

OVERVIEW OF SECURITY SECTOR REFORM PROCESSES IN THE DRC

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Security sector reform is the transformation of the security system, which includes all the actors, their roles, responsibilities and actions, so that it is managed and operated in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework.¹

The Democratic Republic of the Congo's (DRC) transitional government, which has been in power since June 2003, continues to face significant challenges in implementing crucial aspects of the transition, most notably in the area of security. A key component of the transitional agenda, the terms of reference for security sector reform (SSR), are outlined in the resolutions and provisions of the Global and All-inclusive Accord signed in Pretoria on 17 December 2002 (Annex V, Article 2a).

Peace-building in the DRC has been dominated by security and legal/constitutional concerns. This process is a pre-condition for ensuring the security of people, property and institutions in order to deliver other peace dividends (reconstruction and development aid, job creation, economic rehabilitation, and foreign investment). However, in the last quarter of 2004 developments in the eastern provinces of the DRC (North and South Kivu) and the Ituri District, where sporadic outbreaks of

fighting continued despite the presence of a strengthened UN peacekeeping force, are evidence of the scale of security challenges facing the transitional government. Moreover, the recent threat of a return of Rwandan forces to the east of the DRC has not helped improve stability in the area.

The establishment of an integrated and operational defence force for the DRC from disparate belligerent groups is critical because, aside from MONUC (Mission de l'Organisation des Nations Unies en République Démocratique du Congo) forces, these units will constitute the only 'legitimate' deterrent to process spoilers. The lack of reliable and verifiable information on the actual numbers or armament of former belligerent forces is of serious concern, and the size of the future defence force has yet to be determined. Meanwhile, the absence of a reliable salary payment system within the existing defence force has created a security hazard of its own when unpaid soldiers prey on the local population for survival. This has contributed negatively to the stability of volatile provinces such as the Kivus, the Kasais and Katanga, where military integration has essentially meant the juxtaposition of the units of the former belligerents under (sometimes merely theoretical) integrated command.

Security sector reform: the FARDC

In addition to the creation of a unified Congolese defence force (the Forces Armées de la RDC, or FARDC) the Global and All-inclusive Agreement, part VI provides for the establishment of a superior defence council (SDC) chaired by the president and charged with guiding and providing advice on the setting up of a restructured and integrated army as well as on the disarmament of armed groups. The SDC is tasked with supervising the withdrawal of foreign troops; drafting a new defence policy for the DRC; and giving its assent to a declaration of a state of siege or a declaration of a state of war. Furthermore, as far as army integration is concerned, the Final Act, in Resolution No DIC/CD/04 of 2 April 2003, provides that a mechanism should be set in place for the formation of a restructured and integrated national army.

The following timetable for the formation of the FARDC (figure 1) was presented by Vice-President Azarias Ruberwa on 9 February at a meeting with the international representatives on behalf of the transitional government.

At the meeting the government was advised

to undertake a series of decisions regarding measures directed at itself, the police, the military and the donor community. The most pressing of these priorities are summarised below:

At governmental level the importance of establishing national security was emphasised. This included an appeal to

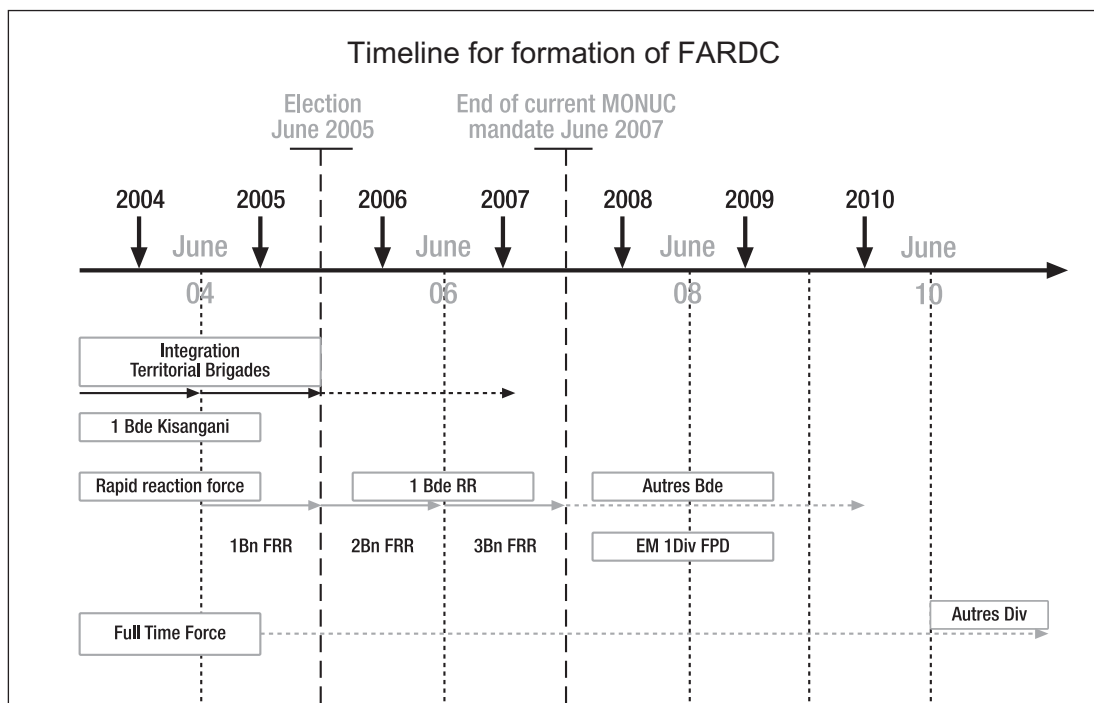
- develop a comprehensive national security sector policy in an integrated and transparent manner; and
- ensure budgetary provisions for the establishment and maintenance of security entities.

Priorities for the police were identified as the need to

- elaborate the future role of the police service by holding a national seminar on police issues, with assistance from MONUC;
- adopt a decree appointing the national police high command;
- adopt a decree establishing a close protection corps; and
- designate the command structure for the IPU.

It was recommended that the military

Figure 1: Timeline for the formation of FARDC



- expedite the review and adoption of the law on the general organisation of defence and the armed forces;
- establish the Supreme Defence Council (SDC) as envisaged in the All-inclusive and Global Agreement of 17 December 2002;
- adopt and implement a coherent, cost-effective and realistic military integration plan, complemented by a comprehensive national disarmament, demobilisation and reintegration (DDR) programme;
- produce coherent, timely, effective and sustainable plans for the deployment of integrated FARDC units, in close coordination with MONUC.

And finally donors were challenged to revise their priorities in the region. To this end the following recommendations were made:

- The EU should facilitate the early completion of the training of the Integrated Police Unit (IPU).
- An advisory group on SSR in the DRC should be set up, possibly attached to an SSR cell in MONUC, to assist the transitional government to plan and implement its reform policies.
- Sufficient funds should be made available for immediate disarmament requirements in places such as Ituri and other locations in the east, pending the implementation of a national DDR programme.
- A donor coordination mechanism should be established under the joint chairmanship of the transitional government and MONUC to review SSR progress every six months.

The draft Defence Law that establishes the FARDC was only recently promulgated (on 12 November 2004) and fails to provide any clarity on the size, operations or functioning of the future integrated army, focusing instead on the organisation and structure of the defence apparatus and clarification of the responsibilities attached to the various sections and posts.

According to the Defence Law, the head of state holds the function of supreme commander of the FARDC. In exercising this function, however, he must consult with the Superior Defence Council (SDC), the government, the National Assembly and the Senate

before taking significant decisions such as declaring war or a state of emergency.

In line with the provisions of the transitional constitution, the SDC is composed of the following members: the president; the four vice-presidents; the minister of defence; the minister of the interior, decentralisation and security; the minister of foreign affairs; the chief of staff of the FARDC; and the chiefs of staff of the army, air force and navy. The SDC is to hold at least one meeting a month. At the time of writing the SDC had yet to meet for a session.

Towards a national DDR plan

It is important to note that currently there are three ongoing DDR processes in the DRC. The first involves the national DDR process, as part of SSR, to demobilise, disarm and reintegrate the signatories to the Global and All-inclusive Agreement and the Final Act of 2 April 2003. The following figures indicate the estimated numbers of soldiers involved: FAC: 100 000; The Congolese Rally for Democracy-Goma (RCD-G): 45 000; The Congolese Rally for Democracy-National (RCD-N): 10 000; Rally for Congolese Democracy-Kisangani/Liberation Movement (RCD-K/ML), 15 000; MLC: 30 000; Mayi Mayi: 30 000 to 50 000; and Ituri armed groups: 30 000.

The second process is concerned with the disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) of so-called negative forces in the Kivus, such as the former *Forces Armées Rwandaises* (FAR), Interhamwe and *Forces Démocratiques de la Libération du Rwanda* (FDLR). This entails a voluntary repatriation of these forces - estimated at 8 000 to 10 000 combatants - by MONUC and the DRC government. The third and final process involves the demobilisation and community reinsertion (DCR) programme to demobilise and disarm the Ituri armed groups - a programme that was launched in September 2004.

We will focus on the first of these processes, the national DDR process intended to demobilise, disarm and reintegrate the signa-

tories to the Global and All-inclusive Agreement. According to the second draft of the national DDR plan, dated 5 March 2004, at present there are up to 330 000 combatants in the DRC, of whom 200 000 need to be demobilised. The plan aims to limit the future combined DRC defence force (FARDC) to no more than 130 000 people – following the recommendations of a workshop held in Kinshasa between the FARDC and representatives of Belgium in December 2003, to the effect that the FARDC should have a combined force level of between 100 000 and 125 000 soldiers. Such a force would comprise a territorial force of 19 light brigades, a rapid reaction force of two to three brigades, and a main defence force of three divisions.

Several donors have pointed to an apparent lack of political will within the transitional government to fully participate and engage in the finalisation and implementation of the national DDR programme. It appears that the various components are more interested in maintaining their individual capacities, certainly until after the general election, than in committing to the DDR process.

According to the national DDR programme, the plan consists of two clearly differentiated tracks: one for candidates for integration into the FARDC, and the other for candidates for demobilisation and socio-economic reintegration. Because these tracks ('integration' and 'demobilisation') share a number of activities, this approach has been termed '*tronc commun*'. First, there are information and sensitisation activities. It is important to note that these activities include civilian populations affected by conflict, as well as international and national implementing partners. Second, the plan involves regrouping combatants in the vicinity of orientation centres, to be followed by the disarmament, release, registration, safekeeping or destruction of combatants' weapons and the transfer of disarmed combatants to orientation centres for identification. At this stage the individual will be regarded as a potential candidate either for a placement in the FARDC or for reintegration into society as a demobilised combatant.

Questions relating to funding for the military reform process have been of major concern for the transitional government. This is hardly surprising, since the cost of creating a new, integrated Congolese army is estimated at more than US\$546 million. Although funding made available by the Multi-Donor Demobilisation and Reintegration Programme (MDRP)/ World Bank partnership is meant for specific aspects of the DDR process, there is consensus over the need for a joint integration–DDR approach. In fact, the donor community has already pledged two million dollars to this process. And, while MDRP/World Bank money cannot be used to finance military activity, they have agreed to unblock US\$5.9 million, to be administered by the United Nations Development Programme (UNDP) for the operation and functioning of *Commission Nationale pour la Démobilisation et al Réindsertion* (CONADER).

The South African proposal and the 'emergency plan'

Following the Cooperation Accord on Defence signed between South Africa and the DRC government on 17 June 2004, the South African government presented its own proposal to support the integration of the FARDC.

According to the South African plan (based on its own transition experience), all armed units would be regrouped under the instructions of the chief of general staff. Activities in the regrouping centres would include identification, leading to the separation of eligible and ineligible elements, and initial selection and orientation. According to a plan drawn up by the *Structure Militaire d'Intégration* (SMI), combatants would then be moved to *centres de brassage* (CBR), where intermixing and retraining would take place. This would be followed by final selection and placement of the new units. Deployment movements would be ordered by the chief of the general staff and training at unit level would then commence. The South African plan proposed that the process begin on 2 August 2004.

Careful scrutiny of the two plans reveals

that they are largely similar. In view of the delays described above, this 'emergency plan' is a short-term measure to facilitate the integration of six brigades prior to the elections. It is seen as a solution to the transitional government's immediate need to stabilise the east of the DRC. Training personnel from Belgium and South Africa will be deployed in the DRC between 9 and 28 February 2005. In addition, some of the Congolese officers trained in Belgium in 2004 will be part of the emergency plan. It should be noted, however, that the emergency plan is not intended to affect the national DDR and integration plan, which will continue as envisaged.

SSR: the Police Force

Memorandum II on the Army and the Security Forces, signed on 29 June 2003 by the signatories to the Global and All-inclusive Agreement, makes provision for two policing units responsible for security during the transition period. The first is the Close Protection Corps (CPR), responsible for the security of political leaders. The second unit refers to an integrated police unit (IPU), responsible for the general security environment.

The reform and restructuring of the Congolese National Police (PNC) forms an integral part of SSR efforts in the DRC, being a priority for the transitional government. Vice-President Ruberwa has indicated the following numbers of personnel as the initial estimates required to start rebuilding the police force:

City	Number of police
Kinshasa	50 000
Goma	11 491
Gbadolite	8 000
Beni	2 640
Isiro	1 500
Lulingu	1 000
Total	74 631

The PNC will probably be limited to between 70 000 and 80 000 personnel, while MONUC will take the lead on the more technical inte-

gration aspects – a task requiring additional support from the international community. The UN Secretary-General has already requested an increase of 396 CIVPOL officers to reach an authorised strength of 507. MONUC has continued to train, monitor and provide technical advice to local police in Bunia and, at the request of the transitional government, has trained an integrated police unit of 350 officers for Bunia in Kisangani.

The Global and All-inclusive Accord established that an UPI would have the responsibility of assuring the security of the transitional government and the population, while Memorandum II on the Army and Security Forces, signed in Kinshasa on 29 June 2003, clearly defined the IPU and CPR. Accordingly, the CPR was tasked with responsibility for

- personal protection of those officials in the transitional government who have been identified as requiring it; and
- ongoing protection of residences, offices and other buildings and sites for transitional institutions.

This was strengthened by a ministerial decision in late December 2003 (No 076/2003) allowing for the operationalisation of the CPR. The IPU was given the following mandate:

- Secure international entry points to Kinshasa, that is, airports and marine ports.
- Secure the main roads to and from Kinshasa.
- Back up the protection provided by the CPR when necessary.
- Supervise the performance of the military police.
- Replace the MONUC neutral force, a phased deployment based on progress with the formation of the IPU.

Conclusion

The challenges and delays facing security sector reform in the DRC, in particular the formation of a unified Congolese national army and the necessary disarmament, demobilisation and reintegration (DDR) processes for the various armed groups are currently the

biggest threats to the transitional government. Renewed and intense fighting in Bukavu and Goma in recent months is evidence of the inability of the current regime to effectively guarantee security for its citizens.

The agreement between the DRC, Belgium and South Africa, as well as Angola, to help integrate six brigades before the election (the emergency plan) could help to stabilise the east of the DRC and support the police in safeguarding the elections in June 2005. An important consideration is whether various components of the transitional government will make their best soldiers available for emergency integration. The example of the RCD-G, who refused to release soldiers for deployment to the Kitona *centre de brassage* for training by the Angolans, is cause for concern.

In addition, we are left with several unanswered questions regarding the FARDC. Beyond the emergency plan, what is the strategy for reintegrating and retraining the entire defence force? How is the FARDC to be structured and what will its ultimate force level be?

How will the transitional government resolve the issue of payment to FARDC members? What will be the size of the presidential guard? Without a commitment by all involved to finding answers to these questions the national DDR programme will not move forward. It is of the utmost importance that MONUC's SSR cell become operational and effective in coordinating these initiatives .

Notes

- 1 Definition provided by Herbert Wulf, based on DFID et al, *The global conflict prevention pool: a joint UK government approach to reducing conflict*, 2003; and OECD/DAC, *Security issues and development cooperation: a conceptual framework for enhancing policy coherence*, 2001. H Wulf, *Security sector reform in developing and transitional countries*, in C McCartney, M Fischer and O Wills (eds), *Security sector reform: potentials and challenges for conflict transformation*, Berghof Handbook Dialogue Series, No 2, 2004.