

Examining Ongoing Conflict in Eastern Congo

The United States Senate

Committee on Foreign Relations

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Chairman Coons, Ranking Member Flake and Distinguished Members of the Subcommittee on Africa:

On behalf of Eastern Congo Initiative, I thank you for the invitation and honor to testify before your subcommittee. I commend you for your continued interest in developments in the Democratic Republic of Congo and I appreciate your continued support of the Congolese people.

Mr. Chairman, after two decades of violence and political upheaval in DRC, we realize how easy it might be for U.S. leaders and the world to give up on Congo. From MONUSCO, to the FARDC to the Congolese government, it seems as though none of the major institutions are functioning well or are truly committed to a lasting peace. But I want to begin my testimony today by offering a slightly different perspective.

From ECI's view on the ground in Goma, the reality is more hopeful than the headlines suggest. The Congolese are among the world's most resourceful people, and a people who refuse to be defined by circumstance or history. They are committed to positive change in their country and demonstrate that commitment every day. The massive political mobilization and voter turnout during the 2011 elections despite overwhelming challenges, including physical intimidation in some areas, is a testament to their desire to shape a better future for themselves and their families.

DRC is home to a vibrant civil society that is second to none in Africa. Civil society and faith-based groups have been substituting for the dysfunctional state across Congo

throughout the many years of crisis. Not only do civil society organizations provide services, such as education, health, economic development and justice, where the state fails, they mobilize the population for political change. Civil society organizations are at the forefront of the struggle for a robust democratic process. They drive the vote, shape the political debate and induce reforms, including legislation against sexual violence, the audit of mining contracts, the revision of the mining code, and the restructuring of the national electoral commission. They envision a better future for their country and they are doing everything they can to craft it by their own hands.

ECI is an investment in their vision. This is why ECI's work is focused on developing and strengthening partnerships with civil society organizations, and providing them technical and financial support as they push to overcome the circumstances that impede their growth. We are not alone, as there are many other foreign organizations working with individual civil society entities, and the results are palpable.

Our partners in the agricultural sector, amid a culture of corruption and the constant threat of violence, have trained smallholder farmers in improved techniques and built capacity to improve the quality and yield of their crops. This kind of progress may seem incremental, but those increments mean that many will be able to afford better healthcare for their families and schooling for their children. If properly farmed, DRC could feed one third of the world's population, and we believe if these farmers are given a chance, it can become the breadbasket of Africa.

And when M23 overtook Goma last fall, it was not MONUSCO or FARDC who guided civilians to safety, but courageous and resourceful citizen-journalists. For two days straight, the 14 staff members of ECI's partner, Mutaani FM, locked themselves in their station and remained on-air as an independent source of information for the city and surrounding communities. Mutaani also opened the airwaves for listeners to share real-time updates from their neighborhoods, and send messages of reassurance to those whose homes were suddenly at the center of a battlefield. During this time of crisis and in the absence of government support, Mutaani broadcasts became a timeline of trusted information and a lifeline of human contact.

These are community leaders who, with limited resources, are literally saving lives and keeping hope from fading. Progress is possible, but without lasting government reform

civil society's progress is palliative care for a failing state. Community organizations can't raise an army or maintain law and order in their society.

On ECI's behalf, I am here today to ask that the United States Senate stand alongside of these heroes. Finding a lasting solution to the cycle of violence and creating an environment in which the Congolese can grow and thrive does not require the expenditure of large sums of money or the deployment of boots on the ground. It does, however, require American political leadership -- moral leadership even -- to bring the parties together to address the larger sources of instability in the region.

The crisis that we are here today to discuss is a direct result of DRC's lack of competent and adequate security and law enforcement institutions. The ensuing insecurity affects all of DRC, taking different forms in various regions of the country. Recent events in Lubumbashi, where over 200 Mai-Mai militiamen armed with rudimentary weapons walked mostly unopposed past security forces to the UN headquarters, underscore the pervasiveness of insecurity. That these bandits breached the security of DRC's second largest city and most important mining hub so easily is worrisome and may augur more such disturbing developments.

Still, to-date the most violent expression of insecurity centers in the eastern provinces of North Kivu, South Kivu and Orientale, where successive waves of foreign invasions and the continued emergence and recycling of militias have caused the death of millions, displaced around 2 million civilians, and led to an overwhelming incidence of sexual violence and rampant looting of mineral resources. This brutal manifestation of state dysfunction and militia rule now also affects the civilian populations of Northern Katanga.

This reality shapes the daily lives of millions of Congolese across the country and exposes the pressing need for greater commitment to security sector reform. Practically all stakeholders, including President Joseph Kabila, the DRC Minister of Defense, the FARDC chief of staff, DRC's neighbors and the UN Secretary General have recognized the importance of security sector reform. This reform is often mentioned as a top priority by donors, and was named as the first commitment asked of the DRC government in the Addis-Ababa framework agreement signed in February this year by 11 regional leaders.

Last April, Eastern Congo Initiative and a coalition of Congolese and international NGOs called donors to action in a report titled *Taking a Stand on Security Sector Reform*. A year later, almost nothing has been done. A follow-up report card on the recommendations of that report will be published this month by Eastern Congo Initiative – it reveals failing grades.

Mr. Chairman, with your permission, I would ask consent to submit the report and my written remarks for the record.

The rhetoric of stakeholders and donors voicing support for security sector reform is no doubt genuine, but it is not matched by progress on the ground. The continued imperative for meaningful change - and the price of doing nothing - could not be clearer, tragically underlined by the events of 2012. The M23 rebellion was born in April 2012 following the desertion of hundreds of soldiers from the FARDC, in part over poor conditions – notably lack of pay and food, and political considerations. The new rebellion was led by individuals with long and bloody histories of desertion and abuse, who had been allowed to avoid justice and maintain parallel command structures inside the FARDC – most notoriously Bosco Ntaganda. The Congolese defense forces proved unable to defeat M23, despite an enormous advantage in numbers, their effectiveness limited by poor support to troops in the field – some were reported to lack food on the front-lines – incoherent leadership and poor morale, forcing them to desert their posts in the name of self-preservation.

The cost has yet again been borne by Congolese civilians, hundreds of thousands of whom have been displaced by fighting. Many others were raped or killed. As the UN Secretary General has recognized ‘...the recent crisis in eastern Democratic Republic of the Congo has again underlined the need to reform the security sector, notably the FARDC.’ It is time to revisit the issues.

The story of the M23 offers three simple, but important lessons. The first lesson is that rushed, *ad hoc* and partial security sector reform does not work. The successive attempts to integrate former rebels – the Rassemblement Congolais pour la Démocratie-Goma (RCD-G) and the Congrès National pour la Défense du Peuple (CNDP) – ducked the most difficult and most important issues. Former rebels were not vetted for human rights abuses or other crimes. No coherent rationalization of rank for newly-integrated fighters was undertaken. Like other FARDC soldiers, former rebels were not given

sufficient material support or pay. Perhaps most importantly, former rebels were not inserted into a clear and well-respected command structure, allowing parallel loyalties and chains of command to persist.

The second lesson is that military integration of rebel groups cannot be a substitute for a real peace process. Past attempts at integration were a product of *ad hoc* peace deals reflecting the immediate imperative of conflict resolution and behind-the-scenes political compromises. The 'mixage' process for instance reflected the CNDP's refusal to disperse its fighting strength, and the Congolese government's need to end the chaos and humiliation of fighting in the East. Likewise, the integration of the CNDP following the agreement of March 23, 2009 was a product of hidden negotiations between the Rwandan and Congolese governments that allowed the CNDP to retain considerable influence in the East independent of formal FARDC command structures. In both cases, the fix was only temporary, buying a brief period of uneasy calm before fighting resumed.

The problems highlighted above apply to the whole of the FARDC, not just to newly integrated elements. There are continual defections from the FARDC across the whole country, and the ill-discipline and abuses by FARDC personnel is well-documented and pervasive. Frightened communities with no protection are more likely to mobilize around a militia, causing further violence and chaos.

The third lesson is therefore that, unless these structural problems are addressed, the FARDC is unlikely to ever evolve into the professional, effective military that all actors, Congolese and external, want to see.

With regard to Security Sector Reform, 2012 was a lost year. In DRC, it had been anticipated that the 2011 elections would consolidate the democratic gains of 2006 and open up a political opportunity to move forward on much-needed reform. But the last elections were highly contested, creating tension between the majority in power and the opposition that have severely limited the government's ability to act, much less tackle the difficult challenges of security sector reform.

While it is true that much of the responsibility for the lack of progress on SSR rests with the Congolese authorities, MONUSCO bears part of that responsibility. The fall of Goma last year is the apex of a long string of UN peacekeepers' failures to protect

civilians despite a clear and strong mandate to do so. Without an effective peacekeeping presence, stabilization and security sector reform cannot take hold.

Beyond the United Nations, the international community has also largely failed to act, despite widespread agreement that military reform is the foundation for progress across all conflict resolution, state-building and development objectives in the DRC. Over the past decade, security sector reform has been crippled by poor coordination among donors, who are driven primarily by competing short-term imperatives and objectives. This approach has yielded piecemeal interventions, and the resulting failures have led many to give up on systemic reform altogether.

Despite our dismal progress on SSR to date, we are seeing glimmers of hope that a changing international political environment may open opportunities for real reform.

First, following the recent violence, regional actors – notably, the Southern African Development Community -- have collectively engaged in the DRC at a level not seen since the end of the transition in 2006. Second, Mary Robinson's appointment as the UN Special Envoy can provide a much-needed focal point and energy at the precise moment when the UN Security Council has unambiguously placed SSR at the heart of its work in the DRC.

The magnitude of the task ahead requires that it be a joint effort and that all partners pull their weight. Donors must build momentum towards progress by making high-level political commitments to support military reform, and back them with immediate practical, coordinated support. The road to successful security reform goes through the following steps:

- The United States should unambiguously support MONUSCO to fulfill its mandate as expanded in UN resolution 2098. The UN system, particularly the permanent five members of the Security Council, must ensure that MONUSCO and the UN Special Envoy have full support and all the necessary resources to fulfill their mandates.
- In the region, members of the Contact Group need to convene an immediate meeting of an expanded Contact Group, to include the Southern African Development Community, the African Union and International Conference on the Great Lakes Region, to discuss the implementation of renewed military.

reform. The meeting may also serve as a platform and forum for Mary Robinson, the newly appointed UN special envoy for the Great Lakes Region, to present her plan of action to the Contact Group.

- In the meantime, the U.S. should engage the Government of DRC, in partnership with MONUSCO and other donors, to draw up a comprehensive security sector reform blueprint in a practical and inclusive process, which involves civil society and establishes a robust working-level coordination and follow-up mechanism.
- In support of that SSR blueprint, the U.S. should encourage our NATO allies and other key partners to provide police, judicial and military training to the DRC, to help bolster its capacity to protect its people and preserve its territorial integrity.
- US Africa Command successfully trained a battalion that performed well in LRA-affected areas in Orientale Province. As part of a comprehensive SSR blueprint, the US should increase its military assistance to DRC, including training of more units of FARDC and greater access to US military training institutions for Congolese officers.
- EUSEC and MONUSCO need to support the Government of DRC in implementing a surge of support to the FARDC in the field. The ISSSS has a remit to improve security and stability across the East. MONUSCO has a mandate to protect civilians and collect information on human rights abuses. A coordinated surge of practical measures to improve the conduct and morale of the FARDC is a vital factor in creating the conditions for effective reform.
- At the same time, the Government of DRC has to learn from past failures and avoid easy, expedient stop-gap measures that reduce tensions in the short-run but worsen the crisis in the long-run. The M23 may be re-integrated into the FARDC. For many, this will be the third time they join the FARDC, only to subsequently desert. War criminals should not be integrated into the Congolese military. DRC cannot import rebel unit structures and chains of command into the FARDC and expect different results.
- And finally, the Government of DRC, Regional States and Moderators of the Kampala talks have to ensure that the terms of any peace deal with the M23 respect human rights considerations and break parallel chains of command.

With recent commitments from the UN, we as a community of nations have an opportunity to ensure that 2013 is not another year lost for the Congolese people. Both through our embassy in Kinshasa and here in Washington, the U.S. can use its political, diplomatic, and moral capital to invest in a people who continue to show courage, determination and a commitment to build a better future for their country. ECI believes there is no better investment we can make than in the success of the Congolese people.