

Did the United Nations Organization Stabilization mission in DRC (MONUSCO) increase or decrease security?

Kilomba Sumaili Adolphe*

The Democratic Republic of the Congo (DRC) accessed to independence on 30 June, 1960 from Belgium. Few days later, the country collapsed into turmoil with several rebellions in the province of Kasai and Katanga. In Katanga, the insurrection led by Moïse TSHOMBE fought for the secession. Militarily and logistically supported by the former colonial power Belgium, he rebellion aimed at creating a new state and secede from the Congo. The Republic of Katanga was then created and led by Moïse TSHOMBE. Being a newly created state, the Congolese army called *force publique* could not face efficiently the insurrection due to its lack of training and experience. In fact, less than 5 days after the independence day, there was a mutiny of the *force publique* claiming for better conditions in its work and for promotions. To address the insurrection, the late Prime minister Patrice Emery LUMUMBA born Elias Okitasombo searched for UN support to stabilize the country. The first UN peacekeeping mission in the Congo was created under the name of United Nations Operations in the Congo, known by its French acronym ONUC (*opérations des nations unies au Congo*).

Created in 1960, the ONUC had the mission to maintain and protect the territorial integrity of the Congo. 35 years later on, the United Nations created another peacekeeping mission named United Nations Organization mission in the Democratic Republic of the Congo known by its French acronym MONUC by the resolution 1279 in 1999 to end war in the DRC after a ceasefire agreement between key stakeholders. After 10 years, MONUC changed into MONUSCO (United Nations Organization stabilization mission in the Congo). This paper is drafted to respond to the question whether MONUSCO increases or decreases security in DRC. To address this question, this paper will briefly remind the place of peacekeeping missions in international law (1) before describing the relationship between the Congo and United Nations peacekeeping missions from ONUC to MONUC and MONUSCO (2). It will then elaborate on the question whether MONUSCO increases or decreases insecurity in the Congo (3). It will then deal with the security challenges that are harder than expected (4) before ending by brief development on the support of SADC and the East African Community to strengthen security in the eastern Congo (5). This paper ends with a short conclusion.

* Adolphe Kilomba Sumaili holds a doctoral degree in laws from the Vrije Universiteit Brussel (VUB) since March 18, 2016. He teaches laws in various Congolese universities and acouently affiliated at Institut Supérieur des Techniques Médicales of Bukavu (ISTM-Bukavu). Certified lawyer at the Bar of South-Kivu province, Professor Kilomba Sumaili Adolphe leads a think tank on transitional justice named Centre Congolaise de la Justice Transitionnelle et de la sécurité humaine (www.ccjt-sh.com): kilombaadolphe@yahoo.fr.

1. Understanding peacekeeping missions in international law

From the legal standpoint, there is no provision in the conventional international law that grounds peacekeeping operations. There is no provision in the United Nations charter that foresee peacekeeping operations. As practitioners and scholars know, the legal ground of peacekeeping is from customary international law. Let us say with Giorgio Cuzzelli that: “From a legal point of view, the lack of a formal framework led then-Secretary General Dag Hammarskjöld to define peacekeeping as a ‘Chapter Six and a Half’ venture on the occasion of the first significant engagement in Egypt in the aftermath of the Suez Crisis in 1956 (UNEF).” After the intervention in Egypt, the peacekeeping operation under the name of ONUC. For this deployment where blue helmets faced a high level of violence for the first time, the UN Secretary General Hammarskjöld imagined what he named the “holy trinity” of peacekeeping operations namely consent, impartiality and the use of force limited to self-defense.¹

The three words represent the core conceptual foundations of peacekeeping operations. To date, the world has dealt with three generations of peacekeeping missions. Peacekeeping operations that occurred from the early 1960s to the end of the cold war in 1989 known as the first generation of peacekeeping operations were for interposition. The use of force was thoroughly limited to self-defense and to be used with utmost caution. The second generation of peacekeeping operations emerged in the early 1990s to address the effects of post cold war. Thus, interventions in Angola, Mozambique, Namibia, El Salvador, Guatemala and Cambodia were successful and increased assertiveness in peacekeeping operations.² This generation of peacekeeping operations was meant to safeguard and implement peace agreement and build state apparatus in beneficiary states. Unlike the first and second generations, the third generation of peacekeeping operations aimed at restoring peace in war-torn countries such as former Yugoslavia, Rwanda and Somalia.

Some difficulties emerged from troop-contributing countries that narrowed the freedom of actions in the field. With such an attitude, it became increasingly difficult for peacekeeping operations to match the imperative need of the international community and the *desiderata* of the warring factions. This is the origin of criticisms on peacekeeping operations in international scholarship. In fact, the blue helmets’ goal initially set in chapter VI of the UN Charter to support the self-defense capacity of the beneficiary country was later on extended to chapter VII to defend the mandate they were assigned to beneficiary country’s self-defense. In Somalia for instance, the local opposition to UN presence led the UN Security Council(UNSC) to grant to the UNOSOM II the mandate under chapter VII to pursuit the offenders. This step took by the UNSC is known as “the Mogadishu effect.”

1 See Giorgio Cuzzelli, Peacekeeping within the boundaries of International Law, available at <https://www.coespu.org/articles/peacekeeping-within-boundaries-international-law> accessed in January 9, 2023.

2 See Gray, C., *International Law and the Use of Force*, Oxford: Oxford University Press, 2018, pp.265 – 266.

2. DRC and peace keeping missions

Before proving answer to the main question of this paper, it worth reminding briefly the history of peacekeeping operations in the DRC. As said above, the first peacekeeping operation in the world was in Egypt with the Suez crisis.³ The second peacekeeping operation was in the Congo named ONUC. The following lines will remind the mandate of each peacekeeping mission that was deployed in DRC from its independence in June 30, 1960 to the present.

2. 1. ONUC:1960–1964

ONUC was established by the UNSC from July 1960 to June 30, 1964. In the aftermath of its independence, the DRC collapsed into chaos and disorder. Its former colonial power Belgium sent troops in DRC to allegedly restore law and protect Belgian nationals still in DRC. With a shaky, untrained and unequipped *force publique*, the Congolese Government was unable to address this security challenge in the province of Katanga that was striving to secede from the country. On 12 July 1960, it called upon the United Nations to intervene and protect its national integrity. For four years, ONUC overcame the secessionist movement of Moïse TSHOMBE and reintegrated Katanga into the territory of the DRC. The mandate of ONUC in the Congo was the following:

*“to help the Congolese Government restore and maintain the political independence and territorial integrity of the Congo; to help it maintain law and order throughout the country; and to put into effect a wide and long-range programme of training and technical assistance.”*⁴

After 4 years, ONUC started the phase out of the Congo in June 1963 before completing the full pull out by June 1964. The ONUC was a great success to maintain the Congolese national integrity against the secessionist movement of Moïse TSHOMBE. Without ONUC’s support, Katanga would have remained an independent state from the Congo and the territorial integrity would have been lost. The United Nations have supported the territorial recovery operation in the Congo. With 20,000 blue helmets alongside civil personnel, the ONUC performed as well as it should to strengthen a nascent state that was the Democratic Republic of Congo.

Examining the framing of the ONUC’s mandate by the UNSC, it appears that ONUC was set to help the Congolese Government and not to substitute it. In other words, ONUC had the mission to support the Congolese government plan to restore law and order as well as bringing Katanga back to the Congo. The framing of ONUC remind that the primary

3 See Chaim Herzog and Shlomo Gazit, *The Arab–Israeli Wars: War and Peace in the Middle East from the 1948 War of Independence to the Present* (3rd ed. 2008) pp. 113–117.

4 See *Republic of the Congo. ONUC Background*, available at <https://peacekeeping.un.org/sites/default/files/past/onucB.htm#Establishment> accessed in January 14, 2023.

responsibility of security, peace and development of a country lies on the government. Blue helmets are meant to support and not taking the lead in the country of deployment. Let us say that this is spirit and the philosophy of peace keeping missions.

2.2. MONUC: 1999–2010

35 years after ONUC withdrawal, another UN peacekeeping mission was deployed in the DRC in 1999 under the name of MONUC by its French acronym *mission de l'organisation des nations unies au Congo* (ONUC). MONUC was created by the UNSC resolution 1279 of 30 November 1999. Like ONUC, MONUC was set up in the context of war. DRC was aggressed by the coalition of three countries namely Rwanda, Uganda and Burundi. The three countries operated under the name of a political and military movement named *Rassemblement Congolaise pour la Démocratie* (RCD) to overthrow Mzee Laurent Désiré Kabila's regime after supporting him from October 1996 to May 2017 to drive out Maréchal Joseph-Désiré Mobutu who ruled the country for 32 years. The RCD backed by the coalition Rwanda, Burundi and Uganda was stopped in its progression to take control of Kinshasa by the national army supported by Zimbabwe, Angola and Namibia. The standoff in the field of operations between belligerents facilitated negotiations and the signing of the Lusaka peace agreement in 1999 that led later on to a political agreement in Sun City in the Republic of South Africa for a political transition from 2003 to 2006. Ten days after the Lusaka peace agreement, the joint military commission (JMC) was created by warring countries to oversee the ceasefire. In its resolution creating the MONUC, the UNSC framed the MONUC mandate as follows:

“(a) To establish contacts with the signatories to the Ceasefire Agreement at their headquarters levels, as well as in the capitals of the States signatories; (b) To liaise with the JMC and provide technical assistance in the implementation of its functions under the Ceasefire Agreement, including in the investigation of ceasefire violations; (c) To provide information on security conditions in all areas of its operation, with emphasis on local conditions affecting future decisions on the introduction of United Nations personnel; (d) To plan for the observation of the ceasefire and disengagement of forces; (e) To maintain liaison with all parties to the Ceasefire Agreement to facilitate the delivery of humanitarian assistance to displaced persons, refugees, children, and other affected persons, and assist in the protection of human rights, including the rights of children;”⁵

After the deployment to oversee the ceasefire in buffer zones created in the field operations, MONUC blue helmets performed as well as they were expected to. With the strong support it brought to the JMC, MONUC oversaw the ceasefire, supported peace

5 See the resolution at <https://monuc.unmissions.org/sites/default/files/n9936818.pdf> accessed in January 20, 2023.

talks in South Africa between warring countries alongside the Congolese civil society and decision-makers. MONUC's efforts paid off: the war ended effectively with the pulling out of foreign armies from the Congolese territory and the start of a political transition from 2003 to 2006 that ended by the first democratic elections. Repeatedly renewed throughout 10 years, MONUC supported the disarmament, demobilization and resettlement (DDR) process across the Congo. Its presence made harder the progress of the rebellions created by Jules Mutebutsi in the South-Kivu province in 2004 and Laurent Nkunda in the North-Kivu province (2008). Thanks to MONUC, large scale human rights violations were documented to facilitate possible lawsuits.

Examining the framing of the MONUC mandate comparing to ONUC, it appears that MONUC was also set to support peace efforts. MONUC was meant to help all stakeholders to end fightings. MONUC was not set to take the lead in restraining peace and security in the Congo. Its mission, like ONUC, was to bring a strong support to the peace building process. However, working to support a shaky and corrupt state apparatus while refraining from becoming its substitute is badly perceived by the population that would want MONUC to substitute the Congolese Government. MONUC's support to Congolese authorities are always overshadowed by corruption, bad governance and anarchy of Congolese senior civil servants and decision-makers. Nevertheless, if MONUC was successful in overseeing ceasefire, supporting DDR process and democratic elections, criticisms were also numerous when civilians were massacred not far from MONUC head quarter. The case of Kiwanja massacre from 4 to 5 November 2008 was telling. Civilians were massacred not far from blue helmets headquarter in Kiwanja/North-Kivu.⁶

2.3. MONUSCO: 2010 onwards

On 1 July, 2010, the UNSC adopted the resolution 1925 that changed MONUC into MONUSCO: the United Nations Stabilization Mission in the Democratic Republic of the Congo. As for ONUC and MONUC, the UNSC is still reminding the primary responsibility of the Congolese government as follows:

“Emphasizes that the Government of the Democratic Republic of the Congo bears primary responsibility for security, peace-building and development in the country, and encourages the Government of the Democratic Republic of the Congo to remain fully committed to protecting the population through the establishment of professional and sustainable security forces, to promote non-military solutions as an integral part of the overall solution for reducing the threat posed by Congolese and foreign

6 See Rfi, *Massacre de Kiwanja en RDC: dix ans plus tard, aucune poursuite judiciaire*, November 6, 2018, available at <https://www.rfi.fr/fr/afrique/20181106-rdc-massacre-kiwanja-dix-ans-pas-commi-ssion-enquete> accessed in January 20, 2023.

armed groups and to restore full State authority in the areas freed from armed groups.”⁷

For this new phase, the MONUSCO mission is the following:

“the completion of the ongoing military operations in the Kivus and Orientale Province, resulting in minimizing the threat of armed groups and restoring stability in sensitive areas; an improved capacity of the Government of the Democratic Republic of the Congo to effectively protect the population through the establishment of sustainable security forces with a view to progressively take over MONUSCO’s security role; the consolidation of State authority throughout the territory, through the deployment of Congolese civil administration, in particular the police, territorial administration and rule of law institutions in areas freed from armed groups;”⁸

13 years later on, MONUSCO is still supporting the Congolese Government to restore its authority. We think that the inefficacy of such a support is due to the lack of political will by Congolese decision-makers to build a strong and well organized state apparatus rather than the nature of MONUSCO support. In the military operations, MONUSCO provides a strong logistic support to the *forces armées de la République Démocratique du Congo* (FARDC) in terms of foods, fuel, intelligence and evacuating wounded soldiers, etc.

However, the fuel and the foods provided are always embezzled by senior military officers for their own purposes. Such a behavior can be observed in each sector where MONUSCO provides its support across the DRC. MONUSCO supports the supply side and the demand side. It avails funds civil society trainings. Once again, even if MONUSCO trains the Congolese soldiers and police, the continuous embezzlement of funds to support trainees jeopardizes the capacity of these latter to deliver high quality of service. Last and not last, the Congolese Government fails to understand that the primary responsibility of protecting civilians and ensuring security lies on it and MONUSCO is not meant to become its substitute.

3. Did MONUSCO increase or decrease security in DRC?

To know whether MONUSCO increases or decreases security in DRC equates to respond the true problem of international peacekeeping missions as defined by Kofi Annan as “the international community’s complicity with evil – of standing by in full knowledge of horrors on the ground that it had the power to stop.”⁹ Despite criticisms, in the context of DRC, let us say that MONUSCO contributes to increase security across the country. Since the deployment of Blue helmets in the Congo, numerous testimonies from the grassroots level confirm that MONUSCO has contributed to increase security for Civilians, IDPs and

7 See the resolution 1925 a <http://unsr.com/files/2010/01925.pdf> accessed on 29 January 2023.

8 *Ibid.*

9 Annan, K. (2012), *Interventions: a Life in War and Peace*, New York: The Penguin Press, p.72.

refugees. Blue helmets were deployed where the Congolese army could not due to the lack of staffing and equipments. Thanks to 19,000 blue helmets, the most remote areas of the Congolese territory was covered. Their presence has had a deterrent effect on numerous militias that usually threaten civilians.

MONUSCO set diverse strategies to build and maintain peace in the Congo: building roads where people were always trapped into militias' ambushes; installing mobile military units; creating permanent military bases across countries; documenting on a daily basis human rights violations in publishing reports that make victims speaking out; facilitating state authorities in visiting most remote areas of the country; supporting the electoral process, etc. The creation of the Force Intervention Brigade (FIB), the first of its kind in the history of the UN peacekeeping operations, composed by troops from Tanzania, Malawi and South Africa brought a strong support to the national army to defeat the M23 rebellion in 2013 in province of North-Kivu in the Eastern DRC. In terms of information broadcasting, let us say that radio Okapi held by MONUSCO conveys information to each corner of the country and broadcast information with neutrality and objectivity unlike its public counterpart *Radio télévision nationale congolaise* (RTNC) that has become a tool of propaganda and political language for the Congolese public institutions.

From 2016 to the end of 2022, an anti MONUSCO wave emerged across the country. People demonstrated to claim MONUSCO withdrawal. Several military bases of MONUSCO were attacked and looted. From the former President Joseph Kabila to the current President Félix Tshisekedi, criticisms against MONUSCO became permanent and several people lined up behind such a wrong attitude. While his second term to be president of the country was about to end in 2016, President Joseph Kabila Kabange started criticizing MONUSCO. He frequently declared that MONUSCO was not important anymore in DRC. During his last speech at the United Nations General Assembly(UNGA) in September 2018, Joseph Kabila Kabange accused MONUSCO of political interference.¹⁰ He called MONUSCO to pull out of the country. Earlier in January 2018, President Kabila held a press conference during which he openly declared that MONUSCO has totally failed in its mission to track down armed groups:

“at a certain moment, we have had several armed groups in eastern DRC and one always ask a question to our friends of MONUSCO: please tell us one armed group that you have succeeded to master; better to eradicate because that is the appropriate word. None! Even military operations unfolding are those of the armed forces of the DRC (FARDC).”¹¹

10 See Daniel Mumbere, *Three things DRC's Joseph Kabila told delegates at United Nations*, September 26, 2018, available at <https://www.africanews.com/2018/09/26/three-things-drc-s-joseph-kabila-told-delegates-at-united-nations/> accessed in January 12, 2023.

11 See Joseph Kabila Kabange's press conference in January 2018.

The same speech re-emerged in the course of 2022 with Félix Tshisekedi's regime. In the region, President Paul Kagame from Rwanda and President Yoweri Museveni from Uganda criticize MONUSCO anytime they get the opportunity. While attending a SADC summit in December 2012 in Dar es Salaam, President Museveni declared that "the UN Mission in DRC is a big shame. It conducts a military tourism."¹² One should wonder why all these criticisms against MONUSCO? For the two Congolese Presidents namely Joseph Kabila Kabange and Felix Tshisekedi Tshilombo, criticisms are a strategy to create much more legitimacy for their failing political regime. On behalf of a false nationalism and the Congolese sovereignty, Joseph Kabila Kabange was trying to seek a third presidential term and delay elections. The presence of MONUSCO in the country became an obstacle. MONUSCO was monitoring the preparedness of the electoral process and conveying credible information to the UNSC from the grassroots. After completely failing to address key challenges of the country he ruled for 18 years, the former President Joseph Kabila Kabange was in quest of a new image, presenting himself as the nationalist who likes the country than anybody else before. The same can be said about his successor Félix Tshisekedi who accessed to power in on 24 January, 2019. His regime adopted the same strategy against MONUSCO. Tshisekedi's regime, like Joseph Kabila, claim for MONUSCO's exit since the early 2022.

In claiming for the MONUSCO's departure, President Tshisekedi blames the inefficacy of MONUSCO in protecting civilians while underestimating the fact that the situation has worsen in terms of corruption, impunity and bad governance with him. Felix Tshisekedi's regime has increased occupation, insecurity and bad governance in the Congo. Instead of blaming his own regime, MONUSCO has become a scape goat. For Yoweri Museveni and Paul Kagame, the MONUSCO's presence is a big obstacle to the implementation of their political agendas in the Eastern Congo namely pillaging natural resources through the creation of proxy armed groups such as M23 and ADF. Rwanda and Uganda create, equip and support armed groups that destabilize the eastern DRC and such situation has been severally documented by UNSC experts.¹³ With MONUSCO's presence, Paul Kagame and Yoweri Museveni know that each of their informal subversive activities in the DRC will be well documented and evidenced. This is why they permanently criticize MONUSCO.

Moreover, there has been many confusions by the Congolese authorities between what the state is meant to do for its citizens and what MONUSCO is expected to do towards the same people. Congolese decision-makers purposely maintain such a confusion to hide their setback in developing the country. They prefer cultivating ignorance of MONUSCO's mandate by the population. The Congolese government should be the first person to explain every time that MONUSCO is not the substitute of the Congolese but it is there to only sup-

12 See https://www.lemonde.fr/afrique/article/2012/12/08/selon-le-president-ougandais-la-force-de-l-onu-en-rdc-fait-du-tourisme-militaire_1802016_3212.html accessed in January 12, 2023.

13 See <https://www.africanews.com/2022/12/23/un-report-shows-rwandan-army-intervened-in-drcs-troubled-east/> accessed in January 12, 2022.

port. A peacekeeping mission should not be considered as a state substitute as Congolese authorities are trying to demonstrate. The institutions of a country are the first duty-bearer of security, health, education for the well being of its population and not a peacekeeping mission as MONUSCO. All malfunctions of the Congolese state are due to bad governance, corruption, embezzlement of public funds and lower management of the country by the Congolese authorities. Why do they blame blue helmets for what they are not meant to?

All that said, MONUSCO has increased security in the DRC. Its presence in DRC has had a lot of positive effects in the building of the Congolese state. The MONUSCO support has strengthened peace and security for civilians. Without MONUSCO, the situation would have been worse than ever before. In closing progressively some of its military bases, civilians asked MONUSCO to prolong its stay. To name only a few, this is the case of Gina in the Ituri province where people saw their security in jeopardy when MONUSCO closed in January 22, 2022.¹⁴ While closing its military base in Lusenda, territory of Fizi in the province of South-Kivu in January 2021, local communities alongside local authorities worried about their security because of the threat that armed groups represent.¹⁵ The same reaction of people was observed in Bogoro/Ituri province when MONUSCO decided to pull out of the area in December 2017.¹⁶ An inhabitant of Bogoro considered such a withdrawal as « nightmare ».¹⁷ Another woman in Bogoro declared that she will leave the area and relocate where MONUSCO will relocate after its withdrawal from Bogoro.¹⁸ Another one said: « if MONUSCO quit, we only have two options: either we go with them or we stay here and die. »¹⁹ In Shabunda, the civil society regretted the exit of MONUSCO from this territory of South-Kivu in November 2022.²⁰ In general, remote areas occupied by blue helmets were spared from the violence of armed group thanks to blue helmets presence.

14 See MONUSCO, *Ituri : fermeture prochaine de la base militaire MONUSCO de Gina dans le territoire de Djugu*, available at <https://peacekeeping.un.org/fr/ituri-fermeture-prochaine-de-la-base-militaire-monusco-de-gina-dans-le-territoire-de-djugu> accessed in January 12, 2022.

15 See Radio Okapi, RDC: La MONUSCO ferme sa base opérationnelle de LUSENDA à Fizi, 11 January 2021, available at <https://www.radiookapi.net/2021/01/11/actualite/secureite/rdc-la-monusco-o-ferme-sa-base-operationnelle-de-lusenda-fizi> accessed in January 12, 2023.

16 See Radio Okapi, Ituri: la MONUSCO annonce la fermeture de sa base de Bogoro, Decmber 18, 2017, available at <https://www.radiookapi.net/2017/12/18/actualite/secureite/ituri-la-monusco-annonce-la-fermeture-de-sa-base-de-bogoro?fbclid=IwAR0hDQzc3JXiYRMdoqzNCQjhGwCfL8Q35beOJrloXh10sSrcg-V-EytLt8> accessed in January 12, 2023.

17 *Ibid.*

18 *Ibid.*

19 *Ibid.*

20 See Radio Okapi, Sud-Kivu : retrait de la MONUSCO du territoire de Shabunda, November 10, 2022, available at <https://www.radiookapi.net/2022/11/10/actualite/politique/sud-kivu-retrait-de-la-monusco-du-territoire-de-shabunda> accessed in January 12, 2022.

Lusenda was spared from the attack of YAKUTUMBA armed group in 2017 thanks to Blue helmets' presence while its neighborhood was entirely attacked.²¹

MONUSCO has importantly impacted the stabilization of the DRC even though such an impact is still overshadowed by corruption and bad governance of the country Congolese. It brought back the state apparatus where it was not anymore in training and equipping the army and the police. Its logistical support to the military tribunals and courts contributed to fight against the generalized impunity across the country. Many far-reaching trials of war crimes and crimes against humanity that occurred in DRC took place thanks to MONUSCO's support. To name only a few, let us cite the Songo-Mboyo trial, Minova trial, the UN experts trial in Kasai; Kabikokole trial in Mwenga, Thabo Taberi Cheka trial in North-Kivu, etc. Fighting impunity strengthens security through its deterrent effect on potential perpetrators. Often, large scale human rights abuses occur in remote areas of the DRC where public services are unavailable. To try alleged perpetrators, MONUSCO avail its logistic support for magistrates and lawyers to hold the trial *in situ*. In a nutshell, let us say that MONUSCO has played and continues playing an important role in the stabilization of the DRC as enshrined in its mandate. The misunderstanding of its mandate is the origine of all criticisms mentioned above. Congolese decision-makers spend all public funds in traveling and paying good salaries for themselves instead of strengthening the state apparatus, funding reforms of security services and avail other public services for the people.

4. Security challenges harder than expected in the DRC

Many criticisms have been formulated since 2018 onward on the efficacy of MONUSCO in sustaining peace in DRC as reminded above. Joseph Kabila and Félix Tshisekedi as well as Yoweri Museveni and Paul Kagame are unanimous on the failure of MONUSCO to end insecurity. The international conference on the great lakes region (ICGLR) noted during one of its summit the failure of MONUSCO to end violence in the eastern DRC as though that was its primary responsibility. It considered the security challenges in the eastern DRC as a threat to the regional stability. It then suggested the creation of a force intervention brigade to strengthen the fight against insecurity. Great Lakes region states lacked well trained troops and budget to operationalize this idea that finally was adopted by the UNSC in March 28, 2013 through the resolution 2098 to strengthen MONUSCO. The support of this brigade to the national army of DRC (FARDC) helped this latter to defeat the M23 movement in 2013 even though the rebellion has re-emerged in 2021. The mandate of the FIB was as follows:

21 See Radio Okapi, RDC: La MONUSCO ferme sa base opérationnelle de LUSENDA à Fizi, 11 January 2021, available at <https://www.radiookapi.net/2021/01/11/actualite/securite/rdc-la-monusc-o-ferme-sa-base-operationnelle-de-lusenda-fizi> accessed in January 12, 2023.

"... In support of the authorities of the DRC, on the basis of information collation and analysis, and taking full account of the need to protect civilians and mitigate risk before, during and after any military operation, carry out targeted offensive operations through the Intervention Brigade... either unilaterally or jointly with the FARDC, in a robust, highly mobile and versatile manner and in strict compliance with international law, including international humanitarian law and with the human rights due diligence policy on UN-support to non-UN forces (HRDDP), to prevent the expansion of all armed groups, neutralize these groups, and to disarm them in order to contribute to the objective of reducing the threat posed by armed groups on state authority and civilian security in eastern DRC and to make space for stabilization activities."

Since then, people heard less and less about the FIB's actions against armed groups that are still mushrooming in the eastern DRC. Entirely composed by SADC troops namely South Africa, Tanzania and Malawi, the FIB was restructured after the SADC Gaborone Summit in November 27, 2020:

"SADC 'accepted the proposal by the United Nations to realign the current [FIB] troops' strength to create the headroom for the Quick Reaction Forces (QRFs), and generate two QRFs from the SADC Troops Contributing Countries."²²

In other words, the FIB in its new configuration will no longer be composed by SADC troops but by other troops coming from diverse UN troops contributors while the SADC troops form now the quick reaction force (QRF) within MONUSCO. The SADC and UN trade off in reconfiguring the FIB did not clarify the new mission of the FIB. The *communiqué* of SADC after the Gaborone troika meeting in November 27, 2020 did not provide any detail on that issue. Thus, let us say that the far-reaching action of the FIB composed by SADC troops was the strong support to FARDC to defeat the M23 in the North-Kivu province in November 2013. Since then, the FIB did not take any robust action against other armed groups such as Alliances Democratic Forces (ADF) and *Forces démocratiques de libération du Rwanda* (FDLR) that continued to perpetrate large scale human rights abuses in the provinces of North-Kivu; South-Kivu and Ituri. Those two foreign armed groups are rooted into local communities. Attacking them military will create collateral casualties. Their operational strategies are not conventional. They operate punctually and are not apparently well structured to engage in direct fightings. A holistic transitional justice process should be prioritized to address root causes of instability and insecurity across the region. Such a process will plug loopholes of the military options so far privileged and implemented by states.

22 See Peter Fabricius, *SADC has finally agreed to change the FIB, but the proposed new Quick Reaction Forces' mandate is unclear*, December 4, 2020, available at <https://issafrica.org/iss-today/reinventing-the-force-intervention-brigade> accessed in January 14, 2022.

5. From SADC to East African Community

The shift of the FIB into a quick reaction force (QRF) as the trade off between the UNSC and the SADC creates new security challenges in DRC and across the great lakes region. The M23 armed group, defeated in 2013, re-emerged in the course of 2021 and was about to conquer Goma with panache in the fall of 2022. This new security threat was among the motivation of the Congolese government to join the East African Community (EAC). Additionally to the freedom of movement of people and free trade, the Government of Congo asked for security support. The EAC community has then decided to deploy troops in the North-Kivu to protect the city of Goma and its neighborhood against attacks of the Rwanda backed rebellion M23. The deployment of EAC's troops in the Eastern DRC is under the framework of the Luanda's peace agreement between DRC and Rwanda under the chairmanship of the Angolan President Joao Laurenço. The Luanda's agreement foresees the pull out of M23 from all the cities it conquered such as Bunagana, Rutshuru, Kiwanja and alike. The M23 is meant to confine itself at SABINYO mount where it re-started. All areas that M23 leave will be under the control of the EAC troops. In arriving in Goma, the Commander of the Kenyan troops composing the rump of the EAC troops declared that all armed groups have to disarm. The EAC privilege the diplomatic solution to bring peace. They will use force only when all diplomatic means fail. The use of force is not a priority he declared.²³

The re-emergence of M23 and the deployment of EAC troops are clear yardstick of the complexity of the situation. It also shows that MONUSCO alongside its FIB and nowadays its quick reaction force has not yielded security at the hight of people' expectations. However, compared to the situation in this part of DRC from 1999 to 2018, one should confess that MONUSCO has made a difference in strengthening peace and security in the eastern Congo. Sometimes, it has worked as the substitute of the Congolese state while it should not. Tracking down and disarm armed groups should not always be done through military actions. The need of numerous reforms in the management of the DRC should be prioritized to decrease the presence of foreign troops on the Congolese soil. The support to the reform of the Congolese army is more than urgent. A transitional justice process to protect victims and assure them with non-recurrence of violence and large scale human rights abuses should also be taken into account. Thinking of deploying more troops to tackle the issue of armed groups will swallow further millions of dollars without providing a sustainable solution. This is the time prioritize non-military solutions to insecurity across the great lakes region.

23 Déclaration of Jeff Nyangah, the Commander of Kenyan forces deployed in Goma, available at <https://www.rfi.fr/fr/afrique/20221117-rdc-un-deuxième-groupe-de-soldats-kenyans-arrive-à-goma> accessed in January 14, 2022.

6. Conclusion

Support but not take the lead in providing security to Congolese people: this is the mandate of MONUSCO. This is how one should understand the mission of MONUSCO in the Congo from 2010 onwards. In renaming MONUC to become MONUSCO, the UNSC's resolution 1925 stressed the primary responsibility of the Congolese government in providing security, peacebuilding and development to Congolese people. This resolution shows that MONUSCO is not meant to become the substitute of the Congolese government while this latter would like it to do so. In the Congo, let us say that MONUSCO is only cheered when it oversteps its mandate in acting aggressively against armed groups. Without doing so, people question the usefulness of its presence. This is the case when it used its tanks and helicopters to defeat Jules Mutebutsi in Kamanyola/Soputh-Kivu in June 2004.²⁴ The same cheers could be seen when the Force Intervention Brigade (FIB), to date reconfigured, brought its support to FARDC to defeat the M23 armed group in 2013.

Without acting aggressively against armed groups and militias, blue helmets of MONUSCO are perceived by the population to be useless. We think that MONUSCO's presence remains necessary and justifiable for the Congolese state. Its support has been significant in providing security and peacebuilding across the Congolese territory as well as promoting democracy. The qualitative support to the civil society in terms of trainings and human rights education will surely have a longstanding effect. Each withdrawal from any area of the country is followed by security concerns from the population. MONUSCO has increased democracy in the Congo by always supporting human rights organizations, civil society alongside electoral processes. The strengthening of the demand side contributes to good governance because people will further pressure their government to deliver good basic services. MONUSCO always provides fuel, food, intelligence and other support alike to the national army to fight against armed groups and militias. The inefficacy of such support is rather due to corruption, embezzlement of funds by senior military officers and decision-makers. To support a shaky and failed state like DRC to restore its authority is a long process that will explain the continuous presence of MONUSCO in the Congo for the next decade. Military solutions are very limited in the peacebuilding process. Before the re-emergence of M23, ADF, FDLR and other groups alike were operating freely in DRC without being stopped by the national army. Non-military and regional solutions are better than siloed interventions by states. Transitional justice is among the ways to be explored for a sustainable peace and security across the Great Lakes region.

Bibliography

Annan, K. (2012), *Interventions: a Life in War and Peace*, New York: The Penguin Press.

24 See <https://reliefweb.int/report/democratic-republic-congo/rdc-la-monuc-affronte-les-troupes-de-mutebutsi-a-kamanyola> accessed in January 29, 2023.

Did the United Nations Organization Stabilization mission in DRC (MONUSCO) increase or decrease security?

- Chaim Herzog and Shlomo Gazit, *The Arab–Israeli Wars: War and Peace in the Middle East from the 1948 War of Independence to the Present* (3rd ed. 2008) pp. 113–117.
- Daniel Mumbere, *Three things DRC's Joseph Kabila told delegates at United Nations*, Septembre 26, 2018, available at <https://www.africanews.com/2018/09/26/three-things-drc-s-joseph-kabila-told-delegates-at-united-nations/> accessed in January 12, 2023.
- Giorgio Cuzzeli, *Peacekeeping within the boundaries of International Law*, available at <https://www.coespu.org/articles/peacekeeping-within-boundaries-international-law> accessed in January 9, 2023.
- Gray, C., *International Law and the Use of Force*, Oxford: Oxford University Press, 2018, pp.265 – 266.
- Peter Fabricius, *SADC has finally agreed to change the FIB, but the proposed new Quick Reaction Forces' mandate is unclear*, December 4, 2020, available at <https://issafrica.org/iss-today/reinventing-the-force-intervention-brigade> accessed in January 14, 2022.
- Radio Okapi, RDC: La MONUSCO ferme sa base opérationnelle de LUSENDA à Fizi, 11 January 2021, available at <https://www.radiookapi.net/2021/01/11/actualite/secure/rdc-la-monusco-ferme-sa-base-operationnelle-de-lusenda-fizi> accessed in January 12, 2023.
- Radio Okapi, Ituri: la MONUSCO annonce la fermeture de sa base de Bogoro, December 18, 2017, available at <https://www.radiookapi.net/2017/12/18/actualite/secure/ituri-la-monusco-annonce-la-fermeture-de-sa-base-de-bogoro?fbclid=IwAR0hDQzc3JXiYRMdoqzNCQjhGwCfL8Q35beOJrIoXhI0sSreg-V-EytLt8> accessed in January 12, 2023.
- Rfi, *Massacre de Kiwanja en RDC: dix ans plus tard, aucune poursuite judiciaire*, November 6, 2018, available at <https://www.rfi.fr/fr/afrique/20181106-rdc-massacre-kiwanja-dix-ans-pas-commission-enquete> accessed in January 20, 2023.
- Radio Okapi, Sud-Kivu : retrait de la MONUSCO du territoire de Shabunda, November 10, 2022, available at <https://www.radiookapi.net/2022/11/10/actualite/politique/sud-kivu-retrait-de-la-monusco-du-territoire-de-shabunda> accessed in January 12, 2022
- UNSC Resolution 1279 of 30 November 1999
- UNSC Resolution 1925 of 1 July 2010