



WEBINAR REPORT

MONITORING AND EVALUATION OF THE REFORM OF THE SECURITY SECTOR
IN THE DEMOCRATIC REPUBLIC OF CONGO (DRC) :
WHAT IS THE ROLE OF THE EUROPEAN UNION?

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African Security Sector Network (ASSN)

Formed in 2003, the **African Security Sector Network (ASSN)**, headquartered in Accra (Ghana), is a Pan-African network of practitioners and organizations working to promote effective and democratically governed security sectors across Africa.

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Fondé en 2003, l'**African Security Sector Network (ASSN)**, dont le siège se situe à Accra (Ghana), est un réseau panafricain d'experts et d'organisations travaillant pour promouvoir une gouvernance plus démocratique de la sécurité sur le continent africain.

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EXECUTIVE SUMMARY

Without doubt, the prolonged conflict and political instability in the Democratic Republic of Congo (DRC) have created a governance deficit which has adversely impacted the security environment in the country. Much as the security sector institutions are mandated to protect the population, lack of reform in the institutions has made this task difficult to accomplish. Yet still, the governance deficit in the security sector makes the agencies even far removed from the population due to excesses already suffered in the hands of the security forces.

The Security Sector Reform (SSR) in the country has received both bilateral and multilateral support. Notable among the multilateral partners is the European Union (EU) through the European Development Fund (EDF) and the Common Security and Defense Policy (CSDP). Since its inception, some Civil Society Organisations (CSOs) have been monitoring the SSR process. For instance, the Dutch Embassy in the DRC and CODAID have been working together to prevent repetition of past failures in SSR implementation, while aiming to provide a resilient society in the country.

After over a decade of SSR implementation in the DRC, research results show that many phases of the SSR have evolved, but the results are mixed. Factors accounting for this include (a) lack of political will, (b) inadequate cooperation between government and development partners, and (c) corruption and solidarity relations in security sector.

ABBREVIATION

ACP	African, Caribbean and Pacific
ASSN	African Security Sector Network
CSDP	Common Security and Defence Policy
CSOs	Civil Society Organisations
DDR	Disarmament, Demobilisation and Reintegration
DRC	Democratic Republic of Congo
EDF	European Development Fund
EU	European Union
EUCAP	European Union Capacity Building
EurAc	European Network for Central Africa
EUTM	European Union Training Team in Mali
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
SALW	Small Arms and Light Weapons
SSR	Security Sector Reform

INTRODUCTION

On 28 October, 2020, the African Security Sector Network (ASSN) in collaboration with CORDAID and the European Network for Central Africa (EurAc), organised a one-day virtual conference on the topic: “Monitoring and Evaluation of the Reform of the Security Sector in the Democratic Republic of Congo (DRC): What Is the Role of the European Union (EU)?” The aim of the workshop was three fold:

- First, to present to the European Network for Central Africa (EurAc) and decision-makers the research and analysis of the security sector by Congolese civil society actors,
- Second, to make recommendations to international partners, including the European Union institutions and Member States, involved in the security sector reform process in the DRC, and
- Third, to provide the platform for dialogue between (Congolese) civil society actors, researchers and decision-makers to jointly reflect on the support for security sector reform in the DRC that they are providing or plan to provide in the coming years.

Research Papers on SSR in DRC

Over the past two years, the African Security Sector Network (ASSN) and CORDAID have collaborated with lead security sector analysts and experts in DRC to research into SSR experiences in the country. This research provided a contextual mapping of the security sector actors who are operating in the country at both central and provincial levels.

The research papers which were presented, discussed and reviewed in a separate authors’ review meeting held as part of this one-day virtual workshop, covered specific topics such as:

1. Community Policing
2. Armed Forces Reform
3. National Intelligence Reform
4. Prison Reform
5. Small Arms and Light Weapons (SALW)

The authors have received feedback comments which will be incorporated in their final manuscripts before publication.

However, the papers revealed a few interesting findings, among which were:

1. Low social status of security staff or personnel, more especially amongst the armed forces and police. This is due to the fact that most personnel in the defence and security forces have poor background. Moreover, the fact that they receive low remuneration also exacerbates their poverty situation.

2. SSR has both technical and political aspects which need equal prioritisation. While focusing on training, equipping, investigation and combat role of security forces, equally significant aspects such as civilian oversight (including the Parliament and CSOs) has to be strengthened. The Parliament in DRC is inadequate to act as a counter-check on the executive as most Members of Parliament (MPs) hold a patronage view about their role in security governance. Of note is that there is the need to improve the capacity of CSOs in order to perform their role effectively.
3. The SSR process has, thus far, been implemented from a top-down approach. However, given the fact that the conflict has affected some areas more than others, there is an opportunity to adopt a bottom-up approach.
4. External support has tended to focus generally on “quick wins” through the theory of change programming. In the security sector, such method of programming and evaluation does not take into account the long term engagements with partners which are required to sustain the SSR process beyond the short-term quick wins.

Role of European Union in SSR

Under the framework of the Common Security and Defence Policy (CSDP), the European Union (EU) provides support to the Democratic Republic of the Congo (DRC) in the area of Security Sector Reform (SSR). While this framework has an overarching goal of promoting peace and stability in crisis zones around the world including Africa, it is instructive to know that defence reforms alone will not yield sustainable results in the DRC and the entire Great Lakes region of Africa.

From the perspective of the EU, SSR is about a change in the security system of a country to allow the citizens to enjoy peace within the framework of accountable governance. There are two key objectives under this perspective:

1. Effectiveness: often involves professionalising, and operational strengthening of the state security forces. While this is a core area of focus in SSR implementation, effectiveness of the security sector only represents one side of achieving a holistic results.
2. Accountability: While accountability is difficult to reach, it is an extremely important goal because it helps to check abuses, arbitrariness, and excesses of human rights violations, especially perpetrated by security forces.

There is a strong emphasis on national ownership, which is built around the fact that all beneficiary populations and communities should be involved in the SSR process. Most importantly, raising of awareness on SSR amongst civil society groups has the capacity to deepen ownership and accountability in the SSR process.

Beyond being effective and accountable, democratic reforms of the security sector involve cultural change in the security sector institutions. This cultural change should orient the

security forces to protecting citizens as opposed to protecting political regimes. Democratic reform of the security sector institutions also involves thinking beyond defence and police reforms; it includes consultations with, for instance, the ministry of finance in respect of budgeting and economic policies; ministries of foreign affairs, defence, national security, and interior for policy direction on defence and peacekeeping, internal security, and intelligence. This is what makes the EU SSR process equally a political exercise. The EU also acknowledges the risks of applying universal principles without being context specific.

The EU has developed its own set of policy guidelines for engaging partner countries. It is operationally more visible in countries that are at risk of collapse due to weaknesses in their security sector institutions. In certain contexts, the EU has developed programmes relative to the Rule of Law (RoL) and justice. Incidentally, and beyond the DRC, a more noticeable presence of the EU engagements is felt within its political missions in Africa (especially in Mali and Niger) where, for instance, the mandate of “EUCAP Sahel Mali” has just been extended by the Council of the European Union until 14 January 2021, with a budget of €67 million.

The two Common Security and Defence Policy (CSDP) missions in the region are:

1. EUTM Mali, which contributes to the restructuring and reorganisation of the Malian armed forces through training and advice.
2. EUCAP Sahel Niger, which supports the fight against organised crime and terrorism in Niger.

Overall, the EU is increasingly becoming a critical player in SSR in Africa. This is partly because the development cooperation field has evolved to include SSR prerequisites and outcomes. There are, however, mixed results from EU support to partner countries such as DRC.

EU SSR Support in DRC

The EU policy support to SSR has a 15-year long history in the DRC. However, it is important to state that EU's engagement in DRC is governed on the one hand by the Cotonou Agreement (i.e. partnership between African, Caribbean and Pacific (ACP) countries and the EU) and on the other hand by the EU CSDP missions. The reason being that CSDP missions which support military operations and activities (such as training and strategic advice) cannot be financed under the Cotonou Agreement and its EDF. The overall policy objective is to support the country to achieve peace and security, while ensuring governance and the rule of law in the country. The initial support was enveloped within the EU CSDP, which focused on strategic advising and military training.

Beyond this process, the European Development Fund (EDF) has sought to continue with the support in strategic advising, while focusing on administrative modernization and community policing. The EDF also provides institutional support in the area of access to justice in the protected areas (to strengthening Human rights, Civil Society Organisation engagements, and

the fight against impunity). While these efforts are more geared, broadly, towards peace and security in the country, the efforts are now more intensified in the Eastern region of the country. Further efforts are being made to give more attention to civil society engagement in the SSR process.

Achievements of the EU SSR Process in DRC

1. Strategic and legal frameworks have been established, allowing for operational plans and technical instruments to drive the SSR process.
2. Military human resource roster/database has been developed with regular updates when necessary. Similar tools are being developed for the police.
3. Police academy and national institute for magistrates have been established for training purposes.
4. Accountability is gradually being expressed and exercised in the security sector.

Challenges of the EU SSR Process in DRC

1. Progress is still tentative due to structural challenges (including issues of poverty) facing the country.
2. Success stories are not mutually exclusive from the nature of political governance in the country.
3. MONUSCO withdrawal/drawdown risks leaving a security and political vacuum which may erode little gains already made.
4. Achievements have not been successfully anchored and consolidated in inter-sectoral linkages.

Justice Sector Reform in DRC

Three key assumptions underpin justice sector reform in the DRC:

1. Cyclical repetition of the SSR process has precipitated a notion of zero-sum game without a definitive end and results in sight.
2. Democratic control of the security sector should be driven by civilians as opposed to the military.
3. Strengthening security forces without a corresponding effort in accountability will result in imbalances in the political systems.

Lessons

Much as, the Congolese army has benefited from diverse SSR support since 2005, recent SSR processes under EDF need not be a costly exercise. Improvements in behavior and discipline (for instance, as supported by France, U.S and Belgium) can be achieved through training and equipping, but more importantly, by effective monitoring of the SSR process.

Challenges

- Inadequate policy on recruitment.
- Budgetary constraints due to slow disbursement of funds affect operations and motivation of military and police personnel. There is the need to streamline budget lines, disbursement and utilization of funds, especially in the security sector.

Mixed Results in the SSR Process in DRC

Lack of good governance encapsulates the reasons for the mixed results found in the SSR process in DRC. While some weaknesses emanate from corruption, others are based on the principle of solidarity. Both corruption and solidarity carry the potential to break command and control systems in the security sector. In terms of corruption, incidents are reported of military officers stealing food stuffs and later selling the stock to the same people in the market. Solidarity on the other hand can be explained as the social networks maintained between former rebel fighter and an ex-combatant who has been reintegrated into the regular armed forces.

The achievement of mixed results is also partly due to the distinction between “theoretical will” and “political will”. These two variables are different, but often, political will is projected in one direction while intentions point in different direction.

Another critical factor which has accounted for the mixed results is that of inadequate cooperation between government and development partners, as well as the apparent disjuncture between the political and technical processes of SSR.

Even though the country still faces several challenges to the SSR process, effort must still be made by all key actors and partners to consolidate the gains already made in the process.

Recommendations

The meeting concluded with the following recommendations:

To the DRC Government

1. There is the need for a high-level political steering of the SSR process. This is because there is currently no strong political voice to direct affairs when faced with major institutional hindrance.
2. Greater impact can be achieved if there is a strong political will to support the process.
3. There is the need for a better matching of SSR processes between Kinshasa (Central government authority) and the Provinces. As it were, a decentralized SSR process (as opposed to a centralized process) will ensure effective and efficient response to the

concrete security needs of the population, as well as the management of the security sector in a vast country such as DRC.

4. Workforce analysis and updates are needed to guide pension scheme, recruitment, training, and career opportunities in the security sector.
5. There is a critical need to strengthen institutions to enhance the balance between security forces and civil oversight.
6. The intelligence agencies in DRC have to be reformed based on the rule of law and respect for human rights.
7. Disarmament, Demobilisation and Reintegration (DDR) has to be supported in order to reduce the spread of armed groups and armed actions.
8. High governmental authority is required to review the EDF SSR plan. This will complement the effort to bring about other pieces of legislation to consolidate the justice reform process.
9. Establishing military programme in law will serve the purpose of revising existing legal frameworks to conform to democratic.

To CSOs

1. Strong involvement of parliament and CSOs will give the SSR process a national identity and ownership. This will enhance democratic oversight of the security sector.
2. There is the need to strengthen the voices of CSOs, especially for greater advocacy for, and commitments to the nexus between SSR and access to justice.

To the EU and Member States

1. There is the need to form a steering group of the Ambassadors of the EU member states in order to ensure a better technical and political support, monitoring and oversight of the SSR process in the country.
2. Better coordination between the EU and bilateral member States is needed to enhance support in the defence sector reform. In spite of the fact that bilateral partners tend to play a lead role in defence sector reform, such roles should be coordinated within the broader EU strategic framework.

VIRTUAL WORKSHOP CONCEPT NOTE AND AGENDA

28 October 2020

Online expert session and Conference

Monitoring and evaluation of the reform of the security sector in the Democratic Republic of the Congo (DRC): What is the role of the EU?

Background

The "Engaging Civil Society In Security And Justice Sector Reforms" programme, implemented in partnership by Cordaid and the African Security Sector Network (ASSN) since 2017, intends to work towards the implementation of the "AU Policy Framework on Security Sector Reform", specifically relating to the role of civil society in security sector reform. This is done through:

- Promoting dialogue between different segments of society on security as a confidence-building measure;
- Active participation in the formulation, monitoring and evaluation of policies and legislation relating to the security sector;
- Promoting a culture of good governance, democratic principles, participation, human rights and freedoms and social justice in the security sector;
- Research and training on security governance;
- Advocacy and awareness-raising on security budget analysis, monitoring and evaluation of security policy and practice;
- Promoting the implementation of the AU policy framework at national, regional and continental levels.

This conference intends to contribute to **strengthening citizen control of public action carried out in the field of security in the DRC** by presenting research, carried out in 2019-2020 under the supervision of the ASSN, by Congolese civil society organisations.

Objectives

The purpose of this Conference is threefold:

- To present to the EurAc network and decision-makers the **analysis** of the security sector emanating from Congolese civil society actors. Each organisation will present their findings, their recommendations for the way forward on reforming the sector and the role of different actors, both in the DRC and abroad.
- To make tailored **recommendations** to international actors, including the European Union institutions and Member States, involved in the security sector reform process in the DRC;

- To give space for **dialogue** between (Congolese) civil society actors, researchers, and decision-makers to jointly reflect on the support for security sector reform in the DRC that they are providing or plan to provide in the coming years.

Format

This conference will consist of two parts:

- **2-hour roundtable** of discussions and presentation of outcomes of the research to be held internally
- **2-hour online public event**, with expert Donatella Rostagno as content moderator and second person (from an external service provider) as technical moderator.

Programme

Part 1: Expert session – from 10:00 to 12:30

Description:

- Internal event
- In French, no translation needed
- Output: final recommendations (PowerPoint presentation for afternoon session)

Timeline:

1. **Introduction** (5 min): Presentation of the research and methodology by Dr Niagalé Bagayoko, ASSN
2. **Opening remarks** (10 min) – Donatella Rostagno & EurAc
3. **Presentation and discussion** of research papers (2h30):
First half – 3 papers (10 min each) followed by 15 min Q&A / Break / Second half – 3 papers (10 min each) followed by 15 min Q&A

Thematic studies	Organisation
Mapping the Security Sector at the central and provincial level	CEHAJ 1325 (Centre d'Etudes sur Handicap, Justice et Résolution 1325)
Community Policing	ADEPAE (Action pour le Développement et la Paix endogène)
Reform of the armed forces of the DRC (FARDC)	RRSSJ (Réseau pour la Réforme du Secteur de Sécurité et de Justice)

Reform of the National Intelligence Agency (ANR)	RRSSJ
SALW control in DRC	Securitas Congo
Prison Reform	SOS IJM (SOS Information Juridique Multisectorielle)

4. **Group discussion** with all researchers to define and tailor final recommendations to EU institutions, moderated by Donatella Rostagno (45 min)

Part 2: Conference – from 14:00 to 16:00

Description:

- Public event
- In French and English (simultaneous translation)
- Output: report of the event, including recommendations for EU and other institutions

Timeline:

10 mins	Welcome word by Hervé Magaribi (Cordaid DRC) Donatella Rosagno to present housekeeping rules
15 mins	Contextualisation of EU policy with regard to the security sector in the DRC (EU Delegation DRC)
20 mins	Presentation of the recommendations from morning session by Donatella Rostagno
40 mins	Panel discussing recommendations on SSR in DRC: <ul style="list-style-type: none"> ▪ DRC experts (Emmanuel Kabengele) ▪ European Union representatives (Commission and External Action Service) ▪ <i>Moderator:</i> Donatella Rostagno Q&A session
5 mins	Closure of the works by Donatella Rostagno

LIST OF PARTICIPANTS

Below is the link to the list of participants who registered for the conference.

https://docs.google.com/spreadsheets/d/1dzJ3klf3_y3r2F1nYcJ5Zsj8Zv4fwNAiXo3RFgkm4n0/e/dit?usp=sharing