

# Post-war Defence Integration in the Democratic Republic of the Congo

Prof Roger Kibasomba



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## INTRODUCTION

This paper explores the defence integration process as designed by the Democratic Republic of the Congo (DRC)'s peace agreement and transitional arrangements from 2003 to 2005. Various efforts undertaken by the transitional government, MONUC<sup>1</sup> and other key players like South Africa, Angola, France, Belgium, the United Kingdom (UK), and the United States of America (USA) are explored. On 30 June 2005 the newly integrated security forces overcame their first joint challenge: ending the transition that began with the implementation of the Pretoria agreements in June 2003. The success of the next phase is expected to lead to the establishment of a new political system based on a new constitution adopted by referendum, and a democratically elected government and parliament.

In fact, the DRC transition comprises three major phases:

- The Lusaka phase (1999-2001) consisting of the ceasefire and the deployment of MONUC;
- The Pretoria phase (2001-2003) including negotiations for power-sharing and transitional governance arrangements; and
- The Kinshasa phase (2003-2005) during which the transitional government, under international supervision/guidance (by the *Comité International d'Accompagnement de la Transition* – CIAT), prepares and organises general elections that should lead the country to democracy and eradicate belligerence politics.

Once the transitional government had missed the deadline by failing to organise elections, the main opposition movement, under the leadership of Etienne Tshisekedi wa Mulumba, the president of the '*Union pour la Démocratie et le Progrès Social*' (UDPS), called for civil disobedience, a *de facto* end to the transition, and the restoration of a new government

according to the resolutions of the 1990-96 National Sovereign Conference. The UDPS appeal capitalises on popular demand for democratic elections and a rapid economic recovery. The peace process and the current transitional arrangement have just survived this threat and the risk of mob violence. The deployment of the newly integrated police forces into the main cities, especially in Kinshasa (the capital), Goma (headquarters of the Rally for Democratic Change-Goma (RCD-Goma), the UDPS ally), and Mbuji-Mayi (Tshisekedi's home town) was effective at deterring mob violence. Police interventions managed to

control or quell the anticipated riots, looting, killings and escalation, without using excessive force or abusing the civilian population. The military was prepared to back up the police if any of the violent incidents escalated into something more serious.

Such an achievement constitutes a new event in the history of the DRC, known for the brutality and inefficacy of its police and military forces. The 30 June 2005 45<sup>th</sup> anniversary of the country's independence thus marks the beginning of the democratisation of the Congolese armed forces. The armed forces'

achievement was mainly due to the upgrading of their skills, their exposure to alternative security governance and international/regional supervision, joint back-up operational support of MONUC peacekeepers, and CIAT oversight. Yet only approximately 15 per cent of the 350,000 combatants have been re-skilled and re-oriented for their appropriate professional roles. The integration process still suffers from political interference, parallel command structures, doctrinal divergence, insufficient domestic funding, belligerence threats, continued insecurity in the eastern provinces, and delays in disarmament, demobilisation and reintegration (DDR) planning and implementation. The DDR programme, in turn, is behind schedule because of delays and a lack of planning for the implementation of transitional programmes. Efforts to rehabilitate basic social services like health and education,

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**Table 1: Achievements and challenges**

Situation	Activities/results	Type
Achievements	1. Established higher defence council	Policy-making structure
	2. Enactment of the Defence Law	
	3. Established committee for Planning and Coordination	
	4. Appointment of 10 regional military commanders	Field implementation structures
	5. Training and deployment of 7 operational brigades	
	6. Election security measures	Election security and peace support mechanisms
	7. Empowerment of special paramilitary police forces for urban operations	
	8. Joint MONUC & FARDC peace support operations in the East (Ituri, Kivu and N. Katanga)	
Challenges	1. Eradicate parallel structures throughout the command chain	Policy environment
	2. Completing Disarmament, Demobilisation and Reintegration (DDR) of Congolese ex-combatants	Disarmament
	3. DDR plus Resettlement and Repatriation of foreign armed rebels (DDRRR) successful	
	4. Develop domestic capabilities and sustainability	Resource mobilisation

rebuild the economic infrastructure, stimulate short-term job creation through labour-intensive public works, and establish mechanisms for governance and participation should proceed, either simultaneously or ahead of the security sector reform and DDR programme. The inappropriate sequence of events and the absence of synergy between some programmes have caused delays, which are responsible for the current political malaise and the UDPS' threatening call for civil disobedience. The UDPS' threat was useful in one way: the transitional government and MONUC responded to it by accelerating the security sector reform and the training of soldiers and police for electoral security. The transitional government really began to perform between January and June 2005. MONUC started serious operations only after the killing of nine Bangladeshi peacekeepers and 50 Congolese insurgents (in retaliation) in September 2004, and after MONUC's continued humiliation by armed disturbances/attacks in South Kivu, North Kivu and Northern Katanga up until the establishment of the Eastern Divisional Headquarters in Kisangani on 24 February 2005.

The political process has progressed remarkably since January 2005 although the transitional government continues to face significant challenges in implementing crucial aspects of the transition, most notably in the area of defence and security<sup>2</sup>. Special attention to defence and police transformation is needed in order to speed up the process, to stop warmongering in the east of the country, and to secure the forthcoming general election.<sup>3</sup>

The current situation may be assessed by exploring what had already been achieved by 30 June 2005, and listing the challenges that must be overcome in order to establish the fully fledged integrated armed forces according to the Global and All-inclusive Agreement (GAA). Part VI of the GAA agreement stipulates that the signatories – the Congolese Armed Forces (FAC), the Movement for the Liberation of Congo (MLC),

the Congolese Rally for Democracy-National (RCD-N), the Congolese Rally for Democracy-Liberation Movement (RCD-ML) and the Mayi-Mayi combatants – should be integrated into a new national and republican Congolese Army, the '*Forces Armées de la République Démocratique du Congo* (the FARDC)'. Although the FARDC does not include the national police force – *la 'Police Nationale Congolaise'* – it is useful to discuss the military strength of the police force since over 95 per cent of this force are former members of former President Mobutu's *Forces Armées Zairoises* (FAZ). The FAZ included law and order enforcement agents such as the Gendarmerie, Garde Civile, and traffic police.

Progress has been achieved in three types of areas but the process still faces three main challenges. The table below shows an outline of progress this far.

## Policy-making mechanisms

### *The Higher Defence Council*

The Higher Defence Council (HDC) was established according to the Pretoria Agreement and is to be chaired by the president. Its main objective is to guide and provide advice about setting up a restructured and integrated army, as well as on the disarmament of armed groups. Furthermore, the HDC is tasked with supervising the withdrawal of foreign troops; drafting a new defence policy for the DRC, and giving its assent to a declaration of a state of siege or a declaration of a state of war. Furthermore, as far as army integration is concerned, the Final Act, in Resolution No. DIC/CD/04 of 2 April 2003, provides that a mechanism be set in place for the formation of a restructured and integrated national army.

Based on the provisions of the transitional constitution, the HDC is composed of the following members: the president; the four vice-presidents; the minister of defence; the minister of the interior, decentralisation

and security; the minister of foreign affairs; the chief of staff of the FARDC; and, finally, the chiefs of staff of the army, air force and navy. The HDC is to hold at least one meeting per month, but meetings may be convened by the president or any of the four vice-presidents. The president is to preside over HDC meetings or, in his absence, by the vice-president in charge of the political, defence and security commission, a post currently held by Azarias Ruberwa of the RCD-Goma.

The HDC has been not yet able to function as an effective national security council because there is not yet enough mutual trust. Four of the five members of the presidential 'club' represent the four belligerent groups that waged war for six years. Members are still suspicious of each other and are driven by their respective group interests rather than enhancing a national or common interest. Every belligerent leader made strong commitments to his constituents before entering the transitional government. The general tendency is to veto decisions instead of supporting joint action. The HDC's deliberations are often deadlocked because the Council is divided into two groups. The vice-president in charge of defence and security, the defence minister and foreign affairs minister belong to the RDC-Goma grouping. This alliance tends to veto what the president decides in his capacity as commander-in-chief of the armed forces with the support of the home affairs minister and the chief of defence staff belonging the President Kabila's PPRD party. The duo of the commissioners for defence and security of the Transitional Senate and National Assembly, and the judiciary can be useful in changing the status quo. However, the parliamentary defence and security commissions, and the judiciary system are not only dormant but also excluded from the HDC. The situation would be different if the Senate or the National Assembly also had the constitutional power to cause deadlocks by filibustering until the president or the vice-presidents' groups gave up or agreed to change. It would be even better if the judiciary could intervene in the defence and security game by declaring null and void those HDC decisions that are inconsistent with the language or the intent behind the language in the constitution or the national defence/security law.

Until December 2004, the HDC struggled to perform because of rent-seeking conflict. One consequence is that even though the five-person presidency and the representative power-sharing system managed to secure the co-existence of former belligerents, it did not get the integration process right. It seems more and more evident that it is the process, not the functions and structures, that produces the

goods and services that will delight the Congolese population and satisfy the DRC's peace and security requirements. President Kabila admitted as much in his speech of 14 June 2005, in which he clearly called upon all groups to substitute their representatives with teams of people empowered to improve and speed up transitional processes. Indeed, reshuffling the transitional government or 'downsizing' is not the answer. As William Band argues, "When a bloated, unfocused work force is the problem, cutting the work force means you will have fewer unfocused employees. Further difficulties arise from the failure to educate employees about their place in the new structure".<sup>4</sup> The transitional authorities should rather focus on 'smartsizing' or targeting selected critical processes such as the defence integration and the DDR processes and improving the quality of these selected processes. Here, educational capabilities and professional experiences are more important than representation and power sharing. For this very reason, the HDC needs to include, and even promote, civilian and parliamentary participation. Until then, the CIAT covers up the deficit by providing international and regional experiences. Yet CIAT's contributions might still prevent the collapse of the whole peace process in the short run, though within the limits of its mandate. The sustainability of a strategic-thinking institution like the HDC needs regular intellectual contributions from think-tank organisations that can add value to the national defence vision, strategy and policy development. This has never happened in the history of post-independence Congolese armed forces. The Belgians took their defence vision, strategy and policy away with them. Mobutu's defence strategy focused on the president's personal security and

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deterrence of any opposition to his rule. Of course, Mobutu's approach was an abusive hybrid of the traditional strategic planning model, which consists of one man deciding on a set of goals and objectives for the overall organisation, and channelling the ideas of senior managers and leaders downward to the employees, followers, and supporters. Another wasteful practice of the traditional model was to pretend to develop strategic capability by sending senior officers to the world's best military academies without any intention of using the skills they had acquired. The whole system eventually collapses, leaving the country and the people without any national defence and protection. This organisational deficit still manifests itself in the current work of the HDC, which is closed (quite wrongly) to civilian, private or citizen participation. The mission, vision and strategy for the formation of the new armed forces are vaguely defined by the transitional constitution. But the strategic priorities, objectives, guiding principles

(a code of ethics), leadership practices/values, and citizens' expectations are not reflected. As a result, HDC members avoid meeting to avoid the risk of wasting time and resources fighting each other's ideologies instead of developing a national strategy for the expected national defence force with a clear mission, vision and competing defence capabilities (comparative advantages). At this stage of post-war reconciliation, such avoidance tactics can be justified politically but, unfortunately, it does not resolve the defence problem. The strategic deficit in defence and security not only creates fatigue and despair and wasted resources, it also prevents the whole defence organisation from discussing the competing imperatives of combat and peacekeeping. Delays and imperfections in the ongoing defence integration process seem to be caused by this strategic deficit.

To make the process work effectively, HDC authorities need to understand that the front-end investment of time and energy to create the elements of the direction statement (strategy alignment) pays off later, and that the defence integration process has to be right the first time; they are unlikely to get a second chance to do this. The HDC must thus develop a complete system, and adopt a strategic position that drives the whole defence transformation process. They must put a much higher premium on foresight, rather than focusing on short-term political considerations.

Of course, the DRC does not have comparable sophisticated institutions but it does have research and academic institutions and knowledgeable people who can add value to the strategic work of the HDC. At the very least, parliamentary commissions for defence and security should be allowed and empowered to contribute to the development of the national defence mission, vision, strategy and policy. The need for civilian, parliamentary and citizen participation in national defence strategy development is justified for three main reasons. First, the war has affected more civilians (especially poor people) than soldiers. Second, the country has initially chosen to demobilise over 200,000 ex-combatants and reintegrate them into civilian society and the labour force. From DDR experience in the region, such as in Mozambique, we learn that 'One of the most difficult recovery processes in Mozambique is dealing with the human instruments of war – the combatants'. Unlike weaponry, combatants cannot be collected and stored in armouries before being destroyed. They have to be demobilised and – most importantly – reintegrated into productive civilian life which is costly, not only in terms of psycho-sociological, financial and material costs, but also because of time needed for effective conversion of

the military culture into the lifestyle of an unarmed ordinary citizen. A third reason is that the defence strategy development exercise is not immune to the need to democratise the whole governance system in order to prevent further conflicts, armed rebellions and coups d'état. In a democracy, parliamentary control over the country and the military focuses on peace consolidation, national reconciliation, and capacity-building. Non-military contributions are unavoidable. Learning from their cooperation in humanitarian relief operations, many world military establishments have generally become more open to think about and discuss broader development concerns, and are opening up to civilian participation. The interdependence of the military and civilians and the need to cooperate are increasingly recognised. This clearly relates to changing concepts of security.<sup>5</sup> Parliamentary participation in the shaping of the new defence and security mission, vision and strategy constitutes an important mechanism of civilian oversight. Unfortunately, cold war between former belligerent groups continues even in the parliamentary forum. Until then, MONUC and CIAT

participation will continue to shape and drive the defence integration participation process. Measures for national ownership and sustainability of the process should be built in, as an integral part of MONUC, and with CIAT's back-up support.

### **Defence Law**

The draft law on Defence and the Armed Forces was approved by both the Council of Ministers in January 2004 and by the National Assembly in June 2004. But the draft law that finally established the FARDC was only promulgated on 12 November 2004. This defence law

remains silent on some critical issues such as the size, operations and functioning of the future integrated army. Instead, the law focuses on the organisation and structure of various branches of the defence forces, and clarification of the responsibilities attached to the various sections and functions. The defence law also remains quiet about the size and role of the presidential guard although it affirms the head of state as the supreme commander of the *Forces Armées de la République Démocratique du Congo* (FARDC). Despite the existence of the parallel command structure and the difficulty of operating the four-plus-one presidency structure<sup>6</sup>, ex-belligerents have accepted that President Joseph Kabila is the commander-in-chief of the integrated FARDC in his capacity as head of state. However, the law emphasises the constitutional obligation of the head of state to consult with the HDC before taking decisions such as declaring war or a state of emergency. It was proposed that the presidential guard should have 15,000 troops.

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This law has the advantage of preventing conflict between the President, Joseph Kabila, who is the commander-in-chief of FARDC and the vice-president, Mr Ruberwa, now in charge of the defence and security portfolio. This is important in the DRC. In fact, a similar scenario brought about the crisis between President Kasa-Vubu and his premier minister, Mr Patrice Lumumba, in 1960. That crisis prompted the assassination of Mr Lumumba, the victim of Mr Mobutu's first 'coup d'etat', and a mutiny by Lumumba supporters.

### **Technical Committee For Planning and Coordination**

The creation of the Technical Committee for Planning and Coordinating DDR (the CTPC); and finally, the signature on 8 February 2004 of a military partnership with Belgium, provided hope for the formation of a new, integrated Congolese national army before the first anniversary of the establishment of the transitional government in June 2004. The government was tasked with developing a comprehensive national security sector policy in an integrated and transparent manner; and ensuring budgetary provisions for the establishment and maintenance of security entities. The police promised to elaborate on the future role of the police service by holding a national seminar on police issues, with assistance from MONUC; to adopt a decree appointing the national police high command; to adopt a decree establishing a close protection corps; to designate the command structure for the integrated policy units (IPUs). The military was expected to:

- Expedite the review and adoption of the law on the general organisation of defence and the armed forces;
- To establish the Supreme Defence Council as envisaged in the All-inclusive and Global Agreement of 17 December 2002;
- To adopt and implement a coherent, cost-effective and realistic military integration plan, complemented by a comprehensive national DDR programme; and
- To produce coherent, timely, effective and sustainable plans for the deployment of integrated FARDC units, in close coordination with MONUC.

Donors, especially the European Union (EU), offered to

- Facilitate the early completion of the training of the IPU;
- Set up an advisory group on security sector reform (SSR) in the DRC, possibly attached to an SSR cell in MONUC;

- Assist the DRC transitional government to plan and implement its reform policies;
- Ensure that sufficient funds were made available for immediate disarmament requirements in places such as Ituri and other locations in the east, pending the implementation of a national DDR programme;
- Establish a donor coordination mechanism, under the joint chairmanship of the transitional government and MONUC; and finally,
- Review SSR progress every six months.

All these commitments were reviewed on 29 June 2004 by the UN Secretary-General (UNSG). The UNSG convened a second meeting on SSR in the DRC with representatives from Angola, Belgium, the DRC, France, South Africa, the UK, the United States, and the EU. The meeting intended to provide well-coordinated assistance to the SSR process in support of the 9 February plan. Participants agreed that progress could hardly be achieved unless the transitional government was fully committed and involved principles such as transparent command and

control structures and the maintenance of security structures. Progress will come to a halt unless sufficient funding for planning, training and equipping the integrated army is provided; and, the DDR programme is implemented in order to resolve the problem of the excess combatants.

Very little progress has been made thus far. However, some member states of the SSR Coordination Committee (South Africa, Angola and others) continue to provide bilateral support. The Coordination Committee comprises senior transitional government officials and the Ambassadorial representatives

of those member states and organisations present at the meeting of 8-9 February 2004. MONUC established an SSR cell within its structure. The cell is tasked with bringing together all the elements, including two teams of police and military experts (seconded from member states) to be co-located in the Ministries of the Interior and Defence. Terms of reference were prepared and it was expected that embassies would receive requests for personnel during the first two weeks of October. The cell also intends to coordinate the various players in Kinshasa and provide technical expertise on the composition and size of the military force, the sequencing of DDR and military integration processes and the establishment of a joint MONUC-CIVPOL working group. The committee is likely to assist the transitional government to develop national strategic plans (determining the role, size and structure of forces); establishing procedures to screen and downsize personnel (DDR); implementing multi-donor demobilisation and reintegration programmes

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(MDRP); preparing reintegration programmes for both the military and police; plugging the various resource gaps: equipment, communications and infrastructure; and, developing electoral security plans.

## Field implementation mechanisms

### *Military regions and commanders*

Military regions have been established and regional commanders assigned to their posts according to the power-sharing agreement. FARDC military regions and commanders are:

- *Region 1:* Bandundu under Brigadier General Mustapha, Mukiza from MLC
- *Region 2:* Bas-Congo under Brigadier General Kisempia, Sungilanga from FAC
- *Region 3:* Equateur under Brigadier General Mulubi Bin Muhemedi from FAC
- *Region 4:* Kasai Occidental under Brigadier General Kasereka Sindani from RCD-ML
- *Region 5:* Kasai Oriental under Brigadier General Obed Riwihasiri from RCD-Goma
- *Region 6:* Katanga under Brigadier General Alenghia Nzambe from MLC
- *Region 7:* Maniema under Brigadier General Widi, Mbuiu Divioka (RCD-N)
- *Region 8:* North Kivu under Brigadier General Amisi Gabriel from RCD-Goma
- *Region 9:* Oriental under Brigadier General Padiri, Bulenda David (Mayi-Mayi)
- *Region 10:* South-Kivu under Brigadier General Mabe, Mbuza (FAC)

Despite the appointment of an integrated military leadership, and the deployment during 2003 of MRCs tasked with the integration of existing forces, parallel decision-making structures inherited from the war period remain a problem and contribute to discrediting the integrated chain of command. Integration (inter-mixing) at unit level is still not yet effective. Ex-FAZ soldiers and officers tend to look

In general, pre-reconciliation alliances and suspicions still characterise the dynamics of integration at unit and command level

down on their colleagues who were not trained in conventional military academies and training centres. Former Mayi-Mayi combatants did not receive any formal military training but boast about their self-determination and combat capabilities, which the ex-FAZ failed to demonstrate. Ex-FAC and MLC seem to understand each other much better because the majority are ex-FAZ. All seem to have very little trust in ex-RDC-Goma soldiers and officers. In general, pre-reconciliation alliances and suspicions still characterise the dynamics of integration at unit and command level. Regional commanders have a huge job ahead of them.

### *Operational brigades*

Efforts have been made by the Ministry of Defence and the staff to start mixing troops and organising operational commands in the east of the country, despite the poor political, institutional and logistic support they get. To some extent, the army deserves some credit for these efforts to prepare to meet external and internal threats. The strategic plan for the defence integration provides for three phases, as described in the table below.

These training efforts (with the help of the Belgian military assistance mission) include the set-up of the Ituri brigade, that will be mixed, integrated, and deployed to the Bunia area, and the signing of military cooperation agreements with South Africa and Angola in order to train other brigades. The plan sets a ceiling number of 120,000 combat-ready troops by October 2005. The first phase was achieved successfully. Three of the seven integrated brigades are well equipped and currently participate in joint peacekeeping operations with

MONUC troops in Ituri and the Kivu regions. FARDC soldiers were successful in South Kivu in the Mutebusi-Nkunda case. However, the mutiny of FARDC brigades sent to North-Kivu for the 8<sup>th</sup> military region indicates that the mixing and integration processes are still fragile. Rwandan troops intervened to support the mutineers of the former RCD-Goma army. The

**Table 2: The strategic plan for defence integration**

Phase	Period	Training targets	Training and mixing Centres	Destination	Strength
1	December 2004 – June 2005	21,552 troops	Kitona Kamina Kisangani Nyaleki Mushaki Ruberizi	Kinshasa Kamina Ituri Nord-Kivu Nord-Kivu Sud Kivu	1 brigade 1 brigade 1 brigade 1 brigade 1 brigade 1 brigade
2	June – September 2005	21,500 troops	To be decided	Conflict zones and other regions	6 brigades
3	August – December 2005	20,000 troops	To be decided	Remaining regions	6 brigades?
Total	12 months	63,052 troops		11 military regions	18 to 19 brigades

situation in Nord-Kivu has improved since Brigadier General Amisi Gabriel took the lead in the 8<sup>th</sup> military region. Training for specific objectives seems to be the main success factor of the three operational brigades.

Training objectives for peacekeeping in Ituri are:

- Four battalion brigade (4,568 troops trained by 13 May 2004)
- Chapter VII authority to protect the civilian population
- Coordinate and search (weapons-free zone) reducing the threat of armed groups
- Support the extension of state authority and the rule of law
- Disarmament and community reintegration of local militia especially child combatants

Training objectives for peacekeeping in South-Kivu and North-Kivu include:

- Two battalion brigade acting under Chapter VII
- Provide security and strong military visibility in the eastern DRC
- Implement DDRRR/DDR
- Tackle FDLR problem and send clear deterrent message to neighbouring spoilers
- Support joint FARDC/MONUC operations
- Combatant registration (pilot project in April 2004)
- Enforce the arms embargo
- Raise the profile of the UN and the transitional government

These achievements are still threatened by the government's limited capacity to improve the salaries and conditions of services of integrated men and women in uniform. Like their civilian civil servant colleagues, the majority of Congolese soldiers resort to polygamy, extended family connections, bribes or the extortion of vulnerable civilians to ensure their social security and daily living needs. Of serious concern, argues Boshoff, "is the lack of reliable and verifiable information on the actual numbers or armaments of former belligerent forces, while the size of the future defence force has yet to be determined. Meanwhile, the absence of a reliable salary payment system within the existing defence force has created a security hazard of its own

when unpaid soldiers prey on the local population for survival".<sup>7</sup>

In brief, the army is superficially reunited, largely politicised, unprofessional and poorly equipped. Lack of republican characteristics and performance in the army means the country will remain highly vulnerable during the electoral period. Speeding up the army integration process is a security necessity for re-establishing public order and state authority before, during, and after elections in cooperation with the police and civilian information services.

Although regional military commanders and provincial governors have been appointed, the state still has no effective control over units and armed groups. The amnesty law is unable to deter attacks by dissident and/or foreign armed groups. Both the DDR and DDRRR programmes suffer because the national DDR plan is not being properly implemented, and there is a lack of political will and genuine commitment to the post-transition democratic dispensation. The defence policy and restructuring are all seriously challenged by the vested interests of former belligerent groups.

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## Election security and peace support mechanisms

### *Electoral security in 2005*

The Independent Electoral Commission (IEC) has been instituted but its ability to organise a free, fair and safe election for the 22 to 28 million voters depends, largely, on an electoral law which is silent about security.<sup>8</sup> Also, the IEC's plan to set up 64 census bureaux, each staffed by six people and 36,000 to conduct the census depends on

successful defence integration and effective control over small-arms proliferation. Landmines are also a threat to those who need to travel freely. Thus, the risk of postponing the election and prolonging the transition period, can be attributed to delays in the implementation of the defence and police integration plans. These risks create new tensions. Opposition parties, ordinary citizens and the donor community expect the country to have a democratic leadership quite soon so that the national economy can begin to be rebuilt.

**Table 3: Foreign combatants and/or refugees repatriated through the DDRRR process.**

Country	Ex-combatants	Civilians	Total	Observations
Rwandan	3,315	3,245	6,560	
Ugandan	306	202	508	
Burundian	3,596	124	3,720	3,250 spontaneous returnees
Total	7,217	3,571	10,788	

Source: MONUC, 2004

The president of the IEC does not seem to have established a link between elections and the total integration of the army. The IEC's view is that soldiers should stay in barracks during elections.<sup>9</sup> Yet, an announcement by the president of the IEC of a possible delay in the elections beyond 30 June 2005 caused bloody riots in Kinshasa on 10 January, as well as a boycott in Mbuji-Mayi and Kinshasa in mid-January. The transitional political powers were worried by this violence and, to calm matters, organised an inter-institution seminar on the electoral process and the new constitution project from 3-5 February 2005 where participants assessed the progress of army integration. The Minister of Defence informed participants of the mixing plan of 120,000 people in eight centres, all ready to shelter 3,000 people for a 45-day period on a rotational basis. Following these arrangements, the army should be mixed and integrated according a strategic plan, divided into three phases. The Minister of Defence suggested the possibility of speeding up the mixing and integration process by multiplying training centres in the eastern part of the country at the rate of four centres per province instead of just two.

Ideally, the defence integration process should be completed before a democratically elected government is installed. It would be much easier for a democratic government to command and exercise civilian control over a unified army. The army's role in the pre-election period may also be crucial in case violence escalates. The Minister of Defence thinks that the target is attainable 'on condition that political will is immediate and effective and that necessary funds are released by all parties in accordance with commitments made'.<sup>10</sup> Although security measures are focused on police capabilities rather than those of the military, articles 27 and 28 of the electoral security law define the role of the military as follows:

- To provide back-up support to the national police force in maintaining law and public order
- To attend security coordination meetings at all levels
- To protect strategic military sites
- To continue to disarm militiamen and foreign armed groups in collaboration with MONUC and AU peacekeepers
- To continue the defence integration process.
- To call upon the Special Guard for Presidential Security (SGPS) to protect the President, the VIPs, and presidential sites.

The President of the Republic promulgated election security law no. 05/026 on 6 May 2005. This law includes an operational plan aiming at protecting

public institutions, people and their property; protecting electoral material and personnel; promoting the freedom of expression, policing and cooperation during electoral campaigns. Voter registration started in Kinshasa on 20 June 2005. Over three million voters had registered by 20 July 2005. The registration team planned to move to Bas Congo province in August.

The election security law has the advantage of internationalising the administrative and political control of the electoral process and its outputs. But it has the disadvantage of diminishing the political importance of the IEC and excluding parliamentary and civil society stakeholders. In fact, the leading committee for the electoral security process (CPSE) is headed by the minister of interior, decentralisation and security, assisted by a delegate from the IEC (article 7). The members drawn from the transitional government are: the foreign affairs minister, defence minister, justice minister, information minister, budget minister, finances minister, transport and communications minister, posts and telecommunications minister, deputy minister for the interior, deputy defence minister, deputy minister for war veterans and demobilisation, deputy minister for security and public order, a representative of the president's office, a representative of the deputy president for politics, defence and security commission, a representative of the deputy president for economic and financial commission, a representative of the deputy president for reconstruction and development, and a representative of the deputy president for socio-cultural commission.

The following members represent the international community: a representative of the UN Secretary General in the Congo (MONUC), a representative of the European Union, resident representative of the UNDP, and the ambassadors of South Africa, Angola, Belgium, France, the United Kingdom and the Netherlands. The IEC, Parliament, the opposition and civil society are marginalised even in the composition of the technical group for the electoral security process, the GTSE (see table below). Based on the South African model of a joint operational coordinating system, these national structures (CPSE and GTSE) will work with sub-structures at provincial (CCPSE), district and local (CCLSE) level.

The main opposition party (the UDPS) and other parties who are non-signatories of the Pretoria Accord attempted to boycott the transition process on 30 June 2005. Of course, Parliament is dormant and the civil society leadership has been co-opted into the transitional government. International and regional powers will have to influence the process from

### The election security law has the advantage of internationalising the administrative and political control of the electoral process and its outputs



**Table 4: Technical group composition**

GTSE mandate	Institution members	Number
<ul style="list-style-type: none"> <li>Assess threats and risks to election process</li> <li>Recommend appropriate operations strategies and solutions</li> <li>Follow-up on applications of electoral decisions</li> <li>Establish the command structure</li> <li>Manage the elections secretariat</li> <li>Report to CPSE regularly</li> </ul>	President's office	1
	Hone Affairs Ministry	2
	Foreign Affairs ministry	2
	Defence Ministry	1
	IEC	1
	National Police	5
	National Intelligence	1
	General Direction for Migration	1
	Military Intelligence	1
	MONUC	2
	European Union	3
	Embassy of South Africa	1
	Embassy of Angola	1
	Embassy of Belgium	1
	Embassy of France	1
	Embassy of UK	1
	Embassy of Netherlands	1
	UNDP	1
Total	The UNDP delegate is the group project manager	27

within the CPSE system. Other global stakeholders such as the United States and China continue to influence the process through their allies and the UN Security Council. The SADC region, especially the SADC Organ for Politics, Defence and Security Cooperation (OPDSC) is represented through Angola and South Africa.

### **Special Paramilitary Police Forces**

As mentioned previously, both MONUC and the transitional government use the national police force to ensure election security. The Inter-Congolese Dialogue gave the transition government the responsibility for reorganizing the police and information services. However, as with the army, the reunification process of the police faces the political and financial challenges. As a matter of fact, today's police force is a gathering of former officers and soldiers of the Zaire combatant forces and forces for maintaining order (*Gendarmerie* and *Garde Civile*), abandoned members of the dissolved self-defence popular forces, and of some volunteers with suspicious profiles recruited during the war.<sup>11</sup> Despite these evils, there are many well-intentioned police officers who conduct laudable fighting against armed bandits who are quite widespread in cities due to the spread of post-conflict illegal weapons. Despite the problems they face, the police's performance in controlling subversive events around the date of 30 June 2005 was remarkable.

According to the Memorandum II on the Army and the Security Forces, signed on 29 June 2003 by the signatories to the Global and All-inclusive Agreement, the DRC needs to form two policing units responsible for security during the transition period: the Close Protection Corps (CPR), responsible for the security of political leaders, and, an IPU, responsible for the general security environment. The current plan is to

reinforce policing capacity for enhancing electoral security. The plan involves the training of

- 50,000 policemen in Kinshasa
- 11,491 policemen in Goma
- 8,000 policemen in Gbadolite
- 2,640 policemen in Beni
- 1,500 policemen in Isiro
- 1,000 policemen in Lulingu

That means a total of 74,631 policemen that need to be trained.

MONUC takes the lead on the more technical police integration. A total of 396 CIVPOL training officers have been requested. The goal is to obtain 507 CIVPOL trainers for training 3,000 men of the *Police Nationale Congolaise* (PNC) and equip them with an estimated 100 cars and specific material for the maintenance and re-establishment of public order. In the meantime, with the aim of enhancing the provision of security for the transition, as well as assisting with the up-coming 2005 elections, MONUC and the Ministry of Interior have established a coordination framework to train and deploy 6,000 police officers, including 3,000 Rapid Intervention Police (PIR).

The PNC's strategic goals for the 2005 elections have been defined as follows:

- A unified and integrated police command level;
- 70,000 to 80,000 officers of all ranks;
- 2 PIR battalions (1,000 French-trained and equipped officers) in Kinshasa;
- The IPU in Kinshasa (1,008 officers as part of an EU programme);
- 25 PIR companies (3,000 MONUC trained officers) in 11 main cities;
- A police task force in Bunia (350 officers); and,
- 3,000 officers to manage and train the PNC.

MONUC has appealed to the UN to finance the DRC UPI and CPR members, and their training centres. Accordingly, the CPR was tasked with responsibility for:

- Personal protection of those officials in the transitional government who have been identified as requiring protection;
- Ongoing protection of residences, offices and other buildings and sites for the transitional institutions.

A Ministerial Decision (no. 076/2003) in late December 2003 allowing for the operationalisation of the CPR also gives the UPI this mandate:

- Securing international entry points to Kinshasa, ie, airports and marine ports;
- Securing the main roads to and from Kinshasa;
- Backing up the protection provided by the CPR when necessary;
- Supervising the performance of the Military Police; and
- Replacing the neutral force of MONUC, a phased deployment based on progress with the formation of the UPI complement of 1,008 men and women, consisting of 48 officers, 96 deputy officers and 856 policemen.

In terms of the quota system proposed by MONUC and accepted by all parties, the UPI will be deployed as follows:

- 293 for the Kinshasa Police;
- 271 for the Goma Police;
- 271 for the Gbadolite Police;
- 81 for the Beni Police;
- 51 for the Isiro Police; and
- 41 for the Lulungu Police.

In addition, through a bilateral arrangement, the French government has trained and fully equipped a 500-member '*Police d'Intervention Rapide*' (PIR) battalion. A second battalion is undergoing training. The Angolan government has also trained some PIR policemen and officers. PIR interventions in Kinshasa and Lubumbashi have demonstrated high levels of efficiency and discipline.

In sum, the police force is getting better, thanks to MONUC, French and UK assistance. Progress is remarkable, considering the formation of the Protection Force for transition authorities, Rapid Intervention Police, Ituri Special Unit and improvement of police training centres. South Africa is currently training a Special Police Services Unit for pre-electoral preparations. Territorial Police and Traffic Police are already involved, either in training or restructuring. Consequently, the little progress achieved is seen as a short-term security measure for the election.

The danger is that the big bulk of Territorial and Traffic Police were previously responsible for extortion, corruption and harassment, practices that characterised the DRC police force in general.

It is worth reminding ourselves that it is the police and not the army who are required to establish and keep public order during elections. The republican and civil profile needs to be reinforced within the police through de-politicisation, demilitarisation, and professionalism, and by raising the police's civic sense, sobriety, by promoting their knowledge of individual and public rights, and of military defence missions.

Besides equipping the police with appropriate tools for their job (appropriate non-war weapons such as truncheons, handcuffs, tear-gas grenades and water-sprays), the police also need to take advantage of the DDR programme in order to redefine their numbers in accordance with budgetary, electoral, and performance constraints. Following the international norm of one police officer for every 300 inhabitants, the 94,000 current police officers would seem not to be enough to cover the entire country. There would need to be 200,000 police officers by that measure. Of most importance is not just the absolute or relative number of policemen, but the moral profile, the training and the equipment. Bearing this in mind, the functioning budget of US\$1,2 million allocated to the police in 2003 is ridiculous.

A high-cost MONUC-training regiment, meant to contribute in Ituri pacification, is stuck in Kisangani due to the lack of an integration and equipment budget. According to the Minister of the Interior,

the minimum need for police forces for elections is estimated at 32,000 men and women, of which 6,000 will need to be specifically trained.<sup>12</sup> The equipment needed would cost between US\$31 million and US\$70 million depending on the type of equipment needed.<sup>13</sup>

The Congolese National Police are getting ready to carry out the electoral tasks expected of them. However, the government urgently needs to put special measures in place to minimise the risks of corruption and bribery, partly due to poor salaries and conditions of service. The risk of political manipulations and interference should be anticipated and taken very seriously. Political manipulation and poverty within the police force in the DRC, as well as the lack of adequate work tools, are a major concern. Police integration has made more progress in terms of performance and discipline than defence integration but, the training of the police was also

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characterised by operational delays, particularly in the selection of personnel. The EU was only able to start with the formation and training of the UPI police unit for Kinshasa during September 2004. It should be pointed out that the size of the planned force was decided largely on the basis of the resources that the international community would be prepared to contribute. The whole process heavily relies on foreign assistance.

### **Joint Peace support operations: MONUC and FARDC**

Despite the peace agreement and the establishment of the transitional government, the security situation in Ituri, the Kivus and Northern Katanga continues to be tense. Sporadic outbreaks of fighting continue despite the presence of a strengthened UN peacekeeping force. This is evidence of the scale of the security challenges facing the transitional government. The risk of further fighting may increase as many officers and soldiers begin to think that they might not actually be integrated into the new army or be taken into account in the DDR programme, despite political decisions made on this issue by the High Council of Defence, the National Assembly and the Senate.<sup>14</sup> The displeasure of all these people will not help the bleak outlook.<sup>15</sup>

Many factors contribute to insecurity in eastern DRC. Infiltration by Rwandan Commandoes or Congolese mutineers and refugees in Rwanda, Rwandan armed refugees of the Hutu Forces of the Democratic Liberation of Rwanda (FDLR), and Burundi armed refugees of FNL resisting voluntary DDRRR conducted by the MONUC, and some Mayi-Mayi groups in Kivu and Katanga, and stubborn Ituri militia continue to cause insecurity in the east. Rwanda blames the DRC and MONUC for failing to disarm and repatriate Rwandan rebels. It considers FARDC and MONUC actions as having been inefficient.<sup>16</sup> The Rwandan view is that the Congolese government has neglected its duties, and that MONUC's mission is not a sufficient deterrent to those who seek to attack Rwandans. Rwanda's security obsession regarding the FDLR has put pressure on MONUC and FARDC to join forces. Unsurprisingly, barely a week had passed since the end of the Conference on Peace, Security, Democracy and Development in the Great Lakes on 20 November 2004, when Rwandan troops again invaded the eastern DRC. The invasion by Rwanda was met with a rapid mobilisation operation and the deployment of FARDC and MONUC. In February 2005 groups in Ituri were involved in the killing of nine Bangladeshi MONUC peacekeepers. MONUC's counter operation in March 2005 cost 50 lives, including some women and children.

The Rwandan view is that the Congolese government has neglected its duties, and that MONUC's mission is not a sufficient deterrent to those who seek to attack Rwandans

After a period of relative peace as a result of Operation Airtimes and the deployment of the Ituri Brigade, the Ituri area experienced a considerable setback after January 2005 when the civilian population once again bore the brunt of the new violence. Various armed groups increased their military operations in the Tchomia and Kasenyi area. These operations were mostly executed by Forces Armées Patriotiques du Congo (FAPC) and Union Patriotique Congolaise/Libération (UPC/L) to ensure the collection of customs revenue. During January 2005 confrontation between UPC/L and FNI developed into full-scale fighting in the Tchomia and Kasenyi region. The concept of operations used by the armed groups such as FNI, was to loot and burn down houses, especially in the Nyamamba area, when avenging a UPC/L attack on Datule. This was followed by another FNI attack on Hema villages in the Tche area where 16 civilians were killed, 80 abducted and more than 200 homes burned. The most serious incident was when nine peacekeepers from Bangladesh were killed in an UPC/L ambush while protecting 8,000 displaced people at Kafe.

MONUC's current capacity is also limited by the massive security needs of the DRC. MONUC's mandate was reinforced up to Chapter VII under Security Council Resolution 1493 in 2003.

The Resolution 1493 involves the following military tasks:

- Security support to the transition, to extend transitional government authority
- Disarmament of 300,000 Congolese combatants
- DDRRR programmes for 8-12,000 ex-FAR/Interahamwe soldiers
- Monitoring arms embargo
- Deterrence of spoilers
- Participation in the Kinshasa security system including VIP protection (escorts and guards), secure Ndjili Airport, Patrol main routes, foot and mobile presence, patrols in Gombe (Ghanaians and Tunisians)

Yet MONUC's ability to carry out the resolution is also limited for the following reasons:

- There are just 10,874 personnel (10,184 troops, 551 military observers, 139 civilian police) in the midst of a population of 55.2 million in 2.3 million square kilometres.
- They do not have their own intelligence forces
- Map coverage is only available using aerial photography
- No fighter flying, and no night operations
- Limited air capability

- Few boats
- Limited logistics compared to operations requirements
- The difficulty of multinational combat operations

William Swing, the MONUC boss, seems to have a strategy to deal with this crisis of governance and confidence and its effect on the formation of integrated defence and police forces. The strategy consists of mobilising the international community and African regional powers (Angola and South Africa) to accelerate FARDC and NPC training and integration, pressurise the DRC government to improve conditions of services of FARDC and NPC servicemen, and conduct joint operations (FADRC troops/MONUC peacekeepers, CIVPOL/PNC elements). Efforts are being made to motivate and equip the FARDC for electoral operations and operations in the east of the country. There are two reasons for this. First, the FARDC troops are needed to supplement MONUC's peacekeeping capacities. Second, global players and powers need access to the DRC's resources. As said previously, sustainable peace depends on the formation of integrated professional army and police forces. Legitimate (elected) government will have the responsibility to ensure that it happens.

In any case, MONUC has just adopted a new concept of operations in order to address the security situation in the eastern part of the country. The organisation established what is called the Eastern Divisional Headquarters in Kisangani to command, control and oversee tactical operations. This HQ became operational on 24 February 2005 and is responsible for the Ituri operations as well as MONUC operations in the provinces of Orientale, Maniema, Katanga, and North and South Kivu. The concept of operations in the Ituri brigade is to deploy forces to dominate the area, do cordon search operations, protect civilians, support the demobilisation process, prevent the movement of weapons and have a reaction capability at all times.

The new concept of operations seems to respond to the violence in Ituri effectively. It consists of a four-pronged, proactive strategy in conjunction with robust military operations. The strategy involves:

- Pressing for decisive measures by the transitional government against any military group that opposes disarmament and the extension of state authority,
- Strengthening effective coordination of the disarmament and community reinsertion process to ensure that all national and international partners

are fulfilling their obligations to conclude the process by 31 March 2005,

- Increasing political and financial support for the District Commissioner's office, and
- Supporting legitimate authorities in re-establishing control over customs revenue.

MONUC launched several operations to enhance the security before the 25 February 2005 incident when the Bangladeshi soldiers were killed. MONUC focused on the areas around Fataki, Soba, Mahagi and Djebu. On 24 February 2005 MONUC did a cordon and search operation at Ariwara and disarmed 116 FAPC troops and confiscate 118 weapons. On the same day in another operation in Datule, 30 FNI militiamen were arrested. After the incident where the Bangladeshi soldiers were killed, a major operation was launched on 1 March 2005. A task force consisting of Pakistani, Nepalese and South African soldiers supported by Indian attack helicopters launched a operation in Loga with the aim of dismantling the FNI HQ. During the operation, between 50 and 60 FNI militia were killed. The message to the militia was clear:

"MONUC and the Congolese Armed Forces (FARDC) will act against you". The SRSG, Ambassador Swing visited the area on 13 March 2005 and gave the militia until 31 March 2005 to disarm and demobilise in line with the national DRC program. MONUC continue to execute aggressive cordon and search operations to force the militia to disarm and demobilise. The change after the operation was remarkable. Before MONUC started their new concept of operations, just over 2,000 militia were demobilised. Two weeks after the 13 March 2005 ultimatum of Ambassador Swing, there were over 10,000 militia in the DRC sites who had been disarmed.

Currently, 16,000 militia have been demobilised and disarmed.

The challenge for MONUC and the transitional government is to integrate the demobilised combatants into decent civilian life. If the socio-economic reintegration of combatants fails, its failure is likely to assist the remilitarisation phenomenon. Remilitarisation is already occurring as dissatisfied ex-combatants regroup in the Ituri area. Worse, some Ituri militia leaders, such as Justin Lobho have run away to Uganda. Lobho, who has just created the Congolese Revolutionary Movement (CRP), was allegedly involved in the genocidal atrocities that took place in Ituri. Unless the bilateral cooperation between Uganda and DRC improves, the CRP constitutes a new threat to sustainable peace in Ituri.

Bilateral cooperation between the two countries is getting better, according to African Analysis:

### Remilitarisation is already occurring as dissatisfied ex-combatants regroup in the Ituri area



Congolese and Ugandan military and intelligence officers have identified three camps of Ugandan dissidents in eastern Congo-Kinshasa and may launch a joint attack on them unless the rebels surrender.<sup>17</sup> Such cooperation may only work for sustainable peace if it includes concrete diplomatic and judicial arrangements that can facilitate the extradition of criminal warlords. In fact, impunity constitutes one of the major sources of insecurity in the DRC. Criminals are well known but they enjoy a certain level of impunity, along with their leaders, and have repeatedly defied the authority of the transitional government and MONUC. Insubordination and indiscipline are the natural consequence of this. Yet, the transitional government is failing to learn that appointing five brigadier generals (from young local warlords) to the FARDC command in the name of peace did not stop the acts of vandalism in the Ituri region. As a matter of fact, the Ituri militia continue to claim political positions and intensify their criminal and contraband activities: murder; ill-treatment; the control of trade in arms, minerals, gas, and manufactured products; customs fraud; and illegal taxes, as described in the second report by a group of experts on the DRC.<sup>18</sup>

### Challenge 1: Improving the policy environment by eradicating parallel command structures

Numerous obstacles and often contradictory priorities have characterised the transition period. Several delays have obstructed the implementation of crucial aspects of the transition, including the defence integration process. These delays have been attributed to competing agendas between components of the transitional government, deep-seated distrust between them, and an unwillingness by parties to compromise on central issues.<sup>19</sup> Since its inception, the success of the interim agenda has been thought to depend on a sequential approach to peace building so that the end state (long-term peace in the DRC, underpinned by a democratically elected government) is reached in a functional manner, with individual critical components of the transition being regarded as interdependent. Coming to a consensus on the hierarchy of priorities has nevertheless been a highly complex and difficult task – yet, in this regard at least, peace and security are of paramount importance.

The dysfunction of established command structures became evident during the escalation of conflict in North-Kivu and South-Kivu. The Kivu crisis was not only caused by the mutineers. There was a crisis between the commander of the 8<sup>th</sup> military region and two ex-Mayi-Mayi brigade commanders in the same jurisdiction (104 and 106<sup>th</sup> Brigades). The latter

were blamed for arms trafficking, embezzling soldiers' wages and violating human rights in the civilian population. These two officers have the support of Mayi-Mayi ministers and members of Parliament who accused the 8<sup>th</sup> military region commander, General Mbuza Mabe, of 'running the Mayi-Mayi'.<sup>20</sup> Another important contributing factor was the acute differences between ex-RDC-Goma soldiers and the Mayi-Mayi from the same 8<sup>th</sup> military region on the one hand, and on the other hand, between the two groups and General Mbuza Mabe's troops of the 10<sup>th</sup> military region. The majority of so-called Mbuza Mabe troops, 'the Kivu Intervention Corps' (*Corps d'Intervention au Kivu*), were ex-FAZ. Psychological war between professionally trained and guerrilla-trained combatants, between typically and non-typically Congolese soldiers complicated the coordination, discipline and combat effectiveness. Ex-FAZ soldiers needed to adapt and update their skills so that they were fit to face the anti-guerrilla, non-conventional tactics used by Rwandan forces in their new warfare in the DRC. 'It consists of targeted surgical strikes which leave doubtful traces on the actual identity of involved troops in order to dodge international complaints.'<sup>21</sup>

The failure of defence integration is highly political. Former belligerents still have hidden agendas

Parallel chains of command are accompanied by pirate chains of supply and distribution of arms, ammunitions and military effects known and tolerated by the country's government. At the same time, opportunist and reversible military alliances are agreed upon among different army factions and with FDLR and FNL armed groups. There is total disregard for military discipline and, despite the UN embargo on the transfer of arms to the east of the DRC, there is a thriving but perverted and chaotic civilian aviation arrangement.<sup>22</sup>

Military integration does not mean much except the juxtaposition of the units of the former belligerents. These units often remain responsive to the former belligerents, and not to the integrated command structures. This was illustrated in June 2004 by the rallying of former RCD-Goma units from the 8<sup>th</sup> military region (North Kivu) along with dissident RCD-Goma General Nkunda, and again in September 2004 by the refusal of Mayi-Mayi units from the 8<sup>th</sup> military region to take orders from the regional military commander (a former RCD-Goma general).<sup>23</sup>

The failure of defence integration is highly political. Former belligerents still have hidden agendas that limit MONUC's ability to gather intelligence and neutralise spoilers. The lower level of integration is remarkable despite the splits in command structures, which plagues both the civilian administration and the military command in the country. Whereas government-appointed military commanders remain loyal to a

command structure run by officers from the previous army, RCD-G commanders take their orders from their own, less official channels of command.<sup>24</sup> Besides the political influence of the former government army (the *Forces Armées Congolaises* – FAC), belligerent politics is sustained by the electoral agendas of these groups:

- The RCD-G is based in Goma and backed by Rwanda. It is headed by Azarias Ruberwa, who is also one of the country's vice-presidents. The RCD-G still controls large stretches of the Kivus. Its military wing is the National Congolese Army (ANC).
- The Mayi-Mayi was supported by the FAC during the conflict. (The word 'Mayi-Mayi' is a generic term for tribal militia and sometimes for self-defence units organised into a military force in the Kivus.) The Mayi-Mayi are a signatory to the Sun City Final Act, April 2003.
- The Congolese Rally for Democracy-Liberation Movement (RCD-ML) was launched in September 1990 in Kampala when Mr Wamba dia Wamba split from the RCD-Goma. Currently led by Mbusa Nyamwisi, the RCD-ML was initially backed by Uganda. Its military wing is the Congolese Popular Army (APC). The RCD-ML, too, has entered into the Sun City agreement.
- The MLC is based in Gbadolite and has been backed by Uganda since 1998. Its leader is Jean-Pierre Bemba, currently one of the vice-presidents.
- The RCD-N is based in Watcha, North Ituri, and acted as a front for Uganda. It was also supported by the MLC in the past. The RCD-National is led by Roger Lumbala and has only a few soldiers.

The former FAC continues to influence politics through President Joseph Kabila's party, the '*Parti pour la Reconstruction et le Développement*' (PPRD) and its tacit historical alliance with the Mayi-Mayi in the Kivus against the RCD-Goma, which is still strongly supported by Paul Kagame's Rwandan regime. Like Stephanie Wolters, we believe the Rwandan military and political involvement in Congolese politics is very obvious. As Walters argues, 'Further destabilising the region by arming and supporting new forces such as Nkunda's and stoking ethnic tensions will serve only to antagonise groups such as the Mayi-Mayi, and cement their bonds with Rwandan Hutu combatants, with whom they have common cause. It will also increase resentment of the Banyamulenge and Tutsi communities and make the possibility of an outbreak of ethnic war more likely'.<sup>25</sup> There is concrete evidence that Rwanda continues to interfere in Congolese affairs.<sup>26</sup> In this sense, the success of defence integration in the DRC depends on an important external factor: Rwandan foreign policy.

The Economist Intelligence Unit (EIU) expresses the same concerns: 'The role of Uganda and Rwanda in the DRC remains controversial, as their presence has exacerbated local conflicts and produced widespread human rights abuses. Officially, both have withdrawn their forces. Although there is doubt about the extent to which this is true, both countries retain influence through local proxies.'<sup>27</sup>

## Challenge 2: Successful DDR

Despite the need to unite and build up its capabilities, the DRC has to disarm and demobilise over 150,000 excess military personnel. A demobilisation, disarmament and reintegration DDR process was adopted by the signatories to the Global and All-inclusive Agreement and the Final Act of 2 April 2003 (including the Mayi-Mayi and Ituri armed groups). The integration process thus involves two complex disarmament and demobilisation processes. One refers to the DDR. DDR deals with the demobilisation of Congolese combatants. The other one involves the repatriation of foreign armed groups/rebels who must be demobilise, disarm, reintegrate, rehabilitate and resettle (DDRRR) in their home countries.

Clearly, DDR is part of security sector reform. It involves the following numbers of combatant groups:<sup>28</sup>

- FAC: 100,000
- RCD-G: 45,000
- RCD-N: 10,000
- Rally for Congolese Democracy-Kisangani/Liberation Movement (RCD-K/ML), 15,000
- MLC: 30,000
- Mayi-Mayi: 30,000 to 50,000
- Ituri armed groups: 30,000

The role of Uganda and Rwanda in the DRC remains controversial, as their presence has exacerbated local conflicts and produced widespread human rights abuses

The DDR for Ituri armed groups was launched in September 2004. The process is referred to as the Disarmament and Community Reinsertion (DCR). There are about seven armed factions with the following force sizes:

- Union of Congolese Patriots (UPC): 3,000
- Party for Unity and Safeguarding of the Integrity of Congo (PUSIC): 2,000
- Popular Force for Democracy in Congo (FPDC): 300
- Front for National Integration (FNI): 27,000
- Patriotic Forces of Resistance in Ituri (FPRI): 9,000
- People's Armed Forces of Congo (FAPC): 6,000
- *Armée du Peuple Congolais* (APC): 300

A DDR plan dated 5 March 2003 aims to demobilise 200,000 of the 300,000 Congolese combatants and forge an integrated army of not more than 130,000 FARDC soldiers. In December 2003, defence authorities

in Kinshasa and Belgian representatives agreed that the FARDC should have a combined force level of between 100,000 and 125,000 soldiers. The force would include a Territorial Force of 19 light brigades, a Rapid Reaction Force of two to three brigades, and a Main Defence Force of three divisions. The controversial plan for the 15,000-strong Presidential Guard still awaits the approval of the National Assembly. There is also strong international lobbying and pressure against the formation of a presidential guard. Many observers fear that such a move is likely to renew the sad experience of Mobutu's Special Presidential Division (DSP) at the expense of other forces. The DSP was misused for Mobutu's personal security and political agenda. President Mobutu controlled over 95% of the national defence and security budget as well as the off-budget resources.

The March 2003 DDR plan was updated in June 2004. A joint planning group of Congolese and Belgian military experts agreed to open 25 orientation centres throughout the country, starting with a three-month identification process. But the implementation of this plan suffers from the lack of the required command structures – or rather from the existence of parallel command structures and resistance from former belligerents. As a result, the leading DDR institution, the Commission 'Nationale de Démobilisation et Réinsertion' (CONADER), is idle while much work remains to be done.

As Henri Boshoff contends, "This is further exacerbated by a perceived lack of financial control mechanisms within the transitional government that would motivate greater donor support to the process. Perhaps more importantly, several donors have pointed to an apparent lack of political will within the transitional government to fully participate and engage in the national DDR programme as different components appear to be more interested in maintaining their individual capacities, certainly until after the general election".<sup>29</sup>

In the national DDR programme, disarmament commences at orientation centres (also called 'tronc commun' or common trunks) with combatants who have given up their military status. None of these orientation centres have yet been established. Next, candidates for integration into the FARDC are distinguished from candidates for demobilisation and socio-economic reintegration. Firstly, there are information and sensitisation activities intended to orient both eligible and non-eligible candidates, and to ensure their cooperation. Importantly, these activities also include civilian populations affected by conflict, as well as international and national

implementing partners. Secondly, after this orientation stage, the plan involves regrouping combatants in the vicinity of orientation centres, to be followed by the disarmament, release, registration, safekeeping or destruction of combatants' weapons and the transfer of disarmed combatants to orientation centres for physical identification. At this stage the individual will be regarded as either a potential candidate for placement in the FARDC, or for reintegration into society as a demobilised combatant. Selected eligible candidates for the FARDC are mixed, re-skilled, and then deployed to military regions. The second phase is called '*Centre de Brassage*' meaning, literally, 'breeding or brewing centre'. Hopefully, the physical controls and checks will reveal the exact number of combatants. There has been a tendency by former rebel and Mayi-Mayi leaders to overestimate the size of their forces in order to claim the title of general.

The DDR program aims to 'decongest' the army (currently 250,000 strong) and downsize it to 150,000 better-qualified and equipped soldiers. This programme has also been delayed due to the slow pace of its institutional organisation, (delayed input from military integration structures, an incomplete global census, ill-defined individual profiles, successive formats of the army, and a shortage of logistics skills) and to the absence of a convincing policy of combatant consciousness-raising by the Disarmament, Demobilisation and Reinsertion National Commission. Evidence of this is that, in Mahagi, for example, where there are so many heavily armed men and children, only 18 children and 19 arms had been recovered by the DDR programme at the end of 2004. The situation is no better in North Katanga, where vandals, armed groups, and abandoned disabled

soldiers have become a major security concern for the civilian population. Because of delays and malfunctions, some leading parliamentarians have defined the defence integration and DDR process as a 'negative test of the existence of political will to bring the transition to a happy ending'.

### Challenge 3: Dealing with Rwandan rebels

The former Forces Armées Rwandaises (FAR), Interhamwe militia and rebels of the *Forces Démocratiques pour la Libération du Rwanda* (FDLR) are the main targets. The Pretoria agreement holds MONUC and the DRC transitional government responsible for the voluntary repatriation of about 8-10,000 combatants.

Currently, Rwandan rebels are organising themselves into a political party that seeks to position itself carefully within the new geopolitical dynamics of the

## The Special Presidential Division was misused for Mobutu's personal security and political agenda



Great Lakes region. Coalitions and alliances with some Mayi-Mayi groups in the Masisi and Ruzizi areas, where there are larger concentrations of the Rwandan language-speaking groups. The FDLR faces the serious problem of securing a regular supply of arms, ammunition, food and medicines. To survive, they engage in banditry, called 'Rasta operations', in which local Congolese criminals are involved. Hardliners now more of a minority and the majority want to return to Rwanda peacefully. On 31 March 2004, following the meeting in Rome, the FDLR declared it would stop its armed opposition to Kagame's government. The group was divided between hardliners calling for some conditions, and moderates led by Ignace Murwanshyaka. It appears that Rwanda is not yet ready to create conditions for inter-Rwandan dialogue and reconciliation. The Rwandan government actually rejected the Rome declaration. As a result, FDLR has become a serious concern for both DRC and Rwanda. MONUC has launched three chapter VII operations (Iron Fist, Falcon and Thunder) against the FDLR but without much success. FDLR combatants are integrated into local communities. Some are married to local women and have had children. The AU and SADC are planning to respond to the DRC government's demand for forceful disarmament and repatriation of the FDLR spoilers (hardliners). However any disarmament by force risks harming the local population. The problem is now political; a question of pressing the Rwandan government to open the door for national reconciliation and democratisation.

#### **Challenge 4: Funding defence, police and DDR through the national budget**

What happened to Decree No. 03/041 of 18 December 2003 creating the Inter-Ministerial Committee tasked with planning and providing guidance on DDR; Decree No. 03/043 of 18 December 2003 creating the Funding Committee for Disarmament, Demobilisation and Reintegration; Decree No. 4/014 of 26 January 2004 creating the Military Structure for Integration; Decree No. 04/013 of 26 January 2004 creating a commission tasked with managing the resources of the military? Many observers point fingers at these institutions and view them as the ideal place for the Defence Ministry to begin planning and budget for defence integration and DDR expenditures, in collaboration with the Ministry for Planning and the Ministry of Finance. Presidential decrees created these instruments for this very purpose after consultation with donors in New York in February 2004. The lack of synergy caused by parallel structures and power struggles continues to undermine national unity. A transparent budgeting process would help forge cooperation and a common vision.

Decisions based solely on political considerations can lead to unsustainable results that are inconsistent with the basic underlying principles of a society

The DDR and Defence Integration budgets should be built into the national development strategies and funds in a transparent manner. They can then be negotiated accordingly with willing donors. The country can borrow money for this from foreigners, provided that good budgetary practices are followed to facilitate a rapid mobilisation of revenues and the repayment of debts. Domestic borrowing should be reorganised and seriously considered as a way to mobilise resources.

The bad news is that these malpractices have been institutionalised and transitional authorities do not seem to address the problem of bad governance. Power struggles and personal wealth accumulation take priority over the public interest and the rapid reconstruction of the national economy upon which defence and security budgets depend. Politics first, sadly. But, decisions based solely on political considerations can lead to unsustainable results that are inconsistent with the basic underlying principles of a society. Moreover, economic considerations expose these inconsistencies and can help avoid or limit them.<sup>30</sup> This is true especially of the DRC's politics, driven as they often are by belligerence and corruption rather than good governance, democracy and public interest.

#### **Challenge 5: South Africa government contributions**

South Africa signed the Cooperation Accord on Defence with the DRC government on 17 June 2004. The South African government's proposal is based on South Africa's own transition experience. It suggests the integration of all combatants into the newly established FARDC before embarking on demobilisation.

According to the South African plan, all armed units would be regrouped under the instruction of the Chief of General Staff. Activities in the regrouping centres would include identification, the separation of eligible and ineligible elements, and initial selection and orientation. Combatants would then be moved to *centres de brassage (CBR)* according to a plan drawn up by the *Structure Militaire d'Intégration (SMI)*, where intermixing and retraining would take place.

This would be followed by final selection and placement of the new units. Deployment movements would be ordered by the Chief of the General Staff and training at unit level would then commence. A number of points related to the organisation of intermixing and retraining were highlighted. Passing through the CBRs would be obligatory for the combatant and non-specialist soldiers identified in all the units. Instruction Centres (ICs) would be opened at Baka and Baki for members of the Self-Defence Units who



had not received any military training. Intermixing would take place after three months of training at one of the ICs. The South African plan proposed that the process begin on 2 August 2004.<sup>31</sup> In the beginning, the South African plan was challenged by the Belgian-Congolese model. However, the governments of DRC, Belgium and South Africa managed to harmonise their plans. The defence ministers of the DRC (Jean-Pierre Ondekane), Belgium (André Flahaut) and South Africa (Mosiuoa Lekota) signed a memorandum of understanding on 13 December 2004. The agreement was labelled the 'emergency plan'. This 'emergency plan' is a short-term measure to facilitate the integration of six brigades prior to the elections. It is seen as a solution to the transitional government's immediate need to stabilise the east of the DRC, especially Ituri and the Kivu areas. Belgian and South African military trainers were deployed in the DRC in February 2005. Besides this, Belgium trained 200 Congolese trainers from the different components of the FARDC, FAC, RCD-G, RCD-ML, RCD-N and the Mayi-Mayi in Belgium, earlier in 2004. The three countries set up a coordination mechanism that will monitor the integration process and training.

It is worth noting that South Africa and Zimbabwe rank among the DRC's main trading partners as shown in the table below.

#### Challenge 6: Angolan government contributions

By invitation of the DRC transitional government, Angola deployed some Angolan Armed Forces' (FAA) instructors to train two integrated brigades in Kitona as part of the 'emergency plan', which works in parallel with the national DDR and integration plan. Trainees came from the different components of the FARDC, FAC, RCD-G, RCD-ML, RCD-N and the Mayi-Mayi. It appears that these components unsuitable candidates to be sent for training (pregnant women, children, and non-combatants, for example). The elite combatants remained hidden for unknown reasons; probably waiting for the election outcome. A counter-argument maintains that elite troops were sent by each group to securing the eastern provinces and borders instead of to the training. In any case, this manoeuvre delayed the training of the third and fourth integrated brigades.<sup>32</sup>

Armed conflicts inevitably exacerbate human suffering, especially amongst women and children and unarmed civilians in marginalised areas

All these offshore emergency facilitation initiatives occur on an ad hoc basis with the aim of sensitising transitional authorities about the need to speed up the formation of an integrated army and police force. The US, UK, France, Belgium, the World Bank, UNDP and MONUC on the international side, and Angola and South Africa on the regional side have been very decisive and helpful.

The SMI has submitted budget proposals of between US\$8-29 million for the rapid training of six integrated brigades. However, there are currently no prospective donors to fund sporadic offshore activities. Apparently, donors want the emergency plan to be built into a national grand strategy addressing security and development concerns simultaneously. It is our opinion that offshore interventions will continue to occur on ad hoc bilateral (fortunately) and/or informal (unfortunately) basis. Informal training and procurement mechanisms continue to occur as each group tends to build up its military capabilities in secret. The trend is likely to cease with the development of the national intelligence services and the unification process. But failure to successfully complete the DDR and DDRRR process still constitutes a major risk.

#### Challenge 7: The socio-economic impact of the armed conflicts

Armed conflicts inevitably exacerbate human suffering, especially amongst women and children and unarmed civilians in marginalised areas. The education system in the DRC is in disarray, only surviving with the help of private initiatives such as the direct payment of teachers by the communities they serve. The proportion of the

national education budget fell from 15.1 per cent (%) in 1972 to only 0.8% in 1995, and to almost zero since the beginning of the war in 1998. Despite efforts by the private and community sector, fewer children are attending school. The net primary school enrolment ratio fell from 58% in 1985/87 to 35% in 1998/99 and has undoubtedly fallen further since then. The net secondary school ratio was 12% in 1998/99. In the health sector, the opening up of access to some areas since the end of the war has revealed the extent of the disruption to social services: Many areas have not had medical supplies for several years. Only 60%

**Table 5: The DRC's main trading partners (2003)**

Exports to:	Percentage of total	Imports from:	Percentage of total
Belgium	55.5	South Africa	18.0
USA	15.5	Belgium	15.8
Zimbabwe	11.2	France	13.4
Finland	4.2	Germany	7.2

Source: IMF, *Direction of Trade Statistics*. Also EIU, *DRC Country Profile 2004*, p 37.

of the country's 306 health centres have vaccination facilities. Hospitals and other institutions face serious staffing, supply and payment problems. Many have ceased functioning. Poor people stretch their meagre income to pay for expensive private clinics operating in most of larger towns. Christian missionaries play a prominent role and, in many areas, provide the only health services available. The adult rate of HIV/AIDS infection was 4.2% at the end of 2003, up 300% since the beginning of the war. Statistical data from a survey carried out in 1999 in Goma (North Kivu in the eastern DRC) by UNAIDS put the infection rate at over 20%. A Human Rights Watch report on sexual violence in the eastern part of the country indicates that the infection rate in some areas, primarily among young women, could be 40%. The Health Ministry's AIDS prevention programme dated from the mid-1980s but it was under-funded in the 1990s. Funding stopped completely in 1996. Prevalence among the military and combatants is estimated to be three times higher than the civilian rate. Some young women and girls in Ituri and the Kivus have been exposed to systematic rape and sex slavery by various armed groups. Electricity consumption per head was 93kwh in 2001, down from 161kwh in 1980, causing traditional fuel as a proportion of the country's total energy use to rise from 80.7% in 1980 to 94.6% in 2001. The use of firewood is increasing, endangering the ecosystem of the sole African reserve of tropical rainforests. Landmines have diminished the scope and size of farming and mining. The average Congolese is 53% poorer than 30 years earlier. GDP is lower now in real terms than at independence in 1960, having declined from US\$360 per head to US\$119 per head in 1990 and to US\$115 per head in 2004.<sup>33</sup> This economic disaster definitely affects the defence integration and DDR process.

As the World Development Report for 2005 has pointed out:

'Nothing so undermines the investment climate as the outbreak of armed conflict. Capital of all kinds – human, physical and social is destroyed, investment disrupted, and resources diverted from growth-enhancing activities. Civil war, the predominant form of warfare over the past half century, has a particularly devastating impact on poverty and growth. By one estimate, over the past 50 years the typical civil war lasted 7 years and cut 2.2 percent off the projected annual growth rate – at the end of hostilities GDP was 15 percent lower than it would have otherwise been. A severe civil war can, in the short run, also reduce income per capita in neighbouring states by as much as a third. Civil war and low income go hand in hand... While peace is essential to unleash productive

investment, firms require more than this. They require an environment with a reasonable level of political and economic stability, and one where personnel and property are reasonably secure. Political instability can create considerable uncertainty and risk for firms, undermining the credibility of current laws and policies.'<sup>34</sup>

## Conclusions

Thus far, little progress has been achieved in the DRC in the pivotal area of defence and police reform, at least by comparison with what is needed to secure the DRC to allow better governance and a rapid economic recovery. Despite deploying Military Regional Commanders (MRCs) to oversee the integration of existing forces into the FARDC, the armed forces in the DRC are far from integrated. With the exception of one integrated brigade, trained by a Belgian-led team from January to June 2004, MRCs have little control over the armed elements under their command.<sup>35</sup> Ethnic interests and political partisanship may provide some explanations. However, the lack of mobilisation towards nation-building and long-term defence capacity development constitutes the most critical factor. Joint operations, exercises and responses to security crises would be a vital mobilisation and unification factor.

The FARDC's dysfunctional command and control structures, and a lack of regular support and payment of salaries to its forces, contributes to the indiscipline in its ranks, which increasingly depend on the local population for their sustenance. Foreign backers of former belligerents remain influential and pose a serious obstacle to the creation of a new, integrated

Congolese national army.<sup>36</sup>

The lack of military integration has proven to be the single most destabilising factor that affects several other items on the transition agenda. If achieved, the integration and restructuring of the defence and security forces will contribute to providing a secure environment for elections as well as to the post-transitional stability of the country. The establishment of the nucleus of an integrated and operational defence force from disparate belligerent groups is critical because, aside from MONUC forces, these units will constitute the only 'legitimate' deterrent to process spoilers.

Let us conclude our assessment of the current level of the DRC Defence Integration Process with reference to Jurgen Brauer's six-component framework for evaluating a comprehensive peace system.<sup>37</sup> The table below summarises what appear to be the challenges.

**The lack of military integration has proven to be the single most destabilising factor that affects several other items on the transition agenda**

**Table 6 : Summary of achievements and challenges to the DRC defence integration process**

Steps	Source of problem	Level of achievement
1	Agreement on goals	All seem to agree on the need for reunification and the formation of one integrated, professional, modern army and police force for defending territorial integrity and maintaining law and order
2	Detecting deviations from goals	The process is on track thanks to the appointment of regional military commanders and external pressures and assistance; MONUC, CIAT, Belgium, France, UK, USA, South Africa and Angola play prominent roles
3	Economic and ethical or political incentives for commitment	Many former rebel leaders, officers and combatants feel worse off compared to when they rewarded themselves directly; compensation in terms of claims for higher ranks characterises the process; there is continued off-budget spending and money laundering
4	Short-sightedness and lack of long-term planning/budgeting	Political behaviour and commitment is limited to the 2005 election outcome and the end of the transition; the risk of belligerence politics is high
5	Prejudices	Opponents suspect each other and think of the post-election worst-case scenario; there is a tendency to sabotage or delay defence integration and DDR processes
6	Lack of resources and knowledge	Lack of access to donors' pledged funds for defence, DDR, DDRRR and reconstruction because of a legacy of governance malpractice and limited institutional capacity; inability to generate need-based budgets; an inability to mobilise domestic resources; World Bank and UNDP and European Union play a decisive role

*Adapted from Jurgen Brauer's model (2004)*

## Endnotes

- MONUC is a French acronym for the UN Peacekeeping Force in the Republic Democratic of Congo, 'Missions de l'Organisation des Nations Unies au Congo'.
- A key component of the transitional agenda, the terms of reference for security sector reform (SSR) are outlined in the resolutions and provisions of the Global and All-inclusive Accord signed in Pretoria on 17 December 2002 (Annex V, article 2a).
- Aldo Ayello, Interview on Radio France International, Libreville Gabon, 10 January 2005.
- William Band, Touchstones, *The New Ideas Revolutionizing Business*, New York: John Wiley and Sons, 1994, p 50.
- Kees Kingma, Introduction, in Kees Kingma (ed), *Demobilisation in Sub-Saharan Africa. The Development and Security Impacts*, Bonn: Bonn International Center for Conversion, 2000, p 7.
- The 4+1 presidency structure refers to transitional power sharing arrangement according to which presidential powers were distributed among the president and his four vice-presidents representing the three main belligerent groups signatories of the Lusaka Peace Accord (Government/FAC, RCD-Goma and MLC) and one person for the non-armed opposition cartel.
- Henri Boshoff, Summary Overview of Security Sector Reform Processes in the Democratic Republic of Congo, ISS Situation Report of 6 January 2005, p 4.
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- Henri Boshoff, *op cit*, p 8.
- Henri Boshoff, *op cit*, p 9.

- 30 Humberto Petrei, Budget and Control. Reforming the Public Sector in Latin America, Washington DC, Inter-American Development Bank, 1998, p 12.
- 31 Henri Boshoff, op cit, p 10.
- 32 Interviews with some defence people in Kinshasa in January-March 2005 following media commentaries/speculations.
- 33 Economist Intelligence Unit, op cit, p 19-25.
- 34 World Development Report 2005, p 79-80.
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- 36 Henri Boshoff, idem, p 3.
- 37 Jurgen Brauer, Developing Peacemaking institutions: an economist's approach, in Geoff Harris (ed), Achieving Security in Sub-Saharan Africa, Pretoria: Institute for Security Studies, 2004, p 138-9.







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## About this paper

Defence integration in the Republic of the Congo (DRC) has been fraught with so many problems. This paper explores the processes in the peace agreement and transitional arrangements from 2003 and 2005. It seeks to put into perspective the challenges faced thus far and argues in favour of a long term approach to defence transformation as opposed to short term political considerations. It also laments the slow progress and urges stakeholders involved to move as quickly as possible and without delay in order to reap the benefits of peace before the winds of change die out.

## About the author

Prof Roger Kibasomba was a Senior Lecturer at the Graduate School of Public and Development Management, Witwatersrand University. At the time of writing this paper, he was appointed as a Senior Research Fellow at the Institute for Security Studies.

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