

February 6, 2007

Contact:
Rick Neal

Democratic Republic of the Congo: The Security Council Must Take Steps to Protect Civilians

Despite progress made in the Democratic Republic of the Congo (DRC) over the past few years, much of it thanks to the UN peacekeeping mission, MONUC, civilians continue to die from attacks and abuse. As the Security Council debates MONUC's new mandate, protecting those most at risk must be the priority.

For a country with as many strikes against it as the Democratic Republic of the Congo – no state authority, ethnic animosities, abundant natural resources, and hungry neighbors – the transformation of the past four years has been remarkable: a newly-elected government is in place; armed groups are ever more constrained; Congo's erstwhile occupier, Rwanda, has made peace overtures; and thousands of displaced have returned home.

Much of the success dates from 2003, when the Security Council gave MONUC, its struggling mission in the country, an invigorated mandate and the troops to execute it. Now, with the national elections over and a government installed, MONUC's mandate is again under review. It will officially expire on February 15, but the new Congolese government has requested time for consultations, extending the debate by a few months.

MONUC's mandate is critical because pockets of extreme insecurity and need persist in the eastern part of the country, and even the usually calm west has not been immune from election-related violence. For example, in Ituri District, a team from Refugees International found in July 2006 that years of conflict had given way to peace in the northern territory of Djugu; in November, the area slipped back into chaos as a warlord made a last stand on the Ugandan border against MONUC and the national army (the FARDC), and civilians once again found themselves fleeing their newly rebuilt homes. In Irumu Territory, in the southern part of Ituri, battles have raged for more than a year with insurgents that had been defeated by MONUC, then regrouped in Kampala, the Ugandan capital, and crossed back into the DRC to fight again. In North Kivu Province, around the town of Goma, advances

by the dissident warlord Laurent Nkunda caused thousands to flee last November before he received a pardon from the government and promised to integrate his troops with the national army.

Civilians bear the brunt of these campaigns; families get caught in the crossfire or suffer reprisals from one group or the other. FARDC troops continue to extort food and labor, and rape and sexually assault women and children, to such a degree that villages still flee in fear of them. And in a country with its fair share of atrocities, reports emerging from the forest near Bukavu, in South Kivu Province, are an echo of the dark days of the war. The tactics used seem designed "to sow intentionally terror in the population," recounts a humanitarian assessment of the area: armed men loosely associated with the remnants of the Hutu force responsible for the Rwandan genocide, the FDLR, kidnap groups of villagers and take them back into the cover of the Kahuzi-Biega National Park. They rape the women and torture the men, releasing any left alive after receiving their ransom. Whole villages stand empty now, testament to the success of fear.

MONUC is well poised to address these challenges, with the largest UN peacekeeping force in the world and the infrastructure and experience to make use of it. A temporary increase in troop levels through 2007 would have a decisive impact, allowing MONUC to move against armed groups across the east, cut off their supplies, and force their surrender. Such an increase is unlikely, however, in a year that will see a high demand for peacekeepers. After Security Council members considered reducing MONUC's troop strength as a post-elections cost-saving measure, it now seems that current levels are assured for the next several months. The Council must guard

against any reduction that does not correspond with verifiable indicators such as a reduction in attacks on civilians, the resolution of local conflict, and prosecution for perpetrators of abuse.

While much debate has centered on MONUC's role in reforming the FARDC and encouraging good governance, the Security Council must sharpen the mission's mandate to focus clearly on protecting civilians: stopping attacks and abuse, widening access to humanitarian assistance, and helping people return home. In April 2006, MONUC had a quiet but notable success in its deployment of just 100 troops to protect civilians in central Katanga. This modest commitment allowed MONUC to deliver food, facilitate the withdrawal of abusive government troops for training, provide security guarantees needed by the local Mai-Mai militia to demobilize, and draw people out of hiding in the forest to camps where they could get help. After a few months, thousands of displaced people and former combatants across the region returned home, ready to replant and rebuild.

MONUC must build on this success by moving to protect other civilians under attack. The most pressing priority is the protection of those terrorized by the kidnappings, rape, and torture on the borders of Kahuzi-Biega National Park in South Kivu.

A clear focus on protecting civilians would also prompt a shift in strategy for MONUC. In 2006, joint operations between MONUC and the FARDC provoked the displacement of more than 300,000 people in the eastern DRC, either during offensives against armed groups or afterwards, when MONUC withdrew to leave the population at the mercy of hungry, underpaid, and ill-trained FARDC troops. The United Nations thus found itself in the untenable position of leading the response to a humanitarian crisis that its own troops had created; in addition, the offensives had little strategic impact, as neither MONUC nor the FARDC had the capacity to clear and hold areas controlled by armed groups.

MONUC's strategy needs to evolve. Some Security Council members, particularly the United States, have pushed MONUC to move against the armed groups in the east with military force, with disastrous humanitarian consequences. Council members must allow MONUC to be more balanced, to use its force to deter and contain armed groups while facilitating disarmament and demobilization. In just one example, forward deployment of peacekeepers to FDLR positions would help those who wish to stop fighting to escape their brutal commanders; strong coordination with Rwanda could then help MONUC find durable solutions for these troops through repatriation or resettlement.

Resolving the conflict with the armed groups in the east will be MONUC's biggest challenge under its new mandate. Resolution

will not be possible, however, as long as arms continue to flow into the DRC across its borders with Rwanda and Uganda. The Security Council has authorized an embargo on the import of weapons to the DRC and the export of the natural resources that pay for them, and has authorized MONUC to enforce that embargo. MONUC and the countries that contribute its troops have never moved to execute that mandate, citing lack of capacity. In renewing MONUC's mandate, the Security Council must call on Rwanda and Uganda to stop the flow of weapons, request assistance in gathering intelligence on arms flows, and give MONUC the means to enforce the embargo.

REFUGEES INTERNATIONAL RECOMMENDS:

- ❑ The Security Council sharpen MONUC's mandate to stop attacks against civilians, widen access for assistance, and help the displaced to return home.
- ❑ The Security Council increase or at least maintain MONUC troop levels through 2007, basing any future reduction on progress towards civilian protection, resolution of conflict, and prosecution of perpetrators of abuse.
- ❑ MONUC deploy immediately to protect civilians from kidnapping, torture, and rape currently carried out by armed marauders associated with the FDLR around the Kahuzi-Biega National Park in South Kivu.
- ❑ MONUC suspend joint operations with the FARDC until clear and verifiable policies are in place to reduce displacement of civilians, prevent reprisals against civilians, and protect civilians from abuses by the FARDC following operations.
- ❑ MONUC deploy mobile operating bases closer to FDLR bases to facilitate the voluntary demobilization of FDLR troops, while working with Rwanda to implement durable solutions for members of the FDLR.
- ❑ The United States reduce pressure on MONUC to implement a strictly military solution in the east against armed groups while increasing pressure on Rwanda and Uganda to fulfill their regional responsibilities towards stabilization and peace.
- ❑ The Security Council ensure that MONUC has the resources it needs, including intelligence, to enforce its embargo on the movement of arms and natural resources in and out of the DRC; and MONUC and troop contributing countries engage far more than they have in the past to fulfilling this aspect of their mandate.

Advocate Rick Neal visited the D.R. Congo three times in 2006 to assess displacement, returns, and humanitarian response.