

Discussion Notes, Part Four

Violence in Ituri

The Ituri Interim Administration

The Ituri Interim Administration (IIA) will have to play a central role in pacifying the region. It is the most legitimate mechanism in place and needs to be strengthened in order to work as a credible authority in Ituri. As Alpha Sow, MONUC's Head of Mission in Bunia pointed out, there have been serious tensions between IIA's representatives and Thomas Lubanga's UPC forces, as they had opposed the IIA working as an official administration for Ituri. As a consequence, MONUC is determined to facilitate a political solution in order to create a functional interim administration and to prevent further atrocities in this region. It was stressed that international funding has been secured from German and US sources, even though participants expressed their concerns about slow allocation of available resources. Anneke van Woudenberg insisted that it was crucial for the future of the IIA to receive the pledged financial support as fast as possible if it was to make a difference in the peace process.

Impunity for War Criminals

Any Ituri interim authority faces the same dilemma as Kinshasa's new transitional government. Most political leaders have been involved in the violent struggle during recent years and are often accused of war crimes and crimes against humanity. As Anneke van Woudenberg repeatedly argued, the integration of war criminals into DRC's fragile political structure can have fatal consequences. In fact, incorporating elements that were part of the problem could easily encourage other parties to take up weapons in order to become part of the transitional administration. Above all, it would be "a wrong sign to the population" if injustice continued to reign within the new (local) leadership.

In this light, the rule of law and the provision of security are key preconditions to prevent the impunity for perpetrators of human rights violations. It was therefore agreed that the transitional government has to take up its responsibility in securing the region as a way to building confidence among the population. It had become clear however, that the new Congolese police force would not be able to ensure security for Ituri in the near future and

would have to rely on complementary support from MONUC and other international agencies in order to bridge the reigning “justice vacuum”. Participants welcomed the decision of the International Criminal Court (ICC) in the Hague to take Ituri as its first official case. Michel Kassa pointed out that already now there was “a growing sensibility to the fact that crimes are being documented and will be investigated.” Such activities are crucial in order to gradually establish a security environment.

In addition, the international community must acknowledge the “need for parallel action.” As several participants emphasised, it would be dangerous to solve pressing issues in sequence, in a hope to “build on one single success story and move on afterwards.” Participants considered that by the time the Ituri crisis is solved, a 3rd rebellion might well be underway in the Kivus, agreeing that we cannot wait for more atrocities to be committed. A continued international engagement is critical in various areas and at several levels.

As regards Ituri, participants considered that military presence and juridical institutions alone are not sufficient since they deal only with the symptoms of the conflict. Instead, as Michel Kassa emphasised, the transitional government and the international community must tackle the root causes of the crisis. On the one hand, the Hema would have to be reassured of their rightful place within Congolese society, dismissing their fears of an ongoing genocide on their people. On the other hand, the Lendu need substantive financial assistance “in order to get rid of their inferiority feelings towards the Hema”.

The situation in the Kivus

It is clear that the situation in the Kivus rises and falls with the success of the DDRRR process, especially regarding Rwandan rebels. Apart from fuelling insecurity in the region, local militias appreciate the highly trained FDLR soldiers and continue to recruit them for their military services. Now the Mayi Mayi militias have become part of the transitional government, there is some hope that the FDLR has lost one of its key military allies.¹ In addition, the FDLR will have to rethink its position after the landslide victory of Rwandan president Paul Kagame in August 2003.

As Hans Romkema remarked, the FDLR movement wants to clean up its image as a rebel group wreaking havoc in the DRC and expects the international community to acknowledge its concerns as legitimate political claims. In fact, the political regime in Kigali seems determined to leave little if no room for non-violent opposition and might trigger a renewed flow of potential exile activists into the open arms of the FDLR. On the other hand, information from inside the Kivus suggested that most ex-combatants “are tired of being in the forests and want to return to Rwanda”. The successful implementation of

MONUC's DDRRR programme therefore remains the key challenge for the Kivus.

However, Hans Romkema pointed out that the UN faces a political dilemma in dealing with the FDLR leaders. Defined in the Lusaka Agreement as a negative force, it is a diplomatic non-starter to engage in a constructive dialogue with Rwandan Hutu rebels. As MONUC's Peter Swarbrick explained, "Rwanda would be extremely offended" if MONUC departed from its non-political approach. Even though Peter Swarbrick admitted that this strategy entails a great risk in the fuelling of extremism on the part of the neglected FDLR leaders, MONUC is not in a position to get into direct contact with the Rwandan rebels in order to speed up the DDRRR process. Swarbrick emphasised that "MONUC's relations with the FDLR are zero and this will have to stay that way for the sake of maintaining a working relation with the Rwandan authorities". While acknowledging MONUC's need for a diplomatic approach, Hans Romkema highlighted that MONUC's personnel on the ground should improve their individual negotiating skills towards potential DDRRR clients. MONUC's staff in the Kivus reportedly showed little sensitivity to the situation of Rwandan ex-combatants and will have to learn how to build trust with them.

Prioritising limited resources

In comparison to the NATO² deployment of some 50,000 peacekeeping troops in Kosovo, MONUC would need some 10-14 million troops in the DRC to achieve the same ratio of soldiers to territory in the DRC. Despite this "pessimistic and rather fruitless comparison" (as some participants put it), the prospects for MONUC and for Sector 5 are far better than most would think. In fact, as most of the Congolese territory is peaceful, MONUC is able to concentrate its military presence in the eastern provinces. Nevertheless, even this area is vast, and the limited amount of military, material and financial means continues to hamper the UN operation, forcing sector commanders to "prioritise according to available resources". Colonel Smith stressed that this inevitable compromise concerned all levels of the operation, be it the enforcement of the arms embargo, providing security in the sector, or in efforts to reconstruct local infrastructure.

The arms embargo

Following MONUC's adaptation of its concept of operations (in accordance with UN Security Council resolution 1493), a systematic approach was devel-

oped to enforce the arms embargo in the Kivu provinces, through the integration of all necessary activities into the ongoing operation. It was decided that Task Force 1 and the MILOB teams would prioritise the patrolling of the various airstrips within the area of responsibility. Well aware of the fact that there are still thousands of other possibilities for arms dealers to smuggle weapons into the DRC, this remains the only viable option under the given circumstances. As Colonel Smith notes, “we simply do not have the resources to check every barge coming from Tanzania or Rwanda.”

Providing security

For MONUC, creating a secure environment in the east means, above all, displaying military presence. Colonel Smith explained that patrols by air, road or foot have to strengthen trust and confidence among the Congolese population that the rule of the warlords was over. Mark Malan pointed that the application of Chapter VII by Task Force 1 troops in Lubero and Uvira suggested that the concept of operations was leaning towards one of “international law enforcement doctrine”. Colonel Smith agreed that this may be true in concept, but stressed that the DRC presents a great logistical challenge and MONUC does not have the military capacity to deploy in any given corner of the Kivu’s forests.

Participants encouraged MONUC to set up locations in the (mostly Mayi-Mayi controlled) forest regions. Located in direct proximity to several Rwandan hide-outs, it was argued that such deployments could in fact trigger the DDRRR process. Colonel Smith reiterated that it was simply impossible for MONUC to send its military observers to the more remote areas. Instead, Task Force 1 had to base its deployment decisions on logistical considerations, and was planning to establish five new locations within RCD-Goma territory, where logistic support would be viable: Kibrizi, Kanyabayonga, Minova, Walikale and Shabunda.

Reconstruction of infrastructure and force limitations

In general, a peacekeeping operation has to rely on the existent infrastructure in any given country. In the case of the DRC, where major roads are non-existent and airlifts the only means of transportation, MONUC has engaged in the repair of basic infrastructure such as roads and bridges. However, Colonel Smith made it clear that MONUC had no intention to refurbish the public network according to international building standards: “If we repair a bridge, we

make sure a 4x4 can pass. If we have to cross with a truck, we reassess the structure ... we need to use our resources efficiently.”

In addition to engineering limitations, MONUC’s contingents remain bound to their military structure. When judging the military performance of any given UN mission, it is necessary to take into account the “tail” of the operation. As Colonel Cornett (from DPKO) explained, MONUC needs approximately 50% of personnel to back up its infantry deployment. Colonel Smith reminded participants that this was needed because military troops had to ensure their safety and operational autonomy. Given the ruinous state of the Congolese transportation network, this aspect became a great stumbling block to effective deployment and had to be kept in mind when discussing possible MONUC activities. Colonel Cornett confirmed this view: “Unfortunately there is very limited manoeuvring space for quick and decisive action.”

In this light, MONUC could overcome some of its problems with the deployment of additional troops. Even though the concept of Task Force 1 was working well, Colonel Smith would feel confident in reaching MONUC’s objectives in Sector 5 if two additional battalions (approximately 1500 troops) were made available to the sector.

Communication with local population

Patrolling deep in the Congolese forests, MONUC’s soldiers have to ensure good working relations with the local people. As highlighted above, the DDRRR process will only succeed if the population trusts MONUC and sufficient information on the location and disposition of potential candidates reaches the UN mission. For example, while the South African contingent working in Maniema and the Kivus generally does not speak French or Swahili, Colonel Smith had arranged for interpreters and to have at least one Swahili speaker in every platoon. Many of the South African soldiers also took Swahili classes upon arrival. “In that sense, we do not have a language problem.” In addition, the South African experience shows that the mostly black South African troops are able to relate very well to the Congolese people.

Notes

1. Even though there have been up to 14 different Mayi Mayi groupings, shifting alliances with the FDLR fighters in the Kivus have frequently included some particular Mayi Mayi army.
2. North Atlantic Treaty Organisation.