

Discussion Notes, Part Three

Peace Support Operations: Planning Challenges

Generating the necessary political will

The average US contribution to UN peace operations stands at 23%. Consequently, the UN Department of Peacekeeping Operations (DPKO) has to ensure that Washington is supportive of any given UN operation in order to secure their approval within the Security Council. Col. Cornett stressed that unfortunately, US budgeting did not include “open ended UN support”, and that the funding of each individual peace operation (or the expansion of existing operations) requires congressional approval. It is therefore telling that, in the case of MONUC, Congress was reluctant to approve its new concept of operations. Col. Cornett pointed out that it had been “painstaking work” to explain to members of Congress MONUC’s new concept of operations. Even after members of the Security Council visited Bunia, the US Ambassador to the UN, Mr. Negroponte, had still been sceptical of whether the requested brigade would be necessary for a successful intervention. Thanks to France’s pressure, however, Negroponte returned to the DPKO for further clarifications, eventually agreeing that the deployment was necessary. UN Resolution 1484 allowed the deployment of the French-led intervention force and Resolution 1493 subsequently authorised MONUC to deploy an entire brigade to Ituri.

Even though far too much time had been wasted on both occasions, Col. Cornett underscored the importance of this exhaustive process. The intensive lobbying effort by MONUC paid off not only for UN engagement in the DRC, but it also paved the way for a quick UN deployment to Liberia. DPKO staff had in fact mimicked the “DRC approach” and presented a detailed deployment scheme in order to secure congressional authorisation for the mission in Liberia.

Furthermore, Col. Cornett emphasised that it is crucial that regular communication with the Security Council be maintained, keeping them involved at all stages, particularly in the planning process. Despite these positive developments within the DPKO, Michel Kassa reminded participants that the international community had committed grave mistakes and should seriously assess the decision-making process within the United Nations. In this regard, OCHA had briefed the United Nations on several earlier occasions, urging the international community to act more decisively against wide-

spread human rights violations in the DRC. Nevertheless, it was only when the IEMF mandate was given strong support by France that the Security Council changed its position of not agreeing to send more troops to the DRC.

Consequently, Michel Kassa recommended that lessons learned should certainly include better assessments of the situation on the ground. One of the most appalling cases occurred when the Security Council requested the Ugandan army to ensure security in Bunia, even though there had already been legitimate doubts about Uganda's neutrality. Instead, the United Nations should have been aware of the potential escalation of the Ituri conflict and more open to a possible international intervention.

Evidently, the United Nations had its own assessment of the decade old conflict between Hema and Lendu, and as a result, some "disruption of the security environment" was expected. This being the case, participants wondered why the DPKO planning for an Ituri deployment had not started before the conflict escalated. Col. Cornett explained that MONUC had been prepared to handle the Ituri province with the second Task Force, to be deployed in Kisangani after the DDRRR process had been successfully accomplished and foreign troops had withdrawn. In other words, DPKO was forced to concentrate on the mandate given, which did not include a special agenda for Ituri. When Rwanda withdrew in October 2002, "we had no other option but to send the Uruguayan reserve force from Kisangani." In this context, Col. Cornett made it clear that: "we were not caught off guard by the events, what caught us off guard was time."

Finding Troop Contributing Countries (TCC's)

Col. Cornett pointed out that, in order for UN's DPKO to request a certain contingent from a potential contributor, the need for those troops must first be proven: "it's a classic resource-driven process" he emphasised. Cornett stressed that only 89 out of 189 UN member states held standby military contingents, none of whom were earmarked for a possible UN deployment. It was simply too expensive for individual countries to keep a ready-state contingent in case the UN came forward with a request. In late 2003, this was even the case for the considerable US military apparatus.

In the DRC for example, at the time MONUC contingents were being discussed, UN DPKO planning staff had to struggle for a reserve battalion to be deployed in Kisangani. As it turned out, it was this (Uruguayan) force that made it possible for MONUC to intervene in Bunia in May 2003. In response to a participants' question whether the US would be willing to contribute with troops to MONUC, Col. Cornett left no doubt that US capacities were stretched to the limit under its current military engagements.

Working with available resources

All of MONUC's major contingents come from developing countries. Consequently, there is a considerable discrepancy in equipment and training between, for example, the French IEMF troops and any of MONUC's present contingents. According to Col. Cornett, the same accounts for internal differences within MONUC. Consequently, if it is impossible to expect the same level of performance for the same tasks by different contingents, this increases the level of operational challenges. "Some [contingents] have machine guns in every platoon, some do not have any machine guns" it was emphasised. Participants also pointed out that MONUC staff members had often complained about the fact that the professional standards of the military component of the mission were "scraping the bottom of the barrel".

In response, Col. Cornett made it clear that MONUC had sufficient resources for "what it is authorised for", as DPKO's official requests to member states had been "based on the concept which was approved by the Security Council". He reminded participants that these troops are only there to support the political process. As a result, it was very difficult to adequately balance operational needs and possible contributions. The case of the Indian aviation unit operating under Task Force 1 in Sector 5 is a good example. According to the concept of operations in the east, DPKO needed six attack helicopters for MONUC. As these type of helicopters always operate in battalions and not in companies it took six months to find a country willing to break up one of its functional battalions in order to provide MONUC with the required aviation unit.

Later on, MONUC had to address the Bunia crisis. At the time the problem arose, the UN considered finding a French-speaking contingent in order to handle the situation. However, "you cannot just reach in your back pocket and produce another battalion". No member state had offered French-speaking troops and MONUC was therefore forced to compromise: "we are solving this problem with the resources we have."

MONUC's Civilian Police

Objectives and Prospects

In general terms, all activities of the Civilian Police Division are based on human rights principles. Even though there is a growing realisation about the importance of policing activities within UN peace operations, Civilian Police component remains a rather small part of the Department of Peacekeeping Operations, with two-dozen personnel in New York.

Given the scale of human rights and criminal violations committed in the DRC, MONUC's Civilian Police responsibilities cover a wide range of activities. The original reason for the establishment of a Civilian Police component in the DRC was linked to the envisioned demilitarisation of Kisangani in May 2000, as Rwanda's proxy RCD-Goma had argued that demilitarisation would only be possible if a new police service was created to secure the town and its 800,000 citizens. Consequently, the UN agreed to facilitate actions towards skills-enhancement of police elements through Civilian Police assistance. By 2003, however, MONUC's Civilian Police had also become involved in designing and implementation of training, monitoring and juridical advocacy in the DRC, both for Congolese police officers and within the operation.

In order to foster cooperation and prevent unnecessary overlap with other UN departments, Antero Lopes pointed out that the Civilian Police has also agreed to co-operate with the OHCHR on training activities within the scope of a Memorandum of Understanding signed with the DPKO. The Civilian Police Division is receptive to other partnerships within the UN system and with regional organisations and bi-lateral donors, to support its initiatives worldwide. MONUC's Civilian Police has close links with the military but being a part of the civilian component of the mission operate independently from the military. The Civilian Police also must strengthen their co-operation with the elements dealing with the judiciary and corrections areas of the criminal justice system and rule of law.

Antero Lopes stressed that police-related projects present very attractive cost-effectiveness ratios, and he would like to see more commitment from donors, specially to support missions in Africa. Even though police expenditure is a rather modest amount within the context of MONUC, Civilian Police may have the capacity to assist with assessment, planning and training in the context of a future reform of an entire Congolese police service (which, according to a preliminary estimate could account for up to 60,000 police officers). This could be achieved through working with other partners (e.g. the European Union), if the necessary support and proportionate funding were guaranteed by multiple donors. While it is clear that such a massive campaign would require some time, coordination and resources, Antero Lopes pointed out that lessons learnt in other ongoing international police initiatives are important to the DRC context. For example, there have been good results from the "train the trainers" concept, which allows Civilian Police to work in parallel with local police, rather than in sequence, and has helped confidence-building and the enhancement of local police leadership.

Participants supported Lopes' emphasis on "the rule of law areas as a good investment", and agreed that MONUC's Civilian Police and other rule of law areas need to be a priority in the mission of building peace and security in the country.

Safeguarding standard policing

In the short-term, the new Integrated Police Unit (IPU) will be at the core of the Congolese Police structure in Kinshasa. MONUC's Civilian Police component is currently facilitating the establishment process and will monitor its sustainability. For the Civilian Police, a top priority is also to introduce professional standards and make the IPU accountable for its actions. In this light, participants pointed out that accountability should be ensured from the bottom-up, encouraging the notion that each police officer should have a say in necessary improvements. In this regard, Antero Lopes affirmed that the IPU was likely to maintain a high degree of internal control if it were made up of qualified professional elements from all former belligerent parties. Nevertheless, the Congolese state must share this concern since it ultimately has responsibility for the maintenance of discipline and professional standards. In this regard, Antero Lopes also emphasised that there has to be "sufficient coherence between police and politicians".

Recounting the "police culture" prevalent in the DRC, Jerome Ngongo expressed his concern on the lack of prioritisation of the police service within the Government of Transition. Police officers are still regarded as the "poor relative", forced to make a living by partaking in corruption instead of being paid a decent salary in order to serve Congolese citizens. Congolese leaders need therefore to prioritise the security environment, establishing a well-funded administration and credible monitoring standards (including parliamentary oversight). Antero Lopes stated that there was a great need for transparency in this process, as well as sustainable support towards the payment of adequate salaries. In addition, participants stressed that accountability also relied on the confidence of the population. Lopes conceded that the population was rightfully sceptical about the police after such long-lasting neglect. He pointed out that there is presently virtually no provision for police salaries, and officers have neither the infrastructure nor the equipment to do their job. In addition, the Congolese have repeatedly witnessed their own police being "exploited for war purposes".

Consequently, participants agreed that the forming of the police service should be done for and in consultation with Congolese civil society, in order to strengthen much-needed confidence. According to Antero Lopes, the police need to be closer to the civil society and "we need a population which is informed, engaged and has a constructive opinion about the police". While accepting that this will certainly be a gradual process, MONUC's Civilian Police expects to achieve more visible results in the short-term, mainly through its advice on community policing activities and public information campaigns. Comparing MONUC's situation with the successful Civilian Police assignment in East-Timor, Antero Lopes was confident that in the long-

term, the provision of respectable jobs for police officers would create both the operational capacity as well as the necessary trust in the rule of law in the Congo.

Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration (DDRRR)

DDR: theory and practice

In preparation for the third phase of its operation, MONUC filed a straightforward plan of action for the implementation of the DDRRR programme. Based on the mandate at the time, it expected to find non-Congolese combatants willing to disarm and demobilise under the auspices of a facilitating UN mission. However, as Col. Cornett emphasised, the reality on the ground proved very different from what was envisioned by the DDRRR protocol. In this regard, a number of additional variables must be taken into account. "What do you do with Interahamwe who want to disarm but refuse to return to Rwanda?", Col. Cornett asked, underlining that while MONUC certainly wanted to take their weapons, it did not want them walking back into the forest.

Furthermore, Ambassador Ngombane expressed his concern about the voluntary nature of the DDRRR process. He argued that sooner or later, Rwandan militias would have to be dealt with by force. As this was not to be part of the UN mandate, "the challenge lies with the DRC government to tackle the armed groups". The Congolese military would therefore have to find a way to track down the *genocidaires*. Col. Cornett highlighted another urgent problem for the transitional government: "what do you do with Congolese combatants and their dependants?" It is clear that there is neither a government agency nor a national programme to take care of the Congolese fighters. Even though the UNDPKO expected to find some Congolese combatants willing to be disarmed, "we honestly did not think that there would be, in this regard, a huge requirement". However, when MONUC deployed in Ituri it became clear that there were large numbers of national fighters willing to undergo a DDR process.

Consequently, MONUC began disarming Congolese militias in the area, while at the same time adhering to the original mandate. Col. Cornett pointed out that MONUC would have to "bridge the gap" as long as the Congolese government was unable to provide a reintegration scheme for its nationals. In addition to these challenges, MONUC must also be prepared to respond to local actors who are determined to manipulate the DDRRR process. In fact, for

several individuals and groups, the failure of the DDRRR entails promising prospects on a political and/or economic level. UN peacekeepers will therefore have to be careful not to get caught in a military stand off in the bush: in remote areas, MONUC's military was "literally alone" to run smaller DDRRR locations, constituting easy targets for those "spoilers". However, Col. Cornett emphasised that there was little hope that MONUC will find the proper DDRRR recipe without trying it out first: "you are not going to learn how to swim standing at the edge of the pool".

FDLR: worst-case scenario

After six years in the Congolese forests, the FDLR movement is a far less motivated force than it used to be. While the majority of the fighters would prefer to return back to Rwanda, a radical leadership - in close cooperation with a well-positioned exile community - continues to exercise authority over the bulk of the combatants. The dilemma is clear: while MONUC's voluntary strategy aims to isolate extremists by repatriating as many Rwandans as possible, there are limited prospects for success if the FDLR leadership is completely sidelined in the DDRRR process.

In light of Rwanda's presidential elections in August 2003, François Grignon set out a possible worst-case scenario: frustrated with the democratic process in their country, opposition elements leave Rwanda and join up with the FDLR in the DRC. As President Kagame seems unlikely to accommodate Rwandan political opposition in the national dialogue, these groups could see no alternative but to return to violent resistance. The possible improvement of the coltan market would then provide an excellent opportunity to restart a well-funded rebel force against the increasingly oppressive regime in Kigali. Although Peter Swarbrick admitted that Rwanda needed to ensure political accommodation for the ex-combatants, he reiterated that MONUC was not the appropriate party to put pressure on Kigali in this regard. "I think and hope that some interested bilateral power will tell them that and that they will listen."

Repatriation to Rwanda

The DDRRR concept envisages bringing ex-combatants back to Rwanda on a voluntary basis. However, this part of the mandate covers the disarmament, demobilisation and repatriation of the Rwandan (as well as Ugandan and Burundian) rebels. The last two R's (in DDRRR) entail the resettlement and reintegration of former combatants into society, which is the sole responsibility of national authorities in Rwanda. In other words, MONUC's task official-

ly stops at the border. In addition, to this geographic limitation, the UN mission has no mandate to repatriate the dependants of the ex-fighters. As Peter Swarbrick pointed out, MONUC estimates suggest that only 10-15% of the FDLR have had leadership positions during the 1994 genocide and would therefore fear prosecution in Rwanda. The rest are civilians, whose repatriation remained outside of MONUC's mandate. In order to solve this problem, MONUC cooperates with the UN High Commission for Refugees (UNHCR), as the latter has the appropriate mandate and the capacity to follow up and monitor Rwanda's reintegration efforts in the country. However, Peter Swarbrick stressed that the problem lies with the different financial responsibilities of each UN agency involved, making a joint UN effort to execute a full-scale DDRRR project very difficult. Consequently, the most promising solution might lie in a bilateral programme, by which all foreign nationals are repatriated from the DRC.

MONUC's achievements

There is no doubt that the DDRRR programme remains a cumbersome process. Peter Swarbrick pointed out that in theory, MONUC's DDRRR activities have only been planned to start with the deployment of the South African Task Force 1. Instead, MONUC has responded to the political and military developments following Rwanda's rapid withdrawal in late 2002. Prior to the increased fighting between local militias and the RCD-Goma in many parts of the Kivus, there were large numbers of FDLR fighters who expressed their will to be repatriated. In order not to lose this momentum, MONUC has mobilised resources to start a preliminary DDRRR programme in the Kivus. While some participants argued that MONUC had not repatriated enough Rwandans, Peter Swarbrick made it clear that the DDRRR was in fact running ahead of the official mandate. "MONUC has already sent back some 2,500 ex-combatants – 2,500 more than we were expected to have repatriated by now."

Rwanda's role in DDRRR

Rwanda has officially withdrawn its army from Congolese soil. However, participants were concerned with the continuing manipulation of politics in the Kivus by Kigali. It was again suggested by a participant that Rwanda may have inspired the RCD-Goma to counteract the ongoing DDRRR programme in order to create instability in the Kivus. While Peter Swarbrick admitted that systematic RCD-Goma attacks on identified DDRRR clients were far from coincidental, he doubted whether the RCD-Goma top leadership or Kigali had been behind these actions. After all, they could have easily hindered the con-

tinuous flow of ex-combatants through Goma city if they had been interested in blocking the DDRRR process. Instead, Peter Swarbrick suggested that the RCD-Goma might not be in full control over its fighters in the forests.

Nevertheless, Rwanda's military influence can resurface in the Kivus for a different reason. With the installation of the transitional government, the RCD-Goma movement has been cut off from its political leadership. As a legitimate part of the DRC's new power elite, former rebel leaders have become increasingly comfortable in Kinshasa, quickly isolating themselves from their political base. Michel Kassa warned that the governor of North Kivu was already busy forming a new army, "totally outside of the peace agreements" and that the continuing Hutu problem in the east might then easily fuel a third rebellion. In this light, Rwanda could become very interested in (once again) supporting a pro-Kigali militia that aims to control the Kivus. Despite this scenario, Peter Swarbrick expressed doubt that Rwanda would again become directly militarily involved in the DRC. As the country was following a "path towards normalisation", Kigali had realised that "you cannot just start fomenting rebellions in other people's countries". However, the international community will have to play a key role in continuing to encourage Rwanda to continue on the path of democratisation.

Notes

1. Prior to the Security Council resolution calling for a complete demilitarisation of the city, the Ugandan and Rwandan army had been engaged in direct fighting for the control of strategically located Kisangani.