



IPI SRSG Series

“Strengthening the Protection of Civilians in the Democratic Republic of the Congo (DRC): The Role of the United Nations”

Chair:

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Speaker:

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Edward C. Luck:

Welcome everyone to IPI and to the Trygve Lie Conference Center. We're delighted to continue our longstanding series of SRSG speakers. As you know, the SRSGs do, in many ways, do the work of the UN, and no place is that needed more, obviously, than in the DRC.

We're delighted that we were able to capture Alan Doss, now that he's in New York for the moment. As you know, he has one of the toughest jobs. It is sometimes said that the Secretary General has the toughest job in the world, but I think he actually delegates the toughest jobs to good people like Alan. Clearly there's nothing harder than trying to bring order and justice and stability and respect for human rights in the DRC. He has a background very strong in the UN for many years in the Secretariat, particularly in UNDP. He has served in a number of capacities in Africa, including Liberia, Sierra Leone, and I believe Côte d'Ivoire at one point. He has an ability to explain the unexplainable and to keep at least some sense of optimism in the face of enormous trials and tribulations.

As you know, the DRC is much in the news. There is a very recent report from Human Rights Watch on the humanitarian problems, particularly in the east. I'm sure none of this comes as a surprise to Alan. He has agreed to talk about protection of civilians, and we thought this was a good idea long before this particular piece came out, but if you haven't heard Alan, you're in for, I think, a very good couple of hours. He's going to make, I think, a fairly informal statement, and then we'll be open for questions and answers and comments if the comments are short. They can be pointed, just short, because there are a lot

of people here and time is limited. I will say that this session is on the record. We appreciate Alan's willingness to go on the record. I'm not sure with this large a group how you have any other choice, but he was kind enough to agree to that, and our SRSG series is normally off the record, but we've decided more and more we'd like to keep these kinds of sessions on the record.

I apologize for those of you who don't have a seat, but I think this is something worth standing room only. So thank you all for coming, and thank you particularly Alan for giving us your time, and I know your time is limited in New York, and particularly for being willing to speak to so many people and to do so on the record. So with that, thank you very much.

Alan Doss:

Thank you very much, Ed, and I'm delighted to be back for another session with the IPI, and it's good to see a lot of friends here, a lot of old friends and colleagues in the room, but as they say, there's nothing like a crisis to produce a crowd, and we certainly go through crises in the Congo.

It was Howard Wilson who once said, "A week's a long time in politics." Of course, in the Congo, it's a lifetime. I've been away for about, less than a week, but already I suspect the things are changing, so whatever I say today, take it with some degree of caution. Things may turn out very differently next week.

Ed was very kind enough to say that I can explain the inexplicable, but I hope that doesn't mean to say I can justify the unjustifiable, because there is obviously a situation in the Congo that I'm faced with, and my colleagues, and we are trying to manage a very complex situation, and particularly focused on the protection of civilians. So this is not so much an academic presentation but a conversation, I hope, and I'd like to explore some of the dilemmas we face, frankly, as we move forward.

Some of those originate in our mandates, and as you know, MONUC's mandate is probably the most complex that has ever been devised with 41 separate tasks that we're expected to carry forward all at the same time. And some of them, perhaps, raise contradictions.

The formal mandate, Mandate 1856, and let me just briefly quote, "Request MONUC" – this is the first operational paragraph – "to attach the highest priority to addressing the crisis in the Kivus, in particular the protection of civilians." And then it goes on in the mandate to say that we should ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence, in particular violence emanating from any of the parties engaged in the conflict.

But the mandate also asks us, further on, to deter any attempts at the use of force to threaten the Goma and Nairobi peace processes from any armed group, foreign or Congolese, including by using all necessary operations to prevent attacks on civilians and to disrupt the military capability of illegal armed groups that continue to use violence. And then again, further on, we are asked, or enjoined, rather, to help the government forces to disarm recalcitrant local and foreign armed groups.

So as you can see, and that's just the first part of the mandate. But that is the core of the mandate, and in itself, I think produces some challenges for us. How do you protect people, but at the same time, disarm and dismantle foreign and local armed groups? How do you do it in a place such as the Kivus, help end a crisis, but at the same time, do it in a way that protects people? You know,

ending the crisis is essentially a political task, protecting civilians in some ways a humanitarian task. Disarming militias and improving the performance of the Congolese armed forces is essentially a military task with human rights issues as an overlay and a background. So these are complex issues, and sometimes, as I say, there are contradictory elements in our mandate, which puts a huge pressure on a mission, and frankly is leading us sometimes into rather uncharted waters.

We are a chapter 7 mission, which means we can employ force, the use of force, and we have undertaken robust operations over recent, well not just recent years, some may remember, of course, our efforts in Ituri more than 4-5 years ago when considerable force was used to deal with the militias there. Unfortunately, the Kivus, which is, if you will, the epicenter of violence and the problem of protection, the history of the Kivus, and we must remember this, it really is soaked in blood, even before the genocide, as recently as 1993, the so-called Masisi wars, I'm sure that as some Congo specialists in the room will know this, they were very violent conflicts which resulted in the death that year of thousands of civilians in north Kivu. These events preceded the genocide in Rwanda in 1994, but the genocide itself, and then the sequel, the aftereffect, or the aftershocks, I should say, of the genocide, have continued, and sadly, to keep the Kivus in a state of violence, and with it, of course, putting many civilians at great risk.

The Kivus, by the way, which as I say, is not the entire protection mandate of the mission where I've been involved in the last year, especially in trying to deal with the LRA, the Lord's Resistance Army in Haut and Bas-Uele, we've had the continued problem of militias, residual militias in Ituri, and again, outbreaks of violence in other parts of the Congo, and most recently, as you've probably seen, in Équateur province, where a situation initially appeared to be a conflict between two rival communities over fishing rights, an old conflict, has erupted into something a lot more serious, and literally as we speak, operations are underway to try to restore a state authority in that very remote part of the Congo.

The Kivus, though, are home to 10.5 million people, and it is the second main area of population concentration in the country. There are 22 different ethnic groups, I'm told, in the Kivus, MONUC, by contrast, has about 12,000 troops in the 2 Kivus spread over dozens and dozens of areas. In fact, we've extended our presence, and I'll come back to that in a minute, but that works out to about one soldier for roughly every 900 inhabitants. Compare that with Kosovo at the height of our operations, a postage stamp compared to the Congo, where there were 40,000 troops with all the panoply of resources that NATO could bring to bear, and you begin to see the scale of the problem that we face.

And as you solve one problem, you inadvertently perhaps, or some would say predictably, create other problems. Moving on, the FDLR has, in some ways, opened up the path for all their animosities to re-emerge between the different communities, often focusing or centering around land rights, dispute over economic resources, minerals, and so forth. So basically, how have we, as the United Nations, and the mission in particular, attempted to square the protection circle.

Perhaps just say, if I might use the sort of typology recently suggested in a draft TPKO policy paper on protection and peacekeeping, we're working at three levels, and I'll perhaps add a few details on each of those before coming to some of the broader issues.

First, of course, is to establish an environment of protection, and there, I'd like to insist very much on the notion as peace being the ultimate protection. You cannot protect people indefinitely if there isn't a peace process underway and one that has some hope of succeeding. To imply that protection is a self-contained island of activity, I think is wrong, because as long as there is violent conflict, and there is no lasting peace in the Kivus or other parts of the Congo, we will not be able to ensure durable protection, and I think that's the experience in many parts of the world, that sooner or later, there has to be -- how we get to that peace process, of course, is a separate matter -- but without it, and without enduring peace, I don't think we can ever hope to ensure protection for large numbers of people.

I think at that level, too, we need to distinguish between state and international responsibilities. I sometimes think that, it's as if MONUC is the state of the DRC, and that is a huge mistake. This is a sovereign government which was elected under the watch of the international community. We may not like the result, we may not be particularly fond of the current government, some at least, I'm not going to make any comments on that myself if we're on the record, obviously not, but the point is that it is a state responsibility, protection, and Ed and I have discussed this with his Responsibility to Protect responsibilities. It seems to me that sometimes we miss this fundamental issue, however large the mission is of MONUC that cannot and never should substitute for national responsibilities in creating that environment of protection.

The second set of issues, I think, relates to creating support to rights-based protection, which has become a little bit of a buzzword, but I think it encapsulates a very important idea, which is that, you have to put in place the capacities to deliver on protection: the rule of law institutions, the authority of the state, human rights monitoring, all of which the mission is engaged in. In fact, I have some colleagues with me this week who are very much involved in the stabilization plan for the east. We've recently got some money, I'm delighted to say, from the peace building fund that will enable us to extend our work, but also a number of the bilaterals are involved, because without that, without really some functioning institutional support, whether it's the police, whether it's the courts, again, we can't substitute for that. Much of what I think has happened in the Kivus over the last 15-20 years, and it happened before the genocide, it happened before the fall of the Mobutu regime, because I was in the Congo at the time 20+ years ago, it was, the state was never really present. It had never managed to anchor itself, but at least you had traditional authority which acts as a regulator.

That traditional authority has collapsed over the impact of what happened after 1994, but was already seriously eroded during the latter years of the Mobutu regime. Restoring, if you will, gives us the notion that there was before the state, and it sort of disappeared for a while, and we're restoring is, but in reality, is, the state as we would expect to perform its role didn't really exist in much of the east and other parts of the Congo, and there were always flare-ups of one kind or another in the Congo. Mercenaries, Kolwezi, just to name one, but there, Bukavu in 1966. At some time or another, everywhere in the Congo, there has been a crisis, a problem, a protection issue. These are not really new issues of the Congo. They're issues that perhaps have been not really well dealt with, but they have been there for a long time, and perhaps since the genocide and what followed, those issues have become ever more critical.

But building rule of law institutions is not something that you can do in a week or two. This is going to be a long struggle, it's going to require a lot of investment, a lot of commitment by the national authorities, but also the support from the

international community, but protection, again, I don't think over time is feasible without that effort, because we talk a great deal, especially in the context of the horrendous violence against women and girls in the eastern Congo, of which you, I'm sure, all, all read, and have read about, but ending impunity isn't done by declarations.

Let me give you an example of this. Despite a lot of difficulties with military justice, there have been some improvements, not a vast improvement, but some improvement with the help of MONUC and others. But right now, in the Kivus, there isn't a single military stockade. So even when they arrest and try and condemn prisoners, military prisoners involved in rape and other violence, there isn't anywhere to actually put them, believe it or not. So prisoners regularly escape. So what does ending impunity mean, if you don't have the institutional capacity, the infrastructure, if you will, to do something about it? And this is one of our biggest frustrations and why, for example, in our stabilization program, we've put a lot of emphasis on getting the police back, giving them equipment, getting prisons, getting the courts reopened and staffed. Again, not something that's done quickly in a few weeks or months, but is essential as a part of that broader effort at providing protection.

The last but important level in particular for MONUC is physical protection. Within our area of responsibility and within our capabilities, that resolves, I think, physical protection as far as we have tried to take it forward, again, using the DPKO working paper on this, assurance, prevention, deterrence, crisis response, consolidation, and stabilization.

Let me go into this in a little more detail, because we come under a great deal of criticism for not having protected people in the Kivus, and I'm the first to admit that it is impossible for us to protect everyone everywhere all of the time. It's a big place – the Kivus, by the way, is the size of California, but a California without roads and very difficult terrain. What we've tried to do is use our limited resources, and even if we had twice as many people, we would still be faced with difficulties. We've got to use our resources in a targeted, and may I say, intelligent manner. You can't be everywhere. So how do you get your resources to where they're most needed? What are the responses you can develop to try to protect communities and groups that are most vulnerable?

And we've developed, I think, a range of responses. For example, we have insisted very much that presence equals protection. You cannot protect people if you're sitting behind barbed wire in a camp in Goma or Bukavu, so we've made a big effort with our force commander, who's really very much involved in this, of getting our troops out there on the ground, and as need be, for example, setting up temporary operating bases. When we think there's going to be a problem, we try to get troops in early to make sure that they know what's going on. But the problem is not one of military alone, although the military have to be part of the answer. It has to be a joined-up effort, and that's been one of our biggest, I think, tasks, and to some extent, one of our, I think, one of our best accomplishments.

Getting this joined-up thinking to protection, that it's not seen as purely having a few more blue helmets on the ground somewhere. It's about bringing our civilian teams in, child protection, human rights, civil affairs, political and so forth, to really understand the dynamics of the communities where we're working. You know, it is true that the military have had to change their modus operandi – get out of the APCs, walk through villages, talk to people, but that will only take you so far. They are, at the end of the day, soldiers. That's what they're trained to do. That's their principal role. We've had to, in a way, fuse to that approach the

civilian approach, so that we then direct those resources to where they can have the most effect. Know the communities, work with the communities, do market patrols.

One of the most effective ways we've found of protecting people is to have a patrol on market day, because that day, women are most vulnerable when they're going to market. So if you can put patrol on that day with those women, you can have, really, a disproportionate impact. Won't solve all the problems by any means, but it does, does help.

So we've worked on a number of these initiatives, we find, for example, putting out what we call joint protection teams. We do conflict mapping. When we think there's a potential problem emerging, we will try to put a joint civilian team with our military into those areas to understand or better understand what's going, and then if they make certain recommendations, if we can, we will follow up like opening up a temporary operating base or moving extra forces into a given area. It's a partial response. It doesn't allow us to be everywhere we should be when we want to be. But it still means that, you know, literally hundreds of thousands of people are being protected, and I have to confess that I get very irritated when I see these claims that MONUC's not doing protection. I have yet to see a community that's said that they wanted MONUC to leave, and I've been pretty much into some pretty remote places, like Pinga and Otobora and Busurungi, places that are really on the front line.

When crisis happens, people come to MONUC, they don't run away from MONUC. We could perhaps do more, and we will try to make our resources more expandable. But we are there every single day, but yes, we haven't been able to prevent things from happening.

Most grievous for us was last year at the height of the last crisis, which was then against the CNDP, who are now involved to some extent in the current crisis, of course, was at Kiwanja, and we've been very strongly criticized for that night, or basically 24 hours, anywhere between 80 and 100 civilians were killed over several hours, and the issue was, well, you were next door with your base, how come you didn't stop it? And we did an inquiry, human rights team have published a report. What is forgotten is that yes, we weren't able to save those 80 people who were probably killed, not randomly, but through the space of the night, but that same night outside our base, which is just 100 people, when things were really going bad all around, the FRDC had left the area, that same night, our team were protecting about 4-5,000 people who had gathered around the MONUC base there. So you can argue, well, they should have gone out, but then what would have happened to the people? These are the kinds of operational dilemmas we face every single day in the Kivus, and because we can't be everywhere all of the time, we do get a lot of criticism, because this happens, some awful things happen.

I think the human rights watch report that's come out today documents that, and I think we all agree, it is horrendous and we must work to put a stop to it, but I think it is also important to recognize the scale and magnitude of the task and the various approaches that we are trying to adopt to deal with the problem. We've set up surveillance centers, we distributed, where there are phone connections, cell phones to community leaders that they can call in. We've had some success on that around Rutshuru. So a whole range of innovation has been adopted. We've set up ourselves a rapid response and reaction cell at headquarters level, it's in touch constantly with our team on the ground in the east. The idea is to bring a lot of fragmented information together so we can sort of analyze and see

patterns, trends, where are the major centers of violence, and why is this happening, and then prepare, if we can, operational responses.

I personally chair now a weekly protection meeting of our senior colleagues where we, again, analyze this material, including reports from joint protection teams, from human rights groups, from the protection cluster, to try to use our resources, as I say, in a smart way. We have to do smart protection if we're going to ever really enlarge the circle of protection.

We're also changing our approach. It's true, we've worked, I won't go into too much detail, because I have to speak to the [Security] Council first on Wednesday morning, but we've certainly, the last year, the operation, so called Kimia has produced a lot of criticism, I know that, I'm very conscious of that. Barely a week goes by where we're not denounced by somebody or other, but I think as a result of that, and we have, again, seen the need for changing approaches in some respect just like we did after Kiwanja, and to get a, if you will, use that experience to improve the work we do on protection, working with, and I want to emphasize this, with the national authorities. They are, sometimes, the armed forces on the ground are part of the problem, and much of what we've done on protection is directed to trying to deal with that problem, improve their performance, deal with the issue of impunity in the armed forces on the ground but also in Kinshasa.

With our force coming up, we meet very regularly with the commander-in-chief – not the commander-in-chief, the chief of the defense forces, and the army forces, I meet with the Minister of Defense, we regularly report back to the government on where we see problems of protection and atrocities happening, and have called many times for action, hasn't always happened, we've also supported now joint protection cells, prosecution cells, in the military, so that they can carry out the necessary prosecutions, because it's frankly too easy to say this is all a UN responsibility.

At the end of the day, MONUC won't be there forever. We have to work to build those capacities in the national security services in the government, and I think also we should not do, give, make a blanket condemnation of the FARDC. We know there are a lot of problem cases. To some extent, this is the price of peace.

Since 1998, the FARDC has absorbed more than 56 armed groups of one kind or another. Most of them untrained, often with human rights records, this is what was reinforced in the Sun City Agreements. This year alone, 15-20,000 have been absorbed following the 23rd March agreement, again, same problems. So people who, 6 months ago, you would have set APARECO or Mai-Mai or another today in the uniform of the FARDC, and these will not be changed overnight simply because they've put on an FARDC uniform, and that is a huge challenge for the government, but also for us as we are called, as I mentioned earlier, to work with the FARDC and to some extent the same problem applies to the police.

So these are some of the challenges we're dealing with as we move forward. They are not easy to overcome, they are deep rooted challenges, deep seated problems that we have to face. We won't solve all of them quickly. We have to, I think, require patience and determination, but also a willingness to recognize the problems, recognize where we've made mistakes, and we have, I'm the first to say that, and move forward.

I think, for example, in the whole area of security sector reform, it's clear that there must be significant improvements there in the years ahead, otherwise much of what we're doing will not prove sustainable, and I think that's a challenge, not only for MONUC, but for everybody that is active in the Congo. I think building the rule of law institutions and trying to deal with impunity is a part of that, is a vital part of that equation.

In doing so, I would say that, you know, the people we have on the ground, not just military, but the police and our civilians, working and living in very, very difficult conditions, often dangerous conditions, are sometimes forgotten, at least sort of in the criticism, what they're out there doing is not fully understood.

Just last Saturday, just before I left Kinshasa to come here, I had a little ceremony in my office for some helicopter pilots. As you know, there's been a crisis up in a place called Dongo, and they'd flown in there with some supplies for the small unit we had there that was trying to, the military observers, were trying to find out what was going on. They had just landed, and without any warning or anything, people opened fire on them. They were doing an evacuation, soldiers who were protecting the helipad were wounded, they managed to get them on the aircraft, on the helicopter, and then, they were under fire, just as they were taking off, one of the pilots was wounded, the rotors were hit, but believe it or not, they actually took off. They have 25 people on board who would have all been killed otherwise, frankly. It was that sort of situation. They took off, they managed to keep the aircraft in the air, and got about 125 miles, km further south, and then did a crash landing in Congo, the Republic of the Congo, Brazzaville. I think it was remarkable heroism, and thank God it worked, because nobody was killed, but it was an illustration, perhaps a very dramatic one, of the things that we face every single day, so while we recognize there's much, much more to do, I would ask that people understand that protecting of civilians is our mandate, it is what we're doing, and we look forward to further strengthening our efforts to do that successfully for, above all, the people of the Congo wherever they may be.

So those are just a few opening remarks, and as I say, look forward to all your comments and questions. Thanks very much.

[applause]

Luck: Well, thank you, Alan. You made my prophecy of the quality of your presentation valid, which I appreciate. I have probably only six or seven questions that came up in my mind while you were speaking, but that's not really my job, so I think there's probably lots of people who want, have things to say. Please just identify yourself, who you are and where you're from, and try to make your questions or comments fairly brief. I see a hand, Ann Phillips, so I always start with an IPI board member, so please.

Ann Phillips: Well, thank you for that. I read with horror about the brutality that exists in the Congo, the physical brutality of the conflict, and I'm interested to know whether you have a mandate, or do you work with people who have a mandate for caring for the results of this, I mean, with the increased use of rape as a weapon of war, horrific, horrific damage and injuries are being done to women that are beyond comprehension, and the brutality that I read about that are inflicted, man upon man, is quite horrific. What is the mandate, if any, to physically care for these people who are so terribly damaged? And thank you for the work that you do! I think it's really, we owe you a great debt of gratitude. No matter what Human Rights Watch says, I think it's absolutely superb work you're doing. Thank you.

Luck: Thanks very much. We'll take a few together.

Henri-Paul Normandin: Thank you very much. Henri-Paul Normandin from Canada. And first, Mr. Doss, thanks very much for taking the time to join us today, and we certainly agree that you have a very difficult job to fulfill, and we can only commend you in your persistence to try to make this mission as successful as it can be in the circumstances. I was, I lived in Congo, or then Zaire, myself at the time, and I can certainly relate to your comments about the limited capacity of the state at the time, including questions of rule of law and the capacity of the state today.

Two related questions on physical protection, protection of civilians. You talked about some of the strategies, approaches, techniques that you use in your patrols, market day patrols, a joined-up approach, and things like that. Are you making this up or developing the strategies as you go, or did you, or do you, and do the troops and the civilians get guidance that they should get from UN headquarters on these things?

The other side of this same issue, you know there are many exercises going on currently in New York about protection of civilians, you know the joint DPKO-OCHA study, the, DPKO will also draft a concept paper on protection of civilians very soon. Question is, are you feeding into those exercises so that the lessons that you learn, the techniques that you try, the successes and the failures feed into the learning process of the UN so that this can benefit future missions. Thank you.

Luck: Good, more good questions. Who'd like to come next? Please, way in the back.

Kirk Harris: Hi, Kirk Harris from the NGO Mennonite Central Committee. Mr. Doss, thank you very much for coming and briefing us. I actually had a pair of questions.

First, with regards to one of your comments that I wholeheartedly agree with, that even if MONUC had twice as many troops, it would still be extremely, extremely difficult to protect civilians in the Eastern Congo, and having said that, one of the things that we're concerned about are the structural issues at play within Eastern Congo, particularly extraction of natural resources, and you mentioned that you'll be speaking to the Council on Wednesday. Obviously a number of very influential states, internationally and within the region, are going to be there. I wonder if you'll be discussing with them some of the ways that the international community could possibly, through collective action, work to limit the trade and conflict minerals and cut off that resource that is fueling so much of the violence.

The second question was on civilian protection. Oftentimes, the choice between protection and supporting the FARDC is painted as a very stark duality. One of the things you pointed out is that MONUC has a mandate to be doing both. Having said that, I'm wondering if, as MONUC's mandate is up for renewal, you're considering looking at perhaps changing the composition of the forces and increasing the civilian presence so that there can be more JPGs doing more of this mapping that you've cited as being really successful. So thank you very much.

Luck: Good. Ask Alan to respond, there's a lot of good questions.

Doss: Well, thank you, Ann, for that question. Actually, the UN and the government more importantly has developed this strategy for dealing with SGBV, Sexual and Gender- Based Violence, particularly but not exclusively for the East, because it

is a problem in other parts, but especially of course in North and South Kivu. Part of it does envisage support for victims, and already a great deal is being done, but given the scale of the problem, it is only really touching the surface. The marvelous work that's done at Panzi, done at Heal Africa and various other centers, including in Ituri, speaks to that, and the UN has, through its different partners, contributed, UNFPA, UNICEF, and a number of other partners.

Interesting enough, the Council agreed, and we put it into, it's part of our mandate to support efforts, and we were able to get resources to actually create within the mission itself, I think this is the first time this has been done, a unit that is specifically now dedicated to SGBV issues, and we're also getting support for that from UN action, so together, we now have a better resource base to deal with, but the scale of the problem is such that it dwarfs any effort we're with, and quite frankly, we're never really going to get on top of this until the conflict comes to an end, until you put the armed groups out of business and you get proper discipline in the FARDC, and to a lesser extent, the PRC. So a little bit the lesson, I would say, from other areas that have known similar scales of violence, we forget it isn't just in the Kivus, what I'm told is that, and by Congolese, that in the Kasais, for example, parts of Équateur, it was a similar scale of violence, perhaps not quite so well known, and that while it hasn't entirely disappeared, unfortunately, compared to then, there is a great reduction in violence against women of this kind as the conflict in those areas wound down.

So it seems to me, again, while also focusing on the victims and extending the support of the United States following Hillary Clinton's visit, for example, is providing, I think, an extra 10-12 million, we just got €10 million from the Belgian government, I think it is, and Sweden, to back the strategy, all of that's very important and useful. But at the end of the day, until the authority of the state is there, until the armed groups are out of business, I think the problem will persist. This is why I feel you can't isolate one from the other, and the best protection is peace and justice of course.

Henri from Canada, are we making this up as we go along? To some extent yes, because of operational situations, you know, Darfur has its own specifics. I'm sure Ian is here and Nepal would have provided them, and Afghanistan I'm sure also provides lots of specific cases, so we are trying to innovate and adapt to our particular circumstances. Some are, I think, a little new ideas, like the JPTs, but on the other hand, market patrols, I know, are being done in Darfur, water patrols, firewood patrols, especially when you have large concentrations of IDPs, for example, that is where we have in the past tended to focus.

Interesting enough in the case of the Kivus, the vast majority of the IDPs, especially now, because I'm not in the camps, they're with host families. So that makes the problem of protection that much greater. If you've got a camp, you have some physical limits, and you can concentrate resources, having military around, and perhaps police inside. But when IDPs are largely spread out, it makes the job that much more difficult. This is why we wanted, insisted on the joint protection teams to better know the environment where we're working.

DPKO is indeed, as you alluded to, working on a concept paper, and as I mentioned, this typology, which is quite useful in terms of focusing, at least focusing my comments, is an effort to do that, to sort of draw together the lessons learned, and to push forward the learning process. I mean, we're learning as we go along, frankly, sometimes from our own mistakes, there's no doubt about that, and then using your resources to try to take those lessons forward and adjust, I don't think there's a given, there's some basic principles,

obviously, which are enshrined in the international humanitarian law, but how you adapt and adjust to a given set of circumstances, I think that depends very much on the country context. What we can do and had to do in Liberia is in many ways quite different from what we can do and have to do in a place like the Kivus. Size does matter, I'm afraid, in this case.

Our colleague from the Mennonite Central Committee, yeah, I mean the issue of extraction of natural resources, I don't agree with everything that was in the latest report of the group of experts, particularly, of course, the parts that involved MONUC, but it did one very great service. It has pointed out that the problem of the Kivus and the armed groups, not just the FDLR, is bigger than the Kivus. We will never ever see the full authority of the state restored, if it ever existed before, but above all, dealing with armed groups while you have the capacity, those groups have the capacity to extract or control, because in most cases, they're not actually doing the extraction, they're controlling the mine in Zoar and then export illegally.

We've documented, through our own work, mandated by the council, for example, we've done quite a few unannounced inspections of aircraft at Bukavu, Goma, and I think one or two places in the interior. What we found is those aircraft often have no airworthiness certificates, they have pilots without licenses, and insurance, forget it! But those aircraft all take off and land somewhere outside of the Congo. We have the registration numbers, etc. What they take then gets pushed on somewhere else. So if we're to deal with the eternal problem of armed groups and how they fund and sustain themselves, we'll have to deal with the mineral trade.

Minerals plus, I mean, there are other issues, land in particular, so I think in that sense, we're going to need some form of international compact. I'm not saying it can be processed, although I think it worked out a great deal when I was in West Africa, I'm convinced that without it, the conflicts in Sierra Leone and Liberia would have gone on longer, in the case of Liberia, the ban on logging and export of rural logs helped as well. I don't have a ready prescription for what that might mean for the Kivus or other parts of the Congo, but some form of international regulatory due diligence is, I think, essential, and I hope inevitable, because otherwise, if it's not the FDLR, it'll be another group, and sometimes yes, elements of the government's own forces have gone in there, they were there before, by the way, this is not new, this problem. This goes back a long time, even in the Mobutu era, the armed forces were involved in illegal exploitation and mineral resources.

So yes, I think we need to build on that, try to create an international consensus, but at the same time, not penalize the Congo. They need every dollar they can get hold of. The budgetary situation is extremely difficult. The cash flow for the state budget this year, I'm not talking about donor contributions because of the collapse in mineral prices, is probably in the region of about \$1.5 billion. Can you imagine trying to run a country like the Congo on \$1.5 billion, and then we wonder why things don't work?

I mean, so everything we can do, obviously this also implies better governance, management of public finances, we all agree on that, but part of it is dealing with the extractive industries in the Kivus, especially. Kivus and Manyema, and to some extent, the Orientelle. protection vs. support elements of the mission. I don't think it's a question of really, I mean, we want to increase the number of JPTs, and we should do that first and foremost by the reallocation of our own resources within the mission. I don't see the budget of the mission expanding a

great deal now, because we are already the biggest, the peacekeeping environment in international terms is under a great deal of pressure, the council has usually gone along with what we've recommended over the last few years, so I don't think we can complain. We've just got to make better use of what we've got, and if we have to change things and change structures to do it, then so be it, and I think the reconfiguration that we envisage for next year, that should be a part of it. How do we get additional resources into protection, not just military resources?

Luck: Great, start right here, and who else after this?

Yael Danieli: Hi, Yael Danieli, International Society for Traumatic Stress Studies. To connect with Ann's question about the care for victims of rape, and also I do know that some initiatives are being supported by the International Criminal Court, the Trust Fund for Victims. With your point that impunity reigns even because of infrastructure, simple issues of where do you keep people, what is the relationship between you and the ICC and what you take in general, maybe? You didn't mention it when you talked about impunity.

Luck: Questions get easier and easier. I saw in the way back, well, do you want to do this first? I guess for logistic reasons, we can do right here and then do the back. There's two questions in the back.

Lotte Hoex: Thank you. I'm Lotte Hoex from the Dutch mission. I have a question concerning the draft resolution which will be adopted next week. What's your opinion about it, and do you think it will make the work of MONUC more doable? And especially because it seems the problem is more lack of capacity that it won't be solved with this resolution, I would say. So what's your opinion about it? Thank you.

Luck: That's the pleasure of coming to IPI first. You can comment on a draft resolution before the Council can get you in really big trouble. There are two, and then the way back, first fellow with the light blue tie.

Bruno Donat: Excellence, bonjour. Bruno Donat from DPKO, that's a personal view. I don't believe, when we do protection of civilians, it is not, you do not have to have a team with a branding and a hat saying, "I'm doing protection of civilians," because I've seen that MONUC has done many other things that directly and indirectly influence the betterment of protection of civilians. Of interest to me is the, I think, fantastic work that your team has done in dealing with the armed groups, and right now I'm particularly thinking of foreign armed groups that are operating illegally, and the more you get rid of them through your DDR or DDRRR program, and I think of those, this year alone, 4,000 foreign combatants and dependents that you have repatriated, is it the understanding on the ground that while you deal with armed groups, getting rid of them, you are actually helping the agenda of protection of civilians? Or I remember in the past, had some discussions, folks see it as two different things, and then do partners of the ground, humanitarians, NGOs, as they participate on those programs to get rid of armed groups see it and see the results that you are pushing forward for the protection of civilians? Thank you.

Luck: In other words, do you prefer the cart or the horse? Fernanda, and then we'll go back to Alan.

Fernanda Fernandes: Thank you. Thank you SRSG. My name is Fernanda Rafaela Fernandes, and I work at DPA. My question is more on the regional dimension and whether it's

useful to talk about regional approaches or regional dimensions in protection, which sometimes gets a little abstract, but whether there's a concrete way of talking about it, and if so, how does one bring the regional partners into this conversation? Thank you.

Luck: If I could just add to that, when you're talking about the resource constraints, particularly in peacekeeping and reaching the ceiling, whatever, do you see more of a role potentially for the AU down the line as a partner in the protection area? Thank you.

Doss: Good, first on Danieli's question, our relationship with the ICC, very cordial. We've helped deliver – [laughter] Well, we've helped deliver people to the ICC. People forget this on all the controversy around Bosco, three of the – well one of them, of course, is somewhat different, but any people the ICC has, they're all Congolese. I mean, we forget that. Congo government, they're all Congolese. Lubanga, Ngudjolo, and of course Bemba.

But I think the broader issue is, though, to what extent we're dealing with, because of course, the Congo is a state party to the treaty of Rome, the ICC has jurisdiction in the Congo, and they are looking at a whole range of issues, we know they've got the Kivus in their sights, understandably so, and that will cover everybody. So it is a pretty wide remit they have.

We've said, you know, that obviously if government requests our support to apprehend somebody who is wanted by the court, we would provide it. We have no independent mandate, however. I think this is sometimes not understood. MONUC has no independent mandate to arrest anybody in the Congo. We operate in support of the national authorities, not independent of those authorities, when it comes to jurisdiction, and there are very strict guidelines on this.

This is not the case of Liberia, where this council passed a specific resolution authorizing UNMIL, I was the SRSG there, to detain and transfer Charles Taylor. That was a specific Council resolution.

But we are enjoined with a statute, like other entities in the UN, to provide support to the ICC, and we do provide quite a lot of support. In fact, the president of the court was there on Friday, I met with him on Friday and had a discussion on some of these issues and how we could assist with their efforts. What they're interested in too, which I think is good, is how they could help with building capacity, because that is very much of concern to them. They do have a responsibility to use, where it is possible, subsidiary jurisdictions. The question is, do those subsidiary jurisdictions, justice, have that capacity? And so they are interested in building over time local capacities, which is very much on our agenda as well.

Colleague from the Netherlands mission, well, that's right, I won't get into discussing draft resolutions. All I would say, and this is, I think, a refrain of every SRSG, we want always the mandate to be aligned with the means, or the means to be aligned with the mandate. We don't want to find ourselves with such a span of responsibility, and this is true of many fields of work we do. You don't want to find yourself stuck with sort of expectations, and this has been a little bit our problem in MONUC, to be very honest, is that because of the resolutions and the mandates, expectations are very high, and we can't sometimes meet those expectations, and that then produces disenchantment, and it's something we have to take into account when we frame resolutions, but I think that applies to a

number of missions, not just MONUC, I think it's something of a constant refrain I've seen over the years.

Bruno Donat, he's not entirely an objective observer, he was, he should have declared his colors. He's the former head of our DDRRR, that's the program that works to take back foreign combatants, and very successfully, by the way. Bruno did a great job, but I agree with him, you know, putting armed groups out of business, even though that does produce sometimes violence and dislocation and displacement, and particularly we've seen in the last year, should be, is part of the protection agenda. I mean, I really don't see how you can end impunity when you have to deal with people who have a gun and who are not under the authority of anyone except themselves. They're not going to respect what we say. Hopefully we can bring them into a peace process in a peaceful manner and try to then incorporate them, but quite honest, we did a lot of work with the FDLR on sensitization.. There wasn't much reaction until we started putting military pressure.

This year, it's practically, it's more than double the number of combatants, well over three times the number of combatants who have disarmed, come out, and we've taken back to Rwanda compared to previous years. But we do agree that military pressure alone is not the answer. You need a multidimensional approach. In the case of the FDLR, we've said clearly there must be an effort to attract them back from Rwanda, particularly the younger ones who are not involved in the genocide, they were too young. We want to be sure that we deal with this issue of mineral resources, which has helped to fund and protect them, and a number of other ways that you can deal with armed groups, political as well as military means, but the credible threat of force, as Kofi Annan used to say, I don't know if I'm quoting him rightly –

Luck: Sounds right.

Doss: - is part of the equation. It's when and how you use that force, and particularly in terms of civilians, because that's been the heart of the debate over the last year, that Kimia, for example, has resulted in additional displacement and has triggered reprisals against civilians, which is true, which is true. But equally well, the FDLR is a group that's been there 15 years, were responsible or involved in the deaths of hundreds of thousands of people, have continued their violence in the Congo for the sake of a political objective or agenda in Rwanda, and they, along with other groups, I don't see how we will really make a dent on impunity and dealing with impunity until these groups, along with discipline the FARDC, are out of business, so dealing with them is part of, in my view, the protection agenda.

Fernanda asked about regional approaches. Yes, I mean, this has come up now in the context of the LRA. The LRA's presence and activity has diminished quite significantly over the last year, starting with the operations of – see that's a good case in point of what I was just saying. The initial offensive by the Ugandan army, or elements of the Ugandan army, with the Congolese, with the FARDC, the immediate result was a very, very nasty reprisal a year ago exactly, the Christmas Massacre where 3-400 people were killed, often in a very brutal way by the LRA, who we know are a pretty brutal organization. But since then, with the pressure put by the Ugandans with the help of the FARDC, which we have provided support to, MONUC, the threat has been really, as far as the Congo is concerned, has been drastically reduced. There is still incidence, but the number of active LRA has dropped quite considerably. The problem is that we know,

some have been, quite a number have been killed, others have surrendered, including one or two of the leaders, but the group now has moved.

We've to some extent displaced the problem, not really resolved the problem, because they've gone into Central African Republic, to even more remote areas, where the Ugandans are struggling to go after them, so this is why a regional approach to deal with the LRA is important, because who knows, they could move from there, the rumors of them going into Sudan, even into Chad or possibly Darfur, we've no confirmation of that whatsoever, but nevertheless, even though they're relatively small compared to what they were 10 years ago, they are a potent menace because of the brutality. Their best weapon is fear. When people think the LRA are around, they move, which of course, which is why we've had significant displacement in Haut-Uele.

The same, I think, applies with the problems with the CNDP and the FDLR. Without the rapprochement a year ago between Kigali and Kinshasa, we wouldn't be where, you know, we wouldn't have been able to move forward. I mean yes, there's the downside of Kimia, I recognize that, but the key to regional stability has to be the relationship between Kinshasa, Kigali, and Kampala.

That is critical for the security and safety of the subregion, because as Ed pointed out, actually, an interesting, what we see as internal problems in the Congo have often been external in origin. We forget that, yes, with the Congo with all its problems today, was for long regarded, especially in the 60s and the 70s, as actually an area of stability. It was all the neighboring states that fell into conflict and disintegrated. You think about it, each practically all of them, with the exception of Tanzania and Zambia, have gone through a civil war of some kind, and the movements that originated in those conflicts ended up sooner or later in the Congo in some fashion, even though they may have Congolese allies. Nevertheless, those groups certainly had some origin across the border, so I think it's, it is essential that the regional approach be sustained through the AU, through the Great Lakes conference, particularly, I think, on the whole issue of mineral resources, I think the Great Lakes conference could play a very, very vital role there, and I have to say, I particularly very much appreciated the work and the support of President Obasanjo and President Mkapa, it was very helpful at the time. It helped begin to, you know, unlock the relationship between Kigali and Kinshasa, although again, I would like to emphasize that it was the two presidents that really made the difference. They really did make very important, and I think in many ways, a very wise decision to find ways to solve the problems.

Luck: Great, thank you, we have time for another round, but I do want to insert a small advertisement here, since you talked about the LRA. We actually had a meeting last week on LRA, and we've just published a quite good report on the LRA, which you're more than welcome to.

Doss: Well, I hope what I said wasn't in total contradiction to you!

Luck: Several points of view were expressed during the meeting, so whatever you said was bound to be consistent. I saw one hand here from before, another there, and Warren, did you have your hand up? Going up and down. Warren, did you? No, I guess you didn't. Okay, please.

Tom Neijens: Thank you, Mr. Doss, for the very interesting explanations. My name is Tom Neijens from the Belgian mission, and I have a question on the future of MONUC and the Congo, and I don't want you to give comments on the draft resolution,

but MONUC has done a lot of commendable work with regards to protection of civilians, but there are also now talks going on of a possible draw down of MONUC in the future, and a lot of mechanisms have been put in place to protect civilians, and my question would be, eventually MONUC will pull back from the Congo and other UN organizations will have to take over responsibilities, and the mechanisms established by MONUC, do you think they will be taken over by this other UN presence, how do you see this task of the UN in the future when MONUC isn't there anymore? Thank you.

Luck: Good question. On the aisle here in the blue sweater.

Nicole Widdersheim: Thank you, Nicole Widdersheim with Oxfam International. Thank you for the presentation. I just wanted to pick up on some of the points that are coming out on what you need from the region and maybe draw that out further to what you need from the council and the international community with Mr. Obasanjo winding down, and you've mentioned so much, is so critical to protection of civilians with the regional governments. I wonder if you could be more precise on what you need from the members of the Council, the contact group, and maybe regional governments specifically, in addition to the minerals issued and the arms trade and these type of things.

Luck: So instead of commenting on the draft resolution, you can now draft your own, from what I hear. Who else would like to be part of this round? Could I ask a question? I'm sorry, here's one right there.

Nancee Bright: Nancee Bright, DPKO. The International Rescue Committee talks about 45,000 people dying every month in the DRC. 5.4 million people over the course of the last decade. Integration, the integration of the armed forces in the DRC seems to me to be one of the keys to a regional stability and to stability in the eastern part of the country. In your view, the support MONUC has actually been providing to the FARDC, do you think that, by stopping that support, that it will actually have an impact on integration? Do you think that it will, that integration impact may not succeed because of stopping support to the FARDC, is that a possibility?

Edward C. Luck: Thanks very much.

Alan Doss: Well, the question raised by our colleague from the Belgian mission, of course, is a critical one, and we are, right now, in the process of developing the so-called integrated strategic framework, which hopefully will answer some of those questions, but I would say that, you know, it's obvious that there won't be a straight handover to the UN country team, for example. They don't have the level of resources that we do, plus it wouldn't really make much sense, in a way, I mean, hopefully MONUC can leave, and when it leaves, the job that it was mandated to do has been done, and while there are residual tasks that go on, particularly, for example, in the area of capacity building, human rights, and so forth, which would be the work of the country team, and was the work of the country team, I led the UN country team in the Congo 20+ years ago, and some of these things, we were involved in, but then they would be able to continue with some of those tasks while also focusing on their core mandates, but I think we shouldn't sort of see that as being a replacement, if you will.

I think what we need to be looking at is what absolutely must be carried on, and to the country team, for example, have those capacities. On the ground, physical presence, logistics, for example, MONUC moves a lot of people around the country, including quite a lot from the UN country team, but I don't think we should see them as simply that this is sort of a relay race where we hand over

the baton. We've got to work together. One of the ideas we've been looking at, and we'll be discussing, I think, in more depth is the notion of sort of joint teams, peace consolidations teams in areas which are not now directly affected by conflict, where we can work on some of these issues together and have sort of a joined-up approach, because clearly we note, for example, that there are areas of the west where the basic human development indicators are as bad as they are in the East, but the West doesn't get the result, 80% of the UN country team's resources, and this applies to, by the way, the bilaterals, go in the East, so it's not just MONUC that's focused in the East, it's also at the request, and because frankly, that's where the most immediate needs are, and that we have to rebalance.

So I think we should be trying to link MONUC's drawdown to a set of, obviously, indicators and benchmarks that would enable us to say, Well this job is on the way now, we can afford, as we've done in Sierra Leone, the successor missions to UNAMSIL didn't take over all the responsibilities of UNAMSIL, we still now have a peace building mission, a small one there, and I think that's the way we're going in Liberia.

Colleague from Oxfam. What would we want from the Council and other regional actors? Well, I think, in the first place, what is very important is that, for example, Presidents Kagame and Kabila are talking. They were intermediaries, because a year ago, you think of all the problems today, we should also think where we were a year ago, and the really very, very tense situation. Today, a year on, they have ambassadors in each other's capital for the first time since the genocide. They will be meeting, I think, next week, their joint commission. They had an ad hoc one, the 4x4 commission, that will now meet on a regular basis, I hope. So in a way, I see this as a success, that with the help of the international community, but above all, because they saw the need for it, they are now talking.

A similar process had happened with Uganda and President Museveni, that is, it hasn't resolved all the problems, but I think that's what we should be always aiming at is not substituting, but using international resources and regional resources to encourage those rapprochements, so as they're speaking directly to each other. Let's see, a year ago, there were insults being traded. Today we see that progress is possible, and I think that's what regional institutions, and beyond that, the international community, should focus on. I would want them to focus on dealing with some of the residual problems, obviously, for example, right now, the return of refugees from Rwanda has to be very carefully managed, because if not, there will be elements out there who will manipulate this to stir up tension, to create new problems, so for getting the tripartite commission with the two countries plus, with UNHCR is, to my mind, very urgent.

I think dealing with the LRA is something that will need to have continued regional oversight and so forth. There are other groups, ADF/NALU for example, that will need close cooperation between Uganda and the DRC. You know, the Congo has got nine international borders, so at some point or other, there are always going to be a regional dimension that has to be managed. There are tensions, as you know, it's with Angola right now over the exploitation of petroleum resources, offshore oil resources. These will have to be managed. Ideally, between the two sides coming together with their own mechanisms, but in default of, yes, regional and, but we must be careful not to substitute without official essential first lesson, first level, which is trying to get the two countries to work together, I mean, I'm not just talking about the current situation, but in general, rather than sort of, only if that doesn't work does the regional or even beyond that approach become necessary.

Integration of armed forces and support to the FARDC, well, as Nancy knows, this is topic number one at the moment that we're faced with, because our support to the FARDC, which is not new, by the way. We've given a lot of operational support to the FARDC over the years, much of what was done in Ituri were joint, or joint associated operations. It's come to a head because, of course, the FARDC has been involved in some elements of the newly integrated brigades have been involved in violence against civilians and massacres, which makes it very difficult for us, of course, to, and we've said, we will stop support if any units are involved, or it seems likely they will be involved.

But at the same time, the broader point is that over these years, we have seen, generally speaking, in the country as a whole, a reduction in violence. I mean, those numbers of 4.5 or 5 million, even though they may be a bit contested, you know, are a reminder of what happened to the country, and what could happen if we don't succeed in this integration process, I mean Human Rights Watch is saying, what, 1,400 people were killed over the last year, not all I suspect because of Kimia II, I mean, the Kivus have been, for many years, a very violent place.

But the point is, remember, if you stop support, it's not blind support, it's not support without a blank check, but at the same time, if we're going to get the FARDC, we want to push forward, to reform, and so forth, we have to work with them. It's not by pushing them beyond the pale that we're going to succeed in changing behavior. It's a moral dilemma. I don't hide that. But if we simply say we will not go near the FARDC, I'm not sure, in fact, it would make life better for the women and children of the Kivus, and certainly letting armed groups proliferate won't make it any better.

But it's a tough choice for us. It's one of the dilemmas we face every single day when something awful happens, so I think we have to push on with the integration process as we've done in the past, but making it clear that there are limits, obviously, and certainly I think we all recognize that one, you cannot replace the national armed forces. It wasn't sent to do that. And when we leave, those same armed forces are going to be responsible. So I think this is a difficult tough choice for us, and we have to make it clear that this is not, as I say, open ended, non-conditional support, but equally well, I think we have to recognize the problems that the FARDC faces as it seeks to absorb all these people and make a decent modern professional accountable army out of a very, very imperfect set of materials.

Luck:

Thank you very much. We have a little bit of time left for a couple more questions, but if I could pose one to start this next round, building on what you're saying about the regional dimensions, I think it's quite striking, what you say that, we go back a few years ago, this was seen very much as a regional conflict, with a lot of the neighbors involved, some quite directly, others through their proxies. I mean, we're encouraged, of course, that Kinshasa and Kigali are talking, what they're talking about, I think, is also important to know, but it's nice that they're at least talking, and I think that presumably makes it less likely that this is going to become an international conflict in the normal sense.

But is a dialogue among the neighbors, I mean, obviously it may be a necessary condition, is that a sufficient condition to really make a difference? In other words, have we moved to a new stage where you have a lot of very independent actors creating chaos for their own reasons, and you don't have any more, that sort of international structure that might have, in some ways, been part of the

solution as well as part of the problem, if you see what I mean. So how far does this go, and what, how much of a difference is that going to make to have some regional cooperation? Any other questions out there? Wow, amazing, Alan, you answered all their questions almost before they had them! Sorry, there are a few more. Over here please?

Col. Purna Bahadur Silwal: Good afternoon. I am from the Nepal mission. First of all, one comment, and one sort of question. During your deliberation, you have said that success in Ituri is more attributed to more number of troops as compared to North Kivu. I somewhat disagree with this because I was there in 2003-2004 in Ituri, and we had full battalions, full infantry battalions, and total number of 5,000, including enabling units, and at the same time, when we're operating there, in Liberia, there were 15,000 troops, and as you remember, Ituri is same size as Liberia, so there was actually a lack of troops.

But the reason we succeeded in Ituri is there are some other factors. Firstly, Ituri brigade was successful in disarming more number of armed groups through DCR program – Disarmament and Community Reinsertion program -- and another was also, Ituri brigade at the time arrested several, or at most a dozen top armed group leaders who were violating the peace agreement at the time in Ituri, and I think that was the more, most important factor for its success.

My question is, now, in North Kivu, last year when there was a CNDP attack, and there was a charge against North Kivu brigade that they were not, they did not do enough to protect civilians, we heard a brigade commander giving interview and saying that the rules of engagement was not enough, was not appropriate to operate for the MONUC forces there, that is why they could not react, they could not do enough as expected. So now after about a year or so, so are you satisfied with the rules of engagement you now have in North Kivu brigade, or are all the commanders in North Kivu brigades satisfied with what rules of engagement they have in place at the moment? Thank you.

Luck: Thank you. Just brief questions please.

Tomas Wiklund: My name is Tomas Wiklund, and I'm from the Swedish mission. I have a question related to the support to FARDC during Kimatu and the so-called "next phase." There are ongoing discussions about conditionalities for the support being given by MONUC. I just wonder what the thoughts are on how to monitor whether those conditions are being met or not by FARDC. Thank you.

Luck: Way in the back, my left, there was one question, and then we'll revert for a closing statement.

Leticia Anderson: Thanks very much. Leticia from UN Action. Just to add one other piece to the impunity puzzle, I mean, we often hear recurrent reports from DRC about intimidation and harassment of human rights defenders, women's rights defenders, and journalists, and I'm particularly familiar in my work with some of the threats and harassment against women's right defenders who are gathering evidence of sexual violence for judicial follow-up. And I'm just interested in your comments as to whether this has a deliberate systematic character to dissuade people from giving and gathering such testimony and how you see MONUC's mandate as capturing those protection concerns. Thanks.

Luck: Good. In your closing, Alan, could you also address the question of the future a little more? You commented in your statement that we have to understand that creating governance institutions, Security Council reform, that does take a long

time, but security sector reform and the like takes time, but some people have a feeling that maybe things aren't changing as much as maybe they should. What is your scenario, what reasons for optimism can you give us that things are changing enough in Kinshasa, that the possibilities of real governance and stability without a MONUC are such that we could begin at some point to see the light at the end of the tunnel, and if so, how many years, how many decades is it going to be before we see that light, do you think?

Doss:

All right, well let's start first with your question, the first question posed. The dialogue with neighbors, is it enough, I mean, I think it's true, the focus has shifted very much inward since the eight foreign armies left, but I think, as I said, dialogue with the neighbors has to be part of the equation, given the size of the country and very porous borders whether dealing with armed groups or natural resources, I mean, I don't think it can be avoided. It has to be part of the overall peace process. I think the countries' cross-border nuisance value is quite high, and not just with the immediate neighbors.

As I say, and given that some of the neighbors are still fraught with problems, the situation in Southern Sudan where we'll see what happens now in the next year or so, but that has been the source of some instability, so I think the need for managing those relationships is crucial, because each country of the neighboring states has the capacity to create problems for the Congo, and I suppose to some extent, vice-versa.

Our colleague was from the Nepal permanent mission who was in Ituri, well, I mean, what you're saying confirms what you said earlier, size does count. I mean, yes, when I left Liberia, a small country which had 17,000 troops, and I arrived in Congo with the same number of troops, and even if you say we're focused in the East, nevertheless, the East is a pretty big place. I mean, Oriental province alone is the size of France, so you're dealing with huge areas and limited resources.

Let me just add, though, in terms of multipliers, one of the biggest constraints we have, it's a familiar refrain, I know, is helicopter support. You cannot operate in a place of the size and complexity of the Congo without helicopters, and particularly military helicopters, because civilian helicopters come with a lot of restrictions, so that is one of the most important things, and the package that was approved a year ago hasn't yet materialized, so we're still struggling with that, and particularly, if you want to do forward protection, your ability to project force is critical. You can move in quickly and put in a temporary operating base, but to supply them, you need helicopters, and a lot of our time. Our helicopters, with maintenance, all the rest of it, are not operational, so that's been one of our biggest problems.

But as regards last year and what happened in North Kivu, there was a case in point where we did actually, for protection purposes, had to fire on the CNDP and inflicted casualties. In late 2007, and then again in the latter part of 2008, mainly to prevent the CNDP in both cases moving into populous areas, Masisi, Rutshuru, Goma itself, and so forth. I think the rules of engagement were adjusted in the light of that experience, they are pretty robust, and certainly North Kivu Brigade has reacted very firmly on a number of occasions, both on the ground, but also using air assets, so I think right now, we, I don't see the rules of engagement being such a big problem.

What we do encounter, but this is, again, a generic problem for peacekeeping missions, are the caveats, the sort of, because as you know, we negotiate with

TCC's memorandums of understanding, and they can become really a problem when there are very clear restrictions on terms of moving troops, so we push very much to get more flexibility, and this is a bit of a problem. Some have even suggested that troops can't move, I'm not talking about North Kivu brigade, which has done a terrific job, in my opinion, of getting very flexible, unless they get hard wall accommodation, and we've said, Hey, come on, we're not here, if you've got to move, then you move, and you go with tents. We're not going to wait until all the hard wall is in place, but we as I think the Department of Peacekeeping have to be now really seriously revisit those standard MOUs to make them as flexible as possible.

Some contingents have been very strict on where they can work, you know, stay strictly within the boundaries of our determined area, even though over the course of ten years, the problems have shifted. It took us practically two years to move one battalion from an area that is of less priority to an area which is of greater priority. So there again, we're going to need additional flexibility. We've got an Egyptian battalion in now, and we've made them the force reserve and again made it clear that their area of operation is the entire Congo, if need be.

And in fact, one company has been sent to Équateur to back up people there in case of need. So it's not necessarily the rules of engagement that are so much the problem, it's just what goes around it and the ability to move and use forces as flexibly as possible that is one of the biggest frustrations of the force, and I think not only our force commander, but also elsewhere, that really needs serious thought and adjustment.

And to our colleague from the Swedish mission about monitoring, yeah, I mean, part of, especially during Kimia II, it is true that this was a fairly wide-ranging operation, because the FDLR are operating over fairly wide areas, I mean, we've focused on their strongholds, but you know, these are often very big areas, and you can't be behind every single unit, and the incident that's triggered a lot of the problems of late was a place called Lukwete, where it wasn't a part of Kimia II, that operation, this was one unit of newly integrated battalion that did these things, certainly the commander was not aware of this in Goma, and I don't even know, certainly the hierarchy wasn't involved in this or aware of it, but it does raise the issue, well if you're going to provide support, how close can you be to ensure that the support you're giving, or the modest support we're giving, isn't then used by units that misbehave, or worse, and that's one of the challenges for us as we go forward to the next phase, how do we do that?

And I think one of the answers for us is, in fact, to try to stabilize the FARDC, now in the areas that are really high protection priorities, so that we can be much closer, we can ensure that there is a better relationship between the FARDC and these, particularly the newly integrated units, and our own people, because as I said earlier, presence equals protection. We can't stop everything all of the time, but certainly being present and close by does help, and then you develop, try to develop a relationship with these FARDC units, so they also understand why it's important, why they will never succeed if they don't protect the population. It's a golden rule of all insurgencies: get the people on your side. And you don't get the people on your side if you loot and rape them.

So it's a message we've consistently, and I have to say, at the level of the top commander there of the FARDC, that is understood. The problem is then getting it down, particularly in these integrated units that have all kinds of people in them, that don't necessarily follow the chain of command, that's the real challenge. I think it's wrong to say all of the FARDC are a bunch of thugs and rapists. It's not

true. But there is clearly a problem internally, partly as a result of the way the FARDC has been constructed over the last, or amalgamated, if you will, over the last few years.

Our colleague from UN Action, intimidation of human rights defenders, yes there has been intimidation of human rights defenders, not only in the area of SGBV, but journalists, we ourselves have had two of our journalists working for Radio Okapi killed, and really, the process has not been satisfactory, we've left a lot of question marks, the judicial process and the investigatory process, and I've spoken out publicly on this in Bukavu where this happened.

On the SGBV side, again, I think one of the problems we've found is not just that those people who are speaking out on SGBV are perhaps being intimidated, but above all, the victims themselves, in many, many cases, the victims we know are very reluctant to speak out or to seek help, even, because either they fear reprisals, or they fear a rejection. I mean, there's plenty of examples of that now where women, through no fault of their own, have been attacked, sometimes as a result have had children, they are excluded from their communities, and I think that's one of the things we have to all work on is to find ways with those communities that women are not rejected for something that clearly was, they have no responsibility whatsoever, and that will, again, requires changing mindsets, and again, it's not unique to the Congo. I saw that in West Africa. Women who had been violated by the IUF or some other armed group were often excluded, and ended, literally, ended up on the streets. I saw girls of 12, 13, who had been taken as so-called, it's a terrible phrase, but it's the one that seems to be used, "bush wives", and then were abandoned, and nobody would go near them. It's just a huge problem that we all collectively need to work on.

Ed, future of the mission, again, crystal ball time, we're going to get, that discussion is underway, I think, again, I won't speak for the council, we'll see what they decide, but after 10 years, it is normal to be thinking about, are we in the right direction, what are the next steps, we should be thinking about life after MONUC. I think that's very appropriate, including draw down, because sooner or later, this will be a national responsibility, and I always end, and it's a good time to end with this remark again today, that the Congo will be what the Congolese want it to be, not what MONUC or the international community wants it to be. We can help, we can assist, but at the end of the day, it's their country, their responsibility. Thank you.

Luck:

Well, thank you very much. Very cogent, very candid, and I think we're very lucky to have you there. So thanks everyone, and have a good day.