

PREFACE

THE ROLE OF MONUC AND THE INTERNATIONAL COMMUNITY IN SUPPORT OF THE DRC TRANSITION

William Lacy Swing¹

Introduction

Excellencies, Mr. Chairman, Ladies and Gentlemen,

It is an honor to deliver the keynote address to this International Experts Workshop on “MONUC and the Challenges of Peace Implementation in the DRC,” organised by the prestigious Institute for Security Studies in Pretoria. I thank you most sincerely for your interest in the Congo and MONUC2, and thank you for the warm South African hospitality, which no matter how legendary always overwhelms us!

On a personal note, I am also delighted to be back in South Africa, where my diplomatic career began exactly forty-years ago. In the ensuing four decades, almost all of my adult life and assignments have been in African countries in transition; this includes witnessing first-hand your own historic transition – a political miracle of the last century, which continues today. Nelson Mandela once said in my presence that at such times, he had a sense that he was, as he put it, in physical contact with history.

It is therefore particularly appropriate that my subject today is the Democratic Republic of the Congo (DRC) – Africa’s third largest country – that is in the midst of an historic process of transition.

I have been requested to focus my remarks on the role of the United Nations and the International Community in support of the Transition in the DRC. But before doing so, I wish to underline that the transition process in the DRC is quintessentially an African process. The milestones that have brought us to where we are today, are African milestones, such as the Lusaka Agreement, the Luanda Agreement, the Pretoria Accords, and the Sun City Resolutions.

At every step of the way, it was African statesmen, such as your own President Mbeki, and African institutions, such as SADC³ and the African Union, that brokered and facilitated agreements.

And when it came to the UN’s contribution, it was Kofi Annan who appointed Kamel Morjane and Amos Namanga Ngongi as his Special Representatives, and Moustapha Niasse as his Special Envoy for the Inter-Congolese dialogue – whose facilitator was another distinguished African, Sir Ketumile Masire.

Indeed, when I characterise what has happened in the DRC over the past four years, I do so in terms of three phases: the “Lusaka Phase” that saw the ceasefire, the withdrawal of foreign forces and the end of large-scale conflict; the “Pretoria Phase” that drafted the architectural design for sustainable peace; and now the “Kinshasa Phase” in which agreements reached must be implemented on the ground.

This brings me to the *three key points* that I wish to make today. They are, first, that the transition in the DRC can succeed; indeed, its early days are far better than most would have predicted or that one might reasonably have expected, for reasons that should give us confidence. Or, put another way, this is a transition in which every Congolese has something to gain. But we should have no illusions about the magnitude of the challenges ahead.

My second point is that MONUC and the international community are ready to do their part, but the responsibility for making the Transition work lies with the Congolese leaders. It is up to them to bring reality to the hopes of the long-suffering Congolese people they represent. A Congolese proverb says it aptly: “If the fish tells you that the crocodile is ill, believe it, for they both live in the same water.” In other words, the Congolese know their country and one another better than we ever will.

My third point is that the actions and policies of regional governments will be a deciding factor in the success or failure of the Transition. External interference would represent the single greatest threat to the Congolese transition process. At this time when success is in sight, UN Security Resolution 1493 appeals to regional leaders to redouble their support for the DRC Transition. A stable DRC is in many senses the lynchpin for stability in the wider Central African region.

Why the transition in the DRC can succeed

Let me outline the major reasons why I believe the Transition can succeed. One: *national identity*. Unlike so many other areas of conflict within states where the protagonists basically want to secede, in the DRC there is an almost universal sense of Congolese identity that is a powerful force for nation building. With the exception of some long-standing issues of citizenship mainly in the East that hopefully are now being resolved through the Transitional Constitution, Congolese by and large, want to be Congolese.

Two is *war fatigue*. After more than four-years of bloody internecine fighting, with more than three million people estimated dead, mainly through hunger and disease; and as many as four million internally displaced, the vast majority of Congolese want an end to the nightmare of war and deprivation.

This brings me to point three: the real *interests of the Congolese leaders*. All political leaders, and their respective military forces, have something to gain

from a successful transition. Their choice is simple: they can be left isolated and marginalised from the Transition, in bare control of decreasing pieces of territory, or become part of legitimate Government structures.

There is also another side to this – now that the prospects of peace, national unity and development are clearly in front of us, Congolese leaders will increasingly, have to take full account of public opinion. War is often a kind of straitjacket in which the legitimate aspirations of the people are constrained. Once the fighting stops, normal politics begins; and the power of civil society should not be underestimated.

Point four: *there is unprecedented international commitment*. This has been demonstrated in many ways including: the deployment of the first European Union military peace operation under the EU Common Foreign and Security Policy; the decision of the Chief Prosecutor of the International Criminal Court to examine human rights abuses in Ituri as the Court's first case; and the willingness of international financial institutions and foreign governments to wipe DRC's foreign debt virtually clean.

Perhaps we are finally learning that the most expensive peace is a better bargain than the cheapest war.

There are many other reasons for a degree of optimism. Large parts of the DRC are calm; there are visible signs of reunification, from the restoration of communication lines and postal services to the re-opening of schools, to the resumption of Congo River trade, to the free circulation of the Franc Congolais throughout the Congo; and human interaction is beginning across lines that were once closed.

Having spent ten years of my life in the two Congos and Central Africa, witnessing the tragedy of war, I am nonetheless encouraged today. Yet, I add the caveat, that we – the International Community – and our partners, the Congolese people, must have no *illusions* about the task before us. In the Congo, dictatorship, mismanagement, and ten years of armed conflict have broken everything but the indomitable Congolese spirit, it would seem. The threshold criteria to achieve our goals are immense; and for each example of positive change I could cite here today, there are numerous pre-requisites for sustainability. For example:

- Codified laws and procedures must be in place to determine citizenship and consolidate the building block of national identity.
- Effective rule of law institutions –police, courts, penal facilities must be created, some from the ground-up, to end impunity and the vicious cycle of attack and reprisal, particularly in the East, and to foster meaningful reconciliation.
- The personal buy-in of Congolese leaders must be accompanied by *personal responsibility* – to uphold the fundamental principles of human dignity.

There will be no impunity for violations of human rights – leaders should bear this in mind in considering the actions they or their followers take.

The task is daunting, but we cannot be daunted by it. We must continue to protect and promote the process because, as paradoxical as it might sound, *the process is the transition and the transition is the process*. And, at the end of the day, the process is all a nation in transition has to hang on to.

MONUC and the International Community are ready to do their part

Moving now to my second point, MONUC and the International Community are ready to do their part.

It should be recalled that MONUC was originally deployed, almost exactly four years ago, in very difficult circumstances. It grew incrementally, constrained by doubts about the prospects of success and fear of a never-ending commitment of international resources. Despite this, MONUC has had some notable successes in monitoring disengagement of combatants and verifying the withdrawal of foreign armies. But many of its tasks were like trying to paint a moving train.

It was not until the signing of the Final Act in Sun City on 2 April 2003, some six months ago, that the international community at last saw the Congolese parties map out a credible path to national reconciliation and democratic elections. This gave the international community the necessary confidence to commit itself fully.

The adoption of Security Council Resolution 1493 is the proof of that commitment. And MONUC, as one of the primary instruments of the international community, is now equipped with Chapter VII⁴ authority, expanded resources and increased force.

The challenge for us in MONUC now, is to show that we are worthy of the task. And I must say to you, that it is my strong personal commitment that MONUC will be worthy of the task.

To begin with, the “new” MONUC is organised around five core programmes:

1. *Peace and security*: to stop the killing and end the violence, the *sine qua non* for all that follows. The focus is on stabilising Ituri and the Kivus; enabling 300,000 Congolese refugees to return; ensuring effective DDRRR/DDR; enforcing the arms embargo; and promoting the normalisation of regional relations.
2. *Facilitating the transition*: leading to free and fair elections. MONUC's Neutral Force has already filled the security void in Kinshasa, and we will

now begin to focus greater attention on supporting the national electoral framework, and the five institutions of democracy. An electoral assistance unit has been created in MONUC, and MONUC is already serving as convener of electoral assistance efforts.

3. *Establishment of the Rule of Law and Human Rights*: to end impunity and build stable institutions. Police training and criminal justice capacity building is underway in Ituri and will soon begin in the Kivus. MONUC is supporting the establishment of a National Human Rights Observatory and a Rule of Law Taskforce to coordinate security sector reform.
4. *Improve human conditions for sustainable peace*: the focus here is on programmes that address the tragic legacy of war: humanitarian catastrophe; child soldiers; sexual violence; HIV-AIDS and support for the ICC and for the establishment of a Truth and Reconciliation Commission.
5. *Support and management*: to reform and restructure MONUC so that it can address all of the above effectively and efficiently.

I am committed to making certain that MONUC is dynamic, pro-active and sharply focused on results, and that this culture permeates the mission. MONUC's concept of operations is based on four key areas:

1. *Mandate momentum and oversight*. We are currently formulating a Mandate Implementation Plan to provide operational definition to how we intend to fulfill our tasks; and a multi-disciplinary unit will track progress and ensure that we stay on-track and on schedule.
2. *Accelerated deployment of resources*, particularly to Ituri where we will have 4,800 military personnel by the end of October; and in the Kivus, where we are intensifying our local conflict resolution and confidence building efforts. As we near elections, increasing resources and personnel will be focused on Kinshasa and provincial capitals;
3. *Establishment of clear lines of authority*, achieved by streamlining management and decentralising authority to in-country and regional Heads of Office who will report directly to the Office of the SRSG; and
4. *Unprecedented cooperation*. The Security Council has mandated MONUC to coordinate all of the activities of the United Nations system in the DRC, and to facilitate the work of other national and international actors. The UN Family met earlier this week in Kinshasa to begin the practical steps of implementation.

MONUC and the International Community, however, cannot meet the challenges alone or in a vacuum. The primary responsibility for making the Transition work lies with the Congolese leaders. In other words, *the international community is ready to accompany the transition, but it is the Congolese themselves who must lead it.*

I am heartened by the progress made in establishing the political institutions of the transition. There has been some timetable slippage, but overall progress is better than most would have expected.

Major challenges lie ahead – particularly concerning the new integrated Armed Forces and Police, beginning with the Integrated Police Unit for Kinshasa. DDR must be immediately expedited; and politicians must commit themselves to responsible government, resolving disagreements over the prerogatives of key ministries (defense, foreign affairs, infrastructure, mines and telecommunications.)

The Transitional Government must now focus on re-unifying the country, initiating the process of national reconstruction, and preparing the ground for the holding of two sets of free and fair elections in two-years time. We keep in mind, however, that it is not the voting alone that is democracy; it is also the preparation and the counting.

The regional dimension

My final point today is that the actions and policies of regional governments will be a decisive factor in the sustainable success or failure of the Transition and that we must redouble our efforts to achieve regional stability and cooperation.

At one time, when six to eight foreign armies were fighting on Congolese soil, the conflict in the DRC was referred to as “Africa’s First World War”. The formal withdrawal of foreign armies was a key success of the Lusaka agreement. But the absence of war is not the same as the establishment of peace. The detritus of war remains, including foreign armed groups, lawless local bands and organised criminal networks enriching themselves through the illegal exploitation of natural resources in one direction and the illicit trade in arms in the other.

And on the humanitarian side, we continue to see large numbers of civilian refugees living on both sides of unstable border areas.

Putting together a government of national unity after a dreadful war is never an easy task – doing it without regional and bilateral support is even more problematic. While Security Council Resolution 1493 gives MONUC several tasks that directly involve DRC foreign relations, such as monitoring the embargo on illicit arms flows and contributing to confidence building and the normalisation of regional relations, the fact is that we cannot do this alone.

Indeed, an objective assessment of the nature of the residual problems I have just outlined, particularly in the eastern DRC, would conclude that MONUC can be a catalyst and a witness, but the problems can only be addressed by a sovereign DRC supported by, and acting in concert with, its neighbours.

To put it another way, there are two prerequisites for resolving the residual problems in the Eastern DRC. *First*, the establishment of the sovereignty of the Transitional Government over the entire territory of the DRC through the introduction of the rule of law and the institutions that enforce it; and second, the cooperation of neighbouring states in the fight against trans-border crime and lawlessness.

The normalization of bilateral relations is a cumulative process – restoration of diplomatic relations; control of borders; cooperation; non-interference – all take time, but I am heartened by the prospects. I believe that there is a growing realisation in the region that peace and security can only come in cooperation with, not against, one's neighbours.

It may still take some time, but you can be assured that supporting a new regional understanding is one of the highest priorities of the United Nations Security Council as a whole, and the Secretary-General in particular.

Conclusion

In conclusion, let me now return to my keynote theme. MONUC's basic task is to accompany and assist the Congolese people to achieve sustainable peace leading to democratically elected government.

For my part, I will endeavor to ensure that the new MONUC is focused, proactive and efficient. I will seek to coordinate the activities of the International Community and consolidate a regional constituency. The end state, I believe is clear - a democratically-elected government and a space where rule of law can be the essential framework that will finally permit the Congolese people to exploit and develop the vast and rich resources of their country.

In this process, MONUC can help, but the Congolese must lead. And to do that effectively and in a sustainable manner, the support of bilateral and regional states is a decisive element.

In closing, I leave you with a thought. In the last days of Apartheid, I used to say that South Africa is "a success story waiting to be told." That success story is now there for all to see. Let us work together to help the Congolese make their future "a success story," as well. Africa and the world need a successful DRC.

Notes

1. Ambassador Swing is the Special Representative of the Secretary-General and Coordinator of United Nations Activities in the Democratic Republic of the Congo

2. United Nations Mission in the Democratic Republic of the Congo.
3. Southern African Development Community.
4. Chapter VII (of the United Nations Charter) deals with “Action With Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression”. It empowers the Security Council to decide on measures to be taken to restore peace (implicitly, once a dispute has degenerated into armed conflict and has been identified by the Security Council as a threat to the peace, breach of the peace, or act of aggression). Chapter VII is essentially coercive. Through Chapter VII, the UN Security Council is empowered to investigate alleged violations and then determine measures to be taken against the states concerned. These measures can include political and economic pressure as well as the use of force (Article 42).