



Planned withdrawal of MONUSCO from the Democratic Republic of Congo: Challenges and Prospects

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African Security Sector Network (ASSN)

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Acronyms and abbreviations

ADF	: Allied Democratic Forces
ANC	: National Congolese Army
APCLS	: <i>Alliance of Patriots for a Free and Sovereign Congo</i> (Alliance des Patriotes pour un Congo libre et souverain)
ARC	: Congolese Revolutionary Army
AU	: African Union
CENI	: <i>Independent National Electoral Commission</i> (Commission Electorale Nationale Indépendante)
CHESD	: <i>College of Advanced Studies in Security and Defence</i> (Collège de hautes études de sécurité et de défense)
CMC/FDP	: <i>Collective of Movements for Change/People's Defense Forces</i> (Collectif des mouvements pour le changement/Forces de défense du peuple)
CNDH	: <i>National Human Rights Commission</i> (Commission nationale des droits de l'homme)
CNDP	: <i>National Congress for the Defense of the People</i> Congrès (National pour la Défense du Peuple)
CNRD	: <i>National Council for Renewal and Democracy</i> (Conseil National pour le Renouveau et la Démocratie)
CODECO	: <i>Cooperative for the Development of Congo</i> (Coopérative pour le Développement du Congo)
CRESP	: <i>Coordination of External Resources and Projects</i> (Coordination des Ressources Extérieures et des Projets)
CRP	: <i>Police Reform Cell</i> (Cellule de Réforme de la police)
CSM	: <i>Superior Council of the Judiciary</i> (Conseil Supérieur de la magistrature)
CSRP	: <i>Police Reform Monitoring Committee</i> (Comité de Suivi de la Réforme de la Police)
EAC	: East African Community
EACRF	: East African Community Regional Force
EU	: European Union
EUFOR-RDC	: European Union Force in the Democratic Republic of Congo
FARDC	: <i>Armed Forces of the Democratic Republic of Congo</i> (Forces Armées de la République Démocratique du Congo)
FDLR	: <i>Democratic Forces for the Liberation of Rwanda</i> (Forces Démocratiques pour la Libération du Rwanda)
FEC	: <i>Federation of Congolese Enterprises</i> (Fédération des Entreprises du Congo)
FLN	: <i>National Liberation Forces</i> (Front pour la Libération Nationale)
FOREBU	: <i>Republican Forces of Burundi Forces</i> (Républicaines du Burundi)
FRI	: <i>Regional Intervention Force</i> (Force régionale d'intervention)
FRN	: <i>National Resistance Front</i> (Front pour la Résistance Nationale)
IB	: Intervention Brigade

ICGLR	: International Conference on the Great Lakes Region
IEMF	: Interim Emergency Multinational Force
IOM	: International Organization for Migration
RCI-LRA	: Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army
JORDC	: <i>Official Journal of the Democratic Republic of the Congo</i> (Journal officiel de la République Démocratique du Congo)
LRA	: <i>Lord's Resistance Army</i>
LUCHA	: <i>Fight for Change</i> Lutte pour le Changement
M23	: <i>23 March Movement</i> Mouvement du 23 mars
MINUSMA	: The United Nations Multidimensional Integrated Stabilization Mission in Mali
MONUC	: United Nations Organization Mission in the Democratic Republic of the Congo
MONUSCO	: United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NDR-R	: Nduma Défense du Congo-Renové
ONUB	: United Nations Operation in Burundi
ONUC	: United Nations Operation in Congo
Par.	: Paragraph
P-DDRCS	: Disarmament, Demobilisation, Community Rehabilitation and Stabilisation Program
PDL-145T	: <i>Local Development Program of 145 Territories</i> (Programme de Développement local des 145 Territoires)
PKO	: Peacekeeping Operation
PNC	: <i>National Congolese Police</i> (Police Nationale Congolaise)
PN-DDR	: National Disarmament, Demobilization, and Reintegration Program
PPRD	: <i>People's Party for Reconstruction and Democracy</i> (Parti du Peuple pour la reconstruction et la Démocratie)
RAD	: <i>Defense Army Reserve</i> Réserve Armée de la Défense
RDC	: Democratic Republic of Congo
RDF	: Rwanda Defence Forces
RED-Tabara	: <i>Resistance for the Rule of Law in Burundi</i> (Résistance pour un Etat de droit au Burundi)
Res.	: Résolution
RTF	: Regional Task Force
SADC	: Southern African Development
SAMIDRC	: <i>Southern African Development Community Mission in the Democratic Republic of Congo</i>
SCIFA	: Chief of Staff of the Armed Forces Communication and Information Service
SECAS	: <i>Civic Education, Patriotic and Social Actions Service</i> (Service d'Education Civique et d'Actions Sociales)
STAREC	: <i>Programme for the Stabilisation and Reconstruction of Zones Emerging from Armed Conflict</i> (Programme de stabilisation et reconstruction des zones sortant des conflits armés)
UN	: United Nations



UNJHRO	: United Nations Joint Human Rights Office
UNSC	: United Nations Security Council
USSR	: Union of Soviet Socialist Republics
USA	: United States of America
VDP	: <i>Volunteers for the Defence of the Homeland</i> (Volontaires pour la Défense de la Patrie)

Executive summary

This study is a critical assessment of the process of the definitive disengagement of MONUSCO from Congolese territory as set out in the strategic documents that the United Nations and the Democratic Republic of Congo (DRC) have drawn up for this purpose, namely: the Joint Strategy on the gradual and phased withdrawal of MONUSCO of October 2020; the Joint Transition Plan for the withdrawal of the mission of September 2021, together with a roadmap (2021-2024); and the revised Transition Plan of November 2023, entitled 'Note on the accelerated, gradual, orderly and responsible withdrawal of MONUSCO from the DRC: plan and timetable for complete disengagement'.

Historically, MONUSCO succeeded the United Nations Organisation Mission in the Democratic Republic of Congo (MONUC), which was set up in November 1999 at the request of the Congolese Government and the other parties to the conflicts, with the principal mandate of contributing to the implementation of the Lusaka Peace Agreement of 10 July 1999, concluded by the belligerents to put an end to the conflicts, to re-establish the authority of the State throughout Congolese territory and to establish a new democratic political order in the country. Ten years on, in 2009, some progress has been made, including the departure of foreign troops from the DRC, notably those from Rwanda, Uganda, Angola, Zimbabwe and Namibia. There has also been the successful establishment of a new political and constitutional order, with the organisation of elections leading to the installation of new institutions (2006-2007) following the entry into force of the Constitution of 18 February 2006.

Despite this progress, armed conflicts fuelled by national and foreign armed groups and supported by neighbouring countries, including Rwanda, have continued, exacting a heavy toll on the civilian population. In May 2010, MONUC ended its mandate and was replaced by MONUSCO, with the aim of consolidating the gains made and working towards stabilisation in the DRC. However, the mixed track record of this new mission, as evidenced by its inability to completely pacify the east of the country in support of the Congolese authorities, has created national mistrust towards it. It is against this backdrop that the Congolese Government has raised the question of its withdrawal, given that this mission is accused, rightly or wrongly, of passivity towards armed groups and the countries that support them, despite the fact that its mandate has even been strengthened to enable it to disarm these negative forces in support of the Congolese army or through operations carried out unilaterally on its own initiative. However, the withdrawal carries the risk of a security collapse if the UN forces are not adequately relieved by the Congolese Government, which continues to face major organisational and operational difficulties.

In the face of persistent popular pressure, the DRC and the UN have agreed to the gradual and complete withdrawal of MONUSCO at the end of 2024, provided that the Congolese Government achieves certain security and civilian protection objectives which constitute the minimum conditions for this withdrawal, namely: i) the significant reduction of threats from armed groups through a comprehensive approach; ii) the strengthening of the capacity to respond to threats to the protection of civilians and to effectively resolve inter-ethnic conflicts; iii) the implementation of the operational plan for the Disarmament, Demobilisation,

Community Rehabilitation and Stabilisation Program (P-DDRCS); iv) the organisation of credible, transparent, inclusive and peaceful elections within the constitutional deadlines.

This study assesses the preparedness of the DRC to take on this withdrawal in the light of the above-mentioned conditions and the alternatives to be envisaged to enable it to take over effectively from the UN, to ensure the security of its territory.

The research and field surveys were carried out in the cities of Kinshasa, Goma and Bukavu from 26 February to 31 March 2024. Basically, this study consists of two parts. The first part analyses MONUSCO's withdrawal strategy. It highlights the main challenges of this withdrawal and examines the content of three strategic documents drawn up for this purpose, particularly the timetable for the withdrawal, the prerequisites or priority actions to be accomplished and the weaknesses in the planning of the UN's disengagement. The second part focuses on the preparedness of the DRC, the alternatives that can be considered and the challenges that lie ahead in the light of the results of the field surveys and each of the minimum conditions required for the responsible withdrawal of MONUSCO.

Overall, the data collected and analysed show that the Congolese Government has not yet made the progress expected to reassure people of its ability to take over from the UN contingents, especially in the high-risk or conflict-affected areas of South Kivu, North Kivu and Ituri. The gains from the transition towards the complete disengagement of the mission are also not well preserved due to the lack of maintenance of the bases and equipment transferred to the Congolese State and the effective management of the security personnel operating them. The report therefore concludes that the DRC is unable to take over from MONUSCO in the east of the country for several reasons, the most important of which relates to the breakdown of its defence and security forces and an ineffective justice system, of which the reform has so far been unsuccessful. The report also notes the legitimisation of armed groups as 'wazalendo' (patriots in Swahili, resisting the enemy) instead of disarming them and demobilising their members. In fact, the DRC has decided to rely on the 'wazalendo' called upon to support the armed forces in the fight against renewed Rwandan aggression in support of the rebels of the 23 March Movement (M23), who have been resuming hostilities since November 2021.

As the security situation has deteriorated, the question should no longer be whether MONUSCO should leave, given that this is already a given, but to what extent the DRC should be supported in meeting the minimum conditions for withdrawal, without necessarily adhering to a fixed timetable. The study makes several recommendations along these lines. These include improving security governance, starting by speeding up reform of the army, police and judiciary. The study also recommends relaunching political dialogue with all the armed groups, which in turn will enable the P-DDRCS to be properly implemented and ethnic conflicts to be reduced. Other recommendations relate to the lifting of the state of siege and the reinstatement of elected civilian authorities in the provinces of North Kivu and Ituri, as well as the need to strengthen bilateral and regional security cooperation. As for the option of MONUSCO's complete disengagement, the report advises against relying on an inflexible timetable to avoid security chaos in the DRC. The UN and the Congolese Government are called upon to accept at least the extension of the mandate of this mission in the three critical



provinces of the east of the country for an additional year, i.e. until 2025. If this flexible solution is not adopted, and in order to avoid the mistake made when the United Nations Operation in the Congo (ONUC) withdrew in 1964, culminating in the total conflagration of the country, consideration should be given to concluding a partnership continuation agreement allowing not only civilian operations following MONUSCO's withdrawal, but also military-security cooperation to continue to assist the DRC in restoring peace and maintaining law and order on its territory.

Introduction

It is generally known how the United Nations (UN) sets up peacekeeping operations (PKOs) in its member states and on what basis they are called upon to carry out their mandates. The PKO doctrine,¹ on which the Security Council regularly bases its guidelines for UN peacekeeping missions, states that the fundamental principles of PKOs include 'the consent of the parties [to conflicts], impartiality and the non-use of force, except in self-defence or in defence of the mandate'.² However, the withdrawal of a PKO from the territory of a Member State remains an unpredictable matter. Practice may differ according to the needs and specific situation of each State concerned. The least that can be said is to proceed with the withdrawal of a UN force when it has completely achieved the pacification objective assigned to it, if not to prevent the UN from leaving in disgrace, without planning, either after having failed its mandate, or forcibly at the initiative of the authorities of the host country which considers its military presence cumbersome or useless.³

In the Democratic Republic of Congo (DRC) this problem is particularly acute. The UN has deployed a PKO there since 30 November 1999. This was the United Nations Organization Mission in the Democratic Republic of Congo (MONUC),⁴ which was transformed in 2010 into the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO).⁵ In April 2024, MONUSCO will have been peacekeeping in the DRC for more than 24 years, including almost 15 years alone. For a PKO of such longevity that has not succeeded in fully restoring peace and security in its host state, the question of its withdrawal is a fundamental problem that is difficult to resolve, both from the point of view of its appropriateness and from that of the national authorities' ability to assume their responsibilities by taking over from the United Nations. It is therefore important to assess the extent to which the UN and the DRC are trying to ensure the successful withdrawal of MONUSCO, without creating a security vacuum on the ground. Before doing so, it is necessary to set out the historical context in which this question arises (A), the purpose and objectives of this study (B) and its methodological framework (C), before outlining the plan (D).

¹See UN, *Opérations de maintien de la paix des Nations Unies : principes et orientations* [United Nations Peacekeeping Operations : Principles and Guidelines], New York, Department of Peacekeeping Operations, 2008 ; Evelyne Lagrange, *Les opérations de maintien de la paix et le chapitre VII de la Charte des Nations Unies* [Peacekeeping Operations and Chapter VII of the United Nations Charter], Paris, Montchrestien, 1999.

² UNSC Res. 2556 (2020), December 18, 2020, preamble, par. 2 ; UNSC Res. 2502 (2019), December 19, 2019, preamble, par. 2 ; UNSC Res. 2409 (2018), March 27, 2018, preamble, par. 2 ; UNSC Res. 2348 (2017), March 31, 2017, preamble, par. 2 ; UNSC Res. 2227 (2016), March 30, 2016, preamble, par. 2 ; UNSC Res. 2211 (2015), March 26, 2015, par. 2.

³ This was the case in June 2023 with the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). After ten years in Mali, MINUSMA was forced to withdraw at the urgent request of the Malian government, which accused it, rightly or wrongly, of being ineffective in the fight against terrorism and an obstacle to national development. See Perspective Monde, « Annonce de la fin de la mission des Nations unies au Mali » [Announcement of the End of the United Nations Mission in Mali] (June 30, 2023) <<https://perspective.usherbrooke.ca/bilan/servlet/BMEve/2064>> April 20, 2024.

⁴ UNSC Res. 1279 (1999), November 30, 1999, par. 4.

⁵ UNSC Res. 1925 (2010), May 28, 2010, par. 1.

A. Historical background

MONUSCO is a PKO that succeeded MONUC, whose mandate was not a resounding success (1). It is also because MONUSCO's record has remained mixed that the DRC has demanded that it be withdrawn before peace is fully restored on its territory (2).

1. From MONUC to MONUSCO

MONUSCO was created in the wake of the peacekeeping crisis in the DRC through MONUC. MONUC was initially established to monitor the implementation of the Lusaka Ceasefire Agreement of 10 July 1999, which was intended to bring a peaceful end to the armed conflict that broke out on 2 August 1998.⁶ But its record has been as disappointing as the contradictions that prevailed at the time of its creation. From the outset, some member states, including the United States of America (USA), were reluctant to support the rapid deployment of MONUC in the absence of the appointment of a facilitator for the inter-Congolese dialogue that would lead to a transition to regime change and a new political order in the DRC.⁷ In reality, although officially established in November 1999, MONUC was initially a simple military observation mission before gradually becoming a truly robust peacekeeping operation. Overall, it was tasked with contributing to ending the ongoing conflict within the framework of the political peace process, protecting civilians from violence, disarming armed groups, supporting the military operations of the Congolese army, reforming the security sector, and supporting the entire political and electoral process among Congolese population.⁸ Its military personnel consisted of people from 57 different countries around the world. The police component also adhered to the UN's universal mission, with its members representing 24 different nationalities in addition to civilian personnel.

However, MONUC quickly proved to be limited on the ground. It did have some successes, notably ending the war through the withdrawal of all foreign troops in accordance with the Lusaka Peace Agreement, protecting the leaders of transitional institutions (2003-2006), supporting the organisation of pluralistic elections from 2006 to 2007, which completed the establishment of the Third Republic's institutions, training police and army units, and supporting the justice sector. But it also had weaknesses, including insufficient personnel, lack of adequate logistical means, and failure to fulfil its mandate to protect civilians. MONUC's image was particularly tarnished after the capture of the city of Bukavu on June 2, 2004, by dissident General Laurent Nkunda and Colonel Jules Mutebutsi, both from the Tutsi

⁶ This conflict pitted the DRC and its allies (Angola, Namibia, Chad, and Zimbabwe) against Rwanda, Uganda, and Burundi, supported by several rebel movements, including the Rassemblement congolais pour la démocratie (RCD) [Congolese Rally for Democracy] and the Mouvement de libération du Congo (MLC) [Movement for the Liberation of Congo]. It also involved a host of other Congolese and foreign armed groups.

⁷ Balingene Kahombo, "Le processus de création de la MONUC: regards croisés sur une histoire controversée du maintien de la paix en République Démocratique du Congo" [The Process of Creating MONUC: Cross-Views on a Controversial History of Peacekeeping in the Democratic Republic of the Congo], *Revue de la Faculté de Droit de l'Université de Goma* [Journal of the Faculty of Law of the University of Goma], no. 2, 2017, pp. 58-59.

⁸ Xavier Zeebroek, Marc Memier, and Pamphile Sebahara, *La Mission des Nations unies en RD Congo: bilan d'une décennie de maintien de la paix et perspectives* [The United Nations Mission in the DRC: A Decade of Peacekeeping and Prospects], GRIP Report, 2011, p. 10.

community, without any intervention by the blue helmets while the population was subjected to serious human rights violations.⁹

The weaknesses of MONUC were additionally mitigated twice by European Union (EU) peacekeeping operations. First, the Interim Emergency Multinational Force in Bunia (IEMF), launched in 2003 under the name “Operation Artemis”.¹⁰ It was tasked with monitoring the security situation in the town, putting an end to the massacres between the Hema and Lendu communities, pending the reinforcement of MONUC's mandate and strength. Operation Artemis was particularly beneficial to the UN mission, which had the time it needed to set up the Ituri Brigade, based in Bunia.¹¹

Secondly, the EUFOR-RDC operation (European Union Force in the Democratic Republic of Congo) deployed in Kinshasa in 2006, with the following mandate to stabilise the situation in the event of MONUC encountering serious difficulties in fulfilling its mandate, to protect civilians under imminent threat of physical violence in the areas where it was deployed, to protect Kinshasa airport, to ensure the security and freedom of movement of its personnel and protect its installations, and to conduct operations of a limited nature in order to extract individuals in danger.¹² Like Operation Artemis, EUFOR-DRC was mainly composed of French contingents.

To these two operations supported by the UN, one must add the reinforcement in personnel and logistics drawn from the United Nations Operation in Burundi (ONUB).¹³ This reinforcement from ONUB was completely absorbed into the MONUC personnel, which increased from 17,841 to 18,931 peacekeepers in December 2007, an increase of 1,090 troops.¹⁴

This UN strategy was based on a dual diagnosis: MONUC's powerlessness in the face of the deteriorating security situation in the DRC (North Kivu, South Kivu, North Katanga and Ituri) and the need to secure the electoral process to prevent a full-scale resumption of the conflict following the electoral disputes. But it did not prevent the creation in the province of North Kivu of the rebel National Congress for the Defence of the People (CNDP), led by Laurent Nkunda and supported by Rwanda, which constantly threatened to capture the city of Goma between 2007 and 2008. It is as if the UN had not yet learned the lessons of the Brahimi

⁹ Ibid., p.7.

¹⁰ See Niagalé Bagayoko-Penone, “L'opération Artemis, un tournant pour la politique européenne de sécurité et de défense” [Operation Artemis, a Turning Point for European Security and Defense Policy], *Afrique contemporaine*, no. 209, 2004, pp. 101-116.

¹¹ Pilo Kamaragi, “Le maintien de la paix en RDC par la MONUC: cas de Bunia” [Peacekeeping in the DRC by MONUC: The Case of Bunia], in Anastase Shyaka (ed.), *La résolution des conflits en Afrique des Grands Lacs: revue critique des mécanismes internationaux*, Butare, National University of Rwanda Press, 2004, pp. 27-46.

¹² UNSC Res. 1671 (2006), April 25, 2006, par. 8.

¹³ Created by Resolution 1545 of May 21, 2004, ONUB ended on December 31, 2006.

¹⁴ UNSC Res. 1794 (2007), December 21, 2007.

report,¹⁵ which suggested 'rapid and effective deployment'¹⁶ of peacekeeping operations with 'clear, credible and realistic' mandates.¹⁷

It was this peacekeeping crisis that led to the end of MONUC's mandate. The DRC criticised the mission for its complacency towards armed groups, especially the militias successively supported by Rwanda to destabilise the DRC, the illicit trafficking of minerals and the sexual abuse committed by some UN personnel.¹⁸ Congolese public opinion was concerned 'to see in this operation not a guardian angel of peace, but a cover for the distribution of death to the Congolese by the Rwandans',¹⁹ while at the same time being convinced 'of the suspicion that it [MONUC] had, in addition to its official peacekeeping missions, other obscure missions'.²⁰ MONUSCO did not do better.

2. The Mixed Track Record of MONUSCO

MONUSCO was created for three main reasons. Firstly, the ineffectiveness of MONUC, which had given rise to the peacekeeping crisis in the DRC. Secondly, the DRC had been urging the withdrawal of UN forces since 2008. Thirdly, the semblance of calm observed between 2009 and 2010 in the east of the country. This lull was due to the military cooperation between the DRC and Rwanda under Operation Umoja Wetu (Our Unity), which saw the Rwandan army intervene on Congolese territory to fight directly against the Democratic Forces for the Liberation of Rwanda (FDLR), in exchange for the dismantling of the CNDP rebellion.²¹ This diplomatic deal resulted, among other things, in Laurent Nkunda's flight and arrest in Rwanda, the cessation of hostilities between the Armed Forces of the Democratic Republic of Congo (FARDC) and the CNDP, and the signing of the Goma Agreement on 23 March 2009,²² the start of the integration of former rebel fighters into the Congolese army and political reconciliation, with the government passing an amnesty law for acts of war and insurrection,²³ while the former rebel movement was being transformed into a political party. The establishment of MONUSCO had thus become a necessity to accompany the DRC on the road to stabilisation and peace consolidation.

¹⁵ Mr. Lakhdar Brahimi, former Minister of Foreign Affairs of Algeria, chaired the UN Panel on Peace Operations that produced this report.

¹⁶ Security Council, Report of the Panel on United Nations Peace Operations, S/2000/809, August 21, 2000, pp. 17-18.

¹⁷ Ibid., pp.11-13.

¹⁸ Mukiramfi Samba, « Le mandat de la MONUSCO : le consensualisme à l'épreuve de l'unilatéralisme » [The Mandate of MONUSCO : Consensualism Tested by Unilateralism], *Librairie africaine d'études juridiques*, vol. 11, 2012, pp. 20-21.

¹⁹ Ibid., p.20.

²⁰ Ibid., p.21.

²¹ Joseph Yav Katshung, 'Regards croisés sur le début et la fin des opérations militaires RDC-Rwanda et leurs conséquences sur la realpolitik congolaise', [Crossed Perspectives on the Beginning and End of the Military Operations between the DRC and Rwanda and their Consequences on Congolese Realpolitik], *Bulletin de l'observatoire citoyen de la République Démocratique du Congo*, n°6, February 28, 2009, pp.1-13.

²² Agreement between the Government (DRC) and the National Congress for the Defence of the People, Goma, 23 March 2009.

²³ Law No. 09/003 of May 7, 2009, granting amnesty for acts of war and insurrection committed in the provinces of North and South Kivu during the period from June 2003 to May 7, 2009.

However, the lull was short-lived. The security situation deteriorated again, putting MONUSCO to the test of the realities on the ground. Three series of events quickly demonstrated the limits of this new mission.

Firstly, the creation of the 23 March Movement (M23) by former CNDP fighters who had defected from the Congolese army on 6 May 2012, demanding application of the Goma agreement of March 2009, which they claimed had not been fully respected by the government. The capture of the town of Goma by the M23 on 20 November 2012 was particularly humiliating for the UN, leading to all kinds of criticism of MONUSCO for its inability to counter the rebellion and protect civilians. This led the Security Council to create the Intervention Brigade (IB) within the mission, comprising three infantry battalions, an artillery company, a special force and a reconnaissance company provided by three member states of the Southern African Development Community (SADC): South Africa, Malawi and Tanzania.²⁴ It was the intervention of this force, in support of the Congolese army, that enabled the M23 to be completely defeated on 4 November 2013.

MONUSCO then watched helplessly as the Ugandan rebels of the Lord's Resistance Army (LRA) extended their murderous and terrorist violence against the civilian population in Central Africa in general and the DRC in particular. Instead, it was the African Union (AU), with the support of international partners such as the USA, that decided to combat them by setting up a peace operation called the Regional Cooperation Initiative for the Elimination of the LRA (RCI-LRA),²⁵ comprising a political, civilian and humanitarian component as well as a military component of 5,000 soldiers called the Regional Task Force (RTF).²⁶

Finally, the renewed and intensified activism of armed groups - both Congolese and foreign - in the provinces of North Kivu, South Kivu and Ituri. Their proliferation has been recognised by the UN strategy for peacebuilding in the Great Lakes region of Africa as one of the main factors of instability and therefore a threat to peace in the DRC and the entire region.²⁷ In this context, it is worth noting the spread of terrorism through, among others, the militiamen of the Cooperative for the Development of Congo (CODECO) and the Ugandan rebels of the ADF (Allied Democratic Forces), based in Ituri and North Kivu. Since 2014, the terrorists have been constantly attacking civilians, kidnapping them or killing them with cannons or machetes.²⁸ In South Kivu, several armed groups have resurfaced against a backdrop of rivalries between neighbouring countries: "Anti-Bujumbura forces such as the Resistance for the Rule of Law (RED)-Tabara and the now defunct *Republican Forces of Burundi* (FOREBU) were supported by Rwanda, while Rwandan opposition players such as the Rwandan National Congress (RNC)/P5

²⁴ UNSC, Res. 2098 (2013), March 28, 2013, par.9.

²⁵ Peace and Security Council of the African Union, Report of the Chairperson of the Commission on the Operational Implementation of the AU Regional Cooperation Initiative Against the Lord's Resistance Army, PSC/PR/(CCXCVIX), 299th meeting, Addis Ababa (Ethiopia), November 22, 2011, par. 16-19.

²⁶ Communiqué PSC/MIN/Comm. (CCXCIX) of the Peace and Security Council of the African Union, 299th meeting, Addis Ababa (Ethiopia), November 22, 2011, paras. 5 and 7 (ii).

²⁷ Security Council, *United Nations Strategy for Peace Consolidation and Conflict Prevention and Resolution in the Great Lakes Region (S/2020/1168)*, December 4, 2020, par. 19

²⁸ See Tembo Yotama et Mbenze Yotama, *Rapport Yotama sur les massacres de Beni et Irumu: terrorisme, djihadisme ou génocide des Nandes ?* [Report on the Massacres in Beni and Irumu: Terrorism, Jihadism, or Genocide of the Nandes?] Butembo, September 2021.

or the *National Council for Renewal and Democracy* (CNRD) and its armed wing, the *National Liberation Forces* (FLN), were suspected of having affinities with the Bujumbura government.²⁹ Of all the armed conflicts, the most serious is currently between the FARDC and the Rwandan Defence Forces (RDF) in support of the M23, which resurfaced in November 2021.³⁰

MONUSCO found itself overwhelmed by events. In particular, due to a lack of appropriate military resources, it was unable to become actively involved in the fight against this umpteenth M23 rebellion, as it had done in 2013. It has, of course, made several other achievements, including support for the justice sector by funding the organisation of mobile courts in remote areas that are difficult to access in order to promote the fight against impunity, monitoring of human rights violations and support for the reform of the army and police. We can also mention the implementation of projects with a visible impact for the benefit of populations and institutions. This is the case with the financing of public lighting and electrification work at the Kamango general hospital, as well as the construction of the administrative building for the Provincial Civil Protection Coordination and the building for the military prosecutor in Beni, in the province of North Kivu. In terms of security, MONUSCO has provided support to FARDC military operations in terms of aerial reconnaissance, information sharing and fire support from its attack helicopters, enabling the FARDC to better dominate the terrain and have a better knowledge of enemy positions, particularly in the province of Ituri.

However, Congolese opinion was shocked when UN Secretary-General Antonio Guterres told the press that 'the truth is that the M23 is now a modern army, with heavy equipment that is more sophisticated than MONUSCO's equipment'.³¹ Similar comments by the mission's spokesman led to his expulsion from Congolese territory. The UN's admission of impotence provoked a backlash from the Congolese people, prompting the Government to call for an accelerated withdrawal of MONUSCO.³²

In any case, there are many other hidden reasons for the withdrawal of this UN mission, including the DRC's desire to collaborate and deal with mercenaries from Eastern Europe, particularly from Romania, to support the FARDC in securing strategic areas in the east,

²⁹ Baromètre sécuritaire du Kivu, *La cartographie des groupes armés dans l'Est du Congo : opportunités manquées, insécurité prolongée et prophéties auto-réalisatrices*, février 2021, pp.12-13. [Kivu Security Barometer, Mapping Armed Groups in Eastern Congo: Missed Opportunities, Prolonged Insecurity, and Self-Fulfilling Prophecies], February 2021, pp. 12-13.

³⁰ Security Council, Mid-term report of the Group of Experts on the Democratic Republic of Congo, S/2022/967, 16 December 2022, par.49: 'The RDF conducted operations against positions of the Forces Démocratiques de Libération du Rwanda (FDLR) in the Democratic Republic of Congo in May and June 2022 (see Annex 31). Either unilaterally or jointly with M23/ARC fighters, it also engaged in military operations against FARDC positions (see annex 32 and S/2022/479, paras 60-62). In addition, the RDF provided reinforcements to the M23/ARC for specific operations, aimed at seizing towns and strategic areas. In May 2022, for example, the M23/ARC and the RDF jointly attacked the FARDC camp at Rumangabo and took Bunagana in June 2022 (see also Annex 16)'.

³¹ Estelle De Houck, "RDC : le chef de l'Onu admet l'incapacité de la Monusco à vaincre la rébellion du M23" [DRC: UN chief admits Monusco's inability to defeat M23 rebellion] (September 19, 2022) <<https://www.rtb.be/article/rdc-le-chef-de-l-onu-admet-l-incapacite-de-la-monusco-a-vaincre-la-rebellion-du-m23-11069657>> May 24 2024.

³² Radio Okapi, « RDC : le Gouvernement exige le départ du porte-parole de la MONUSCO, Mathias Gillmann » (3 août 2022) <<https://www.radiookapi.net/2022/08/03/actualite/politique/rdc-le-gouvernement-exige-le-depart-du-porte-parole-de-la-monusco>> May 24 2024.

including mining sites, which the presence of MONUSCO could hinder. Above all, there is the population's weariness and despair in the face of endless cycles of violence in the presence of a peacekeeping mission that it regards as ineffective and useless.

B. Purpose and Objectives of the Study

The purpose of this report is twofold: on the one hand, it examines the planned withdrawal of MONUSCO from the DRC (1) and, on the other, it assesses the Congolese Government's preparations for this withdrawal and the implementation of alternatives that would enable it to take over from the UN and provide all the security tasks, particularly in the east of the country (2), so as not to create a vacuum that would wipe out all the security gains made by the UN mission.

1. Planned Withdrawal of MONUSCO

The withdrawal of MONUSCO is a process that dates to its creation in 2010. Its complete disengagement from Congolese territory was designed to be gradual, depending on the success achieved in fulfilling its stabilisation mandate in the DRC.³³ It inherited MONUC's personnel, but no timetable for withdrawal was adopted. Only the reduction of 2,000 soldiers by 30 June 2010 was authorised,³⁴ out of a maximum of 19,815 soldiers, 760 military observers, 391 police officers and 1,050 members of police units, making a total of 20,016 personnel. This was a ceiling that could not be exceeded.

The deterioration of the security situation soon led to a change in this strategy of gradually reducing MONUSCO's strength. This was due, on the one hand, to the political tensions surrounding the suspected postponement of the elections and the late holding of the dual presidential and legislative elections on 28 November 2011 and, on the other hand, to the creation of the M23.³⁵ As a result, the planned reduction of MONUSCO military personnel could not take place. Instead, the UN had to revise its mandate and strengthen its military and operational capacity to deal with the situation. This change in approach led to the creation of the Intervention Brigade within MONUSCO to assist the Congolese Government in defeating the M23 and disarming the other armed groups active in the east of the country.

The question of MONUSCO's withdrawal was raised again after the M23's military defeat in November 2013. It was expected that the full restoration of peace would make the mission's massive presence on Congolese territory irrelevant. Indeed, 'while international partners, civil society and members of the opposition have advised against an early withdrawal, the [Congolese] Government has declared itself in favour of a significant reduction in the size of the Mission's forces: it has suggested that 5,000 troops be withdrawn by the end of 2014, and

³³Security Council, *Thirty-First Report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo*, S/2010/164, March 30, 2010, §103; Security Council, Record of the 6317th Meeting, S/PV/6317, Sixty-Fifth Year, 6317th Meeting, New York, Wednesday, May 19, 2010, p.3.

³⁴ UNSC Res.1925 (2010), May 28, 2010, par.3.

³⁵Peace Agreement of Goma, March 23, 2009, between the Government (DRC) and the National Congress for the Defense of the People (CNDP)

7,000 troops by mid-2015 (...)'.³⁶ Former President Joseph Kabila reiterated this request during his state of the nation address on 15 December 2015.³⁷ The United Nations was not against it, but the Secretary-General recommended a strategy of gradual and progressive withdrawal, starting with the reduction of the 2,000 troops initially planned in 2010, so as not to compromise MONUSCO's capacity for action.³⁸ This reduction took effect in March 2017, when the Security Council authorised MONUSCO to have '16,215 military personnel, 660 military observers and staff officers, 391 police officers and 1,050 members of formed police units'.³⁹

Having come to power in January 2019 following the elections of 30 December 2018, President Félix Antoine Tshisekedi Tshilombo renewed the Congolese request for the withdrawal of MONUSCO in his first state of the nation address⁴⁰ and reiterated it several times at the United Nations, particularly at the General Assembly in September 2021.⁴¹ It is in this context that a strategic dialogue between the DRC and the UN has taken place to agree on a common strategy for the gradual, phased, responsible, orderly and sustainable withdrawal of MONUSCO. This strategy, which was shared with the members of the Security Council in October 2020,⁴² 'as well as the planned withdrawals from Kasai in 2021 and, progressively, from Tanganyika in 2022, [and] the gradual reinforcement of MONUSCO's presence in the three provinces [North Kivu, South Kivu and Ituri] where open conflicts persist'⁴³ were approved in December 2020.

To this end, MONUSCO was restructured to deploy particularly in the east of the DRC 'while retaining the capacity to intervene elsewhere should the situation deteriorate seriously'.⁴⁴ As a result, its strength was reduced to '14,000 military personnel, 660 military observers and staff officers, 591 police officers and 1,050 members of formed police units',⁴⁵ plus 'a maximum of 360 members of formed police units, provided they are deployed to replace military personnel'.⁴⁶ It was not until December 2023 that this was limited to '13,500 military personnel, 660 military observers and staff officers, 591 police officers and 1,410 members of formed police units until 30 June 2024',⁴⁷ before being reduced to '11,500 military personnel,

³⁶ Security Council, *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, presented pursuant to paragraph 39 of Security Council resolution 2147 (2014)*, S/2014/957, December 30, 2014, par. 41.

³⁷ Ibid.

³⁸ Ibid., par.71.

³⁹ UNSC Res.2348(2017), March 31, 2017, par.27.

⁴⁰ Address by His Excellency Mr. Félix Antoine Tshisekedi Tshilombo, President of the Democratic Republic of the Congo, Head of State, on the state of the nation before the Parliament assembled in Congress, Presidency of the Republic, Kinshasa, December 13, 2019.

⁴¹ Address by His Excellency Mr. Félix Antoine Tshisekedi Tshilombo, President of the Democratic Republic of the Congo, at the general debate of the 76th regular session of the United Nations General Assembly, New York, September 21, 2021, p.14.

⁴² Security Council, *Letter dated October 26, 2020, addressed to the President of the Security Council by the Secretary-General*, S/2020/1041, October 27, 2020.

⁴³ UNSC Res.2556 (2020), December 18, 2020, par.49.

⁴⁴ Ibid., par.29 (i) (a).

⁴⁵ Ibid., par.23.

⁴⁶ Ibid.

⁴⁷ UNSC Res.2717 (2023), December 19, 2023, par.30.

600 military observers and staff officers, 443 police officers and 1,270 members of formed police units from 1 July 2024.⁴⁸

But the disengagement of the UN mission also concerns its civilian component. The withdrawal of this component will have to follow that of the military and police component. To this end, the Security Council has authorised MONUSCO to:

‘Maintain a sufficient residual civilian presence in South Kivu to organize its orderly withdrawal from this province and a harmonious and responsible transfer of its tasks to Congolese authorities, in accordance with the disengagement plan, with a particular focus on the protection of civilians, transfer of knowledge and data, and capacity building, especially regarding the protection of children.’⁴⁹

In principle, the withdrawal of the civilian component should be completed with the expiration of the current MONUSCO mandate on 20 December 2024. The schedule for its withdrawal of both its civilian and military components is as follows: ‘the Mission will withdraw its forces from South Kivu by the end of April 2024 and will limit its mandate to the provinces of North Kivu and Ituri from May 2024 until the end of the current mandate period.’⁵⁰

This strategy appears to be in line with the DRC's official position that ‘the withdrawal of MONUSCO troops should start with those deemed non-essential, and the elements of the intervention brigade should be the last to leave Congolese territory.’⁵¹ It commits the Congolese Government to prepare to assume its responsibility and to implement alternatives enabling it to take over from the UN and to ensure all civilian and security tasks that may be bequeathed or transferred to it by the United Nations.

2. Preparations and Alternatives of the Congolese Government

If the withdrawal of MONUSCO is now on the agenda, it is not because it has totally succeeded or failed in its mission. Two main reasons have been put forward by the Congolese authorities to justify its accelerated departure. Firstly, its mixed track record, with the UN forces having failed to put an end to the armed conflicts in the DRC despite having been involved for over 24 years.⁵² Secondly, there is an abysmal lack of confidence in MONUSCO on the part of the Congolese people, who feel that it has failed in its mandate and are constantly demanding its withdrawal.⁵³ This is evidenced by the violent demonstrations against the mission, notably in

⁴⁸ Ibid.

⁴⁹ UNSC Res.2717 (2023), December 19, 2023, par.23.

⁵⁰ Ibid., para.23.

⁵¹ Security Council, *Annex to the letter dated March 23, 2020, addressed to the President of the Security Council by the Chargé d'affaires a.i. of the Permanent Mission of the Democratic Republic of the Congo to the United Nations: Official Position of the Government on the Situation in the Democratic Republic of the Congo and the Mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, S/2020/226, March 30, 2020, para. 3.4.*

⁵² Letter from the Vice Prime Minister, Minister of Foreign Affairs and Francophonie of the Democratic Republic of the Congo regarding the “accelerated withdrawal of MONUSCO from the DRC” to the President of the United Nations Security Council, Kinshasa, September 1, 2023, par. 15.

⁵³ Ibid.

June-July 2022, in Goma, Beni, Butembo and Kasindi, resulting in the deaths of 30 civilians and 5 peacekeepers.⁵⁴ The DRC informed the Security Council that:

(...) the trust has been broken and has not returned between the inhabitants of these regions, or rather the entire Congolese population, and MONUSCO. Although not evident, the tension remains latent, ready to erupt into a direct confrontation at any moment. The recent unfortunate incidents that occurred in Goma on August 23, 2023, which resulted in loss of life, have only confirmed this apprehension (...).⁵⁵

However, the withdrawal should not be abrupt and should be cautious, given the precarious security situation on the ground. In September 2022, three African countries that are members of the Security Council (Kenya, Gabon and Ghana) admittedly regretted that 'MONUSCO forces are encountering hostility from the very people the Mission is supposed to protect'.⁵⁶ However, they insisted that 'an effective transition of the Mission must be based on criteria guaranteeing the successful handover to the Congolese Government of the main security-related tasks.'⁵⁷

With this in mind, in 2021 a joint DRC-MONUSCO working group, with the participation of civil society, drew up the Joint Transition Plan for the withdrawal of the UN mission, together with a roadmap (2021-2024). It includes 18 milestones setting out the priorities to be achieved and the points of reference that should make it possible, by the end of 2024, to achieve the objectives of the Joint Strategy on the gradual and phased withdrawal of MONUSCO, adopted in accordance with Resolution 2556 of 18 December 2020. It was the anti-MONUSCO demonstrations that prompted the DRC to request a revision of this plan, initially drawn up with a view to accelerating the withdrawal by focusing on a limited set of priorities that constitute the minimum conditions for the UN's complete disengagement. Hence the signing by the two parties (DRC-MONUSCO) on 21 November 2023 of a revised transition plan, entitled 'Note on the accelerated, gradual, orderly and responsible withdrawal of MONUSCO from the DRC: plan and timetable for complete disengagement'.

Thus, although the agreement in principle on the departure of MONUSCO from Congolese territory has now been reached, questions must be asked about the ability of the Congolese government to assume its responsibility for restoring peace once and for all, particularly in the east of the country. The purpose of this study is to assess the preparation of the DRC Government in terms of the priorities for which it is responsible under the transition plans for the withdrawal of MONUSCO, and to devise and recommend ways and means by which it could effectively take charge of the country's security issues following the withdrawal and overcome the various challenges that lie ahead. In this way, this study looks not only to the present but also to the future, in order to test the realistic and feasible nature of MONUSCO's

⁵⁴ Ibid., par.16.

⁵⁵ Ibid., par.17.

⁵⁶ Security Council, *Situation concerning the Democratic Republic of the Congo: Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (S/2022/709)*, S/PV.9142, 9142nd meeting, September 30, 2022, p.7.

⁵⁷ Ibid.



withdrawal, to highlight the main issues at stake, and to propose possible solutions to the challenge of the UN's handover, with a view to making the Congolese authorities and their regional partners more accountable.

3. Spatial and Temporal Delimitations

The starting point for all analyses in this report dates back to 2010, the year MONUSCO was established, to enable a more objective and comprehensive analysis. A particular emphasis is placed on the period from 2020 onwards, as this is the year the Security Council adopted the Common Strategy for the gradual and phased withdrawal of the mission. It is from this strategy that the priority tasks to be accomplished in anticipation of the UN withdrawal were determined. This date thus allows for circumscribing the beginning of the responsibility of the Congolese authorities and taking into account all subsequent strategic documents developed on this subject: the Joint Transition Plan for the withdrawal of the UN mission and its roadmap (2021-2024) as well as the Revised Transition Plan of November 2023.

However, the investigations primarily concern the three provinces where insecurity linked to armed conflicts persists: South Kivu, North Kivu, and Ituri. The rest of the country, particularly the withdrawal from the two Kasai provinces in 2021 and from Tanganyika in 2022, is less concerned because it does not pose any particular problem, given that the UN disengagement is already effective there and the post-MONUSCO situation remains generally calm. It can be said that the effective withdrawal of MONUSCO from these provinces and the resumption of its tasks by the Congolese Government has been a success. The study extends until April 30, 2024, the date marking the end of the overall investigations and especially the disengagement of MONUSCO from South Kivu according to the schedule approved by the Security Council in December 2023.

C. Methodology

In order to carry out this action research, it seemed necessary to base the analyses on available documentary sources on MONUSCO and the process of its withdrawal (1). Data was also collected through field surveys (2), while trying to overcome the difficulties encountered (4). Overall, the study is based on a descriptive and qualitative analysis (3).

1. Documentary Sources

In addition to utilising various scientific publications on MONUSCO, its disengagement, and peace and security issues in the DRC, this report is based on five main documentary sources.

Firstly, the Security Council resolutions on MONUC and MONUSCO and the strategy for the withdrawal of this mission. These are important as the Security Council is the decision-making body that legally frames the process of the said withdrawal.

Secondly, the study relies on the strategic documents developed by the joint DRC-MONUSCO working group, which outlines the operational stages of this withdrawal and the priority and

preliminary actions to be taken, namely: the common withdrawal strategy and the two transition plans mentioned above.

Thirdly, it is based on the minutes and records of the Security Council sessions during which the withdrawal of MONUSCO in view of the evolving situation on the ground was discussed. These documents capture the viewpoints of member states on the disengagement of the UN.

Fourthly, the study relies on the reports of the UN Secretary-General on MONUSCO addressed to the Security Council.

Fifthly, it utilises the official documents and public policy papers of the DRC, including the law on the Defence Army Reserve (RAD), the government's action program,⁵⁸ the legal instruments and reports on the state of siege in the provinces of North Kivu and Ituri, the National Defence Policy Document,⁵⁹ the National Strategy for Conflict Prevention, Stabilization, and Community Resilience Strengthening,⁶⁰ and the Local Development Program of 145 Territories (PDL-145T).⁶¹

All these sources have been supplemented by information published by the press, notably Radio Okapi, which is controlled by MONUSCO, tracing the evolution of its disengagement according to the established schedule. They have enriched the data collected during field investigations.

2. Field Surveys

The study used semi-structured and individual interviews to build up a significant body of empirical data. Several field visits were organised to meet with resource persons in three cities: Kinshasa, Goma and Bukavu. Other interviews were conducted online via email or WhatsApp. The approach was based on an interview guide containing the relevant questions, which respondents were free to answer orally or in writing.

This phase of the research took place between 26 February and 31 March 2024. The three cities were chosen for two main reasons. Firstly, Kinshasa is the capital, the seat of the institutions where high-level officials and government targets were met or could be reached: ministry officials, the National Mechanism for Monitoring the Addis Ababa Framework Agreement, army and police officers, MONUSCO agents, etc. Several former members of the national parliament, members of political parties and university professors also participated in the interviews.

⁵⁸ Government of DRC, *Programme d'actions 2021-2023: construire un Etat fort, prospère et solidaire* [Action Program 2021-2023: Building a Strong, Prosperous, and Solidarity State], Kinshasa, April 2021

⁵⁹ Ministère de la défense nationale et des anciens combattants (RDC), *Document de politique de défense de la République démocratique du Congo* [Defence Policy Document of the Democratic Republic of the Congo], Kinshasa, 2023.

⁶⁰ Présidence de la République, *Stratégie nationale de prévention des conflits, de stabilisation et de renforcement de la résilience des communautés*, Coordination des ressources extérieures et des projets (CRESP) [National Strategy for Conflict Prevention, Stabilization, and Community Resilience Strengthening, Coordination of External Resources and Projects], June 2021.

⁶¹ Ministère du Plan, *Programme de développement local de 145 territoires (PDL-145T)*, volume I [Local Development Program of 145 Territories (PDL-145T), Volume I], Kinshasa, December 2021.

Secondly, Goma and Bukavu are cities particularly affected by the withdrawal of MONUSCO. Goma houses the current Headquarters, while Bukavu is among the locations where it must disengage by April 30, 2024, following the schedule approved for this purpose by the Security Council. It was therefore important to expand the list of resource persons to include key individuals established in these cities, such as provincial deputies, state officials like those from the provincial divisions of justice and police, judicial personnel responsible for justice, local MONUSCO agents, representatives of local civil society organisations, and agents from humanitarian agencies and organisations.

A total of 45 semi-direct and individual interviews were conducted in the three cities concerned. The aim was to gather the views of resource persons on the DRC's preparations with regard to the priority actions and objectives and the prerequisites contained in the various strategic documents on the withdrawal of MONUSCO and capacities of the Congolese Government to take charge of security issues after the complete disengagement of UN forces. The following issues were discussed: securing and protecting civilians; disarmament, demobilisation, reintegration of former combatants, community recovery and stabilisation; army and police reform; re-establishing the authority of the State (deployment of justice, combating impunity and setting up the administration); political dialogue; related issues (funding, logistics, transfer of skills and tasks to the DRC, communication and raising public awareness).

Participation in these interviews was free and voluntary. Resource persons had the option of requesting anonymity.⁶² They were guaranteed that all information collected would be kept strictly confidential and would not be passed on to third parties outside this study.

3. Descriptive and Qualitative Analysis

The topic is explored through descriptive analysis. The description involves defining the elements that make up or characterize the object of the study and the relationships between them to fully understand the content.⁶³ This report specifically highlights the strategy for the withdrawal of MONUSCO and describes the priority actions to be undertaken before its implementation. It then relates all this to the preparations of the DRC to take over from the UN, as well as the alternatives it intends to implement after the complete disengagement of MONUSCO.

This descriptive method is supported by a qualitative analysis of the data and information collected. In this respect, the study is based on variations in the discourse and narratives of resource persons on the withdrawal of UN forces, the challenges faced and the responsibility of the DRC Government in the post-MONUSCO period. This seems essential because it involves

⁶² Most respondents requested anonymity due to the sensitivity of the subject. This includes all MONUSCO agents and humanitarian agency staff who participated in the interviews.

⁶³ Mathieu Guidère, *Méthodologie de la recherche. Guide du jeune chercheur en Lettres, Langues, Sciences sociales et humaines*, Nouvelle édition revue et augmentée [Research Methodology. Guide for Young Researchers in Humanities, Languages, Social and Human Sciences, New Revised and Expanded Edition], Paris, Ellipses, 2004, p. 29; Paul N'Da, *Recherche et méthodologie en sciences sociales et humaines : réussir sa thèse, son mémoire de master ou professionnel*, [Research and Methodology in Social and Human Sciences: Successfully Completing Your Thesis, Master's Dissertation or Professional Report, and his article], Paris, L'Harmattan, 2015, p. 23.

relaying the points of view of the interviewees, interpreting them on the basis of the meanings that can be attributed to them, without deciding on their relevance or accuracy. This method enabled us to discover the understanding that the resource persons had of the feasibility of the UN mission's withdrawal, their concerns about the DRC's ability to take over from the UN, and the ways and means that they felt the Congolese Government should be able to assume its responsibilities efficiently after this disengagement.

4. Difficulties Encountered

The research took place against a backdrop of electoral turmoil linked to the management of disputes arising from the presidential, legislative, provincial and local elections of 30 December 2023, the organisation of elections for senators, provincial governors and vice-governors, and issues relating to the installation of the provincial assemblies and the final bureau of the National Assembly. In addition, the new structures of the National Assembly, including the Defence and Security Committee and the Senate, were not yet in place. This situation had an impact on the research, as most of the political players who could have spoken about MONUSCO's withdrawal were unavailable.

In addition, some interviews proved impossible to conduct in the limited time set aside for this research. Before taking part in the interviews, several MONUSCO and humanitarian agency staff, particularly those based in Goma, demanded that correspondence relating to the research project be sent to their line managers. According to them, the latter had to assess the quintessence of this project in order to authorise an interview. Other MONUSCO and humanitarian agency staff also explained that they were bound by an obligation of confidentiality on a subject that touched on the UN's aspects and missions in the DRC.

The same applies to the military government personnel of the province of North Kivu, which has been under a state of siege since May 2021. Their participation was also hampered by their inability to intervene or provide answers to questions for which they had not received clarification or guidance from the central Government. Added to this was the problem of the overloaded diaries of certain resource persons, including officials from the judiciary. They were able to make appointments but were unable to keep them.

All these difficulties did not adversely affect the results of this study, as the data collected was supplemented by abundant documentary sources, reports and scientific publications on the subject. The authors of this study are themselves experienced observers of MONUSCO, whose development they have followed as researchers in the field of security governance and members of the Civil Society Thematic Working Group on the Peace Process in the DRC.

D. Outline of the Plan

The study consists of two parts. The first part, entitled 'MONUSCO's Withdrawal Strategy', highlights the main issues at stake (the need to avoid a security collapse in the DRC based on past experience, the restoration of the DRC's sovereignty over its entire territory, and the negative socio-economic consequences of an unplanned or premature withdrawal) and analyses the content of three strategic documents on the subject of the UN mission's



withdrawal (timetable and chronogram, prerequisites or priority actions to be accomplished, and weaknesses in the planning for disengagement).

The second part of this study assesses the state of preparedness and the alternatives that may be envisaged by the DRC. It presents the results of field research (in terms of reducing the threat from armed groups, re-establishing the authority of the State and protecting civilians, implementing Programme of disarmament, demobilisation, community recovery and stabilisation, as well as the electoral process and the state of democracy), before making some observations on the inability of the Congolese Government to ensure the effective handover of MONUSCO and highlighting the challenges it faces, in particular the need to implement reform and improve governance of the security sector, as well as the proper management of the achievements of the transition to the complete withdrawal of the UN mission. This section also looks ahead, highlighting actions that need to be taken or measures that need to be adopted quickly to make up for the shortfall on the ground. These include relaunching political dialogue, reconsidering the state of siege, strengthening bilateral and regional security cooperation and concluding an agreement on the continuation of the post-MONUSCO military-civilian partnership between the DRC and the UN. The study concludes with recommendations for the relevant parties.

I. MONUSCO's Withdrawal Strategy

The existence of a strategy for the withdrawal of MONUSCO implies that the disengagement of this mission is delicate, perilous and risky. This is why it is not only planned but also prepared in collaboration with the DRC. With this in mind, it is worth outlining the main issues at stake in this strategy (A), before deciphering its content in the light of three strategic documents drawn up for this purpose by the joint DRC-MONUSCO working group (B).

A. Main Challenges

The withdrawal of MONUSCO at the request of the DRC involves several challenges linked to the risks and benefits it may entail. The first challenge is to prevent the security situation on the ground from collapsing as a result of the complete disengagement of UN forces, drawing on the history of peacekeeping (1), while the second challenge relates to the need to re-establish the DRC's sovereignty over the whole of its territory (2). A third issue concerns the socio-economic consequences of an unplanned or premature UN withdrawal (3).

1. Necessity of Avoiding a Security Collapse by Learning from the Past

The DRC is a country affected by long-standing and almost permanent instability. MONUSCO is not the first UN peacekeeping mission to be deployed there. The first mission, named the United Nations Operation in the Congo (ONUC), was conducted shortly after independence, starting on July 14, 1960, in a specific context: the Congo Crisis.⁶⁴ Thirty-five years later, in November 1999, MONUC was created after the failure of a second mission, called the "Interim Emergency Multinational Force" (IEMF)⁶⁵.

The withdrawal of ONUC in 1964 and the end of MONUC's mandate in 2010 are the two relevant experiences of the UN that should be considered in the context of MONUSCO's disengagement in order to avoid the mistakes of the past. In fact, the UN should not hide behind complacency about a mission accomplished or blame itself for having been unable to

⁶⁴ Voir Claude Leclercq, *L'ONU et l'affaire du Congo* [The UN and the Congo Crisis], Paris, Payot, 1964; Paul-Henry Gendebien, *L'intervention des Nations Unies au Congo: 1960-1964* [The United Nations Intervention in the Congo: 1960-1964], Paris, Mouton & cie et IRES, 1967. In fact, Belgian General Janssens made a quip at the Force Publique headquarters on July 5, 1960, saying "before independence equals after independence," even though the general climate within the armed forces was already strained due to some Congolese officers' frustration at not being able to access command and leadership positions, unlike the new civil and political authorities. The next day, this immediately led to mutinies at Camp Léopold II in Léopoldville and Camp Hardy in Thysville (now Mbanza-Ngungu) in Inkisi. Additionally, Belgian troops unilaterally intervened in the Congo from July 9, 1960, and provided military support to the Katangese secession, proclaimed on July 11 of the same year, followed a few weeks later by that of South Kasai on August 8, 1960. It was to address this situation that the Congolese Government called for the intervention of the United Nations.

⁶⁵ UNSC Res. 1080 (1996), November 15, 1996, para. 3. According to paragraph 5 of this resolution, this Force was to be mandated to "facilitate the immediate return of humanitarian organisations and the effective provision, by civilian relief organizations, of humanitarian assistance aimed at immediately relieving the suffering of displaced persons, refugees, and civilians in danger in eastern Zaire, and to facilitate the voluntary and orderly repatriation of refugees by the United Nations High Commissioner for Refugees, as well as the voluntary return of displaced persons [...]." However, the operationalisation of this force failed because it was no longer deemed necessary, as the Rwandan army had already succeeded in bombing the camps of Rwandan refugees in eastern DRC and forcibly repatriating the majority of those who survived its deadly attacks, right under the nose of the UN and with complete impunity.

meet the expectations of the Congolese people and the international community. Everything should be done to ensure that the DRC is protected from a total security collapse, because the credibility and honour of the United Nations are at stake.

The mission of the ONUC was to provide the Congolese Government with the military assistance it needed until such time as the national security forces, thanks to the efforts of that Government and with the technical assistance of the United Nations, were in a position to fully carry out their tasks.⁶⁶ History shows, however, that it was the same UN, supported by certain member states such as the Union of Soviet Socialist Republics (USSR), that was quick to withdraw its mission from the young state of Congo in May 1963, despite the Congolese government's wish to maintain it in order to continue training the Congolese National Army (ANC) and enable it to maintain law and order on its own.⁶⁷

The approach of gradual withdrawal that was finally adopted, allowed the DRC to make do with a remaining military presence of 5,000 to 6,000 Blue Helmets until their complete disengagement on 30 June 1964.⁶⁸ The United Nations' attitude was probably justified by the end of the two secessions of Katanga (11 July 1960-15 January 1963) and South Kasai (8 August 1960-30 December 1961) and the need to let the Congolese people assume their sovereignty and manage their country's security on their own. The UN believed that only technical and civilian assistance could be maintained. In reality, there was disagreement within the Security Council between the Western bloc and the USSR about maintaining the ONUC on Congolese territory. Civilian operations therefore continued until 6 August 1966 under the auspices of the Technical Assistance Office in the Congo, known as the Economic Coordination Office, which was attached to the Prime Minister's office.⁶⁹

The experience was nevertheless painful as the military withdrawal of ONUC took place in June 1964, while the Mulelist rebellion in Kwilu and the Simba rebellion, which had joined forces in Kivu, had already erupted and soon managed to seize more than half of the national territory.⁷⁰ It was more than a popular uprising, led by several companions of the former Prime Minister, Patrice-Emery Lumumba, assassinated on 17 January 1961, who were calling for a second independence or effective independence for the DRC.⁷¹ The country plunged into chaos, but the rebellion was only defeated thanks to the intervention of Belgian troops with financial, material, and logistical support from the Americans.⁷² The political and military crisis

⁶⁶ UNSC, Res. 143 (S/4387), July 14, 1960, para. 2.

⁶⁷ Jorge Beys, Paul-Henry Gendebien, and Benoit Verhaegen, *Congo 1963* [Congo 1963], Brussels-Léopoldville, CRISP-INEP, 1964, pp. 72-77.

⁶⁸ Ibid., p. 78.

⁶⁹ Omari Lea Sisi Mwana-Kabala Assuman, *Zaire-ONU* [Zaire-UN], Bachelor's Thesis, Faculty of Law, National University of Zaire, Kinshasa Campus, 1978, p. 171.

⁷⁰ Benoît Verhaegen, « Les rébellions populaires au Congo en 1964 » [Popular Rebellions in Congo in 1964], *Cahiers d'études africaines* [African Studies Notebooks], vol. 7, no. 26, 1967, pp. 345-347.

⁷¹ Georges Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History*, London/New York, Zed Books, 2007, p. 118.

⁷² Ibid.

was not over, however, and culminated in the coup d'état of 24 November 1965, perpetrated by General Joseph-Désiré Mobutu, which brought the democratic process to an abrupt halt.⁷³

It is perhaps this painful experience of the withdrawal of ONUC that has been at the root of the restraint regarding the disengagement of MONUC. The Congolese Government had demanded its withdrawal as early as October 2008, before reiterating its position just after the signing of the Goma Agreement of 23 March 2009 with the pro-Rwandan CNDP rebellion. In its view, this withdrawal should have been completed before the celebration of the fiftieth anniversary of its independence on 30 June 2010.

However, history will record that the UN was right to call for caution. Following an assessment mission to the DRC by members of the Security Council from 13 to 16 May 2010, French ambassador Gérard Araud declared: "We must not be driven by artificial timetables. We must only take into account the reality of the situation on the ground."⁷⁴ Following diplomatic negotiations, a consensus was finally reached with the Congolese authorities that this mission should be replaced by MONUSCO, with a view to stabilising the country so as not to jeopardise the gains already made on the road to peace consolidation. Had it not been for this peacekeeping strategy, the UN might not have been able, thanks to its Intervention Brigade, to prevent the overall security collapse in the east of the DRC after the sudden resurgence of M23 military activism in May 2012.

Once again, the UN seems to be exercising caution on the issue of MONUSCO's withdrawal. The strategy for its withdrawal should make it possible to avoid a situation similar to that in the DRC in the 1960s. It certainly seeks to reconcile the DRC's desire to get rid of MONUSCO with the need not to leave the country in security chaos, with a security apparatus and public services that will not be able to impose the authority of the State. While the UN strategy obliges the DRC to prepare for the withdrawal of the mission, it is nonetheless true that it is necessary to consider setting up a framework for cooperation and technical assistance or maintaining some form of post-MONUSCO military-civilian cooperation to continue to support Congolese institutions, the army, the police and the justice system in restoring peace throughout the country, particularly in the eastern provinces of North Kivu, South Kivu and Ituri. It is obviously up to the Congolese Government to express its needs in this respect, as it is an expression of the DRC's sovereignty, or to be open to UN proposals.

2. Restoration of DRC's Sovereignty Over Its Entire Territory

The sovereignty of the DRC has been progressively eroded as the country has faced chronic political instability and armed conflict since at least 1993. Most State services and public administration are dysfunctional. In particular, the army, the police and the judiciary are

⁷³ Voir Balingene Kahombo, "L'expérience congolaise de l'Etat fédéral : la Constitution de Luluabourg revisitée" [The Congolese Experience of the Federal State: The Luluabourg Constitution Revisited] (May 24, 2010) <http://la-constitution-en-afrique.over-blog.com/article-l-etat-de-la-constitution-de-luluabourg-50986845.html> April 15, 2024.

⁷⁴ Security Council, *Security Council Mission: Briefing on the Security Council Mission to the Democratic Republic of the Congo* (May 13-16, 2010), S/PV/6317, 65th year, 6317th meeting, New York, May 19, 2010, p. 2.

seriously disorganised, especially paralysed by the endemic corruption.⁷⁵ They have clearly become ineffective in carrying out their tasks of maintaining public order. Irrefutable proof of this ineffectiveness is the alliance formed in May 2023 between the Government and several members of the local militias, who could eventually be integrated into the 'Defence Army Reserve (RAD)',⁷⁶ notwithstanding their criminal past characterised by the commission of serious and massive human rights violations. From now on, these militiamen will be responsible for supporting the FARDC in their operations against other armed groups, including the M23. They are known as 'wazalendo' or patriots in Swahili, resisting the enemy.

Now, however, the issue of MONUSCO's withdrawal raises the question of whether it can really help to achieve the common and stated objective of restoring the sovereignty of the DRC, or whether it will jeopardise it. Since 2010, the UN's strategy has been to link the withdrawal of its mission to the fulfilment of a number of conditions that demonstrate the DRC's effective accession to the full exercise of its sovereign rights over its territory: i) the completion of operations aimed at reducing the number of armed groups and achieving stability in the provinces of Kivu and Ituri; ii) the establishment of an adequate Congolese defence and security force; iii) the strengthening of State authority throughout the national territory through the establishment of a Congolese civil administration in areas liberated from armed groups, in particular a police force, a territorial administration and bodies guaranteeing the rule of law (justice).⁷⁷ Since 2015, these conditions have been extended to the improvement of democratic practices in the country in order to reduce the risk of instability.⁷⁸

All these conditions are justified by the fact that, in addition to being it a right of the State, sovereignty also implies a responsibility to be assumed, in particular the obligation to protect the civilian population against any form of threat. Of course, the DRC can only do this if the levers of State authority are available, functional and effective.

The MONUSCO withdrawal strategy is consistent with this logic. In fact, as the DRC prepares for this withdrawal, it must achieve a situation where 'the threat posed by armed groups [is] reduced to a level that can be managed by the national authorities'.⁷⁹ The Congolese authorities are aware of this. At a press conference in Kinshasa on 13 January, the Deputy Prime Minister and Minister of Foreign Affairs and Francophonie stated that 'the withdrawal of MONUSCO does not mean the end of the war or the end of the security crisis. MONUSCO's withdrawal is not the end of the Congolese people's struggle to enjoy all the rights linked to their heritage. To all Congolese, we must continue to fight.'⁸⁰

⁷⁵ See Balingene Kahombo, "Corruption and its Impact on Constitutionalism and Respect for the Rule of Law in the Democratic Republic of the Congo", in Charles M Fombad and Nico Steytler (éds.), *Corruption and Constitutionalism in Africa: Revisiting Control Measures and Strategies*, Oxford, Oxford University Press, 2020, pp.287-315.

⁷⁶ Law No. 23/014 of May 22, 2023, Establishing the Defence Army Reserve in the Democratic Republic of the Congo], JORDC, special issue, first part, 64th year, article 1.

⁷⁷ UNSC Res. 1925 (2010), May 28, 2010, par. 6. These conditions were reiterated in paragraph 4 of Resolution 2053 of June 27, 2012.

⁷⁸ UNSC Res. 2211 (2015), March 26, 2015, par. 6 (b).

⁷⁹ Security Council, Common Strategy on the Gradual and Phased Drawdown of MONUSCO, S/2020/1041, annex, October 27, 2020, par. 47.

⁸⁰ Radio Okapi, "Lutundula: "Le retrait de la MONUSCO n'est pas égal à la fin de la guerre ou à la fin de la crise sécuritaire" [Lutundula: "The withdrawal of MONUSCO does not mean the end of the war or the end of the security

It is therefore a matter of combining the necessity of restoring the sovereignty of the DRC with minimizing the risk associated with the UN's disengagement. The withdrawal strategy is indeed defined on paper, but it will be tested against the realities on the ground. In this sense, nothing should be set in stone. If necessary, this strategy should be adapted to new or emerging circumstances, taking into account the progress made towards making the Congolese Government more accountable.

3. Negative Socio-Economic Consequences of a Disorderly Withdrawal

If the minimum conditions required for MONUSCO's disengagement are not met, there is a risk that the socio-economic situation of the population in the areas affected by the conflicts will worsen. The presence of UN forces has had the effect of limiting, but not destroying, the activities of armed groups. But with the hasty departure of MONUSCO, creating a security vacuum, the armed groups are in the position to seize even more mining sites and increase the illegal exploitation of natural resources. Any boycott of the purchase of artisanally-mined minerals in these areas would cripple local economies and have a direct impact on the mining revenues for provinces and the central Government.

This is already particularly worrying in the context of the Rwandan aggression in support of the M23 rebels. A note from the DRC's Ministry of Finance describes the impact of this aggression on the Congolese economy, without giving precise figures for losses. The Ministry of Finance explains that all types of taxes are affected in the areas hit by the hostilities, especially as some taxpayers have branches or even their main offices there, which has a negative impact on the mobilisation of State revenue.⁸¹

In addition to the illegal exploitation of minerals, the absence of UN forces can increase the activities of bandits. Similarly, there has been an increase in the number of roadblocks on the main access routes to urban areas, for the purposes of profiteering. In this respect, one respondent reported that a barrier erected between the town of Sake and the city of Goma, at Mubambiro, is now controlled by the wazalendo militiamen who are supporting the Congolese army in the fight against Rwandan aggression and the M23 rebels.⁸² Every lorry carrying goods and merchandise in transit to the town of Goma is taxed up to 80 US dollars, payable in local currency, in order to pass through.⁸³

This practice is not unique to the territory under Government control. In the areas controlled by the M23, supported by Rwanda, there have also been cases of goods vehicles and passageways to Goma being blocked for several days by the rebels, particularly in Kitchanga and Tebero (Masisi) in August 2023, with barriers being erected along various stretches of

crisis"] (January 13, 2024) <https://www.radiookapi.net/2024/01/13/actualite/politique/lutundula-le-retrait-de-la-monusco-nest-pas-egal-la-fin-de-la-guerre> April 30, 2024.

⁸¹ Ministère des finances/RDC, Impact de l'agression rwandaise subie par la République Démocratique du Congo [Impact of the Rwandan Aggression on the Democratic Republic of the Congo], Kinshasa, March 2023, p. 2.

⁸² Interview conducted in Goma on March 23, 2024, with a human rights activist who requested anonymity.

⁸³ Ibid.

roads to force economic operators and passengers to pay illegal taxes ranging from 300 to 700 US dollars.⁸⁴ In addition, the rebels are levying all kinds of illegal taxes on civilians.

Against this backdrop of persistent armed conflict and terror against civilians, traders and other businessmen and women are forced to halt their activities and trade between the places where goods are produced and those where they are consumed. Major towns such as Bunia, Goma and Bukavu are struggling to cope. The situation is particularly dramatic for the province of North Kivu, because “M23s control of the main transport routes, in particular those leading to Rwanda and Uganda, has (...) had a direct economic impact on Goma, as supplies of food and other products have been disrupted and prices have increased”.⁸⁵ Similarly, the Federation of Congolese Enterprises (FEC) reported that:

(...) The effects of this war are increasingly being felt in the town of Goma and the surrounding area. The market is showing a scarcity of essential goods that used to come from and pass through rebel-occupied territory. As a result, the price of foodstuffs has risen sharply, unfortunately with the population's purchasing power at an all-time low. The city of Goma is cut off from almost all of its consumer goods supply centres.⁸⁶

MONUSCO's unplanned or premature withdrawal can only contribute to worsening this situation for several reasons, including the unemployment of MONUSCO's Congolese employees, whose income will no longer be able to contribute to national and local economic and social life. For them, the sudden departure of MONUSCO means the immediate end of a good salary and the uncertainty of finding another job in a country that is still poorly organised. In South Kivu alone, at least 5,000 people found themselves out of work after MONUSCO's departure.⁸⁷ Above all, there are fears that the renewed activity of armed groups could further disrupt economic exchanges and further deteriorate the living conditions of populations already battered by the horrors of armed conflict for more than thirty years.

B. Contents of Three Strategic Documents

The dialogue between the DRC and MONUSCO led to the adoption and/or signature of three strategic documents on the withdrawal of the UN mission from Congolese territory: the Joint Strategy on the gradual and phased withdrawal of MONUSCO of October 2020; the Joint

⁸⁴ Radio Okapi, « Nord-Kivu : le M23 bloque les camions des passagers et fait payer le péage » [North Kivu : M23 Blocks Passenger Trucks and Charges a Toll] (August 15, 2023)

<https://www.radiookapi.net/2023/08/15/actualite/securite/nord-kivu-le-m23-bloque-les-camions-des-passagers-et-fait-payer-le> March 22, 2024.

⁸⁵ Security Council, Final Report of the Group of Experts on the Democratic Republic of the Congo, S/2023/431, June 13, 2023.

⁸⁶ Fédération des entreprises du Congo, Sollicitation de la libre circulation des marchandises dans les zones sous contrôle du M23 vers le centre de consommation [Request for the Free Movement of Goods in Areas Under M23 Control to the Consumption Center], letter no. MKE/YR/F.051/2023 from the Provincial Directorate of the FEC to the Military Governor of the North Kivu Province, February 28, 2023.

⁸⁷ Radio Okapi, “Au moins 5000 personnes se retrouvent sans emploi après le départ de la MONUSCO du Sud-Kivu” [At Least 5000 People Find Themselves Unemployed After MONUSCO's Departure from South Kivu] (June 1, 2024) <https://www.radiookapi.net/2024/06/01/actualite/societe/au-moins-5000-personnes-se-retrouvent-sans-emploi-apres-le-depart-de-la> June 2, 2024.

Transition Plan for the withdrawal of the UN mission of September 2021, together with a roadmap (2021-2024), and; the revised transition plan of November 2023, entitled 'Note on the accelerated, gradual, orderly and responsible withdrawal of MONUSCO from the DRC: plan and timeline for complete disengagement'. These documents set out not only the timetable for MONUSCO's withdrawal (1) but also the priority actions and prerequisites to be carried out in the run-up to full disengagement by December 2024 (2). Overall, these documents contain a number of weaknesses and limitations that call into question whether the withdrawal is realistic within the timeframe set (3).

1. Timeline for the Withdrawal of MONUSCO

There are two main stages in MONUSCO's withdrawal from the DRC. The first runs from 2021 to 2023 and corresponds to the period of disengagement from the provinces of Kasai and Tanganyika. Disengagement from these provinces was facilitated by the fact that they had no longer been the scene of open armed conflict since President Tshisekedi came to power. They have now entered a post-conflict period, during which it is more important to consolidate the gains of calm and peace that have been restored.

As a result, the withdrawal from the Kasai provinces is effective as of 30 June 2021. However, MONUSCO has retained eight staff members, six international and two local, who share offices with local UN agencies to continue monitoring the situation and supporting the provincial authorities in consolidating peace and stabilisation.⁸⁸ In the same vein, Radio Okapi and the United Nations Joint Human Rights Office (UNJHRO), comprising MONUSCO and the Office of the High Commissioner for Human Rights, have remained in Kananga.⁸⁹ One of the UNJHRO's tasks is to 'strengthen the capacity of human rights defenders and organisations to monitor, record and report on the human rights situation'.⁹⁰ MONUSCO also built the headquarters of the provincial branch of the National Human Rights Commission (CNDH), which it handed over to the UNJHRO on 25 August 2021.⁹¹

In Tanganyika Province, the same strategy of maintaining a small number of personnel assigned to purely civilian operations was adopted in order to preserve the gains made. In reality, MONUSCO's withdrawal was completed on 30 June 2022. Its provincial branch was closed, but the Mission maintained 29 staff in the province, sharing premises with UN agencies based in Kalemie.⁹² MONUSCO's post-withdrawal activities in October 2022 included the facilitation of a workshop that led to the development of the Provincial Operational Plan for Disarmament, Demobilisation, Community Rehabilitation and Stabilisation Program (P-DDRCS), and the signing of an agreement with the International Organisation for Migration (IOM) to implement a joint project to reduce ongoing tensions between the Twa and Bantu communities in the Kalemie area.⁹³

⁸⁸United Nations Security Council, *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, S/2021/807, September 17, 2021, par. 62.

⁸⁹Ibid.

⁹⁰Ibid.

⁹¹Ibid., par.63.

⁹² United Nations Security Council, *Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo*, S/2022/892, November 30, 2022, par. 67.

⁹³Ibid., par.69.

On the other hand, the withdrawal is more difficult in the three critical provinces in the east of the country: South Kivu, North Kivu and Ituri. They are still largely the victims of very violent conflicts involving local and foreign armed groups, as well as the direct intervention of the Rwandan army on Congolese soil. The national armed groups active in this part of the country include CODECO and the FRS (National Resistance Front) based in Ituri (Djugu, Irumu and Mahagi territories), the Hutu Nyatura militia operating in North Kivu and the Tutsi Ngumino militia operating in Fizi territory (South Kivu), one of whose commanders is a dissident FARDC colonel, Michel Rukundo Makanika.

But most of the local armed groups are made up of a multitude of factions within the Mai-Mai militias, some of which have opportunistically allied themselves with armed groups of foreign origin. These include the Burundian rebels of the FNL and RED-Tabara operating in South Kivu, the Ugandan ADF (North Kivu and Ituri) and the Rwandan rebels of the FDLR and the National Council for Renewal and Democracy-Ubwiyunge (CNRD) based in North and South Kivu. As if that were not enough, since November 2021 there has been a resurgence of the M23, supported by Rwanda, which has managed to take control of part of North Kivu, including almost all of the territory of Rutshuru and entire parts of the territories of Masisi and Nyiragongo.

These three provinces are, so to speak, the epicentre of the current security crisis in the DRC. It goes without saying that in these conditions, the withdrawal of MONUSCO seems more laborious and riskier. This is why it is subject to conditions and a more rigorous timetable.

This is the second stage of the disengagement of the UN, which is due to end on 20 December 2024. It comprises several phases, the first of which is the withdrawal of the mission from South Kivu until 30 April 2024, with a provision for a dozen logistical, operational and military bases to be handed over to the Congolese Government.⁹⁴

On the ground, MONUSCO announced in its communiqué of 30 April 2024 that it was ceasing operations in South Kivu as a result of its disengagement.⁹⁵ On 28 February 2024, its base in Kamanyola was handed over to the Congolese National Police (PNC).⁹⁶ Having opened in 2007, another base at Baraka-Fizi was closed on 15 March 2024,⁹⁷ while on 19 April MONUSCO transferred its Bunyakiri military base in Kalehe territory to the Congolese army.⁹⁸ Similarly,

⁹⁴ DRC and MONUSCO, *Note on the Accelerated, Gradual, Orderly, and Responsible Withdrawal of MONUSCO from the DRC: Plan and Timeline for Complete Disengagement*, Kinshasa, November 21, 2023, par. 11.

⁹⁵ Press Release of April 30, 2024 https://monusco.unmissions.org/sites/default/files/cessation_des_operations_militaires_de_la_monusco_dans_la_province_du_sud_kivu-final_30_avril_2024.pdf May 1, 2024.

⁹⁶ Radio Okapi, « Désengagement de la MONUSCO : Bintou Keita remet la base de Kamanyola à la Police nationale congolaise » [MONUSCO Disengagement: Bintou Keita Hands Over Kamanyola Base to the Congolese National Police] (February 28, 2024) <https://www.radiookapi.net/2024/02/29/actualite/securite/desengagement-de-la-monusco-bintou-keita-remet-la-base-de-kamanyola-la> April 20, 2024.

⁹⁷ Radio Okapi, « Sud-Kivu : le retrait de la MONUSCO de Baraka-Fizi fixé au 15 mars prochain » [South Kivu: MONUSCO Withdrawal from Baraka-Fizi Set for March 15] (February 16, 2024) <https://www.radiookapi.net/2024/02/16/actualite/securite/sud-kivu-le-retrait-de-la-monusco-de-baraka-fizi-fixe-au-15-mars> April 20, 2024..

⁹⁸ Radio Okapi, « Sud-Kivu: la MONUSCO transfert sa base de Bunyakiri aux FARDC » [South Kivu: MONUSCO Transfers its Bunyakiri Base to the FARDC] (April 20, 2024)

on 28 March and 9 April 2024, 277 Pakistani peacekeepers and the entire Chinese contingent left South Kivu.⁹⁹

However, the caution of the UN is worth noting, it does not want to risk a total and definitive withdrawal despite the deadline set for the mission. In this respect, it has declared:

MONUSCO began reducing its operations in South Kivu in January 2024, and as of May 1, 2024, the mission's mandate, including its responsibility to protect civilians, ends in this province. Only the uniformed personnel necessary to ensure the security of UN staff, facilities, convoys, and equipment will be maintained until the withdrawal activities are completed.¹⁰⁰

Regarding the transfer of responsibilities to the DRC, it emphasises:

As part of its disengagement, MONUSCO has handed over two military bases to the national authorities. Of the remaining seven military bases, five (Mikenge, Minembwe, Rutemba, Uvira and Kavumu) will be transferred to the FARDC between May and June 2024, while two (Baraka and Sange) will be closed in May. In addition, fifteen facilities will also be transferred or closed by 30 June 2024. All uniformed personnel will be repatriated by 30 June 2024, leaving only a residual team of civilian staff to work on the transition.¹⁰¹

The second phase of MONUSCO's withdrawal from North Kivu involves the handover of 22 bases to the Congolese Government.¹⁰² However, this withdrawal will take place gradually until the end of MONUSCO's current mandate. The plan is for the mission to have 'a projection capability to support the protection of civilians, using the intervention brigade and the reserve force to potentially project into sectors where MONUSCO still maintains a military presence'.¹⁰³

However, MONUSCO has already decided to withdraw from North Kivu without complying with this timetable, even before completing its withdrawal from South Kivu. It closed the Mutwanga base on 17 February 2023 and the Kamango base on 6 April 2023 in Beni territory, the Nyanzale base on 25 March 2024 and the Rwindi base on 27 March of the same year in

¹ <https://www.radiookapi.net/2024/04/20/actualite/securite/sud-kivu-la-monusco-transfert-sa-base-de-bunyakiri-aux-fardc> April 21, 2024.

⁹⁹ Radio Okapi, « Désengagement de la MONUSCO : les Casques bleus chinois quittent la RDC » [MONUSCO Disengagement: Chinese Peacekeepers Leave the DRC] (April 9, 2024)

<https://www.radiookapi.net/2024/04/09/actualite/securite/desengagement-de-la-monusco-les-casques-bleus-chinois-quittent-la-rdc> April 21, 2024; Radio Okapi, « Désengagement de la MONUSCO : au moins 277 casques bleus pakistanais ont quitté le Sud-Kivu » [MONUSCO Disengagement: At Least 277 Pakistani Peacekeepers Have Left South Kivu] (March 29, 2024) <https://www.radiookapi.net/2024/03/30/actualite/societe/desengagement-de-la-monusco-au-moins-277-casques-bleus-pakistanais-ont> April 21, 2024.

¹⁰⁰ Press Release of April 30, 2024, p. 1.

¹⁰¹ Ibid., p.2.

¹⁰² DRC and MONUSCO, *supra note* 94, par. 12.

¹⁰³ Ibid., par.13.

Rutshuru territory.¹⁰⁴ Curiously, these are areas severely affected by violent conflict and terrorism, even though it is there that the people need to be protected by the Blue Helmets. It's as if MONUSCO is letting the situation drop just because the Congolese have become suspicious of it, even if it means leaving the DRC to fend for itself in ensuring the safety of its citizens. This is precisely the sovereign mission of the State.

The third phase of withdrawal concerns the complete withdrawal from Ituri province and the remaining MONUSCO resources in North Kivu. It is conditional on the completion of the second phase described above. Here again, caution is required because, as in Kasai and Tanganyika, the Mission will retain a residual administrative and logistical capacity after the withdrawal of its military contingent and police units, beyond the deadline of 20 December 2024, in order to close down and transfer all its infrastructure, bases and equipment.¹⁰⁵ In all cases, the Joint Working Group stressed "the need to maintain a degree of flexibility throughout the process and, depending on the situation in North Kivu and Ituri, the phase-one and phase-two drawdown plans could be modified to address the most pressing security and civilian protection concerns." In any case, the joint working group emphasized "the need to maintain a degree of flexibility throughout the process and, depending on the situation in North Kivu and Ituri, the disengagement plan regarding phases 1 and 2 could be modified to address the most urgent security concerns and the protection of civilians."¹⁰⁶

As one army interviewee pointed out, MONUSCO's military equipment and logistics must not fall into the hands of armed groups and other criminal gangs.¹⁰⁷ Their transfer to the FARDC must not only be controlled but also secured.¹⁰⁸ The UN's cautious approach confirms its intention not to leave behind complete chaos in this part of the DRC after MONUSCO's departure.

2. Prerequisites or Priority Actions to be Accomplished

The UN and the DRC are aware that the conditions under which MONUSCO has been called upon to disengage are not optimal. They therefore agreed in October 2020 that before MONUSCO could be fully withdrawn from Congolese territory, the threat from national and foreign armed groups had to be reduced to a level that would allow the national authorities to take adequate responsibility for it, and the root causes of the conflicts, including those of a communal nature, had to be tackled.

This requirement, however, does not apply to the Mission's withdrawal from the provinces of Kasai and Tanganyika, which have emerged from conflict and entered the peace-building phase. Rather, it is a precondition for withdrawal from the provinces of South Kivu, North Kivu and Ituri, where armed, inter-ethnic and communal conflicts are still widespread and recurrent. Of course, each of these provinces has its own specific characteristics. For example, while North Kivu, for example, is dramatically affected by, among other things, the activities

¹⁰⁴ Interview conducted in Goma on 25 March 2004 with a MONUSCO agent who requested anonymity.

¹⁰⁵ DRC and MONUSCO, *supra* note 94, par.15.

¹⁰⁶ Ibid.

¹⁰⁷ Interview conducted on March 6, 2024, with Major Danny Kusimwa Butondo, assistant to the Commander of the Civic Education, Patriotic, and Social Actions Service of the FARDC.

¹⁰⁸ Ibid.

of a myriad of Mai-Mai militias, the M23 war and the terrorism of the ADF in Beni, the province of Ituri seems to be more affected by the terrorism of CODECO, the FRS and other armed groups formed on a community basis to oppose each other or for purely economic reasons to control natural resources such as gold mines and cocoa.¹⁰⁹ That is why it was necessary to translate, for each province, the various priority actions into specific objectives to achieve the aforementioned fundamental condition.

The following objectives have been set for South Kivu province:

(...) making progress in extending State authority and finding solutions to critical issues such as land rights and citizenship, and strengthening regional cooperation and dialogue to address major security issues; (...) reducing the numbers and capabilities of major armed groups operating in the region – particularly the Mai-Mai Yakutumba – so that security forces can manage these groups and local authorities can disarm and demobilize them, ensuring that foreign fighters return to their countries of origin and that local fighters participate in a sustainable reintegration process into society; (...) establishing procedures to address underlying issues and grievances that give rise to violence and human rights violations, including conflict-related sexual violence; (...) making progress in creating conditions conducive to the safe and sustainable return of displaced persons.¹¹⁰

This is in addition to “the alleviation of persistent identity tensions, which are often fuelled by external politicization and manipulation, and are associated with an increase in the frequency of attacks against civilians, the systematic burning of villages, and large-scale population displacements.”¹¹¹

For the province of North Kivu, the withdrawal of MONUSCO was made conditional on the achievement of the following objectives before the resurgence of the M23:

(...) progress is made towards the disarmament and demobilization of local armed groups operating in the region and their sustainable reintegration into society, as well as the repatriation and resettlement of foreign fighters and their dependents in their country of origin or in a third country; (...) progress is made in addressing the root causes of the conflict related to the distribution and management of resources and land; (...) progress is made in creating conditions conducive to the safe and sustainable return of displaced persons; (...) measures are taken to support the restoration of State authority, particularly regarding the

¹⁰⁹ The dynamics of community conflicts and/or those based on economic motives are long-standing and date back to the 1990s. See Nickson Kambale, “Présentation des conflits en Ituri: historique, acteurs, enjeux, intérêts, pistes de solution” [Presentation of Conflicts in Ituri: History, Actors, Stakes, Interests, Solutions], *Congo-Afrique*, no. 566, June-July-August 2022, pp. 665-682.

¹¹⁰ Security Council, *supra* note 88, par. 56.

¹¹¹ *Ibid.*, par.57.

management of external borders; (...) progress is made in combating impunity.¹¹²

The following objectives have been set for Ituri province:

(...) successful completion of the ongoing peace process with the Patriotic Resistance Force and the safe disarmament, demobilization, and reintegration of its members; (...) adoption of a negotiated solution to the crisis in Djugu and Mahagi, leading to the disarmament of assailants and a significant reduction in violence; (...) adoption of measures to address underlying grievances; (...) safe and sustainable return of displaced persons to their places of origin; (...) progress in combating impunity.¹¹³

It was these specific objectives that enabled the joint DRC-MONUSCO working group to draw up a transition plan (2021-2024) comprising 18 milestones or actions and reforms to be carried out. These milestones have been organised into two main themes: on the one hand, the minimum conditions for the withdrawal of MONUSCO (security and protection of civilians; and disarmament, demobilisation and community reintegration); and on the other, the priority actions for collaboration with the agencies and bodies of the United Nations system (community recovery and stabilisation; and restoration of State authority in conflict and post-conflict zones).

It was the revised transition plan of November 2023 that reduced the preconditions so that the UN and the DRC could focus on a limited number of priorities. This document highlights four priority milestones, namely: (i) significantly reducing the threat posed by armed groups through a comprehensive approach (Nairobi process and Luanda roadmap); (ii) strengthening the capacity to respond to threats to the protection of civilians and to effectively resolve inter-ethnic conflicts; (iii) implementing the operational plan for the P-DDRCS; (iv) organising credible, transparent, inclusive and peaceful elections within the constitutional timeframe.¹¹⁴

This is therefore a programmatic approach to the disengagement of the mission, coupled with the transfer of responsibilities and burdens to the DRC. It remains to be seen whether all these actions and reforms can be carried out before MONUSCO withdraws completely by December 2024.

3. Weaknesses in the Planning of MONUSCO's Disengagement

A reading of the strategic documents on MONUSCO's withdrawal casts doubt on the feasibility of the objectives and priorities they define as the minimum conditions for the UN mission's disengagement. It quickly becomes apparent that they are unattainable. Three weaknesses can be identified in this respect.

Firstly, it appears that the UN and the DRC have agreed to achieve positive peace-making results in less than 4 years of transition, whereas they have not been able to do so in more than 24 years of peacekeeping. But, for example, instead of reducing the threat posed by

¹¹² Ibid., par.47

¹¹³ Ibid., par.37.

¹¹⁴ DRC and MONUSCO, *supra* note 94, par.1.

armed groups, the security situation has rather worsened with the resurgence of the M23 in a coalition with the Rwandan army in November 2021 and the federation of other armed groups under the name wazalendo in 2023 to support FARDC operations.

Secondly, the strategic documents on the withdrawal of MONUSCO deal with the security crisis in the DRC mainly from an internal perspective and almost ignore its external dimension, as evidenced by the direct involvement of certain neighbouring countries, including Rwanda, in external conflicts on Congolese territory against armed groups hostile to their regimes. Aggression or the constant threat of aggression against the DRC by these countries is therefore not taken into account, even though it is a factor in the worsening of the crisis and the proliferation of local armed groups seeking to oppose it through the right of legitimate self-defence. It is as if the current crisis is an exclusively Congolese affair. The two parties (UN and DRC) have forgotten that one of the issues at stake in MONUSCO's withdrawal is the need for regional stability.¹¹⁵

Thirdly and most importantly, the transition has been reduced to a bilateral UN-DRC affair, without any attempt to involve other security partners present on the ground. This is true of Uganda, whose army has been deployed in the DRC, with the agreement of the Congolese authorities, as part of Operation Shuja, which it has been conducting against the ADF since 30 November 2021. The East African Community Regional Force (EACRF) was also deployed in Kivu and Ituri in 2022,¹¹⁶ before being replaced in 2023, in the midst of the M23 war crisis and at the request of the Congolese Government, by the Southern African Development Community Mission in the DRC (SAMIDRC).¹¹⁷ Operational coordination with these partners to involve them in the implementation of the transition plan was not considered. As a result, the UN has been deprived of important levers to ensure the effectiveness of its strategy for the withdrawal of the military component of MONUSCO.

II. ASSESSMENT OF THE STATE OF PREPAREDNESS AND ALTERNATIVES FOR THE DRC

This assessment can be made in the light of the minimum conditions that the DRC must meet for the full withdrawal of MONUSCO, as described in the revised transition plan of November 2023. In this respect, it is appropriate to present the findings from field research (A) before making observations that follow and identifying the main challenges (B) and considering some prospects (C).

A. Presentation of field research findings

The results on the ground for each of the minimum conditions for withdrawal are presented under four headings: reduction of the threat from armed groups (1), restoration of State

¹¹⁵ Michel Liégeois and Michel Luntumbue, "Défis et enjeux du plan de retrait de la MONUSCO" [Challenges and Issues of the MONUSCO Withdrawal Plan], *Observatoire Boutros-Ghali du maintien de la paix*, September 2022, p. 3.

¹¹⁶ See Joël Baraka, *Constitution d'une 'Force militaire régionale' de la Communauté des Etats de l'Afrique de l'Est : préalables omis face à la surmilitarisation et à la cacophonie opérationnelle dans l'Est du Congo* [Constitution of a 'Regional Military Force' of the East African Community: Omitted Prerequisites in the Face of Over-Militarization and Operational Cacophony in Eastern Congo], Pole Institute, June 2022.

¹¹⁷ Communiqué of the Extraordinary Summit Meeting of the Heads of State and Government of SADC, November 4, 2023, pars. 5-7.

authority and protection of civilians (2), implementation of the P-DDRCS (3) and organisation of democratic elections (4).

1. Reduction of the threat from armed groups

There are over one hundred armed groups in the provinces of North Kivu, South Kivu and Ituri. At the time of implementation of the MONUSCO disengagement plan, there was no indication that their threat was diminishing or tending to diminish. The March 2024 report on the stability index indicates that there are 1.4 million internally displaced people due to conflict and the activities of armed groups in South Kivu alone.¹¹⁸ A February 2024 report indicates that the M23 war has caused 1.5 million internally displaced persons in North Kivu.¹¹⁹ In Ituri, “MONUSCO recorded 180 security incidents between December 1 [2023] and March 19 [2024], mainly involving CODECO, Zaïre, and the ADF. In total, 282 civilians were killed, including 57 women and 19 children, and 112 civilians were injured, including 16 women and 11 children.”¹²⁰

Field surveys confirm that the threat from armed groups is increasing. According to an anonymous political player and interviewee: “the security crisis surrounding the M23 rebel group has fuelled the reactivation of armed groups, particularly in Kalehe, Kabare and Shabunda, in the north of South Kivu, since last year [2023]. The Raïa Mutomboki factions and the Nyatura groups, in particular, have taken advantage of the M23 crisis to remobilise and step up their respective activities”.¹²¹ In North Kivu, a provincial deputy pointed out that the wazalendo dynamic had paradoxically led to the recycling of certain armed groups or the creation of others to support the FARDC, even though their fighters were supposed to be covered by the P-DDRCS.¹²² In this context, “some of the armed groups in North Kivu have formalised a mutual non-aggression pact: the Alliance of Patriots for a Free and Sovereign Congo (APCLS), Nduma Défense du Congo -Rénové (NDC-R), Collective of Movements for Change/People's Defense Forces (CMC/FDP) and Mai-Mai Kifuafua, formed the Alliance des résistants de la patrie (ARP) in May 2022, renamed Volunteers for the Defence of the Homeland (VDP) in September 2023.¹²³ The wazalendo are said to number 8,000 fighters.¹²⁴ But the term is currently being misused to refer to “a jumble of volunteers, uncontrolled

¹¹⁸ International Organization for Migration, *Stability Index – South Kivu: Stability Assessment in the South Kivu Province, Democratic Republic of the Congo*, report, March 2024, p. 4.

¹¹⁹ International Organization for Migration, *République démocratique du Congo: évaluation rapide de crise M23, Province du Nord-Kivu* [Democratic Republic of the Congo: Rapid Crisis Assessment M23, North Kivu Province], report, February 14, 2024.

¹²⁰ Security Council, Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, S/2024/251, March 21, 2024, par. 16.

¹²¹ Interview conducted in Kinshasa on April 1, 2024.

¹²² Interview conducted on March 22, 2024, with the provincial deputy of North Kivu, Honorable Axel Mutiya Mburano.

¹²³ International Peace Information Service, Association pour le développement des initiatives paysannes et Danish Institute for International Studies, *Le M23 “version 2”: enjeux, motivations, perceptions et impacts locaux* [M23 “Version 2”: Issues, Motivations, Perceptions, and Local Impacts], Goma/Antwerp/Copenhagen, April 2024, p. 31.

¹²⁴ Security Council, *Midterm Report of the Group of Experts on the Democratic Republic of the Congo*, S/2023/990, December 30, 2023, par. 38.

citizens and members of armed groups, whether allied to the FARDC or not. This has led to a 'fog of war' in which it is difficult to know who is who."¹²⁵

Hence the concern expressed by another anonymous respondent about MONUSCO's disengagement in these circumstances. He noted that:

(...) its gradual disengagement raises the question of the capacity of the Congolese security forces alone to protect the population and maintain law and order in a region still marked by insecurity. South Kivu, on the border with Rwanda and Burundi, is a strategic region where major political, economic and security issues are at stake. Local and foreign armed groups are numerous and divided, making the situation even more complex and volatile. In the absence of a robust international presence, there is a growing risk that these groups will engage in violent clashes for control of natural resources and territory, endangering the lives of civilians and the fragile peace that currently prevails in some areas. Accusations of war crimes and human rights violations by certain elements resistant to peace are fuelling fears of an escalation of violence and instability if UN soldiers were to withdraw completely from the region.¹²⁶

The exacerbation of current threats poses a challenge to the authority of the State and the protection of civilians. This is another condition for MONUSCO's withdrawal, which is problematic according to respondents.

2. Restoration of State Authority and Protection of Civilians

The DRC suffers from a glaring weakness of State authority on its territory, which affects its ability to protect civilians. The security forces - army and police - as well as the justice system and the administration are, according to the respondents, in a state that does not allow the DRC to carry out all the security tasks that will have to be handed over by MONUSCO.

With this in mind, the respondents questioned the measures taken so far by the DRC to re-establish the authority of the State and protect the civilian population, starting with the state of siege imposed in Ituri and North Kivu since May 2021,¹²⁷ in application of the Government's programme.¹²⁸ One of the most important measures taken by the President of the Republic in these two provinces was the replacement of civilian authorities by military and police officers. The stated aim is to combat the proliferation of armed groups and protect the civilian population from violations of their fundamental rights, in particular by sparing them from killings, massacres and the destruction of their property.

¹²⁵ International Peace Information Service, Association pour le développement des initiatives paysannes et Danish Institute for International Studies, *supra* note 123, p.31.

¹²⁶ Interview conducted in Kinshasa, on April 1, 2024, with an anonymous human rights activist.

¹²⁷ Ordinance No. 21/015 of May 3, 2021, on the Proclamation of the State of Siege on Part of the Territory of the Democratic Republic of Congo.

¹²⁸ Government of RDC, *supra* note 58, p.9.

However, a member of the Fight for Change (LUCHA) citizens' movement deplored the fact that the state of siege had solved nothing, because it was during this exceptional period that the security crisis worsened.¹²⁹ A Congolese army officer added that "the current level of the FARDC and the PNC does not guarantee an effective takeover once MONUSCO has left."¹³⁰ In particular, there is a lack of training for the Congolese military and police, not only in terms of military training but also in human rights.¹³¹ In this respect, "the current level of training of the FARDC must be improved."¹³²

Another respondent stressed that:

(...) it is difficult to support today the replacement of MONUSCO by the Congolese security forces, because of the major challenges to be met beforehand, as the Congolese army is far from being a unified, disciplined army in order to fight and protect civilians. The internal aggressions and rebellions suffered by the DRC should be an important moment to raise defensive awareness and open people's eyes to the need to build a military power.¹³³

Among the grievances against the army and the police are the unscrupulous business practices of certain senior and general officers, as well as the disorder in the chain of command, which does not promote unity and coherence on the operational level.¹³⁴ Above all, there is the shortage of military and police personnel. This problem is compounded by the need to ensure the security of the territories where the Government is implementing its plan to modernise the administration, known as PDL-145T. As one respondent put it, "the need for PNC personnel and skills is more than urgent, especially with the PDL-145 territories project. It will be imperative to have enough PNC officers to cover the entire national territory."¹³⁵

There is also the issue of not having control over the number of personnel. This was pointed out by a respondent from the General Staff of the FARDC in these terms:

(...) from the field, the supreme authority in Kinshasa is given what are known as theoretical organic numbers, i.e. unreal numbers. For example, a battalion is reported, theoretically comprising between 600 and 900

¹²⁹ Interview conducted on March 23, 2024, with Mr. Espoir Mwinuka, Communications Officer of LUCHA.

¹³⁰ Interview conducted in Kinshasa on March 6, 2024, with Major Danny Kusimwa Butondo.

¹³¹ Interview conducted in Kinshasa on March 25, 2024, with an anonymous MONUSCO agent. It should be noted that the Congolese army includes former rebels who, thanks to a series of agreements between the government and armed groups, were integrated into the army while retaining the ranks they held within the rebellion. These ranks, generously distributed within the armed groups, corresponded to nothing except to facilitate clientelism and economic exploitation based on military rank. As a result, self-proclaimed officers within armed groups became, overnight, majors, colonels, and generals in the FARDC. These ex-rebels absorbed by the army did not all undergo genuine military training.

¹³² Interview conducted in Kinshasa on March 6, 2024, with Captain Mugisho Nkunzimwami, Assistant to the Deputy Commander/College of Higher Strategic and Defence Studies (CHESD).

¹³³ Interview conducted in Kinshasa on April 1, 2024, with an anonymous university professor.

¹³⁴ Interview conducted in Goma on March 25, 2024, with an anonymous MONUSCO agent.

¹³⁵ Interview conducted in Kinshasa on March 11, 2024, with Mr. Gérard Kambale, Director at the Ministry of Planning, Assistant to the Director of Studies and Planning (DEP), and member of the Commission for Monitoring the MONUSCO Withdrawal and Disengagement Process from the DRC.

soldiers on average. But on the ground, only 300 people fight in this battalion. Funds are sent out on the basis of reported numbers, which do not correspond to reality. We have counted between 9,000 and 11,000 soldiers who are not in the field. And this information was confirmed in a speech by the President of the Republic himself, who spoke of a strategy of "cannibalising" the money that arrives on the ground.¹³⁶

For one civil society actor, "the current strength of the FARDC and the PNC will not fully guarantee the security of the population because the context is complex and the country is vast."¹³⁷ He sees another cause in the infiltration of the armed forces and police, leading to defection to armed groups and regular betrayal in combat zones.¹³⁸

For another human rights activist, the situation is likely to worsen with the withdrawal of MONUSCO, which has tried to limit the shortcomings of the Congolese army and police by providing them with various forms of assistance, including land and air transport and the supply of fuel for military and police vehicles.¹³⁹ In his view, one of the causes of the ineffectiveness of the defence and security forces is corruption, which is also linked to the poor working conditions of the military and police, who are badly treated and poorly paid.¹⁴⁰ He predicts that violence is likely to escalate, leading to an increase in the current number of internally displaced persons.¹⁴¹

The demotivation of soldiers within the FARDC, due in particular to their precarious situation, is another problem singled out by some of the soldiers interviewed. They denounce the poor distribution of bonuses, which are often misappropriated by the superiors, and which hardly allow them to live decently, to be free from needs and to be effective in the field. On this point, one officer said that "when they see the medical care provided for their comrades-in-arms who have fallen at the front, soldiers are not motivated to go all the way."¹⁴² What's more, soldiers seem to be afraid of sacrificing themselves because if they die, they know that their families will not be properly looked after. Another respondent said that "in the eastern cantonments, there is a lack of health care, accommodation and food for the soldiers and their families."¹⁴³

With regard to the transfer of logistics and equipment from MONUSCO to the Congolese authorities, some respondents felt that this would not solve the problems of the FARDC and the PNC. Firstly, because the FARDC and the PNC need specific logistics to deal with the situation: special communications equipment, helicopters, armoured vehicles and transport

¹³⁶ Interview conducted in Kinshasa on March 12, 2024, with a Colonel from the General Staff of the FARDC who requested anonymity.

¹³⁷ Interview conducted in Goma on March 23, 2024, with Mr. Ghislain Mumbere Kisenge, member of the Congo Peace Network organisation.

¹³⁸ Ibid.

¹³⁹ Interview conducted in Goma on March 25, 2024, with Mr. Mwene Batende Dufina Tabu, President of the Association of Volunteers of Congo (ASVOCO).

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Interview conducted in Kinshasa on March 15, 2024, with an officer from the General Staff of the FARDC.

¹⁴³ Ibid.

vehicles.¹⁴⁴ However, according to a senior police commissioner, after the experience of the withdrawal in South Kivu, MONUSCO did not give everything it had, including vehicles, which it preferred to sell.¹⁴⁵ A MONUSCO official confirmed that it is the mission that decides what needs to be transferred to the DRC, but the equipment normally includes prefabricated houses, offices, computers, printers, chairs and tables, etc.¹⁴⁶

Yet another respondent deplored the lack of skills in new information and communication technologies, which would hamper the ability of the army and police to make good use of the computer equipment bequeathed by MONUSCO.¹⁴⁷ There is also the problem of assuming financial responsibility for the bases transferred to the Congolese authorities, in the case of those located on privately owned concessions that were leased to MONUSCO.¹⁴⁸ This is because the revised transition plan stipulates that for a base in this category, “the Government will have a maximum of 45 days before the closure of the base to work out the details of any transfer. After this period, the base will automatically be dismantled if no agreement is reached with the owner.”¹⁴⁹

With regard to the deployment of the judiciary, the Superior Council of the Judiciary (CSM), at the request of the Government, recruited 5,000 new magistrates, 2,500 of whom were assigned to their posts in 2023. However, most of these new magistrates have been deployed to Kinshasa and other major cities, such as Lubumbashi and Goma, to the detriment of the country's remote areas. The other 2,500 new magistrates could have started work in 2024, but their initial training has not even been organised yet.

In addition, one respondent identified the following challenges that have hindered the restoration of State authority in this sector: the absence of transport costs and installation costs in the areas where magistrates are assigned, the lack of accommodation to house them, the low level of their salaries, and the non-existence of buildings dedicated to the judiciary in several parts of the country.¹⁵⁰ In his view, the National Justice Reform Policy (2017-2026) and its priority action plan, based on the recommendations of the General assembly of the Judiciary held from 27 April to 2 May 2015, have not been respected because their level of implementation has remained very low.¹⁵¹

Interviewees also noted that MONUSCO is providing a great deal of support to the courts and tribunals in the east of the country in the fight against impunity: funding for the training of judicial staff; organisation of train-the-trainer workshops to be sent to remote areas to train victims and judicial police to facilitate access to justice; construction of infrastructure; provision of mobile court sessions. According to a judicial official, military courts and tribunals have improved their performance in the fight against impunity, including sexual violence, with

¹⁴⁴ Interview conducted in Goma on March 25, 2024, with Mr. Mwene Batende Dufina Tabu.

¹⁴⁵ Interview conducted in Goma on March 23, 2024, with Commissioner Alain Mondaoko Lanza.

¹⁴⁶ Interview conducted in Goma on March 30, 2024, with an anonymous MONUSCO agent.

¹⁴⁷ Interview conducted in Goma, on March 23, 2024, with Mr. Ghislain Mumbere Kisenge.

¹⁴⁸ Ibid.

¹⁴⁹ RDC and MONUSCO, *supra* note 94, par.17.

¹⁵⁰ Interview conducted in Goma, on March 23, 2024, with Mr. Bauma, Head of Office, Provincial Division of North Kivu, Ministry of Justice.

¹⁵¹ Ibid.

the support of MONUSCO.¹⁵² In his experience in North Kivu, he says, “there have only been two occasions when mobile courts have been held without MONUSCO support”.¹⁵³

An official from the Ministry of Justice believes that the other partners “will not be able to fill the gap created by the departure of MONUSCO”¹⁵⁴ and that, in any case, this will affect the justice system's ability to fight impunity, including in the area of international crimes, when its independence is also being called into question.¹⁵⁵ According to a member of LUCHA, the CNDH is of little help in this respect, if only to receive and deal with complaints of human rights violations committed in areas affected by conflict, because it is not known by the population, does not approach the population and really lacks independence from the political authorities.¹⁵⁶

3. Implementation of P-DDRCS

The P-DDRCS is a disarmament, demobilisation, community rehabilitation and stabilisation programme that was established by order of the President of the Republic on 4 July 2021.¹⁵⁷ It is the result of the merger of two previous programmes, which had themselves failed, to adapt to the current context, namely the National Programme for Disarmament, Demobilisation and Reintegration (PN-DDR) and the Programme for the Stabilisation and Reconstruction of Zones Emerging from Armed Conflict (STAREC), created in 2004 and 2009 respectively.¹⁵⁸

The P-DDRCS is an ambitious programme that deals not only with ex-combatants but also with the environment in which they live. It was designed with the dual aim of putting an end to armed groups by supporting the return of their members to civilian life rather than their integration into the FARDC, thereby helping to eradicate the threat they pose to the population and to restore peace and stability.¹⁵⁹ Unlike the PN-DDR and STAREC, which were managed by the Ministry of Defence and the Ministry of Planning respectively, the P-DDRCS reports directly to the President of the Republic.¹⁶⁰

However, a member of parliament pointed out that “the P-DDRCS is still in its embryonic stage; all the structures and working tools are not yet in place. In North Kivu, at the current stage, only the provincial office has been set up.”¹⁶¹ According to him, there are no financial

¹⁵² Ibid.

¹⁵³ Interview conducted in Goma, on March 25, 2024, with an anonymous senior magistrate working in North Kivu.

¹⁵⁴ Interview conducted in Goma, on March 23, 2024, with Mr. Bauma.

¹⁵⁵ Ibid.

¹⁵⁶ Entretien réalisé le 23 mars 2024 avec Monsieur Espoir Mwinuka. Sur cette question, voir dans le même sens Balingene Kahombo, « The Democratic Republic of Congo's National Human Rights Commission », in Charles M. Fombad (éd.), *Compendium of documents on National Human Rights Institutions in eastern and southern Africa*, Pretoria University Law Press, 2019, pp.101-212.

¹⁵⁷ Ordinance No. 21/038 of July 4, 2021, on the Creation, Organization, and Functioning of a Disarmament, Demobilization, Community Recovery, and Stabilization Program, abbreviated "P-DDRCS", July 4, 2021.

¹⁵⁸ Decree No. 04/092 of October 16, 2004, and Ordinance No. 09/051 of June 29, 2009, as Amended and Supplemented by Ordinance No. 14/014 of May 14, 2014, October 16, 2004.

¹⁵⁹ Ordinance No. 21/038 of July 4, 2021, Article 1, Paragraph 3.

¹⁶⁰ Ibid., article 1, Paragraph 2.

¹⁶¹ Interview conducted in Goma, on March 22, 2024, with the provincial deputy of North Kivu, Honorable Axel Mutiya Mburano.

resources to ensure its implementation, as the operational needs of the programme are not being met, in particular the recruitment of sufficient staff paid by the State, the construction of infrastructures such as the various training centres for ex-combatants and the provision of logistics for field missions.¹⁶²

Another respondent stated that the current dynamics of conflict make it impossible to carry out the missions of the P-DDRCS. The programme does not seem suited to the need of the Congolese Government to use certain armed groups as auxiliaries to the FARDC to fight the Rwandan-backed M23.¹⁶³ He regrets the fact that “the population is currently living against its will with the same armed groups under the powerless gaze of the authorities in a state of siege.”¹⁶⁴

This is another challenge adding up to the programme's initial problems. One respondent pointed out that the P-DDRCS has long suffered from a lack of confidence on the part of the international community and civil society because the person appointed to head it, Mr Tommy Tambwe, was a former rebel whose hands were not clean.¹⁶⁵ It was also reported that “since 17 April 2023, it [the P-DDRCS] has launched a pilot disarmament site in Diango in Ituri, which has received only a hundred or so combatants out of the tens of thousands active in the province.”¹⁶⁶ Moreover, these were combatants who had not been active for months, while the violent armed groups refused to join the process because they did not have confidence in the P-DDRCS leadership team.¹⁶⁷ It was not until Tommy Tambwe was replaced on 19 October 2023 by Abbé Jean-Bosco Bahala that this general mistrust of the P-DDRCS was overcome.

Another factor is purely political. The Congolese Government has ruled out any dialogue with the M23. According to one interviewee, the dialogue initiated with the other armed groups has nevertheless reached an impasse due to the dynamics of the wazalendo, the FARDC's auxiliaries.¹⁶⁸ The political process has come to a standstill, which is having a negative impact on the implementation of the P-DDRCS missions.

In this context, one respondent is concerned about the vacuum that the withdrawal of MONUSCO will create in terms of the disarmament, demobilisation and reintegration of ex-combatants. He recalls the mission's achievements, pointing out that it has played “a crucial role in the repatriation of 25,000 FDLR members to Rwanda and the demobilisation of 11,000 ex-combatants in Lubero. Notable successes have been achieved, such as the successful reintegration of the demobilised.”¹⁶⁹ In the same vein, another respondent noted that:

¹⁶² Ibid.

¹⁶³ Interview conducted in Goma, on March 15, 2024, with an anonymous MONUSCO agent.

¹⁶⁴ Ibid.

¹⁶⁵ Interview conducted in Goma, on March 22, 2024, with the provincial deputy of North Kivu, Honorable Axel Mutiya Mburano.

¹⁶⁶ Groupe d'Etudes sur le Congo, « La nouvelle coordination nationale du P-DDRCS va-t-elle relever les multiples défis du désarmement ? » [“Will the New National Coordination of P-DDRCS Overcome the Multiple Challenges of Disarmament?”], 2023, <https://www.congoresearchgroup.org/fr/2023/11/03/la-nouvelle-coordination-nationale-du-p-ddrcts-va-t-elle-relever-les-multiples-defis-du-desarmement/>, May 2, 2024.

¹⁶⁷ Ibid.

¹⁶⁸ Interview conducted in Goma, on March 23, 2024, with an anonymous university professor.

¹⁶⁹ Interview conducted in Kinshasa, on March 25, 2024, with an anonymous MONUSCO agent.

the UN mission is participating in the project [to reintegrate ex-combatants into their communities] through the coherence fund for stabilisation. A total of six million dollars has been made available for the project, which covers the provinces of North Kivu, South Kivu and Ituri. MONUSCO is a key partner. The Stabilisation Support Unit is one of MONUSCO's components. And MONUSCO has helped us to lobby and raise funds. MONUSCO is therefore a key player in the implementation of this project. Among the major resolutions passed by the UN Security Council, MONUSCO has a mandate to support the P-DDRCS. We are working with MONUSCO. We plan with MONUSCO. And we want to implement projects with MONUSCO. A pilot project has been launched in Beni and is being implemented by the International Organisation for Migration and MONUSCO. This project involves 150 ex-combatants who have been grouped together for several months in Mambangu. With the departure of MONUSCO, we fear that this project will come to an end and that these ex-combatants will return to the forest.¹⁷⁰

The absence of tangible results from the P-DDRCS since 2021 is a challenge to the restoration of State authority, which is one of the pillars of the National Strategy for Conflict Prevention, Stabilisation and Community Resilience.¹⁷¹ In fact, everything is linked. The persistence of armed groups weakens the authority of the State and perpetuates community or ethnic conflicts, which the courts and tribunals and other transitional justice mechanisms should help to manage and resolve.

4. Organisation of elections and consolidation of democracy

On 20 December 2023, the DRC held its fourth electoral cycle since the entry into force of the Constitution of 18 February 2006, following those of 2006-2007, 2011-2012 and 2018-2019. These were combined presidential, legislative, provincial and local elections. It is well known that regular, fair, transparent and equitable elections are one of the barometers of the health of a democracy, which in turn is a condition for peace and stability. Indeed, through democratic elections, the State prevents the root causes of conflict, such as armed rebellion against the Government.

The truth is that the elections of 20 December 2023 took place without a national consensus, with some political parties even deciding to boycott them, such as the former presidential party, the People's Party for Reconstruction and Democracy (PPRD). The electoral process was criticised for being corrupt and rigged in advance in favour of President Tshisekedi's regime. The elections were also marked by a campaign characterised by exclusionary rhetoric based on the concept of "Congolity" or Congolese identity. They were also marked by irregularities, violence and even fraud. All this undermined the credibility and legitimacy of the institutions that emerged from the elections.

¹⁷⁰ Interview conducted in Bukavu, on March 13, 2024, with an anonymous civil society activist (religious organisation).

¹⁷¹ Presidency of the Republic, *supra* note 60, p.17.

More than anything else, the elections have not put an end to the malpractices in the DRC. In this context, a respondent highlighted the following:

(...) while the root causes of the violence persist - lack of legitimacy of the leaders of the institutions, culture of impunity, illicit exploitation and illegal trade in minerals - insecurity is growing, the search for political and diplomatic solutions remains at an impasse, that the authority of the Congolese State has not yet been deployed in large areas of the national territory and that the Kinshasa regime has not yet embarked on an in-depth reform of the security sector, including in particular the reorganisation of the defence and security forces and the intelligence services, we urge the Security Council to remain seized of the situation in the DRC, which still represents a threat to international peace and security.¹⁷²

Although the elections were held within the constitutional timeframe, the fact remains that they were not entirely democratic. As a result, some disgruntled people and sore losers took the initiative of joining the M23. This is the case of Corneille Nanga, former President of the Independent National Electoral Commission (CENI), who launched a politico-military movement with the M23, called Alliance Fleur Congo (AFC), in December 2023. Similarly, on 19 May 2024, a naturalised American Congolese attempted a coup against the institutions, according to the official version, which was foiled by the security forces,¹⁷³ but created psychosis and a feeling of insecurity in the city of Kinshasa. All in all, these events have further worsened the security climate at this point in MONUSCO's disengagement process.

B. Major Findings and Challenges

The views expressed by the interviewees point to three challenges: on the one hand, the inability of the Congolese authorities to take responsibility for MONUSCO's departure by taking over from it (1) and, on the other, the need to implement reform and improve governance of the security sector (2). Another challenge relates to the need to ensure that the Congolese Government properly manages the achievements of the transition towards the total disengagement of UN forces (3).

1. Inability to take over from MONUSCO

None of the prerequisites or minimum conditions for the withdrawal of MONUSCO, defined in the revised transition plan of November 2023, have been met to date. In addition, the security situation has deteriorated since the resurgence of the M23.

¹⁷² Entretien réalisé à Kinshasa, le 12 mars 2024, avec un agent anonyme de la MONUSCO.

¹⁷³ Radio Okapi, « Tentative de coup d'Etat à Kinshasa: l'armée annonce un bilan de 4 morts » (20 mai 2024) <<https://www.radiookapi.net/2024/05/20/actualite/securite/tentative-de-coup-detat-kinshasa-larmee-annonce-un-bilan-de-4-morts>> 24 mai 2024.

Massive and serious violations of human rights are commonplace. In his March 2024 report to the Security Council, more than a thousand cases were recorded throughout the country.¹⁷⁴ The Secretary-General states:

In the provinces affected by the conflict, various Maï-Maï factions are reportedly responsible for most of the violations (159), followed by the ADF (152), M23 (142), CODECO (90), Nyatura factions (65), Twa armed groups (36), Nduma Defense of Congo-Renewed (26), and the Alliance of Patriots for a Free and Sovereign Congo (APCLS) (24). At least 537 people are said to have been victims of summary executions by armed groups, notably the ADF (259), CODECO (88), and M23 (83). The FARDC were responsible for 152 violations in conflict-affected areas, and the Congolese National Police for 67 violations. State actors are reportedly responsible for the summary and extrajudicial execution of 75 people (56 men, 10 women, and 9 children).¹⁷⁵

The fact that the FARDC and state actors are among the perpetrators of these violations is symptomatic of the seriousness of the situation and the failure of the security forces. But these are not the only cases. Others are taking place in broad daylight in the city of Goma, which has been infiltrated by wazalendo militias, legitimised by the Government under the law on RAD, which extends this reservation to "civilian volunteers engaged in the defence of the country and its territorial integrity in the face of threat or aggression."¹⁷⁶ The army itself carried out a massacre on 30 August 2023 against civilians claiming to be part of the wazalendo movement, who were simply trying to organise a peaceful march against the presence of MONUSCO. The death toll from the attack on the Republican Guard was very high: "a total of 56 people were killed and 75 wounded, according to the report issued by the Chief Auditor of North Kivu on 5 September. However, this figure differs from that given by the Minister of the Interior, Peter Kazadi, who at a press conference put the number of dead at 51 (...)."¹⁷⁷ An army that is capable of killing the civilians it is supposed to protect does not inspire confidence in its ability to shield them from attacks by armed groups.

A respondent believes that:

According to the joint strategy on the gradual and phased withdrawal of MONUSCO with the DRC government, as formulated in Security Council Resolution 2556, there are 18 milestones presented as "minimum necessary conditions" for a responsible and sustainable withdrawal of the UN mission. To date, none of these conditions have been met. However, it is the population's frustration at MONUSCO's lack of effectiveness in fulfilling its mandate to protect civilians, largely exacerbated by populist

¹⁷⁴ Security Council, *supra* note 120, par. 28.

¹⁷⁵ Ibid.

¹⁷⁶ Law No. 23/014 of May 22, 2023, on the Establishment of the Defense Reserve Army in the Democratic Republic of Congo, Article 2, Paragraph 1, Point 4.

¹⁷⁷ Groupe d'Etudes sur le Congo, « Goma: un massacre et des questions brûlantes » [«Goma: A Massacre and Burning Questions»], 2023, <https://www.congoresearchgroup.org/fr/2023/09/08/goma-un-massacre-et-des-questions-brulantes/>, May 2, 2024.

rhetoric from politicians in the run-up to the elections, combined with disinformation campaigns directed against the international community by those who have a vested interest in perpetuating the chaos in the DRC in order to continue pillaging its strategic mineral wealth, which led President Tshisekedi to call for the "accelerated" withdrawal of MONUSCO in 2022 and a plan for complete disengagement by 2024.¹⁷⁸

Another respondent added:

(...) there is a broad consensus that the DRC government will not have met the objectives it has accepted as the minimum conditions for a withdrawal of MONUSCO by the end of 2024. A precipitous withdrawal of MONUSCO is likely to create a security vacuum while the state authorities are unable to fulfil their protection mission, with devastating effects on the region's most vulnerable populations.¹⁷⁹

This evidence from some of those interviewed led others to think that the complete disengagement of MONUSCO could be postponed, at least in the three critical eastern provinces, pending an improvement in the security situation. In this respect, a political player in Bukavu said that he did not understand why the DRC was maintaining its position on the accelerated withdrawal of MONUSCO when the situation on the ground was going from bad to worse.¹⁸⁰ On this subject, another respondent bluntly concluded:

MONUSCO's mandate will expire on 20 December 2024. According to the plan agreed between the DRC and the UN, the first phase of MONUSCO's withdrawal from the Kamanyola base in South Kivu began on Wednesday 28 February 2024. However, many people disagree because of the persistence of the root causes of the violence in the east of the country. Instead, MONUSCO's mandate and presence should be redesigned to create the conditions for a responsible and sustainable withdrawal once the Congolese state has operational, professional and accountable institutions, particularly in the areas of security and justice. A hasty withdrawal in a context of war of aggression and over-militarisation of the region risks leaving a security vacuum that is extremely dangerous for the very existence of the DRC and disastrous for the protection of civilians and stability, seriously jeopardising the legacy of the 25 years of presence of the United Nations Department of Peacekeeping Operations in the DRC. The DRC is still far from having reduced the threat posed by national and foreign armed groups to a level that can be managed by the Congolese security and defence forces. The blue helmets and the intervention brigade cannot leave until the army and the police are able

¹⁷⁸ Interview conducted in Kinshasa on 12 March 2024 with an anonymous MONUSCO agent.

¹⁷⁹ Interview conducted in Kinshasa on 12 March 2024 with an anonymous MONUSCO agent.

¹⁸⁰ Interview conducted online (WhatsApp), on 25 March 2024, with a provincial deputy from South Kivu who requested anonymity.

to guarantee the sovereignty of the state and the protection of the civilian population.¹⁸¹

So, the question should no longer be whether MONUSCO should leave, since that is already a given, but to what extent the DRC should be supported in meeting the minimum conditions for withdrawal, without necessarily sticking to a fixed timetable. With this in mind, it is vital to resolve the problems of security governance.

2. Necessity of Implementing Reform and Improving Governance in the Security Sector

The security crisis in the DRC is first and foremost a crisis of governance.¹⁸² If the country is considered not to have yet met the minimum conditions for the withdrawal of the UN mission, it is precisely because governance and security sector reform remain problematic.

The truth is that, following several decades of crises and armed conflicts, the DRC has become too weak and has lost a significant part of its defence and security capabilities. The formation of a new, restructured and integrated army has been on the political agenda since the Lusaka Peace Agreement of 10 July 1999 and the Global and Inclusive Agreement of 16 December 2002 on the transition in the DRC (2003-2006). More than 20 years later, army reform is still not fully effective. It is true that the FARDC was set up during the transition. The army reform plan was also adopted, covering the period from 2009 to 2025.¹⁸³ Its implementation includes, among other things, the adoption of the legal framework governing the army, including organic law no. 11-012 of 11 August 2011 on the organisation and functioning of the armed forces and law no. 13/005 of 15 January 2013 on the status of military personnel.

Aid from bilateral and multilateral partners has been mobilised to provide the DRC with a professional and powerful army. The partners focused their assistance more on training new units. Belgium, for example, trained the rapid intervention brigade in Kindu as well as the special forces, whose greatest success was the victory against the M23 rebellion in 2013 with the support of the UN intervention brigade. US support includes the training of a 1,000-strong FARDC battalion in Kisangani in 2010.

MONUC and its successor, MONUSCO, have also contributed. For example, “from 2 July to 22 September 2007, 750 soldiers were trained in each of these three centres [Rwampara in Ituri, Nyaleke in North Kivu and Luberizi in South Kivu]. From 5 November 2007 to 1 February 2008, 750 FARDC troops were trained in Rwampara, 1,500 in Nyaleke and 1,500 in Luberezi.”¹⁸⁴ In

¹⁸¹ Interview in Kinshasa on 12 March 2024 with an anonymous MONUSCO official.

¹⁸² Marc-André Lagrange and Thierry Vircoulon, *République démocratique du Congo: à l'Est rien de nouveau* [Democratic Republic of Congo: In the East, Nothing New], French Institute of International Relations Study, December 2022, p. 3.

¹⁸³ RDC, *Plan de la réforme de l'armée (2009-2025)* [Army Reform Plan (2009-2025)], https://afridesk.org/wp-content/uploads/2013/05/Plan_Reforme_FARDC.pdf, accessed May 28, 2024.

¹⁸⁴ Joseph Cihunda Hengelela, « Réforme des forces armées de la République Démocratique du Congo (FARDC): réflexion sur le rôle des partenaires internationaux » [Reform of the Armed Forces of the Democratic Republic of Congo (FARDC): Reflection on the Role of International Partners], *African Law Study Library*, vol. 6, 2011, p. 128.

addition, training was provided in personnel management and human rights, and infrastructure was built.

Similar efforts were made as part of the reform of the PNC, which dates back to the work of the Joint Reflection Group on Police Reform and Reorganisation (GMRRI), which was set up in 2005 within the Ministry of the Interior, Decentralisation and Security.¹⁸⁵ A long-term strategic framework for police reform (2010-2025) was adopted.¹⁸⁶ Its implementation gave rise to the Three-Year Action Plan (2010-2012), the Updated Three-Year Action Plan (2011), the Five-Year Action Plan (PAQ-1: 2012 -2016) and the Five-Year Action Plan for the Reform of the Congolese National Police (PAQ-2: 2020 -2024).¹⁸⁷ The police's legal framework has also been adopted, including organic law no. 11/013 of 11 August 2011 on the organisation and functioning of the PNC and law no. 13/013 of 1 June 2013 on the status of career police personnel.

However, the FARDC and the PNC still have many weaknesses. According to some respondents, the urgent measures to be taken include relocating the armed forces' general headquarters to the east of the country, increasing staff numbers, equipment and logistics, and building infrastructure such as military camps and police detention centres.¹⁸⁸ Some measures have already been decided but need to be implemented in practice. This is the case with the decision to recruit 40,000 soldiers, many of whom should be deployed to conflict zones to take over from MONUSCO when it withdraws.¹⁸⁹ The same applies to "the recruitment of 13,000 new police officers, of whom only 7,000 were provided for in the 2024 Finance Act, i.e. half of what the Ministry of the Interior wants."¹⁹⁰

Similarly, it is important to revitalise community policing and set up local community safety councils.¹⁹¹ According to several respondents within the Police Reform Monitoring Committee (CSRP), there is a need for support in raising awareness about the principles of community policing and the ten golden rules of a model police station.¹⁹² All these measures should be accompanied by the public dissemination of the texts governing the army and the police with

¹⁸⁵ Ministère de l'intérieur, sécurité et affaires coutumières (RDC), *Plan d'action quinquennal de la réforme de la police nationale congolaise 2020-2024* (PAQ -2) [Five-Year Action Plan for the Reform of the Congolese National Police 2020-2024 (PAQ-2)], Kinshasa, November 2019, p. 11.

¹⁸⁶ Ibid. p.15.

¹⁸⁷ Ibid. p.17.

¹⁸⁸ Interview: "This emerges from interviews conducted in Kinshasa from March 2 to 5, 2024, with the following officials: Chief of Staff of the Armed Forces Communication and Information Service (SCIFA); Director in charge of civil-military relations at the Civic Education, Patriotic and Social Actions Service (SECAS); Outgoing President of the Senate Defense and Security Commission; Deputy Chief of Staff of the PNC General Commissioner; Deputy Coordinator of the Police Reform Cell (CRP); Deputy Executive Secretary of the Police Reform Monitoring Committee (CSRP); Gender focal point of the Congolese National Police; Deputy Commander of the Kinshasa Model Police Station.

¹⁸⁹ Interview conducted in Goma, on March 23, 2024, with Mr. Espoir Mwinuka.

¹⁹⁰ Interview conducted in Kinshasa, on March 5, 2024, with the outgoing President of the Senate Defense and Security Commission, General Baramoto.

¹⁹¹ Balingene Kahombo, « Rapport sur les perceptions des populations des villes de Kinshasa, Goma et Bukavu sur la Police nationale congolaise » [“Report on the Perceptions of the Populations of the Cities of Kinshasa, Goma, and Bukavu on the Congolese National Police”], ASSN, November 2022, para. 94..

¹⁹² This emerges from interviews conducted in Kinshasa from March 4 to 6, 2024, with the following officials: Deputy Coordinator of the Police Reform Cell (CRP); Deputy Executive Secretary of the Police Reform Monitoring Committee (CSRP)

the aim of impacting the behaviour of uniformed personnel, making the services known to the population, and improving their mutual relationships.

However, the respondents believe that nothing will be possible in the long term without completing the reform of the army and the police. Referring specifically to the army, one respondent explained:

There is a huge amount of work to be done: cleaning up the lists of unwanted or infiltrated personnel, controlling the actual number of military personnel, restoring meritocracy, improving working and living conditions, increasing pay so that it discourages mercantilist behaviour, reorganising a credible and effective military justice system, the fight against profiteering by men-at-arms, the pursuit of performance at all levels, the development of an *esprit de corps* conferred by unity of command, a return to strictly enforced discipline, the teaching of good citizenship and a code of conduct, because the power of arms is weighed down by the ethics and conscience of the soldier. Back to basics: combat readiness is the *raison d'être* of the military. They train relentlessly to become better and leave the *dolce vita* to civilians to devote themselves exclusively to their vocation. We need to bring together military personnel from different social backgrounds and ethnic groups in the country in order to create a renewed and shining spirit of patriotism. At the end of the day, it is essential to look after military personnel after their career. It reassures soldiers and increases their loyalty to the institution. It can never be said often enough: only strategic thinking can enable the country to get back on track in terms of building collective power.¹⁹³

The primary responsibility for this reform lies with the Congolese Government. According to other respondents, "the DRC must not depend indefinitely on the support of its partners. It is time for the Government of the Republic to show more political will and take back the lead, particularly by providing the government's counterpart funding in projects/programs aimed at reforming the security sector."¹⁹⁴ It will only be taken seriously if it takes concrete action in this direction.

The truth is that we are still a long way from that. The proof is that, according to other interviewees, in 2022 the DRC will have a Defence Policy Document that sets out "all the major political, strategic and military options and principles for ensuring the defence of a country"¹⁹⁵ but there is a risk that it will remain like a museum piece that has not been implemented. For example, Ordinance-Law No. 22/019 of 28 July 2022 on military programming for 2022-2025 was signed by the Head of State and provides for expenditure of more than 3.5 billion US dollars to modernise the army over a 4-year period, but its implementation remains

¹⁹³ Interview conducted in Kinshasa, on March 13, 2024, with an anonymous officer of the Congolese army.

¹⁹⁴ Interviews conducted in Kinshasa, on March 4, 2024, with the Deputy Coordinator of the Police Reform Cell and the Deputy Executive Secretary of the Police Reform Monitoring Committee.

¹⁹⁵ Ministry of National Defense and Veterans Affairs (DRC), *supra* note 59, p. 5.

hypothetical.¹⁹⁶ As far as the police is concerned, the lack of political will is the same: “the 2017 law, programming police reform has fallen into disuse without being implemented. A new law to this effect has not even passed through the Government's Law Commission before being adopted and promulgated.”¹⁹⁷

In short, as long as governance of the security sector is not improved, the DRC risks not having the resources it needs to be able to take charge of security tasks on its territory. It is up to external partners to support it in this sector. MONUSCO can play an important role in this, provided that instead of withdrawing completely from Congolese territory in the current conditions of worsening armed conflict and security threats, the Security Council decides to devote some of its technical and financial resources to supporting the Congolese Government.

3. Ensuring proper Management of the Achievements of the Transition

As this study indicates above, the experience of the withdrawal of MONUSCO from South Kivu shows that several military and operational bases, vehicles and IT and office equipment were handed over to the DRC. However, while the disengagement of MONUSCO ended on 30 April 2024, the challenges of managing these assets began to arise shortly afterwards. This is particularly true of the Kamanyola base, which was the first to be transferred to the Congolese authorities, in this case the PNC. Two months later, the police officers assigned there were left to fend for themselves, with no food.¹⁹⁸ MONUSCO had offered three jeeps to the PNC, but the Congolese authorities had trouble supplying them with fuel.¹⁹⁹ What used to be the helicopter landing zone has become a cornfield over two metres high.²⁰⁰ It is reported that living conditions at the base have become so bad that by the end of April 2024, “more than half of the 115 police officers who were supposed to occupy the base had deserted it.”²⁰¹ This is the concern of human rights activist Joe Wendo, who says that “a policeman who goes two days without eating, if he has a gun, will find it easy to attack peaceful citizens in order to get supplies.”²⁰²

This kind of mismanagement is precisely what the Congolese authorities must fear. It obviously touches on the weaknesses of the Congolese administration, which have a negative impact on the establishment of the authority of the State. In short, it is a premonitory sign of the DRC's inability to effectively take over from MONUSCO.

¹⁹⁶ Jean-Jacques Wondo Omanyundu, « FARDC – La loi de programmation militaire : vers une amorce de la réforme de l'armée ? » [“FARDC – The Military Programming Law: Towards the Beginning of Army Reform?”], December 23, 2022, <https://afridesk.org/fardc-la-loi-de-programmation-militaire-vers-une-amorce-de-la-reforme-de-larmee/>, accessed April 30, 2024.

¹⁹⁷ Interviews conducted in Kinshasa, on March 4, 2024, with the Deputy Coordinator of the Police Reform Cell and the Deputy Executive Secretary of the CSRP.

¹⁹⁸ Le Monde Afrique, “RDC : après le départ des casques bleus du Sud-Kivu, des policiers congolais livrés à eux-mêmes” [DRC: After the Departure of Blue Helmets from South Kivu, Congolese Police Left to Their Own Devices] (April 30, 2024) https://www.lemonde.fr/afrique/article/2024/04/30/rdc-apres-le-depart-des-casques-bleus-du-sud-kivu-des-policiers-congolais-livres-a-eux-memes_6230745_3212.html May 24, 2024.

¹⁹⁹ Ibid.

²⁰⁰ Ibid.

²⁰¹ Ibid.

²⁰² Ibid.

C. Prospects for a successful Transition between MONUSCO and the Government

It is necessary to evaluate MONUSCO's disengagement process, with the participation of civil society, and to find a solution that reconciles the need to withdraw the mission with the satisfaction of current security needs in the DRC. The postponement of complete disengagement should not be ruled out if the minimum conditions are not objectively met. However, in order for the DRC to be better prepared for MONUSCO's withdrawal, several political and diplomatic measures and actions need to be taken, in particular the relaunching of political dialogue with the armed groups (1), the reconsideration of the state of siege (2), the strengthening of regional security cooperation (3) and the adoption of a framework for pursuing the military-civilian partnership between the DRC and the UN (4).

1. Relaunching Political Dialogue

The DRC has resolved to engage in a process of peaceful settlement of the ongoing crises and armed conflicts, with the support of various African organisations, namely the African Union (AU), the International Conference on the Great Lakes Region (ICGLR) and the East African Community (EAC), which are responsible for facilitating the various talks with armed groups or neighbouring countries such as Rwanda. On the one hand, there is the Nairobi Process (EAC), steered by the EAC. Its strategic options for restoring peace to eastern DRC are both political and military, including the disarmament and repatriation of all foreign armed groups, dialogue between the DRC and Congolese armed groups to resolve their grievances peacefully, and the deployment of a regional force to dismantle all negative forces opposed to the peace process. On the other hand, there is the Luanda peace process, led by Angola on behalf of the ICGLR and the AU. Unlike the Nairobi process, it is more political in that it provides not only for the withdrawal of the M23 rebels, their disarmament and cantonment, but also for the return of internally displaced persons and refugees to their places of origin, as well as the normalisation of relations between the DRC and Rwanda.

2. Reconsideration of the State of Siege

The state of siege proclaimed in May 2021 has failed as evidenced by its mixed results. Several members of parliament have denounced its ineffectiveness and called for its termination.²⁰³ It is particularly criticized for contributing to the profiteering of army and police officers at the expense of their mission to combat armed groups and ensure the security of the population. For example, "two Congolese rappers were sentenced (...) by a military court to two and ten years in prison for criticising the Head of State and the army, whom they criticise in their songs for not putting an end to the violence in the east of the DRC. Katembo Delphin alias Idengo, aged 32, received the heaviest sentence, 10 years, after being found guilty of insulting the army, participating in an enterprise to demobilise the army and inciting people to arm themselves against the authority of the State."²⁰⁴

²⁰³ Political Declaration of Parliamentarians from Ituri, North Kivu, and Other Provinces on the Precarious Security Situation in Ituri and North Kivu (November 1, 2021), p. 2.

²⁰⁴ La Libre Afrique, "RDC: 10 ans de prison pour une chanson" [DRC: 10 Years in Prison for a Song] (December 17, 2021) <https://afrique.lalibre.be/66736/rdc-10-ans-de-prison-pour-une-chanson/> May 4, 2024.

The state of siege did not put an end to the massacres and other serious and massive human rights violations committed against civilians. On the contrary, it was under the state of siege that the security situation worsened following the resurgence of the M23 and the legitimisation of the wazalendo militiamen who support the FARDC.

Consequently, it is not appropriate to continue to apply a costly measure that is struggling to produce tangible results. A round table was organized in Kinshasa with the Government, from August 14 to 16, 2023, to assess the possibility of lifting this state of exception. The round table's recommendations included "the immediate lifting of the state of siege and the application of the law on the free administration of the provinces through the rehabilitation of the elected political authorities in the two provinces of Ituri and North Kivu."²⁰⁵ Participants at the meeting recommended:

(...) allow the Congolese defence and security forces and specialised services, which have been strengthened, supported and equipped, to concentrate on and carry out their traditional missions, sparing them from political management and public administration. In the past, military action to resolve violence and crises did not require the declaration of a state of siege (as in the case of the M23 in 2013 with Operation Pomme Orange or other peace-enforcement operations such as Kimia 1 and 2, Sokola 1 and 2 or Mbata).²⁰⁶

The President of the Republic took note of these recommendations before opting for "a gradual and progressive easing of the regime of restriction of the state of siege with the best guarantees of continuing to maintain maximum pressure on the enemies of peace."²⁰⁷ According to him, "this transitional arrangement will consist of re-establishing civilian authority in the decentralised and deconcentrated territorial entities that are already secure and under the control of the Armed Forces of the Democratic Republic of Congo. This implies the lifting of restrictions on the constitutional freedoms of all citizens."²⁰⁸

Since then, no tangible measures have been taken and the state of siege remains intact despite all its imperfections. Its continuation gives the impression that the Government continues to favour military action over political dialogue, which contributes to the proliferation of armed groups and the radicalisation of some of them, to the detriment of peace.

²⁰⁵ Report of the Commission on the Lifting of the State of Siege, Round Table on the State of Siege in the Provinces of North Kivu and Ituri, Kinshasa, August 15, 2023, p. 8.

²⁰⁶ Ibid.

²⁰⁷ Message to the Nation by His Excellency Félix-Antoine Tshisekedi Tshilombo, President of the Democratic Republic of the Congo, Head of State, on the Evolution of the State of Siege in the Provinces of Ituri and North Kivu, p. 3.

²⁰⁸ Ibid., p.4.

3. Strengthening Bilateral and Regional Cooperation

A good way of mitigating the undesirable effects of the complete withdrawal of MONUSCO is to proceed in parallel with the strengthening of bilateral and regional security cooperation.

On a bilateral level, priority should be given to access to equipment and logistics and to modernising them for the armed forces and even the police. A unilateral initiative was taken, for example, by China, whose contingent donated equipment and goods to the DRC, estimated to be worth over 7 million US dollars. This includes “46,767 tools and engineering machines, including bulldozers, forklifts and dump trucks, [to] help the authorities meet their construction and development needs. In addition, the hospital run by the Chinese contingent in Bukavu has donated 43,043 items of medical equipment, including an ambulance, other vehicles and various medical equipment and instruments to the Congolese authorities.”²⁰⁹ But the DRC can also be proactive by taking the initiative with other partners, starting with MONUSCO's troop-contributing countries. It would be important to negotiate with them and persuade them to transfer their military equipment, such as tanks, armoured vehicles and combat helicopters, to the Congolese army to help strengthen its operational capabilities as part of the process of complete disengagement from the mission.

At regional level, the first experience of the deployment of the EACRF certainly failed. This regional force did not fulfil its offensive mandate of disarming armed groups resistant to the political process, causing disappointment among the Congolese authorities. But nothing is decisively lost. We already know that the EACRF has been replaced by the SAMIRDC. As one respondent rightly pointed out:

We are counting on the arrival of soldiers from the Southern African Development Community (SADC) to try, in collaboration with the local security forces, to neutralise the main groups of rebels active in the east of the DRC. This is something that MONUSCO and the regional force of the East African Community have not been able to do for the past twenty years. The new intervention force must be of sufficient size and have adequate air cover as well as transport and air elements. It will also need tactical and operational intelligence and sufficient firepower.²¹⁰

In any case, it is necessary to remain realistic. Any regional intervention with the agreement of the DRC supports the FARDC and the police. There is no guarantee that such an intervention will not face the same challenges as the EACRF, namely, the complexity of the situation, the unpredictable security issues with neighbouring countries such as Rwanda, which opposes any support to the Congolese army that could also benefit the FDLR, which it suspects, rightly or wrongly, of being supported by the DRC,²¹¹ and the refusal to apply an offensive combat mandate. Therefore, if regional cooperation in security matters is a good alternative to the complete withdrawal of MONUSCO, it can be more effective if accompanied by incentive

²⁰⁹ MONUSCO, *Press Release*, CP/OSMR/2024, Office of the Spokesperson and Media Relations, April 29, 2024, p. 1.

²¹⁰ Interview conducted in Kinshasa on March 12, 2024, with an army officer who requested anonymity.

²¹¹ See Ministry of Foreign Affairs and International Cooperation of the Republic of Rwanda, *Letter to H.E. Moussa Faki Mahamat, Chairperson of the African Union Commission*, Kigali, March 3, 2024.



measures to ease tensions, such as the resumption of political dialogue with armed groups and the states directly affected by the security crisis in eastern DRC.

4. Continuation of the military-civilian Partnership between the DRC and the UN

The aim is to define the future of peacekeeping in the DRC. This is an important issue in view of the failure of past experiences with the withdrawal of the ONUC in 1964. A choice will have to be made between continuing peacekeeping, in one form or another, and withdrawing completely without leaving any trace of MONUSCO on Congolese territory.

It is all a question of caution. At the time of the ONUC, civilian operations continued until 1966, with the agreement of the UN, under the supervision of an Economic Coordination Office attached to the Prime Minister's office. The problem with this experience was that it was carried out while the country was once again engulfed in violence.

It should be noted straight away that MONUSCO's withdrawal does not mean the end of the UN's presence in the DRC. It will continue to maintain its various programmes and agencies as part of a traditional partnership with the Congolese State, which is a UN member. This UN presence seems to be an incentive to repeat the ONUC experience by authorising purely civilian and humanitarian operations in support of the Congolese authorities once the mission has been completely withdrawn. In this respect, the UN is already engaged in a process of drawing up the "United Nations Cooperation Framework for Sustainable Development (2025-2029), which will take into account MONUSCO's transition."²¹² However, this could once again be counter-productive if security issues are not addressed at the same time. There is a need to improve the approach followed at the time of the ONUC in the context of MONUSCO's disengagement. The UN and the DRC could agree to organise not only post-withdrawal civilian operations, but also military-security cooperation. It is up to the Government to express the need for this in good time and to negotiate the content in the light of its national security interests.

²¹² Security Council, *supra* note 120, par.65.

Conclusion and recommendations

MONUSCO, whose gradual and phased withdrawal process from the DRC was officially endorsed in 2020 between the United Nations and the Congolese Government, has made progress that must be acknowledged since 2010, including: disarmament, demobilization, and reintegration of thousands of ex-combatants from Congolese and foreign armed groups; support for FARDC military operations; logistical support to the police; contribution to the reform of the army and police; support to the justice sector as part of the fight against impunity; construction of infrastructure handed over to various public services guaranteeing the authority of the State, including justice and police; and facilitation of access to information through its Radio Okapi. Overall, only the three eastern provinces of the country, namely North Kivu, South Kivu, and Ituri, remain particularly affected by violent conflicts. And it is precisely in this part of the DRC where the withdrawal of the Blue Helmets is complicated and poses the risk of a security collapse for the country if the withdrawal is completed in December 2024 while the minimum conditions for this disengagement, as defined in the strategic documents prepared on this subject by the UN and the DRC (Joint Strategy on the Gradual and Phased Withdrawal of MONUSCO of October 2020, Joint Transition Plan for the Withdrawal of the UN Mission 2021-2024, and Revised Transition Plan of November 2023), are not met. There are four conditions, namely: i) a significant reduction of threats from armed groups through a comprehensive approach; ii) strengthening the capacity to respond to threats to civilian protection and to effectively resolve inter-ethnic conflicts; iii) implementation of the operational plan for the Disarmament, Demobilization, Community Recovery and Stabilization Program (P-DDRCS); iv) organisation of credible, transparent, inclusive, and peaceful elections within constitutional deadlines.

It is clear that the question of MONUSCO's withdrawal would not be raised so acutely if the Congolese State were capable of securing its territory and protecting the civilian population. Research and surveys on the ground have shown that it is currently unable to take over from the peacekeepers in the east of the country for several reasons, the most important of which relates to the breakdown of its defence and security forces and an ineffective justice system. In fact, the reform of the security and justice sector to which the DRC has committed itself has not yet been crowned with success. The report also notes the legitimisation of armed groups known as "wazalendo" (patriots in Swahili, resisting the enemy), who are mobilised by the DRC to support its armed forces in the fight against renewed Rwandan aggression in support of the M23, which resumed hostilities in November 2021.

As the security situation has deteriorated, the question should no longer be whether MONUSCO should leave, given that this is already a given, but to what extent the DRC should be supported in meeting the minimum conditions for withdrawal, without necessarily adhering to a fixed timetable or schedule. In short, this study makes recommendations along these lines to the UN, the DRC and members of civil society.

To the United Nations :

- Reconsider the initial date for MONUSCO's complete disengagement in view of the failure to meet the minimum conditions required for a responsible withdrawal, as defined in the revised transition plan.
- Extend MONUSCO's mandate, at least in the three critical provinces in the east of the country (North Kivu, South Kivu and Ituri), until the end of 2025, with a reorientation towards the achievement of the minimum conditions for its complete withdrawal; in particular, devote part of its financial resources to supporting the Congolese Government in the reform of the security and justice sectors.
- Provide logistical and financial support to the SAMIDRC so that it can use the MONUSCO bases transferred to the FARDC and the PNC.
- Intensify pressure on Rwanda or impose appropriate collective sanctions on it to stop its aggression against the DRC and its destabilising actions in the East through its support for the M23.
- If it cannot extend MONUSCO's mandate beyond December 2024, reach a partnership agreement with the DRC on the continuation not only of civilian operations following the mission's withdrawal, but also of military-security cooperation to continue to assist the Congolese Government in restoring peace and maintaining law and order on its territory.

To the Congolese Government :

- Accept the postponement of MONUSCO's complete disengagement by an additional year in view of the realities on the ground and the need to avoid a total security collapse to preserve human lives.
- Accelerate the training process of new FARDC and PNC elements by reducing the expenses of political institutions and reallocating the freed financial resources to security expenses.
- Accelerate the reform of the army and police; in particular, proceed with the demobilization of the army and police of all officers with a questionable past, recruit a large number of new soldiers and police officers, fully implement Ordinance-Law No. 22/2019 of July 28, 2022, on military programming 2022-2025, and present to the parliament for adoption the draft law on police reform programming.
- Fight against corruption and impunity within the defence and security forces.
- Implement the National Justice Reform Policy (2017-2026) and all the recommendations of the General assembly of the Judiciary held in 2015 with the aim of restoring State authority throughout the national territory.
- Proceed, with the support of democratic support institutions and civil society, with the organisation of political dialogue at all levels (local, provincial and national) on the root causes of the conflicts; in particular, relaunch political dialogue with all the armed groups within the framework of the Nairobi and Luanda peace processes;

- Ensure the proper implementation of the P-DDRCS to reduce ethnic or community conflicts.
- Ensure the proper management of the gains from the transition towards MONUSCO's complete disengagement.
- Lift the state of siege and reinstate elected civilian authorities in the provinces of North Kivu and Ituri.
- Revive military diplomacy to fill the gap in logistical means and equipment for the army and police; in particular, be proactive in negotiating with MONUSCO troop-contributing countries, alongside the withdrawal process, the transfer of military equipment and heavy police machinery, such as tanks, armoured vehicles, combat helicopters, and transport vehicles, to strengthen the capacity of the FARDC and PNC to cope with the situation.
- Strengthen bilateral and regional security cooperation.

To Civil Society :

- Relaunch the monitoring of the reform of the FARDC and the PNC.
- Continue to support national efforts to reform the justice system.
- Take the MONUSCO disengagement process head-on, ensure that it is monitored and evaluated, and make its voice heard.
- Lobby the United Nations and the permanent members of the Security Council to maintain MONUSCO for an additional year, in 2025, in the country's three critical provinces affected by violent conflict, namely North Kivu, South Kivu and Ituri.

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