SECURITY SECTOR REFORM IN THE CONGO

Africa Report N°104 – 13 February 2006

International Crisis Group

WORKING TO PREVENT
CONFLICT WORLDWIDE

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

No issue is more important than security sector reform in determining the Democratic Republic of the Congo's prospects for peace and development. Two particular challenges loom large: the security services must be able to maintain order during the national elections scheduled for April 2006 and reduce the country's staggering mortality rate from the conflict – still well over 30,000 every month. On the military side, far more must be done to create an effective, unified army with a single chain of command, rather than simply demobilising militias and giving ex-combatants payout packages. International attention to police reform has been much less than that given to military restructuring: the limited efforts have had some important successes but suffer from a patchwork approach that largely neglects the countryside. Establishing a secure environment is not possible without a thorough security assessment that takes into account the country's risks, needs, capabilities and financial means. A realistic plan is needed that defines the role of the security forces and reconciles their needs and means for a sustainable future.

Reform of the army is far behind schedule. Eighteen integrated brigades were supposed to be created before elections but only six have been deployed, some of which are as much a security hazard as a source of stability, since they are often unpaid and prey on the local population. The police are supposed to be responsible for election security but are no match for local militias in many parts of the country.

Security sector reform continues to be a neglected stepchild both financially and in terms of strategic planning. While donors have already contributed more than $2 billion to the Congo, including generous amounts for demobilisation of ex-combatants, only a small fraction has been dedicated to improving the status and management of the armed forces and the police. While it is understandable that many donors are reluctant to engage with what have often been unsavoury elements, these forces are critical for stability. The current incentive structure to encourage reform is seriously distorted. Fighters are offered allowances totalling $410 to leave the military but a salary of only $10 a month if they choose army service, and even this too often never gets to them. Coordination of international efforts is also inadequate, though the European Union's police (EUPOL) and military (EUSEC) missions have begun to stimulate improvements.

The army remains weak and could again collapse quickly if faced with a serious threat. Although most former belligerents now form the transitional government and formally support the new army, they and their ex-soldiers sometimes ignore orders from the military hierarchy that they consider to be in conflict with the interests of their respective factions. Indeed, the reluctance to move forward with reform in many security structures is a deliberate strategy on the part of the leaders who fought the 1998-2002 war to preserve their ability to respond with force if the elections do not turn out to their satisfaction.

This report gives special attention to the European Union and its member states' contributions on security sector reform as part of an ongoing examination of the EU's growing global role in conflict prevention.

RECOMMENDATIONS

On police training and reform

To Donors and the United Nations:

1.   Agree on a long-term common training program and use the new police reflection group (*groupe de réflexion*) to:

    (a)   improve liaison between donors and Congolese institutions, notably the National Police, immediately and harmonise training programs;

    (b)   conduct a systematic review of the police before elections to evaluate the most important threats to human security; and

    (c)   match needs with resources in a comprehensive long-term strategy, including creation of a national gendarmerie.

2.   Accompany training on human rights codes and conduct with greater emphasis on the practical operational details of policing so that trainees receive

a strong grounding in such basics as investigation, forensic evidence collection, interviewing and protecting witnesses and children (especially in sexual violence cases), handling crime scenes, and helping prosecutors build cases.

3. Make completion of a proper accounting of available police manpower a priority.

4. Condition further donor aid on an increase in police salaries and separation of payment of those salaries from the chain of command along the lines of the model now being used for the army as a means to combat corruption and promote loyalty to the force.

To the Congolese Authorities:

5. Establish specially trained and equipped squads to combat the high prevalence of violent sex crimes and create safe rooms for children and survivors of sexual violence in police stations.

6. Recruit proactively and promote women with the ultimate aim of establishing much greater parity in the police service.

On army training and reform

To the Congolese Authorities:

7. Integrate and simplify, in consultation with donors, the national command and decision-making structures so as to improve coordination between the various reform programs and reduce opportunities to stall the process.

8. Conduct, in consultation with donors, a systematic review of the army that evaluates security threats and seeks to match needs and resources in a comprehensive long-term strategy.

9. Reduce the army's target size from 100,000-125,000 to a more realistic and sustainable 60,000-70,000.

10. Reduce the Presidential Guard dramatically from 12,000-15,000 to 600-800 troops and integrate the remainder into the regular army structure.

11. Move as quickly as possible in the parliament after the April 2006 elections to establish an appropriate defence oversight committee and require the government to detail fully its proposed defence spending in the annual budget.

To Donors and the United Nations:

12. Expand the EU plan to separate salary payment from the chain of command with salary increases and improved living conditions for rank and file soldiers, conditioning further aid to the military on prompt implementation.

13. Establish an International Military Assistance and Training Team (IMATT), including the European Union's military mission (EUSEC) and participation from such major donors as the EU, Angola and South Africa, as a means of coordinating security sector reform and advisory programs and to:

    (a) take a hands-on approach by having technical advisers oversee the payroll and accompany training and subsequent operations of deployed units;

    (b) help establish standards and train Congolese trainers; and

    (c) oversee rehabilitation of the army's training camps and enhance its logistical capabilities.

14. Increase donor investment in army integration to match support for the demobilisation process, using funds in particular for equipment, housing, health care and school fees for soldiers' children, starting with the integrated brigades.

To the European Union:

15. Consult immediately with the Congolese authorities and the UN and deploy additional forces, for example the new EU gendarmerie, to secure Lubumbashi and pacify northern and central Katanga.

16. Continue to adopt a constructive and flexible approach toward the need to increase investment in reform of the military sector, consistent with ODA eligibility under OECD/Development Assistance Committee (DAC) guidelines, as the Commission did recently in justifying its financing of the refurbishment of army integration centres.

To the UN Security Council:

17. Follow-up more aggressively in the Congo Sanctions Committee cases where the panel of experts has identified regional violators of the arms embargo and implement targeted sanctions such as asset freezes and travel bans to help the elected government acquire a monopoly of force in the country.

To the OECD Development Assistance Committee (DAC):

18. Review the conditions and guidelines of Overseas Development Assistance (ODA) eligibility in the DAC to satisfy any concerns donors may have about the propriety of engaging more proactively in security sector reform.

Nairobi/Brussels, 13 February 2006

SECURITY SECTOR REFORM IN THE CONGO

I.   INTRODUCTION

Reforming the Congo's security services is a difficult challenge.[1] The country has been badly divided by years of war, mismanagement and official plunder. Government structures remain weak and largely ineffective, in some regions almost non-existent. The Congo still hosts a confusing array of militia forces often backed by outside powers and interests, and its mineral wealth and weak border controls have allowed many of these to become in effect self-sustaining. The economy is in tatters, and ethnic and regional fault-lines are both many and deep.

Insecurity is prevalent throughout much of the vast country, with the population destitute and exposed to high rates of crime. In many larger towns and cities, protests and riots may erupt at any moment in response to the transitional government's failures. The eastern Congo, especially, is rife with violence perpetrated by Congolese and non-Congolese groups operating often in collusion with allies both within and outside the country. Mortality is 75 per cent higher than before the 1998 war. The death toll from conflict and the associated breakdown in human services between 1998 and 2004 is estimated to be near four million. As many as 38,000 continue to die every month as a result of the ongoing conflict. Most of these deaths result from malnutrition and easily preventable diseases, such as fever, malaria, and diarrhoea, which are deadly because insecurity restricts access to basic infrastructure and sanitation.[2]

Despite the presence of the UN Mission in the Democratic Republic of the Congo (MONUC), which now numbers 17,000 peacekeepers, fighting continues in the East, where renegade armed groups control much of the countryside and have displaced over 1.8 million people.[3] Most of these armed groups now lack any semblance of legitimate tribal

or political authority and act as criminal gangs motivated by self-enrichment and survival. Atrocities against civilians by the Rwandan rebel group Democratic Forces for the Liberation of Rwanda (FDLR) continue with numbing regularity.[4] Poor regional relations, particularly between the Congo, Rwanda and Uganda, have heightened tensions and made resolving the respective conflicts more daunting.

Real control over the security structures rests with the ex-belligerents who make up the transitional government, including the former government and Mai-Mai ethnic militias it raised in its fight against the 1998 invasion of the Congo by the Rwandan and Ugandan armies, but also the several armed insurgencies set up by the eastern neighbours to wage a proxy war against Laurent Kabila's government. Rwanda and Uganda supported separate rebel factions and their armed wings and maintained large training structures in the eastern half of the Congo that fell under their respective occupation in order to train tens of thousands of soldiers for their allies and to form ruthless ethnic militias. The training consisted of little more than basic infantry drills and the firing of an AK-47. Today, the resistance of many belligerents to demobilise their armies and integrate them into one reformed national army is the largest hurdle to security sector reform in the country. Because of this, remnants of these former armies continue to exist. Their continued loyalty to their former leaders is the single most serious threat to the stability of the transition. The Congo's civil society and political opposition are represented in the transitional institutions but have little say on security matters, which are monopolised by the former belligerents.

Transforming military and police structures is an inherently complex and politically challenging process even in the best of environments. For purposes of definition, such reform can be seen as addressing the core issues of how the security system is structured, regulated, managed, resourced and controlled within the three main

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[1] See Crisis Group Africa Briefing N°34, *A Congo Action Plan*, 19 October 2005.
[2] Benjamin Goghlan et al., "Mortality in the Democratic Republic of Congo: A Nationwide Survey", *The Lancet*, vol 367, 7 January 2006, at www.theLancet.com.
[3] Figures from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) regional support office in Nairobi, www.internal-displacement.org.

[4] The FDLR are around 8,000-10,000 strong. Some leaders are Interahamwe and officers from the former Rwandan army who perpetrated the genocide in 1994. Many of the troops were recruited out of the refugee camps. See Crisis Group Africa Report N°63, *Rwandan Hutu Rebels in the Congo: A New Approach to Disarmament and Reintegration*, 23 May 2003.

groupings of the military, police and judiciary.[5] While reform of the judiciary is obviously crucial, it is beyond the scope of this report, which focuses on reform of the army and police structures.[6]

The effectiveness of security structures is measured by several key barometers: the ability to protect national territory against aggression and internal threats, adherence to the rule of law, and the ability of security services to protect and respect citizens' basic rights. On all these counts, the Congo's security forces are seriously deficient. Indeed, security sector reform in the country is not just a matter of establishing the mechanisms to effectively respond to its many security threats. It must also be viewed as a cornerstone of efforts to alter the Congo's often dysfunctional political dynamics and improve its dismal human rights record. Without far more vigourous efforts to embrace security sector reform, the feuds and rivalries that plague the transitional government could escalate into broader, more deadly conflict, particularly with national elections approaching in April 2006.[7]

It is imperative for the viability of the Congo's political transition to democracy that the armed wings of its political factions, technically all now part of the Armed Forces of the Democratic Republic of the Congo (FARDC), be brought under a unified chain of command with genuine civilian oversight.[8] Both the army and police have enormous work to do to become modern and professional, but only if they do will the country's economic and political life gain the breathing space needed to begin a return to normality.

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[5] This is the current definition of security sector reform the EU uses. Generally, security sector reform refers to the demobilisation of combatants, the restructuring of security actors – military, para-military, and police – and civilian oversight. As such it is an integral part of good governance promotion. Most Western donors rely on an authoritative document developed by the OECD Development Assistance Committee (DAC), the key forum in which bi-lateral donors, the EU, the UNDP, IMF, and the World Bank coordinate development cooperation policies. Its guidelines are in "Security System Reform and Governance: Policy and Good Practice. A DCAF Reference Document", Organisation for Economic Cooperation and Development, Paris, 2004. The DAC is also developing an "Implementation Framework on Security Sector Reform" to guide concrete security sector reform activities in the field.
[6] The role of the judiciary in the Congo will be considered in subsequent Crisis Group reporting.
[7] These elections were postponed from their original date of June 2005. There is a possibility that may be postponed again, possibly to mid-May 2006. Crisis Group interviews, Brussels, February 2006.
[8] Forces Armées de la République Démocratique du Congo.

A. A DANGEROUS LEGACY

Efforts to reform the Congo's military and police start from levels that were in many respects less than zero. For years, even decades, the army, and to a lesser degree, the police did not exist to provide security for the public in any normal sense but were primarily predatory organs used by politicians and officers to pursue individual political aims and economic goals while perpetrating massive human rights abuses. New Congolese institutions and donors alike must avoid the pitfalls of the past.

Today's security system is a direct outgrowth of the structures set in place under colonial rule and maintained during Mobutu Sese Seko's dictatorship: an omnipresent, overstretched army with a weak police. Unlike other colonial powers, King Léopold and later the Belgian state did not distinguish between military and police forces. A single *Force publique* was set up in 1888 to maintain domestic public order and protect against external threats.[9] Although police, gendarmerie, and civil guard forces existed at different times after independence, Mobutu also tended to use the army against both external and internal threats. Fearing overthrow, he appointed officers from his tribal group and home region, Equateur province, to key positions and violently purged those belonging to other ethnic groups. He placed the army securely under his direct control and at times served simultaneously as commander in chief, head of the national security council, minister of defence and army chief of staff. He also created a two-track army whose elite units – the Special Presidential Division (DSP) with its infamous dragon battalion, the Paratrooper Corps, and the Military Operations and Intelligence Services (SARM) – received preferential training, pay and living conditions, while the rest often had to resort to extortion to make ends meet. This approach became his undoing. The creation of overlapping command structures and competing military forces badly weakened the very force upon which he relied to secure the country. When Laurent Kabila's Alliance of Democratic Forces for the Liberation of the Congo (AFDL) invaded in 1996, the army disintegrated, and the rebels captured Kinshasa with little resistance.[10]

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[9] During World War One, the *Force publique* drove the Germans out of Rwanda and Burundi and went as far as Tabora in Tanzania. During World War Two, Congolese forces were used against Italian troops in Ethiopia.
[10] Crisis Group interview with Dr Jacques Ebenga, Kinshasa, November 2005; Jacques Ebenga and Thierry N'Landu, "The Congolese National Army: in Search of an Identity", in *Evolutions and Revolutions: A Contemporary History of Militaries in Southern Africa*, Martin Rupyia (ed.), Institute for Securities Studies (Pretoria, 2005), pp. 63-81.

There was core professionalism among some of the favoured elite elements, and many leaders chosen by Mobutu (albeit those whom he saw as allies), were educated at the best military schools in Europe, the Middle East and the U.S. Similarly, the Congo had a reasonably coherent internal system of professional military education, assisted by various Western allies, before it lost favour due to its many abuses. Many of these more professional elements remain outside the current security structures or outside the country all together.[11]

Laurent Kabila also relied heavily on an elite unit, his presidential guard (GSSP).[12] His attempt at army reform was disastrous, in no small part because he entrusted it to a Rwandan general, James Kaberebe, who established the new Armed Forces of the Congo with Rwandan strategic interests in mind. Many former Mobutu soldiers died of starvation and lack of medical care at the Kitona training base where they were ordered to assemble for retraining, while Rwandans plotted to topple Kabila, whom they had just helped to install. Suspecting an imminent coup, Kabila in 1998 ordered his former allies, Rwanda and Uganda, to leave the country. Instead, they invaded, triggering the deadly war. In January 2001, he was assassinated by one of his own bodyguards and succeeded by his son, Joseph.

Joseph Kabila also had little trust in the national army, which contained numerous elements he viewed as hostile. He further reinforced the presidential guard with members of his father's Lubakat tribe and created his own presidential military office (*Maison militaire*), parallel to the national command.[13] The presidential guard, under his direct control, grew to between 12,000 and 15,000 while the national army remained weak and poorly trained, largely held together by Zimbabwean and Angolan support. Trained by the Angolan army, the presidential guard was dominated by Katangan officers.

The issues that emasculated the security apparatus in the past – confusion on the army's role, weak police, negligible civilian oversight, tribalism, unequal treatment, rampant corruption – are the same ones that plague the current security forces. Without external help, Congolese forces repeatedly proved ineffective against determined challengers, as in the two Shaba wars (1977 and 1978), and against Laurent Kabila's AFDL (1998). Today's army, which suffers from the same ailments, has been unable to repel on its own the Rally for Congolese Democracy (RCD) in 1998, take on the proxy militias of its eastern

neighbours, or quell militias of its own making such as the Mai-Mai in Katanga.[14]

The 2002 Sun City peace agreement created a power-sharing arrangement between the former belligerents, civil society and the political opposition. It distributed the main civilian posts in the transitional government to these signatories[15] and spelled out basic plans for governance, elections, reunifying the country and disarming and reintegrating armed groups. However, security sector reform was dealt with somewhat superficially, postponing the practical steps of integrating the various armies, police forces and security services.[16] In particular, the Sun City process failed adequately to define appropriate principles and mechanisms for forming the various factions into a new and genuinely unified national army.[17] Negotiators sought to keep command structures sufficiently weak that no single faction could control them and so created multiple competing power structures. No comprehensive security sector review was undertaken and thus no systematic effort was made to base the new security services on a careful assessment of risks, needs and capabilities.

In part the shortcoming of Sun City reflected the consensual nature of a complicated and overdue peace deal. The priority was to neutralise the impact of militias and end the fighting rather than genuinely overhaul the security services. While no former belligerent has refused to integrate his armed group, all have dragged their feet, first in drawing up a plan for army integration centres and then in sending their troops to be integrated. Staff officers in Kinshasa and at the provincial level were integrated by the end of 2003 but the troop deployment on the ground was unchanged well into 2005. Genuine reform would involve thorough restructuring and retraining of forces, not just the merging of undisciplined, disorganised militias. However, for many of the armed groups, including those controlled by President Kabila, integration and creation of more professional forces would be a clear threat to their power and sources of income and prestige.

For Kabila, control over the military, of which the ex-Armed Forces of the Congo was the largest part, was fundamental to reducing the influence of his political challengers as well as of Uganda and Rwanda, while protecting the

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[11] As many as 30,000 former army members may remain outside the country, Crisis Group interview, Congolese security expert, Kinshasa September 2005.
[12] *Groupe spécial de sécurité présidentielle.*
[13] Decree 024/2002, reprinted in *Le Palmares,* 25 February 2002.

[14] See Crisis Group Africa Report N°103, *Katanga: Congo's Forgotten Crisis*, 9 January 2006.
[15] There was substantial discussion over whether all warring parties should be considered on an equal footing or Kabila's "army" would integrate the other forces. In the end, the latter view prevailed.
[16] See Crisis Group Africa Report N°44, *Storm Clouds Over Sun City: The Urgent Need To Recast The Congolese Peace Process*, 14 May 2002.
[17] The Global and All-Inclusive Agreement (17 December 2002) and Final Act (2 April 2003).

interests of his mainly Katangan power base. He correctly assumed that as long as he held the presidency he could exercise significant control and influence over security matters despite accepting Vice President Azarias Ruberwa of the main RCD faction as responsible for the Commission on Political and Security Matters.[18] While that body was given power on paper to steer the Superior Defence Council, comprising the key national security players, it did not meet until January 2005, eighteen months after the transitional government began.[19] Kabila maintained the Presidential Guard as the core of a personal defence force, while all the other main leaders kept smaller independent contingents.

The primary responsibility for security logically rests with the transitional government but the politics of the transition have limited reform. Most of the factional players appear eager to retain the loyalty of their militias to keep open the option of returning to violence after elections. Equally important, the Balkanised state of the security services remains intrinsically linked to the nation's severe corruption problems, with the private armies tied to illegal deals of all sorts.

Resources are also vital to the security equation. The government's ability to pay its police and army will be limited well beyond the end of the integration process. Donor support for security sector reform has not been commensurate with needs. While the international community spent over $2 billion in the Congo for 2005 alone, the largest part went to health care, education and transport.[20] Moreover, funding for security reform has largely concentrated on providing demobilisation packages rather than building up the army and police. But without improved security structures, the country remains a house of cards and the hundreds of millions being spent on the elections could have a limited return.

II. THE POLICE

A. BACKGROUND

The Congo police have never been able to provide basic law and order and have themselves ranked among the top abusers of citizens' basic human rights. Continuously reshuffled, reorganised and purged, they have never developed into a coherent force. From colonial times, they have been highly fragmented, poorly trained, and ill-equipped poor relations of the army.

The Belgians created a single *Force Publique* to fulfil dual missions of domestic and external security. When this proved unworkable after the First World War, the force was split on paper between Garrison and Territorial Service troops but all were under the control of the head of the *Force Publique*,[21] and the reform lost much of its purpose as they were rotated periodically. In 1933, the commandant noted that Territorials were incapable of conducting "serious operations of whatever scope", a complaint that, except for Kinshasa, holds true for most of the police force today.[22] In 1959, Territorial forces in effect became the Gendarmerie, and by independence a year later there were three distinct police forces: Gendarmerie, local police, and the traditional Chief's Police.

True to his divide and rule approach, Mobutu played the fragmented forces against one another amid persistent staff reshuffles. In 1972, he dissolved the National Police, shifted its functions to the National Gendarmerie, which was divided into police and paramilitary components,[23] and transferred the National Gendarmerie from the interior ministry to the defence ministry under his direct oversight. Large numbers of police whose loyalty were viewed as suspect were dismissed.[24] The creation of the National Gendarmerie in the early 1970s further solidified Mobutu's power but did little to improve the effectiveness of policing. Separate local police were still in existence and equally underpaid. Both forces received scant training and such

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[18] The sharing of the command structure was another tough issue. Eventually, the chief of staff and chief of air force positions were given to Joseph Kabila's party, while the RCD and MLC received the ground forces and naval commands respectively.
[19] The Superior Defence Council is chaired by the president and consists of the four vice presidents; the ministers of defence, interior, decentralisation and security, and foreign affairs; the army chief of staff (his deputies may also be invited); and the air force and navy chiefs of staff.
[20] Figures denoted in dollars ($) in this report refer to U.S. dollars.

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[21] Garrisons troops were the equivalent of the army and were responsible for dealing with large security threats and border security. Territorial troops were similar to the police, charged with everyday maintenance of order.
[22] Sandra W. Meditz and Tim Merrill (eds.), "Zaire: a country study", Federal Research Division, Library of Congress, Washington DC, 1994, at lcweb2.loc.gov/frd/cs/zrtoc.html.
[23] Ibid.; also Colonel Mamadou Gueye Faye and Stéphane Jean, "Police Reform in the Democratic Republic of the Congo" in Anicia Lalá and Ann M Fitz-Gerald (eds.), *Providing Security for People: Security Sector Reform in Africa* (London, 2003).
[24] Martin Rupyia (ed.), *Evolutions and Revolutions: A Contemporary History of Militaries in Southern Africa*, Institute for Securities Studies (Pretoria, 2005).

minimal pay that they often looted the citizens they were designated to protect.

Mobutu launched another major reorganisation in 1984, decentralising the police and establishing an elite Civil Guard mirroring the army's Special Presidential Division (DSP). The Civil Guard was mandated to handle normal police functions and border control. This was seen as a further effort to ensure loyalty to the president by creating another echelon of elite police units and reshuffling senior management. The National Gendarmerie continued to function at the local level. Neither force was particularly effective, though police were much more present in urban areas than the countryside. By the end of Mobutu's reign, there were, as in colonial times, three separate entities: the elite Civil Guard, the National Gendarmerie and the local police.

Mobutu's fall brought changes to the police structure although reform remained elusive. In 1997, Laurent Kabila essentially recreated the National Police by merging the Civil Guard and National Gendarmerie. However, during the war, the police remained largely unarmed and completely marginalised. Routine tasks – for example, arrests of criminal suspects – were often assumed by the various armed groups or neglected. Many present police officers are demobilised soldiers, including Mobutu troops, *kadogos* ("young ones") from Laurent Kabila's militia and veterans of the war-time "popular self-defence forces". Many have never received formal police training and are closely aligned to local power structures.

Contrary to what it did with the army, the Sun City peace agreement did not commit the parties to create an integrated national police structure.[25] In 2002, the transitional government issued a provisional decree that gave the National Police power to patrol the entire country and eliminated many vestiges of earlier decrees regarding the Civil Guard and National Gendarmerie. So far, with the exception of Kinshasa, the police have remained under-funded, ill-trained and mostly inefficient. The crime rate is high, with robbery, violence and rape prominent threads in the national tapestry. Making matters worse, the police, who have prime responsibility for ensuring the security of the April 2006 elections,[26] have often been associated with many of these abuses while enriching themselves blatantly. This corruption is endemic and fundamental, and donors need to be realistic about the level of training, vetting and behaviour modification required to produce meaningful change.

Police often operate in poor living and working conditions. Pay is insufficient and increasingly irregular the further one moves from Kinshasa. Congolese call the nearly destitute traffic police the "bras tendus" (outstretched arms) because they always beg for money. Officers in Kisangani and Mbuji Mai complained that their salaries were sometimes paid partially or not at all, and their commanders would retain their food rations.[27] Police who provided security during the electoral registration process and often travelled at their own expense to remote areas received their paltry $10 a month plus an additional $1 a day from a fund for election security only upon completion of the registration.[28]

The problem is even more acute as one moves eastward, where police who were not on the force before the war are not registered and thus not paid. It is not uncommon that in a twelve-person station, seven are registered and paid, while five have to make do with what comes along, usually by way of extortion. Police often have such poor working facilities that pen and paper are luxuries in their stations. They have little incentive to make arrests since in many towns there is no jail. Where they exist, conditions are so dire that many prisoners die of malnutrition if they do not escape. Territorial police face dual discrimination: they are paid less and receive only six days of training, compared to the 90 and 180-day courses given the specialised units. Territorial police training has been exclusively oriented towards election security, providing few tools to deal with the daily threats.[29] Without proper training, many will remain a force for instability.

B. PLANS FOR REFORM

Because the police were not involved in the bulk of the fighting during the several wars, Congolese authorities and donors were slow to take on their reform. Upon entering the transitional government, each former belligerent was entitled to a certain quota of police, a third of which had to be "officers", even if they lacked the necessary training. While the former rebels have strained to find the necessary numbers of qualified personnel, highly trained officers in Kinshasa belonging to the former National Police had to

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[25] Only the integrated police units of Kinshasa were included in the agreement.

[26] Presidential decree 05/026 of 6 May 2005 regarding the operational plan for securing the electoral process.

[27] By the end of November 2005, the registration process had claimed the lives of 23 policemen who had died either burned alive in barges, of starvation or from falling off a truck. Crisis Group interview with senior MONUC official, Kinshasa, November 2005.

[28] In the run-up to elections, donors created a $48 million fund managed by UNDP for equipping and training the police to secure the process.

[29] The five-week course contains five modules: police ethics, the police's role in securing the election, basic notions of first aid, structure of the state and offences against the law on voter identification and enrolment. "Plan Global de formation de la Police Nationale Congolaise", MONUC Police.

be laid off. As in the army, the problem of finding officers was particularly severe for Mai-Mai. During integration, many of these appeared never to have been registered in any accounting of police manpower or to have received prior training, and many were illiterate.

For the most part the police emerged from the war as a weakened and marginalised service. Two procedures are under way to determine their strength, by the Ministry of Interior and by a South African company, but both have run into problems, and their reliability is questioned. The best estimates suggest police in the various factions total 70,000-80,000 men. [30]

Following the appointment of a police high command and provincial inspectors in mid-2004, a national police seminar was held in August 2004. The integration process proved so complicated, transport so difficult and housing so scarce, however, that in October 2004 the Joint Commission on Security Reform, in which Congolese authorities and donors meet, abandoned national integration and decided to proceed at a local level.

Police reform has gone forward on an ad hoc basis driven by what individual donors were willing to provide rather than on the basis of a long-term strategic plan. These reforms have not been without success; for example, when the elections were postponed in June 2005, demonstrations in Kinshasa were handled well for the most part. However, there is little coordination among the main donors – France, EU, South Africa, Angola and MONUC police – on the training and the nature of the force. The bulk of the effort has focused on Kinshasa, and there is virtually no long term plan. A police reform reflection group (*groupe de réflexion*) was only recently established to improve coordination between MONUC, the European Commission, the EU police mission (EUPOL) and bilateral donors.

To secure the elections, a 38,000-strong police force is meant to be in place by April, consisting of three type of units:

❑ Specialised units, which are mobile police meant to be deployed rapidly anywhere in the country. In total, they will number 9,000. These include the Rapid Intervention Police and the Integrated Police Unit. The former are trained for swift deployment in major cities, including 1,000 by Angola and 2,000

by France, which also plans to train another 500. The European Union has trained 1,008 members of the Integrated Police Unit, the largest part of which guards the transitional institutions in Kinshasa. [31] In addition, MONUC trained 370 Integrated Police in 2004 to ensure stability in Bunia.

❑ Territorial forces, which are local and decentralised. Each province and Kinshasa has its own branch, supervised by the General Police Inspector, who has two deputies, one for operations, one for logistics. These forces deal with local infractions such as traffic offences. Their target size is about 20,000 to 25,000, but may vary according to the number of voting offices. [32] They are being trained mostly by MONUC, while around 300 members of a Mobile Intervention Group (GMI) have already been trained by South Africa.

❑ Specialised services include criminal investigators, integrated in police units or attached to a tribunal. [33]

Unlike the army, there has been no nationwide integration of the police. There was an effort to integrate the various factions into the specialised units, but not the territorial police. For the latter, the existing police were maintained, and training was decentralised to the provincial level. Because most Congolese police have received no training over the past decade, six centres are to be established in Kinshasa, Lubumbashi, Kisangani, Mbandaka, Bukavu and Matadi. [34] The police integration process proceeded efficiently at the higher officer level but has been more problematic for the lower ranks. Except for Kinshasa and Kisangani, the training of new police has been excruciatingly slow with less than 5,000 produced to date. This is a troubling trend given the environment of insecurity, which jeopardises the considerable investment made in the organisation of the first free and fair elections in nearly half a century.

The decentralised training of the territorial (local) police that started in January 2005 required far more trainers than the 160 whom MONUC had available, forcing it to rely on 765 Congolese trainers. By December 2005, 17,500 men were said to have gone through a limited

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[30] UN Secretary-General, "Third Special Report on the Democratic Republic of the Congo", S/2004/650, 16 Aug 2004. These procedures to determine manpower in the security services are referred to by officials in the Congo as censuses. In addition to the counting of personnel, they are intended to involve issuance of identification cards containing detailed information which is also to be entered into a master database.

[31] Training of the Integrated Police Unit, which was originally to have been completed by the end of 2005, is now expected to continue to the end of 2006.
[32] The electoral law, which the parliament was still discussing in early February, will determine the number of voting offices.
[33] For historical perspective of security sector reform during the transition, see Henri Boshoff, "Summary Overview of Security Sector reform Processes in the DRC", Institute for Security Studies Situation Report, 6 January 2005.
[34] These seem to progress slowly. In December 2005, the training centre in Kisangani had encountered transportation difficulties and was far from operational.

course that focuses heavily on the elections but is troublingly short on basic policing skills relating to a regular criminal investigation, including what to do in relation to crime scenes, arrests, interviewing, taking down statements, collecting evidence, child protection and sexual violence.

Specialised units have been better trained but in practice coordination remains problematic at best between donors who have diverging philosophies on the nature of these forces and whether they should serve as a civilian police without lethal weapons or as an anti-terrorist force. The difference of approach was apparent during the management of street protests that followed postponement of the elections in June 2005, when most police performed well but Angolan-trained units adopted a heavy-handed approach to crowd control. This is further complicated by the fact that many police are former military.

Training of additional units, such as criminal investigation police, is currently under consideration. Some 1,000 of these specialised police are to be based in Kinshasa, but overall several thousand should go through a refresher course. France is planning to create an academy for judicial police. Other projects also include training border police, telecommunication police and intelligence police.

As noted, a $48 million international fund has been set up to provide police with essential equipment.[35] It is managed by the United Nations Development Programme (UNDP), and meant to be used to buy vehicles, clothing, communications and office gear. Some have expressed concern about the disbursement pace, however, given the nearness of the elections and especially with respect to units outside the capital. Kisangani's Mobile Intervention Group, for instance, is anything but mobile and is usually unable to reach crime scenes in a timely fashion.[36]

C. THE ROLE OF THE INTERNATIONAL COMMUNITY

The international community has assisted the Congolese state to establish a few highly efficient police units but on a remarkably ad hoc basis. The main players – MONUC, the EU, France and Angola – have each trained specialised units of their own, usually in Kinshasa, with disparate structures and methods of engagement. This makes joint operations and general management of the units a challenge. MONUC and the EU have only recently taken the welcome step of training the local territorial police

who will carry much of the security burden during the electoral process. Because donors have tended to focus on the elections, however, they have essentially created police who are good at crowd control while neglecting their other core functions. Based on the apparent assumption that the army will do it, little is being done to tackle the protracted violence in the countryside, particularly in Katanga and the East.

1. The European Union and Member States

The EU, while a significant contributor to the Congo's transitional process, has come to security sector reform issues later than many of its member states. This is partly because its relevant institutions, the Commission and the Council, diverge somewhat on their understanding of what constitutes security sector reform, though they are working to develop a common concept.[37] The Commission sees it as part of its good governance agenda and favours a "broad security concept, which focuses not only on the external security … but increasingly on … human security, both in terms of individuals' physical security [and] the protection of their rights".[38] The Council appears to have a narrower understanding of its security mandate but it also recognises that most EU intervention will require a mix of civilian and military components, which has led to the creation of a civilian-military cell in its secretariat.[39] In the words of High Representative Javier Solana: "For sustainable ESDP [European Security and Defence Policy] missions, civil and military initiatives need to be better linked to the EU's longer term conflict prevention and development programs and vice-versa. We should develop integrated military and civilian…[security sector reform] teams, including the full spectrum of necessary competencies".[40]

The Commission and Council together adopted a strategy for Africa in 2005,[41] the objective of which is to establish

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[35] "Projet d'appui à la sécurisation des élections en RDC", joint UNDP and Independent Electoral Commission (CEI) document.
[36] Crisis Group interview with senior policemen, Kisangani, December 2005.

[37] In July 2005, the Council's Political and Security Committee (PSC) mandated the Council Secretariat to develop, in co-operation with the Commission, a draft EU concept for security sector reform for ESDP missions. In parallel, the Commission is to flesh out, in close cooperation with the Council Secretariat, a security sector reform concept of its own. The goal is to merge these concepts into an overall EU security sector reform strategy by the end of the current Austrian Presidency in June 2006.
[38] Commission Services background paper on security sector reform, p. 2
[39] "EU Concept for ESDP support to Security Sector Reform", Council of the European Union 12566/05, paragraphs 22 and 23.
[40] "Contribution by EU High Representative Javier Solana to the EU Strategy for Africa", 21 November 2005, Council Doc. S377/05.
[41] "Communication on EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development", COM 2005 (489); "The EU and Africa: Towards a Strategic Partnership", 15702/1/05.

a single, comprehensive framework for EU-Africa relations over the long-term to help the continent meet the Millennium Development Goals by 2015. Most notably for the purposes of this report, the EU strategy gives primacy to peace and security as precursors to effective development, recognising the importance of security sector reform by committing to "enhance [EU] support for post-conflict reconstruction in Africa, so that we secure lasting peace and development. We will support in particular…Disarmament, Demobilisation and Reintegration, and Security Sector Reform programs".[42]

In many respects the EU has now positioned itself well in key areas. Following an official request from the transitional government for assistance in establishing an Integrated Police Unit in October 2003, the EU Council's Political and Security Committee agreed in December 2003 that the EU should support the establishment of this body through three primary efforts:

❑   refurbishment of a training centre and provision of basic equipment;

❑   training; and

❑   subsequent advising, monitoring and mentoring.[43]

The Commission uses European Development Fund money and in-kind contributions from the member states for implementing the first two components. Its support has included technical assistance, rehabilitation of the operational headquarters, equipment and training. These projects, budgeted at €9 million, started in May 2004 and will run to December 2006.[44] The sum is modest given what must be done to bring the dilapidated forces up to a reasonable standard. The actual establishment of the Integrated Police Unit began in January 2005 and, as noted, 1,008 men have now been partially trained.[45] With the basic training largely completed, the goal is now to deploy this force as escorts for transition authorities and as a reserve to help other police maintain order in Kinshasa. The Commission is also contributing €24 million via the UNDP fund for electoral security, with a target of training

the 38,000 current police described above to cope with election demands.

In December 2004, the Council's Political and Security Committee set up an ESDP civilian police mission, EUPOL, in Kinshasa to address the third and final component of EU support for the Integrated Police Unit (UPI), advising, monitoring and mentoring for one year.[46] The mission became operational only on 1 May 2005,[47] partly as a result of difficulty reaching agreement in the Council about its form and partly a reflection of the fact that EU crisis response capabilities are still being perfected. Together the lengthy EU decision-making process and implementation procedures and slow Congolese reactions meant precious time was lost.[48]

Javier Solana made several important recommendations for EUPOL in October 2005, primary among them keeping the mission in place until after the elections, increasing its size by ten more observers, and expanding its mandate to take a greater role in donor coordination of security sector reform. As a result, the mission's mandate was extended in November 2005 for a year and its police officer complement was increased from 19 to 24 in January 2006.[49] Though no new money was allocated –

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[42] "The EU and Africa", op. cit., Arts. 4 and 4a.
[43] Council Joint Action, 2004/494/CFSP, 17 May 2004.
[44] The €9 million is drawn from mixed EU funding managed by the Commission. The Commission funds the training and equipment up to €7 million; the rest comes from the Common Foreign and Security Policy (CFSP) budget and member states. The Commission fully trained the Integrated Police Unit, while lethal equipment for it was provided by member states through bilateral funding since the Commission's European Development Fund is subject to OECD/DAC eligibility guidelines for Official Development Assistance (ODA) that bar assistance for arms and ammunition. Also see the discussion in Section IV C (1) and fn. 108 below.
[45] See fn. 31 above.

[46] Council Joint Action 2004/847/CFSP, 9 December 2004. The standard chain of command for ESDP missions applies: the Political and Security Committee, under the Council, exercises political control and strategic orientation; the Council or the Political and Security Committee on its behalf takes decisions regarding the objectives and termination of the mission, including, as appropriate, amendment of the chain of command and operation plan; EU Special Representative Aldo Ajello gives political guidance to the head of mission.
[47] The mission, headed by Portuguese Superintendent Adílio Custódio, has personnel from Portugal, Belgium, Italy, Sweden, France, the Netherlands, and non-EU members Turkey and Canada. EUPOL's budget for 2005 was €4,370,000 (coming out of the CFSP budget), plus contributions in kind (equipment, police officers) from Portugal, Belgium, the Czech Republic, Germany and Hungary, and further financial support from the Netherlands, the UK, Luxemburg, Ireland, Denmark and Sweden.
[48] The requirement that EUPOL staff be French-speaking in order to operate effectively in the Congo has contributed to the difficulty of recruiting qualified personnel from member states. Crisis Group interview, Brussels, 10 November 2005.
[49] The total size of the mission, including support staff, will rise to 38. Although focus will be on developing the Integrated Police Unit first, EUPOL will also be looking to support EUSEC and MONUC as part of its strengthened mandate. There is some contact and exchange of information between the two EU missions, although no formal coordination structures, and there is a natural overlap between army and police responsibilities. For example, EUSEC is looking at some civilian aspects such as customs and the police, and EUPOL can offer police expertise to both EUSEC and MONUC where appropriate. To date, EUPOL has largely worked in isolation from MONUC, though

some remains from 2005 due to the delay in deploying the mission – EUPOL will provide the Integrated Police Unit with additional continuous training in human rights, crowd control, and marksmanship. Solana's call for a wider EUPOL mandate in reforming the Congolese police will be considered by the Council on the basis of the recommendations expected from police reflection cell by mid-May 2006.

In October 2005, President Kabila requested the EU to train another integrated unit of 500 police officers before the elections. The Commission agreed initially and had planned to use money earmarked to support the electoral process. However, because the initial Integrated Police Unit of 1,008 is not yet fully trained, and the additional 500 might well not be operational by the elections, it is now unclear whether this will be undertaken.[50]

Among EU member states, France has trained and equipped 2,000 Rapid Intervention Police at a cost of €2 million and provided a senior officer to assist the Rapid Intervention Police commandant for two years.[51] It has also provided twelve of the nineteen trainers for the Integrated Police Unit and ten members of EUPOL. It plans to increase aid further after the elections. French security sector reform aid is divided between three ministries, defence, interior, and foreign affairs. By contrast, the British Prime Minister's Strategic Unit has developed a single decision making platform and been a forceful advocate of a unified European approach. The UK development agency, DFID, has given bilateral technical support to police reform, mostly for elections, since 2004. It has earmarked up to £8 million for training and equipping the police to provide election security[52] and supplied £253,000 in radio equipment. Of all donors, the UK has probably gone furthest in developing general security sector reform policy guidelines. A DFID official said: "We are planning to increase our level of support for security sector reform programs next year. We consider this key to stability and peace pre- and post-election".[53]

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establishment of the Integrated Police Unit usefully relieved the peacekeepers of some VIP protection tasks in Kinshasa.
[50] Crisis Group interviews, Brussels, November 2005 and February 2006.
[51] All Rapid Intervention Police units were integrated according to pre-determined quotas from police controlled by the former government, the MLC and the RCD. Mai-Mai police were not included. France plans to send Rapid Intervention Police units to police schools in Cameroon and Senegal for short courses. The training of one Rapid Intervention Police battalion of 500 men costs about €80,000. Crisis Group interview with Franck Paris, vice director for Central Africa, Ministry of Foreign Affairs, Paris, December 2005.
[52] £4 million has already been provided.
[53] Crisis Group e-mail correspondence with Patrick Merienne, conflict adviser, African Conflict and Humanitarian Unit, DFID,

2.   Angola

Angola has been actively involved in the Congo since Laurent Kabila began his rise to power in 1996 in a campaign supported by a broad alliance of the Congo's neighbours in central and southern Africa. The two countries share a 2,511 km border, which is a security risk for both. Their membership in opposing Cold War alliances often involved support for proxy guerrilla movements and direct attempts at destabilisation. Angola's immediate interest at the time was to deny the rebel National Union for the Total Independence of Angola (UNITA) the sanctuary it enjoyed under Mobutu as well as to capture members of the Cabinda Enclave Liberation Front (FLEC), which seeks independence for that oil-rich enclave.[54]

Angola seeks not only to protect its substantial oil interests but also to gain access to the Inga dam, which has the potential to provide electricity to the entire country. Angola and the Congo finally became close allies when Laurent Kabila asked Luanda to intervene during the 1998 attempt by Rwanda and Uganda to topple his government under the guise of the domestic RCD insurgency. Angolan troops blocked access to the capital and then cut the retreat of the Rwandan and rebel troops.

Under a bilateral agreement, an Angolan general is in charge of efforts to integrate both the police and army. Angolans run a training program for 3,800 police, 80 members of an anti-crime brigade and 40 police trainers. Luanda is considering training three additional battalions for crowd control. From its start, the program has been comprehensive including not only training, but also provision of equipment, transportation, lethal weapons, ammunition, food, medical care and a training centre at Kasangulu. The training is similar to that given anti-terrorist squads. Originally designed to last 90 days, it has had to be doubled due to the poor condition of the trainees. Due to the near complete absence of local capacity, the cost of these programs has increased from $8 million to $18 million. Angolans complained about the lack of donor coordination and a uniform training program.[55]

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24 November 2005.
[54] In January 2005, several FLEC officers were seized by the Congolese intelligence services in the Bas-Congo and handed over to Angola. The head of the intelligence services, José Djamba, was fired in the process. President Kabila was not happy about the outcome as he had claimed there were no more FLEC in the region. Crisis Group interview with senior provincial officials, Matadi, November 2005.
[55] Crisis Group interview with head of Angolan military cooperation, Kinshasa, November 2005.

3.   South Africa

South Africa's crucial role in the negotiations that led to the end of the last war and its new leadership positions in Central Africa and the Southern Africa Development Community (SADC) have led it naturally to take on important responsibilities for security sector reform. According to its agreement with the Congo, it conducts various training programs. Two groups of twenty police are receiving courses in South Africa in intelligence, operations and crime control. Some 300 were trained in Kinshasa and equipped for crowd control management, and 80 operational commanders were trained in South Africa with Japanese and Swiss sponsorship. South Africa is to use the same curricula as the French. A special headquarters course will be given to 30 police, but no equipment provided. The bill for all this is $5 million, but the South Africans stress that security sector reform must ultimately be paid out of the Congolese budget.[56]

4.   The United Nations

MONUC's primary role in security sector reform is within the Joint Commission co-chaired by the Special Representative of the Secretary General (SRSG), Ambassador William Swing, and Vice President Ruberwa. MONUC, which also supports the work of the two sub-commissions on police and army reform, is divided into two operations: the military, which is by far the largest, and the police training program (MONUC Police). The latter has focused on training police trainers as well as the initial Integrated Police Unit of 350 that was deployed to Bunia in mid-2004. In 2005, MONUC trained 765 Congolese police instructors, who together with 160 MONUC instructors are now training territorial policemen who are to provide election security.[57]

As a consequence of the recognition of the risk of increased political violence in cities as the electoral season progresses, Secretary General Kofi Annan requested and received an additional 841 MONUC Police.[58] Some 625 of these will be used to form five additional 125-person units to conduct duties in cooperation with the National Police. In response to increasing urban unrest in Katanga, two such units were deployed to Lubumbashi by January 2006. The other reinforcements are being used to advise approximately 20,000 Congolese territorial police.[59] MONUC additionally has developed a new concept of operations

for police support that seeks to integrate its personnel far more with the Congolese structures than initially envisaged, including "the co-location of MONUC senior police officers at general and provincial inspector level to advise on operations planning and management, while at the same time building capacity from the bottom up".[60]

D.   THE STATE OF PLAY

Police reform started off with far less attention than military restructuring but has had some modest successes. Police made a generally positive showing during the demonstrations on 30 June 2005, when they put down street protests and dispersed the crowd. Around 2,500 Rapid Intervention Police and 1,000 Integrated Police Unit personnel were deployed in this operation. However, President Kabila has limited trust in the force and stationed approximately 600 Angolan-trained police in Kinshasa as a precaution should the non-recycled police prove unreliable.[61] Ultimate success depends on continued support of the trained units. As army reform has shown, even well trained and equipped units can disintegrate or turn against the local population if not regularly paid and kept under a responsible and apolitical command.

While the National Police is a unified structure on paper, its practical organisation reflects both the divisions of its predecessor organisations and the backgrounds of its diverse personnel. The unequal training of various elements is causing acute problems at the officer level. Police are paid not according to their rank, but to their function. Moreover, the police command took some time to recognise the functions and ranks of former rebel police officers. The commission in charge of examining the ranks within the different components started work only in September 2005. This has created tension as officers belonging to the former Congolese forces receive an officer's salary, while those belonging to other factions have to make do with the average policeman's pay. It is, therefore, important that the accounting of police manpower that is underway take note of ranks.

Except for the special units trained and equipped by donors, most police suffer from the same – if not more acute – problems as the army, but draw less international notice. The first need is for a reliable accounting of numeric strength. The current force is estimated at somewhere between 90,000 and 120,000 but the target for the future force is closer to 40,000. Unlike in the army reform process, police are not given the option of accepting

[56] Crisis Group interview with South African Ambassador Sisa Ngombane, Kinshasa, November 2005.
[57] By the end of November 2005, MONUC claimed to have trained 17,855.
[58] UN Security Council Resolution 1621 (2005), 6 September 2005.
[59] Ibid.

[60] UN Secretary-General's Special Report on the Elections in the Democratic Republic of the Congo, 26 May 2005.
[61] Crisis Group interview with senior MONUC police official, Kinshasa, November 2005.

demobilisation although some are elderly. These figures do not take into consideration specialised forces such as immigration police or personnel of the National Intelligence Agency (ANR) for which no integration is planned and which constitute parallel structures that escape traditional command chains. In the eastern city of Goma, new ANR officers were nominated in October 2005 without prior approval of the interior minister.

There has also been little thought given to overall structure and roles. There has been no comprehensive assessment of policing needs or of government resources, resulting in a situation where donors must meet the bills in the short term while the Congolese have little say about the force they will end up owning over the long term. Donors have shaped individual units according to national preferences, philosophies and practices. This approach is all too reminiscent of the Mobutu era, when favoured elite units thrived but mainstream units were neglected. The decree on electoral security and the Global Plan focus on implementing police reform but both fail to consider fully the country's current threats or make a realistic assessment of the available means to develop a sustainable force.[62]

Entire categories of crimes continue to go largely unpunished. Although sexual violence is widespread, no specialised squads have been established.[63] Children receive no special care and are routinely rounded up by police. Before Christmas 2005, for example, the governor was keen to clean Kinshasa's streets and sent children to the provinces where they were strangers. In November 2005, several hundred children were arrested on an administrative order from the governor instead of the inspector general, leading to strained relations between judiciary and administrative authorities. Given the sorry state of most prisons, NGOs took it upon themselves to feed the children.[64]

The most important threat that has not been addressed in police reform, however, is the deadly consequence of protracted insecurity, particularly in Katanga and the East. While all seem to focus on the elections and training for urban riot control, particularly in Kinshasa, there are still more than 1,200 war-related deaths daily, mostly due to easily preventable diseases and malnutrition as a result of the collapse of infrastructures and health services in war-torn areas. With the army overstretched, specialised units should be made available in the countryside to help combat

armed gangs that prey on the local population. Experts believe there is a gap in the security system, with police concentrating on urban centres while the smaller towns and countryside are mostly unattended. In the past the army has tended to intervene in such instances, leading to many human rights abuses as its troops are not trained to deal with civilians. In the longer term, a special force – preferably a gendarmerie – should be set up to tackle security in the countryside, freeing the army to defend against external threats. Fighting often starts with a handful of armed men and gets out of control before the army intervenes. The Kilwa incident in Katanga is particularly telling: on 14 October 2004, no more than six or seven men were able to gain control of the town in a few hours. By the time a heavy-handed army had restored order, the incident had claimed over 100 lives. Better armed and trained local police could deal with such issues and free the army to concentrate on securing the borders and take on larger armed groups such as the FDLR. This would be a major first step toward helping the Congo achieve a normal security environment.

In the run up to elections, serious unrest is likely to occur in the provincial capitals, where the often aging, poorly trained and ill-equipped police seem unable to take on youth gangs used by political leaders to intimidate. In Kisangani, these groups call themselves Bana États-Unis, Bana Chine, Ligue Arabe, Kata moto, Monde Arabe, Anti Terroristes, and in Katanga, Brigade des Martyrs, Zoulous, GSS, Les Enfants Perdus, Brigade Rouge, Les Invisibles, Les Amazones and the Scorpions.

Although the inspector general is in theory the head of Congolese police, he has been stripped of much of his power by the minister of interior. While the minister is supposed to follow the inspector's proposals in appointing new police, he tends to ignore them and choose his own candidates. This has institutionalised a dual chain of command and also allowed corruption to continue to thrive. Some of Kinshasa's best police units are rented out for private security and can be seen guarding the entrances of luxurious mansions. It may be guessed whether such rentals actually benefit the unit as a whole – or only a handful of unscrupulous individuals.

E.   THE WAY FORWARD

The relatively peaceful constitutional referendum in December 2005 may not have been a reliable indicator of the electoral campaign ahead since all the former belligerents supported the revised constitution. For the April elections, a dependable police presence will be critical. The police will be expected to respond first to protests and riots; mishandling, especially through unnecessary or excessive force, could have significant political effects. Where the police can establish a strong

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[62] Presidential decree 05/026, 6 May 2005 regarding the operational plan for securing the electoral process; MONUC police, *Plan global, formation de la police nationale congolaise* (2005).
[63] Crisis Group interview with head of MONUC Police, Commissaire Divisionnaire Daniel Cure, Kinshasa, November 2005.
[64] Crisis Group Report, *Katanga*, op. cit.

presence, the army, which should only be involved when absolutely necessary, will need to do less. Heavily deployed army units could themselves cause turbulence.

Much more work is needed for assessing police capabilities and needs, which will be necessary in any event if the country is to create an effective and sustainable force. The new police reflection group is apparently making a start on the process but both Congolese and donors must adopt a longer-term perspective, which requires considerable donor help and a reduction of overall police manpower in the short-term, before a growing economy can accommodate a larger force.

Donors must urgently expand their involvement in police reform and provide better equipment as well as longer training of the planned 38,000 police who will have to protect civilians, not only provide election security. Given the high prevalence of sexual violence against women and child abuse, specifically trained and equipped squads should be established as a priority.

Several further important steps are needed. A reliable, computerised accounting of manpower has already been mentioned. The commission in charge of evaluating police ranks of those who have been integrated from the various factions needs to complete its work so police can be properly paid according to their experience. In training, there is a clear need to offer not only human rights codes and norms but also practical grounding in the operational details of policing. Importantly, to combat corruption and promote loyalty to the force, further donor aid should be conditioned on separating the payment of salaries from the chain of command, as is being used for the army. It would be logical for EUPOL to play an important role in this since the EU's military mission (EUSEC) is doing so with the army.

A comprehensive police plan is urgently required of the sort that the police reflection group reportedly has begun to work on and hopes to complete by May 2006.[65] The Congolese administration and donors have not done enough to break with the troubled past during which an impoverished, under-trained force was spread across the countryside while special riot control units patrolled large cities. While this design may have met Mobutu's needs, it does not correspond to current threats. The wait-and-see attitude of preparing electoral security but dealing with the sources of protracted violence later will leave an unstable Congo. More investment in the police would be an essential first step toward curbing the appalling mortality rate. The joint Congolese and donor police reflection group that was recently formalised is a step in the right direction but in itself is insufficient.

III. THE ARMY

A. BACKGROUND

The Congolese have never had an army that provides them with a secure environment. During the colonial period and under Mobutu's rule, the army served as a predatory tool for the ruling elite. Since independence, it has been largely unable to repel foreign invaders without external support and has been routinely deployed to quell public dissent, a fundamental perversion of its mandate that has been a prime cause of its operational difficulties. Riven by factional interests as it is, many still view it as a major cause of insecurity.

1. Ghosts

Many of the army's worst tendencies trace directly back to the colonial period, when commanders tended to use their considerable autonomy to pursue their own agendas, training was minimal, and the purpose of the force was essentially to help the civilian authorities occupy and plunder territory. During the two world wars, colonial authorities tried rather unsuccessfully to separate the mandates of the *Force publique*, internal policing and protection against invasion. A true separation of duties took place barely a year before independence. Yet, just days after independence, as the army was fragmenting along ethnic boundaries, the Belgian commander, Emile Janssens, famously wrote to his troops: "After independence = before independence".[66]

For the next eight years, no less than four rebellions, in Katanga, Kasai, Kisangani and Kikwit, drew much of their support from the local units of the *Force publique*. The remainder of the army performed poorly and was unable to maintain peace without substantial external help. Once order was restored, the army conducted extensive reprisals against those whom it suspected of supporting the various rebel movements. This pattern of foreign involvement and harassment of civilian populations has been an unfortunate hallmark. Further, the multiplicity of foreign training programs not only made it difficult for officers to operate together, but also fragmented the force and created competing groups that all thought their training superior.

Mobutu regularly purged and rotated army officers, further dividing the force and making any real *esprit de corps* difficult. He created a two-track army where privileged units were treated vastly better than an essentially vagrant territorial army of 50,000 that had poor communication

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[65] Crisis Group interview, EU official, February 2006.

[66] "Zaire: A country study", op. cit.

and cooperation among its units. The majority of the army was poorly trained, divided and so badly paid that it regularly resorted to looting. By the 1990s, abuses had become so extreme that villagers would sometimes mount angry attacks against the most vulnerable branch of the security apparatus, the inadequately armed police.

Laurent Kabila's 40,000-strong insurgency was a ragtag collection of child soldiers (*Kadogos*) hastily mobilised in the East and joined from their Angolan bases by the more experienced second-generation Katangese Gendarmes known as the Katangese Tigers. When it marched on Kinshasa in 1997 it was fronting for invading armies from Rwanda, Uganda and Angola. Mobutu's Zairean Armed Forces (FAZ), including the much feared Presidential Guard, quickly collapsed. The second rebellion, in 1998, demonstrated the weakness of Kabila's Congolese Armed Forces (FAC), which, composed mainly of poorly motivated Ex-FAZ and inexperienced *Kadogos*, rapidly disbanded as rebels easily made their way to Kinshasa. Kabila's regime owed its survival to the active support of Angola, Zimbabwe, and Namibia, and briefly Chad, against Rwanda, Uganda and Burundi, who helped his domestic foes.[67]

2. Overview of the armed groups

The 1998 war ended when the Global and All-Inclusive Agreement was signed in Pretoria on 17 December 2002 between Kabila's FAC, the Rwandan-backed Congolese Rally for Democracy (RCD), the Ugandan-backed Movement for the Liberation of the Congo (MLC), two other Uganda proxies (the RCD-Liberation Movement and the RCD-National), and the Mai-Mai, tribal militias that served as proxies for Kabila.[68] Separate agreements were signed in July and September 2002 with Rwanda and Uganda respectively for the withdrawal of their troops. Angolan and Zimbabwean troops that had been supporting Kabila followed suit.

The peace deal was vague on the details of the new army, and strong disagreements persisted over the division of power in the military. While Kabila was given command of the joint chiefs of staff and the air force, the RCD rebels obtained the important command of the land forces and the defence ministry. The MLC, the weakest military faction, was given the marginal naval command as well

as important portfolios in economy and finance. It was not until 29 June 2003, however, that under strong international pressure the belligerents finally signed Memorandum II, providing for detailed power-sharing in Kinshasa. By the end of 2003, the staff officers in the capital and the ten military regions had been integrated.[69]

Despite this high-level integration, little changed on the ground. The first integrated brigade did not graduate until June 2004. It took national authorities well over a year to train a further five, even though a training cycle is three months. For the most part, the units in the field stayed in their old positions.

The RCD. The first major change came after mutinies within units of the former National Congolese Army (ANC) – the armed wing of the RCD – in North and South Kivu. Under the integration proposed by the transitional government, a former FAC general, General Prosper Nabyolwa, was deployed in September 2003 to command the tenth military region in South Kivu. His authority was thwarted by the RCD troops, who were particularly worried that he would arrest some of their officers who had been sentenced to death in absentia for the assassination of Laurent Kabila in January 2001.[70] When Nabyolwa did move to arrest one of these in February 2004, there was a mutiny, leading to a battle for Bukavu three months later. To regain control, Kinshasa deployed 10,000 FAC and MLC troops to North and South Kivu. They took Bukavu back but RCD hardliners in Goma accused Kabila of besieging their communities and power base in North Kivu. These tensions unleashed further fighting around the town of Kanyabayonga in November 2004.[71]

As a consequence, the RCD lost military control over South Kivu and northern Katanga. Two FAC and one MLC brigade were deployed to South Kivu, and many hardline RCD commanders fled to Rwanda and Goma. In North Kivu, in turn, a sort of ad hoc integration took place between the RCD-ML, MLC and FAC units that had been brought in to deal with the RCD insurgency.

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[67] For a comprehensive historical overview of the Congolese army see Ebenga and N'Landu, op. cit., pp. 63-81; see also "Zaire: A country study", op.cit.

[68] Often called the Sun City Agreement, as it was negotiated in that South African resort town, the deal signed in April 2002 excluded the RCD and the UDPS. They finally agreed to sign the Global and All-Inclusive Agreement later that year in Pretoria.

[69] Presidential decrees 018/2003 and 019/2003, 19 August 2005.

[70] In 2002 a controversial court martial sentenced 90 people in the assassination of Laurent Kabila, of whom 26 were given the death sentence. The trial was widely criticised as unfair and politically motivated. Several of those convicted were important members of the RCD who were in South Kivu at the time Nabyolwa was deployed there, including the governor, Xavier Chiribanya, the former regional commander, Colonel Georges Mirindi, the former brigade commander, Colonel Eric Ruohimbere, and numerous other senior officers.

[71] For more information on this sequences of events, see Crisis Group Africa Report N°91, *The Congo's Transition is Failing: Crisis in the Kivus*, 30 March 2005.

However, the RCD troops had carved out a stronghold in the territories of Masisi and Rutshuru and resisted attempts to deploy others there. At least two brigades of the RCD, although paying lip service to Kinshasa's authority, have still not been integrated.

By the end of 2005, however, around 3,500 RCD troops had been integrated into one of the six formed brigades. As no reliable census of the army has been published, it is difficult to know how many RCD troops remain in the field. MONUC officers estimate that around 4,000 to 8,000 are in South Kivu, 3,000 to 6,000 in North Kivu and another 4,000 to 8,000 in northern Katanga, Maniema, Kasai Oriental and Province Orientale. Like other factions, the RCD has maintained parallel chains of command in order to protect its interests. But the deployments to the East in 2004 have broken down its civilian and military command structures, and the former rebels are only able to control directly the 81st and 83rd Brigades in Masisi, Rutshuru and Goma. According to one RCD commander, "we still speak to our former *chefs* in Kinshasa, Goma and also Rwanda. But Kinshasa knows our movements now and controls the logistics. We couldn't try anything even if we wanted to".

However, as the fighting in Rutshuru in January 2006 showed, RCD elements are still the de facto commanders of the south of North Kivu. On 18 January two non-integrated brigades that formally belong to the Congolese army and claim to obey its command attacked the Fifth Brigade in Rutshuru. Several days later, the dissident RCD commander Laurent Nkunda chased that brigade from its position and triggered tensions between the various communities in the area. Nkunda has strong links to the former ANC officers and to Governor Serufuli, who has recently paid the former ANC brigades out of his budget.[72]

The MLC. The Army of Liberation of the Congo (ALC), the military wing of the MLC, is very weak. At the Sun City talks, the MLC claimed to have 20,000 soldiers. As with all the other factions, however, these figures were wildly inflated. Independent estimates by MONUC and other observers put their strength closer to 10,000. After the Bukavu crisis, the MLC sent between 3,000 and 5,000 troops to the East. These troops were later integrated into the military regions and have lost most of their links to the MLC hierarchy. A further 1,800 joined the six integrated brigades, with more than 1,500 opting for demobilisation. Between 1,000 and 1,500 MLC troops remain in formed units in Equateur, while the rest of their troops are either waiting for demobilisation or for army integration.

The MLC leader, Vice President Jean-Pierre Bemba, was seen by many of his commanders as too authoritarian, and many were glad to leave to integrate the national army. According to an MLC deputy: "Bemba traded whatever military strength he had for economic power and positions in the transitional government". While rumour in Kinshasa has Bemba linked to remnants of Mobutu's army in Brazzaville, these forces for the most part no longer form cohesive units. A military analyst recently estimated the ex-FAZ to be around 4,000, spread throughout the country.

The RCD-ML. At the beginning of the transition, Mbusa Nyamwisi, president of the RCD-ML declared he had 8,000 to 10,000 Patriotic Congolese Army (APC) troops based in the Beni-Lubero area of North Kivu. More realistic estimates are between 3,000 and 5,000. While around 1,000 of these have joined one of the integrated brigades or been demobilised, Mbusa retains control over several thousand, whom he will use to secure his home base during the elections. MONUC has reported that a reserve APC force may be passing itself off as the Ugandan ADF-NALU rebels in the Ruwenzori mountains on the Ugandan border.

The FAC. President Kabila had the loyalty of the bulk of troops in the country – he claimed 120,000 – at the beginning of the transition and has retained control over his former commanders. Some half of those 120,000 may have been ghost soldiers, however, existing only on pay rosters. Over 5,000 have been integrated into the army, and several thousand more are awaiting demobilisation. As the peace talks in South Africa progressed, Kabila set up his *Maison militaire*, in February 2002, and gave much of the decision-making power in the army to it. Well into the transition, that office controlled military logistics and intelligence. RCD commanders often complained to MONUC that they were sidelined from decisions, as was evident in the deployment of troops in the wake of the fighting in the Kivus in June and November 2004.[73] Military analysts in Kinshasa have suggested that, no matter what the formal hierarchy, the various civilian and military intelligence services and the Presidential Guard (GSSP) all answer to the *Maison militaire*.[74]

The FAC suffers, however, from factionalism. There have been serious tensions in the past between former Katangan Tigers, who are predominantly Lunda from southern Katanga, and members of Kabila's Lubakat community from northern Katanga.[75] Two Lunda,

[72] Crisis Group telephone conversations with government and MONUC officials in Goma and Rutshuru, January 2006.

[73] Crisis Group interview with MONUC political affairs officer, Kinshasa, March 2005.

[74] Crisis Group interviews , Kinshasa, November 2005.

[75] Katangan Tigers are the descendents of the Katangan gendarmes who made up the army of Moise Tshombe's

Colonel Eddy Kapend and General Yav Nawej, were arrested for conspiring to assassinate Laurent Kabila in 2001. In past years, Kabila has used mutinies and coup attempts – some staged – to round up and arrest Katangan Tigers deemed dangerous.[76]

Lacking a strong command, the FAC is riddled with personal networks and patronage systems. General John Numbi, the air force commander, retains important influence, including among army commanders in Katanga, where he was the regional commander during the war. For a long time, the regional military commander in Lubumbashi, who is from the former RCD-National faction, was often marginalised by the deputy commander, a former FAC commander.[77] Commanders around Kabila maintained other parallel command structures with the Mai-Mai in South Kivu and Katanga[78] and the Munyamulenge general, Patrick Masunzu, in South Kivu.[79]

In an effort to extend his military control across the whole country, Kabila has deployed the Presidential Guard to key airports, ostensibly in preparation for an impending presidential visit. At the end of 2005, there were Guards in Mbandaka, Kindu, Kisangani, Lubumbashi, Bukavu, Kolwezi and Kinshasa, staying many months after Kabila had left. During a presidential visit, the Presidential Guard disarms local troops or forces them out of town. In October 2004, it disarmed all former RCD soldiers in Kisangani.

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secessionist Katangan state in the 1960s. After Mobutu retook Katanga, the gendarmes fled to Angola, where they were eventually incorporated into the Angolan army. In 1996, the Tigers helped Laurent Kabila overthrow Mobutu. However, tensions soon emerged between Kabila and the Tigers, and many of their commanders feel marginalised.

[76] This includes an insurrection in Kilwa in October 2004 and a staged secession attempt in April 2005.

[77] Crisis Group interview with MONUC official in Kinshasa, December 2005.

[78] Colonel Dunia, a Mai-Mai commander from the Bembe tribe with his base in the Ubware peninsula of South Kivu, told MONUC in late 2005: "I receive my orders directly from the president". He has refused to be deployed elsewhere and often rejects the orders of the tenth military region commander. Similarly, Mai-Mai commanders in northern and central Katanga have strong links with officials around Kabila, in particular General Numbi and the former governor of Katanga, Ngoy Mukena.

[79] General Masunzu is a former RCD commander who defected to Kabila in 2002. For several years, he received his orders directly from the *Maison militaire*. Even after he was deployed to Katanga as the deputy regional commander, he was sent back to South Kivu by the presidency to investigate dissent among his former troops. The regional military commander of South Kivu, a former FAC commander, has complained that Masunzu does not belong there and does not heed his orders.

Other armed groups: Ituri militia, Mai-Mai, RCD-National. The RCD-National, as well as most of the Kivu Mai-Mai and the Ituri militia, have been co-opted by the main belligerents. The Mai-Mai participated in the Inter-Congolese Dialogue and were given positions in the army and government. However, they were allied to Kabila during the war and never had a strong political organisation of their own. Once in power, they splintered into several groups. Many of the field commanders have been sidelined from decision making and lack effective representation to be heard in Kinshasa. Some Mai-Mai groups have defected from the army, while others have been disassembled by the regional military commanders and integrated into other units. From the initially declared 40,000, only several thousand still form cohesive units.

The Ituri militia and the Mai-Mai of northern Katanga did not sign the Sun City Agreement. The transitional government, in particular Kabila, later tried to strike deals with various commanders. These were condemned by domestic and international human rights groups, as some of the commanders were guilty of serious human rights abuses. Commanders Thomas Lubanga, Chinja-Chinja and Floribert Ngjabu were arrested in Kinshasa. In Ituri, joint operations of MONUC and the new national army (FARDC), in coordination with extensive local community efforts, led to the demobilisation of some 15,000 combatants in 2005. Around 1,000 have entered into army integration, leaving approximately 1,000 to 1,500 Ituri militiamen.

While the RCD-National was a belligerent, it was militarily weak. Located around diamond mines in Bafwasende, it resorted to forced mobilisation and was controlled by the MLC. Almost all RCD-National troops have spontaneously demobilised and have joined FARDC, in which they have several senior positions, including the command of the sixth military region in Katanga.

B. PLANS FOR REFORM

There is probably no better example of the challenges surrounding army reform than the question of the numbers of former combatants currently on the military payroll. Three years into the transition, there is still no reliable count of the new army's numbers. FARDC is drawn from the armed wings of the former government forces and rebel groups signatory to the transitional agreements, and the exact number of each has been contentious.[80] At Sun City, the belligerents declared that their collective forces totalled some 220,000 fighters. However, when the time came for soldiers to be put on the payroll, that number

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[80] These include the FAC, RCD-G, RCD-N RCD-K/ML, MLC and Kivutien Mai-Mai.

spiked to 340,000. The Superior Defence Council revised it down to 240,000 in February 2004, and this is the basis upon which the treasury has allocated payments.[81] However, most observers, as well as a South African-led counting process, estimate that the true number of combatants was likely on the order of 130,000, or less.[82] The decision around the same time by President Kabila to institute his own count, in effect to challenge the South African figures, did little to inspire donor confidence.[83] The grounds for the integrated army's targeted size of 100,000 to 125,000 are muddy, and many observers argue that a smaller, more professional and better-paid army would be better able to defend the country.[84] When questioned, a senior Congolese security official replied, "Congo is a big country that requires a big army".[85] But a force in the range of 60,000 to 70,000 would likely be more workable.

The reasons the warring parties have inflated their numbers are transparent: it magnifies their claims to political power while allowing them to pocket salaries paid to "ghost" soldiers. It also allows the factions to identify current and potential supporters as members of their armed groups so they can benefit from the demobilisation program or employment opportunities in FARDC. All factions have engaged in this practice. The government spends $8 million monthly on army salaries but as many as half those on the rolls may be ghosts, suggesting that as much as $100 million has been embezzled over the last several years. Despite the transitional government's awareness, the figures continue to be used. Corruption is wide ranging.[86] Soldiers are not always paid and often receive less than their monthly $10 allowance, with commanders pocketing a portion.[87] By comparison, the monthly salary for a

minister is $5,000[88] and for a UN driver $600, but for senior army officers only $50, a powerful incentive for embezzlement. The transitional government has come under considerable donor pressure to adjust the payment system, primarily through the EUSEC plan, discussed below, to separate the chain of command from the chain of payment.[89]

There is considerable diversity in the status, skills and pay of the soldiers. While it took some high ranking ex-FAZ officers twenty years to reach general, Mai-Mai – usually uneducated armed villagers – may have achieved the same rank within a year. Because of the quota system that allocates each faction certain numbers in the new army, some qualified officers have had to be laid off while unskilled officers were trained in barely 45 days. Further resentment stems from the slow speed at which the commission charged with recognising ranks has proceeded. The ranks of former FAC officers were immediately recognised, which meant their salaries were continued, while officers from other factions received a monthly allowance of $10 until the commission could confirm their rank. Many officers from the MLC and RCD had to wait until late 2004 for this.[90]

Given the difficulties in moving forward with security sector reform, and the relative ineffectiveness of the government office in charge of integration (the Military Integration Structure), Belgium sponsored strategic workshops in November 2003 and January 2004 to give army integration some sense of direction. These laid the groundwork of the final plan that was adopted a year and a half later. Because this plan took considerable time to come to fruition, and donors were eager to see progress, a South African-led emergency plan was adopted under which forces were integrated at the provincial level within a unified commend structure. The necessity for an emergency plan became starkly evident after the army failed to protect Bukavu in mid-2004.

In June 2004, South Africa signed a Defence Cooperation Agreement with the transitional government, providing for selected units to be integrated and retrained in six integration centres. Under this approach, demobilisation was largely viewed as peripheral to the goal of forming integrated brigades, except in instances where former combatants were patently unfit for duty and were quickly demobilised. Belgium agreed to participate in this emergency plan, and in December 2004, those two

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[81] Seventeenth Report of the Secretary-General on MONUC, 15 March 2005.

[82] Crisis Group interview South African and other diplomatic representatives, Kinshasa, November 2005. The final numbers will not be confirmed until the South Africa led census has been finalised and agreed by all parties.

[83] Additionally, the South African census team detected attempts to manipulate the data system in order to create duplicate entries. Crisis Group interview, Kinshasa, September 2005.

[84] This force was to consist of nineteen Light Brigades, a Rapid Reaction Force of two or three brigades and a Main Defence Force of three divisions (approximately nine brigades).

[85] Crisis Group interview, Kinshasa September 2005.

[86] It is alleged that during the December 2004 deployment of troops to the East, for example, army headquarters allocated some $13 million for supplies and troop transport. Some of the food was flown from the Kivus to Kinshasa and then back to the Kivus, resulting in bloated payments to transport companies and generous kickbacks for some in the army.

[87] The ex-FAC deputy military regional commander in Goma, Mufu Kiyana, was suspended for stealing $200,000 in salaries intended for his soldiers.

[88] This is the official salary. Ministers usually receive $3,700 to $4,000 per month.

[89] Crisis Group interview, diplomatic representatives, Kinshasa September 2005.

[90] Crisis Group interviews with FARDC officers, Bukavu, Lumbubashi and Kinshasa, October-December 2005.

countries and the transitional government signed a tripartite agreement to coordinate efforts. Belgium trained the First Brigade in Kisangani, Angola trained the Second Brigade in Kitona, and a joint Belgian-South African operation trained the Third Brigade in Kamina, while the Congolese army took charge of the three remaining brigades with MONUC providing additional guidance and training once they were deployed. A list of the army's needs was provided at a donors conference but only Belgium followed up, agreeing to equip three brigades fully and three partially.

A National Strategic Plan for the Integration of Armed Forces, to serve as a blueprint for a five-year program, was not published until August 2005.[91] The direct outgrowth of the Belgian-organised workshops, it went through revisions at the behest of major donors including the World Bank, South Africa and the EU, before it was endorsed by the transition government. It envisages reaching an army of about 125,000 in three successive steps:

❑ **Short-term target**. By no later than 30 April 2006, **Territorial Forces** are to be established in the entire country. These would be light infantry brigades that have been through a core three-stage integration process known as the *Tronc commun*, whereby armed forces first assemble at regroupment centres around the country to hand in their arms. They are then sent, unarmed, to orientation centres, administered by the National Commission for Demobilisation and Reinsertion (CONADER), where invalids, women and children are moved into a demobilisation program. Combatants are supposed to spend a week at the centre, where they are "sensitised" and given the choice to return to civilian life or continue in the army. Those choosing demobilisation receive a first cash payment of $110: $50 for transport, $50 as an initial allowance and $10 as a food ration. An additional $25 monthly allowance for the following year is to be paid through a cell-phone based system,[92] and a network of NGOs offers vocational training.

The program now runs eight operational centres. However, these were built slowly, and in an effort to allow the most obvious cases to be demobilised, ad hoc mobile centres were hastily set up adjacent to the integration centres. This in effect turned the program on its head, since the original plan was to establish fixed centres first to process the bulk of the former combatants and then use mobile centres to reach smaller groups scattered throughout the country. The first combatants to go through the process were not given an informed choice, and those who were demobilised were mostly the blatantly inept, soldier families or child soldiers, the majority of them Ituri. When the fixed centres finally opened, in June 2005 instead of July 2004, the program ran out of liquidity after barely two months of operation, having failed to file the necessary requests with the World Bank. The disbursement system eventually became so problematic that the entire integration process came to a standstill. In a number of cases, former combatants refused to leave their orientation centre until they received payments, thus preventing new combatants from entering.[93]

Those who choose to stay in the military are transferred to one of the six integration centres, to receive a 45-day training course.[94] Each of the former warring factions is compelled to send soldiers through the process according to predefined quotas that reflect the relative numerical strength of each when the Global and All-Inclusive Agreement was signed.[95] Each integration centre trains one brigade at a time, with the process being repeated through three cycles so that by the end of the period eighteen brigades will have been integrated and recycled. The first cycle consisted of a somewhat truncated version of the *Tronc commun* carried out under the emergency plan. The goal is to integrate and train these eighteen brigades sufficiently to back up the integrated police before the elections.

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[91] "Plan Stratégique National pour l'Intégration des Forces Armés", ministry of defence, Kinshasa, August 2005. For a good discussion of the plan, see Henri Boshoff, "Summary Overview of Security Sector Reform Process in the Democratic Republic of Congo", Institute for Security Studies (ISS), 6 January 2005.

[92] Ex-soldiers often return to rural areas where banks are not within easy reach. However, cell phones are extremely popular, and vendors, which can be found in most cities, constitute a reserve of readily available money throughout the country. Under this system, a soldier would show his ID card once a month to the cell phone company, which would verify its authenticity by

a call and be authorised to pay the soldier. CONADER would in turn reimburse the cell phone company.

[93] Centres are designed to host combatants for five days, but in Kabare 972 demobilisation candidates remained for eleven weeks awaiting their pay. In Luvungi, the former combatants stayed for nine weeks.

[94] These centres are in Kitona, Kamina, Kisangani, Rumangabo (North Kivu), Nyaleke (North Kivu), and Luberizi (South Kivu).

[95] Although proportions vary for each brigade, the overall faction quotas should be FAC (35 per cent), MLC (17 per cent), RCD-G (28 per cent), Mai-Mai (8 per cent), other armed groups (12 per cent). Crisis Group interview with EUSEC official, Kinshasa, November 2005.

❑ **Medium-term target**. By 2007 or the beginning of MONUC withdrawal, a **Rapid Reaction Force** of two to three brigades is to be established. Its units are to be located near airports – such as in Kisangani, Kananga, and Kamina – so they can quickly be deployed to trouble spots.

❑ **Long-term target**. By 2010, or the completion of a MONUC withdrawal, the **Main Defence Force**, capable of defending the country against invasion, is to be created, including heavy armoured units.

The overall objectives are to:

❑ reduce the number of armed individuals outside army control and the potential for violence and recidivism;

❑ create a new military on a voluntary basis;

❑ erode old lines of control and create new ones to forge a genuine esprit de corps by retraining forces and forming units from diverse backgrounds; and,

❑ allow the armed forces to develop at a supportable and manageable pace.

The National Strategic Plan attempts to reemphasise demobilisation, a process that tailed off during the implementation of the emergency plan. Financial and logistical problems, including complicated tender procedures imposed by the World Bank and the need to build additional infrastructure, prevented CONADER from beginning operations sooner. That body has provided some mobile teams to Kamina and Kitona, funded by UNDP, but demobilisation has taken place largely among those who have been patently unsuitable for continued service.[96]

Toward the end of the Emergency Plan, a variety of problems had become particularly obvious, such as the grossly inflated numbers of troops reported by the factions. In addition, appalling army conditions were causing many fighters to opt for the relatively attractive demobilisation package. In August 2005, an army audit made the following recommendations:

❑ a reliable census, pursuant to which each soldier would receive a forgery-proof identity card;

❑ army statutes that outline basic rights and duties;

❑ separation of the chain of payments from the chain of command to ensure soldiers receive their salaries, and commanders cannot steal them;

❑ reform of the chain of army supply;

❑ centralised control of troops and supply; and

❑ an improved training program.

The EU military mission, EUSEC, responsible for army integration and good governance, proposed a plan to solve many of these issues. Endorsed by the Congolese authorities in December 2005, it provides for inserting approximately 50 international advisers into the FARDC finance and administration structure, down to brigade level, to oversee the army payroll.[97] The project offers a comprehensive framework for disbursing funds no longer at the regional but rather the brigade level to two foreign experts who would also supervise the supply system. This should reduce corruption in the army, ensure that soldiers are paid and train the Congolese in administrative procedures. However, simply making sure that soldiers receive $10 a month would not be sufficient. The EUSEC plan also envisages premiums for the integrated brigades and improved living conditions and benefits to make army service a viable vocation. Hopefully, this will reverse the current incentive structure skewed in favour of demobilisation. Soldiers are also to be given forgery-proof identification similar to those used for voter registration. The plan does not address the eventual optimum size of the army but international military experts believe a smaller, better-paid and more professional overall force in the range of 60,000-70,000 may be more sustainable over the long-term.[98]

C. THE ROLE OF THE INTERNATIONAL COMMUNITY

In February 2004, the International Committee for the Accompaniment of the Transition (CIAT) established a donor Security Sector Reform Coordination Committee, with MONUC playing a "coordinating role".[99] In a follow-

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[96] While the National Disarmament, Demobilisation and Repatriation Commission has had a plan from the start, its work has been hampered by deliberate interference from the Transitional Government, and the president's office in particular. The establishment of a *Comité de gestion des fonds* by the transition government to oversee the flow of money to the Commission was a deliberate, effective, attempt to impede its work. Such interference has threatened World Bank funding and further delayed reform.

[97] In Sierra Leone, such measures, executed by the Canadians, were seen as a fundamental factor in establishing a viable defence organisation and ensuring soldiers received their pay, while reducing general corruption and waste.
[98] Crisis Group interview with international military experts, Kinshasa, November 2005.
[99] CIAT, based in Kinshasa, is tasked with overseeing the transitional process and was mandated by the Global and All-Inclusive Agreement. Its membership includes Angola, Belgium, Canada, China, France, Gabon, Mozambique, Nigeria, Russia,

up meeting in New York on 29 June 2004, donors reiterated their commitment to support a "well designed plan endorsed by all components of the Transitional Government".[100] However, Western donors established a separate contact group to coordinate their efforts, which later evolved into the Great Lakes Contact Group. Initially the members included Belgium, France, the Netherlands, the U.S., the UK and the EU (Special Representative Aldo Ajello, the European Commission and EUSEC), but in 2005 it was extended to include Angola and South Africa, with MONUC and the World Bank as observers. This was a tacit indication of the weakness of existing coordination structures and the need for more donor unity in dealing with the Congolese. However, it was not until EUSEC arrived that donors were able to coordinate effectively with Congolese institutions in charge of demobilisation and integration. EUSEC advisers liaise with the ministry of defence, the FARDC General Staff, the Military Integration Structure, army headquarters, CONADER and the Coordinated Joint Operations Centre, allowing the development of a more cohesive view across the multiple bodies involved in the integration process.[101]

1. The European Union and Member States

Belgium. Belgium, the former colonial power, was particularly keen to jump start army reform. It had fathered the old *Force Publique* and had continued training many officers of Mobutu's army. As noted, in early 2004, it led a series of workshops which developed practical guidelines for army integration. It trained the First Integrated Brigade in Kisangani between January and June 2004.[102] Belgium had also planned to conduct manpower accounting of the Congolese civil service, including the police and the army. While welcomed by the Congolese, other donors, especially the South Africans and Angolans, wanted an "African lead" so in summer 2005, this initiative was abandoned in favour of a census conducted by the South Africans and financed by the Dutch.[103]

The Belgians had originally planned to train the First Integrated Brigade over 45 days. The critical initial step was to mix the trainees from the various armed groups to dissolve old lines of command and create a new hierarchy. The Belgians also relied on a "training the trainers" approach, in which progressively greater responsibilities

were handed over to the Congolese. However, the general standard of the potential Congolese instructors was so poor that the Belgians ended up conducting the bulk of training themselves over not one, but two 45-day periods. They also provided decent living conditions, basic equipment and medical care throughout the training. A post-training assessment they conducted in late 2004 was positive about the training and its contribution to security but noted that underlying problems such as corruption, the failure to pay soldiers and poor living conditions limited its lasting effect. The First Integrated Brigade is stationed in Ituri where, with MONUC support, it has successfully taken on local militias. The Belgians also trained 285 Congolese instructors in Belgium and another 250 in Kinshasa in peace support operations and integration.[104]

Belgium also engaged in a joint training program with the South Africans for the Third Integrated Brigade in Kamina, where conditions were dire, and the troops left a trail of cholera. As noted, at a June 2004 donors meeting, Belgium was the only country that agreed to equip brigades – three fully and three partially. It offered to equip additional brigades at a competitive price of €500,000 each. For future training, 30 Belgian and three French officers will work together with Congolese officers, the seniors to be trained in Kinshasa, the juniors in Kamina. The Belgian army will also provide military engineering training to promote reconstruction of infrastructure. Overall, Belgium, which participates in the EUSEC mission, is spending about €30 million annually on security sector reform out of its total Congo funding of about €125 million.[105]

EUSEC. Following an official request by the transitional government, the EU launched its advisory and assistance mission for security sector reform, EUSEC, for an initial one-year period in June 2005, within six weeks of the Council's confirmation of its mandate decision.[106] It aims to provide advice, assistance and practical support to the Congolese authorities in charge of army integration and good governance. The mission is modest – eight experts seconded by the member states, with two more slated to be added in early 2006.[107] This small team, under the supervision of French General Jean-Pierre Joana, has

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South Africa, the UK, the U.S., Zambia, the African Union, the European Union and MONUC.

[100] UN Secretary-General, "Third Special Report", op. cit.

[101] EUSEC also coordinates with the *Maison militiaire*, the presidential military office. General Kalume, one of its members, regularly attends EUSEC meetings.

[102] The French provided ten instructors to the Belgian-led effort.

[103] Crisis Group interview, Belgian Military officials, Brussels, February 2005.

[104] Crisis Group interview, Belgian government official, Brussels, February 2003. Although sixteen of those trained in Belgium deserted, the Belgians are committed to continuing the training program. The Belgians estimate that 1,500 trained Congolese instructors are needed. "Belgium vows to maintain military cooperation", IRIN, 1 November 2004.

[105] Crisis Group interview, Belgian diplomat, Kinshasa, February 2006.

[106] Council Joint Action 2005/355/CFSP, 2 May 2005.

[107] The eight are two French, one Belgian, one Hungarian, two British, and two Portuguese.

become the best informed security sector reform institution in the Congo because its experts are routinely involved in the meetings of the multiple domestic and international structures involved in the endeavour.

The EUSEC mandate is likely to be renewed until the end of 2006: EUSEC has taken on an increasingly important coordinating role in army reform, and the Commission has rehabilitated the integration centres at Luberizi and Kisangani during the first and second integration cycles at a cost of €1.5 million. The EU's largest financial contribution to army reform comes via the €20 million the Commission has made available to the World Bank Multi-Country Demobilisation and Reintegration Program (MDRP). The Commission is pushing the MDRP to focus increasingly on reintegration of ex-combatants, the least developed aspect of the process. MDRP action is somewhat limited by the constraints of Official Development Assistance (ODA) eligibility under the OECD/DAC guidelines, which has traditionally not included most assistance to security reform efforts. In agreeing to finance army integration centres, the Commission pushed ODA compatibility to its limit.[108]

As noted, the chain of payments project is potentially one of EUSEC's most important contributions. On 1 December 2005 the Council decided to move forward with it in cooperation with the Congolese defence ministry. The approximately €7 million project will run for twelve months, and EUSEC will provide 40 to 45 military advisers to check the payment flow at key points as well as information technology and equipment. A second part of the project will focus on reform of the central administration and putting processes in place in Kinshasa to administer the payroll. The revamped system is meant to be fully in place by spring 2007. While the project is technical, it is also politically sensitive for the Congolese; if successfully implemented, it will mean the loss of considerable revenue for senior commanders who have been skimming salaries. Support from local authorities is a precondition, and some have been less than cooperative, though President Kabila has been supportive.

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[108] The OECD/DAC guidelines exclude assistance to the military, with two exceptions: civilian activities taken on by the military (e.g. distributing humanitarian aid) and actions undertaken as part of a UN post-conflict peace operation. In 2003, ODA spending on governance totalled $4.9 billion; although $1.5 billion was spent on security issues, this was mainly on post-conflict UN activities including land mine clearance and demobilisation, not strictly on security sector reform. Michael Roeskau, "OECD/DAC Guidance on Security System Reform", paper for the seminar organised by the UK Presidency, the European Commission, Saferworld and International Alert, Brussels, 28 November 2005. Crisis Group interviews, EU official, Brussels, November 2005 and January 2006.

The Commission will support two types of "flanking measures" for the operation. In the short term, these will include help (€2 million) for families of the most impoverished brigades in the East, particularly rehabilitation of dependants' housing and access to water and sanitation. These measures will be implemented as soon as the EUSEC project begins, most likely in May 2006. For the longer term, €65 million will be earmarked over two years for projects, including housing, that benefit communities in the vicinity of the brigades as well as the dependants.[109] The project recommends that widows and orphans, instead of being counted as soldiers as currently, have a separate support program from the ministry of social affairs.[110] The key concern is sustainability of the project once EUSEC personnel are no longer embedded in the government.

The expanded EUSEC mission could provide a good basis for the establishment of an International Military and Training Assistance Team (IMATT). However, the EU would need to assess whether its funds (even as part of a wider security sector reform fund) could be allocated for military training and operational advisers. In addition, while the coordination of different European efforts proceeds well within current structures, and EUSEC offers a central reference point, there remain tensions between some of the bilateral European efforts and those of the EU. This is particularly so in regard to holding the transitional government more accountable for its behaviour: the EU has generally taken a tougher line than some of its member states. Whether all security sector reform efforts of the EU member states can, or should, be centralised under EUSEC, thereby providing a sound basis for an IMATT, is an issue the EU should investigate more closely.

Others. The UK, while having a strong staff officer presence in MONUC, has little physical presence elsewhere within the security sector reform processes apart from EUSEC. It does, however, provide some funding to the South African registration-support and census process as well assist some units that have completed integration. Much of the British support is channelled through the World Bank's MDRP program to which it has pledged $25 million over five years. The British will also provide short training courses in the UK for some Congolese officers, and they have just pledged an additional $5 million of non-combat aid for army integration, conditional upon implementation of the EUSEC plan. The Netherlands has provided €5 million in funding to help the South Africans refurbish the integration centres in North Kivu. France, like Belgium, provides support for officer training.

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[109] Crisis Group interview, Brussels, February 2006

[110] Crisis Group interview with General Joana, head of the EUSEC mission, Kinshasa, November 2005.

2. Angola

Angola's significant support for army reform is part of a bilateral agreement. It has been active in Kitona for a year and a half, training the Second Integrated Brigade and a battalion of commando troops – now deployed in the East to fight the Ugandan insurgent group, the Lord's Resistance Army (LRA) – and has committed to training two further brigades. Angola has 400 instructors at its Kitona integration centre. Like Belgium, it found the planned training insufficient and lengthened its courses from 45 to 90 days, while also providing medical care for trainees. It has encountered various difficulties: supplies were erratic, no equipment was provided, donors had no standardised training system and troops arrived late at the centre. While training of the Second Brigade was completed on 5 May 2005, the elements of the next brigade did not arrive until 7 November, which meant that Kitona was empty for six months, during which it could have trained two additional brigades. The $22 million Angola had originally planned to spend on army reform has been increased to $32 million.

Angola's primary concern in the Congo, just as it was during the wars in the 1990s, relates to border security and its Cabinda territory. It has been an active trainer for the Presidential Guard, and military links with Kabila remain strong. Although it is now part of the Contact Group, other partners in the transitional government view the Angolan activities with notable suspicion. The decision to deploy the Second Integrated Brigade to Kinshasa instead of Beni in North Kivu, and the deployment of Angolan police to Kinshasa during the 30 June 2005 unrest have further fuelled concerns.[111]

3. South Africa

South Africa's early approach to the security sector reform process was marked by a degree of suspicion of other donors. The tripartite agreement it reached with Belgium and the transitional government (and subsequent cooperation at the Kamina integration centre) was a significant step in improving cooperation, as was its decision to participate in the Contact Group. South Africa has contributed substantially to army integration: conducting an army census, committing a battalion to MONUC, which acts as the Eastern Division reserve, and refurbishing integration centres with its engineers, funded by the Netherlands. South Africa has about 40 military personnel stationed in the Congo to assist, notably in the joint Belgium/South African training program of the

Third Brigade in Kalemie, but, unlike other donors, it does not provide any equipment to the brigades it trains. It considers that the Congolese should not expect donors to settle its bills and that provision should be made for army reform in the Congolese budget.

4. The United States

The U.S. is a minor player in army reform, focusing most of its aid instead on humanitarian needs such as food security. Only about $150,000 in bilateral aid has been earmarked for International Military Education and Training (IMET) in 2006. These courses will focus on issues such as human rights, civil-military relations, and the rule of law. The $4.1 million remaining in an older account will be used to train 300 officers of the new integrated brigades in basic administrative and leadership skills. The U.S. will also provide non-lethal materials, such as boots and water purifiers, for those brigades. In the longer term, the U.S. intends, as do most donors, to make places available for Congolese personnel at its military schools.[112]

Although not strictly speaking security sector reform mechanisms, most of the U.S. effort has been geared toward a regional approach by sponsoring establishment of a Joint Verification Commission (JVC) and a Tripartite Commission to encourage expanded regional cooperation on a number of key security issues.[113] The JVC brings Rwandan, Ugandan and Congolese army officers together to investigate allegations each country makes, while the Tripartite Commission convenes leaders from the three countries. In mid-September 2005, Burundi joined, making it a quadripartite body.[114] In an effort to defuse tensions between these countries, the U.S. helped set up a joint intelligence cell in Kisangani, which became operational in late 2005. It will also spend $1.75 million in 2006 to train and mentor militaries from the Congo, Rwanda, Burundi, and Uganda on improving the flow of information and operational analysis between them.

5. The United Nations

One of MONUC's main problems is high turnover of personnel with the consequent difficulties inherent in

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[111] Under the Strategic Plan, the Angolan-trained Second Integrated Brigade was to be deployed to Beni in North Kivu but has instead been sent to Kinshasa. A Congolese security official explained that it was to serve as a "reserve force". Crisis Group interview, Kinshasa, September 2005.

[112] "DRC Country/Account Summary", Congressional Budget Justification website, http://www.state.gov/s/d/rm/rls/cbj/; Crisis Group interview, senior U.S. defence representative, Washington DC, December 2005.
[113] The JVC was created in September 2004 to monitor allegations of FDLR activity and Rwandan army incursions into the Congo. Its teams are composed of Rwandan and Congolese army officers and MONUC officials.
[114] The expanded body is more commonly known as the Tripartite Plus One Commission.

bringing new staff up to speed. Due to the rapid rotations, six different officers were in charge of its demobilisation work between April 2003 and November 2005, making it difficult to develop strong personal relationships and institutional knowledge. MONUC's role in army integration is limited, however, although it assisted in the disarmament and registration of weapons in the initial regrouping phase, has transported integrated brigade salaries and provides logistical support for some of the brigades it operates with. MONUC military units are also providing a 45-day training course to senior Congolese officers, and its Indian and Pakistani brigades in North and South Kivu respectively have trained FARDC units they work with in an effort to increase their reliability and effectiveness. MONUC will also provide support to the EUSEC plan for the integrated brigades discussed above.

The UN has sought more support for the FARDC, asking donors to give food and fuel for nine brigades so they can operate against the armed groups.[115] More joint operations between MONUC and the FARDC would offer the twin benefits of giving FARDC real operational field experience while helping to crack down on the militias in the East that remain a clear and present danger to stability. However, ensuring that civilians are protected from reprisals before, during and after such operations is crucial.

6. The World Bank

The World Bank has been the most important contributor to the demobilisation process through the Multi-Country Demobilisation and Reinsertion Program (MDRP), which manages a donor trust fund of $500 million for work with some 450,000 ex-combatants in the countries that were engaged in the 1998-2002 war. Of the $200 million earmarked for the process in the Congo, the World Bank contributes $100 million, with the other half coming from eleven donors: Belgium, Canada, Denmark, France, Germany, Italy, Netherlands, Norway, Sweden, the UK and the EU Commission.[116] These donors appear to be coordinating smoothly under the MDRP umbrella but have been reluctant to show the same level of commitment to the army integration process in the Congo. No single one has been willing to take the lead for this.

D. THE STATE OF PLAY

One of the most problematic features of army reform is the considerable imbalance between demobilisation and integration. The negative incentive for the latter created by the difference between army pay ($10 a month) and demobilisation allowances ($110 immediately and $25 monthly for a year) has already been noted. This discrepancy largely reflects donor reluctance to support the military. Donors rapidly adopted a common position, donated funds and set up the institution – the MDRP – to tackle demobilisation but have been notably less unified and generous in their efforts to assist with the construction of a new national army. Even human rights training has not been given the same importance in army integration as in development of the new police.

1. The demobilisation process

As described above, the MDRP's local partner in the Congo, the National Commission for Demobilisation and Reinsertion (CONADER), has had a rocky start. Ill-tuned with the World Bank's procedures and demands for transparency, it became truly operational only in mid-2005, nearly a full year after the operation started, and by November, only $29 million had been disbursed. Another part of the explanation for slow implementation is the uneasy understanding between MDRP (and the World Bank as its managing body) and UNDP as the implementing agency. There was considerable competition between the two agencies for control of the program, and the current arrangement is a compromise. The uneasy coordination between them, together with repeated technical obstacles raised by the Congolese (which many international actors interpreted as lack of political will), produced serious delays in opening the orientation centres, slowing both the demobilisation and integration processes. The repeated delays, which put the entire army reform at risk, led South Africa to develop the emergency plan, described above, which also moved slowly and encountered funding logjams.[117]

Although the emergency plan has ended, the problems persist. For example, in Katanga, a province with over 200,000 internally displaced persons (IDPs) (a quarter of whom acquired that status in the last two months as a result of government operations against the Mai-Mai rebels), the Congolese Military Integration Structure (SMI) responsible for regroupment centres failed to open them

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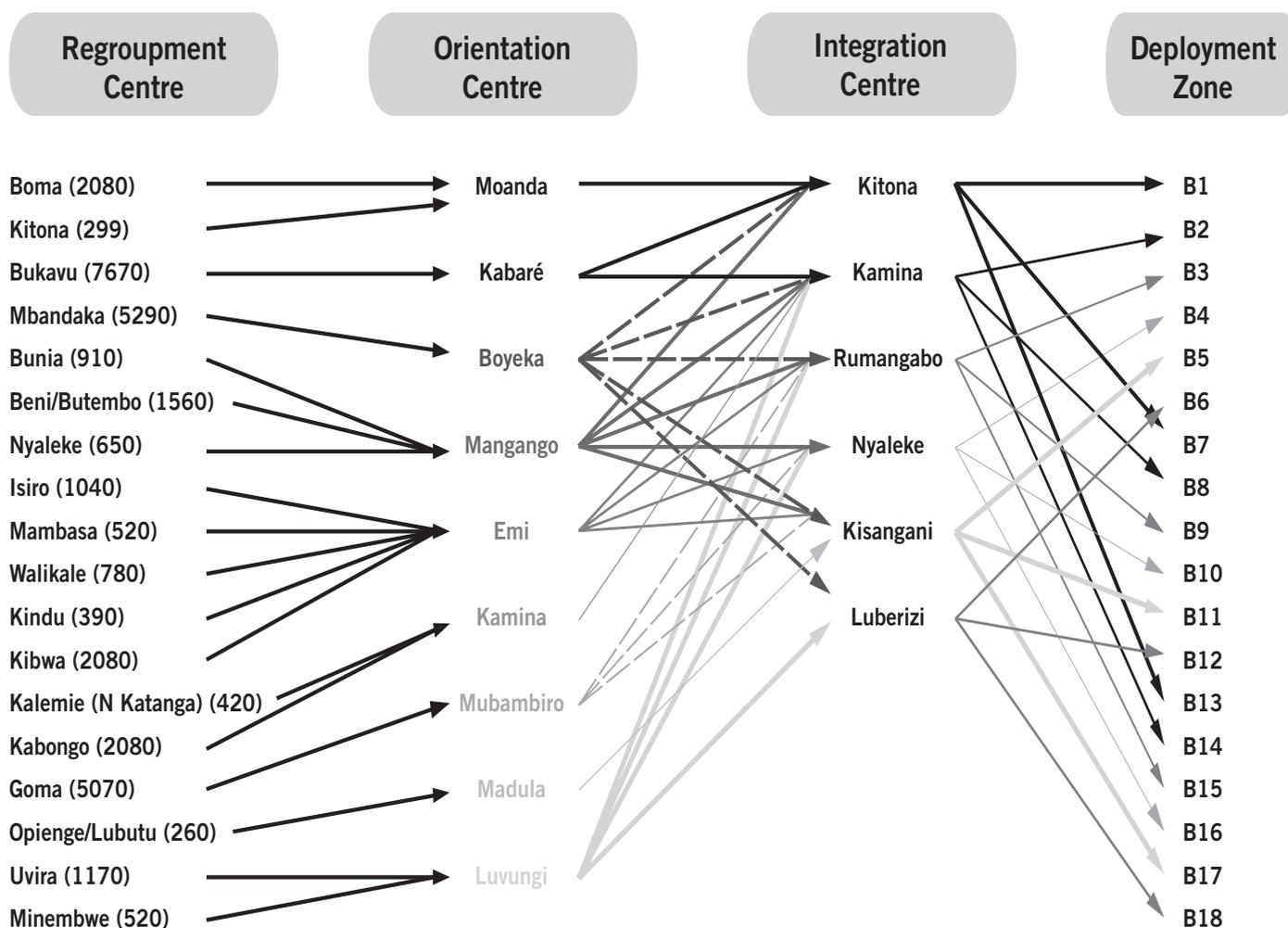[115] Crisis Group interview, General Babakar Gaye, MONUC Force Commander, August 2005.
[116] The MDRP provides for the World Bank to match the contributions of other donors. Crisis Group interview, Roisin de Burca, World Bank representative, Kinshasa, November 2005.

[117] By mid-January 2006, the World Bank claimed to have opened thirteen orientations centres, with plans to open four more by mid-February. Crisis group email exchange, World Bank official, Kinshasa, January 2005.

in time to receive many combatants.[118] Mai-Mai who wished to enter such centres often picked up their arms again and resumed operations after waiting for days, sometimes months.[119]

Army reform is a step by step process requiring coordination between multiple Congolese and international institutions. The SMI runs the regroupment centres; SMI and MONUC control the armament; SMI and CONADER are in charge of the orientation centres; SMI, with the various donors involved in army training, is in charge of the integration centres, while the military headquarters decides where soldiers are ultimately to be deployed. The transportation of would-be members of the new army from orientation to integration centres, in particular, is not only costly, but also a managerial and logistical challenge, particularly for a transitional government. The following chart suggests the complex management skills and infrastructure required merely to move more than 100,000 men between the various centres and deploy them eventually to eighteen formed brigades in order to implement the current plan.[120]

Regroupment Centre	Orientation Centre	Integration Centre	Deployment Zone
Boma (2080)	Moanda	Kitona	B1
Kitona (299)	Kabaré	Kamina	B2
Bukavu (7670)	Boyeka	Rumangabo	B3
Mbandaka (5290)	Mangango	Nyaleke	B4
Bunia (910)	Emi	Kisangani	B5
Beni/Butembo (1560)	Kamina	Luberizi	B6
Nyaleke (650)	Mubambiro		B7
Isiro (1040)	Madula		B8
Mambasa (520)	Luvungi		B9
Walikale (780)			B10
Kindu (390)			B11
Kibwa (2080)			B12
Kalemie (N Katanga) (420)			B13
Kabongo (2080)			B14
Goma (5070)			B15
Opienge/Lubutu (260)			B16
Uvira (1170)			B17
Minembwe (520)			B18

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[118] There is no international funding for the regroupment centres.

[119] In November 2005, 400 Mai-Mai were said to be waiting at Manono, but the Congolese authorities argued that they had no fuel for two planes to transport them. Moreover, the Jet One aircraft, they said, could only transport 70 people, which would require at least six trips. See Crisis Group Report, *Katanga*, op. cit.

[120] This chart and the two that follow were kindly provided by the EUSEC team in Kinshasa. Because ODA rules prevent the transport of troops, a complicated system of orientation centres (OC) had to be set up. Some of these are located in walking distance of the regroupment centres; a second set is in the vicinity of the integration centres. The World Bank funds transportation between the two orientation centres of unarmed former combatants, who upon arrival may walk to the integration centre if they decide to join the army.

Transportation between the various centres, often hundreds of kilometres apart, is meant to be provided by the Congolese authorities but has proved a problem every step of the way. Lack of resources to cover large distances, but probably also the reluctance of some military and

political figures to accelerate the destruction of parallel command structures from which they benefit, have stalled the process. Recently, however, the World Bank freed $20 million to cover costs.

Journey of an ex-combatant

Example:
Ex-combatant from Kungu
Estimated duration: 3 months
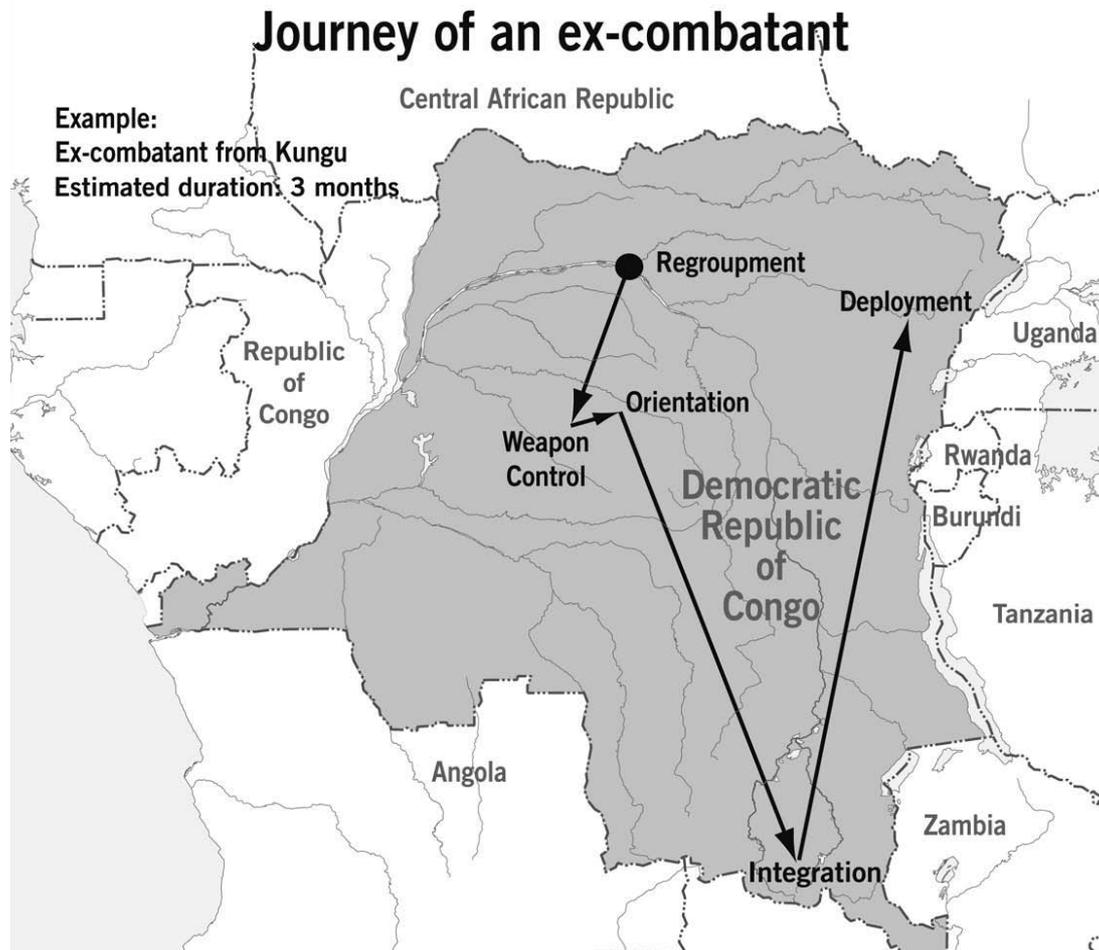
Transportation is a particular problem for those ex-combatants who choose demobilisation. In a country the size of the Congo, satisfying their right to be reinserted in the location of their choice can be daunting. The $50 transport allowance is often grossly insufficient, and logistics are always difficult. Transport between many locations is not available on a daily basis, and the survival kit provided is inadequate for a long wait. Sometimes, such as in Katanga, transport is available only once a month, making many former soldiers reliant on NGOs to meet their immediate needs while they await relocation.[121]

The disbursement of monthly allowances, pending start of the new cell-phone pay system,[122] is equally problematic, particularly once demobilised combatants return to remote

villages. Many are not paid their $25 monthly allowance unless CONADER officials can track them down and physically travel to their locations.[123] Due to suspected payment irregularities, such as double counting, the MDRP has recently put the disbursement scheme under the control of KPMG, an international auditing company. Implementation of vocational training has been slow, with NGOs bogged down by complicated tender procedures. The first programs were launched only in late 2005.[124]

A final issue has revolved around the lack of forgery-proof identity cards and the parallel lists of former combatants maintained by the Congolese Bank,

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[121] Crisis Group interview, provincial CONADER officials, November 2005.
[122] See fn. 92 above.

[123] In November 2005, in some provinces as many as one third of the demobilised combatants were not being paid. Crisis Group interview, provincial CONADER officials, November 2005.
[124] Some NGOs complained that the World Bank requires them to pre-finance 10 per cent of their activities; something most Congolese NGOs are unable to do.

CONADER and others, which have made it relatively easy for ex-combatants to re-enter the process at a second centre and pocket a further demobilisation package.[125] UNDP recently outsourced responsibility for registration at the orientation centres and delivery of non-forgeable identity cards to a Swiss company, Bio-ID, which is also to produce a master database.

2.   The integration process

Army integration appears unable to reach the goal of eighteen integrated and deployed brigades by March 2006.[126] With only six such brigades having completed their courses, the training of three more underway in January, and three integration centres awaiting the arrival of troops, most Congolese and foreign observers consider that twelve brigades are the most that can be in the field by the April elections.[127]

A number of issues need to be addressed by the transitional government and donors, including ongoing uncertainty regarding the army's numerical strength; the skewed incentive structure favouring demobilisation over retention; the general lack of pay and poor welfare for soldiers and the ultimate financial sustainability of the army and the reform process; the highly divergent status and skills of both former combatants and new units; a badly fragmented national decision-making structure for security subjects; limited donor coordination; meagre logistical support for post-integration operations; inconsistent training, insufficient funding, and divided troop loyalties; and finally, financial constraints that create difficult trade-offs between the need to enforce security in the short term and produce an efficient, autonomous army in the long-run.

The financial problems are exacerbated because World Bank rules prohibiting payments to armed groups, including national armies, prevent the MDRP program from funding CONADER, though it has tried to work around this in flexible ways.[128] This has left funding for army integration largely to either bilateral contributions or the Congolese budget. Partly due to the mistaken belief of many in the transitional government that donors would meet most of the cost of integration, no Congolese funding was provided in 2003 or 2004, and the parliament had to advance money from the 2005 budget in order to begin preliminary work.[129] The dynamic remains one in which there is lots of money for people who leave the army but little for those who wish to remain in service.[130]

This imbalance undermines the viability of the Strategic Plan and has had a number of unexpected consequences. The recent outsourcing of the identification system gives hope for improvement but it is believed that the lack of a centralised database between CONADER, MDRP, and the Congolese Bank has allowed as many as 30 per cent of those who went through the demobilisation process to do so twice and claim double compensation packages. Given the relative attractiveness of that package, in some centres – particularly in the East – as many as 80 per cent of ex-combatants choose demobilisation over army integration.[131] As a consequence, brigades have had to be downsized from 3,500 to approximately 2,200. Fearful of losing the military strength that brought them to power, leaders of the transitional institutions have been reluctant to send their best troops through the security sector reform machinery.

At the same time, many current and potential donors are understandably reluctant to provide further support for at least the army side of security sector reform until it is clear the Congolese can move beyond the transition toward relatively stable and accountable government. However, without such increased donor support – conditioned to be sure with tough demands on the government – there is considerable risk that the transition will fail.

There is a financial trade off between the goal of providing immediate security and the long-term goal of building sound Congolese institutions. While donors have supported MONUC at an operational rate of approximately $1 billion a year to improve the situation in the East, they have balked at the concept of providing basic equipment to the integrated brigades, let alone decent living conditions. The army's shortcomings were exposed during combined MONUC/FARDC operations in Walungu, South Kivu

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[125] Once former combatants are demobilised, there is a 45-day period before their vocational training starts, which, in the absence of forgery-proof identification cards and a centralised database makes it relatively easy for them to start the cycle again elsewhere. Crisis Group interview, General Kalume, head of the *Maison militaire*, Kinshasa, November 2005.

[126] Plan Stratégique", op. cit.

[127] Crisis Group interviews, Kinshasa, November 2005; Marie-France Cros, "Le calendrier sera respecté", *La Libre Belgique*, 9 January 2006, quoting Vice President Azarias Ruberwa as saying that 3,500 men were being trained in Kitona, Nyaleke and Rumangabo, while the integration centres of Kamina, Kisangani and Luberizi were still awaiting their trainees. The standard brigade is supposed to include three 720-man battalions and total approximately 2500 troops.

[128] For example, as described above, the World Bank has agreed to provide $20 million to fund the transport of disarmed combatants between orientation centres.

[129] The 2006 budget has not yet been adopted.

[130] The MDRP earmarked $200 million for demobilisation and reintegrating them, but donors have invested far less in army reform.

[131] Crisis Group interview, Roisin de Burca, World Bank representative, Kinshasa, November 2005.

in late 2004, when the Congolese units proved ineffective without direct logistical support. Belgium remains the only country to have responded to the repeated calls for logistical and equipment upgrades. While welcome, the Belgian efforts are insufficient to equip the entire army.

The expectation that Congolese soldiers will risk their lives and make ends meet on pennies a day has turned them into an army of the destitute expected to live below the internationally accepted line of absolute poverty, with all that entails for their susceptibility to financial and political temptations. To put the funding issue in perspective, EUSEC estimates that deploying twelve FARDC brigades in the East, with basic logistical support and a pay raise for the average soldier to $60 monthly would be the equivalent of four days of MONUC operating costs.[132] The integration centres at Mushaki, Nyaleke and Luberizi were largely unsuitable for human habitation, let alone training, forcing some soldiers to live in straw huts amid outbreaks of disease such as cholera and tuberculosis.[133] While the Dutch government is now funding South African efforts to clean up the facilities in North Kivu, and the UN and EU are doing much the same in Luberizi and Kisangani, much more is required.

The decision-making process on security sector reform is remarkably fragmented, time consuming and ineffective on both the transitional government and donor side, let alone between the Congolese and internationals. More and more bodies with a voice in the process have been established, but coordination is poor. For example, in December 2005, the UN Secretariat urged the EU to send troops to the Congo but failed to consult with the transitional government.[134] The following chart attempts to capture the complex relations between the numerous institutions involved in army reform:

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[132] Crisis Group interview, EUSEC officials, Kinshasa, November 2005.

[133] The reported desertion of between 750 and 1,200 soldiers from Mushaki is an indication that aspects of implementation are failing badly. "Nord-Kivu: 1,200 déserteurs à Mushaki", Radio Okapi, 22 July 2005, at http://www.radiookapi.net/article. php?id=2553

[134] Crisis Group interview, UN official in New York, January 2006.

Democratic Republic of Congo - SSR/DDR
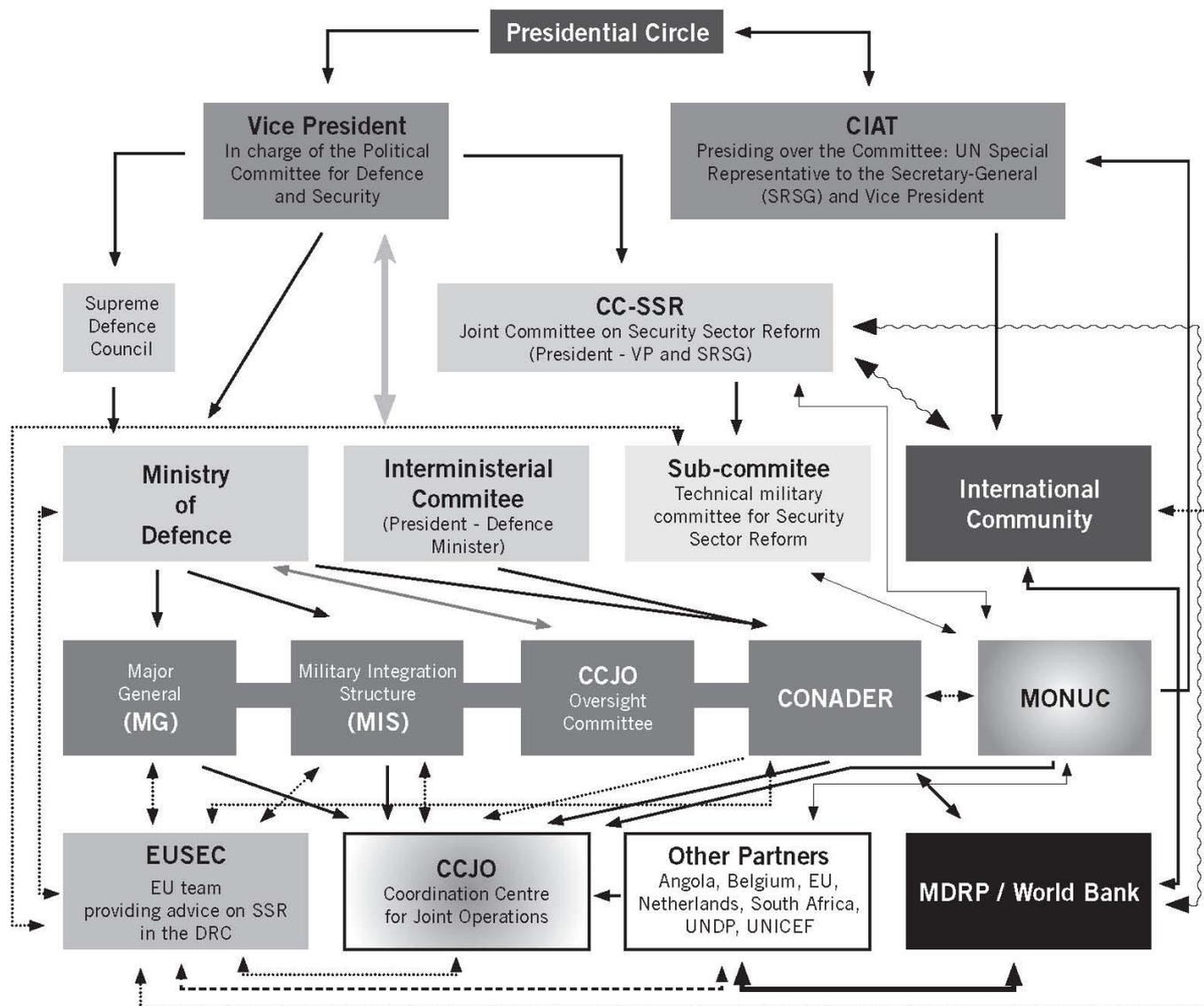
Training continues to be complicated by the tendency of each foreign military involved to use its own doctrinal approach. The emergency plan was characterised by multiple donor initiatives, largely carried out ad hoc. The Europeans tend to work in their own corner, the Angolans in another, with the South Africans attempting both to cooperate with the Europeans and pursue their own initiatives. Until EUSEC advisers started attending the meetings of the many Congolese institutions, the poorly coordinated donors had routinely allowed the Congolese politicians and military to play them off against each other. That donors took so long to interact constructively with Congolese security institutions was a major failure of the international community.

Recent events in the East – internal fighting within FARDC in North Kivu, operations against proxy militias in Ituri, against Mai-Mai in Katanga, and Ugandan LRA rebels in Garamba National Park, as well as the still unresolved issue of the Rwandan FDLR rebels, indicate that on the eve of elections, the integrated Congolese army has yet to develop into a match for determined and well-armed groups. There is a clear need either to step up support for it urgently or to increase the number of international security providers in the country.

One way to approach the latter subject on a temporary basis in the run up to elections might be to make use of the gendarmerie the EU inaugurated in January 2006. Its 800 police officers – drawn from France, Italy, Sweden, Portugal and the Netherlands and based in Vincenza (Italy) – can deploy in 30 days for post-conflict peace-keeping and maintenance of public order. The paramilitary force is designed to address transitional situations where war has abated but civilian specialised units are needed to address simmering insecurity. The commando troops can

be reinforced from a stand-by pool of 2,300 officers. Although the original plan was to use these troops in regions where EU peacekeeping operations are ongoing, such as the Balkans and Afghanistan, they would be useful in the Congo in April

E. THE WAY FORWARD

A number of other approaches should be pursued. Donor aid should be more strongly tied to specific progress on good governance and strengthening Congolese institutions, in particular the judiciary and the parliamentary commissions. The parliament should be encouraged to move as quickly as possible after the elections to establish an appropriate defence committee for oversight of military spending and reform efforts, and the new government should prepare a detailed presentation on defence spending as part of its annual budget.

Donors should agree to move forward with the EUSEC project as a cornerstone of reform. Merely focusing on separating the chains of command and payment would be insufficient, however; donors and Congolese must draw lessons from recent events in the East and significantly step up their support for the integrated units. If the EUSEC plan is to have lasting effect, the foreign experts running it need to be paired with personnel from the grossly under-funded Congolese institution in charge of military corruption, the army's Inspector General (*Controleur Général des Armées*). Congolese and donors must work together to beef up domestic anti-fraud institutions, such as public prosecutors and the barely functional Ethics and Anti-Corruption Commission, which the peace deal created as an institution of the transition. Military disciplinary codes that set out soldiers' rights and duties must be defined urgently, and donors should provide the necessary expertise to prepare a draft for discussion with their Congolese counterparts.

The Security Council-imposed arms embargo is so weakly enforced that armed groups are easily able to acquire even heavy weaponry. Congolese leaders must muster the political will to bring army brigades that have operated out of the mainstream – such as the 83rd Brigade and the Presidential Guard – into the integration process. The best of the integrated troops – particularly those that went through Angolan or Belgian 90-day training courses – should immediately be given the necessary pay, facilities, logistical support and equipment and be deployed to engage dissident forces in both Kivus and central Katanga.

While the fundamentals of the Strategic Plan are sound, the reform process faces an array of political and technical hurdles. Many of the technical problems of expertise and capacity can be solved if donors apply more resources but both internationals and Congolese must work together to

improve cooperation, notably by offering a unified training curriculum. Donors should not decide security issues without consulting the Congolese institutions. There is a need to unify decision-making processes and strengthen existing institutions rather than constantly creating new ones.

The international community would be well served by establishing a formal coordination mechanism and ending an approach to aiding FARDC that has often been as Balkanised as the Congolese military itself. It should also establish an International Military Advisory and Training Team (IMATT), with EUSEC as a core element and strong Angolan, South African, and MONUC participation, to deliver the operational outcomes agreed by that mechanism, including to:

❑ provide strategic and operational advice to the Congolese agencies, as EUSEC currently does;

❑ field tactical-level implementation teams to assist and deliver training at integration centres and training schools and advice to deployed units;

❑ harmonise approaches to training and ensure common standards at all integration centres;

❑ exercise responsibility for financial and logistical support mechanisms; and

❑ offer FARDC consistent focal points at all levels of cooperation, from headquarters to integrated units.

As described above, the most immediate concern is to improve wages, equipment and training.[135] Care will be needed to avoid making IMATT an all-foreign body that is efficient but lacks Congolese ownership or is too large and bureaucratic. EUSEC owes much of its success to its style, including use of informal and friendly breakfast briefings among a handful of experts. IMATT should be closely integrated with the FARDC, and each member paired with a Congolese counterpart. Its personnel should be highly experienced and not exceed 300.

Ideally, IMATT would be implemented in two stages. The first would quickly bring together no more than a dozen high ranking donor experts – European, Angolan, South African, and UN – for daily technical coordination

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[135] The First and Second Integrated were trained directly by the Belgians and Angolans and are judged to be significantly better than those trained directly by the FARDC. MONUC has developed a proposal for sustaining the first nine integrated brigades to be deployed to Ituri and North and South Kivu (three to each). Its estimated monthly cost is approximately $220,000 per brigade to cover items such as food, medicine, fuel, water, vehicles, communications and soldier's individual equipment. This is substantially less than the cost of UN forces – more than $1 billion a year.

meetings, similar to current EUSEC procedures. Congolese counterparts paired with the internal experts should proceed in a similar fashion to host meetings of their own. The second stage would involve small, highly specialised teams to coordinate training and implement specific measures, such as is currently being considered under the EUSEC proposal. Pairs of IMATT advisers should also be embedded within the brigades in an operational role. This would enhance FARDC operations, continue to inculcate military professionalism, and allow for monitoring of troop conduct. Finally, IMATT could also begin working with the Congolese authorities to enhance their strategic planning capabilities, develop a comprehensive long-term national security plan, and flesh out much needed military doctrine.

Congolese authorities need to meet their responsibilities and clearly endorse the integration process. They must be realistic about the nature and size of the new army, drawing lessons from the past and avoiding old mistakes. Instead of again creating a large, unbalanced force with an all-encompassing mandate, they must establish a military that is sustainable, professional and geared to dealing with external threats. Donors will not pay the military bill indefinitely, and an army in the range of 60,000 to 70,000 would be a good step toward rational and sustainable reform. Joseph Kabila should send a strong signal by keeping his promise to integrate the bulk of the Presidential Guard into regular units under headquarters control.[136] Having a capable force of 12,000 to 15,000 outside the military mainstream is unacceptable. The president should retain only a much smaller, battalion-sized element, like those that other senior Congolese politicians have kept for protection. By converting substantial numbers of the Presidential Guard into the regular army, the army would also be in a much better position to field an effective force in joint operations with MONUC.

Finally, the international community must do something about the heavy weaponry in the country but not under government control. While the integration process includes disarmament, most combatants present themselves with ancient arms or none at all. No heavy weaponry has been handed in, raising the suspicion that various groups maintain depots in secluded areas that they can access quickly should the conflict resume.

Likewise, the badly leaking arms embargo needs to be addressed. An important first step has been taken by placing military observers at the Goma and Bukavu airports to inspect commercial flights but this needs to be extended to the border crossings in Bunagana and Goma, as well key roads, such as the Kasindi-Lubero route, and other airports, including Lubumbashi, through which the FDLR has allegedly received supplies. The Security Council explicitly instructed MONUC in October 2004 to conduct random, unannounced inspections of Congolese military bases, airfields, vehicles and other installations.[137] However, multiple responsibilities limit the peacekeepers' ability to prioritise support of the embargo, particularly on the eve of elections.

The Secretary-General has frequently highlighted MONUC's need for more tactical surveillance assets and access to national intelligence products but member states have not been forthcoming. The Security Council's Congo Sanctions Committee should more aggressively pursue cases where its panel of experts has identified regional violators of the embargo, and targeted sanctions such as asset freezes and travel bans should be imposed so the Congolese government that emerges from elections can aspire to a monopoly of force on the national territory.

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[136] General Kaloume from the *Maison militaire* assured Crisis Group that the Presidential Guard would be integrated. Experts fear, however, that its integration will be postponed at least until well after the elections or, alternatively, that it will be incorporated essentially intact into a single brigade, with at most minor adjustments. Crisis Group interviews, Kinshasa, November 2005.

[137] UN Security Council Resolution 1565, para. 4 (f).

IV. CONCLUSION

The process of rebuilding the Congolese state and developing the required expertise and capacity will be long and sometimes painful. Achieving army and police reform will require significant political will and the allocation of meaningful resources by both the Congolese and donors. The Strategic Plan developed by the transitional government is a sound attempt to articulate the basic contours of army integration but it will largely be a dead letter unless both the government and the international community deal with sweeping issues of fragmentation, corruption, political obstructionism and the generally dilapidated state of the armed services.

Although that plan was endorsed in 2005 by Congolese authorities and donors alike, they appear to pursue entirely different objectives. Many Congolese leaders are attempting to hang on to their military power base rather than engaging in a true integration process. Many donors are focused on electoral security, some of them falsely reassured by the deceptively calm referendum. Of course, elections are important but security for them should be largely the responsibility of civilian forces: Congolese police, bolstered by MONUC police and perhaps the EU gendarmerie in the main urban centres. However, for the average citizen, the most prominent threat to survival is the ongoing insecurity in the eastern Congo, which appears to have slipped from the top of the decision makers' agenda, where it belongs. Before the elections, MONUC and strengthened integrated brigades should employ against the militias in the Kivus and Katanga the cordon and search tactics that were effective in Ituri in 2005.

While this report has concentrated on the internal mechanics of police and army reform, it is also vital to underscore the regional nature of many security threats. Without greater regional cooperation, it will be impossible to make progress on many of the country's most pressing problems, including ending support for armed groups, Congolese and foreign, and stemming illegal arms flows and economic activity. The International Conference on the Great Lakes Region (GLC) recognises that interdependence is the cornerstone of peace and prosperity and could serve as a useful multilateral forum for longer-term development issues but it is hampered by too large a membership, and it does not focus adequately on the immediate problems of the eastern Congo, the source for so much of a decade's violence.

The EU deserves congratulations for taking a greater role in security sector reform but needs to improve the speed and agility of its programming. Security sector reform is far more explicitly political than many of the other activities traditionally supported by especially the Commission and requires stronger political engagement on the ground to be effective. There is also considerable room for improvement in harmonising EU and member state activities. And the EU must remain engaged after the elections or risk jeopardising the substantial investment already made in assisting the Congolese reform their security structures and improve the governance of their state.

Nairobi/Brussels, 13 February 2006

APPENDIX A

MAP OF THE DEMOCRATIC REPUBLIC OF THE CONGO

APPENDIX B

GLOSSARY OF ABBREVIATIONS AND ACRONYMS

AFDL	Alliance of Democratic Forces for the Liberation of the Congo, rebel movement which brought Laurent Kabila to power in the First Congo War (1996-1997)
ANR	National Intelligence Agency, specialised police intelligence force
CFSP	European Union Common Foreign and Security Policy
CIAT	International Committee in Support of the Transition, group of major international actors in the Congo, a formal institution of the transitional government based in Kinshasa
CONADER	National Demobilisation and Reinsertion Commission, government institution responsible for demobilisation funded by the MDRP
DFID	United Kingdom Department for International Development
DSP	Special Presidential Division, Mobutu's elite praetorian guard
ESDP	European Security and Defence Policy, driven by the Council of the European Union
EUPOL	European Union police mission, "EUPOL-Kinshasa"
EUSEC	European Union Security Advisory Commission, EU technical team providing advice on army reform
FAC	Congolese Armed Forces, established in 1997 as the army of Laurent Kabila and later of his son, Joseph, until the transition and creation of the FARDC in 2004
FARDC	Armed Forces of the Democratic Republic of the Congo, the new integrated army established in 2004 and composed of the former belligerents now participating in the transitional government
FAZ	Zairian Armed Forces, Mobutu's army, established in 1971
FDLR	Democratic Forces for the Liberation of Rwanda, rebel movement comprised of ethnic Hutus from Rwanda operating in the eastern Congo
FLEC	Front for the Liberation of the Enclave of Cabinda, independence movement which cooperated with Mobutu when he invaded Angola in 1975
GSSP	President Joseph Kabila's Presidential Guard
GMI	Mobile Intervention Group, a special force set up by MONUC in Kisangani
IMATT	International Military Assistance and Training Team
IMET	International Military Education and Training
Mai-Mai	Local militia recruited along tribal lines among peasants
MDRP	Multi-country Demobilisation and Reintegration Program, a multi-agency fund managed by the World Bank that supports the demobilisation and reintegration of ex-combatants in seven countries of the Great Lakes region including the Congo.
MLC	Movement for the Liberation of the Congo, led by Vice President Jean-Pierre Bemba and active in the Congo's Equateur province
MONUC	United Nations Mission in the Democratic Republic of the Congo, established in 1999, now includes nearly 17,000 UN peacekeepers
OECD	Organisation for Economic Cooperation and Development
ODA	Official Development Assistance
PIR	Rapid Intervention Police, mobile specialised units trained by France, South Africa, and Angola for urban crowd control
PNC	Congolese National Police
PPRD	Party of the People for Reconstruction and Development, President Joseph Kabila's political party
RCD	Rally for Congolese Democracy, movement led by Vice President Azarias Ruberwa
SADC	Southern African Development Community
SARM	Military Operations and Intelligence Services, elite army unit created by Mobutu
SSR	Security Sector Reform
UPI	Integrated Police Unit, trained and equipped by the European Union and its member states, which mainly protect the transitional institutions in Kinshasa

APPENDIX C

ABOUT THE INTERNATIONAL CRISIS GROUP

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Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is chaired by Lord Patten of Barnes, former European Commissioner for External Relations. President and Chief Executive since January 2000 is former Australian Foreign Minister Gareth Evans.

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