



SECURITY AND JUSTICE IN CAR AND THE DRC: INTERNATIONAL AIMS, LOCAL EXPECTATIONS

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THE CHALLENGE

The dominant assumption in the international policymaking discourse is that strengthening the state's capacity to provide security and justice for its population will increase its popular legitimacy, which will in turn contribute to a more stable society. This notion lies at the heart of Sustainable Development Goal 16 and the Sustaining Peace agenda. United Nations member states are also supporting people-centred approaches to peace operations. In the context of Action for Peacekeeping, they have committed themselves to advance political solutions and to strengthen the impact of peacekeeping on sustaining peace. However, the state's ability to provide security and justice may not result in increased legitimacy in the eyes of local populations, while informal provision of security and justice by non-state actors can sometimes increase theirs. Moreover, the form of security and justice provision that is perceived as 'legitimate' by

the population can conflict with international norms and standards. It is therefore imperative to better understand how local communities perceive the state and what the role of the state should be in ensuring that external stabilization efforts lead to security and justice arrangements that are inclusive, representative and sustainable in the long run.

THE RESEARCH PROJECT

This research project explored the underlying assumptions of interventions by international non-governmental organizations (INGOs) and UN peace operations in the provision of security and justice, and compared them with the perceptions and experiences of local populations, the authorities and other key stakeholders in the Central African Republic (CAR) and South Kivu province, eastern Democratic Republic of the Congo (DRC). The research was based on document analysis and interviews with representatives of the United Nations Multidimensional

SUMMARY

● This research explores the underlying assumptions of interventions by international non-governmental organizations and United Nations peace operations in the provision of security and justice, and compared them with the perceptions and experiences of local population in the Central African Republic and in South Kivu province, eastern Democratic Republic of the Congo. Mismatches between the aims of external intervenors and local populations are frequently discussed in policymaking and academic debates.

Foremost, the gap between the aims of external intervenors and the wishes of local populations is not as large as is often assumed. Most respondents would prefer a strong state that takes responsibility for security provision and a functioning formal justice system. They perceive non-state and informal justice solutions only as temporary alternatives. Non-state armed groups are perceived to be neither legitimate nor security providers. Moreover, external intervenors work with counterparts that local populations do not always consider legitimate representatives.

Last, although external intervenors are generally aware that identity is an important driver of conflict and social tensions—and address this through social cohesion activities—they often fail to take full account of the way this affects state-building and the strengthening of state authority.

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Integrated Stabilization Mission in the Central African Republic (MINUSCA) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), a number of INGOs and local actors, such as community stakeholders and local authorities, and approximately 480 street interviews that sampled the perspectives of the local populations in CAR and South Kivu province. The analysis: (a) compares what external intervenors are aiming to achieve with the end-state that local populations and actors would ideally would like to see, in order to assess whether assumptions match expectations; (b) assesses how external interventions might better identify, account for and navigate the resulting risks and opportunities; (c) identifies what could be done to make external interventions more effective and strategic; and (d) asks how the inevitable pitfalls might be avoided.

THE MAJOR FINDINGS

The failures of and mismatches between the aims of external intervenors and local populations are frequently discussed in

policymaking and academic debates.

This research finds that in CAR and South Kivu province, the gap between the aims of external

intervenors and the wishes of local populations is not as large as is often assumed, specifically with regard to the role of the state and the provision of security and justice. Most respondents in CAR and South Kivu province would prefer a strong state that takes responsibility for security provision and a functioning

formal justice system. They perceive non-state and informal justice solutions only as temporary alternatives. Non-state armed groups are perceived to be neither legitimate nor security providers. Weak, corrupt or non-inclusive state institutions, and especially their total absence, can drive populations temporarily to look for alternative solutions. This does not mean, however, that this is the preferred option. In academia, the donor community and many civil society organizations, much attention is given to strengthening informal justice and recognizing the functions of some non-state armed actors such as auto-defence groups. However, while these may be short-term solutions, populations are supportive of the efforts of peace operations, such as MINUSCA and MONUSCO, and INGOs to strengthen the state's role and legitimacy in justice and security provision.

External intervenors work with counterparts that local populations do not always consider legitimate representatives. In CAR, the rebel groups that are now part of the Khartoum peace process have at times been treated by external intervenors as the representatives of disenfranchised populations, but most of the respondents, even in rebel-held areas, perceived them to be illegitimate. In the DRC, many NGOs and local community representatives were perceived as accountable not to local populations, but to international donors. Consequently, respondents often felt that external intervenors were not listening to local communities. In addition, not enough attention is given to promoting democratic representation at the subnational level.

In CAR and South Kivu province, the gap between the aims of external intervenors and the wishes of local populations is not as large as is often assumed



Strengthening the state does not automatically enhance the management of identity-based conflicts. Although external intervenors are generally aware that identity is an important driver of conflict and social tensions, and address this through social cohesion activities, they often fail to take full account of the way this affects statebuilding and the strengthening of state authority. Identity plays a large role in how populations view who should be considered part of the social contract and who should not. While respondents in CAR and South Kivu province often expressed hopes of returning to an idealized past where all are able to live together in harmony, they found efforts to include diverse population groups much less acceptable. They would prefer to exclude ‘foreigners’ from the social contract, either because of the history of conflict or because they perceive them to be competitors for resources.

IMPLICATIONS FOR POLICY AND PROGRAMMING

While informal and non-state alternatives may be required in the short term, it is important that external intervenors embed these in a long-term focus on strengthening the role and legitimacy of the state in the provision of justice and security.

External intervenors need to strengthen their direct communication with local populations. These communication flows need to be direct and two-way interfaces for collecting information and intelligence on what communities desire, improving accountability and disseminating the motivations for the decisions made. The involvement of local

community representatives is not enough as such positions can become associated with power, bias and personal interests. External intervenors therefore need to be better aware of who their counterparts are.

In contexts where conflicts unfold along identity lines, if state building is not complemented by ‘horizontal peacebuilding’ and does not sufficiently deal with the underlying inter-communal causes of the conflict, strengthening state institutions and capacities risks consolidating existing exclusive structures.

External intervenors need a better understanding of the context in which they are operating to ensure that they minimize the unintended consequences of their actions.

GENERAL RECOMMENDATIONS

Every context is different. There will be different general implications for every organization active in conflict-affected settings. Nonetheless, the following interlinked recommendations for external intervenors, UN peace operations and INGOs are also relevant to other conflict-affected locations.

Invest more in local knowledge.

Interventions at the local level require extensive local knowledge in order to prevent doing harm. INGOs and peace operations should invest more in gathering information and intelligence by better involving local communities in these processes.

The involvement of local community representatives is not enough as such positions can become associated with power, bias and personal interests



Survey and understand the aspirations of populations. Even though surveys of and interviews on desired future outcomes can be expensive to carry out, knowing what communities want is important in order to gain direction on what is required. They should become standard practice in peace operations and INGO programming.

Involve local communities more in planning, implementation and evaluation. INGOs and peace operations need to engage

communities early on in the planning and design of programmes, and throughout the process as this can increase ownership and a sense of

accountability, and consequently lead to more sustainable outcomes.

Dare to emphasize international norms and frameworks over local dynamics and interests. To ensure a sustainable peace, it is essential to promote adherence to the rule of law, human rights and international humanitarian law. This means that INGOs and peace operations may at times have to object to the wishes of local populations, and that stakeholders will have to ensure their fulfilment within international norms and frameworks.

RECOMMENDATIONS FOR MONUSCO

Reduce strategic risk by improving information strategies. Despite the efforts of Radio Okapi and MONUSCO's community liaison assistants, among others, there is still a severe lack of understanding

among the population of the role of MONUSCO. The current approach based on community leaders does not achieve 'trickle down'.

Continue the military presence.

One of the key drivers of dialogue will be the linkage between capacity building of the Congolese security forces and the MONUSCO exit strategy. The MONUSCO presence is not popular. People express little confidence in it and do not want it to remain in the country in the long term. However, future drawdown should be at a pace that ensures that the government takes responsibility and has the capacity to deliver security.

Focus during transition on reinforcing national security and justice actors. The population recognizes the need for better working conditions for security agencies, such as rotation of the military, the effective payment of wages and ensuring that the Congolese National Police (PNC) has sufficient resources.

Promote local governance and support local elections. A realistic framework and timeline are needed for local elections. As a first step towards the organization of local elections, an assessment of the current state of local governance will have to be carried out. In preparation for the organization of local elections, institutions that investigate and adjudicate on conflicts related to customary authority must be expanded and their decisions enforced. INGOs and MONUSCO should enhance their inter-community dialogue initiatives.

For local populations to see an impact on their daily lives, programmes need to be implemented at the local and provincial levels, alongside strategic engagement at the national level



RECOMMENDATIONS FOR INTERNATIONAL PARTNERS OF THE DRC

Focus on strengthening state capacity to provide security and justice. For local populations to see an impact on their daily lives, programmes need to be implemented at the local and provincial levels, alongside strategic engagement at the national level. Support the establishment of more mobile court systems and enhance the military justice system to fill the justice gap. Examples from the past, such as Security Sector Accountability and Police Reform (SSAPR), can also be built on.

Commit to effective reform of the security services. While the Armed Forces of the DRC (FARDC) should focus on neutralizing armed groups, the government must relaunch its dialogue with its major international partners on security sector reform. This will require a new disarmament, demobilization and reintegration programme. The military should be quickly replaced with the police in stabilized areas. To this end, the police forces operating in rural areas should receive more resources and better training. For this purpose, support for the planning and funding of a comprehensive National Programme for Disarmament, Demobilization and Reintegration (PNDDR4) will be required.

Redouble efforts on socio-economic development. There is an urgent need for international partners to support the Congolese state at all levels to reconnect with the population through a focus on economic reconstruction and development.

RECOMMENDATIONS FOR MINUSCA

Ensure that the protection of civilians is a top priority for troop contingents and communicate mission priorities clearly to the wider population. Contingents that do not protect civilians or fail to respond to the needs of the population fuel rumours that MINUSCA wants the conflict to persist. This may lead to increased resistance to the mission and risk the security of staff. Additional training is required for sub-standard contingents, including on CAR-specific linguistic and cultural competencies. Contingents that continue to fail to establish a positive rapport with the population should be redeployed.

Strengthen Civil-Military Coordination projects.

While acknowledging conflict sensitivity and respecting the domains of the state and NGOs, MINUSCA could establish a positive rapport by providing greater assistance with meeting sanitary or infrastructure needs. Increased attention on these activities would also improve communication with the population, which would dissipate rumours of alleged hidden agendas.

Engage directly with the local population. Rather than working mainly through the CAR state, a greater number of senior staff could interact more directly and regularly with local communities and their leaders.

While the FARDC should focus on neutralizing armed groups, the government must relaunch its dialogue with its major international partners on security sector reform



Continue to carry out joint operations with the Central African Armed Forces (FACA), the Gendarmerie and the police while reporting abuses to the hierarchy in Bangui. There should be greater public discussion of the support currently provided to the security forces to encourage a transfer of responsibility to the government, and to reduce unrealistic popular expectations of the FACA.

RECOMMENDATIONS FOR INTERNATIONAL PARTNERS OF CAR

The European Union Training Mission (EUTM) must continue to train the FACA. In the absence of a strong police force, such training will need to include policing skills, such as on how to transfer cases quickly to the appropriate institutions. The EUTM could also help to set up a conduct and disciplinary regime to limit abuses against the population. Trained FACA personnel returning from the field need to be mentored and monitored to ensure that the training is sustainable, while the training itself needs to be adjusted to the lived experience of the returnees.

International pressure to co-opt non-state armed groups may have led to a reduction in violence in the short term but is likely to fuel tensions in the medium term

Prioritize local elections.

The population perceives the closest levels of the state to be the most relevant. Holding presidential elections first risks local elections being postponed indefinitely as a new president might wish to reward local supporters by nominating them to positions as chiefs and mayors.

End the co-optation of the leaders of armed group.

Even though they are regarded as illegitimate by the local population, leaders of armed groups are part of the Khartoum process. International pressure to co-opt non-state armed groups may have led to a reduction in violence in the short term but is likely to fuel tensions in the medium term.

Reinforce civilian control over the military. CAR has had experience of military coups. Strengthening the military might encourage army commanders to question and undermine democratic institutions. Stronger civilian control of the FACA could avoid future abuses against the population.



ABBREVIATIONS

CAR	Central African Republic
DRC	Democratic Republic of the Congo
EUTM	European Union Training Mission
FACA	Central African Armed Forces
FARDC	Armed Forces of the DRC
INGOs	International Non-Governmental Organizations
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
PNC	Congolese National Police
PNDDR4	National Programme for Disarmament, Demobilization and Reintegration
SSAPR	Security Sector Accountability and Police Reform

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