



PREMIER MINISTRE



2007

EU support to the Democratic Republic of Congo

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ABSTRACT

Since 2001, the EU has become increasingly involved in the DRC. This is in line with the efforts of a number of its member states. The development of the EU as an actor in world affairs has been mirrored by the widening scope of EU interventions. From the 'classic' development cooperation and humanitarian relief to innovative ESDP operations such as Artemis in the summer of 2003 and a dedicated security sector reform (SSR) mission, EUSEC. The general framework for this evolution is the support to the Transition and the electoral process. Together with its member states, the EU is by far the largest donor in this process and is also assuming an important role in the measures to secure the electoral process. By its actions, the EU has supported the UN involvement in the DRC and as such its intervention can be considered an underpinning of the concept of 'effective multilateralism.

Whereas there is a large degree of convergence in strategic vision and objectives between the first and the second pillar in Brussels about the DRC, the financial means available define the difference of approach in the actions carry out. On the field, the reality urges the Council and the Commission to work hand in hand. Contrary to the headquarter in Brussels, where there is a formal coordination structure between the pillars, on the field, no coordination structure exists and an informal cooperation has taken place.

INTRODUCTION

Acting through its first two pillars (Community action and the Common Foreign and Security Policy (CFSP)), the EU has been increasingly active in the DRC over the last years. Its actions cover a wide range of actions: humanitarian and development aid, diplomatic and technical support, and two military operations, ARTEMIS in 2003 and EUFOR RDC in 2006. Since 2003, the central element in the EU efforts to support the DRC has been the backing of the Transition institutions to meet the requirements for the elections. This has involved financial and material support to the electoral process; support to create the necessary security conditions (with two Security Sector Reform (SSR) missions: EUPOL and EUSEC); support of the UN Mission in the DRC (MONUC) (EUFOR RDC) and an important election observation mission. The EU presence in the DRC is also a clear demonstration of the increased coordination between the EU and the UN in crisis management. The four European Security and Defense Policy (ESDP) missions in the DRC are the most visible of the wide degree of CFSP involvement in the country and the wider region¹.

Furthermore, the EU is a political and financial partner in the national and regional initiatives that support the DRC and promote regional stability. These include the 'Comité International d'Appui à la Transition' (CIAT), the 'Multi-Country Demobilization and Reintegration Program²' (MDRP) and the 'Regional Conference for the African Great Lakes Region'. Both the Commission and the Council (EUSR and EUSEC mission) are part of the Great Lakes Contact Group, which regularly brings together the international actors most involved in the DRC³. This role of the EU comes in addition to the important part played by several individual EU member states in their bilateral relationship with the DRC. The most visible of these are France, Belgium, the UK and the Netherlands.

Three recent EU documents provide the framework of the European security and peace involvement in Africa⁴, these are: The Cotonou Agreement (2000), "The European Security Strategy" (2003), adopted by the Council and "The EU and Africa: towards a strategic partnership" (2005), adopted by the Council, on the basis of a Commission draft.

Security Development Nexus

The EU assistance in Africa is based on the security-development nexus, recently embraced by the international community (influenced by the September 11 attacks) according to which there is no security without development and no development without security. Moreover, this nexus is important as an element towards the inter-pillar cooperation as both the 1st and the 2nd pillar cover only one of both dimensions. The EU member states also increasingly embrace this nexus: at the level of the different individual member states, initiatives are being developed to enhance cooperation and coordinated so-called 'whole of government' approaches⁵.

¹ There is increase of the CFSP/ESDP missions and budget (62,5 Euro in 2004 to 102 Euro in 2006).

² The MDRP covers the following countries: Angola, Burundi, the Central African Republic, the DRC, Namibia, the Republic of Congo, Rwanda, Uganda and Zimbabwe.

³ This includes : Angola, Belgium, the EU, France, the Netherlands, South Africa, the UK, and the USA and as observers the World Bank and MONUC.

⁴ Africa, and DRC in particular, is high on the Commission's agenda today, also thanks to the European Commissioner for development and humanitarian aid, Louis Michel, who is deeply involved in the development of Africa and in the role Europe can play in this.

⁵ OECD-DAC Fragile States Group.

Furthermore, the security-development nexus is at the center of the above-mentioned EU framework documents. The Cotonou Agreement underlines the importance of political dialogue between the EU and the ACP⁶ countries in order to help the prevention and ending of conflicts affecting ACP countries as well as to support their democratic stability. The EU and Africa document states: “without peace there can be no lasting development”. The European Security Strategy (2003) outlines that: “...security is a precondition of Development. Conflict not only destroys infrastructure, including social infrastructure; it also encourages criminality, deters investment and makes normal economic activity impossible”.

1. RECENT EVOLUTION IN THE DRC

The recent history of the DRC, including particular the last 15 years, has been defined by continuous political instability with two wars: 1996-1997 and 1998-2003. Both wars reflected the fundamental political crisis in the DRC as well as the massive regional instability and political competition in the wider Great Lakes Region⁷. The 1996-1997 war drove out President Mobutu and brought Laurent-Désiré Kabila to power. The ensuing war that started in 1998 opposed Kabila to his former regional backers and became known as the ‘First African War’, because of the number of countries that were involved. In 2000, the war had evolved into a military and political stalemate, as none of the coalitions had the necessary capacity or political strength to win. The fundamental turning point of the conflict came in n January 2001 when Laurent-Désiré Kabila was assassinated and replaced by his son, Joseph Kabila. During 2002, both at the national⁸ and the regional⁹ level, a fundamental breakthrough was reached in the Congolese peace process. The efforts of the international community resulted in the Pretoria All Inclusive Political Agreement signed on 17 December 2002. During the first months of 2003 further negotiations based on the Pretoria agreement paved the way for the Transition period, which took off on 30 June 2003. The Transition was supposed to last 2 years, with 2 possible 6-month extensions. The political framework, allowed for maximum inclusivity of the political and military actors, which meant that the Presidency had to be composed of the President accompanied by 4 vice-presidents (the so-called 1+4).

The relatively short DRC Transition process had to deal with a number of crucial challenges: unification of the national territory, the establishment of a national army and basic security, and the preparation of national, democratic elections. The international community through the CIAT had to accompany this process.

During the Transition period, the presence of MONUC in the DRC has been gradually augmented from about 5,000 troops in 2003 to the current number of 17,600 troops, mainly deployed in the instable Eastern provinces. The UN mandate has also been strengthened from chapter 6 to chapter 7 in order to support the Transition authorities and contribute to the establishment of the necessary security conditions throughout the country.

The Congolese peace process has known several crises, mainly in the East (Ituri in 2003, Bukavu and Gatumba in 2004, Kanyabayonga, etc.) and two coup attempts in Kinshasa; During these crises the role of the international community, with the EU and some Member states as well as South Africa, has been of crucial importance to save the transition process and avoid a return to conflict.

⁶ *Africa-Caribbean-Pacific.*

⁷ *The Civil wars in Angola, Congo Brazzaville, the Central African Republic, Uganda, Burundi and the genocide in Rwanda (1994).*

⁸ *Inter-Congolese Dialogue.*

⁹ *Pretoria Agreement (Rwanda – DRC) and Luanda Agreement (Angola – DRC).*

The first democratic elections in the DRC since 1965 represent a fundamental challenge in different aspects, both practical and political. The registration of the electorate, during 2005, has been the first major challenge, despite the size of country, the lack of civilian administration and the almost complete non-existence of infrastructure this has been met. The Constitutional referendum in December 2005 was the first real test for the electoral machinery and proved largely satisfactory.

As the challenges are high, so are the risks. The situation of 'no war-no peace' has been profitable for a number of players at different levels: national, regional and international, because of patronage networks, corruption and the exploitation of resources. In addition, the Transition has only limited success in SSR and DDR and a number of potential spoilers remain, while a considerable part of the population expects immediate improvements in daily life. The management of the result of the elections and the reactions of different groups will prove to be a major challenge, necessitating a large degree of international involvement.

2. THE EU AND THE DRC: AN OVERVIEW

2.1. Community actions

2.1.1. Development cooperation/EDF

Because of the lack of progress in the political democratization, the high degree of corruption, the economic mismanagement and the differences between the member states in their policy towards Zaïre, the direct EC cooperation with the DRC was interrupted in 1992, only to be resumed in 2002¹⁰. Humanitarian and emergency aid however has continued, through ECHO¹¹, which established offices in the Eastern provinces of the DRC. With the positive political evolution (inter-Congolese dialogue), the cooperation with the Congolese government was officially restarted on 21 January 2002, with the signature of the National Indicative Program (NIP)., This agreement was signed in the framework of the 8th European Development Fund (EDF), and of an amount of 120 million Euro. On 2 September 2003 a new NIP, under the 9th EDF, was signed, for a period of four years, for an amount of 205 million Euro.

This new agreement has three main priorities: i) the fight against poverty, ii) institution building, including capacity building for the transition to democracy (with support to the electoral process), and iii) macro-economic support. In 2004, the mid term review allocated an additional 270 million Euro to the DRC if sensible progress could be observed in the transition process. The European Union, member states included, is by far the first donor for the DRC.

A considerable part of the EC support to the DRC has directly or indirectly benefited the electoral process and the reform of the security sector (SSR), such as the initial phases in the establishment of the Unité de Police Intégrée (UPI) (cfr. Infra EUPOL). With an amount of 20 million Euro, the EU is one of the key contributors to the World Bank MDRP, which targets former Congolese and foreign combatants and recipient communities after disarmament. The DRC is the largest recipient of Commission's emergency aid through ECHO (45 million Euro in 2004 and 38 million Euro in 2005).

With the World Bank, the Commission is also cooperating to elaborate a governance Compact for the DRC. The discussions on this compact should provide the basis for a strong international consensus on the priorities for the post-transition period in the DRC. The Compact will be proposed as a common strategy to be adopted by the donor countries and

¹⁰ *In the mean time, in parallel to most bilateral donors, cooperation has continued through NGO's.*

¹¹ *ECHO is the Humanitarian aid department of the EU.*

the new Congolese authorities in order to ensure the national ownership. The range of issues treated in the Compact include: natural resources management, SSR, Justice, administrative reform and financial management.

The Delegation of the European Commission in Kinshasa, which reopened its office in 2002, plays an important role in coordinating the EU actions on the field. The Delegation is responsible for the follow-up of all the initiatives, projects and actions financed by the European Commission. Based on its presence in the field and its regular contacts with the Congolese and international actors, the Delegation performs a key role in development actions, elections support as well as the SSR policy of the EU. Within CIAT, the Head of Delegation represents the European Commission, and shares the EU presence with the representative of the local EU Presidency.

2.1.2. Election process support

Immediately following the signing of the Pretoria Agreement, the EU General Affairs and External Relations Council (GAERC) decided¹² to accompany the Transition process towards free and transparent elections according to the modalities fixed by the Pretoria Agreement. At the end of 2004 and in July 2005, a total of 149 million Euro were granted for the election process¹³: 125 million Euro for the electoral process and the remaining 24 million Euro for security measures¹⁴. In reaction to a request of the UN Secretary General, the EU announced, on 4 September 2006, an additional contribution of 16 million Euro of the EDF to fill in part of the gap remaining to finance the second tour of the presidential elections and the provincial elections (both on 29 October 2006). Those contributions make the EU the largest donor in this process. The increase in financial needs for the process is mainly due to the delay in the electoral operations as well as to the complexity of the electoral law.

The financing of the elections is managed through a “pooled fund” of donors, administered by UNDP/APEC¹⁵, which is responsible for supporting the CEI in its organization of the electoral operations, this is done with the assistance of MONUC’s electoral division. The technical efforts in the electoral process have been accompanied by the delegation in Kinshasa, which has been reinforced by an elections expert and his assistant.

2.1.3. Election observation mission

The electoral missions are accepted as part of the EU mandate: the Treaty considers the protection and promotion of Human Rights and the support to democracy as a cornerstone of the EU external and development cooperation policies. Invited by the CEI and convinced that the success of the electoral process is of vital importance to the accomplishment of the transition period in the DRC and to the stabilization of the entire Great Lakes region, the Commission decided to send an electoral mission to the DRC. The mission was first deployed for the constitutional referendum in December 2005. It was then positioned on 30 July 2006 when the legislative elections and the first round of the Presidential elections were held. It will also be deployed for the coming second tour, and the provincial elections on 29 October 2006. Following the referendum, recommendations were made to the CEI, the national institutions, the UNDP and APEC. Between the two observation missions, the Commission maintains a follow-up of the electoral process.

¹² Council Decision of 27 January 2003.

¹³ This financial support of the EU comes in addition to the 100 million Euro by different EU countries.

¹⁴ The security measures included a program in support of the Rapid Intervention Police (PIR) education, their equipment and the rehabilitation of education centers.

¹⁵ Appui au Processus Electoral en RDC.

For the elections, the mission was deployed in the DRC on 9 June, it is led by General Philippe Morillon, Member of the European Parliament (MEP). With a total of 286 observers¹⁶ originating from the Member States and from Norway, Switzerland and Canada, this mission is the largest electoral observation asset ever deployed by the EU in Africa.

The electoral missions are financed through the European Initiative for Democracy and Human Rights (EIDHR) budget line. For 2006, 14 electoral missions were planned for a total of 35 million Euro. The cost for EU electoral missions varies from one mission to another depending on the number of observers, the duration of the mission, the logistical expenses in country and the costs of security if any. The mission in the DRC, the most expensive one, cost 1.7 million Euro for the referendum and 7.7 million Euro for the two tours of the elections. Twelve members of the European Parliament (EP), led by Jürgen Schröder, joined the EU election observation mission. The EP delegation joined the findings of the preliminary EU declaration published on 2 August 2006.

2.2. CFSP/ESDP and the DRC

2.2.1. The Special Representative of the European Union (EUSR) for the African Great Lakes Region¹⁷

The EU has assisted the peace process in the DRC since its start. The EU GAERC has spent considerable attention to the process and supported it through diplomatic initiatives. The most visible and continuous element has been the appointment on 25 March 1996 of Aldo Ajello as EUSR for the African Great Lakes Region. His mission, related to the crisis affecting the entire African Great Lakes region, is to back the different efforts aimed at creating the necessary conditions for solving this crisis. This includes support to the UN and the African Union (AU)¹⁸ and the maintenance of regular contacts with the regional governments. The EUSR regularly reports to inform the Council on regional developments and formulates policy recommendations. With the increase of the European involvement in the DRC and the launching of the ESDP operations, the mission of the EUSR has also been extended. He acts as a focal point between the SG/HR and the EUPOL and EUSEC Heads of Mission. Through the EUSR, the SG/HR gives guidance to the Head of Mission. In turn, through him, the Head of Mission reports back to the SG/HR. The EUSR also provides the Police Head of Mission with local political guidance and ensures coordination with other EU actors as well as relations with host state authorities¹⁹.

Through its Special Representative, the CFSP has achieved a clearer visibility and identity on the ground. Moreover, the EUSR helps to assure the coherence and the complementarity of the different ESDP actions in DRC. More specifically, with his long experience in the region, Aldo Ajello acquired diplomatic credence and an extensive network. This permits him to contribute in the resolution of tensions between different actors involved in the DRC crisis or to facilitate international initiatives and negotiations. He also has excellent formal and informal contacts with the European Commission Delegation, which helps in a better coherence between first and second pillar actions. Extended several times, the mandate of the EUSR runs until 28 February.

¹⁶ 14 in the core team, 36 long term observers, 66 mid term observers and 170 short term observers.

¹⁷ Council Joint Actions 96/250/CFSP-25 March 1996; 2003/447/CFSP- 8 December 2003; 2004/530/CFSP-28 June 2004; 2005/586/CFSP-2 February 2005 and 2006/122/CFSP-20 February 2006. Salary and expenditures of the EUSR and his staff are financed through the CFSP budget.

¹⁸ Previously, until 2002, the Organization for African Unity (OAU).

¹⁹ See the Joint actions.

2.2.2. ESDP Operations in the DRC

Since 2003, the EU has launched 4 ESDP missions in the DRC: two military operations (ARTEMIS and EUFOR RD Congo) and two civilian missions (EUPOL Kinshasa and EUSEC RDC). As was outlined in the 2003 EU Security Strategy, these missions have been developed in close synergy with the UN, underpinning the concept of “effective multilateralism”.

- ARTEMIS²⁰

In Ituri, following the retreat of the Ugandan army in May 2003, the humanitarian and security situation in Ituri district (North-Eastern DRC) fundamentally degraded with heavy fighting between Hema and Lendu militia. The small contingent of MONUC troops had neither the resources, nor the mandate to stabilize the situation and was overwhelmed by the increase of violence. In May 2003, the UN Secretary-General appealed to the Security Council and asked for the deployment of a well equipped Interim Emergency Multi-national Force (IEMF), headed by a member state, to quell the violence. France indicated its readiness to deploy a force and acquired support from a number of EU states. On 30 May 2003, the EU received a UN mandate for the IEMF, through resolution 1484(2003). The mandate allowed for the IEMF to: contribute to the stabilization of the security conditions and the improvement of the humanitarian situation in Bunia, to ensure the protection of the airport and the internally displaced persons in the camps in Bunia and, if the situation required it, to contribute to the safety of the civilian population, United Nations personnel and the humanitarian presence in the town”. The mission, with France as framework nation²¹, was launched on 12 June 2003 and ended on 1 September of the same year, handing back full responsibility to MONUC.

The specific importance of ARTEMIS was that:

- ✓ it had a positive impact on the DRC peace process. The conflict in Ituri (which indirectly involved the major national and regional protagonists in the DRC conflict) risked derailing the peace process. The timing of this operation was crucial since the Transition was launched on 30 June 2003.
- ✓ it allowed MONUC the necessary breathing space to critically augment its capacity on the ground and its mandate²² and thus maintain the UN’s credibility in the peace process (particularly important in the context of Rwanda 1994).
- ✓ it was the first autonomous EU military operation outside Europe, not relying on NATO or other assistance, and was thus a fundamental breakthrough for ESDP.

ARTEMIS was a high risk, high profile, politically important mission that set the stage for future ESDP developments, both in Africa and beyond.

Nevertheless, Ituri remained unstable following the retreat of Artemis and the handover to MONUC. A major cause was the slow DDR process. The impact of the massive human rights violations in the district necessitated a focus on the justice sector. Maintaining an engagement in Ituri, the European Commission and the French cooperation financed the progressive restoration of the penal justice in Bunia from 2004 to 2006. In June 2006, the European Commission decided to enlarge the first program with a contribution of 7.9 millions Euro to a global fund of 11.5 millions Euro, in collaboration with the Netherlands, the UK and Belgium.

²⁰ Council Joint Action 2003/319/CFSP – 8 May 2003.

²¹ In accordance to the EU Framework Nation concept (24 July 2002). As framework nation, France provided the bulk of the troops, the operational HQ (CPCO Paris) including the Operation Commander as well as the Force Commander. Other troop contributing countries were: the UK, Belgium, Sweden, Austria, Germany,.. ; from outside the EU, Brazil, Canada and South Africa also contributed.

²² UNSC 1493 (2003).

This program, known as REJUSCO, will reinforce the whole chain of penal justice with support to the police, the judicial institutions (including the prisons), the justice actors (judicial police, magistrates, legal defense, penitentiary officers) and the 'clients' of the justice system (witnesses, victims, the accused).

- EUPOL Kinshasa²³

The Pretoria Agreement of 17 December 2002 and the Memorandum on Security and the Army of 29 June 2003 provided for the establishment of a specialized unit of the Police Nationale Congolaise (PNC): the Unité de Police Intégrée (UPI), to ensure the protection of the transition institutions and to reinforce the internal security apparatus. In December 2003, the Political and Security Committee (PSC) agreed to support the establishment of the UPI. The UPI project followed a three-strand approach: technical assistance and rehabilitation of a training centre and the provision of basic operational equipment; training of the UPI and the deployment phase with follow up; monitoring and mentoring of the concrete implementation of the UPI's mandate after the initial training phase.

The first and second stages were the responsibility of the Commission, (with a Community approach) and were financed through the EDF (6 million Euro). The Members states contributed for 2.3 million Euro, in cash and in kind (weapons and law enforcement equipment). The CFSP filled in the gap of 585,000 Euro needed to buy some missing equipment (arms, grenades and ammunition). A total of 1,050 UPI officers and 40 Congolese trainers were formed. The official Community aspect of the mission ended on 30 April 2005. Through the Rapid Reaction Mechanism (RRM)²⁴, the Commission also financed the rehabilitation of the operational base of the UPI, in Kinshasa, for 1.05 million Euro.

The Council implemented the third stage with an ESDP mission called EUPOL-Kinshasa. The mission was approved on 9 December 2004. EUPOL-Kinshasa, which accompanied the deployment phase of the UPI, had to ensure that the UPI acts according to the training standards received in the training centre as well as according to international standards and best practices in the field.

Initially the EUPOL mission comprised 29 international staff and police officers headed by Commissioner Custodio. The contributing countries include France, Italy, Portugal, Sweden, the Netherlands and Belgium, as well as two invited nations, Canada and Turkey. Partially pre-deployed in the DRC since the 3rd of February 2005, the EUPOL-Kinshasa mission was officially launched on 12th of April 2005²⁵. The EUPOL observers already deployed in Kinshasa participated at the specialized trainings given to UPI policemen, which ended in June 2005. Since July 2005, the EUPOL mission also participates in the census and recording operation of the PNC members led by South Africa and, since January 2006, the EUPOL mission is part of the reflexion Group on the PNC reform and reorganization. The EUPOL mission also contributes, since March 2006, to the UPI continued training.

Extended on 21 November 2005, until the 30 April 2006, the mission was also charged to reinforce the link with the EUSEC RDC mission in the SSR field. In April 2006, EUPOL was

²³ Council Joint Action 2004/847/CFSP-9 December 2004; Council Joint Action 2005/822/CFSP-21 November 2005; Council Joint Action 2006/300/CFSP-21 April 2006; Council Regulation N° 381/2001 – 26 February 2001 creating a RRM.

²⁴ The Rapid Reaction Mechanism was created in 2001 to allow the Community to respond in a rapid, efficient and flexible manner, to situations of urgency or crisis posing a threat to law and order. The UPI policemen, who had finished their training, had indeed no place to stay and became a threat to order. Council Regulation N° 381/2001 of 26 February 2001, creating a rapid-reaction mechanism.

²⁵ During the launching ceremony on 30 April, SG HR Solana and Commissioner Michel were both present in Kinshasa. This ceremony officially ended the Community action.

reinforced for the duration of the elections in the DRC, with 29 police officers, including 2 policemen from Mali and 13 from Angola. EUPOL Kinshasa became a police coordination support element that had to ensure an enhanced and coordinated response of the Congolese crowd control units in Kinshasa, in case of disturbances during the electoral period²⁶. Currently the mission has a mandate which runs until 31 December 2006.

The setting up of the operation took a long time, in spite of the fact that only a small number of personnel were deployed. When EUPOL-Kinshasa was entirely deployed, nearly 15 months had passed since the first declaration in favor of EU involvement in the reform of the police. The delay in implementing the final component of the projected reflects internal disagreement within the EU about the form the project should take. Moreover, an 'inter-pillar' different institutional concept had an impact on the decision-making process and the time schedule. On the one hand, the Commission was favorable to a small mission, with a longer-term involvement. On the other hand, the Council favored a crisis-management approach, which means a rapid response. Finally the two initiatives were developed in close sequence. On the field, technical and political difficulties slowed down the development of the project. The Congolese government had difficulties in finding and to assemble a sufficient number of policemen, at the end of the program, put an operational base at UPI's disposal. Once identified, this base needed to be refurbished.

Initially, the mission had a CFSP budget of 4.370 million Euro. In April 2006, because of the temporary reinforcement of EUPOL Kinshasa for the electoral process, the budget was extended with 3.5 million Euro. Moreover, EUPOL is authorized to use dedicated bilateral financial contributions in order to procure additional equipment for Congolese crowd control units in Kinshasa. Specific financial arrangements are agreed directly between the Head of Mission and the bilateral contributors.

The EUPOL action has been limited to one, small, unit of the DRC police. The PNC has now to coordinate and to organize his units, those formed by the donors (UPI, PIR) as well as those not trained by the donors. More globally, further thought needs to be given to the setting up of a coherent police organization and a professional police staff in DRC. Nevertheless, the UPI has shown, during demonstrations in Kinshasa, calm and professionalism in crowd management.

- EUSEC RDC²⁷

EUSEC, launched on 2 May 2005, is a small scale SSR advisory mission in support of the FARDC. Experts deployed in the EUSEC mission are assigned to crucial positions within the Congolese administration²⁸.

The concept of an EU advisory mission on SSR was launched, at the end of 2004, by France and Belgium in a joint non-paper to the PSC. The need for an additional effort of the international community in the field of SSR had at that time become increasingly apparent, as the progress in the reform of the security sector had been very slow²⁹. The efforts of the international community to meet the desired objective to create a total of 18 integrated brigades had to be reinforced. The first mission of EUSEC is to deliver technical expertise on

²⁶ *The reinforced EUPOL mission leads a council and assistance action on two levels: i) on the level of the decision centers of the PNC, the Centre National des Opérations de l'Inspection Générale and the Centre Provincial de l'Inspection Générale; ii) on the level of the riot police units in the capital, including the Police d'Intervention Rapide (PIR), the Groupe d'Intervention Mobile (GMI) and the Unité de Police Intégrée (UPI).*

²⁷ *Council Joint Action 2005/355/CFSP – 2 May 2005.*

²⁸ *Including the Cabinet of the Minister of Defense, the FARDC General Staff, Conader, etc.*

²⁹ *The main effort at that time consisted of a Belgian initiative to train the 1st integrated Brigade in Kisangani 'operation Avenir'. France and Luxembourg participated in this initiative.*

command and control, budgetary and financial management, training, accountancy and dealing with contract and tenders. In this context, the Commission decided to refurbish the 'brassage'³⁰ centers in Luberizi and Kisangani. As is stated in the Joint Action, the Head of Mission has to act in coordination with EUPOL Kinshasa so as to ensure that the two missions are consistent with the broader context of EU activities in the DRC and to act in coordination with the Commission delegation.

In 2005, a second mission has been confided to EUSEC: 'EUSEC FIN' which is a project aimed at setting-up a chain of payment system for the FARDC. This chain of payment program was launched on 1 December 2005 and targets one of the key weaknesses of the FARDC: the embezzlement of a considerable part of the soldiers' salaries and the issue of ghost soldiers as an important source of corruption. Since most soldiers are hardly or not paid, they are also forced to live on the civilian population, which limits their operational capacity. The basis of the EUSEC FIN project is to separate the payment chain of the command chain. In practice it has to simplify the payment procedure of the salaries and reduce the risk of embezzlement of funds. The program is the result of an audit of the chain of payment system executed by EUSEC in August 2005. EUSEC FIN involves the deployment of a number of international advisors in the chain of payment system, down to brigade level units. This part of the EUSEC program received authorization for 18 months.

Besides the payment of the soldiers as such, another important issue limiting the success of army integration so far, has been the lack of programs targeting the families of the soldiers, which are often left to their own devices. In order to deal with this issue the European Commission is involved in improving living conditions of the FARDC and their families through the funding of 'flanking measures'.

In the spring of 2006, EUSEC also developed a wider framework document for SSR in the DRC, based on the general SSR concept developed by the OCDE. EUSEC proposes a cooperation strategy at the multinational level in order to improve co-ordination between the donor community and to avoid blind spots.

A major success for EUSEC has been to occupy a strategic position within the different actors involved in the reform of the Congolese security sector. This has allowed the mission to quickly react in order to avoid blockages and to exploit opportunities for action. EUSEC has succeeded in maintaining the confidence of the Congolese authorities in this very sensitive domain. One of the major weaknesses in SSR and DDR in the DRC has been the high number of national and international actors involved. The main difficulty has been the adequate coordination of these efforts in order to avoid some of the Congolese actors to exploit the different accents advanced by some of the bilateral actors. Problems also appeared in the lack of compatibility of some material offered by the donors.

The EUSEC mission received 1,600,000 Euro of the CFSP budget from May 2005 to May 2006, 1.840 million Euro for the Chain of payments project and an extension of 4.750 million Euro until June 2007.

- EUFOR RD Congo³¹

On 27 December 2005, the UN (DPKO) launched a request to the EU for assistance in securing the DRC elections. The Council approved the Concept of Operations for the EUFOR mission on 23 March 2006 and, on 25 April, the UN SC adopted Resolution 1671 (2006)

³⁰ *Brassage is the process of mixing and integration of the different Congolese armed groups.*

³¹ *Council Joint Action 2006/319/CFSP – 27 April 2006.*

authorizing the mission. The EUFOR mission is a further step in the relationship between the EU and the UN.

EUFOR RD Congo is deployed in support of MONUC during the electoral period. It consists of an advance force deployed in Kinshasa, a reserve in Gabon and an over the horizon reserve based in Europe. The mission was launched on 12 June 2006. It had to intervene in Kinshasa (together with MONUC) following the clashes between Bemba and Kabila supporters between 20 and 22 August. These incidents were an important threat to the electoral process as both Kabila and Bemba are the candidates that will face each other in the second round of the elections.

The decision on the deployment of EUFOR RDC has met considerable delays, as there was some difficulty in finding a framework nation. The needed capability in command and control facilities excludes the majority of EU member states. Only France, the UK and Germany can offer the HQ facilities to lead a multinational force. Since both the UK and France were not available, only Germany was able to perform this task – putting the country in a difficult position.³² In Berlin, there was some uneasiness on different aspects of the operation, reflecting general political considerations of deploying the German armed forces for foreign operations as well as about the possible agenda of some leading EU states towards the DRC and Central Africa. The reinforcement of the current Civilian-Military Cell, operating within the Council to a more developed and permanent operational HQ would be a possible solution to avoid such delays in the future. It would also reinforce the identity of the ESDP.

2.3. The member states

A number of EU member states have a history of longstanding presence in the DRC. These include Belgium, (the former colonial power); France and to a lesser degree the United Kingdom and Portugal (through the prism of its political interests in Angola). Other EU member states, such as the Netherlands, have become increasingly involved in the region.

A crucial development in reinforcing the position of the EU in Africa was the Franco British summit in Saint Malo on 4 December 1998. The joint visit to the Great Lakes Region by Ministers Straw and Vedrine in January 2002 can be considered of important strategic and symbolic value. This visit and the ‘spirit of Saint Malo’ opened the possibility for both France and the UK to influence and exert pressure on the countries in the region with which they had a ‘privileged’ relationship. Saint Malo was followed by a number of other summit meetings where France and the UK pledged increased cooperation on African affairs, such as the Touquet summit on 4 February 2003 and the summit in November 2003 at Lancaster House. The communiqué of the Touquet summit made special reference to the joint effort to reconstruct a national army in the DRC as well as to the role of Franco-British cooperation as a driving force for the EU³³.

The rising investment by the EU has been combined by an increasing investment in the DRC by different of its member states. This rise has been particularly important for the UK, where DFID started from 5.6 million £ in 2001 to 62 million £ in 2006-7³⁴. A large part of UK spending has gone to the CEI.

Belgium has taken the lead in the international efforts for SSR of the FARDC and has been joined by the Netherlands and the UK. France continues to play a considerable role in

³² *The HQ debate is also reflected in S. BICSOP, NATO, ESDP and the Riga Summit: No Transformation without Re-Equilibration, in Egmont Papers 11, Royal Institute for International Relations (IRRI-KIIB), Brussels, 2006.*

³³ http://www.ambafrance-uk.org/article.php3?id_article=4972

³⁴ <http://www.dfid.gov.uk/countries/africa/congo.asp>

supporting the PIR. Within the EU, both France and Belgium have been actively engaged in maintaining the DRC and the wider region on the EU agenda. In 2001, when Belgium occupied the position of EU President, a number of initiatives in this regard were taken. The most visible was the joint mission in November 2001 of Louis Michel, Solana and EU Commissioner Chris Patten. Concerning the FARDC, Belgium is also taking the lead in the plan to deliver equipment to the integrated brigades.

France, has played a central role in the DRC, especially through its position in the UN Security Council and the EU. The focus on multilateral engagement has been supported with a rather limited but focused bilateral engagement (i.e. in the police sector). French personnel is well represented in the ESDP missions in the DRC. In the case of Artemis, both the French policy objectives as well as its policy objective on the reinforcement of the ESDP have been combined. In addition, for different reasons, an operation in that area under the French flag would have been complicated as it would have been exploitable in the context of the French engagement in the region at the beginning of the 90's (Rwanda and Turquoise).

The Netherlands have been especially active in the fields of DDR and SSR, where they are the single biggest donor to the regional MDPF fund. They have also supported with financial aid the South African efforts at SSR, particularly in the eastern part of the country.

Most of the aforementioned EU countries are also involved in the different coordination mechanisms that have been established on the DRC, (such as the contact group) and have a (small) contingent within MONUC.

The Head of Mission meetings (HoM's), regularly held in Kinshasa, in presence of the Head of the European Commission Delegation, offer the occasion for the EU member states to elaborate a common position and to speak with one voice on sensible subjects in presence of the Congolese government and the other member of the international community (i.e. in the case of CIAT).

3. COORDINATION AND COHERENCE OF EU POLICY IN THE DRC

Within the EU Institutions, a high number of actors is implicated in the policy development and decision making procedures in the framework of the EU external action. This includes both first pillar actors as well as the different structures that have been developed in the framework of the second pillar: CFSP and ESDP. The Commission is fully involved in the CFSP decision-making process. It is of particular importance because of its financial resources (it also manages the CFSP budget), including development cooperation, and of the extensive network of Commission Delegations. The Council disposes of a rather limited administrative structure around the SG-HR. The member states, through COREPER, the PSC, CIVCOM, the EUMC and the multitude of Council working groups maintain a firm hand in the decision making process. Moreover, the national officers work more closely together than before. As Duke and Vanhoonacker state in their study on the administrative governance in the CFSP, there is an increasing socialization of the Brussels based actors in CFSP³⁵. This is a result from the regular coordination meetings between an increasing number of Brussels based diplomats.

The PSC (the central organ within the CFSP) prepares the decisions for the GAERC and executes the overall political and strategic control of both civilian and military crisis management operations³⁶. The Commission is fully involved in the deliberations of the PSC.

³⁵ DUKE S. and VANHOONACKER S., *Administrative Governance in the CFSP*, in *European Foreign Affairs Review*, vol. 11, Issue 2, Summer 2006, p. 163-182.

³⁶ *In this capacity it is supported by CIVCOM or the EUMC.*

Administrative, financial and legal decisions are made by the RELEX-counselors who meet regularly. The Head of Mission³⁷ or the Force Commander assures the day-to-day management of these missions. Formally, this mechanism ensures coordination between the operational and financial actors involved in ESPD missions in Brussels. The coordination between both pillars at the strategic level, is also informally strengthened by the regular contacts between the SG/HR (and his collaborators) and the Development Commissioner. This direct information flow permits to gain time and efficiency.

As is demonstrated by the development by the Commission and the Council of separate SSR concepts, both the Commission and the Council start out from another strategic perspective. For the Commission the long-term involvement is of central importance, putting good governance and transparency at the center of preoccupations. The Council is more operationally driven, with an immediate interest for stabilization and thus rapid reaction. The concrete reality encountered in the DRC brought both strategies together, allowing for the development of more efficient actions.

On the field, the Delegation in the DRC plays an important role of support and coordination, filling an operational gap, in informing the missions or in participating actively to the Heads of Mission meetings and within the CIAT. The coordination between the EU Institutions on the field is less structural than between the actors in Brussels and depends mainly on the personal contacts between the actors (i.e. contacts between the EUSR, the Commission Delegation and the different Heads of Mission). In the particular case of the DRC, this informal coordination demonstrates its strength, and is likely to be enhanced by the good coordination in Brussels. Nevertheless it remains vulnerable, since it does not depend on structural organization, the replacement of one or more actors could change these relations.

Currently, the EU is examining proposals to strengthen the operational structures in the theatre of operations. This includes issues such as the 'double-hatting' of the EUSR, as head of both the ESDP as well as the Commission activities. This EU discussion is somewhat parallel to the discussion in the UN on the position of the SRSG and the UN Resident Coordinator. Such a double-hatting within the EU system was achieved in Macedonia where it became clear that this also has its drawbacks. A solution could possibly be found in the addition of one or several deputy EUSR's. Other ideas would involve a leading role for the Presidency in SSR, but not all 25 member states have the resources to match such an additional task and it would add an additional challenge since the presidency's rotate each 6-months.

Another potential problem is the lack of common analysis at the EU level. Both the Commission and the Council produce their analyses, based on different sources. In the particular case of the DRC, due to the positive contacts between the different players, this seems less of an issue. Even so, the issue of a common 'situational awareness' is of key importance for ensuring coherence across the policy domains, as is the need to functionally link the crisis management capacities of the 2nd pillar with the longer-term competences of the Community, especially in post-conflict reconstruction. The governance Compact on the DRC could be an important tool for this.

³⁷ *The Head of Mission signs the employment and a mission implementation contracts with the Commission.*

CONCLUSION

During the last 5 years, the role of the EU in the DRC has continuously broadened. From a major actor in development cooperation, the EU has become a major player in an increasingly wide range of domains, including security. Besides a renewed cooperation since the political opening in 2001, this evolution reflects the huge advances in CFSP and ESDP since 2003. With 4 ESDP missions that cover a wide range of capabilities, the EU involvement in the DRC can be considered an important new step in the strengthening of the EU-Africa relationship.

Currently the EU, combined with its member states, is by far the biggest player in the DRC. The regional impact of the decade of conflict in the DRC had negative spillover effects in the wider region. This regional nature of the Congo conflict demonstrated the need for cooperation between EU countries. The Saint Malo meeting was of great political value in this respect as it brought the French and British closer to each other on the African forum. As is generally agreed upon, the multitude of challenges and threats emanating from fragile or failing states, non-state groups and transnational issues, such as crime and terrorism, require the need for an agile and multi-faceted response. Furthermore, there is an increased perception on the need for reinforced coherence and coordination between policy areas.

As Marta Martinelli states in her recent study on EUPOL³⁸, the variety of instruments available to the Union allow it to play a significant role throughout the life cycle of a crisis, before the crisis with conflict-prevention, during a crisis through its crisis-management tools, such as military deployments, diplomatic pressure and humanitarian intervention and after the crisis with long-term development and peace-building policies.

Through the CFSP/ESDP (with its limited financial means) and the involvement of the Member States, the EU can ensure that rather short-term objectives are achieved whereas Community tools and instruments can ensure that EU intervention is framed within the parameters of long-term objectives.

The facts about the EU intervention in the DRC indicate a large degree of common interest between the EU institutions and the bilateral policies pursued by the different member states. Since security is a major precondition, a central aspect of the EU effort (and the effort of several member states) has been and continues to be focused on SSR. The experience indicates a common purpose between actions pursued by the Commission and the Council: this includes the Commission financial support to the flanking measures identified by the EUSEC mission, the justice project in Ituri district following the ARTEMIS operation and, especially, the EUPOL Kinshasa mission, following the training of the UPI through a Commission financed project.

³⁸ MARTINELLI M., *Helping Transition: the EU Police Mission in the DRC (EUPOL Kinshasa) in the Framework of EU Policies in the Great Lakes*, in *European Foreign Affairs Review*, vol. 11, Issue 3, Autumn 2006, p. 379-400.

ANNEX: THE FINANCING OF THE EU MISSIONS IN DRC:

	Responsible Institution	Invested funds (Euro)	Funds origin
Dev. Coop.	Commission	780 million (ongoing projects)	Commission/EDF
Electoral process	Commission	165 million	Commission/EDF
Election obs. Mission	Parliament	9.4 million	Commission/EIDHR*
Artemis	Council/CFSP + Commission	– 7 million – 46.58 million (estimation for France)	– Common costs (“ad hoc” fund) + other Member States (“costs lie where there fall principle”)
Ituri/justice		– 7.9 million	– Commission (REJUSCO)
EUPOL Kin	Commission + Council/CFSP	– 6 million + 1.05 million – 2.3 million – 585,000 + 7.87 million	– Commission + RRM – Member States – Council/CFSP
EUSEC RDC	Council/CFSP + Commission	– 6,591,600 – 800,000	– Council/CFSP – Commission (“flanking measures”)
EUFOR RDC	Council/CFSP	– Total: 60 million (including common costs: 16.7 million)	Athena mechanism

* European Initiative for Democracy and Human Rights

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