. To reverse this tragic trend, major changes in the ISSSS and the international political strategy must be implemented rapidly.

5. Conclusion and the way forward

The failure of the stabilisation agenda in the Congo to date has revealed the flaws inherent in the broader peace- and statebuilding approaches implemented by the UN and the international community since 2000. Peace and stability are still something of a mirage for many Congolese, further delaying return and leaving many people in situations of protracted displacement. Having squandered and then lost political leverage in recent years, and now faced with grim prospects for reform, external actors must learn the lessons from the Congo which are applicable to other cases of intervention.

Recognising the inadequacies of a technical approach to what are fundamentally political and social challenges, conflict specialists, diplomats and humanitarian experts need to examine once again the difficulties of reforming state institutions to be inclusive and democratic in contexts of continuing instability and where interests are deeply entrenched. Governments emerging, often fitfully, from war are almost always weak, making them inefficient, dysfunctional or, even worse, predatory partners.

The path forward will not be an easy one, but if stability is to become a reality in the Congo, then international actors must reorient their approach in the immediate post-election period with a set of comprehensive policy initiatives. Underpinning this new approach must be the recognition that the problems facing the Congo are ultimately political and not technical. As such, donors should – in conjunction with the Congolese – develop comprehensive interventions that proceed from political-economic analysis and avoid technocratic tinkering. The Congolese government must show leadership in reforming state institutions and in the design of a comprehensive solution to conflict that involves stakeholders at the local, provincial and national level, and that addresses the various political, social, cultural and economic dimensions of violence.

Rather than continuing to support the State unconditionally and in the face of intransigent behaviour, international actors must strengthen and exercise their combined leverage in critical priority areas that together form a comprehensive 'road map' to long-term peace and stability. The following suggestions are put forward:

- The UN Security Council should request the Secretary General to present a Special Report on the State of Constitutional Reforms and Institution Building in the DRC since 2006. This report will review action taken by the Congolese government and Parliament to implement the provisions of the Constitution in order to identify policy areas that need to be resuscitated and revived, and obstacles to reform. The Special Report would offer a consolidated set of benchmarks for the overall success of the stabilisation endeavour and would include detailed conditions for MONUSCO's withdrawal.

- In early 2012, international donors (member states, IMF, World Bank, UN) and Congolese stakeholders ranging from national politicians to civil society should partake in a conference to develop a Roadmap for Good Governance and Stability based in part on the UN Secretary General's Special Report. This Roadmap should prioritise decentralisation, the holding of local elections in 2013, SSR and rule of law. Regional

institutions such as the AU, ICGRL and CEPGL should be involved as they are likely to be important actors in the future as international partners gradually disengage.

- The Roadmap should guide future policy towards the Congo and determine donor interactions. The Secretary General should appoint a Strategic Donor Advisor to coordinate activities and liaise with the government, international institutions and the SRSG.

- Future international technical and financial assistance, including from bilateral and multilateral donors, must be provided only on the basis of reciprocal engagement by the Congolese government and on progress in implementing the Roadmap. Potential coordination between DPKO, the IMF and the World Bank has for too long been an untapped source of political leverage, and the appointed Strategic Donor Advisor must actively coordinate policy positions between these institutions.

The failure of the Congolese government to abide by the terms of the Roadmap for Good Governance and Stability and/or further donor disengagement should result in the reduction of international support to the state, withdrawal of MONUSCO and a cessation of development or stabilisation activities in favour of critical lifesaving humanitarian assistance. As this brief has argued, without the political will of both international actors and the Congolese state, the UN mission in the Congo faces a Sisyphean task. If we are to learn anything from the last decade of unsatisfactory engagement, international actors must take an honest look at the interests and motives of individuals holding political mandates, and at their own roles and responsibilities.

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Endnotes

1 Research for this study was conducted in Kinshasa and the Kivus in February – May 2011 by the first author. Interviews were conducted with Congolese civil society, UN agencies, OCHA, MONUSCO, Congolese provincial and national authorities and several international and local NGOs. The report also incorporates insights gleaned from previous research conducted by both authors in the region. All sources have been anonymised.

2 The 23 March 2009 Agreement was signed in Goma between the Government of the DRC and the CNDP. The CNDP leadership agreed to transform the movement from a military to a political entity and to dismantle their double administrations in Masisi and Rutshuru territories. The government committed to the integration of combatants into the FARDC, the police, and institutions of national and local administration.

3 On the strategic 'scorecard', all other activity categories are labelled "Mixed / uneven" or "None / reversal".

4 The CIAT comprised ambassadors from the five permanent UN Security Council members plus Belgium, Canada and South Africa (joined later by Angola, Gabon, Mozambique, Nigeria, Zambia, the African Union/African Commission and the European Union/European Commission).

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