

Applying the HIPPO Recommendations to the DRC: Toward Strategic, Prioritized, and Sequenced Mandates

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STIMSON

On July 14, 2017, the International Peace Institute (IPI), the Stimson Center, and Security Council Report organized a workshop on the challenges faced by the United Nations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). This was the fifth workshop in a series of workshops bringing together member states, UN actors, and independent experts to analyze how UN policies and the June 2015 recommendations of the High-Level Independent Panel on Peace Operations (HIPPO) can be applied to country-specific contexts.

This meeting note was drafted collaboratively by IPI, the Stimson Center, and Security Council Report. It summarizes the main points raised in the discussion under the Chatham House rule of non-attribution and does not necessarily represent the views of all participants.

Introduction

In March 2017, the UN Security Council passed Resolution 2348 renewing the UN Stabilization Mission in the Democratic Republic of the Congo (MONUSCO). The resolution also requested that the secretary-general undertake a strategic review of the mission to examine “the continued relevance of all mandated tasks, priorities and related resources, as well as necessity to adapt the Mission’s mandate to the specific needs of the post-elections phase” and to report to the Security Council by the end of September. This review aims to provide the council options for reducing MONUSCO’s force and civilian components and for developing an exit strategy in advance of its next mandate renewal.¹

To inform the strategic review process and the subsequent renewal of MONUSCO’s mandate in March 2018, the International Peace Institute (IPI), the Stimson Center, and Security Council Report co-organized a workshop on July 14, 2017. This workshop offered an opportunity for key stakeholders to develop a shared understanding of the situation on the ground and a common strategic assessment of the mission’s policies in order to design realistic options for its mandate. The objective of the discussion was to contribute to the Security Council’s evolving practice of developing strategic, prioritized, and sequenced mandates for UN peace operations, in line with the HIPPO recommendations.

The workshop’s first session was devoted to analyzing the evolving security and political dynamics in the Democratic Republic of the Congo (DRC) and discussing how MONUSCO’s political strategy could be adapted to respond to these dynamics. The second session focused on the highest-priority objectives for the mission and how to sequence them in order to advance the political strategy discussed in the previous session. Participants also tried to define the “stabilization” role of MONUSCO and discussed options for a possible exit strategy.

Context Analysis and Political Strategy

The political crisis related to President Joseph Kabila’s stay in power beyond the two terms provided for by the Congolese constitution has provoked instability, political violence, and human rights abuses. Moreover, it has fueled and deepened separate but interlinked conflicts in the country, including violence by armed groups and intercommunal violence in North and South

1 UN Security Council Resolution 2348 (March 31, 2017), UN Doc. S/RES/2348, para. 51.

Kivu and Ituri provinces in the east and in the central Kasai provinces. Economic problems, a deepening humanitarian crisis, and destabilizing regional dynamics have exacerbated these problems.

CHALLENGES TO THE IMPLEMENTATION OF THE POLITICAL AGREEMENT

On December 31, 2016, the Catholic Church succeeded in negotiating a political agreement between the main political parties in the DRC. This agreement expressed the commitment of its signatories to establishing transitional institutions and holding free, fair, and credible national elections before the end of 2017.

However, political infighting and division are currently hindering the ability of DRC's main political parties to implement the December 31st agreement. The commitment of Kabila's Alliance of the Presidential Majority party to the provisions of the agreement is weakening. Moreover, the death of the leading opposition figure Étienne Tshisekedi in early 2017 weakened the opposition, which is now deeply fragmented. Due to this political vacuum, the Presidential Majority has taken full control over implementation of the agreement, undermining its inclusivity and credibility. Opposition initiatives to boycott or abstain from the process as it moves forward have proven ineffective.

The Presidential Majority's stalling has greatly undermined and slowed down the implementation of the December 31st agreement. The implementation committee (*Conseil national de suivi de l'Accord*) has yet to be established. Key confidence-building measures, including protecting freedom of assembly and the rights of the media, releasing political prisoners, and ensuring safe return for those in political exile, have not been implemented.

The electoral commission (Commission électorale nationale indépendante) has stated that it is effectively impossible for the country to hold elections before the end of 2017. The December 31st agreement included provisions for such a scenario, but decisions regarding the extension of the electoral timetable require consensus between the electoral commission and the yet-to-be-established implementation committee. The dysfunction and internal divisions among the signatories make a

legitimate negotiated extension of the timetable unlikely. Many analysts are now concerned that the Presidential Majority will abandon the December 31st framework altogether.

DETERIORATING SECURITY AND ECONOMIC SITUATION

Security dynamics in the DRC have shifted over the past year, taking on an increasingly ethnic nature and being marked by the eruption of violence in new areas and regions. The threat posed by some armed groups in the east, such as the Allied Democratic Forces (*Forces démocratiques alliées*), the Democratic Forces for the Liberation of Rwanda (*Forces démocratiques de libération du Rwanda*), and Mai Mai Kata Katanga, have diminished somewhat. But they have been replaced by other manifestations of ethnically motivated violence that threatens civilians and state authority. South of the city of Beni in North Kivu, tensions between the Nande and Hutu ethnic groups have given rise to an alliance of Mai Mai groups that has committed violence against the population and attacked government forces. Ethnic violence between the Twa and Luba populations has reignited, with violence on the border of South Kivu and Tanganyika provinces.

Additionally, violence and threats to civilians have expanded geographically, spreading in particular to the Kasai provinces in the center of the country. The Kasai conflict, originally linked to local grievances regarding the right of families to designate the succession of chieftaincies, has morphed to include multiple provinces and ethnic groups and appears increasingly tied to national political grievances. This conflict has begun to involve more organized and self-sustaining violence by armed groups as parties clash over control of mines and other sources of revenue.

Although many of these ethnic conflicts are rooted in long-standing local tensions, the national political crisis has made it increasingly difficult for the authorities to keep this violence in check. In the absence of a credible political process, armed groups have begun to reject the authority and legitimacy of state institutions. Against the backdrop of great political uncertainty, some communities are turning to armed groups as they search for more local guarantors of security. Moreover, certain national political figures have

deliberately incited local conflicts around the country in an effort to demonstrate their power and further their interests.

The socioeconomic situation in the DRC continues to deteriorate, with the Congolese franc losing half its value in the past year.² This is mainly due to exogenous shocks, including a drop in the price of copper. This economic downturn has increased frustration among the population, worsening the humanitarian crisis and adding a level of unpredictability to the conflict, including in major urban areas.

REGIONAL DYNAMICS

Instability along the Congolese borders also continues to fuel regional tensions. The Lord's Resistance Army (LRA) has become more active near the DRC's borders with the Central African Republic and South Sudan, following the departure of the joint US-Ugandan counter-LRA mission from the area. To the southwest, refugees fleeing conflict in the Kasais have fled into Angola, and there are some signs that ethnic cleavages are being reproduced and extended there. This has affected how Angola views the DRC and has also raised concerns for other neighboring states, which worry that they, too, might receive an influx of refugees if the political crisis continues.

Recognizing that he needs to maintain the support of neighboring countries if he is to remain in power, President Kabila has attempted to shore up support throughout the region. For example, although he does not typically engage much with the African Union (AU), Kabila attended the most recent AU summit in early July. The administration has dispatched diplomatic delegations to South Africa, Uganda, and Niger, and several African leaders have made statements of support for President Kabila in recent months.³ One of the problems is that the AU has so far not taken a clear stand on the situation in the DRC.

HUMAN RIGHTS ABUSES

The current political uncertainty has also increased instances of human rights abuses throughout the country, particularly resulting from political

violence. Government officials and security forces have banned opposition demonstrations, conducted arbitrary arrests, responded to protesters with disproportionate force, shut down media outlets, and hindered the freedom of movement of opposition leaders.

Moreover, as violence and instability spreads, the government has failed to protect human rights throughout its territory. Armed groups continue to conduct extrajudicial killings, sexual violence, and other violations with impunity. Violence in the Kasais led to the extrajudicial killing of two UN experts in March, and the Congolese government has publicly attempted to impede international investigations into the incident.

IMPLICATIONS FOR MONUSCO'S POLITICAL STRATEGY

Considering these conflict dynamics, MONUSCO's political strategy should identify pressure points or incentives to ensure that the ruling Presidential Majority party complies with the December 31st framework. The strategy should also be flexible enough to engage with several possible scenarios over the coming year.

Flexibility: Three potential scenarios are plausible over the coming year, and MONUSCO's mandate must be flexible enough to accommodate any of the three.

1. In the best-case scenario, the December 31st agreement is credibly implemented. Elections cannot realistically be held by the end of this year, as envisaged by the agreement, but the parties make a good faith effort to modify the agreement and stay within the framework. The mission would then need to reorient itself after elections are held to support stabilization efforts around the country. Workshop participants agreed that this was the least likely scenario.
2. In the status quo scenario, the ruling majority continues to obfuscate and use stalling tactics, forcing the mission into the extremely difficult position of needing to decide whether and when the framework has actually been abandoned. A crisis of legitimacy develops. The Security

² Aaron Ross, "Congo Requests Financial Support from Donors amid Economic Crisis," Reuters, July 6, 2017, available at www.reuters.com/article/us-congo-economy-idUSKBN19R2MY.

³ Felix Share, "President Hailed for Standing by DRC," *The Herald*, July 15, 2017, available at www.herald.co.zw/president-hailed-for-standing-by-drc/; Naledi Shange, "Zuma Lauds Embattled Kabila on 'Progress' in DRC, Despite Protest outside Talks Venue," *Times Live*, June 25, 2017, available at www.timeslive.co.za/politics/2017-06-25-zuma-lauds-embattled-kabila-on-progress-in-drc-despite-protest-outside-talks-venue/.

Council would be forced to consider whether it is appropriate to maintain aspects of MONUSCO's mandate related to support to the host state, which could be seen as providing support to an illegitimate government.

3. In the worst-case scenario, the December 31st agreement is abandoned by one or more parties or collapses after an attempt by the government to undertake actions (such as holding a referendum) outside of the framework of the agreement. Some participants also mentioned the possibility that President Kabila stays in power after non-credible elections and heavily clamps down on security across the country. In this scenario, widespread conflict across the country is likely, including violent political contestation at the local and national levels. The Security Council would confront critical questions related not only to the mission's mandate to support the host state and questions of partiality, but also to the protection of civilians, as the mission's capacity for protection would likely be far outstripped by the scope of the violence.

Leverage: MONUSCO has relatively little influence over President Kabila. In order to overcome this limitation, the UN Security Council should work with regional and financial partners to apply pressure on the Presidential Majority to abide by the December 31st framework. Regional partners, particularly neighboring countries, have a strong interest in peace and stability in the DRC but have not yet taken bold action to pressure the ruling government. MONUSCO can work creatively and through informal channels with neighboring states, the Economic Community of Central African States (ECCAS), the Southern African Development Community (SADC), the AU, and the broader international community to galvanize the political pressure necessary to ensure free, fair, and credible elections. Another solution suggested was to pressure investors to exert leverage on President Kabila's family business.⁴

Prioritization and Sequencing

The strategic priorities identified in Resolution 2348—support to the political process and protection of civilians—should remain the mission's highest priority objectives, given the current context. MONUSCO's mandate and activities should prioritize the conduct of free, fair, and credible elections in the DRC, including by galvanizing regional and international support for the December 31st framework. MONUSCO should adopt a more mobile approach to the protection of civilians in order to adapt to the growing protection needs throughout the country. Finally, the mission must work with additional partners, specifically the UN country team, to identify and fill gaps that it does not have the capacity to address, and eventually work toward an exit strategy.

ELECTIONS

MONUSCO's political strategy should prioritize support for free, fair, and credible national elections in the DRC that result in the peaceful transfer of power and increased political stability. This will require both political and technical support.

In pursuit of this objective, MONUSCO should work to identify and facilitate international leverage to compel the ruling majority to abide by the December 31st agreement. This will include significant diplomatic engagement with the DRC's neighbors and other regional actors, such as ECCAS, SADC, and the AU. MONUSCO should share information with regional partners about the urgency of the political crisis, the progress of the December 31st agreement, and the likely consequences for the region if the crisis continues.

MONUSCO should also focus its stabilization efforts on creating a stable environment for the conduct of elections. The mission should identify areas where security threats are hindering the

⁴ Congo Research Group, "All the President's Wealth: The Kabila Family Business," July 19, 2017, available at <http://congoreserchgroup.org/all-the-presidents-wealth/>.

electoral process (including the voter registration exercise) and prioritize the deployment of military and civilian assets in those areas.

Furthermore, MONUSCO should focus civilian capacities (and force capacities where relevant) on ensuring that the elections are free, fair, and credible, especially through good offices, political engagement, and the monitoring activities of the police component and the UN joint human rights office. This will involve MONUSCO assisting the government in implementing confidence-building measures, including protecting the right to assembly and the independence and freedom of the media. Through all of these activities, human rights monitoring will remain important.

PROTECTION THROUGH PROJECTION

MONUSCO operates with approximately 16,000 troops in a territory comparable in size to Western Europe with fewer than 2,000 miles of paved roads.⁵ The mission's ability to provide physical protection throughout the country is extremely limited, especially as threats to civilians continue to spread geographically. MONUSCO must therefore shift its protection strategy to focus on projection and amend its current approach, which is overly based on protection by static forces in military bases. A more dynamic posture could increase the mission's ability to deter violence and give it the flexibility to respond to the evolving dynamics of threats to civilians as progress toward elections continues. Ultimately, the aim is to prevent attacks rather than to intervene after an attack has taken place.

Protection through projection will require member states to provide the requisite resources and equipment (in particular air assets) to allow MONUSCO to improve its mobility and its intelligence capabilities with a view toward successfully anticipating and preemptively addressing potential violence against civilians throughout the country. This may require a fundamental shift in the nature of MONUSCO's military assets, including increased intelligence capacities and rapid deploy-

ment capabilities. It will also require the mission to continue to expand its system of alerts and early-warning mechanisms throughout the country and to creatively revisit this alert system, which is currently tied to company operating bases that could potentially close.

The mission's military actions should be complemented by efforts to strengthen and expand protection activities by civilian personnel. These include local conflict management (to address the growth of intercommunal conflict) and human rights monitoring and reporting (to address the growth of political violence). Local conflict management efforts coordinated by civil affairs staff should be complemented with efforts coordinated by political affairs staff to identify and influence interlocutors at the national level who may be mobilizing local conflict.

Some workshop participants questioned the continued relevance of the Force Intervention Brigade over the coming year, noting that it has had little military success since the defeat of the M23 armed group in 2013. Other participants thought the brigade served an important political purpose in maintaining the engagement of key SADC countries and also helped to improve popular perceptions of the mission as a whole.

EXIT STRATEGY

MONUSCO must think strategically about what it can and cannot achieve and work with partners to fill the gaps. The UN country team will be a key partner in stabilizing the DRC, contributing to the restoration of state authority and economic revitalization. However, the country team is weakly positioned on the ground due to limited funding. A trust fund could be established to support both the mission and the UN country team to address challenges that agencies face related to unpredictable levels of voluntary funding. It was also mentioned that the mission could become a test case for many management reforms moving forward.

⁵ Data from CIA World Factbook, available at <https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html>.

Agenda

Friday, July 14, 2017

9.00–9:15 **Opening Remarks**

9:15–11:00 **Session 1: Conflict Analysis and Political Strategy**

In this session, the mission and experts will present a brief conflict analysis, outlining recent developments, but also discuss their analysis of three possible scenarios moving forward. Participants will discuss the threats outlined in the conflict analysis and its consequences for MONUSCO. In particular, they will consider the likelihood of fair and acceptable elections in the near future and its impact on security in the country. They will consider the strategic options for the mission in a context of political polarization and electoral violence.

Discussion questions: *What is the current conflict analysis of the mission? What possible scenarios are yet to come and what is the political strategy underlying the mission? Is that political strategy still viable? What are the primary obstacles to successful implementation of the political agreement? What are the primary obstacles to the successful transfer of tasks to the government and the country team? What mission capabilities and approaches have proven effective at influencing the conflict? What is the current understanding of local capacities and effective local arrangements for peace? How can the Security Council remain engaged in support of MONUSCO's political strategy?*

Chair

Arthur Boutellis, *Director, Brian Urquhart Center for Peace Operations, IPI*

11:00–11:15 Coffee Break

11:15–1:00 **Session 2: Prioritization and Sequencing**

In this session, participants will identify the mission's highest priority objectives and focus in particular on the activities of the mission, including political mediation, protection of civilians, and stabilization. They will highlight for discussion some of the main priorities in terms of tasks and try to identify what actions can have the most impact for sustainable peace and reinforcement of state authority. Participants will also discuss the sequence in which priority objectives should be undertaken. By sequencing the objectives, participants will aim to ensure that the mission is not burdened by too many tasks at the same time. Participants will also aim to sequence objectives so that the mission is not asked to carry out certain tasks prematurely, before the conditions for their success are in place.

Discussion questions: *On the basis of the secretary-general's latest report, the conflict analysis, scenarios, and subsequent developments, which objectives in the current mandate should be prioritized? What aspects of the mandate has the mission successfully implemented? What obstacles have prevented the mission from translating mandated tasks into action, and what conditions need to be in place for those tasks to be carried out? How can MONUSCO's mandate better allow the mission to adapt to changing conditions on the ground? What can be the role of MONUSCO, including the Force Intervention Brigade, in reducing the conflict, contributing to the organization of fair and transparent elections, and strengthening state*

authorities? What does the stabilization aspect of the mandate entail and what are its limitations? What are the options for an exit strategy for the mission? How can the political and security aspects of the mandate be articulated?

Chair

Ian Martin, *Executive Director, Security Council Report, and former member of HIPPO*

Participants

Ms. Ségolène Adam

United Nations Children's Fund

Mr. Karim Samir Ismail Alsayed

Permanent Mission of the Arab Republic of Egypt
to the United Nations

Ms. Aïssata Athie

International Peace Institute

Mr. Alexis Berthier

Permanent Mission of France to the
United Nations

Ms. Tatiana Carayannis

Social Science Research Council

Ms. Carla Cardona

Permanent Mission of the Plurinational State of
Bolivia to the United Nations

Mr. Victor Casanova Abos

Security Council Report

Mr. Finnian Cheshire

Security Council Report

Mr. Remi Clavet

United Nations Department of Peacekeeping
Operations

Mr. Simon Collard-Wexler

Permanent Mission of Canada to the
United Nations

Ms. Lesley Connolly

International Peace Institute

Ms. Ginevra Cucinotta

United Nations Department of Peacekeeping
Operations

Dr. Alessandro de Ferrari

United Nations Department of Peacekeeping
Operations

Ms. Namie Di Razza

International Peace Institute

Ms. Rachel Eklou-Assogbavi

United Nations Department of Peacekeeping
Operations

Maj. Gen. Adrian Foster

United Nations Department of Peacekeeping
Operations

Ms. Aditi Gorur

Henry L. Stimson Center

Mr. David Gressly

United Nations Organization Stabilization
Mission in the Democratic Republic of the Congo

Ms. Chiho Horiuchi

Permanent Mission of Japan to the
United Nations

Ms. Julie Jolles

United States Mission to the United Nations

Ms. Mary Kalemkerian

Office of the United Nations High Commissioner
for Human Rights

Col. Sandeep Kapoor

Permanent Mission of India to the United Nations

Ms. Elizabeth Kissam

United Nations Department of Peacekeeping
Operations

Mr. Mohamed Lakhali

United Nations Department of Peacekeeping
Operations

Mr. Baptiste Martin

United Nations Department of Peacekeeping
Operations

Ms. Delphine Mechoulan

International Peace Institute

Mr. Jonas Mfouatie
United Nations Development Programme

Mr. Craig Mills
Permanent Mission of the United Kingdom to the
United Nations

Dr. Alexandra Novosseloff
International Peace Institute

Mr. Andrew Painter
United Nations High Commissioner for Refugees

Mr. Volodymyr Pavlichenko
Permanent Mission of Ukraine to the
United Nations

Mr. Eduardo León Peñaranda
Permanent Mission of the Plurinational State of
Bolivia to the United Nations

Ms. Marie Plamadiala
United Nations Department of Peacekeeping
Operations

Mr. Ashish Pradhan
International Crisis Group

Mr. Christophe Pradier
United Nations Department of Peacekeeping
Operations

Mr. Robert Pulver
United Nations Department of Peacekeeping
Operations

Ms. Alexandra Rice
United States Mission to the United Nations

Mr. Stephen Sylvain Sambou
Permanent Mission of the Republic of Senegal to
the United Nations

Mr. Satrajit Sardar
United States Mission to the United Nations

Mr. Jake Sherman
United States Mission to the United Nations

Mr. Ugo Solinas
United Nations Department of Peacekeeping
Operations

Mr. Quentin Teisseire
Permanent Mission of France to the
United Nations

Ms. Madeline Velturo
Henry L. Stimson Center

Mr. El-Ghassim Wane
United Nations Department of Peacekeeping
Operations

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777 United Nations Plaza, New York, NY 10017-3521, USA

TEL +1-212-687-4300 FAX +1-212-983-8246

Freyung 3, 1010 Vienna, Austria

TEL +43-1-533-8881 FAX +43-1-533-8881-11

51-52 Harbour House, Bahrain Financial Harbour

P.O. Box 1467, Manama, Bahrain

www.ipinst.org