

**The EU's Support to Security System Reform in the  
Democratic Republic of Congo:  
Perceptions from the field in Spring 2010**

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## List of Abbreviations

ACP	African, Caribbean and Pacific
CEMG	<i>Chef d'état-major general</i> (Chief of Staff of the Army)
CFSP	Common Foreign and Security Policy
CMJ	<i>Comité Mixte de Justice</i> (Mixed Committee on Justice)
CMPD	Crisis Management and Planning Directorate
CNDP	<i>Congrès national pour la défense du peuple</i> (National Congress for the Defence of the People)
CONOPS	Concept of Operations
CPCC	Civilian Planning and Conduct Capability Directorate
CSDP	Common Security and Defence Policy
CSP	Country Strategy Paper
CSRП	<i>Comité de Suivi de la Réforme de la Police</i> (Police Reform Monitoring Committee)
DfID	Department for International Development (UK)
DG DEV	Directorate General – Development (Pre-Lisbon)
DG DEVCO	Directorate General –Development and Cooperation (Post-Lisbon)
DG E	Directorate General – External and Political-Military Affairs
DG E VIII	Directorate of Defence Aspects
DG E IX	Directorate of Civilian Crisis Management
DG RELEX	Directorate General – External Relations
DRC	Democratic Republic of Congo
EC	European Community
EDF	European Development Fund
EEAS	European External Action Service
ESDC	European Security and Defence College
ESDP	European Security and Defence Policy
EU	European Union

EUPOL RD Congo	European Union Police Mission in the Democratic Republic of Congo
EUSEC RD Congo	European Union Security Sector Reform Mission in the Democratic Republic of Congo
EUSR	European Union Special Representative
FARDC	<i>Forces Armées de la République Démocratique du Congo</i> (Armed Forces of the Democratic Republic of Congo)
FCO	Foreign and Commonwealth Office (UK)
GTE(+)	<i>Groupe de Travail Européen</i> (European Working Group)
IfS	Instrument for Stability
MMA	Mentoring Monitoring and Advising
MONUC	United Nations Organisation Mission in the Democratic Republic of Congo (1999-2010)
MONUSCO	United Nations Organisation Stabilization Mission in the Democratic Republic of Congo (2010-present)
NIP	National Indicative Programme
ODA	Overseas Development Assistance
OECD-DAC	Organisation for Economic Co-operation and Development- Development Assistance Committee
OPLAN	Operational Plan
PNC	<i>Police Nationale Congolaise</i> (National Congolese Police)
PSC	Political and Security Committee
REJUSCO	Programme for the restoration of the judicial system in Eastern Congo
SSR	Security System Reform
UK	United Kingdom
UPI	<i>Unité de Police Intégrée</i> (Integrated Police Unit)

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# Executive Summary

## ***1. Introduction***

The Democratic Republic of Congo (DRC), and in particular the Congolese security system, is beset by some of the most daunting issues the European Union (EU) faces in its efforts to support Security System Reform (SSR) in third states. Violence, corruption, meagre infrastructure, weak institutions, civilian insecurity, impunity and the lack of equitable justice lead a long list of concerns that hinder development and the rule of law in this fragile state. This report describes the extent to which the EU's structural organization, its approach and the ways it uses its tools enable it to support the long-term and complex process which SSR is. This report provides a snapshot of the evolving EU set-up in the DRC as it was when interviews were conducted in Spring 2010.

This report is part of a larger project looking at how the EU supports SSR in partner countries. An initial 2009 report drew upon interviews of headquarters staff to outline the institutional set-up, decision-making procedures, funding mechanisms, actors and policies that influence the form and content of EU SSR engagement.<sup>1</sup> This headquarters perspective has been complemented by two country case studies (DRC and Kosovo) describing views from the field.

## ***2. The Political and Operational Context***

The central Government's inability to provide basic services or exert control over its vast territory, frequent yet unpredictable violence targeting its population, and dysfunctional state institutions squarely categorize the DRC as a fragile state, requiring multi-dimensional support, and state-building measures in particular. The EU, among other donors, has asserted that SSR is central in this endeavour to strengthen democratic principles, state legitimacy and governance. Yet, these aims are obstructed by a litany of issues. A centralised governance system, a compartmentalized and closely guarded security system, and on-going insecurity are challenges presented by the DRC context. Lack of international coordination, the proliferation of disjointed and largely technical programmes, and the segregated manner by which the various security sectors are addressed, all contribute to the lack of donors' political efficacy, impeding progress.

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<sup>1</sup> Derks and More (2009).

### ***3. EU Actors involved in SSR in the DRC and analysis of the EU approach***

The EU's presence in the DRC comprises a number of actors supporting SSR: two Common Security and Defence Policy (CSDP) Missions, EUPOL RD Congo and EUSEC RD Congo, support the police and armed forces respectively; the European Commission providing development aid, works predominantly on justice; until early 2011, the European Union Special Representative (EUSR) to the Great Lakes was responsible for advising EU actors on SSR issues in the DRC and provided political insight from a regional perspective; lastly several Member States work bilaterally on development and in various sectors of the security system. A thorough overview of their various mandates and/or activities reveals that EU actors tend to emphasize technical support over the equally necessary political reform aspects of SSR. This approach stands in stark contrast to declared EU policy on supporting SSR in third countries and, in particular, the principles of democratic norms, good governance, and human rights on which that support is based.<sup>2</sup>

### ***4. Coherence of EU support***

Coherence is a well-documented challenge in the DRC, and international donor coordination in supporting SSR has proven no exception. A contributory issue is the lack of a singular and uniformly backed policy or strategy to which all the EU actors adhere. Field actors made little reference to – or were wholly unaware of – an overarching common EU strategy<sup>3</sup> for supporting SSR in the DRC. Nor was there a clear leading EU figure to align and direct the various EU actors working in the field. This enabled many EU actors to pursue their own agenda. Political analysis was also the responsibility of multiple actors amongst the two missions, the Delegation and the embassies, and there was little evidence it was conducted collaboratively.

Formal mechanisms for coordination, which were few, appeared insufficiently effective to counter the division and inconsistency among the EU actors' approaches to engagement. It was reported that in donor coordination meetings and meetings with the Congolese, EU Member States, Council representatives and Commission representatives each defended individual organizational or national policies, rather than developing and supporting a single coherent EU strategy. Member States' bilateral programmes do not necessarily reflect the policies or plans of the EU. There were notable differences between the policies and priorities of Member State representatives in Kinshasa embassies, and those endorsed by their compatriots in the Political and Security Committee (PSC) in Brussels. The police sector, which hosts the involvement of no less than three major EU actors (EUPOL, the Delegation, and the UK), was seen to be particularly fraught with overlaps and territorial rivalries. Several actors pointed to discrepancies between the Council and Commission's funding cycles, reporting mechanisms and time horizons as foremost obstacles to substantive collaboration or coordination among EU actors.

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<sup>2</sup> The EU policy includes: "EU Concept for ESDP Support to Security Sector Reform"; "A Concept for Community Support for Security Sector Reform"; and "Council Conclusions on a Policy Framework for Security Sector Reform". These documents borrow heavily from the "OECD-DAC Handbook on Security System Reform".

<sup>3</sup> The authors are aware of the existence of a classified 2006 document entitled "A Comprehensive Approach to SSR in DRC" and another classified document, "A Roadmap on EU Engagement in the DRC", adopted by the Political and Security Committee in early 2010. Field staff, however, were not often aware of these documents. The most recent Crisis Management Concept for EUSEC and EUPOL RD Congo of July 2010 post-dates the field research.

What is more, personalities appeared unduly influential on actual coordination between EU bodies supporting SSR in the DRC. This may be partially attributed to the low importance apparently given to coordination among the various sectors of the security system. Mirroring the Congolese compartmentalized security system, the EU appears to work in a partitioned manner, focusing primarily on the capacities of individual sectors. Many EU actors in the field questioned the necessity of coordinating with other sectors and actors involved in them, even undermining the legitimacy of other actors' presence. This revealed among ground-level actors, largely sector-specific experts, a lack of familiarity with current thinking on SSR as endorsed by the EU.

Reports of recent rapprochement between each of the CSDP missions and the Delegation staff, due to changes put forward by the Lisbon Treaty process, signal a positive, if incipient, development toward greater coordination. Time needed to 'learn the new rules of the game' may forestall rapid or radical advancement in EU coordination, but progress should be encouraged.

Ideally, the EU Delegation would be able to assist the CSDP missions in aligning their activities with broader long-term state-building, while the CSDP missions could focus on reacting quickly to the capricious environment and act as working-level eyes and ears for the Delegation. However, as it stood in Spring 2010, no such complementarity was visibly pursued. Mistrust and unawareness characterized, to a large extent, the relationships between the various actors. The Commission's watchful control of the CSDP missions' budgets was a point of contention. Project cells within each of the CSDP missions were also a particularly sensitive topic. The missions viewed the cells as essential to securing the attention of the Congolese, but the Commission saw them as indication of a mandate creep and a distraction to the missions' core activities. The dilemma could offer a rationale for closer collaboration between the missions and the Delegation. In an ideal symbiosis, the missions could gain relevance and significance with the Congolese authorities via their close association with the EU Delegation, who would carry out projects that reflected, at least in part, operational reports and insights provided by the missions. Further suggestions for increasing alignment and coordination among the various EU actors are offered in the recommendations section.

Planning processes and reporting procedures presented other areas for potential improvement. Field staff demonstrated concern that some plans and programmes underestimated local conditions and logistical constraints on the ground, resulting in inappropriate or inapplicable projects. Interviews yielded a consistent call for more local knowledge and Congolese cooperation in the missions' planning phases. European experts with substantial field experience were seen as an untapped resource for providing vital insight for planning. Similarly, ongoing reporting practices did not appear to include robust or critical analysis from the field regarding the local political realities likely to impact progress. Rather, reporting appeared to be technical and formulaic.

### **5. Implementation of EU support**

The issues and challenges listed above have impacted field-level perceptions of the EU's impact on SSR in DRC. Some assert that progress made by the missions and the Delegation in specific key areas has been relatively commendable, given the obstacles they face. Adaptability and competent responsiveness to crucial issues, insofar as was permitted by the Congolese, were seen by some interviewees as positive characteristics of the EU's work, particularly that of EUSEC. However, it was noted that the EU actors have not made equal progress in the thornier political aspects of reform. These include issues of governance, and supporting the reform of the legislative, financial and institutional framework that underpins a modern civilian-controlled security system.

There was wide agreement that the approaches of the EU bodies in general, and of the CSDP missions specifically, are largely technical. Many people even endorsed the technical character of the CSDP missions, stating that this was their designated role. Furthermore, some argued that a technical role gave the missions the appearance of political neutrality, which was a strategic advantage in the field. The conception of any kind of reform, however technical, as "politically neutral" is problematic; it denies the changes in power that inevitably arise from capacity building, promotion of civilian rights and efforts to legitimize actors. The negotiations of new power relations that result from technical reforms have, in many cases, led to (foreign and domestic) stakeholders' resistance, which is generalized as "lack of political will". Without clarity and reliable backing from EU political and diplomatic experts, technical experts in the field can find themselves unaided in situations they are not prepared to anticipate or handle. Ultimately, the paucity of attention to political aspects of reform greatly undermines the effectiveness of EU support to meaningful and sustainable reform of the security system.

Beyond the inherent political complexities that actors face in the field, practical constraints that impact the missions also warrant attention. Opinion was divided over the aptness of one-year mandates<sup>4</sup> for CSDP missions. Some argued one-year outlooks hampered both long-term reform programming and coordination with Commission activities, which are planned on 5-year cycles. Others disagreed, stating that one-year renewable mandates allowed the missions more flexibility and could be better adjusted to the changing situation on the ground.

The drawbacks of short-term personnel deployments, however, garnered more consensus. Lengths of stay, sometimes as brief as four months, are dictated by the seconding Member State's national policy on deployment abroad rather than reflective of EU procedure<sup>5</sup> on secondment. Short deployments were viewed as suboptimal, as personnel were not given enough time to understand the ground situation. It also jeopardized continuity and undermined collaborative relationships between EU seconded national experts and their Congolese counterparts. French fluency among seconded national experts was considered essential for similar reasons, although this restricts the pool of suitable candidates available for secondment. A stronger commitment by Member States to second and properly train nationals was called for, as well as a broader representation of skill sets, including civil

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<sup>4</sup> Since September 2010, EUSEC has been issued a two-year mandate.

<sup>5</sup> The EU typically requires 12 month deployments, with the opportunity to extend. The typical advertisement for CSDP staff positions states, "Subject to the adoption of the Council Decision extending the Mission mandate and approving the appropriate Financial Statement, the duration of the deployment should be of 12 months." See: <http://www.consilium.europa.eu/showpage.aspx?id=1595&lang=en>

administration experts, finance managers, legal experts, political analysts and project managers. Specific concern was raised over the lack of civilian personnel in EUSEC particularly. Suggestions have been offered to address some of these staffing concerns: developing national or EU candidate databases; creating more consistent and comprehensive pre-mission training programmes for all field personnel; and Member States funding the secondment of nationals from other countries. More innovation and EU support for such endeavours would be beneficial.

Finally, some attention was devoted to the Head of Mission, and the professional profile best suited to the position. The role is inherently one that requires both political as well as tactical authority. A pragmatic approach would suggest assigning leadership profiles that complement one another, such as a military Head of Mission with a diplomatic Deputy Head, or vice versa.

## **6. Recommendations in five areas of EU support to SSR in the DRC:**

### **(i) Ownership of and adherence to a common EU strategy;**

- The EU should, under the auspices of the PSC, develop a common strategy for its support to the SSR process in the DRC, based upon an up-to-date analysis of the security and political context. The ‘Common EU Strategy for support to SSR in the DRC’ (referred to hereafter as ‘Common EU Strategy’) should guide *all* the relevant EU actors: the EEAS, the Commission, EUPOL RD Congo, EUSEC RD Congo and the Member States active in the field of security and justice reform. Field-based staff should be involved to ensure that the local political realities are sufficiently taken into account and that the objectives are realistic and feasible.
- It is vital that the ‘Common EU Strategy’ is communicated to both EU headquarter and field actors, including Member State embassies, as this should guide their work and enable further designation of responsibilities and activities. The ‘Common EU Strategy’, which provides a general direction and objectives, should be operationalised by developing and prioritising more specific steps and activities in each sector of the security system (see Section (iv) below for more information in which forum this could be done).
- Discussions should subsequently take place within the PSC to decide, based on the strategic advantage of each actor in the DRC context, the appropriate division of competencies between the EU actors under the ‘Common EU Strategy’. This could be included in an Annex to the Strategy. This should reduce the risk of overlap and disagreements between EU actors in the field.

### **(ii) Addressing the governance dimension of reform;**

- The ‘Common EU Strategy’ should include practical, short- and intermediate-term objectives that contribute to improved governance and oversight of the security system. More specific objectives and activities should be articulated for actors addressing each sector of the security system. (Again, see Section (iv) below for in which forum this could be done).
- The PSC should provide options for longer mandates of CSDP missions that can allow for the planning and implementation of longer-term reform activities which address the governance and oversight of defence and internal security institutions.

The decision made to establish a two-year EUSEC mandate is welcome. Member States should consider standardising this practice and applying it to EUPOL (as was recommended in the CMC).

- Staff recruited to EUSEC should possess skills that enable the mission to better address governance and civilian oversight issues in the defence sector. A greater number of (EU or local) staff members with expertise in civilian and governance dimensions, specifically within the Congolese context, would enable the CSDP mission to implement more military governance-related activities. Earmarking further funding for such activities is also required.
- Monitoring and evaluation mechanisms and reporting systems should be adapted to include a focus on progress in attaining principles such as good governance, democratic norms, the rule of law and the respect of human rights. The PSC requesting updates on gains made in these areas will ensure that action is prioritised by operational staff. Secondly, tracking progress, even minor achievements, can provide evidence of ‘wins’ and encourage Member State representatives in the PSC to continue pursuing these valuable aims.

### **(iii) Increasing the political capacity of EU actors in the field;**

Under the Lisbon Treaty, a leading political role in the DRC will be filled by the **Head of the EU Delegation** supported by the EU Political Advisors of the Delegation. More clarity on the responsibilities and authority of this role is necessary. Specific tasks could include:

- Liaising with domestic authorities, negotiating and exerting pressure for progress, and pursuing the political aims of the EU as outlined in the ‘Common EU Strategy’.<sup>6</sup> Coordination and information exchange with the SSR/Political Advisors of the CSDP missions is essential to enhancing the relevance and unity of the EU’s political position and action;
- Responding to apparent high-level blockages from domestic authorities or other donors. In gaining awareness of such blockages, and of the Congolese security system architecture, the Delegation would benefit greatly from regular interaction with the SSR/Political Advisors of EUPOL and EUSEC, as well as with EUPOL’s Inter-pillar Expert;
- Acting as a corraling authority among Member States and EU bodies, ensuring that all EU actors supporting SSR in the DRC are working in accordance with the ‘Common EU Strategy’.

The role of the CSDP missions’ **SSR/Political Advisors** could be enhanced. There are several opportunities through which the expertise of these actors could be further utilised. These include:

- SSR/Political Advisors could assist working-level staff in anticipating and dealing with political impasses that hamper their work. Regular exchanges with project or advisory staff would provide SSR/Political Advisors with insight into areas of sensitivity or blockage.

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<sup>6</sup> The *Council Conclusions on a Policy Framework for SSR* specify that “EU action on SSR should be based on [...] political dialogue with each partner country, addressing human rights, development and security concerns”.

- SSR/Political Advisors could assert more leverage towards their Congolese counterparts by providing political backing for reform projects, emphasizing the importance of certain steps or programmes in discussions with senior Congolese civil servants and parliamentarians, or by assisting the EU Delegation Political Advisors in their efforts to catalyze progress;
- The PSC should provide the CSDP SSR/Political Advisors with (human) resources that is proportionate to the scope of their responsibilities. The Inter-pillar expert of EUPOL is one example, able to provide the SSR/Political Advisor with pertinent insight into the Congolese SSR context across its various sectors and in terms of its multitude of actors.
- With regards to the Inter-pillar expert, a similar or coordinated post within EUSEC and the Delegation could also enhance the efficacy of these bodies' political divisions, and help monitor impact of the EU's support efforts. SSR experts serving all EU mission components at the country level should cooperate to monitor, analyze and evaluate EU SSR support activities against the 'Common EU Strategy' as well as best practices in SSR.

Uniting these actors in **EU Political Expert Teams** could improve the EU's policy coherence and provide a more streamlined approach to presenting political analysis from the field.

- In each sector (i.e. defence, police and justice), SSR experts and advisors from various EU bodies should regularly collaborate to produce **single joint-analyses** of the local political situation in their area of focus. Such joint analyses should inform programming per sector;
- Joint political analyses should include local stakeholder interests and domestic will assessments, reasons behind political resistance to or blockage of reform, and options to mitigate resistance. These analyses should also report on the coherence of the EU political voice (including Member States), and possible cooperation with third parties per sector;
- Formal reporting to the Council should include information from joint political analyses. Specifically, (i) progress on attaining EU objectives as set out in the 'Common EU Strategy' and (ii) issues of political blockage. This will support planning based on more accurate perceptions of operational risks, opportunities, challenges and realistic goals;

**(iv) Fostering stronger collaboration and coordination;**

- Joint CFSP-European Community missions to the field should directly feed into joint planning and programme development processes and mutually agreed upon division of labour, building on the strategic advantage of each EU body as set out in the Annex to the 'Common EU Strategy'. Results should be clearly documented and widely shared.
- Operational documents should designate regular meetings among sector-specific actors (defence, justice, police etc.) both at the leadership *and* working levels.
  - Field meetings among operational staff as well as higher level and political personnel within EU bodies and Member States can provide a suitable forum to

discuss how to operationalise the ‘Common EU Strategy’ through specific activities in each sector.

- To increase coherence and communication between Member State representatives in the PSC and those based in Kinshasa embassies, a few suggestions are offered:
  - Both groups should receive the same joint political analysis of the EU Political Advisory Teams; the representatives in Kinshasa should be involved in developing such analyses.
  - Both groups should be made aware of and committed to the ‘Common EU Strategy’ as the preeminent policy, and participate in deciding their Member States’ foreseen contribution to SSR in the DRC under this strategy.
- To encourage more collaboration between CSDP and EU Delegation staff:
  - Shared or similar programme frameworks or “action fiches” should be used by both to compare activities and reveal potential complementary activities, overlaps or gaps;
  - Programme staff within each EU actor should be consulted, provide comments on and contribute to progress reports and programme proposals of the other. This could be carried out within the working-level sector-specific meetings described above;
  - Knowledge exchange among the working-level staff could strengthen coordination, whereby a joined up approach is striven for and facilitated. For example, the CSDP missions could appoint a military or police attaché to periodically assist Delegation Programme Managers’ communication with Congolese counterparts. Likewise, the Delegation could send a financial officer to the missions to support their administration.

#### **(v) Improving recruitment and training**

Broader **options for CSDP staffing** should be available to supplement Member State secondments.

- Currently, no mechanisms exist to ensure that Member States’ staffing and resource pledges are followed up. This should be reconsidered.
- The EU should create a seconded national expert database that lists candidates’ skills, experience working abroad and language fluency.
- The EU should explore innovative ways to recruit staff and lengthen personnel deployments:
  - Staff should be required to stay a minimum of one year and incentives should be given for Member States and seconded nationals to extend their deployment beyond a year.
  - (Co-)Funding, through the CFSP budget, of the salaries of national seconded experts from Member States who cannot afford to train and/or send staff would enable broader EU representation in the field.
  - Member States simply contribute to a funding pool that finances the secondment of all EU nationals. This would provide a concrete commitment for Member States to fulfil that would be more reliable than pledging to send seconded national experts they have yet to identify. De-coupling funding from secondment could help shift attention toward sending the most appropriate and qualified candidates, regardless of their EU nationality.

- Member States could recruit and fund seconded national experts from other European countries, from Third States or from the African Union. This could broaden options for Member States to contribute financially to a mission even if they are unable to second fully qualified nationals.
- Legal restrictions can pose obstacles for seconding recently retired civil servants. Such constraints should be addressed and, to the degree possible, eliminated with temporary extensions of authorization and similar solutions.

Furthermore, responsibility for **training staff should shift toward becoming an EEAS competency.**

- Part of the CFSP budget could be earmarked for pre-deployment training available to all seconded national experts and EU staff deployed to the DRC. As well as being more cost-effective, this would reduce inconsistencies among seconded national experts.
- On-going joint training of CSDP mission and EU Delegation staff could reduce training costs, increase collaboration, and help to build personal relationships among staff.
- Trainings (pre-mission and in-mission) should include an SSR-component particularly emphasizing how EU principles (such as democratization, human rights, applying an integrated approach, etc.) are promoted in SSR programmes. The EU's SSR expert pool could be drawn upon for developing and providing such training programmes.
- Training (pre-mission and in-mission) should address the political realities staff are likely to encounter while interacting with local counterparts. SSR/Political Advisors should be involved in developing and/or providing this aspect of training to (i) focus more attention on operational blockages or entry points and (ii) train staff in proactively planning to negotiate and mitigate political blockages.



# 1. Introduction

Over the last 15 years, the Democratic Republic of the Congo (DRC) has seen epileptic shifts between war and relative stability. In responding to the ongoing political and civilian crisis, the European Union (EU) has emerged as one of the main donors, channelling a significant proportion of its aid into the reform of the DRC's state security apparatus. In early 2010, the EU was represented on the ground by two Common Security and Defence Policy (CSDP)<sup>7</sup> missions, a European Commission (EC) Delegation<sup>8</sup>, a number of EU Member State embassies and an EU Special Representative for the Great Lakes Region who travelled to the region regularly. From 2005 onwards<sup>9</sup>, these field level actors (except for Member States) have been mandated by the EU to contribute to supporting Security System Reform (SSR)<sup>10</sup>. As the report will go on to elaborate, this endeavour is met with several challenges stemming from both the internal EU structure and context-specific constraints.

This report describes the EU set-up for supporting SSR in the DRC, highlighting its advantages and disadvantages, and the successes and challenges of implementing EU SSR policy in practice. It seeks to analyse, from a theoretical and practical SSR perspective, to what extent the EU's structural organisation, its approach and the ways it uses its tools allows it to effectively support the long-term and complex process that SSR is.<sup>11</sup> It does so on the basis of desk-based research and of interviews carried out chiefly during the period of February-April 2010 in Brussels and Kinshasa. Approximately 50 individuals were interviewed. These individuals represented EU actors and Member States at both headquarters and field level, Congolese authorities including civil servants working in the

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<sup>7</sup> Previously termed European Security and Defence Policy (ESDP) before the entry into force of the Lisbon Treaty, these civilian missions are deployed under the Common Foreign and Security Policy (CFSP) and funded by the CFSP budget.

<sup>8</sup> This entity is, as of July 2010, transitioning into a European Union Delegation, as per the Lisbon Treaty. When this transition is complete the Delegation will be staffed with both Council and Commission employees as well as Member States' seconded national experts. It will have the power to make declarations and take action on behalf of the EU.

<sup>9</sup> Council Joint Action 2005/355/CFSP, 2 May 2005 (launching EUSEC RD Congo) is the first Council mandate that explicitly states reform of the security sector as an objective of EU efforts in the DRC.

<sup>10</sup> The terms 'Security Sector Reform' and 'Security System Reform' tend to be used interchangeably. For reasons of clarity, the authors have chosen to use the latter in this report, following the example of the OECD DAC Guidelines on SSR and Governance. The EU uses the term 'Security Sector Reform'.

<sup>11</sup> SSR is defined in the following way in *A Concept for European Community Support for Security Sector Reform*, Communication from the Commission to the Council and the European Parliament, Brussels, 25 May 2006, COM (2006) 253 final: "Security System Reform means transforming the security system which includes all the actors, their roles, responsibilities and actions, working together to manage and operate the system in a manner that is consistent with democratic norms and sound principles of good governance, and thus contributing to a well functioning security framework."

security system, Congolese and international non-governmental organisations, donors and independent observers.<sup>12</sup> Whilst alluding to past involvement of the EU in the Congolese security system, this paper merely claims to provide a snapshot of the continually evolving EU set-up as it was in Spring 2010. Thus, the content of this report focuses primarily on the period before the changes, resulting from the entry into force of the Lisbon Treaty on 1<sup>st</sup> December 2009, were implemented. These changes are clarified, however, as appropriate in footnotes. This case study report seeks to analyse the support that EU has provided for SSR in the DRC – essentially a fragile state – from the perspective of what is required in such fragile contexts according to the current body of knowledge on SSR theory and practice. It seeks to contribute towards a debate on whether the EU's approach to supporting SSR in the DRC is appropriate and to suggest avenues for change and improvement.

This paper is one component of a larger project analyzing the EU's SSR support to partner countries undertaken under a subsidy agreement between the Dutch Ministry of Foreign Affairs and the Conflict Research Unit of the Clingendael Institute. An initial report, completed in 2009, drew upon interviews of EU and Member State officials as well as independent observers at headquarters level in order to outline the institutional set-up, the decision-making procedures, funding mechanisms, actors and policies<sup>13</sup> that influence the form and function of EU SSR engagement.<sup>14</sup> It sought to identify tensions and weaknesses that exist at both the design/planning stage and at the implementation stage and to highlight, where possible, potential solutions or avenues for invoking change and improvements.

It was determined that this headquarters perspective would be complemented by country case studies describing the situation in, and views from, the field. In addition to the DRC case study, research was conducted in Kosovo, where the CSDP Rule of Law Mission, EULEX, is working alongside an EC Liaison Office and an EU Special Representative (EUSR).<sup>15</sup> Interviews for both case studies were structured around the following topics, anchoring the general framework for the project:

- Coherence of EU SSR support on the ground (coordination between different EU bodies and with Member States, sequencing of efforts etc.)
- Interaction between headquarters and the field
- Structural and operational challenges to effective support in the field
- Impact and effectiveness of EU support as perceived by EU actors, other international actors and partner-country stakeholders.

This report begins by presenting the complex and challenging political and security context within which donors such as the EU are working to support SSR in the DRC as part of a state-building approach (Chapter 2). The report then goes on to present the multiple EU actors providing support to the reform process (EUPOL RD Congo<sup>16</sup>, EUSEC RD Congo<sup>17</sup>,

<sup>12</sup> Interviews were conducted under Chatham House rules. Hence, information is not attributed to any specific interlocutor, nor is a list of interviewees provided.

<sup>13</sup> As outlined in: (i) *EU Concept for ESDP Support for Security Sector Reform*. Council of the European Union, Brussels, 13 October 2005 12566/4/05 REV 4; (ii) *A Concept for European Community Support for Security Sector Reform*. Communication from the Commission to the Council and the European Parliament, Brussels, 25 May 2006, COM(2006) 253 final; and (iii) *Council Conclusions on a Policy Framework for Security Sector Reform*. 2736<sup>th</sup> General Affairs Council Meeting, Luxembourg, 12 June 2006;

<sup>14</sup> Derks and More (2009).

<sup>15</sup> Derks and Price (2010).

<sup>16</sup> European Union Police Mission in the Democratic Republic of Congo

<sup>17</sup> European Union Security Sector Reform Mission in the Democratic Republic of Congo

EC, Member States and the EUSR), including a description of their mandates and of their main activities. A short analysis of the mandates and forms of support provided by these actors indicates (i) an over-emphasis on technical support to the detriment of political aspects of SSR and (ii) an absence of specifications on formal mechanisms and systems for ensuring coherence and coordination between EU Council and Commission bodies on the ground (Chapter 3). As regards the coherence of EU support to SSR, the report identifies challenges posed by the lack of awareness of a common EU strategy, a lack of formalised effective coordination platforms, different time frames for CSDP missions and Community-funded programmes, the limited systematic involvement of Congolese counterparts in CSDP mission planning processes and the shortcomings of information-exchange and reporting between headquarters and the field (Chapter 4). The report next addresses issues related to the implementation of EU support including impact, high-level political backing for EU field staff, the technical approach of CSDP missions and the challenges of suitably staffing CSDP missions including training (Chapter 5). Finally, the report concludes providing recommendations for EU actors on both strategic and practical issues (Chapter 6).



## 2. Political and Operational Context

As recognised in the Country Strategy Paper developed by the Government of the DRC and the EC, the DRC demonstrates all the characteristics of a fragile state whose basic foundations need to be strengthened;<sup>18</sup> the DRC has over the last 40 years been plagued by insecurity, weak rule of law and dysfunctional institutions. This chapter presents a brief overview of the political and security situation of the DRC today, the state-building approach pursued by donors and the limited progress made until now as regards SSR. Thus, this chapter defines the contours of the operational context in which the EU is intervening in terms of its SSR support.

### **On-going insecurity, weak rule of law and dysfunctional domestic institutions**

Following independence from Belgium in 1960, Zaire (as DRC was then known) suffered from decades of oppression, kleptocracy and state collapse under President Mobutu Sese Seko. Internal opposition to Mobutu's rule grew over this period and ever since the 1990s the country has been afflicted by pockets of instability and conflict which have at times attained the national level. The war of 1996-1997 brought President Laurent-Désiré Kabila to power, ousting Mobutu. Violence soon erupted once more in a regional conflict between 1998-2003 that led to the assassination of President Kabila and his succession by his son, Joseph Kabila. Yet since the Transition Period (2003-2006) and even after Joseph Kabila was elected president in October 2006, the country has been victim to considerable zones of insecurity notably in the East of the country but also in other provinces. There are numerous areas of territory over which the Government exerts no control and numerous fronts on which the weak, badly-equipped and ill-trained army (*Forces Armées de la République du Congo* – FARDC) are engaged with increasingly limited success.

The dire security situation in the DRC presents a daunting challenge to even the most modest reforms, much less a complex and contentious undertaking such as SSR. As the Congolese State currently struggles to exert control over its vast territory<sup>19</sup>, it perceives an urgency to build effective combat forces. It does not appear to give equal weight to the need to fashion an apolitical defence apparatus capable of ensuring the security of its citizens in accordance with international democratic standards and human rights. The lack of discipline among the rank and file, as well as rampant impunity and corruption all persist within the FARDC to such a degree that the military more often poses a threat to local communities,

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<sup>18</sup> République Démocratique du Congo – Commission Européenne, *Document Stratégie Pays 2008-2013*, p.9.

<sup>19</sup> The DRC is a vast territory, with a surface area of nearly 2.5 million square kilometres over which state institutions have only limited control. Often referred to as a "country continent", its estimated population is around 66.5 million and it has a complex and diverse social fabric. Davis (2009) p.8.

rather than guarantees their protection.<sup>20</sup> Egregious human rights violations against local civilian populations, committed by the military and rebel groups alike, go unpunished.

Impunity is reinforced by severe deficiencies affecting other parts of the security system, namely the justice and corrections sectors, acutely underscoring the importance of fostering a functioning holistic security system. Penitentiary infrastructure, as it currently exists, is unable to match either basic security or humanitarian standards, or the capacity demands that would be placed on it were more criminals captured and prosecuted. Related to that, the judicial sector is woefully under-funded, unqualified and ill-equipped to uphold daily rule of law, much less address the more serious crimes that occur in its absence. Pervasive impunity afflicts the National Congolese Police (*Police Nationale Congolaise – PNC*) as well. Pay droughts and inadequate wages for the police contribute to endemic abuse of power, corruption and public predation. These prevailing issues can partly be attributed to the State's overriding preoccupation with military operations and defence, which deprives other crucial sectors of the security system of both funds and attention.<sup>21</sup>

Due to the State's inability to adequately provide public services, the task of guaranteeing the general rule of law, and even the personal security of several Government officials, has been taken up by private, irregular and non-state security actors. This renders a significant portion of the acting security bodies in the DRC outside Government control.

### **SSR as a state-building mechanism in the DRC**

Historically, foreign involvement in another country's security system has taken the form of technically focussed "train and equip" exercises, which persisted during the Cold War.<sup>22</sup> More recently, the EU and other donors have asserted the role of SSR as an essential component of state-building, an enterprise which seeks to strengthen democratic principles, state legitimacy and governance.<sup>23</sup> Within this context, SSR requires a more comprehensive approach than the previous train and equip exercises; it requires attention to building the capacity and legitimacy of the institutions that control the national security forces as well as other components of the security and justice system.

The EU specifically applies this state-building policy in its support to the DRC. This has been the underlying, if unofficial, discourse framing CSDP deployments to the DRC since the early stages of EU involvement. Upon the launching of EUPOL Kinshasa in the spring of 2005, the Secretary-General of the Council / High Representative of the Common Foreign and Security Policy (CFSP), Javier Solana, and the Commissioner for Development and Humanitarian Aid, Louis Michel, emphasized, in a joint press release, that the EU's efforts in the DRC expressly aimed at strengthening good governance and a successful transition process. And, in one of the earliest references to supporting SSR in DRC, they stated that:

<sup>20</sup> Boshoff (2010) p.10; Davis (2009) p. 14; ICG (2010)p.5

<sup>21</sup> Boshoff, Hendrickson, More and Vircoulon (2010) p.14; ICG (2010) p.15

<sup>22</sup> For an overview of recent evolution in SSR thinking, see: Hendrickson (1999) pp 15-19.

<sup>23</sup> For a more extensive exploration of state-building in the DRC, see: Anten (2010).

*The success of transition will be contingent upon the re-establishment of the essential functions of a democratic state based on the rule of law and, in this regard, security constitutes a key precondition. This is particularly urgent in the eastern part of DRC. Hence the EU's strong engagement in reforming the security sector.”<sup>24</sup>*

Such an approach to the reform of the security system warrants a long-term strategic outlook, coordinated multilateral involvement, and active engagement across several levels of governance and operation. While these principals have been widely embraced by the donor community, practice has been slower to adjust.<sup>25</sup> Reluctance can be attributed to several aspects of donor engagement. Not the least of these is the difficult political navigation required for direct and intimate foreign involvement within what traditionally is an exclusively sovereign domain.

A second obstacle is the comparably slow pace of progress of these more complex and sensitive forms of intervention. As donors recognise the role the security system plays in curtailing violence and sustaining peace, signs of progress are urgently pursued. Indeed, at times donors in the DRC have erred on the side of over-ambition, attempting reforms that outpace the Congolese institutional capacity.<sup>26</sup> The clamant need for visible results and increases in stability can lead to prioritising short-term projects with concrete outputs over more subtle and long-term political and normative change. The latter implies reforming the patterns, perception and political arrangements that maintain the status quo. However, such reform requires a great deal more fortitude and offers far fewer visible triumphs than desired by international actors working under looming expectations and short political horizons.

### **Challenges confronted as regards support to SSR**

The approach to SSR – as both vital for stabilisation and as part of state-building – pursued by the EU and other donors in DRC has proven extremely challenging due to several reasons relating to both domestic Congolese conditions and the methods of the international community. As regards the former, DRC is characterised by a highly centralised governance system. Political power is largely amassed in the office of the Presidency and his close circle of personal advisors. This top-heavy governance system seriously impedes comprehensive and participatory reform. The government institutions and branches important for generating a genuine discussion and review of security policy do not enjoy the devolved autonomy necessary to substantively engage in a reform process.<sup>27</sup> Within the legislative branch of the DRC Government, obscure parliamentary procedures have been prone to stagnation, stonewalling bills that are key to establishing modern security structures and codes. Furthermore, as the Government in Kinshasa has gradually consolidated its central authority in the post-Transition Period, it has bristled at any perceived infringement upon its emergent sovereignty. Thus the security system, particularly the army, which undergirds the State's claim on authority, has been vigilantly guarded by the highly centralised Congolese Government.

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<sup>24</sup> Joint Press Release: *Javier Solana and Louis Michel launch EUPOL and reiterate EU support for transition in the Democratic Republic of Congo Kinshasa*. Brussels 30 April 2005 [S173/05]

<sup>25</sup> OECD (2011) p.3; OECD (2007) p.20

<sup>26</sup> Experts have warned reform planning is based upon experience limited to Kinshasa. What is more, the highly centralised authority of Congolese institutions often means decision-making is not delegated and thus even minor actions must gain the attention and await the approval of high-level officials.

<sup>27</sup> Boshoff, Hendrickson, More and Vircoulon (2010), p.2

The security system is also structured and operates in a highly compartmentalised fashion. The various institutions making up the security system operate independently of one another with few linkages between them. The FARDC and PNC are each controlled and run autonomously by strongmen of the regime. As part of the Poverty Reduction Strategy Paper coordination architecture, a Thematic Group on Judicial and Security Governance was envisioned to provide an opportunity for different actors and institutions within the security system to consult each other and collaborate. However this group never came into being. In its absence, there are only separate sub-groups for police, justice and sexual violence.<sup>28</sup> There is thus no inter-ministerial forum for key players in the Congolese security system to dialogue with each other and with international partners.

Finally, ongoing insecurity in combination with a centrally-concentrated governance system has prompted the chronic prioritisation of State and elite protection over the population's security. Thus, attempting a comprehensive reform of the DRC's security system, while insecurity reigns, is a difficult undertaking.

Regarding the approach of the international community, one of the main challenges is the underwhelming success of donor coordination, both between and within multilateral bodies, as well as among bilateral actors.<sup>29</sup> While many international and multilateral agencies have committed to ensuring coherence and coordination among SSR donors, bilateral arrangements remain the order of the day. This immediately becomes an undeniable concern when the kind of assistance donors give, by its very nature, demands uniformity and coherence.<sup>30</sup> The *modus operandi* of bilateral arrangements is expressly preferred and happily accepted by the Congolese Government, allowing it to request and accept funds for overlapping projects without donors realising that their assistance is redundant or that they are doubling up. The result is the proliferation of disjointed, narrowly focused, and largely technical approaches to support SSR that belie donor aspirations to coherent, systemic reform.

Another obstacle to successful reform in the DRC is the lack of a coherent international donor approach as this dilutes the potential leverage of a unified international front. Given the current fragmentation among donors, the international community wields insufficient clout to influence the knotty, balance-of-power or governance aspects of SSR. Consequently, current donor reform strategies have struggled to adequately address issues such as: parliamentary engagement in security policy; the division of competencies between ministries; democratic oversight and accountability of security forces; standardising legislative and judicial processes; and ensuring coherence and complementarity between sectors of the Congolese security system. All these aspects are seen to be fundamental to creating a security system that actively responds to the needs of citizens as well as the State. The Congolese authorities demonstrate little interest in or commitment to fostering such a system, which renders a unified donor front all the more necessary.

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<sup>28</sup> As of 28 March 2011, a subgroup for Defense has reportedly been established as well. More detailed information on this can be found in Annex 1.

<sup>29</sup> Vircoulon (2009) p.227; Clement (2009b) p.103; Davis (2009) pp.28-29; Ekengard (2009)

<sup>30</sup> Reports of upwards of five different donors were each independently providing battalion training programmes without a consistent set of standards or a singular source of oversight and authority.

Finally, segregation of individual sectors and actors of the security system prevails in the donor approach, mirroring the divisions between of the Congolese security system institutions. Even within the EU, integrated approaches are wanting. The existence of two distinct EU CSDP missions – one working on defence and the second on police – which are run autonomously is an illustration of compartmentalism.



### 3. EU Actors involved in SSR in the DRC

The DRC has been the object of EU political and diplomatic attention for over 15 years.<sup>31</sup> Recently, the EU has taken more strident action in supporting the reform of the security system. After the signing of the Global All Inclusive Peace Agreement in 2003, the EU twice sent troops to assist UN peacekeepers: Operation Artemis and EUFOR RD Congo. However, these short-term military interventions did not constitute assistance to restructuring of the DRC's security system, an endeavour which officially began in 2005 with the first mandate of EUSEC RD Congo.<sup>32</sup>

Since that time, EU activity has expanded and intensified. Currently, two CSDP missions – EUSEC RD Congo<sup>33</sup> and EUPOL RD Congo<sup>34</sup> – are active in the country, supporting defence and police reform, respectively, with a combined total of approximately 100 personnel. Since 2002,<sup>35</sup> development aid has been provided through an EC Delegation presence. In the security system, the EC has prominently intervened in the area of justice. And since 2005, with the revision of Overseas Development Assistance (ODA) funding regulations, the EC has been assisting police reform alongside its continuing support to the justice sector. This set-up channels EU funding and expertise to the DRC's defence, police and justice sectors, while engaging in a broader range of relevant themes, such as sexual violence and human rights. The EU Special Representative (EUSR) to the Great Lakes Region was mandated to contribute political insight to the EU actors from a regional perspective. Finally, several Member States undertake bilateral cooperation in the field of security.

#### **EUPOL RD Congo**

##### ***Mandates***

The EU Council's support to the PNC was catalyzed by the clear and urgent need for security in the Transition Period and in the lead up to the 2006 elections. As the first CFSP/ESDP mission deployed to Africa, EUPOL Kinshasa had the narrow objective of assisting in the mentoring, monitoring and advising of the *Unité de Police Intégrée* (UPI),

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<sup>31</sup> A European electoral unit was deployed and special envoy was mandated to the Great Lakes region in 1996.

<sup>32</sup> Council Joint Action 2005/355/CFSP 2 May 2005. The mission was then launched on 8 June that same year.

<sup>33</sup> Council Decision 2010/565/CFSP 21 September 2010. (NB: Prior to the Lisbon Treaty's entry into force, the term "Council Joint Action" was used to designate the legal basis for CSDP missions.)

<sup>34</sup> Council Decision 2010/576/CFSP 23 September 2010.

<sup>35</sup> The Commission has been working in the DRC since 1959, but suspended relations between 1992 and 2002 due to a lack of democracy and transparent management of state resources.

tasked with the protection of state institutions and bolstering domestic security.<sup>36</sup> This crisis management mission laid the groundwork for the succeeding EU police mission undertaken in the framework of SSR and its interface with the system of justice in the DRC (EUPOL RD Congo).<sup>37</sup>

At its launch in mid-2007, EUPOL RD Congo's overall aim was to contribute to "Congolese efforts to reform and restructure the National Congolese Police and its interaction with the judicial system".<sup>38</sup> This was to be achieved predominantly by mentoring, monitoring and advising (MMA) the Congolese authorities. Subsequent mandates extended the scope of the mission's work to assisting the PNC in the areas of Border Police and Audit Police and to contributing to the police, gender, human rights and children and armed conflict aspects of the stabilisation process in the East. As per the most recent of its four successive mandates, EUPOL RD Congo (hereafter referred to as EUPOL) is currently authorized (until 30 September 2011) to "[...] assist the Congolese authorities in the implementation of the Police Action Plan."<sup>39</sup> This last mandate puts the emphasis on "concrete activities and projects to underpin [EUPOL's] action at the strategic level of reform process, on capacity building and on enhancement of the interaction between the PNC and the wider criminal justice system."<sup>40</sup> This shift in EUPOL's mandate from MMA to projects and capacity-building reflects the evolution in the Congolese police reform process. EUPOL was initially set up to support the conceptual development of police reform and its tasks were predominantly advisory. Now that a reform plan and a new police law have been drafted, EUPOL is mandated to support the implementation of the plan and the new organisation of the police service.

### ***Implementing operations, providing advice and maintaining coordination***

EUPOL is broadly divided into two sections: coordination and operations, each with a deputy Head of Mission. The operations section focuses its attention, at the national level, on (i) technical training of the police (on conducting investigations for example) and training of Congolese trainers; (ii) projects such as conducting studies; and, in the East, on (iii) training, situation analysis and awareness-raising for issues of sexual violence, impunity, and community-police relations through multidisciplinary teams.

The coordination section devotes energy towards mentoring and advising Congolese authorities on conducting police reform at a strategic or conceptual level, primarily through the Police Reform Monitoring Committee: *Comité de Suivi de la Reforme de la Police (CSRP)*. Congolese Ministers<sup>41</sup>, foreign Ambassadors and Heads of Mission supporting police reform shape the political level of this committee. At the technical level, working-level personnel from National Ministries, the UN mission MONUC (now MONUSCO) and EUPOL, as

<sup>36</sup> Vircoulon (2009) p.222; Council Joint Action 2004/847/CFSP 9 December 2004.

<sup>37</sup> Summary of Remarks by Javier Solana, Brussels, 13 November 2006 [S306/06] state: "EUPOL Kinshasa will be extended to June 2007 to help prepare for a stronger engagement in security-sector reform which could take the form of an integrated ESDP mission". On 7 December 2006, the Council adopted Joint Action 2006/913/CFSP, enabling EUPOL Kinshasa to "strengthen its advising capacity to the Congolese police with a view to facilitating the Security Sector Reform process". Reference to this evolution is made in the first mandate of EUPOL RD Congo, Council Joint Action 2007/405/CFSP 12 June 2007, designating SSR a core focus.

<sup>38</sup> Council Joint Action 2007/405/CFSP 12 June 2007.

<sup>39</sup> Council Decision 2010/576/CFSP 23 September 2010.

<sup>40</sup> Ibid.

<sup>41</sup> The Ministers of Public Service, Finance, Planning, Budget, Defence, Justice as well as the Inspector General of the Congolese National Police are members of the CSRP. The Minister of the Interior appoints a secretary who reports on Committee meetings. Information online: <http://www.reformedelapnc.org/csrf.html>

well as PNC and civil society representatives collectively form the joint consultative corpus of the CSRP. This body acts as a single structure to formulate and coordinate police reform as it is progressively implemented. Eight working groups (*Groupes de Travail*) focus on specific themes: human resources; logistics; training; legislation; budget and finance; organization of new police; communication; and monitoring and evaluation. Within these working groups, several EUPOL staff members contribute advice and assistance alongside Congolese authorities and other international experts. Coordinators of these working groups, together with representatives of the Ministry of the Interior and the Inspector General of the PNC, and international experts comprise the Executive Secretariat (*Secrétariat Exécutif*). The EUPOL deputy Head of Mission Coordination is Deputy Executive Secretary of the CSRP, sitting under the Congolese Executive Secretary.

Since its creation, EUPOL has been responsible for advising Member States and other countries as well as coordinating and facilitating the implementation of their police reform projects.<sup>42</sup> EUPOL's third mandate, which entered into force in October 2009, provided for the creation of a Project Cell to identify and implement projects that further the mission's objectives. The current EUPOL mandate gives the explicit directive for the Project Cell to support the Commission as required, especially in its human resources management and police census projects.<sup>43</sup> It also allows for Project Cell personnel to provide technical assistance and reinforced coordination to Member States and other countries for their projects on request.

## **EUSEC RD Congo**

### ***Mandates***

Launched in June 2005,<sup>44</sup> before the publication of the *EU Concept for ESDP support to SSR*, the EU mission to provide assistance for SSR in the DRC (EUSEC RD Congo) was originally mandated to advise and assist in the process of integrating various armed groups into the FARDC and support good governance in the field of security.<sup>45</sup> For this, experts were assigned to serve in various departments of the Congolese Defence apparatus and administration.

Since this beginning, in which the mission had a relatively narrow scope of intervention, the mission's mandate has been amended and renewed on five occasions. In April 2007, the mandate was adapted to include contributing to Congolese efforts to restructure and rebuild the FARDC, in addition to assisting the integration process. This was to be done through advice and assistance, directly, or by means of concrete projects. In the former case, this meant contributing to the definition of national plans and the identification of priorities and needs. In the latter case, this was to include identifying EU projects and supervising, in conjunction with the Commission, projects financed by Member States.<sup>46</sup> Over time the mission's successive mandates have taken into account specific developments in Congolese

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<sup>42</sup> Council Joint Action 2007/405/CFSP 12 June 2007.

<sup>43</sup> Council Decision 2010/576/CFSP 23 September 2010. Art.3.5

<sup>44</sup> Council Joint Action 2005/355/CFSP 2 May 2005.

<sup>45</sup> EUSEC's first mandate was established in 2005 after Joseph Kabila sent an official invitation on 26 April 2005 to the Secretary-General/High Representative for Common Foreign and Security Policy, Javier Solana, requesting the EU's assistance to provide the Congolese authorities with advice and assistance for security sector reform. Previous to this, on 12 April 2005, the Council approved the General Concept for setting up a mission to provide advice and assistance for security sector reform in the DRC.

<sup>46</sup> Council Joint Action 2007/405/CFSP 12 June 2007.

defence plans or the security situation. For example, in 2008 EUSEC RD Congo (hereafter referred to as EUSEC) was tasked with conceptualising a Rapid Reaction Force, promoting an effective human resources policy and supporting the EUSR regarding the pacification process of the Kivu provinces in the East.<sup>47</sup> The last two mandates<sup>48</sup> have emphasised that the mission should support the operationalisation and implementation of Congolese defence reform plans through their advisors and by assisting in the development of detailed sub-plans for specific themes. While previous mandates have been issued for a maximum of 12 months, the duration of the latest mandate is two years.

***A two pronged approach: Assist and Advise***

The structure of EUSEC has evolved in relation to changes in the mandate. It was initially composed of a Head of Mission and core mission staff on the one hand and experts assigned to key posts within the Congolese administration on the other. In March 2007, this structure was complemented by a unit responsible for identifying and supporting Member States projects. From then on, the two-pronged structure – advisors collocated with Congolese civil servants in defence structure offices and experts assigned to supporting the implementation of specific projects – has been maintained.<sup>49</sup>

While officially deployed as a civilian mission<sup>50</sup>, EUSEC is largely (75%) staffed by military personnel. The advisors are embedded within various defence structures, including the Congolese Ministry of Defence, the Army General Staff, the Combined General Staff, the Joint Operational Committee, and the War Veteran's Affairs. These advisors cover areas such as planning, training, doctrine, administration and human resources, logistics, budget and finance, and civil-military relations. At the time the field research was conducted in Spring 2010, a full staff (maximum of 54 positions) would have had a majority of personnel (25) working in advisory roles, 20 handling assistance and projects and another nine seconded national experts holding administrative positions.

The headquarters of the mission, and the bulk of its staff, are located in Kinshasa, while smaller detachments have been based in Bukavu, Goma, Kisangani<sup>51</sup> and Lubumbashi. These detachment advisors assist Congolese Eastern Military Region headquarters, in an effort to ensure that central policy is maintained and implemented beyond the borders of Kinshasa. As of October 2009,<sup>52</sup> these positions are to be continuously staffed with experts authorised to support cross-cutting activities, namely, human rights and gender issues.

Within the past five years, EUSEC, in collaboration with Congolese institutions and other EU actors, has undertaken some notable reform projects. The first among these was the Chain of Payments project, which undertook mending the porous and corrupted FARDC salary system and decoupling wage distribution lines from the army's official chain of command. A census of the army was established, generating a biometric account of all

<sup>47</sup> Council Joint Action 2008/491/CFSP 26 June 2008.

<sup>48</sup> Council Joint Action 2009/709/CFSP 15 September 2009 and Council Decision 2010/565/CFSP, 21 September 2010. The latest mandate which extends the mission until 30 September 2012 requires that EUSEC “[...] provide practical support in the field of SSR, creating conditions to facilitate the implementation in the short and medium term of activities and projects based on [...] the plan for reform of the FARDC.” This is to be done in the fields of human resource management, the modernisation of logistics, training and the campaign against impunity for human rights violations including sexual violence.

<sup>49</sup> In the most recent mandate (Council Decision 2010/565/CFSP), a planning cell was added to the structure.

<sup>50</sup> As opposed to an EU military operation, EUSEC is deployed under as a civilian crisis management mission.

<sup>51</sup> This detachment was closed after 2010.

<sup>52</sup> Council Joint Action 2009/709/CFSP 15 September 2009

soldiers on the FARDC payroll and issuing military IDs, a process that has been ongoing for five years. This system was supported by the creation and maintenance of a central database, IT equipment and training to use the system.

EUSEC is financed by the CFSP budget – part of the general EU budget – just as EUPOL is. The CFSP budget money allocated to the missions covers their operational costs. Member States contribute seconded national staff to the missions and continue to pay their salaries whilst working in the missions. In March 2007, a mandate amendment authorised EUSEC's Head of Mission to receive “financial contributions from Member States to supervise and ensure, in coordination with the Commission, the implementation of specific projects for the benefit of the DRC”.<sup>53</sup> As discussed in more detail below, the conditions surrounding this were modified over time. The current mandate allows EUSEC to have recourse to financial contributions from the Member States for implementing projects identified as supplementary and consistent with the mission's other actions.

## **The European Commission Delegation**

### ***Country Strategy Paper and Funding Instruments***

Until the entry into force of the Lisbon Treaty and the creation of the European External Action Service (EEAS), the EC was represented by a Delegation office in Kinshasa.<sup>54</sup> The EC is one of the largest donors to the DRC and has at its disposal several funding instruments. By far the largest is the European Development Fund (EDF), a poverty-reduction instrument for delivering aid to African, Caribbean and Pacific (ACP) countries.<sup>55</sup> The Delegation office, with the support of the EC Directorate General of Development (DG DEV)<sup>56</sup>, periodically negotiates a five-year Country Strategy Paper (CSP) and associated National Indicative Programme (NIP) with the Government of DRC detailing the support to be provided under the EDF and other, smaller funding instruments. The current CSP/NIP covers the period 2008-2013<sup>57</sup> and represents a value of €514 million. The main areas of focus of the current CSP/NIP are governance, transport infrastructure and health, to which €130 million, €250 million and €50 million are allocated respectively. Support to SSR, and in particular justice and police reform, is provided for under the governance component. The value of this support represents approximately 4.3% of the total NIP funding. On the basis of the fact that the legal framework for SSR in DRC was established during the period of the 9<sup>th</sup> EDF, funding currently provided under the 10<sup>th</sup> EDF (2008-2013) is to be dedicated to supporting institutional reform of the central police and justice services.<sup>58</sup> Over the 2008-2013 period, the CSP identifies human resource management as a priority for the police sector; contributing to the fight against impunity and promoting the respect of human rights are objectives for support to the justice sector.

<sup>53</sup> Council Joint Action 2007/405/CFSP 12 June 2007.

<sup>54</sup> Since 1<sup>st</sup> July 2010 the Delegation is now called the *European Union* Delegation and holds the local presidency of the EU in DRC having adopted the powers devolved to it under the terms of the Lisbon Treaty. A fuller description of this conversion follows below in this same section.

<sup>55</sup> For more information on EC funding structures see: Derks and More (2009); the European Commission Aid and Development Cooperation website: [http://ec.europa.eu/europeaid/where/acp/overview/index\\_en.htm](http://ec.europa.eu/europeaid/where/acp/overview/index_en.htm)

<sup>56</sup> Since April 2011 DG DEV is the Directorate General EuropeAid Development and Cooperation (DG DEVCO).

<sup>57</sup> A mid-term review of the CSP/NIP took place in 2010. The NIP should undergo an operational review on a yearly basis.

<sup>58</sup> République Démocratique du Congo – Commission Européenne, *Document Stratégie Pays 2008-2013*.

The Commission also dispenses funds from the Instrument for Stability (IfS), a more flexible funding tool for crisis response when assistance cannot be quickly programmed by the usual mechanisms. The short-term component– Crisis Response and Preparedness –, like the CFSP budget, is managed by the Directorate General of External Relations (DG RELEX)<sup>59</sup>, and seeks to address (emerging) crisis situations that jeopardize the implementation of the Commission’s development programmes. In some situations, this component can be applied to “*short-term advice to develop and kick-start post-conflict security sector reform.*”<sup>60</sup> It may also be used for enabling measures in CSDP deployment areas. Both of these applications of the IfS (and its predecessor the Rapid Response Mechanism) have been utilized in the DRC, supporting police and defence programmes.<sup>61</sup>

### ***Activities in Police and Justice Sectors***

The EC has been the largest single donor in the justice sector since the Transition Period and is consequently lead donor (*chef de file*) in the sector. Its support has had two thrusts: longer-term support aiming to restructure the justice sector, and short-term emergency support in the East. With respect to the first of these areas, the Commission financed an audit of the justice sector in 2004, which resulted in the “Justice Reform Action Plan”. This plan was validated at the end of 2007 and later translated into a ministerial roadmap setting out priorities for justice reform in 2009. Furthermore, the Commission has supported the establishment of the *Comité Mixte de Justice* (CMJ), the central coordinating body for justice reform, which it co-presides with the Minister of Justice. The EC has also funded or co-funded a number of institutional support programmes.<sup>62</sup> These programmes have involved the construction or rehabilitation and equipping of courts, the audit of services provided by the Ministry of Justice, support to the administration of justice, and the promotion of universal access to justice and of women’s rights.

In the East, the Commission contributed to REJUSCO, a multi-donor<sup>63</sup> project that aimed to restore the penal system, promote military justice and combat sexual violence in South Kivu, North Kivu and Ituri. Launched in 2007 and closed in April 2010, the REJUSCO project sought to re-establish the justice system in a region where war and insecurity had led to its collapse. The project emphasized operational support to the system, rather than promoting a fundamental restructuring of it, and therefore did not endeavour to affect political reform.<sup>64</sup>

From 2005 onwards, when support to the police became eligible for ODA funding, the EC expanded its dossier to include police reform. Their current project of support, funded under the 10<sup>th</sup> EDF, is a continuation of the support the EC has been providing since the Transition Period and has four main axes: (i) development of a human resource management system including a census of the police, sub-contracted to the International Organization for Migration; (ii) support for the planning and coordination of police reform – the EC is the primary funder of the CSRP; (iii) support for the re-organisation of financial management as

<sup>59</sup> Now, according to Lisbon changes CFSP budget management is done by the Foreign Policy Instruments Service, a department of the Commission hosted by the EEAS.

<sup>60</sup> 2009 Annual Report from the European Commission on the Instrument for Stability {SEC(2010)1114} Available online: [http://www.eeas.europa.eu/ifs/docs/com\\_0512\\_2010\\_en.pdf](http://www.eeas.europa.eu/ifs/docs/com_0512_2010_en.pdf)

<sup>61</sup> For example to fund the construction of the executive offices of the CSRP and the Inspectorate General of the Police, and to assist with stabilization operations in the East.

<sup>62</sup> The *Programme d’appui à la justice* (2003-2006), *Programme d’appui à la gouvernance* (2009-2014) and *Programme d’appui à la réforme de la justice* (2010-2015).

<sup>63</sup> The project is funded by the European Commission, the United Kingdom, the Netherlands and Belgium.

<sup>64</sup> Boshoff, Hendrickson, More and Vircoulon (2010)

well as the management of infrastructure; and (iv) rehabilitation and construction of training facilities.

Through its development cooperation programme, the EC has supported various CSDP mission activities, as will be explained below.

### ***Structure and Political role***

At the time of research in Spring 2010, the Delegation was divided into a political section and an operations section consisting of several departments corresponding to the key areas of focus of the CSP, employing around 60 staff members in total. The political section, supporting the Head of Delegation, consisted of a political advisor and an attaché who undertake reporting to headquarters. The EC Delegation office received political orientation from DG Dev in Brussels, where three desk officers followed DRC.

As of January 2010, all EC Delegations were converted into European Union Delegations. For 54 Delegations, this new nomenclature came with “upgraded” powers; for others, the change – at least initially – was in name only. Once fully converted, the Delegation in Kinshasa, like all EU Delegations, will be composed of both Council Secretariat staff, Commission staff and Member State seconded national experts. It will represent the European Union as a whole on all EU competencies (economic, political, foreign and security). As such, the Delegation will be empowered to make statements on behalf of the entire EU, rather than exclusively as the Commission. It will also take on the coordinating role formerly entrusted to the Member State Embassy actively holding the rotating Presidency of the Council.

Theoretically, these changes will imbue the Delegation with a more political and diplomatic character. Delegations, will no longer be staffed primarily with Commission officials responsible for implementing the development cooperation programme, but will also be able to draw upon diplomatic personnel. The Heads of Delegations in the future are to be EEAS staff, boosting the diplomatic role of the Delegations and likely taking over the role of individual country EUSRs.<sup>65</sup>

### **Member States**

Although eight Member States have development cooperation programmes in DRC, only four provide considerable support to the security system through bilateral programmes: Belgium, France, The Netherlands and the United Kingdom. As the former colonial power, Belgium has a long tradition of bilateral support to the security sector, with a particular emphasis on training and reinforcing the operational capacity of the army. France has been principally involved in supporting the police and the justice sectors through its rule of law programme, however has also been active in the defence sector by providing military advisors and establishing training academies for example. Although the majority of the aid provided by The Netherlands to DRC goes through multilateral channels, they operate bilaterally in the defence sector and have worked on issues of military justice, as well as providing support during the Transition Period to the UPI. The UK was initially involved in justice reform and, like Sweden, has provided funding for the CMJ and the ‘Action against sexual violence’

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<sup>65</sup> According to interviews, it was apparent that institutional competition had soured relations between the Head of the EC/EU Delegation in DRC and the EUSR, both of which, since 2010 and the creation of the EEAS, are designated to provide political support to the CSDP missions.

component of REJUSCO. However, the UK has now withdrawn from the justice sector and concentrates on police. In 2009, the UK launched a large Security Sector Accountability and Police Reform programme of a value £60 million; £40 million of which is dedicated to the PNC. It is worth noting that all four of these Member States have contributed staff and financial contributions to the two CSDP missions in the DRC.

Presenting a single Member State as a monolithic actor may be an over-simplification, misrepresenting actual practice.<sup>66</sup> Interviewees reported noting a dissonance in the discourse of Member States ambassadors to the Political and Security Committee (PSC) in Brussels as compared to those working in Kinshasa. The former were seen to be invested in discussing and approving the conceptual plans of the CSDP missions. On the other hand, the latter did not refer to these documents as often (or at all). In some instances it was put forward that embassy officials regarded CSDP missions (regardless of their home state's contribution to the missions) as an interference with their bilateral cooperation with the DRC Government.

### **The EU Special Representative (EUSR)**

The mandate of the EUSR for the African Great Lakes Region, as it existed in 2010,<sup>67</sup> was based upon the EU policy objective to support “the further stabilisation and consolidation of the post-conflict situation” in the region, with particular regard “to the regional dimension of the developments in the countries concerned”.<sup>68</sup> The EUSR is, in general, responsible for ensuring a coherent Union approach to the region at a political level, supporting peace and reconstruction efforts both in individual countries (Burundi, Rwanda, Uganda and the DRC) and at the regional level.<sup>69</sup> His responsibilities are far reaching, covering four countries, each with various types of issues and degrees of urgency. The DRC receives relative prominence in his portfolio, given the EU's policy objectives to support the post-transition political processes of consolidating new institutions, in general, and international efforts towards SSR, in particular.

Roeland van de Geer, an experienced Dutch diplomat with a long history of work in Africa, was appointed EUSR to the Great Lakes Region in February 2007<sup>70</sup>, a position that has existed since 1996. In Van de Geer's five successive mandates<sup>71</sup> his responsibility to provide advice and assistance for SSR in the DRC did not change. The EUSR is tasked with ensuring consistency between the activities of EUSEC and EUPOL, whilst also providing the Heads of Mission with local political guidance. As regards external coordination, the EUSR

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<sup>66</sup> Justaert and Keukeleire (2010). Justaert and Keukeleire highlight the existence of parallel services within a single Member State working at different levels. For example, the UK's diplomatic service, the Foreign and Commonwealth Office (FCO), participates in EU headquarter level discussions regarding civilian crisis management and helps to organize British contribution to implementing EU foreign policy. The UK's Department for International Development (DfID) manages the UK's cooperation with the Congolese in the justice and police sectors.

<sup>67</sup> Currently, the future of the office of the EUSR to the Great Lakes is unclear. According to analysts and observers, it will likely be closed (for example EU Observer, *Ashton keen to axe Congo conflict envoy*, 17 May 2011). As of 2011, Roeland van de Geer has been reassigned; he has not been replaced by a new EUSR.

<sup>68</sup> Council Decision 2010/113/CFSP 22 February 2010.

<sup>69</sup> Ibid.

<sup>70</sup> Council Joint Action 2007/112/CFSP 15 February 2007.

<sup>71</sup> All of which, except the fourth, ran for a one-year period. The fourth mandate – Council Decision 2010/113/CFSP 22 February 2010 – ran for a period of six months only in anticipation of the establishment of the EEAS.

is to “contribute to coordination with the other international players involved in security sector reform in the DRC”.<sup>72</sup>

The EUSR is a CFSP actor and, as such, acts under the authority of the Secretary-General of the Council/High Representative of the CFSP (and since the entry into force of the Lisbon Treaty under the High Representative for Foreign Affairs and Security Policy) who reports to Member State Representatives in the Council’s PSC. The EUSR's office and staff are based in Brussels, however he and his staff frequently travel to and through the region. At the time of research in early 2010, the office employed two full-time political advisors for the DRC, who split their time between Brussels and Goma. Recently the team was expanded to three advisors assigned to DRC.<sup>73</sup>

While his mandated duties remain somewhat loosely defined, the general substance of the EUSR’s work has been to promote overall EU political coordination and to ensure that all EU instruments are engaged coherently. According to interviews with EU staff in the field, the EUSR is considered a type of “supra-national” figure because able to travel to the different Member States’ capitals and embassies in order to discuss the various positions within the EU. From this perspective, the EUSR has been instrumental in lobbying on behalf of the CSDP missions’ needs (such as staff shortages) and for unblocking internal EU impasses.<sup>74</sup>

Given that the EUSR is a CFSP-mandated actor, the hierarchy of relations between the EUSR and the EC are unclear. The EUSR's mandates specify that as regards internal EU coordination, he is responsible for promoting coherence between CFSP/CSDP actors (in DRC this is EUSEC and EUPOL) but as regards interaction with the European Community, all that is stated is that the EUSR must coordinate his own activities with the Commission. In practice in DRC, the EUSR and his office referred to maintaining transparency through monthly working level meetings with the Commission. However it was reported that a lack of clarity in the mandate of the EUSR had resulted in a certain level of contestation by the Delegation of the EUSR’s role and somewhat turbulent relations between the EUSR and the Head of Delegation. Territorial tensions between these specific actors notwithstanding, the deeper issue here is an apparent tunnel vision approach when assigning roles to particular actors. All EU mandates and roles should be conceived with a broad view toward how a particular actor will fill a specific niche among the constellation of other EU actor on the ground.

### **Mandate analysis in light of EU SSR policies and approach**

EU SSR policy documents, which are based upon the OECD DAC Guidelines on SSR,<sup>75</sup> stipulate that the EU should take a holistic approach to supporting SSR in partner countries. This means addressing both the “functioning of the security system” and “governance of the security institutions” (executive, legislative and civilian oversight), and taking a “multi-sector

<sup>72</sup> Council Decision 2010/113/CFSP; Council Joint Action 2009/128/CFSP; Council Joint Action 2008/108/CFSP; Council Joint Action 2007/112/CFSP.

<sup>73</sup> Given that there are only five political advisors assigned to the EUSR office (the other two covering Uganda, Burundi, and Rwanda) the amount of attention devoted exclusively to the DRC indicates its importance.

<sup>74</sup> He has also actively tried to bring together different approaches on SSR support in the context of meetings of the Great Lakes Contact Group.

<sup>75</sup> *Security System Reform and Governance*. Organisation for Economic Co-operation and Development-Development Assistance Committee: DAC Guidelines and Reference series, OECD 2005.

approach to the provision of security and access to justice”.<sup>76</sup> According to the Council’s *EU Concept for ESDP support to Security Sector Reform*,<sup>77</sup> “SSR involves addressing issues of how the security system is structured, regulated, managed, resourced, and controlled.” The EU thus implicitly recognises that SSR involves both a political dimension as well as a technical dimension. From the authors’ perspective, the former involves addressing issues of balance of power, such as negotiating the “separati[on] [of] tasks between different services and institutions”<sup>78</sup> and developing executive, legislative and civil society oversight of the institutions. The technical side deals with issues of performance and capability, for example, increasing strategic and operational capacity of services and institutions, establishing human resource management systems, developing codes of conduct etc. As the OECD explains, “Security System Reform and international assistance to it are inherently political processes”.<sup>79</sup> It is thus expected that technical activities inevitably touch upon political sensitivities, as building capacity of particular groups or institutions inevitably adjusts power relations within and amongst those groups or institutions.

An analysis of the EU actors’ mandates and activities, described in the previous sub-sections of this chapter, demonstrates a certain predilection for emphasizing technical support to SSR, rather than giving equal clarity and definition to the political aspects of reform. It was apparent from several interviews that a tendency, even eagerness, to label CSDP or Delegation staff as either strictly technical or overtly political perpetuates a false dichotomy. This “black or white” view of SSR support obscures opportunities for effective holistic engagement. While a division of roles is important and particular actors are more suited to technical assistance or diplomatic engagement, support to SSR clearly requires complementary attention to both.<sup>80</sup>

Particularly in the case of DRC, establishing a democratically controlled security system in compliance with principles of human rights and good governance requires more than technically restructuring the army and police. Rather, it entails a broad re-visioning of the role the DRC security forces hold in society, whose interests they are intended and perceived to protect, as well as addressing the political influences and control structures that maintain the status quo. Both the CSDP mission mandates make reference to these aims, citing a need to promote democratic standards, address impunity, and ensure respect for the principles of good governance. Yet neither mandates match these objectives with the means to pursue them or the types of activities required to achieve them. While both missions provide strategic-level advice, on the whole their action programmes remain short- to medium-term

<sup>76</sup> *EU Concept for ESDP Community Support for Security Sector Reform*. Council of the European Union, Brussels, 13 October 2005 12566/4/05 REV 4; *Council Conclusions on a Policy Framework for Security Sector Reform*. 2736<sup>th</sup> General Affairs Council Meeting, Luxembourg, 12 June 2006.

<sup>77</sup> Council Document 12566/4/05. Brussels, 13 October 2005.

<sup>78</sup> *Council Conclusions on a Policy Framework for Security Sector Reform*. 2736<sup>th</sup> General Affairs Council Meeting, Luxembourg, 12 June 2006.

<sup>79</sup> OECD (2007) p.28.

<sup>80</sup> EU SSR policy documents declare that the EU has the “capacity to take a holistic approach, using economical, political, diplomatic, civilian and military means” at its disposal. (*EU Concept for ESDP Support for Security Sector Reform*. Council of the European Union, Brussels, 13 October 2005 12566/4/05 REV 4, paragraph 19; A similar statement is made in *A Concept for European Community Support for Security Sector Reform*. Communication from the Commission to the Council and the European Parliament, Brussels, 25 May 2006, COM(2006) 253 final, p.9.) Furthermore, the *Concept for European Community Support for Security Sector Reform* acknowledges that political dialogue is a potential form of EC support. It goes on to say that, due to the Commission’s long-term presence on the ground, it is well placed to lend support to the national dialogue on SSR. (Communication from the Commission to the Council and the European Parliament, Brussels, 25 May 2006, COM(2006) 253 final, p.7-8.)

oriented, and acutely focused on capacity building, technical advice and assistance, and consolidating new institutions.

Furthermore, there is little in the mandates of the CSDP missions or of the EUSR or in the CSP/NIP to indicate, in operational terms, *how* to adopt a political approach to supporting the reform and what form that approach would take. This type of approach could include designating actors with the high-level authority and ability to dialogue and negotiate with the national authorities on the governance and democratic objectives of the reform process, effectively asserting the political priorities of the EU and assisting in overcoming political impasses. It would also involve recognizing and tending to the political sensitivities touched upon by technical support. Training CSDP mission staff in the political aspects of SSR would help to identify issues as they arise at the operational level. This issue will be discussed further in Chapter 5 below.

In principle, the EUSR is the designated EU actor to take up action at the political level. His mandate specifies that he is to support the EU policy objective to guide the political processes of “consolidating new institutions and defining a broader international framework for political consultation and coordination with the new government.”<sup>81</sup> However, interviews on the ground and within Brussels highlighted the insufficiency of the resources allocated to the EUSR, and the breadth of his responsibilities in the region. Both were regarded as major encumbrances to the EUSR’s realistic ability to assert effective influence at the political level in the DRC.

Another issue that becomes evident through an analysis of mandates and which warrants attention is that of coherence between the EU Council and the Commission. The task of supporting SSR is so broad as to oblige clear divisions of competency as well as durable coordination mechanisms between donors to avoid gaps and overlap. This is explicitly recognized by both the Council and Commission in their respective SSR concept documents.<sup>82</sup> However, a review of these separate concepts exposes potential redundancy of competencies, particularly as regards supporting justice and police sectors. Moreover, both fail to offer specific mechanisms for coordination.<sup>83</sup> Assurance is given that a division of labour and coordination structures will be devised on a case-by-case basis. Yet, a review of the mandates of CFSP-actors and the European Community’s CSP provide little evidence that this has been done in the case of the DRC.

The need for coordination and coherence of the CSDP missions with European Community actions is emphasised on several occasions within the successive mandates of EUSEC and EUPOL. Furthermore, the EUSR is mandated to ensure this coordination and coherence in practice. The European Community’s 2008-2013 CSP states that EC cooperation in the area of SSR adds value in coherence with EUSEC and EUPOL.<sup>84</sup> Unfortunately, none of these documents provide any indication of how coherence or complementarity of activities will be achieved or through which systems or processes coordination will be pursued.<sup>85</sup> To

<sup>81</sup> Council Decision 2010/440/CFSP, 11 August 2010 [Art. 2.c]

<sup>82</sup> Council Document 12566/4/05 REV 4 [A.3; A.6; G.31]; Communication from the Commission {SEC(2006)658}

<sup>83</sup> Derks and More (2009) pp3-5.

<sup>84</sup> *République Démocratique du Congo – Communauté Européenne Document de Stratégie Pays et Programme Indicatif National du 10<sup>ème</sup> FED 2008-2013*; Section IV.1.1. p.29.

<sup>85</sup> It was indicated to the authors that a restricted EU document of November 2006, entitled ‘A comprehensive EU approach to SSR in the DRC’, specifies mechanisms for internal EU coordination and that further clarity has

what extent informal mechanisms have sprung up out of this gap, and the quality of such ad hoc coordination, will be discussed in the next chapter.

The absence of sufficiently detailed provisions in the mandates and strategies of EU actors in DRC for political engagement and negotiation with the national authorities or for internal coordination – despite the importance awarded to these aspects in EU policy – stunts the EU's ability to achieve its goals. And these points, as we shall explore in later chapters, signal a clear weakness of the EU's support to SSR in the DRC.

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been brought in another classified document since the Lisbon Treaty notably as regards information-sharing and consultation between the Head of the EU Delegation and the Heads of the CSDP missions.

## 4. Coherence of EU support

A primary issue under investigation in this research project is the coherence of EU support in partner countries. As coherence is engendered through coordination and communication, attention was given to the form and quality of these aspects among the various EU bodies working in the DRC. On the whole, EU coherence in the DRC was described as suboptimal. This chapter outlines how coherence is stymied both by issues arising from the EU's fragmented approach and its SSR architecture.

### **Lack of a common EU stance**

A key concern regarding EU support to SSR in the DRC is the lack of awareness on the part of EU actors of a common EU strategy for SSR engagement in the country. Only a handful of headquarters staff interviewed for this report mentioned the existence of a 2006 classified document entitled 'A Comprehensive Approach to SSR in DRC' or that a classified 'Roadmap on EU Engagement in the DRC', which contains sections on SSR, was adopted by the PSC in early 2010. Field staff are not familiar with these documents and do not make reference to them. As a result, in Spring 2010 there was no up-to-date overarching framework providing analysis of the Congolese context and strategic direction on EU SSR support that guided all EU field staff working in the DRC.<sup>86</sup> All that existed were the mandates and agendas of the individual EU bodies or actors active in the Congolese security system: the CSDP missions, EC delegation and (formerly) the EUSR. Beyond the general principles enunciated in the 2006 EU SSR policy<sup>87</sup>, there is no guiding framework or common EU objectives that are adapted to, and feasible in, the current Congolese context.

This concerning lack of common EU objectives and strategy for SSR support to DRC is compounded by the fact that there is no one EU actor clearly in the lead on SSR, either at the ground or headquarter levels. Despite the EUSR's former responsibility for promoting EU political coordination and his specific mandate to ensure coherence among the activities of the CSDP missions, he had no formalised authority to wield with regards to the Commission. Without a single voice representing the EU, each of the EU actors – and notably some of the stronger Member States – have pursued their particular support uncontested by a corralling EU authority.<sup>88</sup> In practical terms, this has led to inconsistent

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<sup>86</sup> A Crisis Management Concept for the CSDP missions supporting SSR in the DRC was circulated amongst Member States in July 2010. This classified document was said to contain an analysis of the situation and set out objectives for SSR support in the context of CSDP.

<sup>87</sup> *Council Conclusions on a Policy Framework for Security Sector Reform*. 2736<sup>th</sup> General Affairs Council Meeting, Luxembourg, 12 June 2006.

<sup>88</sup> Under the Lisbon Treaty, the new European Union Delegation is allotted greater powers than the former Commission Delegation. These changes are in line with the more diplomatic nature the post-Lisbon EU

actions and messages as regards the approach to supporting SSR in general on behalf of the different EU bodies. For example, among Member States two distinct camps have emerged regarding the appropriate policy response to Congolese reluctance to undertaking certain aspects of reform. Some advocate for patience and more political pressure on the Congolese to articulate their National SSR strategy, foster democratic oversight and establish stakeholder coordination mechanisms. Many among this group contend such domestic action must be taken before international support is provided. Others espouse a pragmatist view, stating that these demands are unlikely to be met and it is better to press ahead without such strict conditionality. This latter approach, however, directly undermines the discretion of the former. The lack of a unified approach is detrimental to the promotion, or even perceptibility, of an EU political position.

### **Limited impact of coordination meetings**

A certain number of intra-EU coordination platforms exist at the field level. At the time of research in Spring 2010, weekly meetings in Kinshasa brought together Member State Ambassadors, the Heads of the two CSDP missions, the Head of the EU Delegation and the EUSR when he was in Kinshasa.<sup>89</sup> These are general meetings regarding political and development cooperation in the DRC. With regard to the different thematic components of SSR and at a more working level, EUSEC and EUPOL organise regular coordination meetings. The Head of Mission of EUSEC presides the *Groupe de Travail Européen (GTE)*, a weekly meeting involving Kinshasa-based representatives of Member States active in the area of defence reform as well as a representative of the EC Delegation.<sup>90</sup> The Head of Mission of EUPOL presides a similar, however less frequent, meeting for the EC and Member States active in the police sector. It was considered a welcome initiative that EUPOL often brings EU actors together before CSRP meetings in order to discuss what consensus could be put forward in a unified way. In what many see as a missed opportunity, the EC, lead donor in the justice sector, does not convene the EU actors involved in supporting justice reform prior to CMJ meetings.

Despite the existence of such meetings, the level of EU coordination remains unconvincing. It is not uncommon or unexpected for Member States to express their national agendas in meetings rather than supporting EU positions. Member States also tend to by-pass the CSDP missions in favour of holding direct agreements with the Congolese, which according to many interviewees can become a counterweight, rather than a complement, to the Delegation's work and CSDP missions' presence. The police sector, supported by several EU actors (EUPOL, the Delegation, and Member States, the UK most prominently) was cited as particularly fraught with donor divergence and competition. In 2009, the UK launched its Security Sector Accountability and Police Reform programme, implemented in parallel to EUPOL and Delegation plans. Some planned activities, such as conducting a

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Delegations. Delegations will assume ground-level coordinating tasks formerly undertaken by the embassy of the Member State actively holding the Council rotating Presidency. Moreover, the Head of Delegation will be an EEAS senior official rather than an EC staff member. This could, ideally, result in more diplomatic coherence.

<sup>89</sup> Following the changes made after the entry into force of the Lisbon Treaty, these weekly meetings are now hosted by the Head of the EU Delegation and the EUSEC and EUPOL Heads of Mission are only invited to attend once a month.

<sup>90</sup> Since October 2010 these meetings have become less frequent: they take place once a month. Beyond this, there were also GTE+ meetings, which brought together EUSEC, Member States, the US, and MONUC / MONSUCO. These meetings, which do not include participation from the Chinese, South Africans or Angolans, were described as helping to partially close the gap left by MONUC / MONSUCO, which formerly held the role as coordinating actor among the international community engaged in SSR support.

census of the police forces, directly overlapped with a plan the Delegation had drawn up. Member States' bilateral projects sometimes even work against the reform process supported by the CSDP missions. One reason given for this was the urgency with which Member States must spend their allotted budgets. This undercuts the time these actors have to investigate the legitimacy or possible redundancy of the project.<sup>91</sup> In such situations, closer cooperation with either the Delegation or EUPOL – or, ideally, both together – could help to channel Member States' resources more effectively.<sup>92</sup>

### **Coordination between EUPOL and EUSEC**

Relations are said to be relatively good between the high-level actors within the two CSDP missions. Heads and political advisors meet at the Member State Ambassador meetings when they attend once a month and national camaraderie encourages frequent, if casual, contact. In spite of these good conditions, inter-CSDP coordination does not appear to be an urgent priority within either mission. The contact that does occur could be said to be the fortunate consequence of compatible personalities. As was observed in many cases and by officials on all levels, once a mission is deployed, the quality of the coordination depends predominantly on individuals, and personal willingness to communicate. Noting the nonexistence of more formal mechanisms, reliance on well-matched personalities has proven an unreliable guarantee of smooth coordination in other cases.

Even when contact is frequent it is not emphasized. The nature of the work done by each mission was said to be too different to call for substantial coordination and that attempting an integrated approach is extraneous. Given the very basic state of the Congolese security system, some have argued for allowing the different sectors to develop through their own unique processes. Issues such as the defining the division of labour between the army and police, were considered by some to be too advanced for the current PNC and FARDC to address.

Yet, such arguments reveal among field staff a lack of familiarity with basic SSR principles, such as pursuing an integrated approach. Strong compartmental focus seems to disregard the fact that both missions (as per their mandates) are explicitly undertaken in the framework of *reforming the security system*, not simply their sector of expertise. Moreover, working in silos prevents the two missions from sharing lessons learned or ideas to help solve common issues. In light of the fact that both EUSEC and EUPOL have identified human resource management as an area of focus, it seems inefficient that each mission has developed programmes in isolation and procured their own equipment for activities such as census taking.

The short deployments and unsynchronized rotations also seemed to discourage seconded national experts from building relationships with their working-level counterparts in the other mission. Meetings held between the two missions were attended by the Heads of Mission and Political Advisors only. Other staff members admit to not knowing much about what the other mission is doing, but seem unconcerned that this would be a problem. Since the time

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<sup>91</sup> Some Member States reportedly once funded an autonomous project to build police stations in the East on land that was not owned by the police, and without the budget to purchase the land.

<sup>92</sup> Council Joint Action 2009/769/CFSP 19 October 2009, for EUPOL states that “the mission shall have a project cell for identifying and implementing projects. The mission shall advise the Member States...and shall coordinate and facilitate, under their responsibility, the implementation of their projects in fields which are of interest to the mission and in furtherance of its objectives.” As described below, this solution has been plagued with practical problems.

of research, some improvements in the synergy between EUPOL and EUSEC have been forecasted.<sup>93</sup> Allusions have been made to the two missions merging their respective internal human resource management departments, which – while a welcome step – still leaves room for improvement on coordinating at strategic and programmatic levels. Shared advisors have helped reduce overlap and redundancy on horizontal issues such as gender and human rights. But this has fallen short of substantial coordination beyond these particular themes.

### **Coordination between CFSP actors and the Commission**

At the time of research in early 2010 considerable rivalry between CFSP actors and the Commission was observable in DRC. While the competition can be traced back to territorial debates in Brussels, field-level actors are responsible in their own right for coordination.<sup>94</sup> Unfortunately, in the DRC, these relations constitute yet another challenge to EU efficacy.

In meetings, Council-dependent bodies and the Commission were reported to openly express disagreements regarding planning horizons, appropriate responses to the Congolese Government, and even the strategic vision for reform. Member States tended to emphasize quick responses, while the Delegation advocated for a slower approach promoting well-planned and thoroughly-negotiated institution building. The validity and importance of these debates aside, such publically displayed dissonance does not promote a positive image of the EU's cohesive approach. Moreover, it would appear to discount the potential complementarity of these distinct approaches.<sup>95</sup>

EUPOL and EUSEC's mandates both insist on coordination with the Delegation<sup>96</sup>, however formal mechanisms exclusively between the EC and CSDP missions were reportedly not established. While the Delegation has no corresponding mandate to coordinate with the CSDP missions apart from the general principles listed in the *Concept for European Community Support to SSR*, a concerted message toward the Congolese could strengthen the EU's leverage, not to mention uphold commitments to donor coordination. Some in the Delegation reported in early 2010 that the Head of the Delegation, Ambassador Richard Zink, had individual meetings with the Heads of the CSDP missions. However neither the frequency nor the results of these meetings were clear. The only thing that was patently apparent was that even top-level coordination was not systematic, but rather depended on personal predilections. More recent reports of a gradual rapprochement and enhanced coordination between the Council and Commission actors has been credited to changes brought about by the Lisbon Treaty. These are still nascent, however, and theatre-level actors point out that time is needed to adjust and learn the new "rules of the game".

The conduct in 2007, 2008 and 2010 of three joint missions in which the Council, Commission and EUSR were represented, resulted in joint reports. These reports were intended to align the planning of all EU bodies however the extent to which they succeeded can be questioned on the basis of Spring 2010 field-level observations described below. Several Commission field staff indicate that there is sufficient flexibility within the NIP and EDF to modify or add activities given the broad manner by which the budget lines and areas

<sup>93</sup> International Security Information Service (2010) November p.20

<sup>94</sup> Similar EU SSR research done in Kosovo provided evidence that collaborative and communicative relations between the Council and Commission in the field are entirely possible and highly beneficial.

<sup>95</sup> Derks and More (2009) p.5

<sup>96</sup> EUPOL: Council Decision 2010/576/CFSP [Art. 15.1]; EUSEC: Council Decision 2010/565/CFSP [Art. 12.4-6].

of intervention are defined in the NIP. However, as will be elaborated below, this flexibility has not necessarily been used in practice.

### ***Between EUPOL and the Commission***

The working level relations between EUPOL and the Delegation are the most prominent, given their mutual interest in the police sector. However, representatives from both EUPOL and the Delegation stated in interviews in early 2010 that not only was there little cooperation between the bodies, but also implied that it was not considered essential for success. Contrary to several claims that the division of labour was occasionally ambiguous, many stated that EUPOL and the Delegation work in entirely different areas with distinct perspectives. Thus, they reasoned collaboration would be contrived rather than beneficial.

Some joint endeavours have gone well, such as the establishment of the CSRP. The Commission provided IfS funding for construction of the *Secrétariat Exécutif* building while EUPOL provides technical assistance to the CSRP's leadership and working groups. Another case of beneficial collaboration was noted in the East, where EUPOL provided trainers for a REJUSCO activity, funded by the Commission. Some broadly characterized the role of the Commission as funding and overseeing infrastructure projects while EUPOL provides technical advice and assistance for training and coordination mechanisms. These short-term projects evidence the potential for cooperation.

Yet, even when attempts are made to find synergies, separate procedures and different time horizons make collaboration between the missions and the EC Delegation difficult. At the time of research in early 2010, EUPOL's next mandate was under preparation prompting the Political Advisor to meet with the Delegation to explore possibilities of collaboration. The Commission was still in the last phases of the 9<sup>th</sup> EDF funding cycle and thus had little opportunities to change their programming. It was not made clear whether the Commission had asked for EUPOL's input on the preparation for the 10<sup>th</sup> EDF, which could have offered an opportunity for cross-fertilisation and alignment. The Delegation's police staff comment on new EUPOL Operational Plans (OPLAN) when the mandate is up for renewal, helping to keep the Delegation aware of EUPOL activities and enabling them to signal operational gaps or overlaps. However, this does not go so far as finding points for alliance since the Commission's programmes are generally already firmly established and underway.

Commission staff explained that it is often difficult to use EDF funding for EUPOL activities given that EUPOL's mandates run only for a year at a time. The Commission is reticent to run the risk that the mission's mandate might end before the activities have been completed. In addition to the fact that the Commission has long-term (five-year) programme cycles, several interviewees highlighted the often lengthy period (up to, and sometimes beyond, a year) which elapses between the identification of project activities and their implementation under Commission programmes. This makes it difficult to work with a CSDP mission.

Beyond working in relative isolation, there were some reports of antagonism between the bodies and power struggles as regards who would be in the lead on police reform. During the research period, interviewees raised questions as regards the legitimacy they felt the other actor had in certain domains. EUPOL's recent foray into projects and political liaison with Congolese authorities was seen by some as overstepping the bounds of their technical mandate and treading on the Commission's competencies. On the other hand, many also

disagree that the Commission should be involved with the police at all, arguing that it is plainly within the Council's purview.<sup>97</sup>

It was made clear on several occasions that the level of distrust on either side can reach disturbingly high levels. As the Commission manages the CFSP budget, funding of the mission and its activities is a sensitive topic. The Commission's officious financial management procedures were seen by some EUPOL staff as unmanageable and unrealistic for a short-term crisis management mission and indicated a lack of confidence between the bodies. A possible remedy could be to contract among the EUPOL staff<sup>98</sup> an employee from Foreign Policy Instruments Service (the body in charge of the CFSP budget) to manage the mission's budget.<sup>99</sup> Other such staff crossovers could increase trust and communication.

### ***Between EUSEC and the Commission***

The Commission's management of the CFSP budget, which funds EUSEC's operational budget and some of its activities, similarly ties the two into a marriage of necessity. European Community instruments have contributed funding to some EUSEC projects such as the establishment of an IT network used for FARDC human resources and registration, and flanking measures for soldiers and their families. DG RELEX Unit A3 (EC Unit previously responsible for managing the CFSP budget) reported hesitancy to use the CFSP budget to fund projects it sees as reflecting Member States' priorities or instigated by them; thus EUSEC seeks Member State funding as well.

Personality clashes between EUSEC and Delegation leadership and have, in the past, led to a breakdown of inter-institutional communication. EUSEC working level staff do not typically have any contact with the Delegation, so without top-level coordination, there is little hope for coordination at all. Yet, echoing statements made by EUPOL, staff of EUSEC did not seem to appreciate any potential benefit of coordinating with the Delegation given that the bodies work in separate areas. As mentioned above, such a mentality – which implies a partitioned approach to SSR, focussing on individual components of the system and different types of activity – runs counter to principles of an integrated approach endorsed by the OECD-DAC and EU Concepts for SSR.

Attempts in 2006 to merge the Delegation's Justice Component, EUPOL and EUSEC were strongly rebuffed by the Delegation, citing EUPOL and EUSEC's divided chains of command as incompatible. Others suggest this stand-off was another example of territorialism, particularly the Commission's reluctance to enable the Council to play a role in the justice sector. It is important for there to be stronger appreciation among the EU bodies for the strategic advantages of each. Short of merging the two missions, specific and formal coordination structures could provide concrete bases for sharing information, dividing tasks, and looking to complement the work of other SSR actors. Aligning reporting

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<sup>97</sup> In fact, the Commission did not become proactive in the police sector until Overseas Development Aid (ODA) funding rules allowed spending to be put toward supporting the police in 2005.

<sup>98</sup> As per the mandate, the Head of Mission is designated to communicate with the Commission regarding the implementation of the CFSP budget.

<sup>99</sup> This was attempted in the past, however the DG RELEX Unit A3 (EC Unit previously responsible for managing the CFSP budget) staff member was considered too expensive and the position was only funded for 2 months. A permanent position, anticipated in the operational budget for the mission is, as yet, an unexplored solution.

documents, contributing to yearly evaluations of the other EU body, or creating shared project databases are practices that have helped coordinate EU actors in other locations.<sup>100</sup>

### ***The project dilemma***

Since 2007, EUSEC has complemented its technical advisory role with projects funded by the Member States and the CFSP budget. In late 2009, a project cell was established within EUPOL, comprised of three personnel to identify and implement projects.<sup>101</sup> The Council judged project implementation as directly relevant to the missions' mandates.<sup>102</sup> Staff within EUSEC point out that the ability to receive project funding from Member States directly allows for the necessary flexibility and rapid response that the CFSP budget cannot accommodate. CFSP budget funding for a new project requires waiting until the next annual mission mandate and proposing it under the *fiche financière*. Given the volatile and dynamic environment in the DRC, a yearly arrangement is considered impractical by field staff. For example, when the sudden integration of the *Congrès national pour la défense du peuple* (CNDP) militia required a new army census, EUSEC was only able to respond to the Government's request after some Member States quickly topped up the funds. Direct funding from Member States for specific projects such as this was previously possible after a Memorandum of Understanding was signed between the Head of Mission and the Member State. However, this has now changed; all projects, even those funded directly by Member States, must be listed on the *fiche financière*. Any changes to the *fiche financière* require approval from the PSC, thus encumbering the intended agility of the previous arrangement in the eyes of field staff.

Compared to EUSEC, EUPOL has a miniscule project budget.<sup>103</sup> Without an administrative and financial department, EUPOL is only capable of managing small scale projects (up to €4.000), such as organizing seminars and monitoring procedures between the public prosecutor and the police. To some, this is not sufficient to reinforce EUPOL's advisory and strategic work. For instance, if EUPOL produces a manual it also needs funding to distribute it throughout the country, no small job. EUPOL's low administrative capacity has even meant turning down Member State offers to fund projects under EUPOL's technical assistance, thereby nullifying the Council's justification for EUPOL's project cell in the first place (see footnotes 94). A possible solution, which has apparently been discussed since the Lisbon Treaty, could be to have EUSEC and EUPOL share project administrative staff, as they have for cross-cutting issues such as gender and human rights.

In spite of the apparent benefits, the Commission remains wary of the CSDP missions implementing projects, and maintains rigid procedures regarding the use of the CFSP budget. The EC is quick to point out when it sees the missions interfering in its area. This does not have to be a direct overlap of competences, per se. Rather, concerns were piqued over an apparent CSDP mandate creep. Commission representatives, and some Member States, felt the project cells distracted the missions from their core business of supporting

<sup>100</sup> Derks and Price (2010).

<sup>101</sup> Joint Council Action 2009/769/CFSP, 19 October 2009.

<sup>102</sup> For EUPOL, the stated objective was to implement small projects within the mission's mandate and also to provide Member States and Third States reinforced coordination and technical assistance. For EUSEC, it was felt that projects have a strong effect on increasing the visibility and credibility of strategic level actions. See: Council of the European Union 10087/09, "Council Conclusions on ESDP" Brussels, 18 May 2009. Available at: <http://register.consilium.europa.eu/pdf/en/09/st10/st10087.en09.pdf>

<sup>103</sup> In Spring 2010 EUSEC was reported to have a project budget of €6.5 million. EUPOL had around €100 000.

reform through strategic and technical advice. The Delegation, staffed with Project Managers, was argued to be better equipped for overseeing and implementing local projects. The case was also made that allowing the missions to focus on ‘easy wins’, such as building barracks or buying equipment, justified their presence despite the lack of measurable progress in other areas of reform, such as in governance and human rights.

Despite the desire of the Commission (and reportedly several Member States and the Council) for the CSDP missions to provide advice only, it was frequently underlined that Congolese counterparts are loath to accept counsel without concrete tangible projects to accompany this. EUSEC staff openly recognize that completing projects impinges on the Commission’s area of expertise, but explain that to bend the ear of the Congolese it is necessary to provide advice through projects. EUPOL identifies lack of project funds as a destabilizing factor, keeping it a ‘small actor’ compared to others with more money, despite the length of time it has spent in the region and the partnership it has sustained with the Congolese.

As an alternative to expanding the project cells, closer alliance between the Delegation and the missions, presenting them as a united front, could help raise the esteem of the missions and keep them from stepping on the Commission’s toes. Aligning and sequencing their funding cycles, sharing staff, co-identifying and collaborating on projects could all help to change current adverse dynamics.

### **Planning Constraints**

Of major concern with regard to EU SSR support in DRC is the lack of Congolese involvement in the planning of the two CSDP missions and their activities. While the Commission negotiates priorities and areas of focus with the Congolese Government, the original Concept of Operations (CONOPS) of EUPOL and the 2005 General Concept for EUSEC were developed in Brussels without direct Congolese consultation. Whilst the legal basis for the two CSDP missions in DRC are letters of invitation from Congolese authorities, where more detailed planning is concerned, only after the EU had drawn up its plans was a joint agreement with the Government of the DRC sought in an Action Plan (*Programme d’Action*). Gaining Congolese approval and cooperation on these late-term plans has proven difficult, significantly delaying programmes’ implementation. It was reported by a number of interviewees working within the two CSDP missions that the effectiveness and pertinence of the mission greatly suffers due to the lack of negotiation on the mission’s objectives and mandate with the Congolese Government before it is deployed. Apart from the risk that the Conceptual Plan (EUPOL) or General Concept (EUSEC) is not sufficiently aligned to local needs and priorities, neglecting to incorporate Congolese input during the planning phase can also diminish focus on both the domestic (financial) capacity and political will to sustain programmes after international actors have exited. Thus, for the sake of progress, impact and sustainability, domestic engagement in early planning is essential.

Excluding EU staff with relevant field experience was noted as a further weakness of EU planning. At times strategic options and conceptual plans have failed to anticipate, recognize or address operational constraints on the ground. For example, IT systems were proposed to improve FARDC logistics management, but are unsuitable in areas without regular electricity.

In light of these concerns about the initial planning of the missions, it should be noted that planning for mandate renewals does, in some cases, involve CSDP mission staff on the ground and their Congolese associates. For example, EUSEC mission staff spoke of sharing activity proposals with their Congolese counterparts at the earliest stage of this planning, and providing frequent, semi-formal briefings to the advisors of the Congolese Ministers of Defence. Another positive note is that the Council Secretariat's Civilian Planning and Conduct Capability (CPCC) Directorate has modified the sequencing of the operational planning process for EUPOL to ensure that the structure and mandate of the mission more closely adapted to the conditions in the field. In the case of EUPOL and the development of new mandates, the OPLAN is first written by EUPOL staff in the field and submitted to Brussels, where the CONOPS is subsequently developed. This places tactical decisions with those working in theatre and resonates with calls from actors and analysts to involve the Head of Mission earlier in the planning process.<sup>104</sup>

### **Relations between headquarters and the field**

Maintaining open lines of communication between headquarters and the field level helps to ensure that EU policy, written and issued from Brussels, bears relevance to and is realistic for implementation abroad. However, the channels designated to convey messages between headquarters and field offices in the DRC have been affected by both blockage and leaking. When this is the case, SSR support strategies and their effective implementation are likely to suffer.

Arrangements for communication with the Council in Brussels are set out in the mandates of both CSDP missions. Both are under the political control and strategic direction of the PSC, and EUPOL, like most civilian CSDP missions, takes instruction directly from the Civilian Operation Commander, who is Head of the CPCC. However, beyond adhering to a framework, communication relies on staff members' accurate and inclusive reporting. There was expressed concern that the Council was not receiving strong or critical analysis from the field, particularly regarding the political realities in the DRC. Reporting from EUSEC was said to concentrate heavily on the technical aspects of the mission and emphasize the success of particular projects, without referring to political resistance or other thornier aspects of reform. Reporting in this way does little to encourage the critical review and political analysis required to tailor programmes and strategic direction to the local context, as endorsed by the EU Concept for SSR.<sup>105</sup>

Concerns were also expressed by field staff regarding the quantity of reporting requested by headquarters of the CSDP missions. Alongside the monthly reports sent by the Heads of Mission to the EC on financial, staffing and administrative issues, the missions also send weekly, monthly, quarterly and end of mission reports to either CPCC (EUPOL) or DG E VIII (EUSEC).<sup>106</sup> This level of reporting is considered extremely time-consuming and thus reduces staff capacity available for undertaking activities contributing to the attainment of the

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<sup>104</sup> See Egmont and PISM (2010)

<sup>105</sup> Council Document 12566/4/05, Section G.30. Brussels, 13 October 2005.

<sup>106</sup> EUSEC's placement under DG E VIII – the Directorate General for Defence – is unique for CSDP mission. It was reasoned that EUSEC's largely military staff would operate better under the Defense directorate.

mandate. Furthermore, some field staff regretted that reporting solicited from headquarters follows generic forms, and is not tailored to specifics of the particular mission.<sup>107</sup>

In early 2010, some CSDP mission staff reported being given explicit directives not to send reports to Member State Ambassadors in the field directly, for fear of the documents being leaked. Clearly, this also hampers information sharing and incites frustration. As Member State representatives at headquarters do not consistently pass these reports to their local embassy, information does not always reach representatives in Kinshasa who could offer local insight. This obstacle to effective information flow furthermore contributes to a situation where discrepancies arise between the priorities pursued by Member State representatives in the field embassies and those endorsed by representatives working in the PSC.

Additionally, some CSDP mission staff felt the information exchange between the field and Brussels was somewhat one sided. Field officers noted they were not always kept abreast of working level changes in Brussels, which can disrupt important rapport between the mission's staff and their direct counterparts at headquarters. It was consistently reported that personal or national rivalries have the potential to provoke reticence and discord among leadership offices, wedging more distance between Brussels and the field. Given the fact that channels for coordination are so narrowly concentrated among the top leaders of the EU bodies, personal enmities can be especially obstructing.

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<sup>107</sup> EUPOL was for example required to report on patrols and security updates frequently as a mission in an environment such as Afghanistan is, however EUPOL RD Congo does not undertake patrols.

## 5. Implementation of EU Support

### Perceptions of Impact

Given the circumstances and challenges detailed in previous chapters, field-level perceptions of the EU's impact on SSR in the DRC have not been roundly positive. Some strong criticisms fell on the CSDP missions in particular. A few judged the missions to be too sporadic, carrying out a wide scope of assistance projects – even if valuable – in order to justify their presence rather than in the interest of advancing comprehensive reform. On the other hand, the Delegation was criticised for being too rigid in their five-year programmes, and not nimble enough to respond to the challenging and capricious political climate. The contrast between these two critiques reveals the wide spectrum of views and standards of what represents 'appropriate' EU engagement in the DRC. In an environment that defies deceptively simple principles of intervention, the pursuit of one approach is likely to earn criticism for failure to adhere to another.

Should the EU demonstrate willingness and innovation to bridge its working cultures, such efforts could bear gains for both. Ideally, the Delegation could assist the missions in presciently structuring some of their activities to reinforce long-term EC support; the missions could report on and quickly respond to changes observed at an operational level, thereby providing the flexibility the Delegation cannot.

While some were dismissive of the results achieved by EUSEC and EUPOL, others conceded what had been accomplished was either reasonable or even impressive given the local circumstances and relatively scant resources. The CSDP missions were, in general, commended for having identified and engaged upon issues that were key for the reform of the defence and police sectors, rather than merely papering the cracks.

EUSEC's ability to diversify its activities and creatively adapt according to field staff experiences was applauded by diverse observers. Many appreciated EUSEC's willingness to share their insights and appraisal of the situation. The close ties EUSEC has garnered with the Chief of Staff of the Army, or *chef d'état-major general* (CEMG) and the Chief of the Cabinet strengthen the mission's potential as an influential actor. But, for this potential to be realized, these contacts should lead to deeper and more consolidated networks within the Defence framework. Within the Ministry of Defence there are several incommunicative departments, complicating EUSEC's attempts to gain comprehensive insight. At the time of research, it was stated that EUSEC was communicating with lower level ministers, yet the blockages at higher political levels had impeded EUSEC's contact with many relevant actors within the Defence Ministry. This highlighted the need for EUSEC staff to work more

effectively at negotiating entry points. Leaders within EUSEC recognize having non-contentious relationships with Congolese counterparts as a key element of their mission's success, but emphasize that this approach is a cautious and slow moving<sup>108</sup> one. Providing the technical means to implement the advice they provide was seen as the most viable strategy; suggesting rather than imposing reform.<sup>109</sup>

Several interviewees acknowledged that the local situation was not yet ripe for substantial defence reform, arguing that it would be futile for the EU to outpace the Congolese Government in its ambitions. Pragmatically, EUSEC has responded to urgent issues insofar as the Congolese have permitted them. Short of more substantive political reform, EUSEC assistance projects correctly identified and competently addressed some pressing practical needs. The Chain of Payments project, including the biometric census and issuing of military IDs, was lauded as pertinent and successful because it brought about much needed administrative control and enabled the salaries of soldiers to increase significantly. Hope was expressed, albeit sceptically, for such assistance to eventually evolve into more significant reform. That is, moving beyond the improvement of day-to-day operation to addressing the bureaucratic, legislative, financial and structural framework that underpins a modern, civilian-controlled security force committed to the broader interests of the population. But for the time being, neither the Congolese authorities nor the security forces they direct appear able or interested to attempt such extensive change. This generally phlegmatic attitude of many (but not all) Congolese authorities was widely recognized as a main reason for the slow and minor impact made by EUSEC's advisory component.

General perceptions of EUPOL were equally mixed. Progress made in the establishment and functioning of the CSRP was widely recognized as an important contribution to police reform. CSRP was considered by some as the ideal tool for developing reform because the key challenge is considered to be changing the mentality of policing (from an overtly military approach) in a way that respects local ownership. Work undertaken by the CSRP since 2006 on the strategic framework and comprehensive reform plan for the Police, including the *Loi Organique*, progresses slowly.<sup>110</sup> Some explain that this is because Congolese ownership of decisions is prioritised. Others are more critical about the lethargic pace, which gives many the impression that EUPOL is not (visibly) active or contributing to the security situation. For some outside observers, EUPOL did not convey a clear objective or strategy, and their outputs were disproportionate to the high costs of the mission.<sup>111</sup> On the other hand, Justice Advisors contributing to the CMJ were seen to be constructive, well-informed and actively engaged in their technical advisory capacity. The lack of project funding, discussed above, keeps EUPOL's actions much more discreet in their role as technical advisors. Indeed,

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<sup>108</sup> As an indication of how protracted the process of building relationships can be, the previous Head of Mission of EUSEC, General Michel, was reportedly still not received by the Minister of Defence after 8 months leading the mission. The removal of his deputy Head of Mission apparently reduced the time he could spend with the Congolese, limiting visits to the Ministry of Defence to every six months and purportedly diminishing his political clout among the higher echelons of the Congolese Government.

<sup>109</sup> For example, a recent roundtable on weapons and ammunitions security (storage, surplus destruction, and registration) has been proposed by EUSEC staff in cooperation with both domestic and international actors. The thrust of the effort is aimed at coordination, visibility of impact and ensuring the activity is FARDC-led.

<sup>110</sup> As of mid-December 2010 the *Loi Organique* was eventually passed and will help clarify the role of the police, its administration and duties as regards public security. IRIN "DRC: New law boon for police reform" 16 December 2010.

<sup>111</sup> Before the extension of EUPOL's mandate in June 2010, great effort from the Council and Member States was required to convince the UK that the mission should be continued. See: ISIS European Security Review. No.50 July 2010. "EUPOL DR Congo – 1 July 2007 to 30 September 2010"

contrary to large projects, political work on a small scale is often done behind the scenes, so to speak, and the fruits of its labour are rarely as obvious as newly purchased equipment or freshly trained battalions.

### **Lack of political tenacity**

In many discussions of the EU's impact in general, and the CSDP missions in particular, a consensus formed around the lack of action or progress made at the political level. The primarily technical character of the CSDP missions remains widely recognized and strongly endorsed by many, including CSDP staff and the Delegation in particular. In some cases, the technical approach of the CSDP missions is regarded as one of the strategic advantages of the Council's contribution to SSR, and maintaining political neutrality is seen as an essential aspect of the missions' input and an important tactic in maintaining working relations.

Moving beyond crisis management, stabilization and technical improvement, to full-fledged reform requires political support and direction.<sup>112</sup> There was overwhelming agreement that the approach of the EU bodies remains largely technical, carving out a few niche areas of SSR such as legislation, administrative modernization and payment regulation. Yet, it would be negligent to discount the inherently political prelude leading up to these activities. Dealing with local resistance to the implementation of programmes had often fallen to field staff, technicians and administrators unprepared for and uncomfortable with such activities. Issues requiring greater political resolve, such as the hastening the development of a National Security Strategy or arresting army officers wanted for war crimes, were considered outside the core business of the CSDP missions. What was not clear, however, was which of the EU actors does have both the prerogative and the competency in this and similar areas.

As implied above, the latency of political work at the operational level can give the flawed impression that nothing is being done, while there may, in fact, be subtle relationship building and progress taking place. Regardless, an assessment of the effectiveness of SSR support cannot be based on 'invisible' progress; some attention must be paid to understanding why the EU's approach to political action is largely taciturn. While this situation is the outcome of several convening factors, a few recurring remarks stood out as particularly relevant to the EU's support to SSR in the DRC.

### ***Absence of political oversight and backing from EU headquarters***

It was iterated in several conversations with field staff, in order to move legislation and programmes forward political pressure must be brought to bear on the Congolese from higher EU bodies in Brussels. However, the political voice of headquarters was decidedly mute. According to the mandates, the PSC provides "political control and strategic direction" to the missions, however this tends to remain quite broad and, according to one source, more controlling than supportive. Reactionary responses by the PSC to reports from the Head of Mission were seen as deficient and short-sighted, particularly for work in the DRC, which would benefit from a more proactive approach. The paucity and imprecision of direction coming from headquarters has encouraged the field leadership, in the past, to find their own ways of operating outside the limited guidance of either the Council or the Commission. For instance, the previous Head of Mission of EUSEC was known to seek the

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<sup>112</sup> A few internal EU documents, such as the 2006 'Comprehensive EU Approach to SSR in DRC' and the 2010 CMC for engagement of CSDP missions supporting SSR in DRC, reportedly recognize the need for political support. Yet it appears that such prescriptions have neither guaranteed nor catalyzed political action.

consultation of Member States' representatives at local embassies. However, the Kinshasa-based Ambassadors' discourse does not always align verbatim with that of Ambassadors in the PSC, who have signed up to the CONOPS.

Regarding the potential support provided to the CSDP missions by the CPCC, it was reasoned that insufficient field experience in Africa, as well as the CPCC's strong focus on Afghanistan and Kosovo, had diluted their contribution to the EU's political approach to supporting SSR in the DRC. It was contended by several within EUPOL that stronger political support and visibility from Brussels could enable the mission to more firmly structure timelines, objectives and benchmarks with the Congolese. It may also make headway in enabling EU field actors to more firmly assert the link between SSR and democratization, which analysts point out has been decoupled in the DRC.<sup>113</sup> This would require representatives from the EEAS, the PSC or, perhaps best, the Head of the Delegation, to throw some political weight behind operational plans and mandates. The EUSR was also considered a source of political assistance. But his intermittent presence in the country, and various commitments in the region kept him out of constant and immediate reach.

### ***Keeping CSDP technical***

A final explanation for the CSDP missions' largely technical approach was due to the (intentional) shortage of local and political expertise among their staff. The missions are led predominantly by technically minded people and staff, many of whom have neither the time nor the tools to commit to political manoeuvring. Rather than an oversight in the design of the mission or a flawed recruitment process, it was proposed that this was a deliberate measure to ensure the technical nature of the missions' engagement. Member States may very well be reluctant to entrust CSDP missions with pursuing a political role, particularly if it could interfere or conflict with their various national agendas. By obliging the CSDP missions, and SSR endeavours, to remain exclusively technical, they are able to better pursue their own interests and bilateral cooperation with the Congolese. Thus, the technical limits of the missions may be somewhat self-imposed. Should this truly be the case, redressing the issue will require a comprehensive strategic review – one that honestly investigates the true objectives of the missions and commitments of the Member States.

### **Practical Issues**

The political conditions on the ground are invariably relevant to the success of a mission and therefore require considerable attention both prior to and throughout the mission's deployment. Incorporating and enhancing local power-structure assessments, stakeholder analysis and political feasibility studies into mission planning could provide essential insight. Practical considerations must also be taken into account, in order to reveal a fuller picture of the constraints and resources impacting the EU's support to SSR in the DRC. Limited time horizons and staffing were the clearest topics where improvement should be sought.

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<sup>113</sup> International Crisis Group (2010)

### ***Time Horizons***

A consensus was easily drawn that one-year mandates of the CSDP missions were inapt for undertaking substantial projects and developing a strategic vision for long-term reform.<sup>114</sup> Some expressed concern that such brief commitments also may detract from the image of the EU as a serious partner in the eyes of the Congolese. Although the sustained presence maintained heretofore could counter such anxiety. There were suggestions that 2- or even 3-year mandates, with annual ‘stop-or-go’ reviews would be more conducive to quality SSR support. However, it was also pointed out that one-year mandates allow for more flexible adaptation to the DRC’s quick-changing environment. On the political level, one-year mandates are more agreeable to Member States that are wary of committing to missions that may draw on their national resources for too long. A more administrative rationale for a one-year mandate was the alignment of the CFSP budget, which is also decided on a yearly basis. Unfortunately this puts the CDSP time frame out of sync with other EU donors such as the EC, as discussed in the previous chapter.

### ***Staffing Concerns***

An issue closely linked to time horizons is the length of staff’s deployment in the mission. While police officers stay up to two years<sup>115</sup> or more<sup>116</sup>, many military staff deployments are only six months<sup>117</sup> and some can be as brief as four<sup>118</sup> (French military in EUSEC). Short deployment periods pose a problem given that the complexity of the situation in the DRC and within the defence and police sectors (notably where power lies) requires considerable time to understand. Likewise, given the nature of advisory and mentoring positions, rapid rotation of staff makes it more difficult to build trust and partnership with Congolese counterparts. Furthermore, hiatuses between personnel leaving and their replacements arriving can jeopardize continuity. It is immediately clear that longer deployment would facilitate stronger working relations. The same must be said for experience working in African and for having a working command of the French language. During the research period, concerns were raised that not all EUSEC staff were able to communicate with the Congolese at a competent level.<sup>119</sup> In view of these notable issues, a prevalent concern for the quality of the staff was widely evident.

Responsibility for the situation was often laid on the Member States, as it is they who put forward candidates in response to the calls for contributions.<sup>120</sup> Specific areas for improvement were identified, and reasonable solutions were offered by field staff. The first and foremost was to develop more specific profiles for staff positions regarding required expertise, and to strictly adhere to those profiles in the selection process. Early visions of the missions and their staffing requirements have been obsolesced. It was stressed that military

<sup>114</sup> Since the last renewal of EUSEC’s mandate, it is now a 2-year mission. Council Decision 2010/565/CFSP.

<sup>115</sup> This also varies between nationalities. For example, in EUPOL Belgians stay between one and two years, French police officers stay 2 years, but gendarmes only six months.

<sup>116</sup> Contracted staff have been known to renew their contracts several times, staying up to five years.

<sup>117</sup> Six months is the minimum length of stay accepted by the CPCC; one year is the minimum requested.

<sup>118</sup> Such circumstances are often dictated by the seconding state’s national deployment protocol. This is particularly true for the army, and a lesser degree police, who have deployment codes in place already.

<sup>119</sup> There have been cases of EU advisors being dismissed by Congolese counterparts, reportedly, for their inoperable level of French, and their insufficient understanding of the local situation or tasks they were required to perform. This view is somewhat contentious however; some feel such grounds for dismissal are used to send home secondees that, for other reasons, did not fit well within the mission.

<sup>120</sup> Consideration should be given to the reasons Member States send secondments – reasons that are not exclusively in the interest of enhancing the missions’ capacity. National interest in having ground-level control or knowledge of the mission, people on the inside, is also a motivating factor.

and police experts and officers were not the only profile needed in the field.<sup>121</sup> Positions required staff qualified with skills such as helping to draft legislation, budgeting and civil administration, project management, political context analysis, and finance. Supplementary qualities, such as knowledge of SSR, diplomacy and negotiating skills, are also deemed relevant. In a recent call for EUPOL staff members, negotiating skills and French fluency were listed among essential requirements. Crisis management training as well as knowledge of the EU institutions and the DR Congo were listed as recommendable – but not essential – requirements.

However, finding candidates with such specific expertise, who speak fluent French, and are willing to spend significant time deployed to the DRC is a tall order to fill. It comes as no surprise that the majority of staff are Belgian and French, as other Member States have trouble finding Francophone candidates. A more underlying frustration was the perceived lack of effort on behalf of the Member States to send the staff they have promised.<sup>122</sup> Given these obstacles, and considering the small staffs of the CSDP missions,<sup>123</sup> understaffing can rapidly become a critical problem. One suggestion was for Member States to create and administer a National database of candidates for secondment, listing their language expertise and prior experience in international missions.<sup>124</sup> The EU Goalkeeper programme is set up to track both the demands for and offers of seconded national experts, a kind of virtual marketplace for EU mission staffing. Another solution to this dilemma, was the example of the UK having funded six positions at EUSEC; instead of deploying six British nationals, the UK contracted candidates of other nationalities with the relevant skills.<sup>125</sup>

Contracted personnel are highly valued within the missions for their relevant expertise and, often, longer-term commitment.<sup>126</sup> The difference between contracted and seconded personnel is reportedly quite significant. There were even reports of contracted staff having to replace or coach underperforming seconded national experts, which was a regrettably inefficient use of scarce personnel. It was proposed that the CSDP missions could run much more efficiently, and even reduce the total number of staff, if 50% of the positions were contracted.<sup>127</sup> At the time of research, 15% of the EUSEC staff were on a contractual basis and the rest seconded.

<sup>121</sup> In the case of EUSEC, currently 75% of the staff are military and 25% are civilians.

<sup>122</sup> There are no mechanisms or structured incentives to ensure Member States meet staffing commitments.

<sup>123</sup> When fully staffed, a rare occasion, both missions are comprised of roughly 60 staff members. The small size is generally considered better suited for flexibility and rapid reaction.

<sup>124</sup> A French Presidency initiative to create a SSR expert pool has recently culminated in the establishment of a contingent of 122 experts with specializations in, *inter alia*, policy and strategy including democratic oversight, criminal justice, police, defence, intelligence, customs and public finance. EU Diplomacy and Defence Bulletin No. 376, 16 December 2010.

<sup>125</sup> This would have to be sensitive to the political signals of seconding a national expert. Member States may want to keep tight control over where their citizens are seconded, lest it conflict with national policy.

<sup>126</sup> While the Council Secretariat – CPCC for EUPOL – is responsible for the selection of seconded personnel put forward by Member States, Heads of Mission are responsible for recruiting contracted staff. Although the Crisis Management and Planning Directorate (CMPD) and CPCC are also involved in their selection, the Head of Mission has the final word in this regard.

<sup>127</sup> A CSDP mission is ideally, expected to be entirely staffed by seconded personnel. A contracted position is only supposed to be approved in unique circumstances, where a suitable seconded national expert simply cannot be found.

### ***Training***

Bearing in mind these issues, training of mission staff represents another avenue for improvement. Member States have the primary responsibility for training their seconded national experts prior to deployment within a CSDP mission. The Member States' accountability for the safety and preparation of their seconded national experts is not taken lightly; and thus many insist in retaining competency for training. As a result, marked discrepancies exist in the level of training of deployed personnel. One or two Member States reportedly provided pre-deployment training on DRC (two days), however complaints were made by CSDP mission staff in the DRC that many Member States do not provide any training whatsoever. For many EUSEC staff members, the only training received is the three day in-mission induction training, which involves an introduction to the DRC, to the EUSEC mission, to EU procedures and a briefing on security regulations. Due to the high turnover of staff within EUSEC, providing this training is incredibly costly for the mission in terms of draining the time and staffing resources of a small mission. The induction training is appreciated by incoming EUSEC staff; however, several interviewees pointed to particular omissions. These included a briefing on police and justice reform and an indication of the types of sensitivities staff will encounter in their daily work with the Congolese, or in other words, an introduction to Congolese culture and their method of operating.

EUPOL's week long in-mission induction is similarly oriented towards the practical dimensions of being deployed in a field mission, including a presentation of the mission and how it operates and a briefing on security and logistical matters, including radio communication and so forth. For the position of Deputy Head of Mission of EUPOL, a week-long pre-deployment preparation was offered at CPCC. This provided an opportunity to be introduced to EU institutions, meet relevant desk officers, have in-depth discussions with CPCC staff and be presented the political and technical aspects of the mission as well as the more technical aspects of the projects being carried out.

The staff working in the EC delegation on support to the police and justice sectors had not received any pre-deployment training when interviewed in Spring 2010. They were, however, aware of the organization of a two-day SSR training course in Brussels in April 2010 by DG RELEX that was open to field staff. It was the first such initiative they had heard of.<sup>128</sup>

Despite the existence of some EU-wide initiatives to improve the training of staff working in the field in crisis management operations,<sup>129</sup> the situation in DRC in early 2010 indicated that the effects had not trickled down to the field. In general training, there is a notable lack of attention to what SSR entails and what the long-term objectives of the EU's support to SSR in the DRC are. The absence of training on integrated approaches and other principles of SSR could be contributing to the general lack of enthusiasm in the field for security system coordination.

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<sup>128</sup> Training courses provided by the European Security and Defense College (ESDC) are open for any and all EU staff put forward by their EU body (Commission or EEAS, for example).

<sup>129</sup> Recent examples include initiatives by the CMPD and CPCC to develop standardized training modules for Member States to provide, and the ENTRI system, a new IfS-funded network of preparation and training for civilians involved in crisis management missions. It includes SSR in its specialized courses. [www.entriforccm.eu](http://www.entriforccm.eu)

### ***The Role of the Head of Mission***

The mandates for both EUPOL and EUSEC describe the authority and tasks of the Head of Mission in broad strokes. In their functional capacities, the Heads of EUPOL and EUSEC are charged with the day-to-day management of the mission in theatre, and are responsible for staff and discipline. In practical terms, this means that the role of the Head of Mission is largely guided by the scope and nature of the mission activities, which differ greatly between the two missions. Along the lines of coordination, the Heads are mandated to maintain contact with each other, as well as with leaders within the UN mission, Member States active in the DRC security system, the EUSR and the Commission Delegation. EUSEC's Head must also maintain contact with FARDC leadership and relevant members of the DRC Government, although there is no further elaboration as to whom that would be or how such interfacing should be structured.

Beyond these explicit duties, interviewees provided examples of miscellaneous responsibilities they considered essential for the Head of Mission to effectively support the mission. A few included applying strategic political pressure on the Congolese, directly negotiating and lobbying with ministers and diplomats, and remaining attentive to the volatile socio-political dynamics of the country. However, in spite of the overtly political nature of such activities, opinion was divided over the role a Head of Mission can or should play within the political sphere. While some insisted it was a position of necessary leverage and should be exercised as such, others argued political engagement was beyond either missions' technical mandate and realistic expectations of a Head of Mission's capacity.

This latter point reflected contention regarding the decision to appoint military professionals<sup>130</sup> to lead civilian missions.<sup>131</sup> There are recognizable strengths a career military figure can bring to a mission, such as leadership, military expertise (in regards to defence reform), and a strict and steadfast reading of the mandate. These qualities outline a General's aptitude for supporting an efficient technical approach. Yet, therein lay the crux of the dispute. Many were adamant that involvement in SSR is not purely technical, but also inherently political. Thus, they argued, the Heads of CSDP missions must necessarily respond to this role in appropriate measure.

Most concerns converged on a General's aptitude to "speak the language" of diplomats and ministers, exercising sufficient influence within these circles. Ineffective engagement within the political domain was seen by some as a lost opportunity to supplement technical assistance with advocating for systemic reform. What is more, strategic political pressure is often directly relevant to moving forward programmes that would otherwise languish for months on end within Congolese ministries. Others expressed concern that the rigid hierarchy of military institutionalism could stymie exploration of alternative options and

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<sup>130</sup> The current Head of Mission for EUSEC, Antonio Martins, is a General as were his predecessors. For EUPOL, Head of Mission Jean-Paul Rikir is a Divisional Commissioner while his predecessor, Adílio Custodio, was a Police Superintendent with several years experience in DRC since 2000. Thus, this discussion is primarily relevant to the EUSEC mission.

<sup>131</sup> The selection and appointment of an Head of Mission is primarily steered by the CPCC (with DGEVIII and DGEIX – now the CMPD – involved in the background). The partner country context is taken into consideration when deciding upon a suitable candidate among those proposed by the Member States. This process is also influenced by political considerations (such as representation of Member States, or relations between a candidate's nation and the partner country), as well as practical necessities of the job (such as language or expertise in a specific sector).

creative contributions from working level staff within the mission.<sup>132</sup> Moreover, a military culture focused on efficient execution of assignments can undermine critical evaluation of the mission's initiatives, underlying assumptions and wider socio-political impacts.

Ultimately, the ability of the Head of Mission to perform these assorted roles will be determined by an individual's personality rather than their profession. A General is not by nature or necessity devoid of political skills, just as a civilian leader may be possessed of competent executive authority. However, it is reasonable to point out that diplomatic professionals do have critical training and experience in political assessment and negotiation that may also be aptly applied in the missions' leadership. This is particularly relevant to contexts like the DRC where the political sphere is notoriously challenging. Contrarily, the heavily militarized situation of the country also logically calls for a Head of Mission with strong military experience. To bring more balance to the direction of the missions, a reasonable solution proposed by several interviewees could be to assign a diplomat as a Head of Mission, and a military figure as Deputy Head, or vice versa.

Though the roles of the Heads of Mission are outlined in their respective mandates, there are differing views among EU field staff as to how the roles of the Heads of Mission should be fleshed out in practice. Observers and staff members ascribe various political and executive responsibilities to the position more from experience in operational practicality rather than explicit reference to the mandate. This may imply that the debate over the appropriate purview of the Head of Mission is intricately tied to the ongoing discussion about the technical versus political approach to reform in the DRC. Thus, the nebulous role of the Head of Mission may actually reflect the deeper identity crisis that more broadly afflicts the CSDP missions.

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<sup>132</sup> This was refuted by some EUSEC staff members who personally demonstrated a highly proactive approach to identifying issues and envisioning solutions. According to these actors, rigid funding and planning structures, as well as political blockage obstructed progress, not military hierarchy.



## 6. Conclusion and Recommendations

The complexity of the fragile state environment of the DRC and the evolving, multi-actor approach that the EU has taken to providing support in this area since the Congolese Transition Period, makes for a valuable case study on the effectiveness of the EU set-up for supporting SSR in conflict-affected or post-conflict countries. As has been presented in this report, a number of challenges existed in Spring 2010 as regards the coherence and implementation of EU support to SSR in the DRC. Several changes which have taken place since then indicate a positive evolution. Beneficial repercussions of the changes brought about by the entry into force of the Lisbon Treaty and the creation of the EEAS are visible in the area of coordination. In the field, relations between CFSP-actors and the EU Delegation are better as it becomes clearer what the role of each will be within the new EU foreign affairs and security policy set-up. A joint Crisis Management Concept was approved in July 2010 for the engagement of CSDP missions in support of SSR in the DRC, which sets out the objectives for SSR support and the activities to be undertaken by each mission. Although the details of how this will be implemented are still to be worked out, this signals a first step towards a more joined-up strategic approach to EU support. Furthermore, the last mandate renewal for EUSEC provided for a two-year term, which should allow for a longer-term vision and different activities.

Despite the signals of a positive evolution, the findings of this report indicate that there is still much scope for improvement. Recommendations are provided below for advancement in five areas of EU support to SSR in the DRC: (i) ownership of and adherence to a common EU strategy; (ii) addressing the governance dimension of reform; (iii) increasing the political capacity of EU actors in the field; (iv) fostering stronger collaboration and coordination; and (v) improving recruitment and training.

### A. Strategic Aspects

#### ***Common Strategy: agreed priorities and objectives for EU support to SSR in the DRC***

SSR theory and practice recognises that donor support to SSR in a partner country is more effective if guided by a strategy which sets common priorities and objectives for the support.<sup>133</sup> This is all the more important for a donor such as the EU that intervenes through

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<sup>133</sup> “The absence of a common framework and common policies has an impact on the coherence and quality of United Nations assistance to national partners and on the extent to which the Organization coordinates its efforts internally as well as with national and international partners. Too often the result is under-resourced and piecemeal activities.” United Nations, *Securing Peace and Development: the role of the United Nations in supporting*

a multitude of actors in the DRC. Currently, however, there is no overarching framework which provides analysis of the Congolese context and strategic direction for SSR support, under which *all* EU staff work.

The current body of knowledge and expertise on SSR also recognises the importance of establishing a division of competencies between the various types of actors supporting an SSR process in a partner country.<sup>134</sup> As explained in this report, EU SSR policy documents state that decisions regarding the appropriate support to be provided by each EU actor will be decided upon on a case-by-case basis. However, in DRC it is not evident that the complementarity of each actor and a division of competencies has been formally established.

The findings of this report indicate that the EU's support to SSR in the DRC could benefit from implementing the following recommendations:

- The EU should, as a first priority, develop and distribute to all relevant headquarter and field staff a common strategy for its support to the SSR process in the DRC, based upon an up-to-date analysis of the security and political context. This strategy should set out feasible, long-term objectives that the EU seeks to work towards achieving through its support. It should also include shorter term and intermediate objectives to be achieved *en route* and ways to be flexible about changing these intermediate steps in order to adapt to changing circumstances. The 'Common EU Strategy for support to SSR in the DRC' (referred to hereafter as 'Common EU Strategy') should guide *all* the relevant EU actors. That is to say, the EEAS, the Commission, EUPOL RD Congo, EUSEC RD Congo and the Member States active in the field of security and justice reform should all refer to the 'Common EU Strategy' in developing their activities. The 'Common EU Strategy' could be developed under the auspices of the PSC to ensure that all the relevant EU actors have contributed to its development and given their approval. Field-based staff should be involved in its development to ensure that the local political realities are sufficiently taken into account and that the objectives are realistic and feasible.
- It is vital that the 'Common EU Strategy' is communicated to both EU headquarter and field actors, including Member State embassies, as this should guide their work and enable further designation of responsibilities and activities. The 'Common EU Strategy', which provides a general direction and objectives, should be operationalised by developing and prioritising more specific steps and activities in each sector of the security system (see below for more information in which forum this could be done).

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*security system reform*, Report of the Secretary General, 23 January 2008, A/62/659-S/2008/39. "Though distinct roles remain for development and security actors, working under one overarching security system reform policy in a coherent way with relevant departments, can improve effectiveness." OECD (2007) p.24. In its third section, the *OECD DAC Handbook on Security System Reform and Governance* emphasises the importance of conducting joint assessments by donors in order to develop common objectives.

<sup>134</sup> "To be effective and strategic, whole-of-government approaches should be built on shared understanding of and respect for the different mandates, skills and competencies of security, rule of law, development and diplomatic communities. Transparency of objectives, allocations and operations promotes coherent strategies." OECD (2007) p.17

- Discussions should subsequently take place within the PSC to decide upon the appropriate division of competencies between the EU actors as regards the support that they will provide to the SSR process under the ‘Common EU Strategy’. These decisions should be based on the strategic advantage of each actor in the DRC context. This should reduce the risk of overlap and disagreements between EU actors in the field as to their respective interventions. The decisions taken within the PSC should be formalised and put down in writing. They could for example be annexed to the ‘Common EU Strategy’.

### ***Addressing the governance dimension of SSR***

EU SSR policy documents recognise that support to SSR involves addressing both the functioning of the security system and the governance of its institutions. The *Council Conclusions on a Policy Framework for SSR* specify that EU SSR action should favour “reform processes designed to strengthen good governance, democratic norms, the rule of law and the respect and promotion of human rights, in line with internationally agreed norms.” Although the mandates of the CFSP-actors and the European Community’s CSP for the DRC identify such goals, they do not indicate the types of activities required to achieve them. It has also been suggested that EU actors do not currently possess adequate tools or are not adequately structured to allow them to work on such governance objectives. Until now the EU’s actions have focussed primarily on the functioning of the security system. The findings of this report indicate that the EU could start to redress this imbalance by:

- Including practical, short and intermediate term objectives contributing to improved governance and oversight of the security system in the ‘Common EU Strategy’. Ensuring that more specific objectives and activities are subsequently articulated for each sector of the security system (defence, police and justice) to be implemented by the EU actors working in that sector. (Again, see below for more information in which forum this could be done).
- The PSC providing options for longer mandates of CSDP missions that can allow for the planning and implementation of longer-term reform activities that address the governance and oversight of defence and internal security institutions. In this vein, the decision made during the last EUSEC RD Congo mandate renewal to establish a two-year mandate is welcome. Member States should consider standardising this practice and applying it to EUPOL RD Congo also (as was recommended in the CMC). Lengthier mandates could be envisaged with annual or periodic “stop-or-go decision” mechanisms built in.
- The creation of a new civil-military relations position within EUSEC RD Congo represented a positive step towards addressing more governance and civilian oversight issues in the defence sector. However, there is a need to go further in this area. A greater number of (EU or local) staff members with expertise in civilian and governance dimensions, specifically within the Congolese context, would enable the CSDP mission to implement more military governance-related activities. Earmarking further funding for such activities is also required.
- Monitoring and evaluation mechanisms and reporting systems should be adapted to include a focus on monitoring progress that is made in attaining principles such as good governance, democratic norms, the rule of law and the respect of human rights. The PSC should prioritise the practice of highlighting incremental progress made in these areas as this can strengthen governance reform in two ways. Firstly, requesting

updates on gains made in these areas will ensure that action is prioritised by operational staff. Secondly, tracking progress, even minor achievements, can provide evidence of ‘wins’ and encourage Member State representatives in the PSC to continue pursuing these valuable aims.

## **B. Practical Aspects**

### ***Increasing the political capacity of field actors***

A stronger EU strategy, elaborating the approach envisioned to assert the aims and principles of the EU, will need to be accompanied on the ground by clearer political roles and more robust political tools.

The impending closure of the office of the EUSR to the Great Lakes sends a signal of political distancing by the EU, which could further erode the EU’s ability to affect significant change in the region. The complexity of the political environment in the DRC highlights the need for a designated political leader to represent the EU on the ground. In light of the Lisbon Treaty, a leading political role in the DRC will be filled by the **Head of the EU Delegation** supported by the EU Political Advisors of the Delegation. More clarity on the responsibilities and authority of this role is necessary. Specific tasks could include:

- Liaising with domestic authorities, negotiating and exerting pressure for progress, and pursuing the political aims of the EU as outlined in the ‘Common EU Strategy’.<sup>135</sup> For this, coordination and information exchange with the SSR/Political Advisors of the CSDP missions is essential. Reports from the field suggest such coordination is improving. This should be built upon to enhance the relevance and unity of the EU’s political position and action;
- Responding to apparent high-level blockages from domestic authorities or other donors. Awareness of such blockages, and of the Congolese security system architecture, is a sine qua non. Here again, the Delegation would benefit greatly from regular interaction with the SSR/Political Advisors of EUPOL and EUSEC, as well as with EUPOL’s Inter-pillar Expert;
- Acting as a corraling authority among Member States and EU bodies, ensuring that all EU actors supporting SSR in the DRC are working in accordance with the ‘Common EU Strategy’.

Moreover, the role of the CSDP missions’ **SSR/Political Advisors** could be enhanced. Currently the role of the SSR/Political Advisors appears to be oriented primarily toward advising their respective Head of Mission and liaising with high-level counterparts. There are several opportunities through which the expertise of these actors could be further utilised. These include:

- SSR/Political Advisors assisting working-level staff in their respective missions in anticipating and dealing with political impasses that block the progress of their work. Regular exchanges with project or advisory staff would provide the CSDP mission SSR/Political Advisor with insight into areas of sensitivity or blockage that impede progress at the operational level.

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<sup>135</sup> The *Council Conclusions on a Policy Framework for SSR* specify that “EU action on SSR should be based on [...] political dialogue with each partner country, addressing human rights, development and security concerns”.

- SSR/Political Advisors asserting more leverage towards their respective mission's Congolese counterparts, providing political backing for specific reform projects or programmes as needed, emphasizing the importance of certain steps or programmes in discussions with senior Congolese civil servants and parliamentarians, or by assisting the EU Delegation Political Advisors in their efforts to catalyze progress;
- The PSC providing the CSDP missions' SSR/Political Advisors with (human) resources and support that is proportionate to the scope of their responsibilities. The Inter-pillar expert of EUPOL is one example of a well-placed human resource, able to provide the SSR/Political Advisor with pertinent insight into the Congolese SSR context across its various sectors and in terms of its multitude of actors.
- With regards to the Inter-pillar expert, a similar or coordinated post within EUSEC and the Delegation could also enhance the efficacy of these bodies' political divisions, and help monitor impact of the EU's support efforts. SSR experts serving all EU mission components at the country level should cooperate to monitor, analyze and evaluate EU SSR support activities against the 'Common EU Strategy' as well as best practices in SSR.

Beyond enhancing the role of Political Advisors and SSR experts within individual EU bodies, uniting these actors in **EU Political Expert Teams** could improve the EU's policy coherence and provide a more streamlined approach to presenting political analysis from the field.

- In each sector (i.e. defence, police and justice), SSR experts and advisors from various EU bodies (EU Delegation, CSDP missions, Member States' Embassies, bilateral agencies such as DfID etc.) should regularly collaborate to produce **single joint-analyses** of the local political situation in their area of focus. Such joint analyses should inform the planning of programmes per sector (see below for more information);
- Joint political analyses, specific to each sector, should include local stakeholder interests and domestic will assessments, reasons behind political resistance to or blockage of reform, and options to mitigate resistance. These analyses should also report on the coherence of the EU political voice, cooperation among Member States in their bilateral efforts, and possible cooperation with third party donors per sector;
- Formal reporting to the Council should be revised to include information from joint political analyses. Specifically, (i) progress on attaining EU objectives as set out in the 'Common EU Strategy' and (ii) issues of political blockage. Doing so, will help keep planning bodies and support mechanisms at the Brussels level abreast of the relevant opportunities and challenges at the field level. This will support planning based on more accurate perceptions of operational risks, opportunities, challenges and realistic goals;
- Messages need to "travel up" more often. A periodic single joint ground-level analysis, depicting both political and technical ground-level realities and risks will remain more coherent as it arrives at the desks of various EU bodies in Brussels.

***Fostering stronger collaboration and coordination among EU actors on the ground***

Closer coordination among EU actors can mitigate internal EU competition, and help foster among the Congolese an equal regard for all the various branches of EU support to SSR, seeing them as a coherent and united front. In this way, the CSDP missions can indirectly benefit from the political sway of the Delegation when dealing with Congolese authorities. The Delegation can also benefit from the CSDP missions' working level staff, gaining insight from their daily experiences to identify areas for attention and develop their programmes in light of progress made.

- Future joint CFSP-European Community missions to the field should directly feed into joint planning and programme development processes and agreed parameters for division of labour between EU bodies, building on the strategic advantage of each as discussed in the PSC and set out in the Annex to the 'Common EU Strategy'. Results of this collaboration should be clearly documented and shared with all EU actors.
- Official operational documents (e.g. OPLAN, mandates) should designate regular meetings among sector-specific actors both at the leadership *and* working levels.
  - Field staff meetings among operational staff as well as higher level and political personnel within EU bodies and Member State representatives, would provide a suitable forum to discuss how best to operationalize the 'Common EU Strategy' through specific activities in each sector of the security system.
  - Clarifying each actor's specific contribution to objectives, and deciding upon the division of tasks according to the division of competencies described in the 'Common EU Strategy' will help to avoid territorialism, overlap and gaps among EU actors' activities.
- In order to increase coherence and communication between Member State representatives in the PSC and those based in Kinshasa embassies, a few suggestions are offered:
  - Both groups should receive the same joint-political analysis of the EU Political Advisory Teams; the representatives in Kinshasa should be involved in developing such analyses.
  - Both groups should be made aware of and committed to the 'Common EU Strategy' as the preeminent policy, and participate in deciding their Member States' foreseen contribution to SSR in the DRC under this strategy.
- To encourage more collaboration between CSDP and EU Delegation staff:
  - Shared or similar programme frameworks or "action fiches" should be used by both the CSDP missions and the Delegation (as done in Kosovo) to facilitate comparison of activities and reveal potential complementary activities, overlaps or gaps;
  - Programme staff within each EU actor should be consulted, provide comments on and contribute to progress reports and programme proposals of the other. This joined up approach could be carried out within the working-level sector-specific meetings described above;
  - Knowledge exchange among the working-level staff could precipitate stronger coordination, whereby a joined up approach is striven for and facilitated. In the current (September 2010) EUSEC mandate, the Head of Mission, or his representative, is designated as the defence adviser to the Head of the Delegation

to facilitate “constant contact”. Similar linkages could build on this. For example, the CSDP missions could appoint a military or police attaché to periodically assist Delegation Programme Managers’ communication with Congolese counterparts. Likewise, the Delegation could send a financial officer to each of the missions to support their administration.

### ***Improving recruitment and training***

Formally, responsibility for staffing CSDP missions falls to Member States, who are expected to recruit, partially train, and pay for seconded national civil servants. However, this practice fails to address the inconsistency among Member States’ resources to recruit and prepare seconded national experts, and is vulnerable to Member States sending and retracting seconded national experts according to national interests rather than CSDP needs and priorities.

Broader **options for CSDP staffing** should be available to supplement Member State secondments. In this way, the missions may draw upon a larger pool of candidates with more varied capabilities, while still upholding the European Member States’ commitment to contribute to the CSDP missions.

- Member States should be held to an accurate and candid assessment of resources they have available and their willingness to commit those resources. Currently, no mechanisms exist to ensure staffing and resource pledges are followed up. This should be reconsidered.
- Member States have been asked to each create a formal national process for recruiting potential seconded national experts. As part of this opportunity, Member States should create databases that list candidates’ skills, experience working abroad and language fluency. This will help match candidates with the profiles provided in calls for contributions.
- The EU should explore innovative ways to recruit staff and lengthen personnel deployments:
  - When and where possible, staff should be required to stay a minimum of one year. Incentives should be given to both seconding Member States and seconded nationals to renew deployment contracts and stay within missions for multiple rotations. This will increase not only institutional knowledge at the field level, but could also benefit trust building and partnership between EU actors and their Congolese counterparts.
  - (Co-)Funding, through the CFSP budget, the salaries of seconded national experts from Member States who could not otherwise afford to train and/or send staff should be considered. This will enable broader EU representation in the field.
  - Member States to contribute to a funding pool that finances the secondment of all EU nationals. This would provide a concrete commitment for Member States to fulfil that would be more reliable than pledging to send seconded national experts they have yet to identify. Furthermore, de-coupling funding from secondment could help shift attention toward sending the most appropriate and qualified candidates, regardless of their EU nationality or their home States’ budget to send them.

- Member States could also recruit and fund seconded national experts from other European countries, Third States and explore options for seconding personnel from the African Union. This will require some negotiations between the funding state and the home state of the seconded national. The practice of accepting Third State contributions is becoming more common and could broaden options for Member States to contribute financially to a mission even if they are unable to second nationals that meet the requirements of a specific mission.
- Recently retired civil servants are in high demand as seconded national experts, as they are often more willing to stay for longer deployments, do not have to be concerned about their post-mission career, nor will they be leaving an active post in their home office vacant. However, legal restrictions can pose obstacles. For example, a retired police officer may no longer have the authority to carry a state-issued firearm. Such constraints should be addressed and, to the degree possible, eliminated with temporary extensions of authorization and similar solutions.

Furthermore, responsibility for **training staff should shift toward becoming an EEAS competency**. Joint trainings for Council, Commission and Member State staff would be beneficial and more cost-effective than individual Member States arranging trainings on their own for small groups of individuals.

- Part of the CFSP budget could be earmarked for basic pre-deployment training made available to all seconded national experts and EU staff deployed to the DRC. As well as being more cost-effective, this would reduce inconsistencies among seconded national experts and staff members as regards their level of training when they arrive in mission.
- On-going joint training of CSDP mission and EU Delegation staff could reduce training costs, increase collaboration, and help to build personal relationships between the working level staff of the two bodies.
- Trainings (pre-mission and in-mission) should include an SSR-component particularly emphasizing how EU principles (such as democratization, human rights, applying an integrated approach, etc.) are operationalised in SSR programmes. The EU's SSR expert pool could be drawn upon for developing and providing such training programmes.
- Training (pre-mission and in-mission) should address the political realities staff are likely to encounter while interacting with local counterparts (e.g. resistance to reform, blockages from superiors, etc.). SSR/Political Advisors should be involved in developing and/or this aspect of training to (i) gain from working-level staff more insight into operational blockages or entry points and (ii) help train staff in proactively planning to negotiate and mitigate political blockages that inevitably arise out of the shifting of roles and power balances.

## Bibliography

- Anten, L. (2010) *Strengthening Governance in a Post-Conflict District of the Democratic Republic of the Congo: a study of Ituri*. Netherlands Institute of International Relations Clingendael. The Hague.
- Boshoff, H. (2010) *Completing the demobilization, disarmament and reintegration process of armed groups in the Democratic Republic of Congo and the link to security sector reform of FARDC: Mission Difficult!* Institute for Security Studies (ISS). South Africa. Available online: <http://www.iss.co.za/uploads/23Nov2010.pdf>
- Boshoff, H., D. Hendrickson, S. More and T. Vircoulon (2010) *Supporting SSR in the DRC: Between a Rock and a Hard Place*. Netherlands Institute of International Relations Clingendael. The Hague.
- Clement, C. (2009) “The EU mission to provide advice and assistance to security sector reform in the Democratic Republic of Congo (EUSEC RD Congo)” in *European Security and Defense Policy: The First 10 Years (1999-2009)* eds. G. Grevi, D. Helly and D. Keohane. European Union Institute for Security Studies. Paris.
- Clement, C. (2009b) “Security Sector Reform in the DRC: Forward to the Past” in *Security Sector Reform in Challenging Environments*. H. Born and A. Schnabel (eds.) Geneva Centre for the Democratic Control of Armed Forces. Geneva.
- Davis, L. (2009) *Justice Sensitive Security Sector Reform in the Democratic Republic of Congo*. Initiatives for Peacebuilding and International Alert. Brussels.
- Derks, M. and M. Price (2010) *The EU and Rule of Law Reform in Kosovo. An overview of the (combined) efforts of EULEX, ECLO and the EUSR*. Conflict Research Unit, Netherlands Institute of International Relations Clingendael. The Hague.
- Derks, M. and S. More (2009) *The European Union and Internal Challenges for Effectively Supporting Security Sector Reform*. Conflict Research Unit, Netherlands Institute of International Relations Clingendael. The Hague.
- Egmont Institute and Polish Institute for International Affairs (PISM) (2010) Report from expert seminar: “Crisis Management Operations: European Lessons Learned” 3 November 2010, Brussels.

- Ekengard, A. (2009) *Coordination and Coherence in the Peace Operation in the Democratic Republic of Congo*. FOI Swedish Defence Research Agency. Stockholm.
- EU Diplomacy and Defence Bulletin (2010) No. 376, 16 December 2010. Brussels.
- Gegout, C. (2009) “The West, Realism and Intervention in the Democratic Republic of Congo (1996-2006)” *International Peacekeeping*, Vol.16[2], 231 – 433.
- Gowan, R. (2010) “ESDP and the United Nations” in *European Security and Defence Policy: The First 10 Years (1999-2009)* eds. G. Grevi, D. Helly and D. Keohane. European Union Institute for Security Studies. Paris.
- Helly, D. (2010) ”La coherence face aux crises africaines: sécurité et politique étrangère“ in *L’UE et l’Afrique : les défis de la cohérence*. Institut d’Etudes de Sécurité : Union européenne. Paris.
- Hendrickson, D. (1999) *A Review of Security Sector Reform*. Working Paper No. 1. Centre for Defence Studies. London.
- Integrated Regional Information Networks (IRIN) “DRC: New law boon for police reform” 16 December 2010. Available at: [www.irinnews.org/report.aspx?ReportID=91391](http://www.irinnews.org/report.aspx?ReportID=91391)
- International Crisis Group (ICG) (2010) *Congo: A Stalled Democratic Agenda*. Africa Briefing No. 73. Nairobi/Brussels.
- International Security Information Service (ISIS) (2010) *European Security Review no.50, July 2010*. “EUPOL DR Congo – 1 July 2007 to 30 September 2010” ISIS Europe.
- ISIS (2010) *European Security Review no. 52, November 2010*, ISIS Europe. Available online: [http://www.isis-europe.org/pdf/2010\\_esr\\_93\\_esr52-nov10.pdf](http://www.isis-europe.org/pdf/2010_esr_93_esr52-nov10.pdf)
- Justaert, A. and S. Keukeleire (2010) “The EU’s Security Sector Reform Policies in the Democratic Republic of Congo” in *Understanding the Role of Bureaucracy in the European Security and Defence Policy*. S. Vanhoonacker, H. Dijkstra and H. Maurer (eds.) European Integration online Papers (ELoP) Special Issue 1, Vol. 14. Available online: <http://elop.or.at/elop/texte/2010-006a.htm>.
- Keane, R. (2008) “Security Sector Reform in the Democratic Republic of the Congo: The Role Played by the European Union” in *The EU and Security Sector Reform*. D. Spence and P. Fluri (eds.) Geneva Centre for the Democratic Control of Armed Forces. Geneva.
- Kouvo, S. and L. Davis (2009) *Lessons from Afghanistan and the Democratic Republic of Congo*. Article contributed to the European Commission Conference June 2009. Available online: [http://eeas.europa.eu/ifs/publications/articles/book3/book\\_vol3\\_chapter5\\_lessons\\_from\\_afghanistan\\_and\\_the\\_democratic\\_republic\\_of\\_the\\_congo\\_skld\\_en.pdf](http://eeas.europa.eu/ifs/publications/articles/book3/book_vol3_chapter5_lessons_from_afghanistan_and_the_democratic_republic_of_the_congo_skld_en.pdf)
- Organisation for Economic Co-operation and Development (OECD) (2007) *The OECD DAC Handbook on Security System Reform (SSR): supporting security and justice*. OECD. Paris.

OECD (2011) *Linking Security Sector Reform and Armed Violence Reduction: seeking the benefits of complementarity*. OECD. Paris.

Pauwles, N. (2005) “EUPOL ‘Kinshasa’: testing EU co-ordination, coherence and commitment to Africa” in *European Security Review*. Issue 25. ISIS Europe.

Rauch, J. (2008) *Donor-Promoted SSR: Early Steps Towards Police Reform in the Democratic Republic of Congo*. Global Consortium on Security Transformation (GCST).

United Nations (2008) *Securing Peace and Development: the role of the United Nations in supporting security system reform*, Report of the Secretary General, A/62/659–S/2008/39, 23 January 2008.

Van Damme, S. (2008) “The European Union as a Post-modern Security Actor? Defence Reform in the Democratic Republic of Congo.” The Institute for European Studies.

Vircoulon, T. (2009) “EUPOL Kinshasa and EUPOL RD Congo ” in *Security Sector Reform in Challenging Environments*. H. Born and A. Schnabel (eds.) Geneva Centre for the Democratic Control of Armed Forces: Geneva

Vircoulon, T. (2010) *After MONUC, Should MONUSCO Continue to Support Congolese Military Campaigns?* International Crisis Group. Available online:  
<http://www.crisisgroup.org/en/regions/africa/central-africa/dr-congo/vircoulon-after-monuc-should-monusco-continue-to-support-congolese-military-campaigns.aspx>

#### Council Documents

Council Decision 2010/113/CFSP 22 February 2010, Brussels.

Council Decision 2010/440/CFSP 11 August 2010, Brussels.

Council Decision 2010/565/CFSP 21 September 2010, Brussels.

Council Decision 2010/576/CFSP 23 September 2010, Brussels.

Council Joint Action 2004/847/CFSP 9 December 2004, Brussels.

Council Joint Action 2005/355/CFSP 2 May 2005, Brussels.

Council Joint Action 2006/913/CFSP 7 December 2006, Brussels.

Council Joint Action 2007/112/CFSP 15 February 2007, Brussels.

Council Joint Action 2007/405/CFSP 12 June 2007, Brussels.

Council Joint Action 2008/108/CFSP 12 February 2008, Brussels.

Council Joint Action 2008/491/CFSP 26 June 2008, Brussels.

Council Joint Action 2009/128/CFSP 16 February 2009, Brussels.

Council Joint Action 2009/709/CFSP 15 September 2009, Brussels.

Council Joint Action 2009/769/CFSP 19 October 2009, Brussels.

*Council Conclusions on a Policy Framework for Security Sector Reform.* 2736<sup>th</sup> General Affairs Council Meeting, 12 June 2006, Luxembourg. Available online:  
[http://www.peacecenter.sciences-po.fr/pdf/French\\_cycle/Sem\\_8/2\\_EU\\_SecuritySectorReform.pdf](http://www.peacecenter.sciences-po.fr/pdf/French_cycle/Sem_8/2_EU_SecuritySectorReform.pdf)

*Council Conclusions on ESDP.* 10087/09, 18 May 2009, Brussels. Available online:  
<http://register.consilium.europa.eu/pdf/en/09/st10/st10087.en09.pdf>

*EU Concept for ESDP Support to Security Sector Reform.* 12566/4/05 REV 4, 13 October 2005, Brussels.

#### European Community Documents

*A Concept for European Community Support for Security Sector Reform.* Communication from the Commission to the Council and the European Parliament, COM (2006) 153 final, 24 May 2006, Brussels.

République Démocratique du Congo – Commission Européenne, Document Stratégie Pays 2008-2013

2009 Annual Report from the European Commission on the Instrument for Stability  
{SEC (2010) 1114}

## Annex 1

As part of DRC's Poverty Reduction Strategy Paper (PRSP), an official coordination architecture was established by the Congolese Minister of Planning, with support from the Delegation, in January 2008 to bring together international donors and Congolese authorities in various areas of reform. A Thematic Group on Judicial and Security Governance was envisioned to provide an opportunity for different sectors within the security system to consult each other and collaborate. As yet, the group has not met or been officially launched. Should it come into being, it would consist of both technical and political level meetings. Meetings at the political level would be presided by Vice Prime Minister in charge of internal affairs and security and vice-chaired by the Minister of Justice. A EUPOL Inter-pillar Expert would participate as co-secretary at the political level and co-reporter at the technical level of the group.

Sub-groups under the Thematic Group were proposed to micro-manage mixed (international and local) coordination boards in the sectors of Defence, Police, Justice and Sexual Violence. Sub-groups for Police and Justice had existed prior to the Thematic Group and so as to avoid duplication these were brought under the PRSP coordination architecture. The *Comité de Suivi de la Reforme de la Police* (CSR) and the *Comité Mixte de Justice* (CMJ), which were previously working in isolation from each other, may benefit from the sub-group arrangement where there is potential for closer collaboration. Still, there is a critical want for a similar sub-group for defence. Proposals to create just such a structure have been submitted to the Congolese, and were thought to be well received. Some have indicated that local power politics between the Minister of Planning and the Minister of Defence have stanchied progress despite initial perceived domestic support.