



On the road between Kashuga and Mweso, Masisi, North Kivu, February 2013. A group of women and girls returning from the market.  
Photo: Therese Wagner/Oxfam

# IN THE BALANCE

## Searching for protection in eastern DRC

**As 2014 starts, there are reasons to hope that peace may be in sight in eastern Democratic Republic of Congo (DRC). National initiatives and committed regional and international political engagement in 2013 led to important advances and new framework agreements to resolve the conflict and insecurity. However, the people Oxfam talked to across eastern DRC reported that their situation remains precarious, particularly in remote areas where there is little state presence. Ongoing national, regional and international engagement is needed, as well as efforts to ensure that high level agreements and initiatives are systematically linked to community experiences. Without these, it is possible that this rare opportunity will be wasted.**

# SUMMARY

As 2014 begins, there is some cause to be optimistic that an end is in sight to decades of armed conflict in eastern Democratic Republic of Congo (DRC). Political and military achievements in 2013, including increased regional cooperation and the military defeat of the armed group, the M23, offer a window of opportunity to improve the situation for civilians.

However, optimism must be tempered with a strong dose of realism. The recent military victory by the government is only a first step towards stability in a region plagued by decades of extreme violence, lawlessness and the lack of accountable state authorities. Much of North and South Kivu are still under the control of other armed groups and regional relations remain fragile.

Oxfam spoke to people in 30 conflict-affected communities in North and South Kivu between August and December 2013. They echoed what Oxfam has heard in its regular surveys since 2007. Positive effects of political and military initiatives have yet to be felt in communities. People explained how they continue to be relentlessly squeezed for economic gain by armed actors, state and traditional authorities. The everyday violence and exploitation they live with is entrenched in day-to-day relationships, not only with armed groups but also with the national army, the police, and prominent local figures. In some areas, people reported an increase in violence and abuse towards the end of 2013, as armed groups prepared either to disarm or for potential military operations against them. Communities around disarmament camps particularly reported an increase in protection abuses.

People told Oxfam that the violence they experience continues to flourish because the state does not consistently protect them, and state authorities themselves frequently present threats to people's protection. Too often, members of the police and army are left to find their own ways to survive for themselves and their families. They are poorly supported by their hierarchy and resort to living off the population. High levels of violence and weak governance feed off and perpetuate each other.

Faced with a lack of effective protection from state authorities, communities explained that they are obliged to find ways to protect themselves. They described how many of the initiatives they take, such as seeking protection from an armed group or avoiding going to their fields, are only short-term solutions. In the longer term they say that repercussions on household incomes, social relations and physical security can be severe. In some cases, community-based strategies do result in increased protection. Several communities reported positive results when they were able to negotiate with local leaders and state authorities and to find a solution together with them. Several communities mentioned the positive influence of MONUSCO, the UN Stabilization

Mission in DRC, particularly when it was able to establish strong contacts directly with communities.

In spite of a poor record, the majority of communities still see state institutions as the solution to their security. People say that a police and army presence is a step towards legitimate authority, but asked that the police and other civil authorities replace the army as rapidly as possible, and that they build on good practice, such as meeting with the population to understand the problems they face.

While there may be some cause for optimism at the beginning of 2014, there is still a long way to go before state authorities have the presence, accountability and legitimacy in eastern DRC to ensure the safety of the people living there.

To maintain momentum, national, regional and international actors must stay engaged and listen to communities' experiences at this critical moment, ensuring long-term political commitment to security in the Great Lakes region. Lessons learnt from the past must be reflected in the decisions made, and thorough, deep-rooted reform of national institutions, particularly the army, must be implemented. The opportunity presented by the events of 2013 should not be wasted; if it is, a 2014 survey of protection threats faced by communities risks revealing the same problems all over again.

To avoid this, and to capitalize on such a unique moment, the **Government of DRC** should rapidly improve the accountability of state authorities, with a view to improving their effectiveness as protection actors. It should reinforce and extend civilian state presence, particularly to remote and rural areas, and include wide community participation and consultation in the government decisions that affect communities' protection. It should ensure that armed groups are given realistic and sustainable opportunities to end their activities, including non-military solutions and community-level peace building and reconciliation.

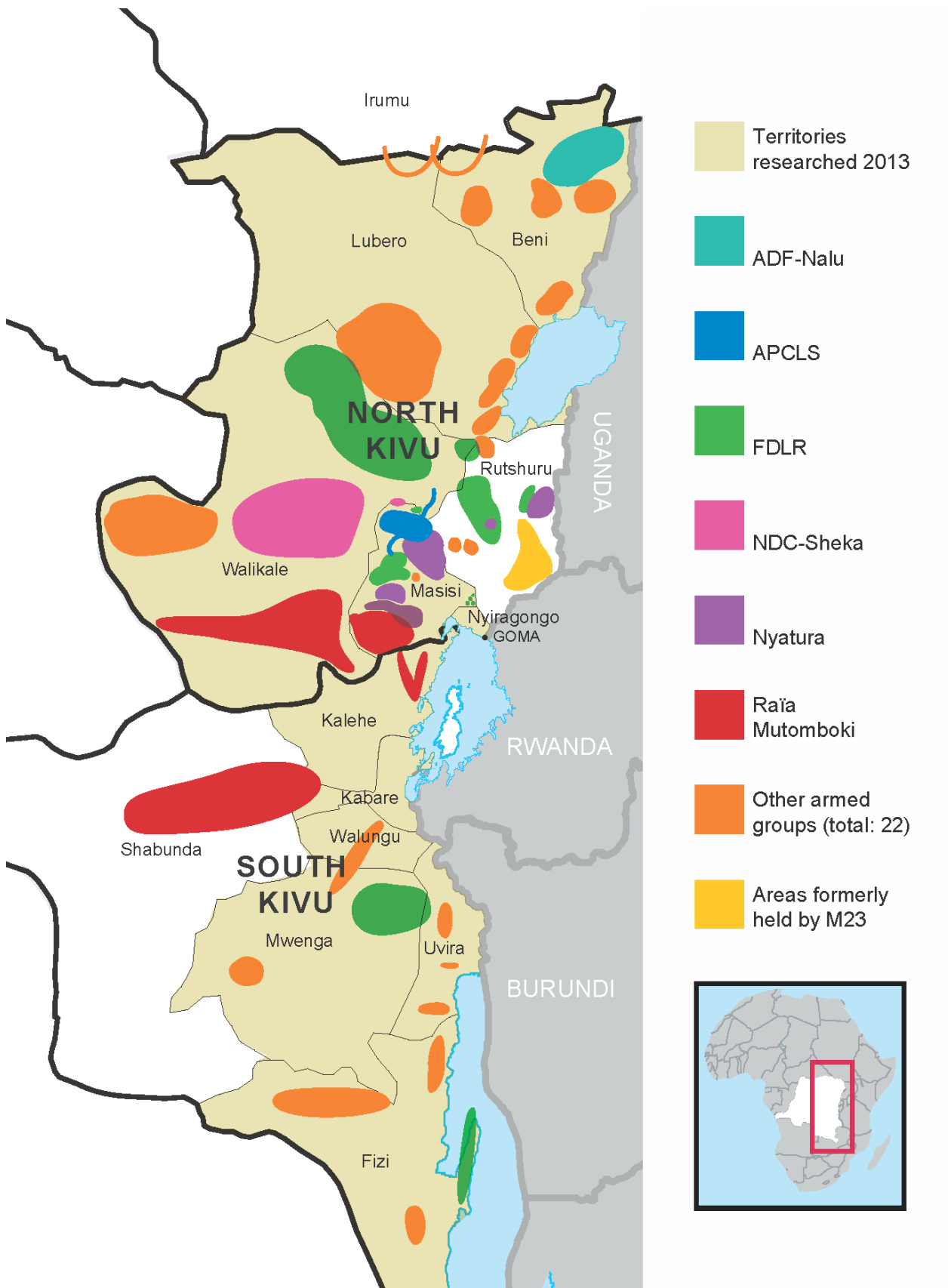
**Governments in the region and other African Union member states** should support the DRC government through maintaining commitments to regional stability laid out in the Peace, Security and Cooperation Framework (PSCF), providing encouragement and technical support to the DRC in fulfilling its own commitments under the PSCF, and ensuring that high-level engagement on the situation in eastern DRC continues.

**MONUSCO's** role in the protection of civilians remains a critical part of its mandate. In addition, coordination and coherence between political and military initiatives is needed, as is support to the effective restoration of state authorities; particularly in remote, rural areas. Protection of civilians must be the priority during military operations and communication with communities further reinforced and institutionalized.

**International governments** have an important role to play in supporting the DRC and other governments in the region to realize commitments under the PSCF and to maintain inclusive and transparent political dialogue at local, national and regional levels.

# MAP OF NORTH KIVU AND SOUTH KIVU, EASTERN DRC

The approximate areas under control of various armed groups at the end of 2013, and the areas in which Oxfam carried out its 2013 survey



# 1 INTRODUCTION

There is some cause to be optimistic that an end is in sight to decades of armed conflict in eastern DRC. The M23, an armed group that took Goma in November 2012, was militarily defeated in November 2013, changing the dynamics between the armed actors – rebel groups and government forces – in the region. Some armed groups, including factions of the Nyatura and Raïa Mutomboki, have indicated a willingness to demobilize. By the beginning of December 2013, the Government of DRC had announced the surrender of more than 4,000 former members of armed groups.

There are indications that there is political will in the government to avoid the mistakes of the past. Members of the M23 accused of war crimes have not been given a blanket amnesty, nor have M23 troops been integrated wholesale into the army as their *Congrès national pour la défense du peuple* (CNDP) predecessors were in 2007 and 2009. Whereas during past military operations the conduct of troops in the Congolese armed forces (FARDC) often contributed to the insecurity of civilians, changes in the command of the army and improved management have had a significant impact on its behaviour in recent operations against the M23 in Rutshuru – few abuses attributed to the FARDC have been reported.

There has also been increased cooperation on a regional level. DRC's neighbours all promised to respect each other's territorial integrity as part of the Peace, Security and Cooperation Framework (PSCF) in 2013; and have committed to not supporting armed groups in neighbouring countries and to increased economic and judicial cooperation. Talks between the Government of DRC and the M23 took place in Kampala throughout 2013, with declarations signed between the parties in December. The PSCF itself sets out ambitious and far-reaching reforms designed to tackle the root causes of instability.

Finally, 2013 saw renewed international commitment to the Great Lakes region. This included active support to the PSCF, the deployment of a UN Special Envoy to the Great Lakes region and high-level engagement from the AU and US Special Envoys and the EU Special Coordinator. MONUSCO's mandate was revised to include an intervention brigade for the first time.

However, the current optimism around developments in eastern DRC must be tempered with a strong dose of realism. The government's recent military victory is only a first step towards stability in a region plagued by decades of extreme violence, lawlessness and the lack of accountable state authorities. The M23 was only ever one of many armed groups operating in eastern DRC. Regional and international attention has been largely focused on Goma and the former M23-held areas of Rutshuru, North Kivu. But much of the rest of North and South Kivu remain under the control of other armed groups, many of whom expanded into the security

vacuums left when the Congolese forces turned their attention to the M23 rebellion in 2012. Military operations against armed groups, including those currently underway against the FDLR and ADF-Nalu, risk increasing the violence that civilians face, particularly in remote areas.

#### **Box 1: Oxfam's 2013 protection survey**

In 2013, Oxfam supported nine local partners to collect the perceptions of 1,800 individuals in 30 conflict-affected communities in North and South Kivu through a mix of focus groups and key informant interviews. Findings from interviews in August and September 2013 were updated with the communities in November. They have been complemented by interviews with community members involved in Oxfam's protection programme in the Kivu provinces in November and December 2013.

More than 1.7 million people remain displaced across North and South Kivu, and people remain a valuable economic commodity for armed actors to exploit.<sup>1</sup> The men and women Oxfam spoke to in 2013 said that life in many villages remains precarious, and much needs to be done before they can feel safe. Violence, impunity and weak governance have fed off and reinforced each other; coping strategies have been eroded over the years and social cohesion has been worn away; abusive systems, such as illegal taxation, have become the norm.

Finally, despite advances, regional relationships remain tense. Throughout 2013 there were repeated allegations that neighbouring countries continued to support the M23, and M23 leaders have yet to be handed over to the Government of DRC. While in some ways the situation has improved, there is a long way to go.

Recent developments offer a window of opportunity to improve the situation for civilians in eastern DRC, but an end to insecurity in the region is far from an inevitable outcome. People's sense of safety is unlikely to change without concerted efforts by the state to protect its citizens from violence and to improve its accountability to them. These efforts need to include a strong and effective state presence beyond urban areas, durable security sector reform, and clear government initiatives to include wide community participation and consultations when making decisions that affect these communities' protection. The latter is particularly important as military operations begin in remote areas. To maintain momentum, national, regional and international actors must stay engaged and listen to communities' experiences at this critical moment, committing long-term political will to security in the Great Lakes region. Lessons from the past must be learnt, and thorough, deep-rooted institutional reforms implemented.

This briefing looks ahead to 2014 and provides a snapshot of people's experiences of protection and insecurity in DRC at the end of 2013. What people told Oxfam was not significantly different from what they had said during previous annual surveys since 2007. Following the defeat of the M23 and the announcement of military operations against the FDLR and ADF-Nalu, many people explained that they are facing, or fear that they will face, an increase in violence. This paper examines where people say protection does and does not come from, and what they say that it should look like.

## 2 ONGOING, EVERYDAY VIOLENCE

Violence in North and South Kivu is deeply rooted and widespread. In the surveys that Oxfam carried out in August, September and November 2013, much of what communities told us echoed what Oxfam has heard each year since 2007. Any positive developments of 2013 have yet to be felt in these communities.

Many communities reported ongoing armed attacks and their devastating results. However, they also explained that such attacks are only single moments in a wider pattern of abuse, and they consistently highlighted the long-term, everyday suffering that follows attacks, and the abuses that they live with daily. Attacks bring with them sexual violence, beatings, murder and looting. They are then followed by displacement, poverty, illegal detention and arrest, and harsh taxation; either by the armed group taking control or by state institutions re-establishing their authority. Violence in its different forms comes from all sides.

### Box 2: Caught between armed actors

Communities in Beni territory, North Kivu, spoke of the range of threats they face. In particular, they spoke of their fear of abductions, which they say are carried out by the ADF-Nalu. Since mid-2010, more than 660 people have been reported abducted; 382 of them disappearing in the first half of 2013, and 22 in a single event in September 2013 when another two people were killed.<sup>2</sup> Unlike other areas where kidnappings occur, such as Uvira and Mwenga, South Kivu, these abductions are not accompanied by ransom demands, and communities say that people are taken to serve as forced labour or pressed into armed service. Very few people return to their communities.

Men and women are frequently targeted going to work in their fields. Many people have stopped going, cutting off a vital source of food and income. In some areas, people say that the FARDC forbid them from going. While this is ostensibly to protect communities from abduction, people say that they often find their fields have been harvested by FARDC soldiers and their families.

People explained that a lack of food and money forces them to take more risks and to go further to look for food, taking them into areas where they may be attacked. Boys are forced into hard labour in market towns or migrate towards mining sites. Girls are often 'sold off' into early marriage or turn to prostitution. Many families fled from the insecurity of more remote villages three years ago, and scrape by in 'safer' areas, an easy target for exploitation.

*'An animal caught in a trap can't expect to escape without leaving behind at least one hair.'*

Saying used by local authorities in a village in Lubero territory (North Kivu).

*'Civilians and armed men cannot live together – it is the strongest law. Who would tie a goat up next to a leopard?'*

Participant in a men's discussion group, Nyiragongo territory (North Kivu).

As in 2011 and 2012, communities surveyed by Oxfam in 2013 explained how high levels of violence perpetuate the opportunity for armed actors

or state and traditional authorities to relentlessly squeeze them for profit. Illegal taxation, arbitrary fines, and 'sharing' of goods as 'protection insurance' are all facts of life. In some areas these forms of extortion have been institutionalized and are gathered alongside other local taxes, with receipts provided for payment. Dubbed 'security taxes' by armed groups, they are described by local communities as 'pay for your life' or 'sleep in peace', in reference to the reprisals threatened should they not be paid. Communities pay when they can, because violence is usually not far behind.

Communities surveyed explained that the risks posed by each threat depend on an individual's identity, and that men and women face different threats according to their age, status, occupation, and behaviour. In many cases, young men are targeted as a source of free labour, with some communities reporting that armed men, including soldiers, lie in wait for them on the paths to football pitches. Some communities report that men are targeted for illegal arrests and kidnapping because as heads of households they fetch a higher ransom. Several communities identified women, children and the elderly as being more vulnerable than younger men in the long term, however, as they may lack the physical strength to protect themselves, be less able to negotiate protection, or find it harder to recover after a sudden shock, such as an armed attack. All communities said that women are the primary victims of sexual violence. Their important roles in food production and trade also make them a target for taxation and fines at checkpoints and markets.

*One focus group of vulnerable women in Uvira territory (South Kivu) told Oxfam of the abduction of a local leader, who was only freed some days later after a ransom was paid: '[if that's what happens to our leaders,] do you really think that people like us can avoid this?'*

### **Box 3: After the violence**

Communities' experience of violence is complex and varied. It needs to be understood and addressed comprehensively if military advances are to be translated into lasting security.

In 2013, at least four serious armed confrontations took place between the Nduma Defense of Congo, led by Ntabo Ntaberi Cheka (otherwise known as Mayi-Mayi Cheka), and a coalition of APCLS, FDLR and Nyatura groups in Pinga and surrounding areas in Walikale and Masisi, North Kivu. Pinga has become notorious in recent years for the levels of abuse faced by civilians, changing hands frequently and prompting local populations to flee repeatedly into the surrounding forests.

The 2013 clashes brought further displacement, murders, looting, and forced recruitment, including of children. The Hunde community in the area were directly threatened by Mayi-Mayi Cheka. Many fled, and those who remained were stopped from accessing schools and health services.

In late November 2013, Mayi-Mayi Cheka, which had strong links to the M23, was reported to have abandoned Pinga. In December, a FARDC presence was established after a year-long absence. While this is an opportunity for real improvement in the local security situation, grievances will not simply disappear. Problems are deep-rooted and often based on ethnic power dynamics between Hunde and Nyanga communities. A sustained and committed attempt by the state to rebuild its institutions, to put in place a functioning justice system, and to address community reconciliation will be essential to maintaining stability in this zone.



Across North and South Kivu, violence and weak state legitimacy perpetuate each other in different ways. Community cohesion has been worn away over the years, and ethnic identities are frequently manipulated by those with power – often power that comes from the barrel of a gun. The communities surveyed by Oxfam reported that, for most people, this spiral of decline has only continued in 2013.

# 3 IN THE WAKE OF THE M23

In November 2013, some members of communities that Oxfam spoke to in Rutshuru and Nyiragongo territories, North Kivu, previously held by the M23, said that their security situation had improved since the military defeat of the M23, citing better access to markets and fields. Initial reports on FARDC troops deployed to Rutshuru have revealed few abuses against civilians. This is, at least in part, attributable to an improved chain of command and the deployment of better trained troops, properly paid and supplied. With the replacement of more than 100 FARDC officers in early 2013, and an emphasis on discipline by top commanders in the east, there are indications that the army may finally be undergoing a significant improvement.

*'I can't say things are good or bad now. We are just balanced in the middle, as there are two forces in charge in this area. I am worried that things will get worse because they want to fight again. But who will be the victims? Ordinary people.'*

Male focus group participant, Uvira territory (South Kivu).

## Box 4: Returns

One of the challenges in the wake of the M23 defeat is the return of internally displaced people (IDPs), including from the camps around Goma. There have been reports of the government organizing returns, but so far, indications show these to be premature. Of the more than 600 households that were reportedly transported to Rutshuru in late November, 80 percent returned back to the camps. The absence of sufficient 'reinstallation kits' on their arrival was clearly a major consideration for return back to camps, as populations felt that conditions conducive to their long-term and durable return had not been put in place. Many IDPs are unable to rebuild their lives in the villages they have fled from without some additional support. Moreover, returnees frequently expressed the view that 'home' is still not safe. It is essential that security is rapidly ensured and a strong civilian state presence established in these areas to ensure that they are safe for return, which must always happen on a voluntary basis.

In more remote parts of North and South Kivu, however, communities told us that threats to their security have persisted despite the defeat of the M23. In South Kivu particularly, this is because the protection threats that people face are only weakly linked to the M23, if at all. In other places, threats have continued and increased following the M23's defeat. Several communities in Masisi told Oxfam that illegal taxes increased in November and December 2013. They explained that in the lead-up to potential MONUSCO–FARDC military operations against them, armed groups were demanding higher levies from populations. Communities also feared that forced recruitment would soon be on the rise; this has been seen in the past, as militia rebels have negotiated rank in the FARDC dependent on the number of fighters they can claim at the time of surrender. There are increased reports of banditry in Rutshuru territory, as armed groups splinter into smaller factions.

*'The M23 were here for one year. Since they left... no one disturbs us, and the FARDC protects us.'*

Secretary of a village administration in Nyiragongo territory (North Kivu).

Communities in areas around the state-run Bweremana cantonment site, where combatants who have surrendered to the FARDC are sent, reported a rise in levels of violence in November and December 2013. They explained how combatants 'housed' in the camp are living either with host families or in tents, many of which are located in the fields surrounding the village. The local community reports that ex-combatants are harvesting their fields, depriving them of their main source of food and removing a key source of income for displaced people hosted in the neighbouring displaced people's camp, who had previously been paid by the community to tend their fields.

*'What use is it to go to tend our fields when only a small portion of what we harvest goes to our families, and the majority goes to soldiers and the Mayi-Mayi?'*

Female participants in focus group, Fizi territory (South Kivu).

Communities in Fizi and Uvira told a similar tale of their experiences with former members of armed groups. They explained that during repeated ad hoc integration processes, armed groups had been brought from the surrounding forests to camps on the outskirts of their villages and left there with no follow-up from state authorities. This led to an increase in abuses as the armed groups had limited resources and little or no incentives to end their exploitation of communities. One Mayi-Mayi group has been to a camp to disarm more than a dozen times, lived off the population and then returned to the hills with its weapons.

#### **Box 5: Dealing with armed groups**

One of the critical challenges for a lasting peace in DRC is the Disarmament, Demobilization and Reintegration (DDR) – into either military or civilian life – of the numerous armed groups present in the east. Thousands of combatants must be either fully incorporated into the FARDC in a way that breaks former chains of command, or effectively reintegrated into civilian communities. The announced intention of various armed groups in both North and South Kivu to lay down arms is a positive development, but alternatives must rapidly be put in place for them.

MONUSCO currently runs a Disarmament, Demobilization, Repatriation, Reintegration and Resettlement (DDRRR) programme for 'foreign' groups, and the DRC government approved a DDR plan for 'national' armed actors, who make up the majority of combatants, at the end of December 2013. However, this DDR plan was late in coming and, at the time of writing, state-run cantonment sites such as Bweremana remain under-resourced. Poorly run cantonment sites, and poorly planned DDR policies, risk becoming a deterrent to members of armed groups considering demobilization.

In the past, disarmament efforts have broken down. Former members of armed groups have kept their weapons and remained in their previous areas of influence, continuing to pose a threat to civilians. DDR programmes have also not dealt effectively with those associated with armed groups who are not actively involved in combat. For the men, women and children associated with armed groups who wish to return to civilian life, an effective and well-resourced DDR programme is essential. Lessons learnt from previous processes show the importance of a strong community reintegration component, benefiting whole communities and not just individuals. They also point to the need for the process to address the different needs of women, men, boys and girls.

Communities told Oxfam that they fear renewed FARDC–MONUSCO operations against the FDLR. In South Lubero, where operations in 2009–2010 were accompanied by very widespread human rights violations,<sup>3</sup> but where the FDLR remains in large numbers, some households have already started to move to areas they believe are safer; almost 2000 households had fled to Kanyabayonga by early December 2013. Communities affected by the 2009 and 2010 operations against the FDLR described how civilians were caught in the middle of operations, fell victim to the FDLR as they retreated, and then were punished by FARDC troops for allegedly ‘collaborating with the enemy’.

*In 2009, people in Lubero territory told Oxfam: ‘With their military operations they have woken a sleeping devil.’*

# 4 THE ABSENCE OF PROTECTION

In 2013, people told Oxfam that the violence they experience continues to flourish because the state does not protect them. They say that the civil authorities, police and the national army have ultimate responsibility for providing security for the population. Their accounts show little change to the situation described in previous protection assessments, and that these same state authorities are often the perpetrators of abuse.

Too often, employees of the Congolese Police Force (PNC) and the FARDC are left to find their own ways to survive for themselves and their families. People explained that without proper resources, supervision by commanders or accountability systems, there is little to stop soldiers from turning against civilians: imposing forced labour, pillaging fields, levying illegal taxes and arbitrarily arresting people in order to extort money for their release.

### Box 6: Living with 'protection'

Where the state presence is ensured primarily by the army, people often feel they are not any better protected.

In one community in Walungu territory, South Kivu, people reported that theft and burglary by FARDC soldiers was one of their principal problems. Participants in one focus group said that members of the army referred to them as 'matope' or 'mud'. They explained that this is indicative of army attitudes towards the population whom they see as easy to manipulate and to trample on.

Weak governance reaches down to community and household levels, fracturing relationships. It allows high levels of sexual violence and domestic violence. In Walungu territory, women told Oxfam how domestic violence, extortion and impunity mutually reinforce each other: 'When a woman is beaten by her husband, she complains to the police. However, the police will only act if the victim pays and, in general, we don't have any money to give them. Moreover, the husband that is accused will often pay money to the police in order to block his wife's complaint.'

Communities reported that in some cases, even organizations established to defend the rights of the population abuse their positions. Although generally people spoke positively about local civil society organizations, community members in one village in Beni territory reported that a local organization had started asking people to pay for services such as advocating to local authorities for the release of people illegally arrested.

*'We don't feel the state's presence in the east of the country.'*

Focus group participant, Beni territory

*'We are treated with contempt. We have been abandoned. It's only soldiers' wives that sell agricultural produce now – produce they have stolen from us with the help of their husbands. We buy back what we have sown.'*

Participant from a focus group of vulnerable women in northern Beni territory.

*'We live like cats and mice here. If you resist the demands of a soldier you will be beaten.'*

Participant in focus group, Masisi territory (North Kivu).

In the absence of reliable protection actors, communities are forced to search for protection elsewhere. Some rely on armed groups to ensure their security, despite their being some of the main perpetrators of abuse. In many cases, the latter cohabit with or emerge from local populations. In one community in Masisi, people said that they are protected by part of the APCLS, a group widely cited by others as responsible for a range of human rights abuses. The faction is locally based, and the community explained that they rely on the 'children of the soil' (*enfants du terroir*) to protect them because there is no viable state authority. The APCLS was not the only armed group regarded in this manner, and communities in South Kivu frequently described factions of the Raïa Mutomboki in a similar way. This kind of protection from an armed group, as in the example of Pinga above, often contributes to deepening ethnic divisions, putting peaceful reconciliation further out of reach.

*A group of young women in Beni territory said that when the population speaks up about the poor behaviour of the army, the FARDC replies that 'the population shouldn't be complaining; it's us who protects them.'*

## SEARCHING FOR PROTECTION

Faced with a lack of protection from state authorities, communities explained to Oxfam how they find ways to protect themselves. People described how many of the steps they take offer only a short-term solution, however. The longer term costs are often high: paying an illegal tax once makes it harder to resist subsequent demands; self-defence groups are formed which then forcibly recruit young men and boys and live off the population; self-imposed restrictions on movements can mean that families drastically reduce their economic activity. The repercussions for household incomes, social relations and physical security can be severe.

*Faced with the simultaneous collection of illegal taxes by both FARDC soldiers and Mayi-Mayi fighters present in the area, one community in Uvira had negotiated alternating collection days and a reduction in the sums involved.*

People told Oxfam how they avoid abuse through displacement, self-imposed restrictions of movement and, most commonly, simply acquiescing to the demands of armed actors. Often, people are forced to buy their protection from armed groups through taxation or coercion. Women spoke of hiding goods in '*mangele*', hideouts in the forest, to avoid looting during attacks by armed groups. However, as armed groups are often local, they know where the hide-outs are. Several communities reported that underage prostitution is widespread.

*Women who flee to the forest in order to hide from those responsible for acts of sexual violence are not necessarily safer, because the guilty parties already know where to find their hiding places.'*

Communities describe how some people 'take the law into their own hands' in despair at the lack of state-based justice. Such 'popular justice' is often unchecked and can be used to avenge pre-existing grievances. However, localized justice initiatives can also prove to be constructive: some communities, including in Fizi territory, South Kivu, where ethnic-based conflict is rife, reported that village leaders provide mediation when faced with property-based conflict in the community. Traditional leaders are repeatedly identified as the first port of call for men and women, and as key protection actors for communities.

Women's focus group, Mwenga territory (South Kivu).

Other community-based strategies do result in increased protection. In one part of South Kivu, people reported that a local organization had managed to ensure the replacement of a corrupt national security agent. One community in Masisi, threatened by extortion and illegal taxation by armed groups, approached the FARDC. Commanders responded

positively and sent a strong message to their men, leading to a reduction in arbitrary arrest and improved security of roads leading out of the village. Communities also told Oxfam that family-based education by local organizations has helped to combat domestic violence. They said that these initiatives led to a reduction of threats and an improvement in their own security.

Some communities reported good practice by state authorities. In several communities across North and South Kivu, regular security meetings bring together local chiefs, FARDC commanders, the PNC and MONUSCO to discuss cases of abuse. These allow for regular dialogue between the military, the police, the local civilian authorities and the intelligence services.

#### **Box 7: MONUSCO's role**

Where protection from state agents is frequently unpredictable, MONUSCO remains an important protection actor. As in previous years, people in the 11 communities surveyed where MONUSCO is present, gave mixed accounts of its role.

Several focus groups mentioned MONUSCO's positive influence on local security. One community in Walikale told Oxfam that people are able to report abuses by state authorities, such as arbitrary arrests, to MONUSCO and community leaders during regular meetings. This has led to a reduction in some threats, and people told us that it has meant young people are less likely to flee the village. Another community in Nyiragongo territory said that MONUSCO undertakes regular patrols, advocates against barriers and arbitrary arrests, and holds monthly meetings with other protection actors. Several communities highlighted the positive contact that they have with MONUSCO's Community Liaison Assistants (CLAs).

However, in other areas people said that they did not understand what MONUSCO is doing and did not have contact with MONUSCO staff. One man in a focus group in Fizi territory, South Kivu, said: 'We see [MONUSCO troops] pass by in their vehicles, but we don't know what they are doing in our country.' Many people said they wanted to see an increased MONUSCO presence, particularly in remote and rural areas, and better exchange of information with communities and local leaders on protection threats.

MONUSCO has developed a series of good practices to improve civilian protection over the years. These need to be applied systematically. As the mission increases its support to the Government of DRC to increase civilian state presence in rural and remote areas and to implement its commitments under the PSCF, good practice needs to be further institutionalized, and proactive communication with the population reinforced.

## 5 WHERE WILL PROTECTION COME FROM?

In spite of a poor record, the majority of communities still see state institutions as the solution to their security. People say that the presence of the police and the army is a step towards legitimate authority. They see signs that the government is serious about army reform, such as the appointment of new commanders in eastern DRC during 2013, as positive steps. They explained, however, that currently the army is the 'best of the worst'. This is not good enough; collaboration between the army and armed groups is often reported, and serious abuses are carried out by some soldiers, particularly in remote rural areas. Without comprehensive security sector reform, the army cannot consistently and effectively protect communities.

People asked that the army and police build on examples of good practice, such as security meetings between protection actors, and work more with traditional leaders, participating in meetings between them and the population to understand the key problems people face. They asked that civilian authorities act as a buffer and interlocutor between the population and the army, and that when an attack occurs civil authorities maintain a presence and show sympathy with the affected population – as a visible manifestation of the state.

At the same time, communities said that soldiers, police and civil authorities should be paid regularly and adequately housed; that they should clearly be led and supported by their superiors; and that human rights abuses should be punished. People also asked that well trained and well monitored police officers be deployed – rather than the army – as rapidly as possible, to restore a strong civilian state presence.

Given the lack of confidence in state bodies, national and international non-government organizations and local civil society organizations are often a recourse for communities. Civil society was seen by the communities Oxfam spoke to as having an important role in monitoring human rights abuses and raising awareness of people's rights. This was seen as particularly important, as people explained that their lack of knowledge of the law makes them easily exploitable.

*'The presence of the FARDC here is key. There are no longer fights between armed groups and since the government arrived, we no longer have to pay illegal taxes.'*

Young woman in Masisi territory (North Kivu)

*'The police are not well paid. That's why they take care of their own survival above all else.'*

Focus group participant, Uvira territory (South Kivu).



# 6 CONCLUSION AND RECOMMENDATIONS

For the first time in years, renewed national commitment, regional cooperation and international engagement have come together in eastern DRC. The defeat of the M23 is a change in the political and military context, and the PSCF may offer a basis for security in the region. However, changes need to go beyond the political and military. Security sector reform, particularly DDR, and the extension of state authorities that work for Congolese citizens across DRC are desperately needed, and the DRC government must move beyond promises and put commitments into action. If security sector reform is partial or ineffective; if political dialogue is exclusive, lacks transparency, or is disconnected from people's realities; then the current opportunity for durable stability in eastern DRC risks being squandered. At a regional level, commitments made under the PSCF must be maintained to allow these reforms to be implemented. As military operations begin against the FDLR, ADF-Nalu, and other armed groups, it is critical that national, regional and international actors learn lessons from the past and stay engaged. They must ensure that both immediate initiatives and longer term policies are developed and implemented in a way that reflects the concerns of communities and promotes lasting stability.

Military victory is not the end goal. The defeat of the M23 is not sufficient to bring stability to the rest of eastern DRC. At best, it represents the beginning of the end; at worst, a survey of protection threats in 2014 will reveal the same problems all over again.

## The Government of DRC should:

**Improve the accountability of state authorities, including the army, police, intelligence services and civil authorities, with a view to improving their effectiveness as protection actors by:**

- Ensuring that **salaries are paid on time** and **improving the living conditions** of the army and police and their families, including through healthcare and adequate logistical resources;
- Making **concrete advances in all areas of security sector reform**, including through investment in training, tackling impunity, and supporting bottom-up good practice which improves civil–military relationships;
- Widely **distributing codes of conduct and responsibilities** among all state authorities and the civilian population, and ensuring that state authorities receive training and refresher courses with regular monitoring and evaluation;
- Ensuring that state agents accused of violating the rights of citizens are **brought to justice** in a timely manner and that appropriate

*'I don't know why the very people who are supposed to protect us, torment us. How can we complain against the state?'*

Male participant in focus group, Grand Nord, North Kivu, 2008

*'The army and police live off the back of the population because they are poorly managed.'*

Male participant in focus group, north of South Kivu 2013

*'They point knives or guns at us and tell us to take off our clothes; we don't hesitate and we surrender.'*

Focus group participant, Mwenga territory (South Kivu) 2008

*'When the FDLR arrive in an area, they murder with machetes and guns. Those with money are spared. They steal everything they see.'*

Male focus group participant, Mwenga territory (South Kivu) 2013

mechanisms are in place to do so. The government should also rapidly **establish mixed chamber courts**, drawing on national and international expertise, to try war crimes and crimes against humanity.

***Reinforce and extend accountable civilian state presence by:***

- Prioritizing the rapid **deployment of adequately trained and resourced police and civil authorities** in areas cleared of armed groups to act as protection actors, and reinforcing their role as a protection actors where they are present;
- Consistently **including civilians at local-level security meetings**, with structures for women's voices to be heard. State actors and traditional leaders should be held accountable for actions agreed at these meetings;
- **Supporting peace building and community reconciliation** through on-going community initiatives, in order to address root causes of conflict, such as land ownership.

***Ensure that non-state armed groups are given realistic and sustainable opportunities to end their activities by:***

- Prioritizing, as a matter of urgency, the **implementation of the national DDR III programme** and the communication of this programme to current members of armed groups in order to offer men, women and children associated with armed groups durable and credible alternatives, adapted to the particular needs of different groups. Sufficient resources must be provided to government-run cantonment sites;
- Ensuring that **the importance given to reintegration in the DDR III programme document is maintained in its implementation**, including offering concrete socio-economic alternatives for both combatant and non-combatant members of armed groups, and ensuring participation of affected communities in these initiatives;
- **Putting an end to the integration of armed groups** into the FARDC and PNC without adequate vetting and training or sufficiently resourced integration sites.

**Other governments in the region should:**

- Maintain commitments to **regional stability** declared in the PSCF;
- **Implement the activities required to realize regional benchmarks and commitments** within the PSCF in an inclusive, timely and transparent manner; ensuring that these are coherent with national PSCF benchmarks and that they relate directly to the experiences of men and women.

**The African Union and its member states should:**

- **Provide coordinated technical support to the DRC government**, particularly around the implementation of inclusive security sector reform and good governance;
- Provide political leadership to **encourage the DRC and other regional governments to fulfil their commitments under the PSCF** in a coordinated and coherent manner. Promote a timely, transparent

and accountable process with mechanisms to systematically include representative civil society groups, including women's organizations, particularly in governance reforms;

- **Strengthen the mandate of the African Union's Special Envoy to the Great Lakes region** to include the monitoring and reporting of the protection needs of communities;
- Provide increased opportunities for members of the Peace and Security Council to take into **consideration the views of civil society and community leaders** when making their decisions on the protection of civilians.

#### **MONUSCO should:**

- Ensure **coordination between political and military initiatives**. This should include providing support to the DRC government to extend its civilian presence to rural and remote areas where there has been a weak state presence;
- Work with the DRC government to ensure that protection of civilians is prioritized during armed operations, and **develop a framework of 'red lines'** past which operations should be temporarily or permanently suspended based on actual or potential harm to civilians;
- **Reinforce communication with the Congolese people by strengthening the role of Community Liaison Assistants**, increasing their mobility and the number of women deployed, by ensuring high-level commitment within MONUSCO to communication with communities, and by ensuring the inclusion of representative civil society in the implementation and monitoring of the PSCF.

#### **International governments should:**

- Provide credible and co-ordinated political pressure to **ensure that progress is made on security sector reform and justice reform**, including selecting a lead donor in order to improve coordination;
- Support the DRC government, including through the provision of coordinated technical expertise, to **fulfil its commitments under the PSCF** in a timely, inclusive, transparent and accountable manner, and promote coherence between national, regional and international initiatives.

#### **The Special Envoys/Coordinators to the Great Lakes region from the UN, AU, EU and USA should:**

- Encourage the DRC government to develop real alternatives to military operations, **reinforcing political dialogue at local, national and regional levels**;
- Ensure the systematic **inclusion of representative civil society organizations** in the development, implementation and oversight of activities related to the PSCF benchmarks;
- Ensure the **timely, transparent and accountable development and implementation of activities related to the PSCF benchmarks**, particularly at the national level and with coherence between national, regional and international initiatives.

## LIST OF ACRONYMS

ADF-Nalu	Allied Democratic Forces
APCLS	Alliance des Patriotes pour un Congo Libre et Souverain
CLA	Community Liaison Assistant
CNDP	National Congress for the Defence of the People/Congrès national pour la défense du peuple
DDR	Disarmament, Demobilization and Reintegration
DDRRR	Disarmament, Demobilization, Repatriation, Reintegration and Resettlement
FARDC	Forces Armées de la République Démocratique du Congo/Congolese Armed forces
FDLR	Democratic Forces for the Liberation of Rwanda
M23	23rd March Movement
MONUSCO	United Nations Organization Mission for Stabilization in the Democratic Republic of the Congo/ Mission de l'Organisation des Nations Unies pour la stabilisation en République démocratique du Congo
PNC	Police Nationale Congolaise/ National Congolese Police
PSCF	Peace, Security and Cooperation Framework

## NOTES

- 1 Oxfam (2012) 'Commodities of War: Communities speak out on the true cost of conflict in eastern DRC', Oxfam, <http://policy-practice.oxfam.org.uk/publications/commodities-of-war-communities-speak-out-on-the-true-cost-of-conflict-in-easter-252424>
- 2 Information received from OCHA, updated 30 September 2013.
- 3 Oxfam (2009) 'Waking the Devil: The impact of forced disarmament on civilians in the Kivus', Oxfam International, <http://policy-practice.oxfam.org.uk/publications/waking-the-devil-the-impact-of-forced-disarmament-on-civilians-in-the-kivus-115061>

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