

THE DEMOCRATIC REPUBLIC OF THE CONGO

From fiction to fact?

RICHARD CORNWELL

The Global and All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo (DRC), signed by the Congolese parties on 17 December 2002, outlined a transitional process to culminate in national elections to be held two years after the inauguration of the Transitional Government in June 2003. The agreement also stipulated that the transition could be extended for two six-month periods if technical preparations for elections were delayed. The Transitional Governmental has encountered significant difficulties in the past two years. Nonetheless, the basic objectives of the peace agreement – such as the drafting of a constitution, the elaboration of key laws and the embryonic reintegration of the Congolese armed forces – have been realised, and the Congolese people are now increasingly focused on the constitutional referendum, now due on 18 December, and on the elections expected by June 2006.

The holding of the referendum and elections are the key steps in the creation of a legitimate state apparatus in the DRC. It is essential, therefore, that the upcoming elections are sufficiently credible in the eyes of the Congolese electorate and the political parties to produce broad acceptance of the process and its results. In order to ensure this credibility, insecurity will have to be kept to a minimum to make sure that a maximum number of people will be able to participate in the process and all parties participating in the process must be guaranteed equal access to election resources.

Thus far, the immensely costly voter registration process has achieved remarkable success, given the logistical difficulties involved. Some 15 million of an estimated 20 million voters have been identified and issued with documents. The registration exercise progressed with surprisingly few problems in the troubled east of the country and has now been extended to the sparsely populated Equateur and Bandundu provinces. In the next two months 40,000 voting locations must be established and 200,000 election workers recruited, trained and moved into the field.

Securing the elections against disruption will depend largely on the efforts of The United Nations Mission in The Congo (MONUC) and the understaffed and nascent national police force. The integration of units in the new Armed Forces of the Congo (FARDC) has been slow, and there is ample evidence that the various parties represented in the Transitional Government have withheld their best troops as a possible insurance against electoral disappointment. The handful of FARDC brigades that has been established lack both adequate training and equipment.

Apart from the potential spoilers within the Transitional Government principal among whom is Vice-President Jean-Pierre Bemba, whose electoral hopes have been dealt a severe blow by his ineptitude in managing his patronage network – there are a number of other troublemakers at large. These include the plethora of armed factions and predators

under no defined command, mainly in the Kivus, northern Katanga and Ituri. The continued presence on Congolese soil of the Democratic Front for the Liberation of Rwanda (FDLR) also provides Kigali with an excuse to intervene across the border if it senses its interests being threatened by developments there. The unpopularity of the Congolese Rally for Democracy-Goma (RCD-G) does not augur well for its electoral chances on the national stage, yet its base in North Kivu, in particular, is viewed by Kigali as a legitimate and essential sphere of economic and political influence.

The international diplomatic and business community is obviously placing a great deal of hope on the holding of successful elections finally to provide the DRC with a government that has some element of popular legitimacy. Of course, moving from this to the establishment

of a functioning state will be a protracted and troubled process, and one that will require high levels of international commitment to succeed. The kleptocratic political culture of Congo's elite will also somehow have to be held in check, for international funding for reconstruction and development constitutes potential loot on a scale not experienced since the days when Mobutu was regarded as an essential client of the West.

If the Congolese state project is to be successful and value received for all the blood and treasure so far expended by the Congolese and the international community in the quest to achieve a favourable outcome, there can be no talk yet of an exit strategy or a reduction in engagement. The referendum and the elections to follow are essential, though not sufficient, to establish a Congolese state that exists in more than fiction.

BURUNDI'S DDR AND THE CONSOLIDATION OF THE PEACE

WALDEMAR FREY AND HENRI BOSHOFF

The formal stages of the political transition in Burundi are drawing to a close with the elections now completed. The newly elected president, Pierre Nkurunziza, was installed on 26 August 2005 and the final set of elections, for the collines, was held on 23 September. The whole process was carried out with far less intimidation and violence than many observers had predicted and turnout was generally high, indicating a considerable level of popular support for a peaceful outcome. Most of the disturbances that did occur were laid at the door of Party for the Liberation of the Hutu People – Forces for National Liberation PALIPEHUTU-FNL, the party of Agathon Rwasa and the only armed group still outside the transitional process, and the Burundian National Defence Force (BNDF).

It is not our intention to analyse the election results here, however. What concerns us in this short piece is to look at the DDR (disarmament, demobilisation and reintegration) process as it is being executed in Burundi. It is important to begin by looking at the role of DDR in an overall peace process. Massimo Fusato defines the disarmament, demobilisation and reintegration of ex-combatants as follows:¹

Disarmament, Demobilisation and Reintegration (DDR) of ex-combatants is a first step in the transition from war to peace.

Demilitarisation can be used in time of peace as well, to reduce the size of armed forces and redistribute public spending. However DDR is much more complicated in a post-conflict environment, when different fighting groups are divided by animosities and face a real security dilemma as they give up their weapons, when civil society structures have crumbled, and when the economy is stagnant. DDR supports the transition from war to peace by ensuring a safe environment, transferring ex-combatants back to civilian life, and enabling people to earn livelihood through peaceful means instead of war.

The three phases of DDR are interconnected, and are both short and long term in orientation. The short-term goals are the restoration of security and stability by means of the disarmament of the members of previously warring parties. The demobilisation of such groups is another fundamental step towards the improvement of general security at the end of a violent conflict. The more long-term goals are the sustainable social and economic reintegration of ex-combatants into a peaceful society.

There are also conditions that must be met before a DDR programme for large numbers of ex-combatants can be launched. These include establishing adequate security, the separation of previously warring factions, political

agreements, a comprehensive approach and sufficient funding.

The DDR process in Burundi was to be implemented according to guidelines provided in the Arusha Accord of August 2000 and the structures put in place subsequently. The most important legal framework for DDR is provided by the Joint Operations Plan (JOP) of 9 November 2004 and the National Commission for the Disarmament of the Population's (NCDRR) Strategy for Reintegration. The objective of the JOP "is to indicate an exhaustive set of procedures and mechanisms for the disarmament and the demobilisation of the ex-soldiers/ex-combatants of the APPM and the Burundian Armed Forces (FAB)".

The disarmament and disbandment of militias was not included in the JOP. The Transitional Government of Burundi published a national decree in May 2005 that their disarmament and disbanding process would be managed under stage 1 of the NCDRR's operational plan.

The concept of operations as outlined in the JOP allowed for the completion of DDR in two stages:

- **Stage 1:** One year was allotted for the voluntary disarmament, demobilisation and reintegration of members from the ranks of the Armed Political Parties and Movements (APPMS) and of the FAB. The target was to create a Burundian National Defence Force (BNDF) of not more than 30,000 men and a Burundian National Police (BNP) with a maximum size of 20,000, always bearing in mind the 50–50 ethnic representivity principle for Tutsi and Hutu.
- **Stage 2:** Two to four years was envisaged as the time frame for ongoing DRR of excess soldiers from the BNDF, in order to reduce its size to an internationally acceptable and affordable security sector structure.

The JOP spelled out the detailed planning for the demobilisation process. The plan made provision for the members of the APPMs to gather in pre-disarmament assembly areas (PDAAAs) in which they will be disarmed and moved to the demobilisation centres (DCs). Candidates who volunteered for integration

into the security forces would follow another route to either the BNDF or the BNP. During the process the government troops were to return to their barracks if the security situation permitted, while their weapons were to be deposited in armouries. Ex-combatants who failed to meet the conditions for recruitment into the new army would be demobilised and handed over to the NCDDR. The JOP identified six steps for the DDR of combatants:

- Step 1: pre-disarmament assembly or cantonment;
- Step 2: selection for demobilisation;
- Step 3: disarmament of demobilising combatants;
- Step 4: combatant status verification;
- Step 5: demobilisation;
- Step 6: discharge.

Although the DDR process in Burundi was launched only on 2 December 2004, it had been preceded by 14-month period during which combatants belonging to rebel groups were assembled in 12 PDAAAs throughout the country. After a long delay, and contrary to expectations, the DDR process went ahead smoothly, so much so that stage 1 of demobilisation and disarmament has now been completed. This is a remarkable achievement given that the NCDRR had estimated that it would take one year to complete stage 1 of the process, and an additional four years to complete stage 2. The probability that the process will be completed in a shorter period bolstered faith in the transitional process and helped to create a stable environment in the run-up to the last round of elections. The disarmament, demobilisation and integration of ex-combatants into the BNDF ensured that the transition process continued and that the elections could take place.

However, the process of disarmament has not been free of problems. These are related to such matters as accommodation, food, health and disputes over rank harmonisation. The transitional government of Burundi, the African Union (AU) Mission in Burundi (AMIB), and later the United Nations Operation in Burundi (ONUB) however, were able to address these problems sufficiently to ensure that the DDR

process could continue.

A number of lessons can be drawn from the Burundian process to date. The most salient is that those negotiating an end to hostilities should exercise great care in avoiding separate ceasefire agreements with the various parties. These lead to unnecessary animosity between parties, and cause endless delays in the negotiation and design processes because they always contain an element of exclusion. In the early stages of the transition, such exclusion can well undo all the gains achieved. Ceasefire agreements also have a tendency to address political aspects rather than other important considerations. For example, if not enough guidance is given to the security sector, the subsequent negotiations may break down and hostilities may resume. Leaders should look beyond political goals to ensure that any agreement provides substantive guidance for the processes that follow.

A key factor in to the success of the transition was that the Burundian authorities and role-players were allowed to make their own decisions, rather than being forced to accept externally-imposed judgements that they did not understand. It might be time-consuming to engage in extensive debate, but the results are worth it in the long term. The role of the international bodies is to guide, advise and assist the government concerned, and not to impose decisions whose implementation will be short-lived because they do not carry the wholehearted consent of the local authorities.

Much time has apparently been wasted during the transition process. However, if one measures the quality of the process and gives due weight to the need for decision-making by the Burundians themselves, the time spent can be regarded as a sound investment. The same patience should be practised during the early days in office of the newly elected government.

When establishing assembly areas such as the one opened by the AU at Muyange, government authorities should consider all the relevant factors, such as logistical and financial support requirements and an appropriate strategy to end the process. This could prevent stalemates from arising, therefore limiting the chance of failure. Another important

lesson to be learnt from the AU's experience at Muyange is that when a force must fight (or defend), it should ensure that it is ready for combat and able to win the firefight. In this way hostile parties are made aware that the role of the mission in the country is to be taken seriously.

Joint operations (such as those between the FAB and the Conseil national pour la défense de la démocratie Conseil national pour la défense de la démocratie (CNDD) – Forces pour la défense de la démocratie (FDD) in Bujumbura Rural) are risky, but provide an excellent opportunity for confidence-building.

Direct integration of ex-combatants into the security forces is a technique that can be applied to overcome situations that appear to have reached a political impasse. The transitional government used this opportunity very well. Though there were some difficulties, this action served as a driver that propelled the process forward. The initial move towards integration also made the other parties think about their own positions and how they should avoid exclusion from the new army and police services.

Strategic planning for reintegration can never be done too early. Political pressures on a government to find solutions to the enormous range of tasks associated with the disarmament and reintegration of combatants tend to become all-consuming. In consequence little attention is paid to reintegration planning, which is extremely technical and requires not only careful design but also logistical support that takes time to mobilise within the necessary legal frameworks. Time spent on the implementation of the reintegration strategy is not wasted, and can contribute greatly to preventing of a recurrence of instability in a country.

The DDR process in Burundi was once regarded as one of the most intractable problems to be addressed during the transition period. The Transitional Government was faced with the dilemma of starting DDR with the two main APPMs (the CNDD-FDD and the FNL) still outside the negotiation process. The DDR programme became feasible only after the CNDD-FDD signed a peace

agreement. Contrary to expectations, disarmament has proceeded well, even though the PALIPEHUTU-FNL of Agathon Rwasa has remained outside the transitional process. DDR has become one of the positive drivers of the transition since it started in December 2004. Although its commencement was delayed, most of the disarmament and demobilisation was completed within six months. The reintegration process has begun. If DDR continues at its current pace, it could be finished in a shorter time frame than the four years projected by the NCDRR. The political will of the transitional government and the CNDD-FFD have ensured that the short-term goals of the JOP have been accomplished, and that the elections have taken place in a stable environment.

One of the biggest challenges for the future will be the reintegration of the ex-combatants into civilian life. This process is only just beginning. Demobilised ex-combatants were given payments to support them for 18 months, calculated on salary scales in the FAB, which allowed the former fighters some time for socio-economic integration. The long-term goal, however, is for them to acquire a sustainable social and economic role in a peaceful society.

Note

- 1 Disarmament, demobilization and reintegration of ex-combatants <<http://www.beyondintractability>> (1 April 2005).