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SEARCH - DRC:

**SSR TECHNICAL  
STRATEGY**

DOCUMENT

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## INTRODUCTION

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Security sector reform (SSR) has been a central aspiration of DRC policy since the end of the Congo wars in 2003. The challenge was considerable. Years of war and decades of entrenched corruption and mismanagement had left the Congolese security sector both extremely weak and locked into an antagonistic relationship with civilians – the frequent targets of abuse and predation.<sup>1</sup> Civilians themselves viewed soldiers and police as little more than mercenaries and a source of threat, not protection.

The goal of external actors engaged in SSR was clear – to build a Congolese security sector that was able to defend the national territory and its people, accountable to civilian authorities and respectful of the rule of law and human rights. Initially, SSR efforts focused on managing the merging of the DRC's multiple armed factions into unified military and police structures via training newly integrated units, ensuring the provision of equipment, and assisting the Congolese authorities with strategic planning.<sup>2</sup> The majority of subsequent SSR initiatives followed three broad templates: strengthening unit effectiveness through train-and-equip programs; implementing institutional reform, including action on pay, career structures, and strategic planning; and building mechanisms for civilian accountability and oversight.

Fourteen years on, it is clear that these approaches to SSR have not succeeded in building an effective and accountable security sector. The UN reported in late 2016 that 54% of all documented human rights abuses between January 2014 and March 2016 had been carried out by state agents.<sup>3</sup> There is a complex array of reasons for this failure, but deep patterns of corruption, patronage, and impunity remain the key pillars of SSR failure, and are embedded in both the security sector and wider political governance structures and practices, which have blocked or undermined reform efforts. Units trained and equipped by external actors have been used to buttress the authority of the political elite, and sometimes turned against the civilian population. Institutional reforms have been subverted by entrenched patronage networks – meaning that soldiers and police remain poorly paid and supported. Civil society organizations are themselves politicized and have not proved sufficient at holding the security sector to account.

This is not to say there has been no progress, notably on understandings of legal rights and responsibilities among security actors.<sup>4</sup> But serving and former members of the security services were near-unanimous that the most important obstacle to improving the relationship between civilians, police, and army remained basic issues of pay, conditions, and support. Indeed, during an interview, one Congolese soldier remarked, '...pas de salaire, pas des leaders mais des autorités intimidateurs; pour fonctionner, il faut se débrouiller

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1 Under Mobutu, the military saw the civilian population as a 'field to harvest from' and were an agent of repression not protection (Verweijen, 2015).

2 This involved the integration of tens of thousands of untrained militia fighters through a process called *brassage*.

3 Accountability for Human Rights Violations and Abuses in the DRC: Achievements, Challenges and Way Forward, UNJHRO, October 2016

4 A large majority of soldiers and police interviewed were categorical that security actors understood their roles and responsibilities.

[No salary, no leaders except those who intimidate ; to get by, we have to manage ourselves].<sup>5</sup>

Moreover, those interviewed were united in placing the blame for these conditions on senior leaders, both within security structures and government – there was clear recognition from within the Congolese security sector that the issue, at root, is a political one. Effective action on these high-level political challenges was frequently highlighted by those interviewed as the single most important issue that external actors should seek to address:

‘External actors have forgotten their role. Nothing can change if the political institutions are not themselves democratic, as the only strategy appropriate for this reform is one of democratizing the security institutions to best protect the population.’<sup>6</sup>

Despite the paramount importance of the security sector in the collective vision for Congo’s recovery, and the repeated citing of a ‘lack of political will’ as the key obstacle to progress,<sup>7</sup> external reformers have not been effective in bringing about political change. The Congolese elite have proved resistant to external pressure and remain locked into a prolonged period of political stalemate that has soured already-strained relations between donors and the Congolese government. Reformers have instead concentrated on technical projects, building facilities that go unused or offering training on the principles of reform without offering the tools to put them into practice. To highlight these concerns, one Congolese security actor remarked:

‘How can we expect a better result with police who are not trained and not paid? It’s like expecting a positive result of a medical operation conducted by a fake doctor without training or equipment. That’s the same illusion we have with security sector reform.’<sup>8</sup>

### ***SSR as a tool for democratization***

Engaging with the politics of SSR remains a fundamental conundrum, and not just in the DRC; these experiences are familiar across a number of conflict affected, patrimonial states. Citing ‘lack of political will’ is a common truism that requires further inquiry. If analysis starts from understanding ‘political will’ as a product of incentives that shape the behavior of political actors, then the work of reformers must engage with the factors that in turn shape these incentives. The ‘traditional’ tool-kit has not been successful. Organic incentives, flowing up from the structures of Congolese politics and society, are often more influential in shaping the political landscape than the top-down pressures that external reformers can bring to bear.

Faced with this challenge, many donors have chosen to step back from SSR. Yet the security sector remains critical to many other aspirations – from civilian protection, demobilization, and stabilization, to investment, economic growth, and sustainable development. All are dependent on the safety and stability that only an

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5 Interview, Congolese security actor

6 Interview, Congolese security actor

7 Eastern Congo Initiative, 2012; Oxfam, 2010

8 Interview, Congolese security actor

effective Congolese security sector can bring, particularly in the context of the likely drawdown in the UN presence in the country. With relations between the security services and civilians under increased stress, shrinking resources to support soldiers and police, and the heightened risk of abuses carried out by security actors, it is imperative to remain engaged with the Congolese security sector, despite the manifest challenges.

More fundamentally, the security sector will be a key player in the political drama that will play out in the coming months and years, for good or ill. As one observer put it: 'SSR is a process and a tool for democratization, but there is no process and no democratization.'<sup>9</sup> Seeing SSR, in the first instance, as a mechanism *through which* to achieve democratization is a key insight, and one that might rescue the donor community from the catch-22 of restricting engagement until the 'right' political conditions have emerged, while at the same time knowing that such an evolution is dependent on effective reform. Reframing the SSR enterprise as a necessary element of a wider political process might result in the development of new thinking and allow donors to re-engage.

Any new engagement in SSR should avoid the mistakes of the past. Innovative approaches that move away from the idea of top-down, centrally driven processes, are necessary for successful and lasting change. This might involve focusing resources on sub-national, provincial, and local level actors, from both communities and security services, to build and protect space for improved relationships, behaviors, and norms able to resist pressure from elite networks – and to take advantage of fractures in central control that are likely to result from renewed political crisis. This may offer both an effective mechanism for moderating behavior at a moment of great risk, and a foundation to leverage local-level change that feeds into new national narratives, reinforcing wider political change. As such, it may offer an alternative to the 'traditional' toolkit of SSR that has largely failed, from Libya to South Sudan and the CAR.

### ***The Search for Common Ground Approach***

The work of Search for Common Ground (Search) to date has demonstrated that impact on incentives, and therefore behavior, at the local level is possible, and are not dependent on top-level political will. The overall principles of Search's work are dialogue and collaboration. From 2001, Search's work in DRC was shaped by the perspective that tensions and conflicts linked to the post-war transition, including electoral processes, DDR, brassage and the repatriation of foreign fighters, and governance, could all be peacefully managed through dialogue.<sup>10</sup> Search started by taking the principles of the peace process down into lives of ordinary people through community-led, classic peacebuilding, civic education, and trust building.

Beginning its SSR work in 2006, Search did not seek to mirror top down approaches or implement comprehensive reform; they did not seek to 'fight every battle.' Rather, Search sought programs at the sub-

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9 Interview, international official

10 SF CG, Proposition de projet, 2007

national level that would have an immediate impact on the lives of people, and break down decades of toxic relations between civilians and security forces, humanize soldiers and police, dismantle stereotypes, and achieve recognition that expected behaviors can change. Search works to build incentives and mechanisms within the security forces to institutionalize capacities and promote collaborative relationships. Search also recognized that change needed to come from civilians, and so invested in communication, outreach, and dialogue to shift popular expectations and understandings, and build a 'virtuous cycle' of embedding positive social norms. The challenge is to capitalize on this foundation to translate local progress upwards to sustainable, systemic change.

The situation in the DRC in recent years has not evolved in the way that many hoped and expected following Congo's post-war transition. The political process has stalled, and recurrent conflict, violence, and abuses, much involving Congolese security forces, has highlighted the need for continued efforts to achieve real and sustainable SSR. This paper intends to briefly review paradigmatic approaches to SSR in the years since the end of the second Congo War, and to offer an outline for how Search might seek to shape its ongoing engagement with SSR in the future. It is informed by a review of available literature<sup>11</sup> and interviews carried out in Goma and Kinshasa in early 2017, as well as with Search staff.<sup>12</sup>

## 1. SSR approaches, 'theories of change', and impacts

There have been numerous initiatives to assist with the reform of the Congolese security sector since the beginning of the post-war transition in 2003, undertaken by donors, multilateral actors, and NGOs. It has been widely reported that these interventions have been poorly coordinated and lacked strategic direction and coherence.<sup>13</sup> As a result, they have largely been judged as unsuccessful. One analyst argues, in relation to SSR in the DRC, that '...few countries have received as much foreign technical assistance for such disastrous results.'<sup>14</sup>

SSR strategies to date have often been defined by a lack of coordination and cohesion on the part of reformers. This coupled with relatively weak record keeping, has made it difficult to understand the reasoning behind many of the approaches taken. Moreover, the international community has often failed to share lessons learned, while program evaluations are often low quality and are not widely available. It is therefore difficult to identify a precise ordering of 'theories of change' - a concept that is itself used by different organizations to mean very different things.<sup>15</sup> The following should therefore be taken as indicative of the variety of approaches to SSR in the DRC; an illustration of three broad perspectives, and not a comprehensive accounting of any given program.

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11 See Annexe III

12 Interviews were carried out with serving and former members of the FARDC and PNC, state officials, local civil society, and a range of international community observers, diplomats and experts.

13 See, among others, ECI 2012, Mampuya, 2012, Dahrendorf, 2009

14 Misser, 2015

15 'Understanding Theory of Change in International Development, Daniele Stein and Craig Valters, August 2012.

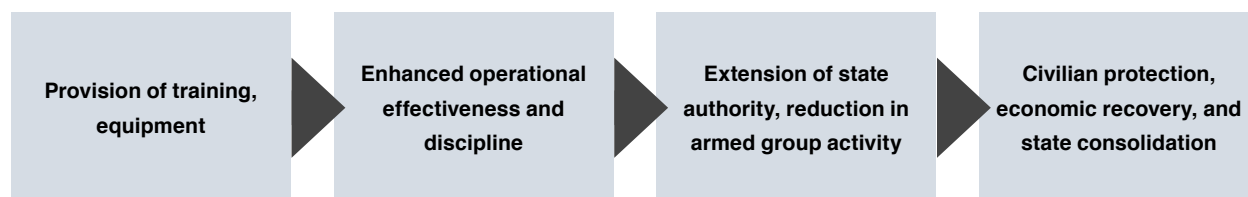
In brief, the three dominant approaches have been:

1. train-and-equip programs, which seek to directly improve unit effectiveness;
2. structural reform of the security sector, to enhance command coherence and control of resources; and
3. working conditions for personnel; and strengthening oversight mechanisms, by bringing security actors closer to the communities they serve and building civil society capacity to demand change.

Each is detailed in more depth below.

### Train and Equip

*Theory of Change: well-trained and equipped soldiers and police will be more effective in carrying out their duties, which will aid the state in re-establishing its authority, reduce conflict and violence, and thus protect civilians.*



This is a linear vision of change, which prioritizes the degraded nature of the security sector as central to the post-conflict challenges facing the DRC, and that the state could be ‘fixed’ by external support. It therefore seeks to provide the state with resources through the improvement of standards, training, equipment, and effectiveness of police and military units. It does not seek to engage in institutional or political reform, but is rather rooted in an assumption that by improving the immediate ability of the state to respond to proximate threats to peace and security – including both non-state armed groups and urban unrest – it would create the space for the state to be (re)built. As such, it assumes political will to carry out effective reforms. As one analysis put it, the reinforcement of military capacities was undertaken ‘...at the expense of the development of responsible security forces.’<sup>16</sup>

Such interventions have been carried out by a wide range of bilateral and multilateral actors. Military training has been undertaken by the EU and UN, as well as 14 bilateral state actors including South Africa, China, Angola, France, Belgium, the US, and others. Police training has been carried out by the UN – UNDP and UNPOL – Angola, France, the EU, Japan, Germany, the UK, and others.

Though the precise rationale for each intervention is not known, the observable logic tends to match the theory of change outlined above. For the US, training was ‘...intended to increase the ability of the

<sup>16</sup> Hendriksen, Dylan and Kasongo, Missack, ‘Security Sector Reform in the DRC: Strategic Issues’, Centre for International Co-operation, Issue Paper No. 4: SSR

Congolese army to conduct effective internal security operations as part of the FARDC's rapid reaction plan, help preserve the territorial integrity of the DRC, and develop an army that is accountable to the Congolese people...<sup>17</sup> For South Africa, which has trained a number of large FARDC units, including two rapid reaction battalions, the logic was to '...build strong and effective forces able to defend the government and its population.'<sup>18</sup>

## *Impacts*

Units that have undergone external training are reported to have improved short-term operational effectiveness, most visibly during the M23 crisis in 2012-13,<sup>19</sup> throughout the pursuit of the LRA, and in some incidents of urban unrest. But the long-term impact on the security sector has been limited. Improvements in behavior and effectiveness have not been sustained and have not translated into wholesale changes to culture or practices within either police or military. Globally, the Congolese security sector remains poorly disciplined, abusive, and ineffective, most recently demonstrated in relation to conflict in the former Kasai Provinces.<sup>20</sup> Externally trained units have been implicated in serious human rights abuses.<sup>21</sup> Multiple armed groups remain present in the DRC, and new conflicts continue to emerge. State authority remains weak across much of the national territory.

These reform efforts have been undermined by a number of factors. Training doctrine varied between external actors with Angola, France, China, and South Africa all applying different curricula and ethos.<sup>22</sup> For instance, Angolan-trained police are reported to have taken a heavy-handed approach to crowd-control in the context of large public demonstrations, in contrast to EU methods which emphasize civilian protection.<sup>23</sup> Coordination between donors and agencies has been extremely weak. Rapid reaction units, trained as 'commandos', are reported to be deployed on static defense duties.<sup>24</sup> Some training offers were not taken up: the US is reported to have financed training for 600 police officers in Lubumbashi, but only 150 participated.<sup>25</sup>

The case of the Legion Nationale d'Intervention (LENI) demonstrates how training can have some short-term gains while simultaneously not meeting expectations or failing to result in long-term, sustainable

17 <http://www.usaraf.army.mil/media-room/article/27790/750-congolese-soldiers-graduate-from-u-s-led-military-training-form-light-infantry-battalion>

18 <http://www.dirco.gov.za/kinshasa/bilateral.html>

19 The Belgian trained rapid-response brigades were highlighted in interviews with international observers as having been extremely important to the victory over the M23. Three Belgian-trained units are now deployed in East DRC. Interview, international official.

20 DR Congo: Ensure Justice for Killings in the Kasais, Human Rights Watch, February 2017; <https://www.hrw.org/news/2017/02/24/dr-congo-ensure-justice-killings-kasais>

21 A US training to the 391<sup>st</sup> battalion of the FARDC was ended in 2013 when members of the battalion were implicated in mass rape; [https://www.everycrsreport.com/reports/R43166.html#\\_Toc476219997](https://www.everycrsreport.com/reports/R43166.html#_Toc476219997)

22 Interview, international official

23 '...in managing the street protests before and after the 2006 and 2011 elections, most police performed quite well, with the exception of the Angolan-trained units, which adopted a heavy-handed approach to crowd control.'

24 Interview, international official

25 Interview, senior Congolese civil society representative

change. LENI was created out of the Police d'Intervention Rapide (PIR). Initially, during the transition, France trained and equipped the unit. UNPOL, EUPOL, and MONUSCO's Joint Human Rights Office<sup>26</sup>, as well as Angola, Canada, and South Africa subsequently trained them as well. Envisaged as an auxiliary unit to support regular police in the event of large scale urban unrest or riots, there was 'an improvement in the general behavior' of these units reported following training.<sup>27</sup> But there have also been accusations of the unit's involvement in serious abuses.<sup>28</sup> In addition, LENI units deployed to Eastern DRC in the aftermath of the M23 crisis are reported to compete with both FARDC and regular PNC, and are alleged to have been responsible for levying illegal taxes on the population, carrying out arbitrary arrests, and demanding payment for the release of prisoners. One Congolese observer reported that they are no longer being paid, and thus are preying on the civilian population, noting that their behavior has become '...worse than an armed group.'<sup>29</sup>

Trained units have been used by political authorities to defend their interests, which often run counter to civilian needs. As one Congolese commentator reflected, security actors become a tool '...for social control and for regime protection'<sup>30</sup> – to crack down on opposition or confront communities.<sup>31</sup> The central problem is that increasing and extending the capacity of a state that is itself both abusive and dysfunctional, does not result in either sustainable peace or civilian protection.

### Who is doing what?

Military co-operation between Belgium and the DRC was suspended in April 2017. France supports training at the military staff academy, an NCO academy and an infantry academy.<sup>32</sup> Angola withdrew 1,500 soldiers from the DRC in December 2016, but it is not clear whether that includes the suspension of FARDC training at Kitona. Bilateral training by the US ended in 2013, but US and EU training on logistics continued as late as 2015.<sup>33</sup> Additionally, a 2017 budget line exists for continued US advice to the military.<sup>34</sup> China was reported to be training FARDC at Kamina, and South Africa at Mura; 135 South African instructors began a training deployment in May 2016, but the details of Chinese activities are not available.

MONUSCO has committed to '...deepen its engagement with national security forces', which will

26 COMMUNIQUE DE PRESSE Avec l'appui de l'Union européenne et de la France La Police nationale congolaise dotée de moyens de transport et de transmission radio modernes pour sécuriser les élections, [https://www.consilium.europa.eu/uedocs/cms\\_data/docs/missionPress/files/Communiqu%C3%A9%20UE-EUPOL-FRANCE%2010%2011%20201101.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/missionPress/files/Communiqu%C3%A9%20UE-EUPOL-FRANCE%2010%2011%20201101.pdf);

27 "IF YOU RESIST, WE'LL SHOOT YOU" THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE CASE FOR AN EFFECTIVE ARMS TRADE TREATY". Amnesty International, 2014

28 externally-trained police rapid reaction forces were implicated in election-related abuses in late 2011. [https://www.ecoi.net/file\\_upload/1788\\_1334586190\\_unjhro26-novembre-25-decembre-2011.pdf](https://www.ecoi.net/file_upload/1788_1334586190_unjhro26-novembre-25-decembre-2011.pdf)

29 Interview, Congolese civil society

30 <http://nai.diva-portal.org/smash/get/diva2:689701/FULLTEXT01.pdf>

31 This includes the deployment of FARDC to police urban unrest, including units transferred from the East.

32 <http://www.diplomatie.gouv.fr/en/country-files/democratic-republic-of-the-congo/france-and-democratic-republic-of-the-congo/>

33 <http://www.africom.mil/media-room/article/26493/u-s-troops-support-democratic-republic-of-the-congos-logistics-school>

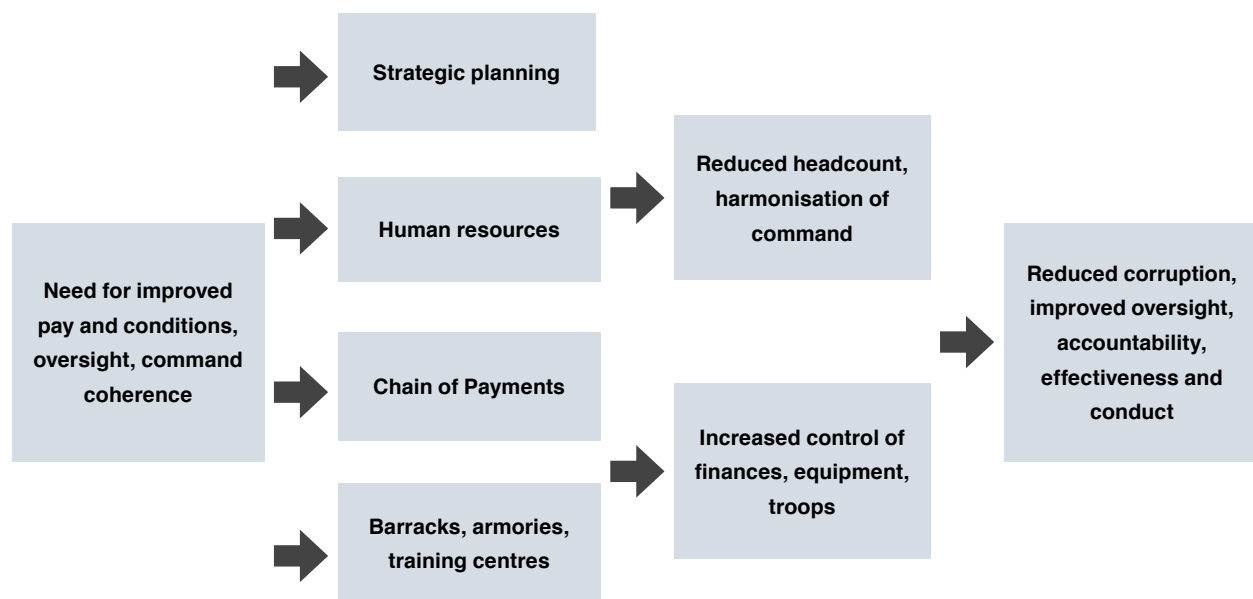
34 Congressional Research Service, R43166, February 2017



include police training on public order and human rights.<sup>35</sup> UNDP and UNPOL continue to train PNC. All EU projects on police training were reported to have been suspended or terminated;<sup>36</sup> the Japanese-funded P4P program was the only one remaining.<sup>37</sup>

### **Institutional challenges: structures, human resources, payment, and facilities:**

*Theory of Change: if FARDC/PNC have better structures and management, improved information about human resources, financial flows and logistics, and enhanced facilities, then opportunities for corruption will decrease, conditions for soldiers will improve, operational effectiveness increase, and abuses decrease.*



This theory of changes seeks to address the institutional shortcomings and structural factors that undermine discipline, command coherence, and control. Through such approaches, it seeks to set up systems that can sustain change over time, without the need for continued external engagement. Such approaches have been undertaken by many actors, in a variety of ways, ranging from high-level collaboration on strategic reform plans, to the embedding of foreign officers as advisors in FARDC and PNC structures, the conduct of a systematic ‘head count’ of serving personnel, the construction of new systems to ensure the payment of salaries, and the piecemeal construction of new facilities, including barracks, training centers, and armories.

The most high-profile initiatives were undertaken by the EU via the EUSEC and EUPOL programs, along with collective and informal international community participation in the formulation of high-level

35 ‘MONUSCO police, with the support of the Human Rights Division, will continue to support the national police, in particular, through training on human rights and public order management, while closely monitoring their conduct and operations.’, Secretary General’s report on Monusco, March 2017

36 Interviews, international and Congolese officials.

37 <https://monusco.unmissions.org/en/unpol-and-jica-team-build-capacities-congolese-national-police>

strategic reform plans. Another approach has been to build or refurbish facilities.<sup>38</sup> The EUSEC and EUPOL programs undertook a census, substantially computerized the military human resource system, and handed over databases of police and military personnel to the Congolese authorities, issued ID cards, and worked to guard the ‘chain of payments’<sup>39</sup> in order to prevent salaries being embezzled.

In addition, EUSEC focused on a reform of logistics, administration, and the provision of physical resources, including the construction of barracks, armories, and training centers.<sup>40</sup> EUSEC was instrumental in building the capacity of the Services d’Education Civique, Patriotique et d’Action Social (SECAS) of the FARDC, a key Congolese institution able to offer real leadership on military reform,<sup>41</sup> and collaborated with government on the drafting of a variety of important laws and regulations.

### *Impacts*

These initiatives have undoubtedly taken some concrete steps forward. The census, databases, ‘chain of payments,’ and improvements to human resources practices are important achievements. Close mentoring has left a legacy of increased planning capacity – the FARDC is reported to now have the institutional knowledge and capacity to conduct and execute a reform plan, though it remains hampered by a lack of resources<sup>42</sup> – even elements of the FARDC that are performing well, such as SECAS, are reported to suffer from internal resistance and budgetary shortfalls.<sup>43</sup> On paper, and in law, the Congolese security sector looks far better organized than before. One former EUSEC employee described the program as a success.<sup>44</sup>

But others have concluded that limited political engagement and narrow, technical reform have undermined the long-term impact of these reforms. EUSEC ‘bankisation’ has been widely seen as a success, but the issue of ensuring payment to the FARDC is indicative of the limits of this approach.<sup>45</sup> Not every soldier has a bank account, banks themselves are scarce, and during operations, payments are supposed to be distributed at the front, rather than to banks, meaning that many still do not get paid. In addition, and more importantly, networks within the security services have proved able to sidestep these reforms, finding other sources of

38 The Mines Advisory Group has built significant numbers of depots and armouries, Germany financed two ammunition depots, and others including Japan, the EU, UK and UNDP have constructed or refurbished offices, training centres, barracks or police stations

39 EUSEC was able to change the method of payments from cash transfers to a system based entirely on bank accounts (‘bankisation’).

40 EUSEC constructed 6 armouries and 5 ammunition depots, and renovated 195 military buildings and 180 offices.

41 SECAS is reported to be supported by the UN (UNDP, MONUSCO, UNICEF), NGOs including SFCG and KAS, the ICRC, US, France and Belgium

42 Interview, senior international official

43 Interview, international official

44 Interview, former EUSEC official

45 These limits have also been reached in reference to rebuilt or refurbished facilities. Two German-funded weapons depots were handed over to the FARDC in July 2016, but remained empty at the time of field research due to a lack of petrol to move arms and ammunition, or too few soldiers available to guard them. The PNC is reported to have eight training centers, some of which have been refurbished by external partners, but which remain unoccupied. EUSEC renovated the military academy at Kananga, and provided all training materials and equipment – which has not been continued after the DRC government took over the site. Other facilities have gone unused due to disagreements within the military over which units would be allowed to use them.

revenue to replace the protected payroll budget.<sup>46</sup> As one evaluation put it ‘...finance mechanisms were strengthened to ensure salary payments. However, the *motivations* for not paying were only marginally treated<sup>47</sup>. Technical solutions have clear limits to cultural or political problems.

In addition, despite increased capacity, new laws and reform plans remain unimplemented or incomplete. For instance, the 2011 organic law on the FARDC laid out a new military structure, dividing the country into three zones. However, rather than clarifying chains of command, it has resulted in two parallel command structures; one for immediate operations and another for day-to-day management. A new FARDC structure was signed into law by decree in 2016, but is still only partially in place. The PNC was reported by one Congolese observer to have implemented only 30% of the 2012-2016 reform plan.<sup>48</sup> One interviewee estimated that 80% of the security governance framework was set up, but that it fell apart in times of crisis.<sup>49</sup> The database handed over to the PNC by EUPOL was not being maintained, the Comité de Suivi de la Reforme de la police was reported to have not met since 2015, and the Comité de Suivi de la Réforme de l’Armée was never put in place.<sup>50</sup>

One of the most important impacts of this is that, despite sustained external assistance, the amount of money received by the rank-and-file remains insufficient to survive.<sup>51</sup> As noted above, pay and conditions were cited as the most important barrier to improving relations between security actors and civilians by a large majority of Congolese soldiers and police interviewed. Police reportedly do not attend training because they ‘can’t make money in a classroom’ – and are under severe pressure to become ‘self-financing’ by hiring themselves out as security guards<sup>52</sup> in order to siphon money upwards to senior officers or politicians. This issue makes working towards transparency and oversight extremely difficult. As one interviewee argued, transparency would cause the collapse of institutions, as rivalries over unequal access to pay and resources would result in immediate conflict.<sup>53</sup>

The central problem is one of sustainability in the absence of political will to support change – that structures set up to guide or drive reform are entirely dependent on donor support, and will collapse on its withdrawal. There ‘...are already signs that the national partners have been unable to institutionalize adequately EUPOL’s legacy.’<sup>54</sup> As one international observer put it ‘...they now have all the tools, but do

46 ‘...a narrow reform process of the payroll system and failure to address the underlying management/accountability deficits within the armed forces provided opportunities for senior officials to eventually circumvent the system related to salary payments by siphoning off other budget lines instead (e.g. food provisions)’ <http://issat.dcaf.ch/Learn/Resource-Library/Case-Studies/Chain-of-payments-project-within-the-Armed-Forces-of-the-Democratic-Republic-of-Congo-FARDC#5b>

47 Joint evaluation of conflict prevention and peace building in the Democratic Republic of Congo, Channel Research, 2011; author emphasis

48 Interview, Congolese civil society representative

49 Interview, senior UN official

50 *ibid*

51 Interview, senior international official. Further, the amount paid is reported to be \$100 per soldier, regardless of ranks – the ‘ration convertie en argent’ – which disguises the real problem, which is that salaries are paid as bonuses. These can vary widely between rank-and-file, officers, and ‘consultants’, and are kept secret – as pay is not standardized, but determined on an individual basis. One interviewee reported that the army would collapse if the discrepancies in pay were publicly known.

52 Interview, Kinshasa

53 Interview, international official

54 Laura Davies; [http://eplo.org/wp-content/uploads/2017/03/EPLO\\_CSDN\\_Discussion\\_Paper\\_The-EU-and-peacebuilding-in-the-DRC.pdf](http://eplo.org/wp-content/uploads/2017/03/EPLO_CSDN_Discussion_Paper_The-EU-and-peacebuilding-in-the-DRC.pdf)

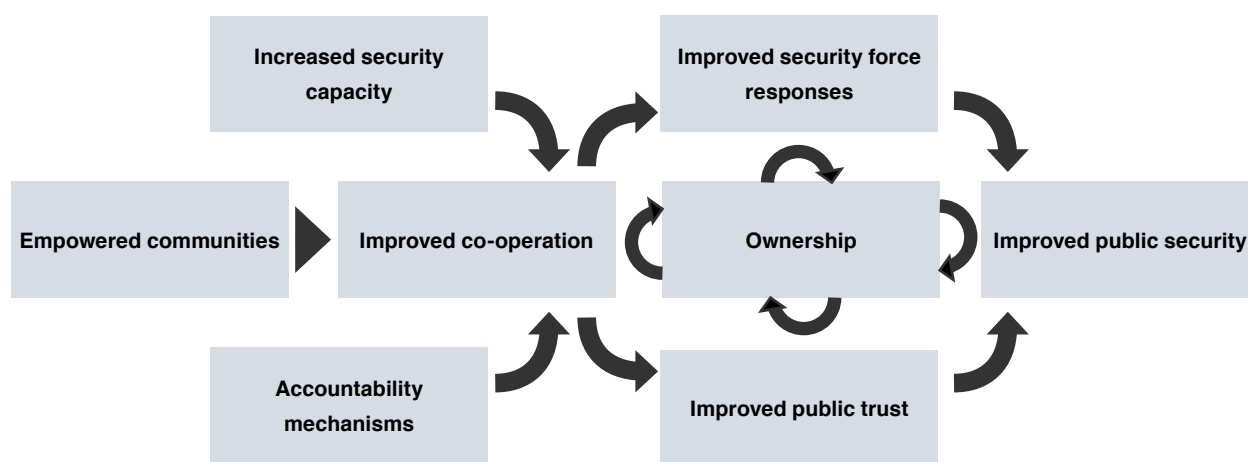
not use them.’<sup>55</sup>

### Who is doing what?

EUPOL closed in 2014 and EUSEC in 2015. A CSDP ‘micro mission’ was put in place to assist with army reform until mid-2016, before its replacement by EDF-funded programs on the military (PROGRESS), police (PARP) and justice (PARJE); though the police program was reportedly halted by misgivings by European donors over human rights, and the justice program has been heavily curtailed. PROGRESS has a \$25 million budget until 2021, though its work is limited to assistance at strategic levels, accountability and capacity building, and support of local NGOs. The IOM was implementing a large slate of projects, including community policing, training, and reconstruction of facilities, though it is not clear which of these continue to be implemented, and Japan continues with its P4P project.

### Civilian oversight and accountability

*Theory of Change: if the capacity of security actors is increased, communities are empowered, and accountability mechanisms are put in place, then the relationship between security actors and the public will be improved, police responses enhanced, public trust in security forces will increase, there will be enhanced collective ownership of security challenges, and the safety of the civilian population will be improved.*



This theory of change sees the security sector as embedded in and part of the wider society, rather than a discrete arm of the state. It thus takes a holistic approach to reform, matching improvements in operational

capacity with work to engage communities, build mechanisms for feedback between civilians and security actors, and ensure continued feedback, joint ownership, and improved security provision.

The Security Sector Accountability and Police Reform (SSAPR) program was a UK-funded, five-year initiative to improve safety, security, and access to justice for Congolese citizens via accountability through support to the police reform process and increased community capacity to cooperate with police and demand effective policing. As one of its implementing partners put it, its purpose was ‘...tackling the “demand side” of the problem, working with citizens, government institutions, and elected representatives to ensure that the security and justice sectors are responsive and accountable to the people they are meant to serve.’<sup>56</sup> It had four major components: supporting police reform and capacity; improving government oversight of the security sector; improving civilian oversight and engagement; and monitoring and evaluation.

### *Impacts*

A review of the SSAPR concluded that ‘...there is strong evidence that police practice improved in the short term, and this was largely associated with positive changes to public perceptions of security.’ This includes some 1,500 police trained on ‘police de proximite’ (PdP) models, as well as the provision of equipment and infrastructure, which was reported to have had a positive impact on perceptions of police behavior. Improvements were also noted in collaboration between police, public, and local authorities – community forums were particularly identified as having a lasting impact.

However, serious concerns were raised over the sustainability of positive changes, notably around police behavior. This is corroborated by interview data, notably around the experience of PdP programs in Mbuji Mayi, where 170 of the 360 police that were recruited to meet staffing shortfalls went unpaid by the government; those that were paid received \$70 per month. Once their training was completed, they received no support, and therefore began to predate on the population. The ‘Comite Locale pour la Securite de Proximite’, established under the PdP program, identified that the police had begun to work with criminal gangs, and were in conflict with an older generation of police who had been overlooked for the training. One international observer commented that a demobilization project would be necessary to deal with the police trained via the PdP program.<sup>57</sup>

An academic study into the PdP program in Ituri likewise found that a lack of government support has seen the ‘urban population living in the areas of deployment increasingly disappointed with the Police de Proximite, accusing them of gradually taking over the ‘bad habits’ (corruption, extortion, passivity, etc.) of their regular PNC colleagues’. As the SSAPR review found, police themselves ‘...cited salaries as the biggest factor associated with declining police practice. When discussing these issues, community members often linked corruption to the poor salaries of police. If the issue of salaries is not addressed for these police

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56 <https://www.dai.com/our-work/projects/democratic-republic-congo-security-sector-accountability-and-police-reform>

57 Interview, international official

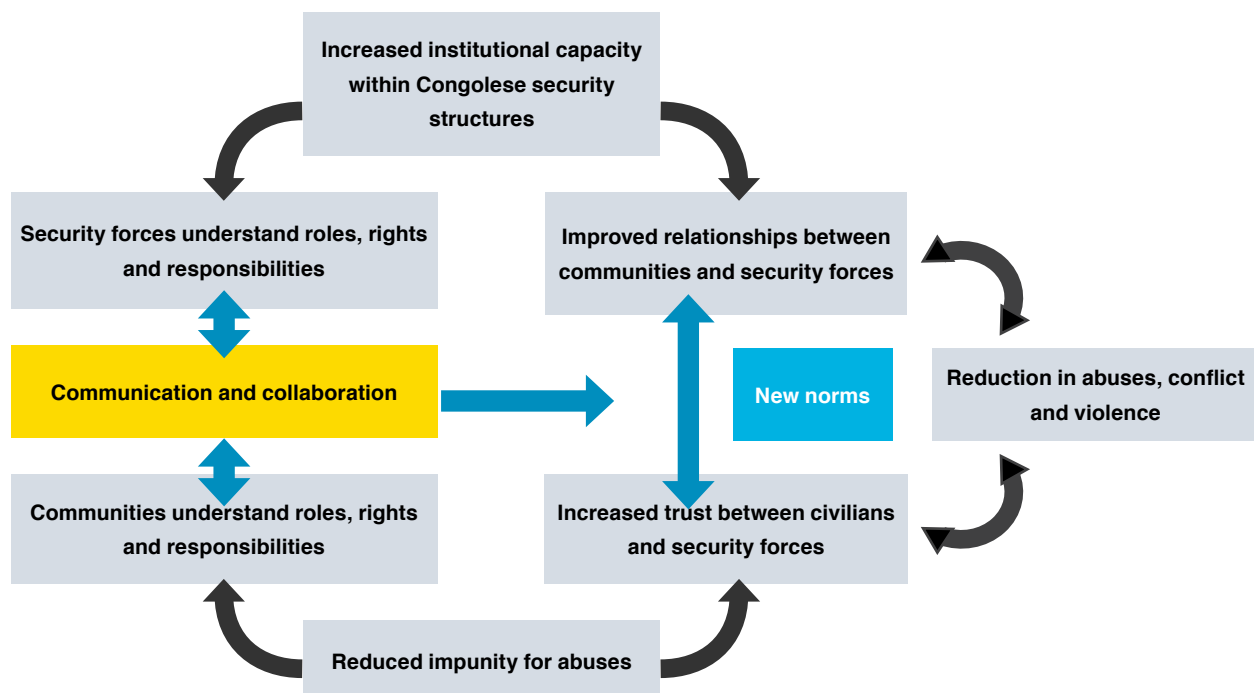
officers, there seems little prospect that they will continue good police practice and the abandonment of corrupt practices.<sup>58</sup>

In addition, the political climate has not been conducive to the sustainable growth of ‘demand’ led reform. Congolese civil society is widely perceived as politicized, and is vulnerable to subversion or intimidation by security actors and elites. The approach risks setting up an adversarial relationship rather than fostering mutual understanding, and hits a barrier of weak government commitment to support reform beyond project timetables. Again, political will is lacking.

### Who is doing what?

DFID canceled its SSAPR program in 2015. The Konrad Adenauer Foundation was working with PNC and FARDC on gender, human rights, and political education, as well as with SECAS, but ceased its work in 2016. SSR work continues under the umbrella of I4S in its target provinces, aligned to a stabilization logic, to which Search’s work has been aligned (see below). MONUSCO’s current mandate emphasizes that it ‘...aims at reinforcing the will of the Congolese Government and at encouraging the participation of civil society in the SSR process in order to ensure local ownership of the reform.’<sup>59</sup> Search has continued to support the PNC in North Kivu, South Kivu, and Ituri.

## 1. Search’s Theory of Change in the SSR sector



58 Independent Evaluation of the Security Sector Accountability and Police Reform Program, Theory of Change Monitoring Synthesis Report, Palladium Consulting, December 2015

59 EU Support to Security Sector Reform in the DRC, EURAC, 2016

Search's work on SSR in the DRC was initially conceived as a 'post-brassage' contribution to durable peace. Thirty-five years of poor relations between civilians and the military, compounded by the experiences of 10 years of war, had left a legacy of toxic relations between security forces and civilians. It also acknowledged that the Congolese state needed a 'professional and politically neutral' police and military.

Though the precise objectives and operational goals changed over the four phases of Search's work on SSR (see Annex 1 for more detail on approaches and results), the guiding principle has remained relatively constant, most clearly expressed in a formal theory of change developed in 2015: *'if Congolese security forces and civilians gain knowledge and awareness about the roles, rights, and mutual responsibilities, and if they are able to communicate and interact in a more transparent and constructive manner, then the behavior, relationships, and confidence between them will rise.'* This theory of change is anchored by a perspective that sees civilian and security actors as mutually interdependent, and seeks to overcome the barriers of history, embedded practice, and entrenched suspicion that drive confrontation.

The Search approach embodied three broad principles. Firstly, it built collaborative relationships between soldiers, police, and civilians, enabled by improved understanding of roles and responsibilities, and designed to overcome fear, prejudice, and stereotypes. Secondly, it worked to shift norms of behavior by popularizing and normalizing collaboration between civilians and security actors, through variety of media programming. Thirdly, it sought to create space where the FARDC and PNC would have agency and demand change themselves, by placing them in positions of leadership and responsibility within committees put in place from unit level up to central command.

This theory of change contrasts with the 'civilian oversight and accountability' approach outlined above, in that it sees real accountability as not simply due to increased civil society capacity to scrutinize and discipline security actors - which sets up potential conflicts with security forces and political authorities - but rather, that real accountability comes as a result of changing the incentives for civilians, soldiers, and police to themselves build and maintain healthy relationships. It seeks to offer rewards in terms of status and reputation for champions of change within the security forces and promotes positive feedback for leadership in the effective protection of civilians.<sup>60</sup>

For instance, the *Ndakisa* project highlights role models within the PNC and FARDC, chosen by communities themselves as offering positive examples of police and soldiers overcoming obstacles to collaboration with communities to promote justice and the rule of law, subsequently used as the basis for TV and radio dramas. Moreover, 'Commandant Janvier', the villain of a series of stories propagated through the FARDC through comics, radio dramas, and interactive theater, has become a widely-recognized symbol of negative behaviors to avoid.

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60 SFCG has accomplished this through a wide range of programmatic approaches, including training for soldiers and, latterly, police; the establishment and support of military and police committees, from national level down to within individual units; the organization of a wide range of collective activities bringing security forces and civilians together; and the use of a variety of media tools, including radio and TV series, film showings, comic books and participatory theatre, to improve mutual understanding between soldiers, police and civilians, undermine stereotypes, and 'nudge' changes in behavior through the propagation of positive role models.

It is equally worth noting that Search has demonstrated that it is possible to generate national-level buy-in for potentially challenging reform, by working collaboratively with national structures and devoting significant time and resources to building and maintaining relationships with senior officers at national and provincial levels. But, unlike many other SSR interventions, it has also proven that engaging constructively at the level of military regions and territories – among local communities and deployed units – need not be dependent on the political support of Kinshasa elites.

### *Impacts*

These programs achieved significant results, formally evaluated at the end of each phase. Positive results were sustained through all four phases, with evaluations demonstrating consistent improvements in knowledge, awareness, and improved collaboration and perceptions of security. These programs have had a measurable positive impact on civilian protection.<sup>61</sup> More than 80% of respondents in operational areas were recently assessed to have been exposed to Search media outputs, and knowledge of rights and responsibilities among both civilians and security actors were reported to be high.

Search was also able to build and support structures within security forces to sustain and institutionalize reform. Most important among these is SECAS, which grew out of the Service d'Education Civique et Patriotique (SECP), an institution which has been a key partner of Search since the inception of its work on SSR, and which now has the institutional weight to drive continued reform. Though unit-level committees have proved harder to sustain, they have in some cases been sustained by Congolese actors themselves even after the completion of Search support.<sup>62</sup> Research has indicated an overall improvement in the sense of security in Eastern DRC in recent years, and it is notable that urban unrest associated with political developments in late 2016 was resolved largely peacefully in the East, as a result of enhanced collaboration between civilians and security actors, in contrast to violence seen elsewhere.

But the 2016 review also reported limits in impact, notably around continued abuses – a quarter of respondents reported no improvement – and concerns over ongoing impunity. As noted above, the UN reported that 54% of human rights abuses between 2014 and early 2016 had been carried out by the state agents. There are many potential factors driving these limitations, including the extent of the coverage of Search programs, the repeated movement and reorganization of units,<sup>63</sup> and numerous incidents of conflict in operational areas.

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61 A 2014 survey found that 92% of people felt the FARDC protected them better after SFCG training; <https://www.sfcg.org/police-and-communities-need-you/>

62 Operational support to base committees was ended in October 2016

63 'As highlighted in previous reports, the revitalization process of existing committees and the training of new committees required equal investment of Programme resources. This is because the majority of both existing FARDC and PNC committees were affected by either administrative or structural changes that resulted in staff transfers, promotions, or retirement. These changes particularly affected areas of high and on-going tensions such as Beni, Massisi and Rutshuru, Ruzizi plain, Fizi, Irumu and Mambasa.' Interim Report IV, July 2016



Additionally, ‘factors outside the influence of Search’<sup>64</sup> have been cited as limiting the impact of Search programs. These include widespread discontent among security actors over pay and conditions, driven in large measure by the patterns of patronage, illicit networks, and corruption, as detailed above, as well as the use of security forces to control popular discontent in the context of a widespread crisis of political legitimacy. Though it is difficult to trace the impact of these factors with any precision, it is certain that they have placed Search’s programs under continual pressure. Once again, many of these are products of the wider political environment.

## 1. Lessons learned

### *The primacy of politics*

The proximate causes of many of the setbacks to SSR in the DRC have been widely identified as corruption, impunity, and patronage. There is a ‘shadow system’, operating on clientelist lines and behind formal systems, such that academic analysts argue that the security services, notably the military, are best understood as a ‘collection of overlapping patronage networks’, oriented towards revenue generation, not defense,<sup>65</sup> or a ‘collection of permanently competing power networks’.<sup>66</sup>

The root of these problems, and of the failure to adequately address them, is political. This has been repeatedly underlined by Congolese and international observers alike, reflected in the assessments outlined above. The need to tackle the will, integrity, and behavior of senior political and military leaders was repeatedly identified in interviews, most strikingly by members of the Congolese security forces themselves. The most important role that they perceived for external partners in SSR was concerted action to hold senior decision-makers to account – one interviewee expressed the need for external actors to ‘help to change the system [currently] in place.’<sup>67</sup>

Equally, the necessity of high-level political will for sustained and successful SSR has been repeatedly reflected in NGO, academic, and program documentation. The SSAPR program identified the ‘...lack of political engagement on the part of national Congolese counterparts as the biggest risk to this long-term sustainability.’ Success would require ‘...a more active political engagement from the part of not only program implementers but also donors and other political stakeholders who carry more weight than program staff’.<sup>68</sup> EUSEC was assessed to have failed due largely to ‘...political impediments to reforming structures, management systems and accountability lines,’<sup>69</sup> despite the fact that its own evaluations early in the project cycle identified the need for a greater focus on political issues. It is the widely decried that the

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64 Joint Evaluation of Conflict Prevention and Peace-building in the DRC, Volume 2, Channel Research, 2011

65 Baaz, Stearns and Verweijen, 2013

66 Baaz and Verweijen, 2015

67 Interview, Congolese security actor

68 Palladium Consulting, op cit

69 <http://issat.dcaf.ch/Learn/Resource-Library/Case-Studies/Chain-of-payments-project-within-the-Armed-Forces-of-the-Democratic-Republic-of-Congo-FARDC#5b>

'lack of political will' has led to many donors stepping away from SSR.

### *Coordination and technical approaches*

One solution to the problem is improved coordination among those undertaking SSR. This has never been achieved in the DRC, despite harmonization through technical working groups put in place by the UN and EU, including under the I4S banner, and mechanisms such as the 'cluster' system, though these do not capture all activities. NGOs, in particular, do not necessarily align their interventions to national policies or plans, further weakening their utility. MONUSCO has had the mandate to convene and coordinate the international community on SSR, but activities have been sporadic and not sustained. An Ambassador-level working group on SSR has not continued following leadership changes. As one academic analysis argued, the international community has '...neither been able to understand the complexity of the context for reforms, nor provide a peacekeeping mission robust enough to invest sufficient resources and to coordinate properly the numerous bilateral and multilateral assistance initiatives.'<sup>70</sup>

But there are real limits to the impacts that technical interventions can have in the current context, regardless of how well designed or coordinated. The perceived reluctance of external actors to tackle the fundamental political barriers to reform led many Congolese respondents to see SSR efforts as an 'Illusion' or 'masquerade'<sup>71</sup> - that external actors had concentrated their efforts on second-order issues, prioritizing 'accessories' at the expense of the 'essential'. Some Congolese security actors felt that training focused on 'sensitization on something that doesn't exist'.<sup>72</sup> As one interviewee put it: 'The roles of the external actors is not to imagine a need but rather to identify it, and not to execute it in its own way but in the way that it can be sustainable and helpful to the beneficiaries.'<sup>73</sup>

### *Towards a new approach*

It is clear that coordination and technical excellence, while eminently necessary, are not sufficient in the absence of a road-map to tackling the fundamental obstacles to reform; '...coordinating these efforts without a joint plan to deal with the underlying political problems in Kinshasa is simply inadequate.'<sup>74</sup> The core problems of corruption, patronage, and impunity, underpinned by politically-vested interests, have not changed. Fundamentally, addressing the 'clientilistic norms' that drive a 'patronage-based' system of security governance, will necessitate moving away from a technical approach to security and institutional reform.<sup>75</sup> Creative thinking is necessary to develop tools for working on a political level.

70 Kasongo and Hendricksen,

71 Analysts have argued that donors have avoided significant efforts to address basic governance issues, in order to protect their diplomatic relationship with the government, and instead persist with an 'endless cycle of failed reforms'; Nlandu, 2013

72 Interview, Congolese security actor

73 Interview, Congolese security actor

74 Oxfam America, 'No Will, No Way'

75 Buscher et al 2016

## 2. Solidifying SSR interventions for sustainable peace in DRC

SSR remains vitally important. Previous approaches, as noted above, have had some successes, but have failed in achieving overall change. The current situation is complex and volatile; needs for civilian protection and mechanisms to improve the behavior the security sector, maintain relations with civilians, and build accountability are likely to increase, at a time when resources and will to engage are decreasing (see Annex II for potential scenarios). But even given current uncertainties, there are steps that can be taken to both meet these needs and ‘prepare a fertile environment’<sup>76</sup> for successful SSR in the future.

There are a number of factors that will shape any future SSR interventions:

- Political stasis and uncertainty over elections has triggered a crisis of central legitimacy, and a reduction in already weak central control over much of the country. It will almost certainly lead to violence, both urban unrest and rural mobilization. This will lead to increased stress on the security services, including through overstretched and repeated redeployment, including to areas with little-to-no logistical support or infrastructure to support them. **Units trained by Search, that have built up a positive relationship with local communities, may be broken up, moved, or left unsupported by government.**
- The Congolese security sector will be used to respond to perceived threats to regime stability. Tensions and conflict between civilians and the Congolese security forces are very likely, and conflict between elements of the security sector is possible. The behavior of Congolese security actors is very likely to come under sharp scrutiny, from both the civilian population and international observers – **providing an opportunity to highlight positive as well as negative stories.**
- There has been a marked slowdown in donor activities on SSR. Many now feel that further efforts on SSR would be tantamount to protecting the regime – that it would reduce rather than protect political space.<sup>77</sup> Relationships between the government and external partners are strained, and likely to get more so as the political crisis continues. Significant direct assistance to the Congolese security sector is unlikely for the foreseeable future, and the utility of traditional approaches to donor engagement on reform will reduce. Much training has already been suspended or withdrawn. **Creative ‘work-arounds’ will be necessary to maintain dialogue with the security sector.**
- Donors lack a clear ‘road map’ to structure any future reengagement on SSR.<sup>78</sup> There is no effective coordination body for SSR, beyond those formulated as part of a discrete project, such as PROGRESS or the I4S. No forum exists for wider reflection on how to undertake meaningful

76 Born and Schnabel, 2011

77 Interview, senior international official

78 For instance, the EU the Strategic Framework for the Great Lakes Region, published in 2013, ‘...offers no firm proposals for how the EU might contribute to reforming the military and police sectors in the future.’

SSR in the current context. **This collective uncertainty offers the opportunity to reshape the debate.**

- The economy is likely to continue to suffer, including through mounting inflation, and the government will face external budgetary pressure. This will lead to reduced salary payments for large elements of the military, and perhaps to increased pressure to predate on civilian populations, both for day-to-day survival, and to feed patronage networks. **But it may also lead to the weakening of central hold over peripheral zones and units, allowing the collaborative development of space for more autonomous action.**
- MONUSCO will come under increased pressure over its budget, staffing, and the number of peacekeepers it deploys. Though the results of an on-going strategic review are not yet available, any drawdown will restrict its ability to monitor and respond to emerging crises and reduce its capacity to effectively protect civilians, including through training and mentoring of the Congolese security services. Many of the secondary benefits that MONUSCO brings to other organizations working in the DRC, from air transport to staff security, may be lost. **This will place an increased burden on other actors to identify and respond to local crises, to maintain working relationships with the Congolese security sector, and to protect civilians.**
- The potential for change that elections will bring, and the political maneuvering and uncertainty that will precede them, constitute a significant challenge for building top-level political will to reform. **But the crisis of the current political dispensation offers the chance to proactively build new coalitions, constituencies, and conversations around the future parameters of Congolese politics – which could have effective SSR at the forefront.**

## The Vision

Rather than rely on mainstream tools for advocacy, diplomatic pressure, or institutional oversight, there are creative ways to ensure ‘...the marginalization and management of SSR spoilers – both armed and political’<sup>79</sup> through building ‘bottom up’ pressure, changing national conversations and norms, and altering the ‘political marketplace’ such that undertaking successful SSR becomes championed by Congolese leaders. And, rather than being pursued in isolation, this can be achieved as a function of effective civilian protection, oversight, and accountability – and ultimately, democratization.

## Search’s Role

The following possibilities for strategic action would not intend to replace the existing ‘Tomorrow is a new day’ program, but rather use the foundation of experience, contacts, relationships, and methodologies built over successive iterations of the program, along with Search’s institutional expertise, to address four interlinked

objectives: promoting the protection of civilians; supporting continued direct contact with security services; leveraging communications to stimulate national conversations on SSR; and harmonizing international community perspectives. Together, these elements would allow Search to tackle the headline issue of the political environment within which SSR takes place, while at the same time, delivering enhanced results on the ground.<sup>80</sup>

## Search strategic action points

### Protect civilians through a time of uncertainty

Violence related to the current period of political uncertainty is guaranteed. Congolese police and military will be deployed to meet perceived threats to regime stability, including unrest and demonstrations in urban areas, and potential insurgencies or mobilizations across the national territory. Existing unit and command structures may break down, and security forces may be poorly or un-paid, or deployed in areas with little or no logistical support. Conflict with civilian communities is certain; violence and abuses are very likely. MONUSCO may well face shrinking resources to respond.

Search is well placed to utilize its existing relationships, accountability mechanisms, and structures for dialogue and communication, both within the security sector and between communities and security forces, and its broad experience on conflict mitigation and local peacebuilding, to minimize abuses where conflict has emerged, and ideally, to act proactively to prevent violence.

This would constitute a continuation and/or adaptation of current programs, making use of and extending the network of local security committees, as well as those established within PNC and FARDC structures, and its existing relationship with senior commanders, to help to proactively reinforce community relations, notably in areas where political violence can be anticipated, and, more broadly, ensuring that lines of communication are open between local civil society – youth groups, students, political parties, and so on – and key security officials, at local, provincial, and national levels.

Such work would also generate examples of both positive outcomes and best practice, which could be used to iteratively improve practices, and to catalyze behavior change through horizontal communication. Given Search's broad national experience and networks, it may be possible to establish modalities for 'rapid response', to target proven methodologies – media outputs, local security committees, or activities to build links between civil society and security forces, and so on – in areas of particular concern.

- *Objective 1.1: Build and maintain a map of deployment areas of units or unit elements that have had contact or relationships with Search programs or committees, a database of commanders and key individuals;*

<sup>80</sup> They also mirror the evolution of the 'Tomorrow is a New Day' project in its latest iteration, which looks to focus resources and effort on areas of greatest need, to integrate with remaining programs, notably PROGRESS and I4S, encourage PNC and FARDC media units to highlight concrete examples of collaboration, and to use innovative mechanisms at territorial and provincial levels to encourage dialogue between authorities and local security committees. Phase IV Cost Extension Request, 2017.

- *Objective 1.2: Link these actors to civil society elements in areas where they are deployed, with a particular focus on areas of conflict or unrest;*
- *Objective 1.3: Leverage relationships and influence to minimize the harm done by Congolese security services, and conflict between elements of the security services; and*
- *Objective 1.4: Collect case studies of positive behavior for use in campaigns or advocacy.*

### **Protect space for collaboration and training**

Donor withdrawal and reluctance to fund direct or indirect support to the Congolese security services make the continued provision of training extremely difficult – in combination with the likely (re)deployment, restructuring, or fragmentation of units, this may make maintaining relationships increasingly difficult. Defending the legacy of Search contacts and relationships should be prioritized, even if program outputs have to be reduced.

The isolation of the Congolese security services could push them into an oppositional relationship with civilians, the international community, and other security actors. The fight against impunity will lead to commanders and units being identified as the authors of abuses – such work must continue. But effort must also ensure that the entire PNC and FARDC are not blamed, and in fact, it is the security forces themselves who are best-placed to identify, denounce, and prevent abuses. Identifying and rewarding good behavior is essential, as is defending the existing mechanisms for interaction with the security sector and effective internal oversight, notably SECAS.

At the same time, the weakness of the security sector may also constitute an opportunity – as the grip of the state, or networks within it, weakens, elements of the security sector may welcome continued partnership and communication with external actors and have more space to act with some independence. Moreover, the need to retain links to the realities of life in the Congolese security services is likely to become more acute as the country situation deteriorates, both to moderate behavior and orient future efforts to achieve positive change. Continued contact or collaboration with individual commanders or units of the FARDC and PNC would provide an opportunity to understand their perspectives as to why rules are not respected in practice and identify their perspectives on key blockages to change. These insights could be used to ensure wider communication or advocacy strategies speak to real issues and needs. It would also enable Search to collaboratively refine training subjects and methodologies, targeting those most in need – new recruits, notably those brought in from militias or other non-state armed groups, and those being deployed to the most sensitive or volatile areas.

- *Objective 2.1: Establish modalities for continued, structured, and regular contact between Search staff and units within FARDC and PNC, including in those units deployed to live conflict areas and institutional actors such as SECAS;*
- *Objective 2.2: Maintain an ongoing and iteratively updated analysis of attitudes, views, and drivers of*

*behavior within both the FARDC and PNC, including internal perspectives on obstacles to change and fruitful avenues for external engagement; and*

- *Objective 2.3: Offer targeted training, mentoring, or advice to ‘high-risk’ units, including new recruits and/or those integrated from armed groups.*

### **Reframing the national conversation on SSR through accountability**

Top down pressure from donors for effective reform has not proven effective to date.<sup>81</sup> The nature of the fraught relationship between the current government and major bilateral and multilateral actors means that external pressure is unlikely to gain traction in the short-to-medium term. But political uncertainty, among both Congolese and external actors, may constitute an opportunity to influence national political conversations and norms around SSR, with the intention of changing the incentive structures acting on political leaders such that effective reform SSR becomes a point of political competition. Building public support will be vital for all political actors in the run-up to elections, and there is an opportunity to make SSR a touchstone for public opinion – to change the political marketplace for SSR at national and provincial levels.

This would involve building new links – for instance, between security forces and young people, and between communities and emerging political actors and coalitions – to explore creative methods to bring SSR into the political conversation, while bringing it into focus as an electoral issue, working with national and provincial assembly members, political parties and candidates, journalists, civil society, churches, and others.

Search programs have developed a suite of sophisticated communications tools, from direct messaging to comics, radio, TV series, film screenings, and more. At the same time, Search is uniquely placed to devise messages around the need and positive benefits of effective SSR, and the barriers to enhanced relations between security forces and civilians, that will resonate nationally, firmly rooted in the experiences of both civilians and security forces themselves at the grassroots.

Such an approach could be carried out through designing and implementing a campaign of public diplomacy, bringing a grounded, non-technical conversation about SSR into the public eye, through interaction with Congolese communities – including through the use of ‘disruptive technology’ to access urban youth populations, for example – decision-makers and civil society, informed by ongoing research into ground-up perspectives on reform needs and challenges. Importantly, this would put the voices of Congolese – civilians and security actors alike – at the heart of its messages.

- *Objective 3.1: Leverage data gathered through past programs and other program elements to devise and implement a narrative and communication strategy that puts the needs and responsibilities of the security sector at the heart of the national conversation, with the voices of Congolese civilians and security sector actors at the heart;*

- *Objective 3.2: Build and/or reinforce links with government officials, political parties, elected assemblies, and civil society – including churches, youth groups, and others – at National and Provincial levels; and seek coalitions of opportunity between them; and*
- *Objective 3.3: Use these networks to propagate positive narratives collected via action point 1, and grounded views of challenges via action point 2.*

### **Shaping external approaches to SSR**

The withdrawal of many donors and agencies from SSR, and the lack of ideas for effective SSR in the current climate, offers an opportunity to reshape the fundamental assumptions driving SSR interventions. Search would be well-placed to convene and drive a conversation among donors, NGOs, and others active in the SSR space to come to a working consensus over basic approaches, philosophies, and sequencing. The recent MONUSCO mandate (referenced above), with an emphasis on accountability, popular participation in reform, and political will, suggests that prevailing views are already changing.

This would not necessitate playing a formal ‘secretariat’ role, but could constitute an informal working and reflection group, in Kinshasa and/or Goma, to share insights and best practices and harmonize approaches. It could potentially be linked to the public diplomacy approach outlined above. Care would need to be taken to compliment the ongoing work of specific programs such as PROGRESS or I4S; the idea would be to begin from ‘first principles’ and build consensus from there.

In parallel, a consultation exercise could be undertaken with senior Congolese stakeholders – political leaders, senior officers, and other opinion formers – to identify their perceptions of needs and desired outcomes of SSR. Such a process would enable Search to find the common ground between government and implementing partners, and identify areas where renewed SSR programming could be implemented.

- *Objective 4.1 Reflect on broad approaches to SSR under current circumstances, and in relation to future scenarios, in collaboration with program-specific fora such as PROGRESS and I4S;*
- *Objective 4.2 Develop road map to a ‘politicized’ approach to SSR, including through consultation with international and Congolese stakeholders; and*
- *Objective 4.3 Build and defend consensus in advance of elections to avoid repetitions of old mistakes, including through pro-active advocacy in key international capitals/HQs.*

### **Conclusions**

Current conditions are very unlikely to allow ‘traditional’ SSR efforts to be effective. This has resulted in the disengagement of many engaged with SSR – a tacit admission of the need to wait for a change in the mode of Congolese governance, even if that must come with renewed crisis, and regardless of the fact that this may come with significant human costs. The Congolese state is weak and getting weaker, and public discontent is real and growing. This brings the risk that conditions in the DRC will deteriorate, perhaps catastrophically.



The Search approach has real results in protecting civilians – despite the structural constraints that have seen most other interventions fail. If conditions in the DRC deteriorate further, it may be that this theory of change offers the best chance of moderating the harm done to Congo’s people.

Further, these same conditions may also offer the opportunity to reframe what constitutes SSR in environments such as the DRC. State weakness and political crisis may allow the emergence of a coalition of voices at the grassroots to shape, harness, and channel that discontent towards building accountability and bottom-up demand for *real* SSR. Search can play a key role in redefining what SSR means, in the mind of the Congolese population and international community alike, and put Congolese voices at the heart of demands for effective reform. Rather than a passive hostage to political dysfunction, SSR can itself become a key part of working towards better governance; both a process and tool for democratization.

# ANNEXE I

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## **'Tomorrow is a New Day' – A brief history**

### Phase I

The initial pilot project, from 2006, was largely focused on training the military officers responsible for civic education, known as 'T5', in collaboration with the Service d'Education Civique et Patriotique (SECP<sup>82</sup>), in integrated brigades, battalions and military regions, as well as providing them with sensitization and training tools, and increasing their capacity<sup>83</sup>. By 2007, this had developed to a program targeted at the integrated FARDC units in North Kivu, South Kivu, and Kinshasa provinces, aimed at reducing '...the levels of violence and the number of human rights abuses by security forces in the Democratic Republic of Congo.' through three intermediate objectives; increased awareness of human rights and conflict transformation, improved relations between civilians and military, and fighting against impunity, including through the media<sup>84</sup>.

### *Results*

In the first phase, the program reached a large number of both civilians and soldiers – in Goma 76% of soldiers had participated in at least one activity, 94% had heard Search radio broadcasts, and 97% said they had incorporated the material into the conduct of their duties. Solidarity activities had resulted in a 'collapse of stereotypes' and positive changes in attitude. A theatre tour had reportedly reduced rates of arbitrary arrest by between 40 and 70% in locales where it had been performed. 78% of cases recorded by civilian protection committees had been transferred to tribunals. 38% of soldiers reported that comic books had improved their conduct on civilian protection<sup>85</sup>.

### Phase II

A further iteration of the project from 2009 saw programs expand to Ituri and Tanganyika territory in former Katanga province, though the overall goal remained that of 'reducing the levels of violence and the number of human rights abuses by security forces in the DRC'. Activities were designed to deliver on five expected results: greater awareness of human rights and civilian protection, zero tolerance for abuses, reduction in the number of abuses, restoration of relationships, and improved awareness of and access to justice. Though not a departure from the theory of change embodied in the first phase, this period of Search's work saw an increased emphasis on working with military justice systems to combat impunity – though reluctance on the part of a SECP officer prevented Search from directly monitoring the work of the

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82 Note on development of SECP to SECAS

83 Proposition de Projet: Encadrement des Brigades Intégrées pour une meilleure protection des civils, 2006

84 Fourth Interim Program Report to the Dutch Government, October – December 2008

85 Final Report to the Dutch Government, August 2009

‘Auditoriat Militaire. The focus instead remained on pushing for the FARDC committees established by the program to ensure ‘zero tolerance’ for abuses within their units, and the referral of cases to tribunals<sup>86</sup>.

### *Results*

In Phase II, the program was again assessed as having had positive impacts. The population were reported to have not ‘...only noticed a different attitude in the military associated with this project, but have been able to point to real changes in terms of civilian protection, fighting impunity and overall collaboration between military and civilians in their areas.’ Progress towards ‘zero tolerance’ was not reported to have been systematically evaluated, but there was some information that units involved in the program were less accused of abuses than others, and anecdotal examples of progress<sup>87</sup>. Both civilians and soldiers were reported to believe that the level of violence had fallen in the project target zones<sup>88</sup>, joint activities had resulted in improved cohabitation between security forces and civilians<sup>89</sup>, and that the military engaged in the project had understood that they were not ‘protected’ by impunity<sup>90</sup>. It should be noted that these results were not universal – in Ituri, some 64% thought that there had been positive changes in the relationship between civilians and military<sup>91</sup>, whereas in Tanganyka, this was only 26%<sup>92</sup>.

### Phase III

A third phase of the program was put in place from mid-2012. Its overall objective remained that of ‘improving civilian protection in key strategic regions of the country and contributing to fighting impunity’, delivered via raising awareness, improved military justice systems, and collaboration and solidarity between civilians and soldiers. The theory of change it embodied represented a continuation of previous phases, with the addition of an even greater emphasis on impunity and formalizing its approach to justice through the establishment of the Comité d’Appui à la Justice Militaire (CAJM), designed to assist with the transfer of cases from base committees to justice mechanisms. The overall approach also emphasized the progressive transfer of responsibility from Search’s NGO partners to the FARDC itself, key to the sustainability of impacts<sup>93</sup>.

### Phase IV

A further phase, from 2014, operated on the basis of a theory of change that, from 2015, was formally laid out;

86 Interim Report to the Dutch Government, June – November 2009

87 It is important to note that the majority of abuses in the period were attributed to units associated with the Amani Leo operations, which had been rapidly deployed into the area, were newly-integrated and poorly trained. This points to the ongoing challenge of extensive and chaotic (re)deployment in a conflict affected environment to sustainable reform.

88 34% of civilians and 18% of soldiers believed that SGBV rates had fallen; and 29% of civilians and 17% of soldiers thought that there was less murder.

89 This assessment was based on indicators including ‘sharing water sources between military wives and civilian women, giving credit in shops or at the market to military, visits and inter-marriage between military and civilians and overall ‘assistance’ being provided between the two groups.

90 Third and Final Report to the Dutch Government, January 2011

91 Ituri/Bunia Evaluation, Jan-Feb, 2011

92 Tanganyka/Kalemie Evaluation, March 2011

93 Rapport Narratif Finale, January 2014

*‘if Congolese security forces and civilians gain knowledge and awareness about the roles, rights and mutual responsibilities, and if they are able to communicate and interact in a more transparent and constructive manner, then the behavior, relationships and confidence between them will rise.’*

The overall objective of the program was ‘...strengthening mutual trust between civilians and the security forces by encouraging improved behavior within the security forces and strives for an empowered role of local communities to hold the security forces accountable for their actions.’<sup>94</sup> There were two specific program objectives: to improve the knowledge and awareness of Congolese security forces and civilians as to their rights and responsibilities, and to strengthen communication, accountability, and cooperation between them. These objectives were delivered through the establishment and support of security committees, both in communities, in FARDC and PNC units, and at Provincial level<sup>95</sup>, training - including training of SECAS trainers - solidarity activities including Tribunes D’Expression Populaire, and a wide range communication including radio programs, films, participatory theatre, and comic strips.

The program is now being implemented in areas covered by the I4S program<sup>96</sup>, and methodologies have been wrapped into I4S approaches. There have been ‘...strong efforts to align the program with ISSSS and the STAREC’s provincial stabilization strategies’<sup>97</sup>, and to maintain the benefits of Search’s existing approach while also meeting stabilization goals. This is perhaps indicative of a long-term shift in Search’s approach to the security sector in the DRC, from a starting point of working directly with military officers, to broad-spectrum engagement across the military, police, and civilian communities – to one that is primarily focused on giving ‘...civil society groups, community leaders, and members of the public administration the tools and support they need to hold police and military forces accountable in a way that mitigates future conflict’,<sup>98</sup> as well as continuing the process of progressively moving responsibility to sustainable structures within the FARDC and PNC.

### *Results*

In Phase IV, the program has repeated prior positive results in the areas within which it works – a mid-term review in 2016 concluded that knowledge uptake had been effective and led to behavior change; that there was greater acceptance of security forces in communities, and improved popular perceptions of security and the role of security forces in providing it. 73.6% of a sample of consumers of Search media output reported that it had given them the desire to change their behavior.<sup>99</sup> Figures from 2014 back these findings, showing that the percentage of civilians in a positive relationship with the police was doubled in areas where Search worked, that 92% of people felt the FARDC protected them better after Search training, and that the

94 <https://www.sfcg.org/tomorrow-new-day-midterm-evaluation-drc-october-2016/>

95 These include Comités d’Appui à la Justice Militaire, Comités Provinciaux d’Appui à la Justice Militaire, Comité Local de Sécurité de Proximité, as committees within PNC and FARDC units.

96 <https://www.sfcg.org/security-forces-civilians-drc-project/>

97 Interim Report IV, July 2016

98 <https://www.sfcg.org/security-forces-civilians-drc-project/>

99 [https://www.sfcg.org/wp-content/uploads/2016/12/FEEDBACK\\_auditeurs-lecteurs-et-t%C3%A9l%C3%A9spectateurs\\_Octobre-2016.pdf](https://www.sfcg.org/wp-content/uploads/2016/12/FEEDBACK_auditeurs-lecteurs-et-t%C3%A9l%C3%A9spectateurs_Octobre-2016.pdf)

numbers of soldiers and police who understood human rights protection went from 23% to 71% following Search programs.<sup>100</sup>

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100 <https://www.sfcg.org/police-and-communities-need-you/>

## ANNEXE II

### Scenarios and Implications for SSR

#### *A note on scenario development:*

*Scenarios are forward looking and hypothetical. They are based on analysis of a number of key variables, including the national political transition, regional and international context, economic indicators, and continuity and change in governance, social, and political conditions. The key assumptions underpinning each scenario, for the short-to-medium term (three-to-five years) and long term (ten years) are listed, followed by an assessment of how the scenario might affect the context for SSR. More detailed narrative scenarios are laid out in annex 1.*

#### **Scenario I: Best Case**

Core Assumptions: **three-to-five years** and *ten years*

*National political transition:* **National and Provincial elections assessed as free and fair take place. Local elections do not take place, but are being prepared. (three-to-five years)** *A full electoral cycle is completed, with free and fair polls at all levels. Disputes are relatively uncommon, and peacefully resolved. (ten years)*

*Regional and International context:* **the DRC's relationships with its neighbors normalize, with minimal cross-border intervention. Donors, the IFIs, and UN are (re)engaged and supportive, and private sector investment increases.** *The DRC is well integrated into regional economies, and has positive relations with neighbors. The UN mission has been withdrawn, and long-term development projects are underway. Relations with donors have largely normalized.*

*Economic indicators:* **the DRC's macro-economy stabilizes, though faces on-going budgetary constraints over continued low commodity prices and a low tax take. Poverty remains pervasive.** *Successful investment in agriculture, extractives and low-level manufacturing, combined with increased tax revenues, have increased government budgets. Macro-economic conditions are stable.*

*Governance, social and political conditions:* **patterns of patrimonialism and corrupt networks persist, although under greater scrutiny and stress. Provinces remain underfunded, and lines of responsibility between Kinshasa and provincial administrations remain unclear and contested. Services, infrastructure and government capacity remain very degraded. Popular expectations for change are high.** *Government capacity has increased, but remains low. There is wide variety in local and provincial conditions, budgets, and services. Corruption remains a major challenge, but new norms of public service are being embedded.*

*Security threats:* **multiple armed groups remain in the East, including FDLR and LRA, though they**

**are smaller than at present, and many have disbanded or transitioned to criminality. The FARDC and Agence Nationale de Reseignement (ANR) continue to play a disproportionate role in public order, but the majority of the country is largely peaceful.** *Armed group activity is low, with no foreign armed groups present, though rural banditry and armed criminality in cities have increased. Police have taken over most public order duties, but are still accused of brutality and abuses.*

### Implications for SSR:

- Senior-level political will, political legitimacy, public expectation, and donor engagement constitute a significant opportunity to tackle the entrenched culture of patrimonialism and corruption that undermines reform of the security sector. This could include embedding new norms of democratic accountability, institutional oversight – particularly through National and Provincial Assemblies – the full implementation of the legal framework, and the re-foundation of the relationship between the Congolese security sector and the population. A window of opportunity for such progress might only be open for a short while, before underlying patterns and networks reassert themselves.
- There would also be an opportunity to coordinate or even build consensus among donors, NGOs, and international civil society around reform efforts. There is a risk that incoherence, competition, and short-termism would delay or undermine progress; that an overly technocratic approach wastes the opportunity provided by political progress; or that a heavy-handed international approach alienates a new administration. Most notably, there may be a rush by donors to push forward with ‘traditional’ SSR approaches – involving material support, training, equipping, and administrative organization – before the governance of the sector has been stabilized. A mechanism that harmonizes external actors and ensures lines of communication upwards to the Congolese political elite and downwards to the population would be valuable.
- Such a scenario, predicated on fundamental changes to top-level political leadership, would also signal a significant change to the underlying political economy of the DRC, and would thus catalyze tensions at multiple levels; between central and provincial governments, between provinces, and between communities within and across provincial boundaries – over relative wealth, access to resources, and investment. All of these would translate to conflict within the security sector, between the security sector and civilians, and between civilian communities, which would need to be managed and transformed – including in areas where the donor community has little experience and little presence.
- Change would threaten embedded networks within the security sector and the political elites profiting from them, who could be expected to resist. There would therefore be an opportunity to build on existing relationships, find and enhance positive examples, identify networks that resist change, and those that embrace it, and to build mechanisms to communicate these emerging

examples at the local and national level, thus using elevated public expectation as a lever for further progress.

- Such a scenario would also allow external actors to begin to pivot towards greater local ownership of projects. A short-term boost in available funding could therefore contribute to building self-sustaining structures that are sufficiently robust to embed new norms around the role of the military and police, and their relationship with communities, in the long term.

## **Scenario II: Worst Case**

### Core Assumptions:

*National political transition: no elections take place, no clear transitional pathway has been agreed, and government legitimacy is extremely low at all levels. Central government remains in place, though opposition groups claim political authority, at national and provincial levels. The DRC has become divided between de facto zones of control, with a surviving central government in place in Kinshasa, and multiple rival administrations, some of which are pushing for secession. No elections have taken place.*

*Regional and International context: the DRC's neighbors are openly engaged in their border zones, and have relationships with armed groups. African responses are hamstrung by regional tensions, notably between Eastern and Southern Africa. Donors have largely disengaged from development, and are focused on humanitarian and human rights issues – and in an adversarial relationship with central government. The UN mission is focused on humanitarian protection and limited peacekeeping. Neighbors have not intervened directly, but have strong de facto control over border zones, and overt relationships with non-state armed and unarmed groups. Regional rivalries have undermined a coherent African response. Donors are focused on humanitarian issues and regional diplomacy to prevent escalation and overspill.*

*Economic indicators: investment has slowed, commodity production and prices have remained low and government faces severe budgetary crisis and spiraling inflation. The formal economy has collapsed, with hyper-inflation and dis-investment.*

*Governance, social, and political conditions: urban protests and demonstrations are frequent, and have included widespread looting. The authority of central government is very low, and Provincial administrations have extremely limited capacity. Patrimonial networks are empowered, and corruption and abuse are widespread and overt. Government budgets and capacity are significantly reduced. Much administration has broken down, and government workers – including security forces – are frequently unpaid. Food security has become an urgent problem, particularly in cities, and criminality, demonstrations, and violence are widespread. Some areas under non-state control have functioning administrations.*

*Security threats: armed groups have (re)emerged in many parts of the country, around a spectrum*



**of local, ethnic, and political agendas. Foreign armed groups remain, and have taken advantage of weak government authority to consolidate control.** *Some zones of the country, under the control of cohesive non-state armed groups or regional powers, are peaceful, but much of the rest is lawless and violent, covered by a patchwork of local defense militias, armed groups, and bandits. Foreign armed groups remain a significant presence.*

### Implications for SSR:

- There would be little space for meaningful reform under a scenario that saw a return to generalized low-level conflict. Many external actors would pivot to mitigation, harm reduction, and resolution and relations between external actors and local authorities would be difficult and imprecise. Funding for reform would be reduced, particularly in light of likely abuses by security forces. There would however be an opportunity for organizations with existing relationships with the security services to minimize harm done to civilians.
- The complexity of conflict in the DRC would undoubtedly see large regional and local variations in the relationship between armed actors and civilians. At the same time, an erosion of central government oversight and control might allow political or military actors at local or provincial levels to be more independent – it might be possible to use this disruption to establish examples of good practice at the same time as minimizing harm that would help lay the foundation for future post-conflict progress.

### Scenario III: Status Quo

#### Core Assumptions:

**National political transition: current leadership remains in office under a variety of transitional arrangements, no elections take place, and though institutions remain nominally in place, political legitimacy, oversight capacity and administrative control has eroded at all levels.** *National and Provincial elections took place, and a new President elected – but polls were widely criticized, and resulted in little change to governance patterns. No local elections have occurred, political legitimacy and accountability remain low and national government responsiveness to popular needs remains extremely limited. Provinces have more autonomy and are able to offer limited local accountability, but remain extremely weak.*

**Regional and International context: neighboring states have been willing to act to secure their immediate border zones, but remain cautious – none has sought to intervene decisively. Some external investment continues, notably in profitable mining zones, but donors have largely disengaged and are often in oppositional relationship to government.**

*Economic indicators: inflation has increased, investment and development aid decreased, and the government faces a budgetary crisis. The economy remains precarious, with very low government revenues and inadequate budgets. Poverty and inequality have worsened.*

*Governance, social and political conditions: central government control of peripheral areas has weakened, and Provincial authorities remain weak. Urban unrest continues, and rural and urban areas have seen brutal repression, the military is still widely deployed to tackle local or provincial violence, though it is extremely overstretched. Elements of the security forces take part in unrest/demonstrations over pay. Public unrest and protest continue, though more around prices and pay than politics. The government and administration – including the security sector – remain underfunded, dysfunctional, and riven by parallel patrimonial networks, leading to poor service delivery, discipline, and effectiveness.*

*Security threats: activity by non-state armed groups has increased, though remains sporadic, and none on a sufficient scale to threaten the government. Non-state armed group activity remains sporadic, but not on a scale to threaten the center; some remote areas are under de facto control of non-state actors.*

### Implications for SSR:

- A prolonged period of political stasis would constitute an opportunity to build local success stories, notably as central capacity to control events and networks is eroded and overstretched, notably through minimizing harm and abuses in the course of police or military operations. It would be a valuable period to continue laying local foundations for the long term – either establishing and embedding new norms to provide a basis for change in the event of political progress, or build resilience, relationships, and structures to minimize harm in the event of a return to conflict.
- National experiences are likely to vary widely during a prolonged period of uncertainty, with some areas or provinces able to build and demonstrate progress, while others remain weak, or affected by violence. Building a mechanism to ensure that such stories are both communicated between communities and areas, and to a national audience, could help shape both local and national norms, expectations, and pressures at a time when the political consensus is in flux and thus malleable.
- Such a period would also provide an opportunity to build a ‘coalition of the willing’, of donors or NGOs which remain engaged – although funding may contract, there may be more space to be innovative, agile and creative, and to build relationships with enduring local actors such as churches.
- While donors are likely to disengage from long-term reform efforts, they are also likely to be searching for solutions, and thus open to new visions – it would be a chance to proactively shape the discourse on SSR in the DRC, in preparation for long-term political progress. Over the longer term, this may become even more important, as some donors accept a limited transition and engage bilaterally – thus fracturing what reform cohesion has been achieved.

- Increasing agitation for change in the overarching political economy of the DRC, most visibly expressed through public discontent, demonstrations, and unrest, provides opportunity to build new lines of communications between young people and security forces, notably in cities; between elements of security forces, notably police and military in areas where military are likely to be tasked with controlling demonstrations; and with and between donors, government, and the population. New and disruptive technologies might offer new avenues for communication.

## ANNEX III

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### Literature Review – SSR in the DRC

There has been a significant amount of analysis on security sector reform (SSR) efforts in the DRC since the end of the second Congo war. Much of the available material agrees that little overall progress has been made – one analyst argues in relation to SSR that ‘...few countries have received as much foreign technical assistance for such disastrous results’ (Misser, 2015). The majority of accounts highlight two broad challenges to reform: a lack of political will on the part of the Congolese government and poorly coordinated and under-resourced reform efforts on the part of the international community (Eastern Congo Initiative, 2012; Oxfam, 2010).

Beyond this, criticism focuses on the state-building paradigm that dominates mainstream SSR thinking, as well as the tendency of donors to use technical policy solutions to complex political problems. Some theorists have begun to explore other avenues for SSR in contexts such as the DRC, including working with civil society, engaging non-state security actors, and reframing the relationship between donor and receiver of reform. This review offers brief historical background and an introduction to some of the key arguments.

### Background

The armed forces of the Congo have been historically weak. Founded on generations of predation, from the colonial era to the Mobutu period (Turner and Young, 1985; Schatzberg, 1988), the police, military, and justice systems functioned to protect the elite (Boshoff et al, 2010). Under Mobutu, the military saw the civilian population as a ‘field to harvest from’ and were an agent of repression, not protection (Verweijen, 2015). The security services had almost completely collapsed even before the Congo Wars; Melmot argues that they were ‘already in ruins’ at the end of Mobutu’s rule in the 1990s, having stopped obeying orders and ‘dissolved’ into independent militias that relied on predation for their survival (Melmot, 2009).

According to Berghezan, the goal of a ‘national, restructured, and integrated’ army was first articulated in the 1999 Lusaka cease-fire agreement, between the state parties to the Second Congo War. This was again highlighted as one of the principle objectives of the Sun City Accord of 2002 which laid out the structure of the post-war transition (2003-2006). The first text to refer to the Forces Armées de la République Démocratique du Congo (FARDC) was the constitutional transition of April 2003 (Berghezan, 2014).

For Sebahra, some progress was made during the transition period towards building an effective Congolese security sector. A law on defense and the armed forces was published in 2004 and in May 2005 the government produced strategic reform plans for both the military and the police. This plan foresaw 18 infantry brigades, made up of the forces of the three principle combatant groups and numerous smaller factions, and a smaller rapid reaction force. The total number of combatants was initially estimated to number some 340,000, though subsequent investigations revealed that 40-60% were ‘ghost soldiers’. They were to be selected according to

criteria including age (18–40 for ordinary soldiers, 18–45 for officers), Congolese nationality and fitness, with unsuitable or unwilling individuals sent to demobilization. The remainder were then combined into new brigades in a process called ‘brassage’ (Sebahara, 2006).

The first six brigades were successfully produced with the support of the UN and donors<sup>101</sup>, and were both deployed and able to undertake some operations, but overall the process was extremely slow and undermined by a lack of resources, poor living conditions for soldiers, the theft of salaries, and poor application of the entrance conditions due to an absence of documentation (Berghezan, 2014). Despite a target of 18 new brigades by the end of 2006, only 10 had been trained by late 2008. They were of low military capacity and were often left in their brassage centers due to a lack of transport capacity and equipment (Zeebroek, 2008). Units that were sent to brassage were frequently over the age limit for integration, poorly trained and equipped, or infirm; numbers were exaggerated and grades inflated (ICG, 2006).

According to Nlandu, police reform also started in 2002 during the Inter-Congolese Dialogue, with the creation of the Congolese National Police (PNC). In 2005, a Mixed Reflection Group on the Reform and the Reorganisation of the Congolese National Police (GMRRR) was launched. In 2006–07, GMRRR presented its conclusions and recommendations including a draft proposal for an organic law on the functioning and organization of the police (Nlandu, 2013).

In 2007, a Police Reform Follow-up Committee (Comité de Suivi de la Réforme de la Police) was created by the minister for the interior and security which pushed forward thinking and elaborated a long-term (15 year) strategic framework and a short-term term action plan for police reform, adopted by the Congolese government in 2010 (Nlandu, 2013).

#### *2006–2011*

Following the 2006 elections, there had been hope that a new government might be able to push forward with reform. A 2008 donor round-table on SSR led - after a protracted period of tension between factions of the Congolese government over the ultimate vision of the military - to the agreement of long-term reform strategy in early 2009 (Clement, 2009). On 26 January 2010 the Minister of Defense, Charles Mwando Nsimba, again presented the international community with a ‘new’ reform plan for the military.

Boschoff outlines the three phases of the plan over a 15-year period (2009–2024) – first achieving stability and internal reform of the FARDC (2009–2011), then a focus on capacity building, territorial forces, a Rapid Reaction Force and logistics (2011–2016), and finally a ‘return to normal military routine’, including involvement in peacekeeping (2016–2024). The reform plan makes provision for three military regions: East, Central and West DRC, around which command structures and deployment will be arranged.

The initial phase was planned to include the training and deployment of 12 battalions of a Rapid Reaction

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101 South Africa, Angola, Belgium, the Netherlands, and the EU all supported brassage centres, and the UN assisted with transport and logistics.

Force, the establishment of the legal framework necessary for army reform, and the completion of the transitional disarmament, demobilization, and reintegration programs, with international support delivered through a stabilization and civilian protection lens (Boschoff, 2010).

But Dahrendorf argues that problems that had affected SSR during the transition persisted in the post-electoral period, including poorly-coordinated programs and a lack of funding. More fundamentally, donors were reluctant to support SSR until they were confident of political stability; but stability was not possible without increased support (Dahrendorf, 2008).

Reform was further undermined by the outbreak of new hostilities, notably with former rebels held back from brassage, reconstituted as a new insurgent group known as the CNDP, led by Laurent Nkunda, which inflicted a series of defeats on the FARDC. Under pressure, in 2007 the government agreed to a short-lived integration of CNDP forces into the FARDC in a process known as 'mixage'. According to Lucas, this was a 'half measure' which nominally incorporated the CNDP into FARDC command structures, but without implementing any training or sensitization, or disrupting Nkunda's command structures, and in fact allowed Nkunda to reinforce his capacity. Hostilities resumed within months (Lucas, 2008).

An 'accelerated' integration followed a further peace deal between the government and CNDP in March 2009, which again demanded no restructuring of CNDP units, recognized the grades of their officers, and allowed de facto CNDP control of much of Eastern DRC, under a new hierarchy that was superimposed on existing FARDC structures, and led by an indicted war criminal. According to Zirion, this was again undertaken without any training or sensitization of combatants, and not only entrenched divisions within the FARDC but also between soldiers and the civilian population (Zirion, cited in Lucas 2008). It was described by one analyst as having 'catastrophic consequences' for the FARDC (Berghazen, 2014).

#### *Post-2011*

There has been some progress made in the years since 2011. Improvements in combat effectiveness, morale, and discipline of the FARDC have been noted in recent years, notably in the run up to the defeat of the M23 in 2013, a further rebel group largely made up of former CNDP soldiers and commanders. Olivier notes that a change in command positions in North Kivu enabled improvements in morale, discipline, and effectiveness among the FARDC under his command (Olivier, 2013), as well as the deployment of Belgian-trained units (Braekman, 2013). This was vital in securing victory over the M23 in 2013, the first in the FARDC's history (Berghazen, 2014), and a much-needed boost to morale (Berwouts, 2013).

There have been some incremental improvements to justice, notably on mobile courts (Peace Operations review, 2013), and some aspects of police behavior (OHCHR/MONUSCO, 2016; DFID, 2015), including the passing in 2011 of the organic law organizing the police and defining its mission, some 9 years after the creation of the PNC (Nlandu, 2013).

Some steps were also taken towards implementing the 2009 military reform plan. This includes the

passing of a new law on the organization and functioning of the FARDC in 2011, and a further 2013 law on the status, career structure, and discipline of the military (see Berghazen, 2013, for details). But the fundamental issues of poor pay and conditions, corruption, patronage, parallel command structures, and abusive behavior continue to characterize the Congolese security services.

### **A Lack of Political Will**

There are many reasons for the broad failure of SSR initiatives since the end of the Congo war. Most simply, it reflects the overall weakness of the Congolese state. As Kasongo and Hendricksen argue, the collapse of Congolese security institutions took place alongside a breakdown of broader government capacity, making reform of any kind very difficult. In addition, the government has consistently prioritized military action against rebels over institutional reform or protecting civilians (Kasongo and Hendricksen, 2009).

But perhaps the most commonly cited reason for the failure of SSR efforts goes further than this, and identifies a lack of political will on the part of the Congolese authorities to carry out effective reform (Eastern Congo Initiative, 2012; Oxfam, 2010). Progress during the transition was stalled due to ongoing tension and competition between the former antagonists making up the government (Boshoff, 2005) and a lack of political will among senior commanders (Trefon, 2011). Undermining effective SSR was a deliberate political strategy, by all parties to the transition, unwilling to let go of the independent military leverage they had built during the war.

This has persisted to the present. Despite the victory of Kabila at elections in 2006 and 2011, the Kinshasa elite continued to view a professional army as a threat to their power (Baaz and Sterns, 2013). The result is that the ‘...authorities have preferred organized insecurity to the organization of security’ (Boshoff et al, 2008).

Marijnen argues that the Congolese security services are in fact an important part of the patronage system that characterizes wider Congolese politics (Marijnen, 2015). For Dahrendorf, this results in corruption and ‘lingering political networks’ within the security services (Dahrendorf, 2008). Others go further and argue that the security services, notably the military, are best understood a ‘collection of overlapping patronage networks’, oriented towards revenue generation, not defense (Baaz, Stearns and Verweijen, 2013), or a ‘collection of permanently competing power networks’ (Baaz and Verweijen, 2015).

### **Poor Donor Policy and Coordination**

The second most frequently cited factor for the failure of SSR in the DRC is poorly-coordinated and fragmented international community initiatives (Eastern Congo Initiative, 2012; Oxfam, 2010). In part, this is because Congolese elites have resisted the emergence of an effective security sector, and instead pushed donors into piecemeal bilateral projects, rather than collaborating with them on taking a coordinated, strategic approach.

Kasongo and Hendricksen argue that the international community has ‘...neither been able to understand

the complexity of the context for reforms, nor provide a peacekeeping mission robust enough to invest sufficient resources and to coordinate properly the numerous bilateral and multilateral assistance initiatives.’ (Kasongo and Hendricksen, 2009). For Dahrendorf, the international community was ambivalent on how to engage in SSR, resulting in ‘a plethora of uncoordinated initiatives’ by donors and the UN (Dahrendorf, 2008). Given the lack of a ‘robust institutional framework’ for SSR, donors compete rather than coordinate, and indulge in crisis management rather than sustained effort (Mampuya, 2012).

There have thus been multiple bilateral programs, often focused on increasing the combat effectiveness of Congolese units to tackle specific crises. Kasongo and Hendricksen argue that a ‘...“train and equip” approach predominates – further focusing on the reinforcement of military capacities at the expense of the development of responsible security forces.’ In addition to the EU and UN, the FARDC has a reported 14 bilateral military cooperation agreements, including training by Angola, Belgium, France, South Africa, the US, Russia, and others.<sup>102</sup> But while these have had some successes – for instance Belgian-trained troops that were deployed against the M23 (see above), and US-trained units engaged in the hunt for the Lord’s Resistance Army (Hall and Lezhnev, 2011) – these have been piecemeal, operated on different doctrines, and not led to sustained improvements in performance.

Clement argues that this came from suspicion between donors – Western actors did not trust China, for instance, and Angola and South Africa competed for influence – incompatible doctrines, equipment, and understandings of a ‘republican’ army between Western and Southern actors, and that ‘bilateral military cooperation often reflected the donor’s interests rather than those of the Congolese recipient’ (Clement, 2009).

The EU has put in place programs on military and police reform (EUSEC and EUPOL), which have offered advice at a strategic level since 2005, with a small number of European officers embedded in key positions in the Congolese administration (Carette, Hoebeke and Vlassenroot, 2007). EUSEC has had some success in conducting a census of Congolese soldiers, protecting salary payments from theft, and auditing its human resources and management (EUSEC, 2015). EUPOL is commended by Bausback for increasing local ownership and civil society participation in police reform (Bausback, 2010).

### **The State-building Paradigm**

A further set of criticism focus on the centrality of ‘state-building’ as the framework for SSR in the DRC. This gives rise to ‘state-centric’ approaches to SSR, aimed at assisting ‘failed states’ to (re)build capacity to deliver ‘good governance’ – to enable the state to regain control of its security sector and deliver ‘responsible’ security actors through oversight, training, and education (Baaz and Stern, 2015).

These analyses question whether post-conflict or fragile states should or can deliver security and justice (Baker and Scheye, 2007), as part of liberal peacebuilding efforts that ‘have fallen far short of creating the good

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<sup>102</sup> These have largely been conducted in a highly opaque manner – few details are available on individual bilateral projects, particularly on military training.



society' (Barnett and Zurcher, 2009). Other analysts go further, and argue that support to the security sector risks either shoring up elite power, or uprooting existing patterns of order and thus creating instability rather than preventing it (Buscher et al, 2016).

Nathan underlines the need for local ownership – that reform must be designed, managed, and implemented by local actors, both officials and civil society - which he argues should be the primary objective of any SSR program. The role of external actors should be to support these efforts, not initiate them (Nathan, 2007), reflecting criticism from others that SSR in the DRC has been driven largely by donors (Trefon, 2011).

Without local ownership, even reforms that are predicated on working locally can be undermined – Buscher et al. cite the experience of the 'Police de Proximité', an approach to policing based on '...the restoration of a trust-based relationship between the police and the population based on personalized and a-political police presence', which Nlandu defines as a 'people's police force' which does not act as an instrument of social control or legitimize authoritarian regimes. He goes on to argue that police reform should be a bottom-up, civil society oriented process, not an elite-driven one (Nlandu, 2013)

However, Buscher et al. argue that the 'Police de Proximité' program was developed without sufficient consultation with police leaders or the Ministry of Interior. The resulting lack of support has seen the 'urban population living in the areas of deployment increasingly disappointed with the Police de Proximité, accusing them of gradually taking over the 'bad habits' (corruption, extortion, passivity, etc.) of their regular PNC colleagues (Buscher et al., 2016).

This highlights a paradox: that local ownership is necessary to successful SSR but challenging because domestic actors lack sufficient capacity, legitimacy, or will – and in fact, it is these factors that are the very reasons for undertaking SSR in the first place (Nathan, 2007), particularly in states like the DRC that are weak or predatory.

Further, Buscher et al. assess that donors have taken an overly technical approach to what is a fundamentally political problem and have consistently failed to tackle the fundamental governance issues that frustrate reforms. Addressing the 'clientelist norms' that drive a 'patronage-based' system of security governance will necessitate moving away from a technical approach to security and institutional reform (Buscher et al. 2016). This technocratic approach is also argued to be part of the reason for the Congolese government's rejection of reform plans that are 'supply driven' or externally imposed (Boshoff et al., 2008).

But rather than addressing these issues, donors have persisted with what Nlandu has called an 'ostrich policy' – that they have avoided significant efforts to address basic governance issues in order to protect their diplomatic relationship with the government and instead persist with an 'endless cycle of failed reforms' (Nlandu, 2013). Policies have also been judged to have been both overly ambitious and based on standard reform models that are not well suited to the Congolese context. For instance, Vandermoortele argues in relation to efforts to reform the police, that there is '...no evidence that the three most common approaches to police assistance — model police stations, training, and community policing — have produced improvements in police

performance or increased levels and perceptions of security.’ (Vandermoortele, 2015).

Lawrence captures the essence of the dilemma in pursuing state-centered SSR in a country like the DRC; ‘In the absence of effective statehood and the presence of non-state governance mechanisms, an SSR strategy focused exclusively on state security and justice institutions may not be the most appropriate, efficient, or cost-effective means of pursuing peace, stability, and security.’ (Lawrence, 2012).

### **Emerging Perspectives**

Some commentators have begun to elaborate alternative approaches. One response has been to turn to civil society, which can have local legitimacy, but often lacks influence and capacity. Elites, on the other hand have influence and capacity, but often act to defend the status quo (Von Billerbeck, 2015). Another is to emphasize the need for democratization, both in general terms – ‘The extent of democratization is a key determinant of the potential for security reform’ (Nathan, 2007) – and in the specific case of the DRC. As Tshiyembe argues, a republican army is not possible without a democratic republic; reconstituting a democratic state must come before building the army that defends it (Tshiyembe, 2005).

Engaging non-state actors and informal security mechanisms in reform may also be another avenue. In principle, Derks argues, SSR should recognize that there are multiple actors engaged in providing security to communities, from central authorities to non-state actors; the example is cited of patrols of young men in Bukavu, known as ‘Forces Vives’, that are coordinated by an NGO to protect local neighborhoods. But supporting these non-state actors does not fit with the state-building instinct of donors, is risky – in terms of tension between state and non-state actors, between donors and governments, and in upsetting local power-balances – and can lead to support being given to groups that do not respect human rights or are corrupt. It needs to be based on deep understanding of the local context, and is expensive and labour intensive to implement (Derks, 2012). As Buscher et al. put it: ‘International support to non-state security actors is therefore likely to create reluctance, suspicion, and resistance from state security actors benefitting from the *status quo* as these directly impact on the distribution of power.’ (Buscher et al. 2016)

It may also be necessary to deepen our analysis of how the recipients of reform – national actors at all levels – engage with external reform efforts, and understand how they see themselves and their roles (Baaz and Stern, 2013). Recent work has highlighted the differences in how external actors and the ‘subjects’ of reform diagnose challenges to change. For external reformers, as noted, the problems are most frequently diagnosed as a lack of political will and official obstruction. For many in the FARDC, despite some frustration with their own leaders, the key problems are a lack of practical support from donors, unrealistic expectations, and competition among the international community for access to the DRC’s resources (Baaz and Stern, 2013).

Nlandu develops this point in relation to police reform, arguing that donors and recipients often have different expectations of reform outcomes, and that tensions can arise between donor tactics, such as investing in well-funded pilot projects, and the resulting resentment of officers not covered by such projects, who do not receive the attendant improvements in pay and conditions. Of course, simply meeting the expectations of Congolese

recipients – notably around salaries and equipment – are not sustainable if they are dependent on finite donor funding (Nlandu, 2007).

A further response is to question the hard line between civilian and security actor, instead seeing both as products and victims of the same system. A series of reports by Oxfam has explored protection issues in Eastern DRC, and explains that people are ‘squeezed for economic gain’ by armed actors, traditional, and state authorities, which embeds violence in relationships with the police and military. But, in spite of this, the majority still see state institutions as the solution to insecurity, and understand that members of the security services are left without support and are forced to live off the population. Some report that they are able to negotiate better relations; others that they pay soldiers or police to ‘settle individual scores’ (Oxfam, 2012, 2014)

Verweijen goes further, and argues that though a great deal of revenue generation activity by security actors is predatory, and frequently abusive, there are significant arenas in which civilians and security actors are forced into daily interactions, and even collaboration. The roles that security actors adopt may not chime with their formal responsibilities, but may be tolerated by civilians – soldiers asking for food may be seen as ‘licit’, even though it is formally illegal. (Verweijen, 2013, 2015, 2016).

Congolese security forces thus have an ambiguous role of ‘protector-predator’ in relation to civilians, held as they are in a network of reciprocal relationships both inside and outside formal institutional hierarchies, all of which bring – sometimes contradictory – obligations, and thus drive a range of behaviors, all of which need to be understood. For instance, members of the security services are part of competing patronage networks – as Hoffmann et al. put it, forced ‘...to serve their patrons and living in precarious conditions themselves, security agents thus try to exploit the benefits of their position to collect as many resources as possible, usually through exploitation, predation, and coercion.’ (Buscher et al, 2016).

But at the same time, as Verweijen argues, civilians may themselves be part of ‘big man’ networks, and are able to mobilize leverage to constrain security actors, or even demand favors from them (Verweijen, 2015). Without ‘addressing the multifaceted constraints to behavior change among key actors’ (DFID, 2015) it is extremely unlikely that any positive change will be sustainable.

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