

# Challenges and the Path Forward for MONUSCO

**Stimson Center and Better World Campaign, June 2016**

*This report summarizes the findings of a research team from the Stimson Center and the Better World Campaign, which traveled to the Democratic Republic of Congo (DRC) in April-May 2016 to review the United Nations Stabilization Mission in the DRC (MONUSCO). The peacekeeping mission has made progress in areas such as countering select armed groups and monitoring human rights violations, and continues to play an important role in protecting civilians. However, it also faces significant challenges: political volatility as the electoral process unfolds; ongoing rebel violence in the east of the country; expanded responsibilities without resources to match; inadequate political will from the DRC government to improve security and governance in the country; and fatigue from the international community, which has supported a UN peacekeeping presence in the DRC for over 16 years and has not seen the results that it hoped for.*

*The report focuses on MONUSCO's ability to implement several elements of its newest mandate, as outlined in [United Nations \(UN\) Security Council Resolution 2277](#). The report begins by offering some key recommendations from the research team's trip, and then examines in more depth issues related to the integration of civilian and military activities within a political strategy; host state strategic consent; coordinated operations between UN peacekeepers and Congolese forces; peacekeeping force transformation; elections and the electoral timetable; and the MONUSCO exit strategy.*

## Recommendations

- MONUSCO's leadership, as well as the international community more broadly, is aiming to strike a balance between maintaining friendly relations with the host state government and putting pressure on the government to hold elections in accordance with the constitution. When in doubt and with the support of UN member states, MONUSCO should err in favor of speaking out for an electoral timetable and elections, as outlined in Resolution 2277, even at the risk of harming relations with the government.
- The mission's ability to implement new mandated language on protecting civilians from election-related violence will require the approval of additional civilian and police personnel and resources. These resources are necessary to reinforce MONUSCO's presence in the western provinces, and to engage local communities in order to prevent election-related violence.
- It is not yet known whether the mitigating measures applied by MONUSCO pursuant to its Human Rights Due Diligence Policy are effective. If they are not, there is significant risk to civilians as well as reputational risk to MONUSCO. The mission should ensure that it closely and regularly evaluates the application and success of the mitigating measures it approves.
- Despite some military successes, the mission's current operations against armed groups do not address the drivers of this violence and can in some cases raise risks to civilians. The mission should integrate its civilian and military activities within a cohesive political strategy to ensure that its efforts have a lasting impact and mitigate risks to civilians.
- Security sector reform (SSR) benchmarks should feature prominently in the mission's exit strategy. These benchmarks should relate to the Congolese security sector's ability to provide regular security to local communities in addition to its ability to undertake operations against armed groups. The mission and the donor community should redouble their efforts to support SSR using political pressure and technical and financial support, and the DRC government should invest in SSR as a priority.

## Background

In 2006, the country held its first democratic elections in 46 years, electing Joseph Kabila as president.<sup>1</sup> The UN peacekeeping mission at the time, known by its French acronym, MONUC, was critical in supporting those elections – one of the most complex votes the UN had ever helped organize. In spite of this positive development, violence and insecurity in the country's eastern provinces continued, with numerous armed groups operating with near impunity and a lack of firm government control over much of the territory. As such, MONUC remained on the ground and continued to implement multiple political, military, rule of law and capacity-building tasks as mandated by the Security Council. In 2010, under some pressure from the Kabila government, the UN Security Council renamed the mission MONUSCO (United Nations Stabilization Mission in the DRC) to reflect a new focus on the extension of state authority.

In April 2012, the eastern province of North Kivu was subjected to a renewed wave of violence when hundreds of Congolese soldiers defected from the army, formed the M23 rebel movement and began an armed insurrection against the government. In November 2012, M23 occupied Goma, North Kivu's capital city, and held it for 11 days before withdrawing under international pressure. M23 carried out serious human rights violations against civilians, left hundreds dead, and forced nearly 800,000 people to flee their homes.

In March 2013, after the fall of Goma, the Security Council revised MONUSCO's mandate to shift more mission resources to the eastern provinces, to create a new Force Intervention Brigade (FIB), and to deploy unarmed, unmanned aerial vehicles (UUAVs). The FIB's 3,000 troops were tasked with carrying out targeted offensive operations to neutralize and disarm foreign armed groups in eastern DRC,<sup>2</sup> an unprecedented mandate for a UN peacekeeping mission. As a result, in the wake of a successful government offensive backed by the FIB, the M23 announced in November 2013 that it would end its rebellion and 8,000 rebels surrendered to the UN. Currently, the FIB is working to neutralize two major armed groups with foreign links that threaten civilians in the region, the Allied Democratic Front (ADF) and the Democratic Forces for the Liberation of Rwanda (FDLR).

Despite the continuing threats posed by these and other armed groups, MONUSCO is now under increasing pressure from the DRC government and some in the international community to develop an exit strategy that will allow it to withdraw from the country. At the same time, the Security Council and international NGOs recognize the vital role the mission plays in protecting civilians from armed group violence and monitoring and reporting on human rights violations. The mission will also play a "crucial role" in promoting stability during the country's upcoming presidential elections.<sup>3</sup> As President Kabila attempts to secure an unconstitutional

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<sup>1</sup> Joseph Kabila had been inaugurated as the country's president on January 26, 2001, ten days after his father, Laurent Kabila, was assassinated.

<sup>2</sup> United Nations Security Council Resolution 2098, S/RES/2098, 28 March 2013, para. 12(b).

<sup>3</sup> Human Rights Watch, *Dispatches: Prevent More Bloody Repression in DR Congo*, <https://www.hrw.org/bg/node/285597>.

third term for himself, his administration has delayed electoral processes and used violence to intimidate opposition supporters. Overall, as the Security Council has noted, MONUSCO's good offices, and its capacities for human rights monitoring and reporting, conflict prevention, crowd control, and protection of civilians, will be needed to help prevent any insecurity resulting from the electoral process from spinning out of control.

As part of the effort to maintain stability and support presidential elections, in March 2016, the Security Council adopted Resolution 2277, renewing MONUSCO's mandate. Pointedly, the Council rejected any decrease in mission forces – the DRC government had requested a withdrawal first of 1,700 and then of 10,000 troops. The Council also supported a resumption of joint operations against armed groups between MONUSCO and the Congolese military (known by its French acronym, FARDC); a comprehensive approach by all components of MONUSCO in protecting civilians, including in the context of elections; and the promotion of an inclusive and transparent political process, consistent with the DRC constitution, as well as technical and logistical support to update the voter registration list. The Security Council will determine if the mission should provide subsequent support for the electoral process depending whether conditions for a transparent and credible electoral process are in place.

## Current Activities

MONUSCO has worked to implement its mandate along several lines of effort and is engaged in a range of vital responsibilities including:

**Targeted Operations against Armed Groups.** MONUSCO's military component, including its Force Intervention Brigade, coordinates with the FARDC to conduct operations against armed groups in eastern DRC including the Ugandan-origin Allied Democratic Front (ADF), the Rwandan-origin Democratic Forces for the Liberation of Rwanda (FDLR), and the Front for Patriotic Resistance of Ituri (FRPI). The mission deploys assets including attack helicopters and unarmed, unmanned aerial vehicles (UAVs) in support of these operations. The mission also establishes bases in hotspot areas and conducts regular patrolling to deter armed group violence.

**Early Warning.** MONUSCO pioneered Community Alert Networks (CANs) in 2010 to improve its situational awareness and ability to respond quickly to threats against civilians. Mission personnel distribute communications equipment to hundreds of local Congolese citizens in communities surrounding MONUSCO bases. These individuals can then easily contact the mission when they identify a threat. In addition, by maintaining communication through calls or personal visits, the mission receives "crucial information on current risks and conflict dynamics."<sup>4</sup> MONUSCO uses the information obtained to, among other things, dispatch a rapid response.

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<sup>4</sup> Global Public Policy Institute, *Protecting Civilians Through UN Peace Operations*, <http://www.gppi.net/publications/peace-security/article/protecting-civilians-by-un-peace-operations/>



## Political Strategy

The Report of the High-Level Independent Panel on Peace Operations, released in June 2015, called for peace operations' activities to be grounded in a political strategy, noting: "Absent a serious political strategy for resolving the armed conflict that gave rise to the threats to civilians in the first place, a mandate focused exclusively or even predominantly on the protection of civilians is likely to lead to a long, drawn-out and ultimately unwinnable campaign."<sup>5</sup> The importance of a political strategy to underpin military efforts is highlighted by MONUSCO's struggle to respond effectively to armed group violence in eastern DRC.

In support of the protection of civilians, MONUSCO's military activities currently focus on the defeat of armed groups. Working together, MONUSCO and the FARDC have had important

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military successes, notably the neutralization of the M23 armed group that took over Goma in 2013. Because of this collaboration, the ADF rebel group is now estimated to have fewer than 300 members and the FDLR rebel group, though much larger, is in a militarily precarious position with

weakened leadership. However, these successes should not be assumed to be permanent.

There is broad consensus within and outside the mission – including within the mission's military component – that military activities alone are not and cannot be effective at defeating armed groups. It is widely acknowledged that the current military strategy often merely scatters armed groups; because there are few structures in place to fill the security vacuum, there is little to prevent the armed groups from returning once MONUSCO and FARDC troops vacate an area. There remain dozens of local Mai Mai militia (small-scale armed groups formed to defend local communities) that often act as proxies for these armed groups. There also remain the same

issues that provoke tensions between communities and create a steady supply of new recruits to join armed groups, such as disputes over land, leadership positions, and access to natural resources. In some areas, such as Beni, armed group leaders may forcibly recruit local combatants; in these cases, using force against low-level combatants may

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<sup>5</sup> High-level Independent Panel on Peace Operations, *Uniting Our Strengths for Peace*, A/70/95-S/2015/446, 17 June 2015.

harm extremely vulnerable people while leaving the armed groups' leadership structures intact. In short, these operations do not address the root causes of the conflict and are not part of a broader political strategy.

The 'islands of stability' approach instituted under former Special Representative to the Secretary General (SRSG) Kobler, head of the mission, had several flaws;<sup>6</sup> however, it attempted to locate military operations against armed groups within a broader stabilization plan. As armed groups were removed from each area, the mission was supposed to coordinate with the Congolese security sector to maintain a presence to deter the return of these groups, and support the establishment of governance structures that could strengthen the community's resilience against them.

The mission has recently embarked on a new initiative to integrate its Protection of Civilians (POC) and stabilization efforts, aiming to avoid some of the pitfalls of the 'islands of stability' approach. There is significant evidence that much of the instability in the east is linked to national and transnational criminal networks trading in illegally exploited minerals and other natural resources.<sup>7</sup> It is important that MONUSCO's political strategy also integrates analysis of the criminal activity that fuels armed group violence in the east. These initiatives will be critical to ensuring that the mission operates with a coherent political strategy and that its activities are sustainable and can pave the way toward an eventual drawdown.

## Host State Strategic Consent

During the run-up to the 2011 elections, the Kabila government used rhetoric that suggested that it wanted to withdraw its strategic consent for the peacekeeping mission. It is widely believed that this rhetoric was an attempt to limit the mission's ability to monitor and report on election-related misconduct or repression; to demonstrate to the public that security conditions in the country had improved; and to drum up nationalist sentiment. As the planned 2016 presidential elections draw near, the Kabila government has revived this tactic, engaging in rhetoric suggesting that it wants the mission to draw down. The government requested the reduction of the authorized troop ceiling by 1,700 in advance of UN Security Council Resolution 2277, a request that was echoed by the Secretary-General and mission personnel – viewed by some personnel as a reasonable concession to engender government goodwill – but which was denied by the Security Council.

Most of the mission personnel with whom the research team met believed that the Kabila government sincerely wants the mission to withdraw. Some believed that the government particularly wants a reduction of civilian personnel (who can monitor and report on political repression, election-related misconduct, and human rights abuses), while others believed that

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<sup>6</sup> For example, MONUSCO and UN agency representatives have criticized the 'islands of stability' approach as being based on insufficient analysis, choosing the wrong locations for implementation, and failing to address concerns about humanitarian space.

<sup>7</sup> Point of Origin: Status Report on the Impact of Dodd-Frank 1502 in Congo, <http://enoughproject.org/reports/point-of-origin-status-report-impact-dodd-frank-1502-congo>, February 23, 2016.

the government mainly wants a reduction of military personnel (fearing a scenario whereby peacekeeping troops use force to intervene against state security forces or even to oust the current administration from power). A minority of mission personnel and external stakeholders with whom the research team met believed that the Kabila government was simply using rhetoric once again to try to limit and control the mission's activities in advance of an election period.

In terms of the elections, some in the mission have expressed concern that being outspoken may undo the progress made so far on repairing relationships with the government – and may even risk the expulsion of the mission. There is broad consensus that while the mission's activities are important, they are not sustainable because they lack government buy-in and political will.

Without support from the central government to improve governance and service delivery, and to develop an effective and accountable security sector, the mission's POC and stabilization activities cannot have a lasting impact. However, the current government has an incentive to

keep governance and security structures weak in order to benefit financially from illicit economic activity, benefit politically from rebel group activity, and protect itself from political contenders. In short, the administration's incentives to keep the country in a state of controlled chaos will remain in place. As such, even at the risk of damaging relations with the government, the research team believes that the mission should prioritize support for the electoral timetable outlined in Security Council Resolution 2277 and advocate for free and fair elections to be held in the near future. Without a more committed host state partner to fulfil its side of the bargain, the mission's activities cannot make a lasting dent in improved security and governance for the Congolese people.

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## Coordinated Military Operations

MONUSCO has begun to resume coordinated operations along with the FARDC against armed groups. These coordinated operations had been suspended since February 2015, when cooperation between the government and the mission broke down over the application of the mission's Human Rights Due Diligence Policy (HRDDP). The HRDDP is a policy designed to prevent the UN from supporting security sector elements that may commit grave human rights violations. The DRC government placed two generals in charge of coordinated operations against the FDLR rebel group who were identified as unsupportable in the HRDDP because of prior allegations of grave human rights violations. As a result, the mission called off the operation. The DRC government claimed to be offended by the mission's interference with its military appointments and suspended coordinated operations with MONUSCO.

During the period when coordinated operations were suspended, both MONUSCO and the FARDC attempted to continue operations against armed groups independently of one another, each with limited success. MONUSCO forces faced language and cultural barriers that undermined intelligence gathering. They also faced political obstacles in responding to certain events, such as the massacres in Beni, when the FARDC insisted they should respond instead. FARDC forces struggled with logistics, unable to provide adequate weapons or means of transportation to soldiers, as well as with operational and long-term planning. This period of limited collaboration made it apparent that the FARDC did not have the capacity to take on armed groups like the ADF without MONUSCO's support.

In the interim, armed groups took advantage of the suspension to secure footholds. In particular, local Mai Mai groups sprung up to protect themselves and their communities from the ADF and FDLR in the absence of effective MONUSCO-FARDC partnership. Moreover, the FARDC instrumentalized some of these Mai Mai groups as proxies to assist them in their fight against the FDLR – despite having mobilized the FDLR to serve as proxies against other armed groups such as the M23 in the past. FARDC elements also took advantage of the lack of MONUSCO oversight to commit abuses against local communities, preying on them for forced labor, food, water, and transportation.

After lengthy negotiations with the DRC government, MONUSCO leadership gave the order to resume military cooperation on March 8, 2016. The mission also changed its approach to the HRDDP, which had proven too rigid. The new approach, finalized in September 2015, allows MONUSCO to support individuals against whom allegations of grave human rights violations have been made provided that 'mitigating measures' are taken to reduce the risk of human rights abuses. These mitigating measures are designed to respond to specific contexts and may include actions such as providing human rights training to certain elements of the armed forces, or monitoring national forces during coordinated operations.

The new, more flexible approach, is better suited to the mission's needs and was generally perceived positively by personnel both inside and outside the mission with whom the research team met; however, it is not yet known whether the mitigating measures upon which the new approach relies are effective. There is some concern that military contingents, eager to resume coordinated operations, may apply a 'check-box' approach to the mitigating measures. Moreover, the mission has not yet evaluated whether the mitigating measures it developed are effective at preventing human rights abuses even if properly applied. The mission should apply close scrutiny to mitigating measures and the Joint Human Rights Office should conduct regular internal evaluations of mitigating measures to protect civilians from abuse and itself from reputational harm.

The resumption of coordinated operations has been slow, and has yet to reach its previous level. Coordinated operations against the ADF and FDLR have begun. The personalities of individual FARDC commanders influence the strength of military cooperation in different areas. These coordinated operations often entail MONUSCO providing logistical and technical support to the

FARDC, and sometimes placing peacekeepers in key locations to protect civilians from collateral or retaliatory harm while FARDC soldiers take frontline positions against armed groups.

## Peacekeeping Force Transformation

The mission's leadership has developed a 'force transformation' plan. Several MONUSCO military personnel with whom the research team met characterized this plan as the mission's military exit strategy. The plan has four pillars. The first pillar is to enhance the capacity of the force to respond effectively to threats against civilians. This will include improving intelligence and surveillance capacities, increasing and improving MONUSCO's aviation assets, and developing three rapidly deployable battalions (RDBs). RDBs are intended to have the capacity to respond efficiently to threats against civilians in remote parts of the country. One Pakistani RDB is already on the ground, while two others from India and Bangladesh respectively are scheduled to arrive early next year.

The second pillar of the force transformation plan is to decrease MONUSCO's static military footprint. The force will begin to close company and temporary operating bases centered on sound analysis and in consultation with Mission, UN Country Team, and to some extent, DRC authorities. Static battalions will be stationed in a smaller area near the borders with Uganda, Rwanda, and Burundi, with RDBs deploying as needed to respond to situations outside that area.

The third and fourth pillars of the force transformation plan are to develop the military and engineering capacities of the Congolese security sector. Pillar three will strengthen the FARDC's capacity to gather intelligence and operate without MONUSCO's support. Pillar four will bolster the FARDC's capacity to build infrastructure, including roads, bridges and wells. These efforts are intended to normalize societies and address the root causes of conflict.

Some MONUSCO military personnel presented the force transformation plan with what the research team considered to be optimistic timelines. For example, one senior military representative suggested that MONUSCO will be able to reduce its military force by two-thirds over the next three years. The mission should ensure that base closures and force reduction are based on realistic civilian security benchmarks and that decisions are made with careful risk assessments to avoid security vacuums.

## Elections

UN Security Council Resolution 2277 calls for all relevant parties to facilitate free and fair elections in accordance with the Congolese constitution,<sup>8</sup> and authorizes the mission to support elections by promoting dialogue, monitoring and reporting on abuses related to political space, and providing technical assistance and logistical support to the revision of the electoral register.<sup>9</sup> MONUSCO is still deciding how to reconfigure its footprint and reallocate resources to implement

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<sup>8</sup> United Nations Security Council Resolution 2277, S/RES/2277, 30 March 2016, para. 7.

<sup>9</sup> Ibid, paras. 35(ii)(a)-(c).

its mandate. The political situation is volatile and uncertain, and there is a real risk of significant political violence in the western provinces where MONUSCO has a limited footprint.

The mission should deploy civilian personnel (for example, from the Joint Human Rights Office, Civil Affairs Section, and Political Affairs Division) to reinforce existing 'antenna' offices in the western provinces. These civilian personnel cannot be drawn from eastern offices, where they are still needed to deal with ongoing armed group violence, which may increase as politicians attempt to manipulate tensions and mobilize forces to support their preferred candidates or to prevent elections from taking place. As such, the Security Council should approve the deployment of additional civilian personnel to monitor and report on election-related human rights violations, provide early warning for risks of violence, and work with local communities in

### THE SECURITY COUNCIL SHOULD APPROVE THE DEPLOYMENT OF ADDITIONAL CIVILIAN PERSONNEL IN THE WESTERN PART OF THE COUNTRY TO SUPPORT THE ELECTORAL PROCESS.

the western part of the country to support the electoral process and prevent election-related violence.

Many in the mission are concerned that the new mandate requires MONUSCO to undertake a significantly expanded set of responsibilities with little prospect of expanded resources to match. In particular, many believe that the

Resolution essentially expanded MONUSCO's POC mandate from a few eastern provinces to the entire country. Resolution 2277 also instructs MONUSCO to ensure the "protection of fundamental freedoms and human rights, paving the way for the holding of elections"<sup>10</sup> and to pay particular attention to human rights defenders (among other groups) in its protection activities.<sup>11</sup> This language has contributed to expectations among Congolese civil society that the mission will protect them from political repression by the government that has been ongoing and which may ramp up as election benchmarks approach. The mission should clarify how it will apply its new mandate with respect to protection from political repression and violence. Moreover, member states including the U.S., UK, France, and Belgium should maintain pressure on President Kabila and the government to meet electoral benchmarks and hold free and fair elections.

## Exit Strategy

The mission is keenly aware of pressure both from New York and from the Congolese government to develop an exit strategy that would allow it to draw down over the next three to five years. The mission is still in the process of developing appropriate benchmarks as part of a strategic dialogue with the Congolese government. On one hand, the benchmarks set for the mission must be realistic and achievable in the short-term, without promising to resolve all

<sup>10</sup> Ibid, para. 35(ii)(a).

<sup>11</sup> Ibid, para. 35(i)(a).

problems in the DRC. On the other hand, they must aim to ensure that, when the mission does withdraw, the progress it has made is sustainable and the country will not be plunged into another crisis.

The ability of every component or section of the mission to fulfil its objectives to allow for sustainable drawdown rests on the development of an effective and accountable security sector – to stop predatory or abusive behavior by state security forces, and to ensure that these forces are able to serve local communities to provide day-to-day security services in addition to conducting operations against armed groups.

Security sector reform is a process that fundamentally depends on political will by the host state government; it can only be supported and never led by the international community. There are many reasons why the Congolese government may have failed to develop its security sector thus far. Some believe that it is a deliberate attempt to prevent the FARDC from becoming strong enough to threaten the Kabila administration's hold on power. Others believe that it is largely a function of lack of resources, exacerbated recently by falling metals prices. The fact that MONUSCO has been present to help fill gaps in host state security capacity when security issues threaten the government (for example, during the rise of the M23 rebel group) may also be a factor.

Despite the pivotal role that SSR plays in the sustainable success of so many other mission activities, it is not given a high profile within the mission. Several mission personnel reported that SSR is seen as a delicate subject and that the host state government often appears offended at the suggestion that it might need any assistance from the international community to improve its security sector. However, this sensitivity is not universal; several mission personnel said that the government has shown a commitment to improving accountability within the FARDC for child recruitment (which is now almost ended) and sexual violence (which still occurs at dismaying rates but which some mission personnel believe is reducing over time thanks to improved accountability measures, so that it now occurs mostly opportunistically rather than systematically). MONUSCO personnel have also made progress on supporting the government to improve the military justice system and report that investigations and trials have become more frequent over the past few years. The FARDC's lack of progress against the ADF rebel group over the previous year when military cooperation between the mission and the government was suspended may also have forced the government to realize that there is a serious gap in capacities that the international community, including MONUSCO, can help fill.

MONUSCO has limited capacities to support SSR technically, but its progress on child recruitment and sexual violence issues shows that it can use political pressure to advance SSR initiatives. The mission should prioritize other urgent SSR issues such as vetting, command structures, rotation, and accountability for involvement in criminal activity and human rights abuses in its political engagement with the government. The donor community should complement these political efforts with renewed engagement on SSR to facilitate a sustainable exit for MONUSCO.

## About This Summary Report

This summary report is based on research conducted from 26 April to 13 May 2016 by the Stimson Center and the Better World Campaign. The research team – comprising Aditi Gorur, Madeline Velturo, Jordie Hannum, Chandrima Das, and Micah Spangler – met with over 75 representatives of different sections within MONUSCO, UN agencies, non-governmental organizations, and Congolese civil society to discuss challenges and the way forward for MONUSCO. For more information, please contact Aditi Gorur ([agorur@stimson.org](mailto:agorur@stimson.org)) or Chandrima Das ([cdas@betterworldcampaign.org](mailto:cdas@betterworldcampaign.org)).

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