

## **Elections, Instability and EUFOR Recommendations for Securing the Peace in the DRC**

The Democratic Republic of the Congo, (DRC), has witnessed the second round of voting in its historic election, the first in more than 40 years with any claim to democratic legitimacy. Procedurally the election process has gone well, considering the massive logistical, political and security hurdles faced by the Independent Electoral Commission, (CEI). The overall turnout, in this second round, was less than had been hoped: 65.36% of registered voters. Election observers have blamed this on heavy rain in the west on voting day, a lack of voter education coupled with a reduction in voter enthusiasm for the second round, with a significant percentage of the population having voted for alternative candidates in the first round, a lack of security played a role in parts of the country.<sup>1</sup> It has been announced by the CEI that President Kabila has received 58.05% of the vote, with Jean-Pierre Bemba attaining 41.95%. The east-west divide in the country, has been evident in voting trends, of the current 11 provinces, President Kabila held the 5 eastern/southern provinces and Jean-Pierre Bemba the 6 western provinces. The latter has refused to accept the results, alleging massive electoral fraud had been committed.

The run up to the election and its immediate aftermath has been plagued by unrest across the country, belying the relative calm of the Election Day itself: protests by demobilised militiamen, particularly in Equateur, have created significant security



**Spanish EUFOR troops in Kinshasa**  
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problems; there have been heightened threats from foreign armed groups in Ituri and the Kivus;<sup>2</sup> there has been significant election related violence in Kasai, Equateur, North Kivu and Ituri. The effect of this has been to place further pressure on the already overstretched United Nations Organisation Mission in the Congo, (MONUC), forces, which have had to deploy reinforcements to Equateur and to request assistance from the Armed Forces of Democratic Republic of the Congo, (FARDC). Incidents of civil unrest have been frequent in Kinshasa, with

Bemba's supporters venting their frustrations. However, only one serious outbreak of violence occurred, on Saturday the 11<sup>th</sup> of November, when a confrontation between the Police and Bemba supporters drew in Bemba's bodyguard, resulting in a major fire-fight

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<sup>1</sup> FEWER interviews with EU, South African and Congolese election observers, Kinshasa October/November 2006.

<sup>2</sup> The FDLR have recently clashed with the FARDC in both north and south Kivu and with the Mai Mai in North Kivu, Ugandan Forces are reported to be massed on the Congolese border with Sudan in numbers up to 2000 troops, and are currently occupying the town of Kengezi, with FARDC forces deploying nearby. There is also some concern, alongside numerous rumours, of a Rwandan incursion into South Kivu, which have been escalated by President Kagame's recent statement promising retaliation if attacked. UN Sources, FEWER interviews with partner organisations.

in central Kinshasa involving automatic weapons and mortars. MONUC is due credit for having maintained the communication channels opened after the August fighting and swiftly managing to calm the situation. Subsequent demonstrations between Bemba supporters and the Police have seen MONUC position themselves as a buffer between the two sides to prevent a repeat of Saturdays fighting. Ironically, despite his apparent loss, Bemba is to some extent in a better position than he was after the first round with the west of the country having mobilised behind him for the election, as Union for the Nation spokesperson the Reverend Ngoy, has stated “I supported Bemba because he is not Kabila. People didn't vote for Bemba in the election. It was against Kabila”.<sup>3</sup> Bemba has increased his power base in the west considerably.

The current state of affairs is extremely tense and volatile, both the Republican Guard, (former GSSP), and Bemba’s bodyguard are heavily armed and, according to sources in MONUC and local observers in Kinshasa, have continued in the period between the first and second round of elections to prepare for a military solution in Kinshasa.<sup>4</sup> It is vital that a suitable deterrent to renewed fighting remain in place, particularly in Kinshasa, which remains the most explosive part of the country.

### Current Security Threats in Kinshasa

MONUC, EU and diplomatic personnel as well as analysts and observers have identified a number of potential threats in the coming months:

- Firstly the prospect of renewed fighting between the Republican Guard and Security Services and Bemba’s bodyguard. The allegiance of FARDC’s integrated battalions are not known, but there is a fear that integrated soldiers loyal to Bemba may refuse to fight, or even join Bemba’s side, fomenting a split in the FARDC in Kinshasa. While most observers believe a confrontation in Kinshasa will only last a matter of days,<sup>5</sup> it could have wider ramifications, including civil war. MONUC’s worst case scenario is that Kabila will be forced to establish his government in Katanga and that Bemba would set up a rival administration in Kinshasa.<sup>6</sup>



MONUC forces outside Bemba’s Residence, Kinshasa  
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- Secondly the prospect of wide-scale civil unrest in Kinshasa remains high with the threat remaining well after the inauguration of the new president (scheduled for 10 December). Aside from the wide-spread hostility to the Presidential Camp from much of the population of Kinshasa, the rising commodity prices as a result of inflation and the current fiscal crisis may prove to be mobilising factors for wider unrest. Some diplomatic sources are also concerned that the high expectations of parts of the population will not be met leading to rising public anger, “there is an unrealistic view amongst a large portion of the population that the answers to their problems will come with the new president, but the

<sup>3</sup> Reported in McGreal Chris, “We need the roads, hospitals and schools fixed”, the Guardian 16<sup>th</sup> November 2006.

<sup>4</sup> One local NGO claims to have eye-witness accounts and statements from civilians who have taken part in processing arms shipments into Kinshasa for the GSSP.

<sup>5</sup> FEWER interviews with MONUC Security and Senior Advisor to President Kabila, October and November 2006.

<sup>6</sup> FEWER Interview, MONUC official, Kinshasa, November 2006.

fundamental problems in the country will take decades to fix”.<sup>7</sup> The government is currently in a major fiscal crisis, and while a life-line is urgently being negotiated, the post-transition government is unlikely to be in a position to begin addressing the concerns of the populace, whether in Kinshasa or elsewhere, in the near future.

### **EUFOR**

EUFOR is comprised of soldiers from 21 EU nations, and Turkey, currently approximately 1000 EUFOR troops are currently in the DRC.

EUFOR remains by a large degree the best equipped and trained military force in the DRC. It has a massive operational and psychological advantage over the FARDC, the Republican Guard and MONUC. Like MONUC, EUFOR is widely perceived, in Kinshasa, to be partial towards the Presidential camp, a local NGO activist stated, “EUFOR is there to protect Kabila, because the EU has commercial interests in the Congo because of Kabila”.<sup>8</sup> A statement from a prominent Human Rights NGO, La Voix des Sans Voix claimed, “since the beginning, EUFOR was perceived by the population as more support from the Europeans to the incumbent President Joseph Kabila, aiming "to legitimise", at all cost, his power through "elections"”.<sup>9</sup> However, according to Lt Colonel Fusulba, the EUFOR spokesman, “After the fighting between the 20<sup>th</sup> and 22<sup>nd</sup> of August the assessment of the general population changed as a result of EUFOR’s intervention to protect Bemba”<sup>10</sup> What both the critics of EUFOR and its defenders appear to accept, is that EUFOR is a powerful dissuasive force to a return to conflict in Kinshasa, and remains “the only force that the GSSP are afraid of”.<sup>11</sup>

The existing mandate of EUFOR concludes at the end of November. Currently, a four to six week phased withdrawal is anticipated, leaving EUFOR with operational capacity until mid-December. However EUFOR lacks sufficient rules of engagement beyond the end of its mandate, which urgently needs to be remedied before the close of November, after which it will be restricted to self-defence and protecting civilians. The more robust action required, for example to intervene in the form of a buffer between protagonists that MONUC has conducted, will be beyond its mandate. EUFOR has, to date, essentially fulfilled its mandate of helping to create a secure environment to allow elections to take place. In the event of a serious deterioration of the situation after the end of the EUFOR mandate, a new mandate will have to be arranged in Brussels, and in effect a new EUFOR mission will have to be constructed.

The withdrawal of EUFOR will create a security vacuum in Kinshasa, in which the military capability of international community will be severely reduced during what is one of the most volatile periods in Kinshasa’s history. While its mandate may have been technically fulfilled by November, the outcome of the electoral process is likely to be threatened if not destroyed if a military solution is sought by either or both parties. While a new mandate may be issued in the event of a serious outbreak of violence, it is likely to take a considerable period of time before a new mandate; new rules of engagement and a new deployment could take place.

### **Recommendations for EUFOR**

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<sup>7</sup> FEWER Interview, SADC diplomat, Kinshasa, November 2006.

<sup>8</sup> FEWER interview, Congolese NGO, Kinshasa, November 2006.

<sup>9</sup> “Controverse sur la presence de L'EUFOR a Kinshasa/RD Congo” Communiqué de Presse N°062 bis/RDC/VSV/CD/2006, La Voix des Sans Voix pour la droits des hommes, 13th November 2006.

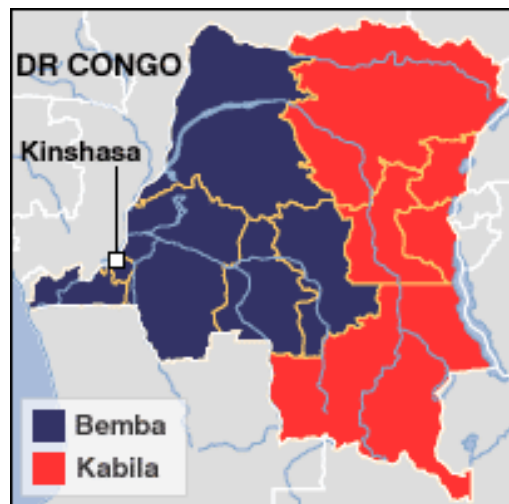
<sup>10</sup> FEWER interview, Lt-Colonel Fusulba, Spokesperson for EUFOR RD Congo, Kinshasa, November 2006.

<sup>11</sup> FEWER Interview, FARDC Colonel, Kinshasa, October 2006.

- EUFOR’s mandate should be extended until April, in order to ensure that the current crisis is resolved in a peaceful manner, to help curb the threat of civil unrest in Kinshasa in the weeks following the election result, and to help provide an environment of security for the establishment of a new government.
- In the event that a mandate extension is politically unacceptable for certain nations, a reduced EUFOR presence should be kept in Kinshasa with operational capacity to support MONUC and as a focal point to reinforce if required.
- In the event that a complete pull-out is unavoidable, an opt-in clause should be negotiated, allowing EUFOR to rapidly deploy again. Alternatively a delay of the withdrawal timetable could provide at least some support from MONUC, a phased withdrawal over 10 weeks could provide a functional EUFOR force in the DRC until the end of January while appeasing European public opinion. It is also vital that EUFOR remains robust in its responses to challenges to the peace, particularly as announcements of its impending withdrawal may be perceived as a weakening of its resolve.

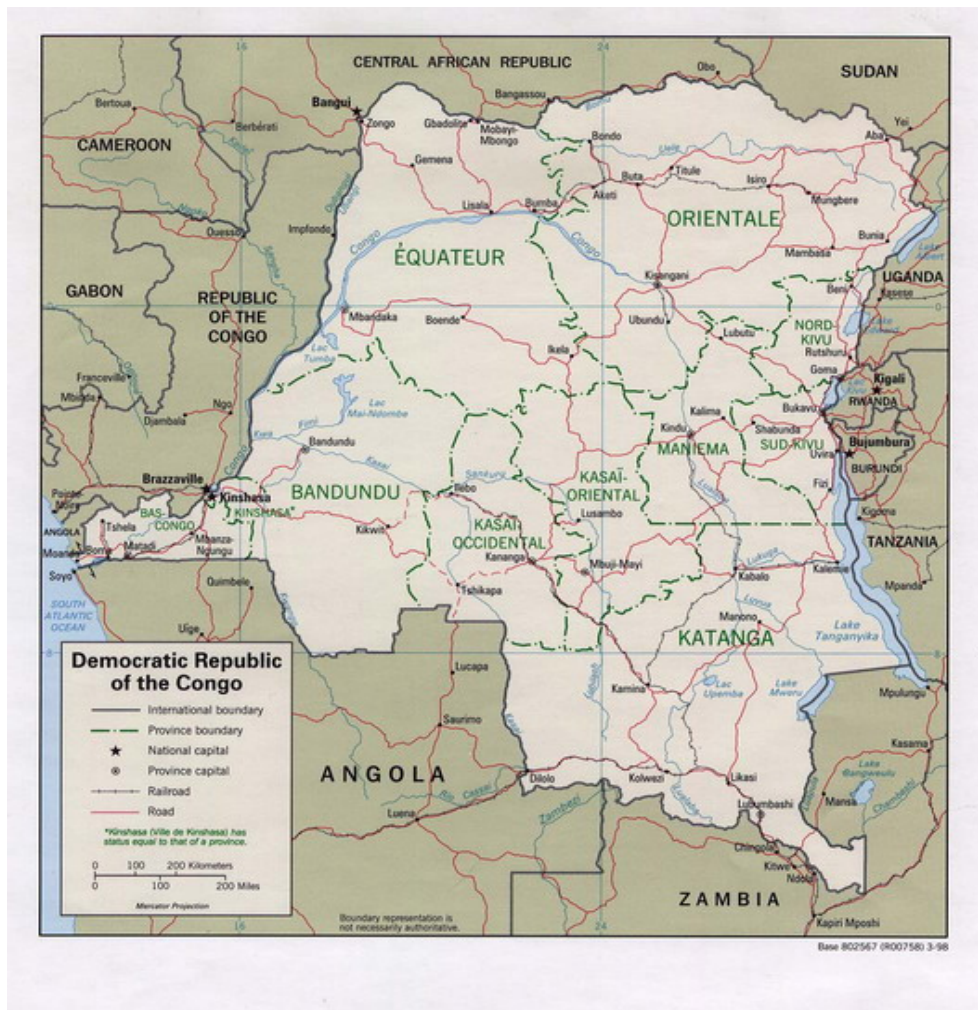
In essence the EUFOR mission will only be deemed a success if the elections their mandate sent them to secure produce a government that is secure. If this does not occur because of a over-hasty withdrawal, EUFOR’s mission will be deemed a failure and the Congolese people will pay the consequences for it.

#### Map Indicating Provincial Support for the Presidential Contenders



British Broadcasting Corporation, 2006

## Map of the Democratic Republic of the Congo



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