



International Alert.

Peacebuilding in  
The Great Lakes:  
Challenges and  
Opportunities for  
the EU in the DRC

September 2006

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Layout by D. R. Ink, [info@d-r-ink.com](mailto:info@d-r-ink.com)

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# Peacebuilding in The Great Lakes: Challenges and Opportunities for the EU in the DRC

By Charlotte Vaillant

September 2006

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## Executive summary

Across the Great Lakes region, efforts are underway to lay the foundations for peaceful, stable and ultimately prosperous development. The challenges are enormous. Economies are in tatters, human suffering remains widespread, and poor or weak governance continues to undermine the process of development. In this regional context, and even right across central and southern Africa, the Democratic Republic of Congo (DRC) is pivotal. As a result, substantial financial and human resources are currently being dedicated to the democratic transition process which is currently taking place in the DRC. In 2004, DRC ranked first in the list of recipients for EU Member States and EC aid, with disbursement totalling \$1.1bn. This represented 62 percent of all overseas development assistance (ODA) received by DRC this year. It is hoped that the multi-party elections taking place in 2006, the first to be held in the country in 40 years, will lead to the legitimisation of the state and the pacification of the country. Yet, it is clear that, even, assuming the results of the elections are accepted, this alone will neither put a rapid end to chronic instability in the region nor lead to genuine democracy in the short to medium term.

Produced as part of the EU-funded Conflict Prevention Partnership, this paper analyses the context in which the European Union uses its external relations instruments to address security issues, promote legitimate and effective governance, and support economic recovery and regional integration, in the DRC. Consultations in the region and in the EU, as well as meetings held in Kinshasa in September 2006 with local officials, civil society and international diplomats have been used to develop recommendations and suggest possible avenues under each theme.

### From immediate mediation to future long-term engagement

As preparations for the last round of elections gather pace, an immediate priority for the international community will be to help the country to strengthen its own conflict resolution and consensus building mechanisms, some of which may not have been taken sufficiently into account by the new constitution.

DRC embraces all the characteristics of a fragile state. These characteristics, however, are only partially addressed in the EU Strategy for Africa. In the longer term, all EU activities in DRC should take account of the following:

- security, governance, justice and development issues are closely inter-linked and cannot be treated in isolation from one another;
- promoting good and effective governance will require a break from past behaviour, not only from the government but also from the donor community itself;
- the weakness of the social contract between the government and its citizens makes it essential for donors, and the EU in particular, to strike a careful balance in their engagement with state actors (the executive, parliament, judiciary and other institutions with a role under the new constitution) and non-state actors (notably civil society groups and the media);
- job creation – or the creation of sustainable and decent income opportunities for all – not only contributes directly to poverty reduction, but is also a key development tool for peacebuilding.

Ultimately, the EU goal in DRC should be to help Congolese to find a peaceful path to prosperity.

## Combating insecurity

The international community must continue to play the part of peacekeeper in DRC at all costs. To assist the United Nations operation (MONUC) which is concentrated in the east of the country, the mandate of the EU EUFOR troops, focused on Kinshasa and the west, will notably need to be expanded, at least until a new government is securely in place. Over the longer term, the EU plans to uphold its support for security sector reforms and will be increasing efforts to reinforce the operational capacity of the army and the police force during the transition period. The European Security and Defence Policy (ESDP) mission, EUSEC, has also made good progress in implementing administrative reforms to separate payment mechanisms from the chain of command. It seems, however, that the power-sharing arrangements of the transition period made the army integration process not only inherently difficult but also precarious, as politicians remained reluctant to lose control over their private armies.

Sustainable plans for reforming the Congolese security sector should therefore be established with a long-term view. Because of the highly sensitive nature of the problems they raise regarding the distribution and allocation of power, reforms in the security sector are highly political by nature. International (and EU) experience and policy-making is leading to a greater emphasis being placed on civilian oversight, democratic accountability and deeper interaction with communities in order to drive and sustain security sector reform. Good governance in the security sector will also depend on a deep-seated change in behaviour and ethics. In order to accompany this process, donors will need to have a good understanding of the rival loyalties and interests that divide the different combat corps, police and other security sector institutions, within and between them. As regards the army, they will also need to work closely with the military command on establishing standards and a clearly defined national security policy. The international community should also help civilian institutions to exercise democratic control and oversight of the security system. Donors' engagement in SSR, however, will largely depend on their ability to establish a co-operative relationship with the newly elected government. The European Commission, and the two ESDP missions, EUSEC and EUPOL, who are in the process of finalising their common position on SSR in DRC, may need to adjust their engagement accordingly. As already established in the police sector, a framework for tighter co-ordination with EU and other non-EU partners will also be needed in order to avoid the risk that initiatives in the security sector are carried out piecemeal and do not mutually reinforce each other.

With regards to rebel armed groups, the international community has concomitantly supported opportunities for mediation, stronger joint military actions by the army and MONUC, and the process of Disarmament, Demobilisation, Reinsertion, and Reintegration (DDRR). Unless genuine regional co-operation takes place, progress in dealing with the issue of rebel foreign armed troops and ex-combatants in eastern Congo will remain slow. Proposals by the Conference of the Great Lakes Region for a regional Stability Pact are over-ambitious at this stage, and support will be needed to devise more practical solutions to this issue. These might include awareness-raising campaign to encourage the voluntary return of foreign militias, and a closer framework for mediation and dialogue, such as that set up between Burundi, DRC, Rwanda and Uganda under the Tripartite Plus Joint Commission. The EU and its Member States should also strengthen their commitment to enforce the UN Security Council's arms embargo on DRC.

Disarming domestic militias should be helped by the fact that it falls within the realm of the national reconciliation process, where those that surrender weapons are given the opportunity to join the army or go through a reintegration process. However, disarmament is only one step of a very complex process of DDRR. As the recent International Alert report *The EU and DDR: Supporting Security and Development* demonstrated, the goal of this process is to help ex-combatants move away from the roles and positions that defined them during the conflict to

identifying themselves (and being identified) as members of families and communities with corresponding responsibilities and opportunities. The time-bound Multi-country Demobilisation and Reintegration Program (MDRP), which the EU and member states support, can help to bring short-term security. But this should be combined with pledges from donors to put the creation of equitable decent and sustainable income opportunities at the centre of their post-conflict rehabilitation programmes. Much could be achieved after the elections, if the newly elected government genuinely commits to the reintegration of all ex-combatants as part of a nationwide reconciliation process, in which host communities will be involved and are active in promoting better governance, and in particular determining how to ensure that there is no impunity for serious violations of human rights.

## Supporting legitimate and effective governance

Poor governance has been identified as a main cause of poverty in DRC. But poor governance is also a main cause of conflict. Clearly established, inclusive, and transparent regulatory and legislative frameworks and their effective enforcement are needed to address some of the main causes of insecurity in the Great Lakes region. This will require continued support for legal and judicial reforms but this will not be enough, however. In a country where the culture of predation is deeply ingrained, all state and non-state actors have a role to play in moving away from past behaviour. To help, the international community must also change the way it operates. As the EU harmonises its approach on governance as part of its Consensus on Development, priorities must be given to:

- Contributing to a regular, balanced, and truthful dialogue between state institutions and non-state actors linking the capital with the provinces;
- Building the capacity of the country's systems of checks and balances, both formal and informal;
- Promoting greater transparency and accountability in the way the international community, both donors and private sector, operates in the country.

The EU has recently announced an incentive envelope, worth €2.7bn, under the 10th European Development Fund (EDF). While based on the provision of incentives and the construction of dialogue, the governance profile which will form the basis of the discussion will be drawn up by EU staff. Instead, the EU should use the opportunity of its governance initiative to contribute to a much-needed nationwide debate on the issue. There is interest and capacity within civil society to participate in such a debate and this should be built upon.

With regards to capacity-building, support should go towards strengthening both formal and informal systems of checks and balances. Support for the executive, the legislature and the judiciary alone will not form the foundation of a democracy as their actions will be limited by their own lack of accountability. The EU should therefore make full use of the 15 percent EDF allocation earmarked for capacity-building for non-state actors, as well as the new thematic instruments, including the Human Rights and Democracy for the EU, directly to support activities for grassroots NGOs through local calls for proposals. Support for free and professional media, independent government watchdogs, and umbrella civil society networking organisations linking east and west, will be important to give the Congolese population the tools it needs to challenge, and build bridges with, its government. The Commission has recently issued a call for international tender to support a €4.5m capacity-building programme for civil society.

The EU's support for schemes to support a transparent and efficient management of DRC's mineral and non-mineral resources, such as Kimberley but also FLEGT, will also need significant resources earmarked for capacity-building. Greater policy coherence is also needed. EU companies with activities in the region should be encouraged to adhere to strict codes of social and environmental conduct, while a proper debate should be launched on the implications that bank secrecy and tax havens, many located in the EU, may have on illicit activities, and with them, global security.

With regards to its own external assistance programmes, the European Commission must urgently abide by its commitments to be more inclusive and transparent in the way it works, as the next generation of Country Strategy Papers (CSP) under the 10th EDF is being prepared. It could notably encourage its programmes to be openly debated in parliament after completion; this would increase domestic ownership over the path to development.

### **Supporting lasting reconstruction and development**

There is a strong recognition among donors that a quick peace dividend is needed to help countries emerge successfully from a cycle of conflict and violence. Yet, it is not so much the level, but more the form and allocation, of its development assistance that will determine the contribution that the EU can make to development and peace in DRC in the next few years. Programmes that focus on institution-building and infrastructure; mainstream governance at local, provincial, and national levels; and use a participatory approach through all stages of their cycles should be prioritised. In addition, the donor community must work with the Congolese authorities to fully account for some of the country's own special needs. A post-conflict and hence still fragile country should put peacebuilding at the centre of its poverty reduction strategy.

Non-state actors in DRC have out of necessity replaced the Congolese state in the provision of many public services. Support for post-conflict reconstruction will therefore require the EU and other donors engaged in the east to accompany a transformation process under which local NGOs redefine their role, while the functions of the state, including at local levels, are being rebuilt.

With an abundance of natural resources, DRC is potentially one of the wealthiest countries in the world. Therefore, what the country needs is not necessarily more aid, but the capacity, and will, to turn its own economic resources into a source of equitable income opportunities for the population as a whole. This will require support for effective, transparent and accountable cash-flow management systems at micro-, meso- and macro-levels. As well as supporting an improvement in the management of the country's natural resources and public finances, an immediate donor priority after the elections should be to engage with the government on the issue of public sector reform, beginning with a full civil servant census to determine total numbers and grades. The professionalisation of civil servants, and with it, the review of their salaries, are an important step towards improving administrative governance and slowly building a civil service culture, which values merit, quality, service, and accountability.

The EU must also work with the DRC government to put employment at the centre of its poverty-reduction strategy. Post-war rehabilitation programmes offer a unique and timely opportunity for providing equitable job opportunities in the short term, through the promotion of labour-intensive public works activities, for example, in transport, energy and water. Despite the temptation to deliver aid as quickly as possible, careful planning is needed to avoid situations in which contracting foreign companies are called in, with heavy machinery. There are plenty of success stories, starting with Rwanda, that show that using more local, labour-intensive technology can work. In the case of DRC, a clear distinction between activities that are



unlicensed but create jobs – such as artisanal mining on former publicly-owned sites and activities, whether lawful or unlawful, that only contribute to the enrichment of the political and financial elite. This distinction must inform efforts to formalise the economy and within it, support grassroots economic activities.

### **Promoting regional integration**

The European Commission supports the revival of the Economic Community of the Great Lakes (CEPGL), which is made up of DRC, Rwanda and Burundi. In addition, regional indicative programmes and the EU's Trust Fund under its Partnership for Africa on Infrastructure could finance significant regional infrastructure projects. In the case of DRC, the EU will need to carefully balance resource allocation between promoting regional projects and supporting national reconstruction.

Regional integration is a long-term endeavour, which will need to be based on a multi-track approach – involving civil society, businesses, governments, and institutions – to succeed. Yet, the ongoing Economic Partnership Agreement (EPA) negotiations between the EU and Central Africa have not been inclusive and transparent. Although they are arguably the most immediately affected, civil society actors and private sector associations have hardly been involved in the process. The EPA will require the eight Central African countries, including DRC, to reciprocate the duty-free access from which they currently benefit on EU markets. By letting EU products enter their markets duty-free, countries will have to forfeit significant custom receipts. The EPA could also lock these countries further into their current commodity-based production patterns, despite the inclusion of a safeguard clause for sensitive products. Given the lack of political will, the non-complementary nature of their economies, and the proliferation of non-tariff barriers (including poor infrastructure and corruption), intra-regional trade in Central Africa, which the EPA promotes, is also unlikely to increase in the near future. As it currently stands, the EPA between the EU and Central Africa therefore seems to provide a risky trade-off between definite short-term costs and uncertain long-term benefits. Given the EU's commitment to peace and development in Africa, a more cautious approach towards EPAs is needed. This notably calls for a greater co-ordination and coherence between the EU's trade and development agendas.

## Introduction

Almost as large as Western Europe and awash with natural resources, the DRC is strategically significant. This country is pivotal for the development prospects of the Great Lakes region and indeed the whole area of central and southern Africa. Yet, many causes of the country's poverty and instability remain unresolved. With regard to reconciliation and peace, the country's strong divisions along ethnic, linguistic, and regional lines, partially fuelled by the influence of neighbouring countries, undermine a sense of collective citizenship. Economies are in tatters, the means of communication destroyed, and the scale of human suffering caused by more than a decade of continuous fighting is unprecedented. At the same time, security, governance and development issues have all closely inter-connected political and economic ramifications, and any piecemeal, isolated efforts to resolve one issue without accounting for the others are likely to fail.

To try to address these challenges, the EU (Council and Commission) have engaged very substantial financial and human resources in the country in recent years. They have also worked more closely together to harmonise their positions. In 2003, more than eight years after the nomination of Aldo Ajello as Special Envoy for the Great Lakes Region, the Council of the EU launched a 2,200-strong military crisis operation in Bunia, in eastern Congo. In June 2006, new European battalions, EUFOR, were sent to support the UN peacekeeping forces, MONUC, in their task of providing security for the country's first multi-party legislative and presidential elections in 40 years. Two European Security and Defence Policy (ESDP) missions are also presently working in Kinshasa to support the army and police force.

While the humanitarian branch, ECHO, remained heavily engaged in the east of the country during the conflict, the European Commission resumed its long-term development assistance to the country in the early days of transition in 2002. The Commission's support to the country includes institutional support, funding for the elections, the security sector, and the justice sector, as well as infrastructure reconstruction programmes and health projects. EU bilateral donors also followed suit, with DRC becoming the largest recipient of EU aid in 2004, with net disbursement totalling \$1.1bn in that year.

Significant progress has meanwhile taken place on the political front. Regular troops from neighbouring countries have withdrawn, a transition government has been installed, and the electoral process is underway. Rebel activities in the east, and deep rivalry between the different parties of the power-sharing transitional arrangement have nonetheless continuously threatened to derail this process. With less than one month to go before the last round of elections takes place, the Congolese population faces an uncertain future. The international community has prompted its urgent and high level mediation, after the security guards of the two presidential candidates in the lead, the president Joseph Kabila and the vice-president Jean Pierre Bemba, clashed in Kinshasa in August. In such a fragile context, it has become increasingly difficult to envisage a best case scenario, in which the elections would lead to lasting peace. As a result, the EU and its Member States will continue to face numerous challenges as they plan their engagement for many years to come and on multiple fronts in post-electoral DRC.

Produced as part of the Conflict Prevention Partnership, this paper analyses the context in which the EU uses its external relations instruments in DRC to address security issues, promote legitimate and effective governance, and support economic recovery and regional integration. Each theme draws out recommendations from an extensive consultation process that took place during April-September 2006 in the EU and in the region.<sup>1</sup>

<sup>1</sup> Including a conference organised by International Alert and the Conflict Prevention Partnership in Brussels in May 2006 and one in Kinshasa in September 2006 on 'Promoting good governance in DRC: which role for the state and non-state institutions?'

## The role of the EU in DRC: from immediate mediation to future engagement

To try to put a stop to the two consecutive civil wars of 1996 and 1998-2003, the international community – and the EU in particular – has been heavily involved in peacebuilding in DRC. The Sun City peace deal in 2003 brought about a national power-sharing agreement and the withdrawal of regular troops from neighbouring countries. It also marked the beginning of a painstaking transition process towards new constitutional arrangements and with them, the holding of the first multi-party elections in 40 years. The EU and its Member States are the key supporters of this electoral process. Yet, even if completed successfully, the elections alone will not suffice to bring lasting peace and stability to the country, as many of the roots of instability and poverty in the country remain unsolved.

### Elections – a step towards stability and democracy

After a one year delay, the first round of the presidential and legislative elections nonetheless took place on 30th July 2006. The cost of the electoral process was originally estimated at €265.3m, 80 percent of which was financed by the EU and its member states. The European Commission was the largest contributor to the electoral process, with assistance totalling €149m, including €25m for security purposes. This is the largest support ever given by the European Commission to an electoral process. In addition to the Commission's support, EU Member States contributed a total €65.4m. Reflecting the need for a second presidential round, the elections will now cost more than expected, with the European Commission recently pledging another €16m.

Because the country is almost as large as the whole of Western Europe and most of the communications infrastructure has been destroyed, logistical problems relating to the elections are huge. The organisation of the constitutional referendum in December 2005 nonetheless passed off relatively smoothly and peacefully. But it seems that most voters said yes to the new constitution because they wanted peace. The stakes were much higher in the legislative and presidential contest in July. As already signalled in our 30th May working document,<sup>2</sup> ‘the likely rejection of the outcome of the elections by UDPS [Union pour la démocratie et le progrès social] supporters could lead to civilian disobedience. But the real risk of instability – and renewed fighting – will come from armed opposition groups [...], as well as the presidential guard of Joseph Kabila’.

This risk was confirmed when Kabila's presidential guard and Bemba's security force clashed in Kinshasa on 20th and 21st of August, after the provisional results of the first round, in which neither party won a clear victory. The use of heavy weapons by Kabila's troops against Mr Bemba's residence and the visiting members of the Comité International d'Accompagnement de la Transition (CIAT)<sup>3</sup> that he was hosting at the time, is evidence of the seriousness of the situation.

At the same time, the relatively high rate of participation indicates that the majority of the Congolese population wishes to participate in the electoral process. According to statements by the electoral observers, the Congolese came to cast their vote at the first ballot peacefully and in an orderly way, with help of logistical support from MONUC, the large-scale mobilisation of national and international observers and the generally non-intrusive presence of the police force.<sup>4</sup> The organisation of the first ballot also showed that, in spite of the logistical problems, the

2 'EU Peacebuilding activities in the Great Lakes region: impacts, challenges and opportunities,' International Alert/CPP working paper, May 2006

3 CIAT is composed of the five members of the UN security Council (China, France, United Kingdom, United States and Russia), Belgium, Canada, South Africa, Angola, Gabon, Zambia, EU (Commission and Presidency), African Union and MONUC.

4 e.g. the preliminary statement of the EU's electoral observers in DRC.

majority of police and the Commission Electorale Indépendante (CEI) agents behaved in a professional fashion. Despite strong concerns, there was no significant upsurge in violence directly related to the campaign, notwithstanding some isolated incidents during demonstrations in Kinshasa. On the down side, however, some candidates ran a campaign based on exclusion and defamation of opponents, and media coverage during the campaign was unequal. There were also allegations of ballot stuffing and irregularities during the collection and compilation of the results.

Seen as the international community's favourite candidate, Kabila was expected to emerge as a clear winner in the first ballot, but the final tally gave Kabila 45 percent of the national vote, followed by Bemba with 20 percent. The international community has now intensified its mediation efforts in order to 'save' the electoral process from collapse. The violent conflict between the two leading presidential candidates has served as an uneasy reminder that elections alone will not be enough to bring about genuine democracy in DRC and the international community will need to remain strongly engaged for some time to come. Despite pressure from the international community, the former-warlords-turned-politicians have shown that they are not convinced democrats. Under the transitional power-sharing arrangements, the executive included the president and four vice-presidents (often referred to as the 1+4 government); the legislature was made up of representatives from four different rebel movements, the Mai-Mai militia, the unarmed opposition, and civil society. If successful elections mark the end of the transition period, many will be reluctant to lose an important base of power and source of enrichment.

The second round of the presidential elections is scheduled for October 29th. The provincial elections will also take place on that day. The acceptance of the results of the elections is crucial if the next Congolese government is to be able to function and be considered legitimate. Announced in the first week of September, the results of the 500-seat national assembly elections – by nature more diversified and thus less contentious – gave no absolute majority to the presidential coalition, Alliance pour le Mouvement Présidentiel (AMP), with 212 seats, with Bemba's alliance, RENACO, coming second with 89 seats. The new assembly should map out DRC's political landscape for the next five years, and also reflect regional, ethnic and linguistic divisions, as well as some exclusion owing to voters, not willing or able, to cast their votes. The two main party alliances will also reinforce the east-west regional rift between Kabila and Bemba (Kabila won 97 percent of the votes in Bukavu, but only 20 percent in Kinshasa). More political realignment and party alliances will be needed not only in the preparation of a second round, but also for a prime minister to be chosen. Alternatively, if the electoral process fails, armed rebel activities could resume in some parts of the country.

The fragility of the country as a viable state contrasts with the often intricate interests of its politico-military elite. In countries where outsiders' knowledge is by definition limited, and where events are often influenced by rumours and often cannot be predicted, the international community must be prepared for all eventualities – whether likely or unlikely. The CIAT – the committee in charge of supporting the transition government – has been working for the last three years in extremely difficult circumstances. Its members – which include, among others, the EU (Commission and Council) and three EU Member States (France, UK and Belgium) – sometimes found it difficult to agree on, or get the transition government to agree on, sensitive issues. As the CIAT's activities come to an end, the international community should try to move away from offering quick-fix solutions in the event of another crisis during the electoral process. In particular, the international community must not force through yet another situation of temporary compromise, where opposing parties would reluctantly agree to share position in office for the sake of maintaining stability in the short term. Proposals for a new national unity government would not bode well for the future, unless it is the genuine outcome of party realignment in parliament. As far as possible, the mediation process should be used to find long-

term solutions to the country's crisis. A systematic risk-based approach is needed and political dialogue should seek to reinforce the country's internal conflict-resolution and consensus-building mechanisms, some of which may not have been taken sufficiently into account by the new constitution. This is all the more important since the mechanisms established within the CIAT were unique and limited in time. Once a legitimate government is installed, direct involvement in domestic affairs will no longer be possible, barring exceptional circumstances.

### The EU strategy for Africa in fragile states<sup>5</sup>

In very fragile states emerging from conflict like DRC, state-building will remain the main focus of international engagement in the medium to long term. This will focus on helping the state to reclaim some of its most basic public service delivery functions (including health, education and the security of citizens) and build its capacity to implement 'pro-poor' policies.<sup>6</sup> For this, a coherent framework of actions linking governance, development and security will be needed.

In its 'EU strategy for Africa: Towards a Euro-African pact to accelerate Africa's development' (October 2005), the EU acknowledges that peace and security are the first essential conditions for lasting development. As a result, it highlights a number of possible actions to step up efforts to promote peace and security in Africa. These cover all stages of the conflict cycle and include, in particular, support for African peace-support operations; support for national and regional disarmament, demobilisation, reintegration and reinsertion of ex-combatants, the fight against the proliferation of small arms and support for security-sector reforms. These actions have already been supported by bilateral and multilateral donor programmes in the countries of the Great Lakes Region, notably Rwanda, Burundi and DRC, following the signature of peace treaties. But these programmes have revealed their limitations over the course of the last few years. In this paper, we argue that the problems of security, governance, justice and development are closely inter-linked. Insecurity in DRC and the surrounding countries, particularly Burundi, will continue if it is treated in isolation from the problems of development, justice and governance which define it.

The Strategy for Africa recognises legitimate and effective governance as the second central prerequisite for sustainable development after peace and security. This not only involves support for legitimate and transparent legal and regulatory frameworks, but also entails support to build up the state's capacity and local, national and regional institutions. In this paper, we argue that this essentially technical approach to the problems of governance has only limited relevance in African countries, unless it focuses on strengthening the accountability of governing elites. This will not only require the effective separation of powers between the executive, legislature and judiciary, but also actions to give citizens a voice in how they are governed. Promoting good and effective governance will require a departure from past behaviour and values, not only from the governments of the countries concerned, but also (albeit of a completely different nature) from the international community. Increasing development assistance is not enough. The EU will also need significantly to increase its own staff so that it can meet its commitment for a stronger participatory approach to development under the Cotonou partnership agreement. More transparency will also be needed not only in the way the EU and their member states work, but also in the operations that Western financial and non-financial companies have in Africa.

With regard to reducing poverty, the EU has benchmarked the UN Millennium Development Goals as a common objective in its Strategy for Africa. While laudable, the simple pursuit of these universally-defined, quantifiable objectives is not the right *primary* objective in unstable and

5 The OECD Development Assistance Committee characterises fragile states by those countries where there is a lack of political commitment and weak capacity to develop and implement pro-poor policies, suffering from violent conflict and weak governance: see <http://www.oecd.org/dac/fragilestates>. Recent work by International Alert has emphasised that fragility flows from the weakness of the 'social contract' (between those who govern, and those who give their consent to be governed), which denies citizens a voice and the right to participate legitimately in governance. See the Submission by International Alert to DFID's White Paper Consultation, March 2006 [www.international-alert.org/press](http://www.international-alert.org/press)

6 See OECD's principles of international engagement in the context of fragile states.

fragile states such as DRC. In these environments, where the impacts of conflict hit the poorer strata of the population hardest, there is often a total absence of trust between people and the elites that govern them. Commitment to fight exclusion and give equal political and economic rights to all is often non-existent. Underlying all this are also strong traditional chieftainships. In these countries, the authorities identify their citizens along ethnic, linguistic, and regional lines. Their genuine commitment to developing and implementing nationwide poverty reduction strategies is weak, as the population does not yet have a political voice and is not in a position to demand better governance. Because of the weakness of the social contract between the governments and their citizens in many African countries, it is essential for donors, and the EU in particular, to commit to a wider framework of consultations and dialogue involving both state and non-state actors. All have a role to play in creating an internal system of checks and balances to promote good governance (including good citizenship) and accountability.

More effective and equitable systems of taxation will be needed to establish a social contract, in which all Congolese have access to the same rights (including the right of access to public goods and services). However, the bulk of the population make a living in the informal economy and hence, remain outside the formal, political and economic decision-making process, even though they are often the first victims of red-tape and illegal taxation. The formalisation of the economy will, in the long term, go hand-in-hand with the reduction of poverty levels and, in particular, with the creation of stable and decent income opportunities for all. Yet, the intrinsic link between job creation and poverty reduction is largely overlooked in the EU Strategy for Africa and its Consensus on Development. The focus is on economic growth, even when economic growth alone cannot lead to poverty reduction in Africa and elsewhere, as several recent studies indicate.<sup>7</sup> In this paper, we argue that promoting stable and decent income opportunities for all will not only contribute directly to poverty reduction but is also the main development tool for peacebuilding. All donors should consequently make ‘job creation for all’ a principal objective of the post-conflict rehabilitation and development programmes that they support.

7 e.g. see OECD studies on growth in Africa

## Combating insecurity

Security is needed for democracy to become stable in DRC. For this reason, the EU has deployed on two occasions its own operational means to help Congo to manage its crisis. In 2003, 2,200 soldiers, mainly French, were sent to stabilise Bunia, east of Congo, in the Artemis operation. In April 2006, the EU received the approval of the UN Security Council to send EU battle groups (EUFOR) to the country to support the work of the UN Peacekeeping troops, MONUC, during the elections. This operation was expanded to include the deployment of 1,200 troops to Kinshasa and an 'on-call' 1,200-strong force, stationed in Gabon. With its operational headquarters in Postdam (Germany), EUFOR is to stay for an initial period of four months after the first round of voting. Among EUFOR's tasks are to 'contribute to the protection of civilians under imminent threat of physical violence and to contribute to airport protection in Kinshasa'. Personnel from the UN, EU, and Commission Electorale Indépendante (CEI) have been given priority for this protection. EUFOR stands ready to support peacekeeping activities in the west of the country, as the majority of 17,800 MONUC troops, which EU bilateral donors also support financially, remain deployed in the east. The risk of renewed violence will remain extremely high during the electoral period. Women and children in the east will be the most exposed. In the short term, EUFOR and MONUC must do everything they can to ensure the basic safety of the population. With a second round of voting now scheduled for October, the EUFOR mandate should be extended for however long it takes for a new government to establish itself.

Combating insecurity in DRC will also require a long-term engagement from the international community to build up capacities in the country to ensure both state stability and the safety and well-being of the people. Drawing lessons from its engagement during the transition, the international community has recognised that a more coordinated, holistic, and coherent approach is needed to address the many challenges that DRC faces not only in reforming its security sector but also in the disarmament, demobilisation and reintegration of combatants. The presence of both foreign and Congolese militiamen remains a major challenge for the country.

### Supporting security sector reforms

Effective reform of the security sector will require sustained European engagement over at least a ten year period. Security sector reforms (SSR) are a relatively new area of activity for the European Commission and Council, albeit less so for EU Member States. Yet engagement is increasingly being informed by a growing body of experience and policy guidance in this area, including a cross-pillar EU Policy Framework on SSR agreed in June 2006 by the European Commission and the Council of the EU. In the DRC, both Council and Commission are in the process of finalising a strategy that will help to co-ordinate its actions in various parts of the security sector<sup>8</sup> and improve coherence with other international actors.

The European Commission Communication on SSR is evidence of the growing recognition that SSR should focus on developing a 'nationally-owned concept of security, with well defined policies and good governance of security institutions, while ensuring that any development of professional security forces leads them to be both accountable to the civil authorities and capable of carrying out the operational tasks assigned to them'. The next step, therefore, for the international community in DRC will be to support the many institutional and policy reforms linked to SSR and involving decisions at the top of the security sector hierarchy. While clearly necessary in the long term, the initiation of these reforms will inevitably be problematic given the

8 The security sector has a number of different components, many of which are inter-connected. It is made up of the armed forces, police and gendarmerie, intelligence services and justice and penal systems, but also the civil authorities responsible for oversight and democratic control (e.g. Parliament, the Executive, and the Defence Ministry). See [www.oecd.org/dac/conflict/ssr](http://www.oecd.org/dac/conflict/ssr)

potential reluctance of the newly-elected Congolese authorities to see the international community step up its engagement in this area.

During the transition period, the EU has been able to make progress in its support to training and equipping young men as policemen or soldiers. It has been working with the police since 2004 and has seen some successes. To provide security for the elections, it contributed to a multi-donor fund in part aimed at training and equipping the 38,000-strong Police Nationale Congolaise (PNC). This programme received €2.5m (60 percent of the budget) from the Commission, with funds also coming from EU bilateral donors and MONUC. The EU also supported the launch and training of the 1,008-strong Integrated Police Unit (IPU) from 2004, as agreed at Sun City, to guarantee the security of the government and transitional institutions. IPU training and equipment is financed by the EDF, managed by the European Commission, and by joint action covering contributions from the budget of the CFSP and from Member States. EUPOL Kinshasa, the first civilian police mission in Africa within the European Security and Defence Policy (ESDP) framework, was launched in April 2005, to 'monitor, mentor, and advise' the IPU. The mission has deployed personnel to different sections of the IPU line of command. The initial budget for the mission was about €4.3 million.

The EU and its Member States plan to support the first phase of police reform in DRC after the elections, upon endorsement by the newly elected government. This will be based on recommendations by the Groupe de Réflexion sur la Réforme et la Réorganisation de la PNC, an advisory group set up by the Interior Ministry and made up of Congolese and international experts. The European Commission will earmark some of the 10th EDF funds to finance its activities. Future work on the police will require politically-sensitive engagement on the many challenges which remain in creating a new police force that is an effective and accountable public service. Issues regarding recruitment, training and, particularly how to ensure accountability, still need to be addressed. The public's confidence in the police service's ability and willingness to ensure their 'freedom from fear' will be determined by the amount of progress in the police reform process. It will also depend on the extent to which communities are involved and can participate.

As far as the army is concerned, the strategic plan of reforms adopted by the transition government in May 2005<sup>9</sup> planned to have the new infantry brigades resulting from the brassage process trained in time to guarantee security during the elections. This process has been marred with difficulties, however, in large part because former warlords turned politicians have been reluctant to give up control over their private armies. As regards to the Forces Armées de la République Démocratique du Congo (FARDC), they have remained a critical source of insecurity in the country, so much so that CIAT has requested that all FARDC troops (barring those involved in joint operations with MONUC) be confined to their barracks during the electoral period. Systematic abuse of the population, poor working conditions, and continued allegiances to former rebel warlords characterise the current state of the Congolese army.

The process of transforming the army has, to date, seen 12 integrated military brigades (each of which has 6,000 men) deployed. This came after substantial delays, resulting from poor planning, lack of co-ordination amongst donors, logistical problems (including transport), limited financial resources, and an innate resistance to brassage. The transfer of the 12 brigades from the *centres de brassage* to the deployment areas nonetheless gathered speed in the months leading up to the elections. MONUC and bilateral donors, including Belgium, South Africa, Angola, and the United States, have also supported the army reforms. The European Commission provided funding for the *centres de brassage* in Kisangani and Luberezi.

It seems that the power-sharing arrangements of the transition period (under which former warlords were allowed to retain some of their own troops for their personal safety) made the brassage process not only inherently difficult, but also precarious. As the former warlords-turned-politicians remained reluctant to forfeit the use of their private armies during the



transition, the military hierarchy has remained disjointed, while integrated and non-integrated brigades continued to co-exist. The non-integrated and integrated brigades share the same barracks and are jointly involved in military operations with MONUC. In addition, some former warlords have allegedly kept their best soldiers outside the *brassage* process in case the elections do not work out in their favour. Many soldiers of the integrated units, especially those with a strong identity like the Mai-Mai, remain loyal to their former leaders, despite the 45-day training that they received to define their new role.

The ESDP mission, EUSEC, which started its mission in May 2005 to advise the government on army reforms, has started to engage on institutional aspects of the military system. Since December 2005, and after much pressure from the international community, the DRC government has given EUSEC a supplementary role in supporting administrative reforms in the military through the EUSEC-FIN ESDP project. This involves carrying out a military service census to remove ghost soldiers from the payroll; distributing forgery-proof identity cards; and establishing an effective chain of payment to stop soldiers' salaries from disappearing. EUSEC-FIN's proposal to separate payment mechanisms from the chain of command has become effective since January 2006. Salaries are now directly brought to soldiers by *payeurs* working for the Congolese army under the supervision of EUSEC and MONUC. The next step in the medium run will be to train administrative staff within the Ministry of Defence to carry out this task.

With the assistance of EUSEC-FIN, an estimated 94-95 percent of all integrated brigades now receive their monthly salary from the Ministry of Defence. Part of the rationale for facilitating the payment of the soldiers' salaries was to stop them living off the population. Recently raised to \$25 a month (plus \$9-10 for family support), these salaries are still insufficient for soldiers and their families to survive. The integrated troops also remain poorly equipped. As a result, there has been no report of improvement in the army's conduct. According to MONUC's July 2006 Human Rights Report, 'The routine use of physical violence against civilians, including summary executions, beatings and rape, committed by FARDC soldiers, who often underwent the "*brassage*" process, is reported wherever the army is deployed. MONUC has also noted with concern the level of violence against civilians perpetrated by the FARDC in the course of military operations'. Although there are examples of good conduct, these tend to get swamped by the overall trend. More nuanced human rights reports are hence needed as part of a wider effort to highlight and encourage any positive change in behaviour.

Another challenge as regards the security sector in the Congo is that the donors have tended to support the reforms in a piecemeal and uncoordinated fashion. Different missions from different countries have all brought their own doctrines and values, potentially causing confusion and divisions at the heart of the different sections of the armed forces, but also the police. The international community has recently taken some steps to co-ordinate their actions, starting with the Groupe de Réflexion in the police sector. The common strategy on SSR in DRC being finalised by the European Commission and Council should also help, with EUSEC expected to play an important role in the army sector. Involving other players may prove more difficult, however, given that some countries, such as, allegedly, (Angola which supports the rehabilitation Presidential Guard) and South Africa – may have other interests.

Reinforcing the operational capacity of the army and the police force will not suffice to guarantee a return to stability. In the long run, progress in creating a democratically run, accountable and efficient security system will be one factor which determines whether DRC avoids a return to violent conflict. This means not only the regular payment of decent salaries, good leadership and professional training but also a governance framework that ensures effective democratic control, oversight and accountability. The EU should seek to make full use of its horizontal instruments, as well as the 10th EDF to ensure it can contribute to holistic and integrated international assistance to this critical component of peacebuilding in the DRC.

Because of the highly-sensitive nature of the problems they raise regarding the distribution and allocation of power, reforms in the security sector are highly political by nature. For that reason, security and development partners should take into account the aspects of governance linked to the security sector. This requires buy-in, on the one hand from the politico-military elites, and, on the other, from the communities affected. Transitional power-sharing arrangements, under which former rebel leaders keep their options open until the electoral process produces a clear winner, have not proved to be a good start in respect of efforts to create a unified and well-integrated army. SSR will need to build up the commitment of former warring parties – including former warlords and militia commanders that have undergone demobilisation – to the reforms. This means that donors need to have a very deep understanding of the rival loyalties and interests that divide the different parts of the security sector, such as the combat corps and the police, within and between them. In DRC, the role of the police in enforcing criminal law and guaranteeing the security of the citizens, and that of the army in defending the integrity of the country's territory, will also need to be clearly defined and strengthened. Mechanisms to communicate the reform process to the citizens as well as working with communities to shape and define their own security needs will therefore remain crucial.

Good governance in the security sector will also depend on a deep-seated change in behaviour and ethics at the heart of the DRC's security sector. Despite their record of human right abuse – a legacy of the Mobutu years – soldiers and policemen still need to be trained, equipped, and nourished if support is to be given to state-building in DRC, and, more pragmatically, if they are to stop living off the population. In April 2006, the Military Court in Kinshasa sentenced seven FARDC officers to life in prison for crimes against humanity. This is a welcome move to fight impunity within armed forces. Much of the security forces' conduct will depend on a clearly-established national security policy and 'the enforcement of certain standards and the application of sanctions and incentives in order to achieve those standards'.<sup>10</sup> Given its involvement in administrative reforms and its good relationships with the Ministry of Defence, EUSEC seems the best positioned to work closely with the command structure to work on these issues.

As well as capacity-building programs in the justice sector (including military justice), the international community should also help civilian institutions to exercise democratic control and oversight of the security system. Parliament and civil society have essential functions to perform in this regard (see section Promoting legitimate and effective governance).

### **Ex-combatants and armed groups**

To try to help deal with the continuing actual and potential insecurity caused by rebel armed groups and former combatants, the international community has concomitantly supported opportunities for mediation, stronger military actions, and the process of Disarmament, Demobilisation, Reinsertion, and Reintegration (DDRR).

The problem of Congolese combatants (including those associated with them) and the problem of foreign rebel soldiers are of a different nature. In both cases, however, laying down weapons will not be sufficient, insofar as rebel groups do not only use guns, but also machetes and knives. Some do not hesitate to attack the population with extreme violence, such as burning them alive and perpetrating sexual violence against women.

Part of MONUC's mandate is 'to facilitate the demobilisation and voluntary repatriation of the disarmed foreign combatants and their dependants'. Progress on this front has been slow, however, in part because the governments of their home countries, but also the Congolese authorities themselves, have refused to have any contact with the rebel forces for fear of legitimising their existence. The government in Rwanda, in particular, has warned that Hutu soldiers from the Forces Démocratiques pour la Libération du Rwanda (FDLR) would not be

10 Edward Rees, *Security Sector Reform and Peace Operations: 'Improvisation and Confusion from the Field'*, March 2006, UN Peacekeeping Best practices.

immune from prosecution with regards to the 1994 genocide. This warning was issued in April 2005, after the FDLR announced that they will stop fighting and return home. This undoubtedly had a deterrent effect on their voluntary repatriation.

Unless genuine regional co-operation takes place, progress in addressing the problem of rebel foreign armed troops will remain slow. The continued role of Ajelloo as EU Special Envoy For The Great Lakes Region is to this effect essential. The EU is also supporting ambitious proposals by the Conference of the Great Lakes Region for a regional Stability Pact. A Declaration on Peace, Security, Democracy and Development was adopted at the First Summit of the Conference of the Great Lakes Region in Dar-es-Salaam in November 2004. Several protocols and programmes of action on peace and security, democracy and good governance, economic development and regional integration, and social and humanitarian issues, are soon to be submitted at the second Conference in Nairobi. These are ambitious in scope, however, and there is strong scepticism that Angola, Burundi, DRC, Tanzania, Rwanda, Uganda, Kenya and Zambia – the eight ‘core’ signatory countries – will have either the means or political will to implement them. On the security front, many non-aggression and mutual defence agreements have been transgressed in the past. Another difficulty of the Stability Pact is that it remains detached from the Common Market for Eastern and Southern Africa (COMESA) and Southern African Development Community (SADC).<sup>11</sup> Both COMESA and SADC are committed to peace and security and SADC signed a Mutual Defence Pact in 2003.

The Great Lakes Conference, if approved by all signatories, will provide useful benchmarks to sustain peacebuilding efforts in the Great Lakes region. The commitment of all parties to implement them will nonetheless remain weak. Although there are no easy solutions to the problem of foreign militias in eastern DRC, some practical initiatives might help. They could include awareness-raising campaigns to encourage voluntary return, the involvement of the local authorities and a closer framework for mediation and dialogue, such as that set up between Burundi, DRC, Rwanda and Uganda under the Tripartite Plus Joint Commission. The EU and its Member States can also help by strengthening their commitment to the UN Security Council’s arms embargo on DRC. This embargo, which is monitored by MONUC, has been extended since January 2006 to cover political and military leaders of foreign armed groups and domestic militias receiving outside support. Four months later, the leader of the FDLR, Ignace Murwanashyaka, who was under UN Sanctions, was arrested in Germany, following coordinated efforts by the DRC government, Germany, and MONUC. Laurent Nkunda from the RCD-Goma, however, is still at large, although the warrant for his arrest was issued in September 2005.

In the months leading up to the elections, the FARDC troops intensified their military operations against rebel groups in east Congo, with the logistical support of MONUC. Although these operations have led some rebel leaders to surrender, they have also greatly aggravated the humanitarian situation. In May 2006, after months of intense fighting with government troops and mediation by MONUC, the Mai-Mai rebel leader, Commandant Gédéon, and his 150-odd soldiers (mostly children) agreed to lay down weapons in Katanga. Almost 200,000 people were internally displaced as a result of the fighting. Similarly, in Ituri, the fighting between the FARDC and the rebel group led by Peter Karim Udaga, the leader of the Front des Nationalistes et Intégrationnistes (FNI), intensified in early June, again with the logistical support of MONUC. This caused thousands of people to flee, while FNI temporarily kidnapped Nepali UN Peacekeepers. Peter Karim Udaga finally surrendered a few weeks before the elections. In Djugu, the humanitarian situation worsened as a result of fighting against Uganda-based militiamen of the newly formed Mouvement Rebel Congolais. This military solution to rebel activities has been criticised for being flawed, not only because it contributes to a worsening of the humanitarian situation (with reports of human rights abuses by both the rebel and regular armed forces), but also because this ‘cat and mouse’ game alone will not allow the Congolese army to regain full

11 Martin Rupiya, ‘Assessing the Stability Pact for the Great Lakes Region’, *African Security Review* Vol No13, 2004.

control of the national territory. Given that some rebel groups still receive support from neighbouring countries, here again, much will depend on donors' support for practical solutions, including border control, the monitoring of the arms embargo, and strengthening regional co-operation.

Addressing the problem of domestic militias should be helped by the fact that it falls within the realm of the national reconciliation process, where those that surrender weapons are given the opportunity to join the army or go through a reintegration process. In the DRC, as in the other countries of the region, the process of assisting ex-combatants to move from military into civilian life is implemented through the €200m Multi-country Demobilisation and Reintegration Program (MDRP) which is led by the World Bank and supported by the European Commission and EU Member States (notably the Netherlands with €100m).

In DRC, the Congolese implementing agency, CONADER started the programme with a one year delay in June 2005. By mid-2006, some 65,548 ex-combatants had reportedly been demobilised, of whom 17,614 had been absorbed into reintegration programmes. CONADER's main achievement was temporarily to provide monthly cash allowances (originally scheduled for 12 months) to demobilised soldiers. Such a 'safety net' measure is important for its contribution to short-term security to war-torn countries. In the immediate future, however, the international community must come to terms with the limitations of the MDRP. Flaws were reported in all the various components of the MDRP, with the CONADER programme now at a standstill following allegations of financial embezzlement and there are fears that the demobilised soldiers will take up arms again.

Firstly, the MDRP promoted demobilisation based essentially on the individual rather than on communities. Yet, a situation – such as is currently prevalent in Congo but also in Burundi – where ex-combatants are only partially kept in check or where their position in relation to the crimes they have committed remains uncertain, can only prey on the minds and fuel the fears of the communities that take them in, particularly when the fighting is still ongoing. The MDRP programme in the region has not done enough to include the important gender dimension of reintegration. The needs of women ex-combatants as well as the wives and partners of male ex-combatants have been neglected. This has both contributed to an increase in humanitarian needs and continued insecurity. Secondly, with regards to the reinsertion and reintegration components, local and international NGOs involved in the reinsertion phase did not necessarily have the capacity to go beyond the scope of their mandate, which, by nature, was of limited duration. In practice, their actions – within the areas defined by the MDRP, i.e. professional training, labour-intensive work, farming and income-generating activities – did not extend much beyond organising a few weeks of training or distributing farming tools.

Despite progress in international thinking on the topic, lessons have not been put into practice, as attention continues primarily to focus on overloading time-bound DDR processes with new procedures and conditionalities. As underlined in the recent International Alert report, *DDR: Supporting Security and Development – The EU's Added Value*,<sup>12</sup> it is vital that DDR is seen as part of a long-term political, social and economic transformation process that goes beyond a primary focus on short-term security. A time-bound DDR programme, MDRP II, will be important in sending strong signals of a peace dividend and bringing short-term security to war-torn communities. Such DDR programmes must manage the expectations of ex-combatants (and communities) and ensure that they do not exceed what the initiatives can actually provide. At the same time, donors must contribute to a much wider effort to achieve the goal of DDR which is to 'help ex-combatants move away from the roles and positions that defined them during the conflict to identifying themselves (and being identified) as members of families and communities with corresponding responsibilities and opportunities'.

12 *DDR: Supporting Security and Development: The EU's added value*, International Alert, CPP, September 2006.

Much could be achieved after the elections if the newly elected government genuinely commits to the reintegration of all ex-combatants as part of a nationwide reconciliation process in which host communities would be involved in their reinsertion and are active in promoting better governance, and in particular determining how to ensure that there is no impunity for serious violations of human rights. As one of the UN's Secretary-General's reports states, 'For integration to succeed [...] it must not only provide direct aid to demobilised combatants, but also greater support for the efforts made by the country to adjust the social and economic environment to reabsorb them'.<sup>13</sup> Activities that focus specifically on ex-combatants are vital to ensure they do not act as 'spoilers', but they need to be matched by, and linked to, support community programmes that benefit other returnees and people who remained in the community throughout the fighting. The success of reintegration will depend, in particular, on the involvement of the local population. This will be a long-term process, given that patterns of life and societies in the region have often been significantly transformed by the cycle of wars. Some combatants have no experience of peace and the communities that have suffered their acts of extortion will remain reluctant to take in former rebel soldiers and their families until they are seen as contributing in equal measure to the welfare of community. An MDRP II should therefore be combined with donors pledges to mainstream DDR into post-conflict rehabilitation programmes. The EU, in particular, should use all its range of instruments, from the Stability instrument to long-term finance under EDF. The need to mainstream 'the creation of decent and sustainable income opportunities for all' is further discussed in the section Supporting reconstruction and lasting development.

13 'The Secretary-General's report on the Role of United Nations Peacekeeping in Disarmament, Demobilisation and Reintegration', S/2000/101, 11 February 2000.

## Supporting legitimate and effective governance.<sup>14</sup>

Poor governance has been identified as a main cause of poverty in the world, and in DRC in particular.<sup>15</sup> Poor governance is also a main cause of violent conflict. This is not to say that good governance prevents all conflict from happening: a working democratic system embraces numerous and often competing views and interests but the means and institutions exist to manage them peacefully. But from a peacebuilding perspective, governance issues that need to be addressed as a priority are those that prevent conflicts from being resolved fairly and peacefully. In the Great Lakes region, rules and regulations in land and mining have already received particular attention, given their close links with conflict. Land disputes – which are driven by demographic pressure, mass reliance on agriculture as the main source of livelihood, but also by the co-existence of customary and administrative laws on ownership rights – are the main source of inter-community tension in the region. With regard to mining, a series of reports by the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC has given ample evidence of the links between the illegal exploitation of natural resources in DRC and the proliferation of small arms and light weapons in the region. Clearly established, inclusive, and transparent regulatory and legislative frameworks and their effective enforcement in these two sectors, but also overall, are therefore needed to address some of the main causes of insecurity in the Great Lakes region.

Accordingly, much of the international engagement in DRC has focused on supporting legal and judicial reforms during the transition. This, combined with support for government ministries and security sector reforms, forms the premise of the international community's vision for a peaceful, legitimate, and effective Congolese state.

### What sort of governance?

Governance in DRC will not improve unless there is a clear move away from past behaviour and values. The culture of predation that seeks to use positions in government and public administration for personal gain is deeply rooted in the country. The meltdown of the public sector and the progressive 'criminalisation' of the state since the mid-1980s have reinforced this culture at all levels of public administration. For example, in the provinces, unpaid senior civil servants have *de facto* privatised public services, including tax administration and licensing. At the same time, Laurent Kabila's regime and the 1+4 transition government largely followed in Mobutu's footsteps, stealing from the public coffers and the country's mineral riches and showing no commitment to promoting nationwide development and social welfare. The absence of effective checks and balances has only served to reinforce this culture of impunity. None of the main presidential and legislative candidates have submitted blueprints for more legitimate and effective governance during their campaign. Yet, all Congolese actors – from individuals to state and non-state institutions – have a role to play in promoting accountability, and more widely, good citizenship, in their country. To help, the international community must also change the way it operates.

The approach adopted by donors – and the European Commission in particular – during the transition in DRC has been to deprioritise the problem of corruption in favour of encouraging a rapid return to stability within the country. This approach has not been entirely appreciated by the Congolese population, some of whom have accused the international community of supporting a government which is, for the most part, corrupt and bellicose. All donors now plan

14 This section specifically reflects the outcome of the conference organised by International Alert and the Conflict Prevention Partnership in Kinshasa on 11th September 2006 on 'Promoting good governance in DRC: which role for the state and non-state institutions?'

15 'Document de la Stratégie de Croissance et de Réduction de la Pauvreté', Juillet 2006

to put governance at the centre of their development assistance after the elections. In the past, governance programmes have focused on fighting corruption and reducing the role of the state. Circumstances and perspectives have since changed, with the state now given a central role to play in the fight against poverty. In a nutshell, the governance paradigm has added ‘better state’ (with a focus on essential public services) to the traditional ‘less state’ (through redundancy and privatisation).

Perspectives on corruption have also changed, with each donor promoting their own view. In its August 2006 Communication on Governance, the European Commission states: ‘Good governance means more than tackling corruption. Though the EU takes an extremely firm stance on this matter, viewing corruption as a major obstacle to achieving development goals, it also sees it as a symptom of poor governance and of a lack of transparent, accountable management and control systems’.<sup>16</sup> In reality, donors do not really know how to address corruption in partner countries. Proposals for anti-corruption agencies have proved largely ineffective and harsh conditionalities have been criticised for hitting the poor. One additional challenge in many African countries is that the political and financial elite – which is the group the donors have the most contact with – has shown little incentive to push through developmental reforms that would put an end to their own system of patronage.<sup>17</sup> In practice, donors prefer to treat the problem of corruption as a technical problem<sup>18</sup> or as a ‘by-product’ (rather than a fundamental element) of a bad system of governance, under which the state will not and/or cannot respond to the needs of the people.<sup>19</sup>

An over-technical approach to governance issues could be misplaced, however. Support for capacity-building could prove wasteful and counter-productive, and devising new rules and regulations (starting with constitutional arrangements and transparency schemes) may not necessarily lead to their enforcement. Much will depend on political will.

In this context, it will be essential for the international community, and the EU in particular, to build a partnership with the DRC government that does not promote short-term solutions to deeply entrenched development and governance issues and is based on a recognition of the full scale of the challenges. As the EU harmonises its approach on governance as part of its Consensus on Development, priorities must be given to:

- Contributing to a regular, balanced and truthful dialogue with state institutions and non-state actors;
- Building the capacity of the country’s systems of checks and balances, both formal and informal;
- Promoting greater transparency and accountability in the way the international community, both donors and private sector, operates.

### What sort of dialogue after the elections?

In DRC, the international community’s ability to engage in development and peacebuilding after the elections will largely depend on establishing and maintaining co-operative relationships with the newly elected, and sovereign, authorities. Under the Cotonou partnership agreement between the EU and African, Caribbean, and Pacific (ACP) countries, Article 8 stipulates that the EU and partner country ‘shall regularly engage in a comprehensive, balanced and deep political dialogue’ on the so-called ‘fundamental and essential elements’ of good governance, respect for human rights, democratic principles and the rule of law. This framework, involving the EU troika

16 European Commission Communication, ‘Governance in the European Consensus on Development: Towards a harmonised approach within the European Union’, September 2006.

17 See for example, Moelesti Mbeki, ‘Perpetuating Poverty in Sub-Saharan Africa, How African Political Elites Undermine Entrepreneurship and Economic Development’, 2005

18 See ‘Sortir du piège du conflit: promouvoir la bonne gouvernance au Congo’ Rapport Afrique No114, July 2006.

19 DFID White Paper, ‘Making governance work for the poor’, 2006

(Commission, present and next Presidency), was introduced as a preventive tool under which sanctions (Article 96) are used as last resort. It has been sparsely used, however, probably because it requires EU countries to have a common position. Yet, if used early enough and on the ‘quiet diplomacy’ side, such a political dialogue can be effective in supporting reformers within government. It can also help the EU to talk as a single entity. By entering into a robust political dialogue with the DRC government in a timely, coordinated and systematic manner, the EU troika would also show it is willing to listen. Alternatively, if the EU is seen as wanting to impose governance criteria unilaterally, the new government could be tempted to turn to less demanding sources of funding, such as China.

The European Commission has recently announced that a €2.7bn envelope will be earmarked for incentives under the 10th European Development Fund (EDF). In DRC, this could amount to up to 25 percent of the next CSP’s funds. Access to these incentives will depend on ‘the outcome of an enhanced dialogue between the Commission and the country concerned on that country’s governance plan’. This initiative, however, will measure progress against a governance profile drawn up by EU staff. This in effect means that dialogue will be based on pre-defined governance criteria, with no initial inputs from the country concerned. In addition, this approach does not leave any scope for a participatory process, under which the main state and non-state actors of the country concerned would be given the opportunity to discuss progress made in this area.

If the European Commission limits its dialogue on governance to government officials, it will risk exacerbating the power imbalance that already exists in DRC between the executive and the other rule-of-law institutions. This could in turn work against a strengthening of the country’s domestic system of checks and balances. Regular meetings with the executive, but also the legislature, the judiciary, and Constitutional Councils, are therefore needed not only to fully acknowledge their important roles under the new constitutional arrangements, but also help to identify reformers and strengthen their influence within the state. Donors will be stretched to extend their dialogue to the provinces. A focus on provincial authorities and their parliaments will nonetheless remain essential, given the role that they will play in promoting development in rural, and often remote, areas.

In countries where central governments have shown little commitment to promoting social welfare in the past and where tension between communities is still high, the EU must open its dialogue to a wider range of actors beyond those that have a defined function under the constitution. One of the innovations introduced by the Cotonou Agreements was to recognise non-state actors, including the private sector, trade unions and civil society in all its forms, as genuine development partners in ACP-EU cooperation.<sup>20</sup> Identifying and conducting a structured dialogue with non-state actors can prove particularly difficult, however, in a country like DRC, where non-governmental organisations (NGOs) have proliferated, some becoming major providers in public services, notably healthcare and education. In DRC, non-state actors are often divided along ethnic or regional lines; their mission and mandates remain often unclear and many have been criticised for serving the interests of members of the political elite.

Nevertheless, over the last year, a number of non-development oriented civil society organisations have begun to play an important role as an interface between the authorities and the population, for example, by organising participatory surveys to define the priorities for the fight against poverty; by making the constitution and the electoral law comprehensible to the wider population; and by taking part as observers or members of the polling stations in the recent ballots. Given their proliferation and their sometimes partisan nature, it will be necessary to choose interlocutors that seem the most professional in their areas of activity. For non-development NGOs, a dialogue with umbrella networking organisations linking the different provinces and regions would seem particularly relevant, since this would not only embrace large sections of the population but also indirectly contribute to national reconciliation.



The European Commission must urgently take the opportunity offered by the next generation of Country Strategy Papers (CSP) currently being drafted to launch nationwide consultations with state institutions and non-state actors to discuss their respective roles in the sectors that the EU and the government will have identified as priorities. Given the uncertainty that surrounds the ongoing transition process, the EC Delegation in Kinshasa must do everything it can to give more time for these consultations – a requirement under Cotonou – to take place. In DRC, the EU should also take the opportunity of the launch of its governance programme to contribute to a much-needed national debate on the issues of governance, not only through the media and awareness-raising campaigns by local NGOs, but also in parliament. This will help to sow the seeds of a truly democratic culture in the country's Third Republic. This wider approach to dialogue should also be reflected in the EU's support for capacity-building.

### **What sort of capacity-building?**

In fragile regions like the Great Lakes, the authorities have only limited experience of democratic systems in which they are accountable to voters. Moreover, the concept of genuine civic participation in political decisions has not been a feature of the political process. An effective system of checks and balances, built on awareness raising and capacity-building measures, is needed for the elected authorities to start being answerable to their people. This will require a collective and long-term effort, together with large-scale financial and human resources from the international community.

Improved governance will largely, but not exclusively, hinge on effective separation of powers between the executive, the legislature and the judiciary, and the professionalisation of the public administration. Working with state institutions could prove particularly challenging, however. While many of them barely function, they also serve a very political purpose, as newly elected members of the executive start positioning their allies and families. The key institutions for the rule of law, starting with the judiciary, lack independence and accountability, while public administration suffers from low morale, absenteeism, and low skills.

The justice sector in DRC is particularly weak and the independence of the judiciary needs to be established as a priority, in line with the bill passed by parliament in early 2006 which aims to guarantee its complete independence. The justice sector is faced with multiple complex and politically sensitive issues. Magistrates are not paid properly and are often corrupt, and, after years of neglect, courts are under-resourced and the judicial system is in dire need of a major overhaul. The EU has been heavily engaged in the justice sector during the transition period. The European Commission launched an audit by the Comité Mixte de Réforme de la Justice during the transition period in DRC. The Comité comprised the Minister of Justice, judicial experts and other donors (UNDP, MONUC, HCDH, France, UK, and Belgium). Recommendations were presented in November 2004, and a Comité mixte de suivi, made of the Ministry of Justice and development partners, was established in the following year. As a consequence, a grant worth €585,000 from the rapid reaction mechanism (RRM) was used to support the restoration of the justice sector in Bunia. A nationwide programme totalling €28m (under 6th EDF) included (i) the physical rehabilitation of a number of courts and tribunals as well as the documentation centre of the Ministry of Justice, (ii) the rehabilitation of judicial capacities through the production and dissemination of legal documents (iii) an awareness-raising campaign for the population on the rule of law. In addition, the Commission plans to launch a programme in the post-transition phase to support three main activities in the judiciary system: the establishment of the newly created High Judicial Council (Conseil Supérieur de la Magistrature); administrative reforms of the Ministry of Justice; and, the rehabilitation of the judiciary chain in Kinshasa (from the First Instance court to the Supreme Court). The Commission also plans to continue its support for the rehabilitation of the judicial system in the East.

The UNDP and other donors also plan to help provincial and national parliaments to play their part after the elections. The newly elected national assembly will have the triple role of turning government bills into law, controlling the executive (including through parliamentary inquiry committees and motion of censure), and representing the Congolese population. As far as law-making is concerned, international engagement is principally focused on preparing the ground for the new constitution, the referendum and the electoral law during the transition period. The next step for the assembly will be to adopt the fundamental laws earmarked by the constitution.

The majority of new rules and regulations in DRC are likely to be decided in the formative post-election years. For the law-making process to become democratic, it must be nourished by constant engagement on the part of local people through the political parties representing them. Unless political parties in parliament concentrate on the impact that new rules and regulations will have on people's welfare, there simply will be no development or reconciliation. To help, donors' technical assistance must focus on supporting the law-making process rather than on devising new rules and regulations for the country. During the transition period, the DRC Mining Code, for example, was drawn up by experts from the World Bank in 2002. The Code fails to take into account ongoing artisanal mining activities on sites that previously belonged to parastatals. Assuming the state regains the ability to regulate and distribute mining sites in the country, artisanal mining – an important additional source of livelihoods for farmers in the east – may disappear altogether, as companies monopolise the elaborate process of registration, certification and legalisation of all activities.

Clearly established, inclusive, and transparent new rules and regulations may not necessarily lead to their enforcement. In fact, in the absence of rule of law, a country is subject to the systematic abuse of executive power and patronage. This is again particularly evident in the mining sector. Under the transition government, elements of the Mining Code largely drawn up by the World Bank were disregarded in Kinshasa and elsewhere, as contracts continued to be awarded in a discretionary manner. According to various sources, in 2003, two mining contracts between the bankrupt state mining company, Gecamines, and two British Virgin Island-based companies, Global Enterprises Ltd and Kinross Forrest Ltd, were ratified without an international invitation to tender or evaluation of what the state contributed to the partnerships. Recommendations made by the Lutundula Commission in charge of reviewing the validity of the contracts concluded during the civil war 1996-1998, were also ignored. In August 2005, the president signed a decree that handed over Kamoto and KOV, Gecamines's largely copper mining sites, to the Forrest Group and an Israeli businessman. The Lutundula Commission had recommended that all negotiations for the sale of these two mines be halted.<sup>21</sup>

As far as control of government action is concerned, the transition parliament, which was appointed by the 1+4 government, had only a limited mandate and lacked independence. The report by Christophe Lutundula's Parliamentary Commission and the work of the Cour des Comptes on the budget have nonetheless shown some advances. Yet, the government's answerability to parliament will need to be strengthened for it to lead to corrective action. This means that parliament will need to secure its financial autonomy. Training and long-term engagement will also be needed for a culture of genuine parliamentary debate.

Capacity-building in the legislature and judiciary will not be sufficient, however. In fact, the effectiveness of these two key institutions risks being hampered precisely by their own lack of accountability. Given their sometimes deeply ingrained culture, state institutions alone cannot be relied upon to improve their own accountability. In this context, the EU should widen its support outside the formal, constitutional arena. The EU's support for the African Union's African Peer-Review Mechanism (APRM) should also be complemented by more efficient governance monitoring processes that would support some oversight of government action by civil society. Ultimately, an informed electorate is the foundation of any democracy. Support for a free and

21 See reports and press releases by Global Witness and Rights and Accountability in Development (RAID)

professional media and other independent government watchdogs will in this sense be particularly important to raise the population's awareness and mobilise its demand for better governance and accountability.

The international community should earmark a certain percentage of its resources (which, for the EU under the Cotonou agreement, can be up to 15 percent of the EDF) to support non-state actors. This will help reinforce the civilian oversight of government action (and with it, strengthen the right of free association and assembly), but also support other mechanisms of representation that exist between the Congolese population and its leaders. The Congolese leadership is indeed multi-faceted, and large sections of the population remain outside the reach of state institutions and continue to be principally subject to often ancestral customary rules and regulations. In light of the above, the European Commission should earmark the full 15 percent of its EDF funds for capacity-building for non-state actors. The new thematic instruments, including the Human Rights and Democracy initiative, could support activities for grassroots NGOs through local calls for proposals. This could include support for national advocacy programmes that focus on monitoring of government administration, information gathering, awareness-raising, dialogue, policy work and advocacy. The Commission has recently issued a call for international tender to support a €4.5m capacity-building programme for civil society.

### **Promoting mutual transparency and accountability**

Another field in which the EU has been particularly active is support for schemes that promote transparency in natural resource management. These are crucial initiatives in DRC, where the illegal exploitation of natural resources has not only fuelled corruption and patronage practices, weakened the state, and perpetuated conflict, but also contributed to labour exploitation and environmental degradation.

The European Commission, representing the EU as a whole, is a participant in the Kimberley Process Certification Scheme (KPCS), and will become Chair in 2007. While initially designed specifically to stop the south-north trade of 'blood diamonds', this initiative has also helped governments to regain control over who produces and who trades this high-value mineral resource. Evidence shows that when implemented, the KPCS has helped. According to the DRC's KP statistics, the value of official diamond exports has increased over the years, especially since Congo-Brazzaville – a major trading hub for illegal diamonds in the region – was disqualified from the scheme in July 2004. The EU has also launched a Forest Law Enforcement, Governance and Trade (FLEGT) action plan, which is a licensing scheme aimed to ensure that only legally-traded timber enters the EU and which offers support for improved governance and capacity-building in timber-producing countries. Implemented through partnership agreements to be negotiated with timber-producing countries, FLEGT recognises that both consumer and producers must act together to tackle the corruption.

With KPCS and FLEGT, one main difficulty is to build the capacity, and will of, government agencies to enforce the licensing mechanisms. Tracking diamond and timber exports back to the point of extraction can be particularly difficult, however. A challenge for the EU and other donors supporting KPCS will also be to devise similar transparency schemes that fit the characteristics of other 'conflict resources',<sup>22</sup> that is, high-value mineral and non-mineral resources that are known to fuel conflict in DRC and elsewhere.

The EU also intends to promote full implementation of the Extractive Industries Transparency Initiatives (EITI). The EITI is a multi-stakeholder agreement under which oil, gas, and mining companies publicly agree to disclose all payments they make to developing countries and governments agree to publish what they receive. It aims to improve transparency through the full publication and verification of the information received. While also a 'conflict commodity', oil

trade is of a different nature, however, since it does not, like diamonds, finance rebel activities. It is nonetheless an important step towards increasing transparency in the flow of public funds (see Supporting lasting reconstruction and development).

These schemes are all welcome initiatives to encourage companies and governments alike to be more transparent in the way they operate. They are all relevant to DRC, which produces a wide range of mineral and non-mineral resources. They will nonetheless lack credibility and have no beneficial impact in the long term unless there is significant progress, with EU support, in combating global corruption and bribery. In the past, EU member countries have been reluctant to pursue full investigations when their own companies and financial institutions were accused of wrongdoings. They did little to take action on the reports published by the UN Panel of Experts in 2002-03, which named individuals and companies from the region and in the West alleged to have been involved in the illegal exploitation of mineral resources in DRC during the war. This has contributed to the culture of impunity that prevails in the region.

In addition, examples in DRC abound of private companies in search of a quick profit and located off-shore. The ability to divert the country's riches into wealth for patronage and/or fighting critically depends on access to global financial, commodity, and arms markets. Once these flows are tapped into, their many sellers and buyers make it difficult to track any dishonest activities. This calls for a proper debate on the implications that bank secrecy and tax havens, many located in the EU, may have on illicit activities, and with them, global security.

More must also be done to encourage EU companies with activities in the region to publish what they give and what they receive, and adhere to strict codes of social and environmental conduct, using guidelines such as the OECD Guidelines for Multinational Enterprises or the Voluntary Principles on Security and Human Rights Work by International Alert on *Conflict Sensitive Business Practice*, which has aimed to provide guidance on how extractive industries and other companies can improve their engagement in conflict countries like the DRC.

With regards to its own external assistance programmes, the European Commission launched a reform program in 2000 to improve the speed and quality of the delivery of its aid. The reform included both the creation of a single organisation to manage the external development assistance programmes (EuropeAid), and the devolution of responsibilities and resources from Brussels to the Delegations. While the 2005 Annual Report claims that the devolution process has now been completed, many EU delegations remain under-staffed and cannot possibly take on the many pledges that the EU has made under Cotonou and the Strategy for Africa. As a result, decentralised co-operation funding often comes low down the list of priorities in the implementation of EDF programmes.

As the next generation of Country Strategy Papers (CSP) under the 10th EDF is being finalised in the winter of 2006/7, the European Commission should abide by its commitments to be more inclusive and transparent in the way it works. Under Cotonou, the EU has agreed to involve non-state actors in reviewing National Indicative Programmes (NIPs) and the formulation of the multi-annual Country Strategy Papers (CSP). Progress on this front has been mixed. Preparations for the 2008-13 CSP under the 10th European Development Fund (EDF) are quite advanced and inclusive in some countries, like Rwanda, but they have barely started elsewhere in the region. In DRC, the Commission drafted the 9th EDF CSP under difficult circumstances and without any government input. This may not need repeating under the 10th EDF. Yet, even if consultations take place on the next CSP the final and most important phases of EDF programming will continue to be mostly non-participatory. NIPs are mostly drawn up by the Commission, before being approved by the government, while the terms of reference of projects within each focal (or priority) sector are largely decided through inter-services consultations and with little input from

local actors. The programming cycle of EDF is still in need of improvement in order to ensure that development assistance reflects the needs and priorities of the country.

Access to EU funding is also often seen by many as remaining the privilege of a few, as a result of a lack of transparency in procurement, contractual arrangements, and over-bureaucratic procedures. Social and environmental impact studies and the monitoring and evaluation of EU-funded programmes are often undertaken by external consultants, with insufficient input from local actors, and the relevant documents are not easily obtainable. The European Commission can be more active in ensuring that all its programme documents are made available to the wider public. Furthermore, it might also consider encouraging its main programmes to be debated in parliament. This could not only help to translate lessons learned into practice, but also contribute to the establishment of a culture of checks and balances, and with it, make government malpractice, especially in public procurement, more difficult.

## Supporting lasting reconstruction and economic development

The EU acknowledges that development cooperation is one of the most powerful tools for tackling the root causes of violent conflict in the long term. There is also a strong recognition among donors that a quick peace dividend is needed for countries to emerge successfully from a cycle of conflict and violence. This is all the more important in countries like DRC, but also Burundi, where the context has required a much longer period of transitional governments than originally expected. By concentrating on the political and partisan manoeuvres so characteristic of a transition process, these governments have failed to commit fully to poverty reduction targets, let alone to addressing the economic and social issues that undermine the process of moving to lasting peace.

Assuming a successful outcome to the elections, a donor roundtable could take place next year in DRC to raise the long-term financial resources the country needs to begin building its economy. The European Commission is committed to maintaining at least the same level of aid under the 10th EDF. This risks not meeting the expectations of the Congolese population which is hoping for a return of donors en masse after the elections. In 2004, DRC ranked first in the list of recipients for EU Member States and EC aid, with disbursement totalling \$1.1bn. This represented 62 percent of all overseas development assistance (ODA) received by DRC this year. If DRC was to receive the same amount of EU ODA per capita as neighbouring Angola (\$65), the EU Member States and EC would need to disburse more than \$3bn. However, increasing the volume of aid may not be what resource-rich countries, like Angola and DRC, most need. It is not so much the level, but more the form and allocation, of development assistance that will determine the contribution that the European Commission and the EU Member States can make to lasting peace and development in DRC.

### Setting priorities

Paradoxically, one of the difficulties that the EU and other donors face in DRC is that, however innovative and creative they may need to be to address the country's huge challenges, they are stuck with a 'one-size-fits-all' framework of analysis for policy-making that they have themselves pushed for.

In July 2006, the Ministry of Planning presented a fully-fledged and customary poverty reduction strategy paper to the donor community. The so-called Document de la Stratégie de Croissance et de Réduction de la Pauvreté (DSCRCP) is based on the outcome of an extensive donor-funded participatory poverty diagnosis process. As well as presenting a poverty profile by region and socio-economic group, the Analyse Participative de la Pauvreté (AAP) seeks to highlight what the population perceives as the main causes of poverty. Five pillars of the DSCRCP are consequently defined as:

- reinforcing the institutions to promote good governance and consolidate peace;
- strengthening macroeconomic stability and economic growth;
- improving access to social services and reducing vulnerability;
- fighting HIV/aids;
- supporting communities.

The DSCRCP may provide a useful framework for co-ordination for future donor engagement, with each donor 'leading' in one specific sector. Yet, as already widely demonstrated in other

post-conflict situations, the DSCRCP is also a poor tool for decision-making, since all pillar activities are given equal importance. The chapter on implementation, monitoring and evaluation is relatively succinct, and mostly focuses on setting up a co-ordination and monitoring structure headed by an Inter-ministerial Commission and the Ministry of Planning. The criteria for prioritisation put forward by APP have also been left out. According to APP, programmes that (i) focus on institution-building and infrastructure, (ii) mainstream governance at local, provincial, and national levels and (iii) use a participatory approach through all stages of their cycles (from planning to evaluation), should have been prioritised.

These priorities are all very pertinent. Rebuilding state institutions, and social and physical infrastructure is undeniably the main priority that donors should be giving to any post-conflict situation. The previous section of this report already makes proposals on how to address governance issues, starting with the need for a more participatory approach. The donor community, however, must not only focus exclusively on these three priorities, but also work with the Congolese government and other state and non-state institutions to revisit the following hypothesis:

- Current development thinking assumes that African countries have the capacity to absorb more aid, and that given their developmental needs, aid should therefore double. But DRC should not need more aid: the country is awash with economic resources, from mineral products to water, making it by far one of the potentially wealthiest countries in the world. What the country needs is the capacity and will to turn its own resources into accessible income for all. This requires sound and transparent cash-flow management at micro-, meso- and macro-levels. For those that bear some social responsibility, that is, the government, but also multinational firms operating in the country, it also requires a discernable commitment to fairness and equity.
- The DSCRCP strongly focuses on economic growth. Yet, neither economic growth nor MDGs are sufficient conditions for resolving poverty. The creation of equitable decent and sustainable income opportunities is. Employment is hardly mentioned in the present DSCRCP. This is not to say that donors' programmes must aim at creating as many jobs as possible, nor to say that the Congolese government must become a main employer outside essential public services (although a review of salaries is clearly needed in the case of DRC). This is simply to invite donors and partner countries to acknowledge that employment should be at the core of any poverty reduction strategy, a recommendation already made by the AU heads of state's extraordinary summit in Ougadougou, Burkina Faso, in 2004.

Finally, peacebuilding is only included as one element of the PRSP's first pillar. A post-conflict and hence still fragile country should put peacebuilding at the centre of its poverty reduction strategy. Donor programmes will not achieve their development objectives until they start factoring in factors that prevent structural stability.<sup>23</sup> For the EU, this means moving beyond *tacked-on* methodologies such as the EU's Root Causes of Conflict or the CSP Governance Profile, to make peacebuilding a truly cross-cutting issue.

### Which partners for economic reconstruction?

Physical infrastructure – notably roads, water, and sanitation – is one of the European Commission's main areas of expertise. Infrastructure contracts financed by the Commission are generally awarded to private companies, many of which are foreign, through calls for tender. Between 1995 and 2004, the European Commission earmarked €90m for road construction under the Programme d'Appui à la réhabilitation (PAR I) and €80m for road rehabilitation and water sanitation under PAR II. Burundi also received €58m between 1999 and 2005 under

23 Structural stability embraces the mutually reinforcing goals of social peace, respect for the rule of law and human rights, and social and economic development. It is supported by dynamic and representative political structures, including accountable security services (and an independent justice system) capable of managing change and resolving disputes without resort to violence. See the DAC Guidelines (2001) *Helping Prevent Violent Conflict*.

Programme de Rehabilitation du Burundi (PREBU). These projects contribute to economic reconstruction, without having to call upon often delapidated public implementation agencies. Although they respond to urgent needs for reconstruction, they are still based on a short-term perspective, however, since they do not strengthen the country's capacity to provide for its own needs.

In the long term, DRC will need to put in place permanent structures (whether private or public) for the efficient management of infrastructure reconstruction and, importantly, maintenance. The European Commission has already got some experience in this field.<sup>24</sup> For example, the Commission has supported the creation of an Office des Routes in Ituri and North Kivu. The Commission also plans to assist with the implementation of a Road Maintenance Fund after the elections. This approach should be mainstreamed across all sectors. In fact, the low capacity of public administration to implement reform or investment programmes in DRC and elsewhere in Africa has greatly hampered aid delivery. As a result, a large proportion of the 9th EDF resources has not yet been spent. Capacity-building programmes in public administration are hence needed for the Congolese state one day to play its part as the main provider of public goods and services. In the case of DRC, these programmes should form part of a co-ordinated and gradual transition approach linking humanitarian assistance to long-term development assistance.

Therefore, a main challenge in DRC, which the European Commission has already partly taken on board, is that profound socio-economic changes will need to take place as state institutions are being rebuilt. Non-state actors in DRC have out of necessity replaced the Congolese state (and its then numerous parastatals, such as Gecamines that in the past provided social services to their large workforces) in the provision of many public services, starting with education and healthcare. This trend is particularly strong in eastern DRC, where the situation is still volatile and where state institutions barely function. Prolonged humanitarian aid creates a situation of dependency, however, where international NGOs and their local partners become the main providers of welfare services. This approach also tends to mean that long-term development needs – starting with institution-building – are not sufficiently addressed. In eastern Congo, the activities of local and international NGOs have in fact become the backbone of the monetary economy. To this effect, with an annual budget worth €38m in 2006, ECHO has worked towards including long-term development elements into its programmes as well as devising an exit strategy. A number of its health projects have been handed over to the European Commission in Kinshasa under PATS (Programme d'Appui Transitoire au Secteur de la Santé) I, II, and III. PATS I (€26.9m) and PATS II (€54m) were implemented through the NGO channel. There was nonetheless a continuous and deliberate effort to formalise the relationship with, and provide indirect support to, the remaining public structures in each 'zone de santé' where the NGOs operate. Support to the Health Ministry has been formalised under PATS III (EDF9, €90m). Yet, even where the situation has improved in eastern Congo, ECHO had to re-conduct the vast majority of its projects on a yearly basis because donors were hesitant to return. In addition, €65m of EDF 9 Envelop B (€104m, mid-term review) has been earmarked for 'Linking Relief Rehabilitation and Development' (LRDD) programmes in the east to help link ECHO's activities with long-term development assistance.

The transition from humanitarian aid, where NGOs are the main partners, to long-term development assistance, where the government of the country concerned is the main partner, will be a slow and non-linear process. Funds supporting development NGOs should not wind down until the state has shown that it can play its role. At the same time, post-conflict reconstruction will also require the EU and other donors engaged in the east to accompany a transformation process under which local NGOs redefine their role and transfer their expertise to local authorities.

24 See EU's Partnership for Africa in Infrastructure, September 2006.



## Promoting transparency in public finance management and better administrative governance

The main conditionality of all donor loans and grants to the DRC government should continue to be that their money is not wasted and is used for the agreed purposes. This will require careful cash-flow management, monitoring and evaluation. As part of its commitment to align its assistance with the country's priorities, and co-ordinate with other donors, the EU has stated its general preference for direct general and sector budget support as its preferred form of aid delivery. Yet, as the European Consensus for Development indicates, budgetary aid requires credible programmes of governance, macro-economic and public finance reforms and a commitment to implement the Poverty Reduction Strategy (PSRP). In DRC, although the PRSP has now been finalised, none of the presidential and parliamentary candidates has sought to present an economic and social programme to rebuild and revive the country.

In the case of DRC, where the risk of financial embezzlement is high, direct budget support as the main channel for aid delivery is currently impossible.<sup>25</sup> Before long-term budgetary aid (disbursed in pace with an agreed pattern) can be disbursed, important and convincing reforms need to take place to improve transparency in the management of public finances, starting with a system of expenditure tracking and transparency in procurement policy and practice. As a result, the European Commission has plans to commence a programme worth €33m to support public finance reforms in DRC. The programme will in part focus on building an efficient system for internal (executive) and external (legislative) controls of public finance.

In the meantime, as highlighted in a recent MEP report on aid effectiveness and corruption in developing countries, budget aid should be limited to a specific purpose and fiduciary risk should be assessed on a case-by-case basis. In the case of DRC, debt relief may be a more secure way of freeing up financial resources, as long as they are re-allocated within the donors' own budgets. For example, in DRC, a total €105m in debt arrears owed to the European Investment Bank was cancelled to finance the elections.

Programmes in support of better management of public resources have already been implemented in the past in DRC. This has led to some progress, but much more needs to be done.

- Firstly,<sup>26</sup> there are still many weaknesses and irregularities in the budgeting exercise; training in national accounting and macro-economic forecasting is needed; budget lines need to be redefined before resources are re-allocated in line with the country's priorities; the host of tax exemptions and privileges need being addressed; while the system of checks and balances should be reinforced at all levels of public administration through computerisation.
- Secondly, the oversight role of parliament, the Cour des Comptes, and Inspection Generale des Finances, but also that of government watchdog organisations, must be strengthened.
- Assistance will also be needed to train the provincial authorities in public finance management as part of the decentralisation process.

Before all this, however, donors must form a united front to put pressure on the next elected government to conduct a full civil service census as soon as possible. That previous governments systematically failed to comply with this demand, despite insistence from donors is not surprising. Ghost civil servants are an easy way to claim more money. Yet the professionalisation

<sup>25</sup> In Burundi, in 2005, the European Commission dedicated 43.8% of its aid to budgetary aid, i.e. €31.8m. In view of recent allegations of fraud by the European Anti-Fraud Office (OLAF) in the implementation of the Burundi Rehabilitation Programme (PREBU), it would appear that a more cautious approach should have been adopted.

<sup>26</sup> Professor Florimond Muteba Tshitenge, 'Promouvoir la Bonne Gouvernance en RDC: Répondre aux besoins de transparence dans la gestion des Finances Publiques', Séminaire 11 Septembre 2006, Kinshasa

of civil servants, and with it, the review of their salaries, is an important step towards improving administrative governance and slowly rebuilding a civil service culture which values merit, quality, service, and accountability. This will only happen if civil society repeatedly demands it.

The civil service census should take place in all ministries and involve two steps, the first one focusing on numbers and grades, the second one on training and hiring criteria. Completion of this census should be made a main condition for the resumption of all official loans and grants to government ministries. Only then will there be a possibility to increase civil service salaries. This approach will also help donors to move away from uncoordinated, piecemeal, ad-hoc training programmes and work together with each ministry concerned to assess and address its needs.

In view of past malpractice, the donor community must work with the government to make the most use of existing human, physical, and financial resources. It should notably refrain from creating parallel structures, as it has been customary in the past. These structures not only undermine the cohesion of public administration, but also often lack properly-defined accountability.

### Creating jobs<sup>27</sup>

While creating jobs in the global south is moving slowly up the donors' policy agenda as a way to curb immigration, the intrinsic link between job creation and poverty reduction has not been given the attention it deserves in the EU Strategy for Africa and its Consensus on Development. The focus tends to be on economic growth instead, despite increased evidence that economic growth alone has not led to poverty reduction in Africa. As the International Alert paper on *Supporting Security and Development* highlights, in war-torn contexts such as DRC, jobs and income generation opportunities, are few and far between. Where sources of actual and potential wealth do exist, they are likely to be the object of intense competition. Job creation – or the creation of decent and sustainable work opportunities – is the principal concern of local communities. They not only contribute directly to poverty reduction, but, as already discussed in the section Combating insecurity are also the main development tool for peacebuilding.

Programmes should address the issue of poverty and lack of decent income opportunities across communities, from the most vulnerable groups like returned refugees and women (the main labour force in the informal economy) to the rural households trying to diversify their activities away from subsistence agriculture, through to the youth and former ex-combatants. In so doing, it is particularly important not to be seen as giving unfair advantages to one group over another. In the Great Lakes region, preferential access to land or positions in the government has already fuelled resentment between communities. Priority should therefore be given to post-conflict reconstruction programmes that will, directly or indirectly, create employment (or income) for the greater number of people. This should also be a benchmark for programming and evaluation purposes.

Waged workers represent a minority in Africa – from eight percent in Central African Republic to 25 percent in South Africa. The share of waged employment in DRC has fallen to next to nothing, since the collapse of most state institutions in the 1980s. Therefore, the majority of economic actors operating in the informal sector are self-employed. The aim of post-conflict economic recovery programmes should hence be to create a favourable environment for future employers (i.e. those who, in the informal economy, have the potential to extend their businesses and become employers) or future employees (i.e. those who, in the informal economy, would become waged employees). The challenges – such as access to (and titling of) land, other property, credit, and the level of illiteracy – are huge.

27 See International Labour Organisation Decent Work programme, 'The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity.' - ILO Director-General Juan Somavia

In DRC, the informal sector not only provides a livelihood for the majority of the population living in rural and urban areas, but has also grown significantly since the collapse of the public sector.<sup>28</sup> As long as they make a living in the informal economy, the bulk of the Congolese population will have a limited stake in the policy-making process. They will also continue to be the primary victims of unnecessary red tape and corruption while the majority of businesses operating in the formal sector instead benefit from tax exemptions. For everyone to have access to the same economic rights, the Congolese must first of all become taxpayers. Hence, priority should be given to helping to ‘formalise the economy’ by encouraging private sector activities from the base. This will start by making a clear distinction between activities that are unlawful but create jobs – such as artisanal mining on formally state-owned mining sites – and activities that are illegal and contribute to economic bankruptcy, and with it, that of public services, such as tax privatisation.

Post-war rehabilitation programmes offer a unique and timely opportunity for creating jobs (and related income-generating activities) for all in the short term, through the promotion of labour-intensive public works activities such as transport, energy and water. Despite the temptation to deliver aid as quickly as possible, careful planning is needed to avoid situations in which foreign companies, with heavy machinery, are called in. There are plenty of success stories, starting with Rwanda, that show that using more local, labour-intensive technology can work. These jobs may become permanent as part of an infrastructure-maintenance policy. Although such schemes have proved successful elsewhere, the capacity of the Congolese state to implement such large-scale projects is limited. In eastern Congo, some NGO programmes, such as that of the German NGO, Agro Action Allemande, in Ituri, have been very successful. Yet, these projects only have a limited time span. There could be scope, however, under the LRDD scheme, gradually to involve local authorities into similar projects. When western companies are called in, they should be made accountable for abiding by International Labour Standards and also requested to have a minimum ‘local content’ requirement, to help build the capacity of local companies.

28 UNDP, National Report, ‘The role of economic factors and lessons for reconstruction,’ 2004.

## Promoting regional integration<sup>29</sup>

Another instrument which has a strong bearing on socio-economic development in Africa, and the Great Lakes region in particular, is trade. The EU's Consensus on Development highlights trade promotion as key to development. This translates into two complementary sets of EU instruments, with DG TRADE focusing on establishing preferential trade relationships with partner countries in the south, and DG DEV focusing on providing financial assistance under National and Regional Indicative Programmes (RIPs) to boost their capacity to trade.

### Which regional integration?

Promoting economic co-operation and trade integration between regions in conflict has long been recognised as an important tool for peacebuilding. This is relevant both for national reconciliation and inter-state reconciliation. In the case of DRC, the European Commission supports the revival of the CEPGL, which is made up of DRC, Rwanda and Burundi. The objective of the reactivation of the CEPGL is to consolidate peace and stability in the Great Lakes Region. An initial €5m have been earmarked to support the CEPGL secretariat in the first phase. Future funding will go towards agriculture, energy, and social cooperation. Significant resources for regional projects, starting with road construction, could also come forward under the 10th EDF Regional Indicative Programmes (RIPs) – although this would sit within the Central Africa regional configuration, to which DRC now belongs – and the EU's Trust Fund under its Partnership for Africa on Infrastructure.

In the case of DRC, the EU will need to carefully balance resource allocation between financing regional projects and supporting national reconstruction. In a statement in 2004, the European Commissioner for Development and Humanitarian Aid, Louis Michel described the revival of Communauté Economique pour les Pays des Grands Lacs (CEPGL) as a confidence- and peacebuilding measure, saying: 'rather than being a natural border, the Great Lakes [i.e Rwanda, Burundi, DRC] have always been a focus of trade and a meeting place, so it is fair to talk of an entity dubbed "the Great Lakes economy."'

Yet, given the immense ethnic, regional and physical divides between eastern and western DRC, promoting such a 'Great Lakes economy' seems to exclude western DRC. As a result, this initiative is still perceived by many Congolese as going against a genuine reconciliation process in DRC. In a discussion paper based on the DRC's situation in 2001, the ECDPM highlights the importance of perceptions regarding the regional dimension of the Great Lakes crisis, by saying:

Since independence, the Congo has promoted and actively participated in various regional/continental integration initiatives, such as those of the Great Lakes Economic Community (CEPGL), the Southern Africa Development Community (SADC), the Organization of African Unity (OAU). Since 1998, however, several neighbouring countries that are members of those initiatives have sought to exploit the DRC's resources, providing vivid examples of possible variations in the interpretation of the term 'regional integration'. In this context, any reference to regional integration has de facto the connotation of promoting a country's occupation, and this has led to an increasingly 'isolationist' attitude among many Congolese. Nevertheless, there is evidence of an emerging different attitude to 'regional awareness', such as 'solutions without borders must be found to problems without borders'.

<sup>29</sup> This topic is further explored in *Addressing the economic dimensions of peacebuilding through trade and support to private enterprise: what role for the EU?*, International Alert/PPP, 2006

Regional integration is a long-term endeavour which will need to be based on a multi-track approach – involving civil society, businesses, governments, and institutions – to succeed. In post-conflict situations, where domestic infrastructure has, in some part, been destroyed, thereby reinforcing the country's ethnic and regional divide, the goal of regional integration should first and foremost be domestic. In a conflict with a strong regional dimension, a country is unlikely to support economic co-operation, let alone integration, with neighbours that threaten (or are perceived to threaten) its sovereignty. The feasibility and timeliness of regional cooperation projects, such as those promoted by the Great Lakes Region Conference (see section Combating insecurity), should therefore be weighed against the immediate needs of post-conflict reconstruction in DRC.

## Negotiating Economic Partnership Agreements

With regards to DG Trade, the EU is currently negotiating new trading arrangements with six ACP groupings. By favouring one group of developing countries over another, the Cotonou preferential trade system does not comply with the WTO dual rule of non-discrimination and non-reciprocity. As the WTO waiver comes to an end, the Cotonou preferential trade system is gradually to be replaced by regional Free Trade Agreements (FTAs) or Economic Partnership Agreements (EPAs). In addition, by negotiating FTAs with regional ACP groupings rather than individual ACP countries, the EU also seeks to promote regional trade integration within each ACP grouping.

EPAs have come in for strong criticism, however, not only from international NGOs but also increasingly, from ACP governments. The Central Africa ACP group, to which DRC belongs, also comprises the six countries of the Communauté économique et monétaire de l'Afrique Centrale (Cameroon, the Central African Republic (CAR), Chad, Congo (Brazzaville), Gabon and Equatorial Guinea (a member since 1984), and São Tomé and Príncipe). CEMAC countries share the same currency, the CFA franc. While in the pipeline since 1994, CEMAC plans to abolish all intra-regional trade tariffs and adopt a Common External Tariff structure have been slow to materialise.

Under EPAs, ACP countries will need to reciprocate the duty-free access that they receive for their products on the EU market. Econometric studies commissioned by the European Commission to assess the impact that this will have on ACP economies are largely inconclusive and show no significant net welfare gains. The usefulness of these studies is limited, however, since they do not include services – an important sector in African economies – or long-term dynamics – such as the impact that EPAs may have on resource and job reallocations.

On current trends, most ACP countries are not equipped to compete against (sometimes heavily subsidised) EU products freely entering their domestic markets. This may not seem immediately relevant for Central African countries, given that few produce import-substitution goods. Yet, EPAs could in effect lock Central African countries further into their current production patterns, as cheaper products from abroad (not only the EU, but also Asia) make it increasingly difficult to support emerging activities outside the range of narrowly-defined 'sensitive products'. Indeed, sensitive products under the EPA are limited to the EU import-substituting goods that Central African countries presently produce. This leaves no scope for protection in sectors where the region has a comparative advantage but which have not yet been explored. At the same time, significant trade diversion could take place in favour of EU products. While the EU is still the main source of imports and destination of exports for the Central African countries, China, for example, has in recent years captured an important share of their domestic markets and become a major purchaser of their mineral resources. Preferential access to ACP markets could help the EU to counter this trend. While the EU's trade with Africa compared with other regions of the world is small, the EU's position as the main trading partner of the continent has a strong strategic significance.

As far as customs revenues are concerned, fiscal losses from removing intra-regional trade tariff barriers will remain relatively small for Central Africa, given their low level of intra-regional trade. But removing all trade tariff barriers with the EU – Central Africa’s main regional trading partner – could lead to significant losses in customs revenues. The EU, however, has yet to agree to offer a financial compensation package as part of the EPA deal for the loss in custom revenues. And, even if the EU agrees to do so, EPAs will deprive smaller economies of an important source of tax income. This could in turn increase their aid dependency, and with it, reduce their ability to address their own developmental needs. Tax reforms to widen the domestic tax base will therefore be an important aspect of the adjustment reforms that Central African countries will need to push through under EPAs.

Regional trade integration could meanwhile remain elusive. Despite having adopted a customs union since 1998, intra-CEMAC trade has barely increased. This is explained by the non-complementary nature of the region’s economies, which are all rural-based and produce similar products, the continued existence of non-tariff barriers (including high levels of corruption at customs), as well as the lack of intra-regional infrastructure. While less relevant for Central Africa, given its low potential, an increase in intra-regional trade could also produce losers and winners. In the French-speaking West African region, for example, the adoption of a common external tariff in 1999 contributed to the bankruptcy of manufacturing activities in landlocked countries, like Burkina Faso and Mali, as cheaper products from Côte d’Ivoire entered their markets duty-free.

Another difficulty with EPAs is that they add another level of complexity to the regional institutional mapping in Africa, despite renewed calls for rationalisation by the UN Economic Commission for Africa. More specifically, EPAs split SADC into three different groups, with DRC joining Central African configuration, and Rwanda and Burundi joining the East and Southern Africa configuration. The impacts that this may have on these long-established institutions and their own programmes of regional economic integration has remained largely unaccounted for, however. EPAs are therefore at risk of being externally-driven and detached from the reality on the ground.

Part of the EU’s response to the above concerns has been to allow for a period of transition of no longer than ten years; to include a clause for temporary safeguard provisions against heavily-subsidised agricultural products and for ‘sensitive products’ with each region; to pledge more aid-for-trade; and to push regional trade integration a step further. On the latter, according to the 2002 EU ‘Communication on Trade and Development: Assisting Developing Countries to Benefit from Trade’, regional economic integration should not only lead to the establishment of a customs union but also entail the harmonisation of non-tariff policies, such as investment, competition, government procurement, and trade facilitation (i.e. cutting customs red tape). The inclusion of these Singapore issues nonetheless remains a major source of contention between OECD countries and developing countries under the WTO Doha Development Round of Negotiations. At the same time, the EU has refused to discuss protectionist issues related to its Common Agricultural Policy in the EPA round of negotiations, saying that this was already negotiated under WTO.

The ten year or less transition period suggested by the EU under EPAs assumes that steady progress will take place in each region. Yet, even with a significant increase in trade-related assistance, there is no guarantee that the Central African countries will make significant headway in addressing the numerous capacity constraints and underdeveloped economic and social infrastructure that hinder their trade and investment potential. Many of these countries, indeed, suffer from endemic instability.

In light of the above, EPAs seem to provide a risky trade-off between definite short-term costs and uncertain long-term benefits. Negotiations between the EU and the Central Africa ACP

grouping are reportedly the most advanced. Central Africa comprises, however, a significant number of fragile countries – where governments may not be in a position, or may be unwilling, to pay full attention to the long-term impact that the EPA could have on the livelihood opportunities of the population and dynamics of conflict and peace.

Although they are arguably the most immediately concerned, civil society actors and private sector associations have remained excluded from the consultation process in DRC. Yet, regional trade integration will only become a reality if communities are linked to markets, creating new livelihood opportunities within and across borders. Regional trade integration in Central Africa is to some extent happening at local levels, that is, in market towns and villages situated along borders and where trans-border roads exist. A host of cross-border activities is for example evident in eastern Congo along the border with Uganda, Rwanda, and Burundi. Other ‘spaces’ for regional integration include ethnic and linguistic kinship, and strong migration patterns.<sup>31</sup> This level of regional integration remains extremely localised, however. In addition, by principally taking place in the informal economy, movements in the cross-border trade of people and goods are often left unregistered. Their price value is also comparatively insignificant compared to that of officially registered exports and imports (including overseas travel). Given that the bulk of intra-regional trade in Central Africa will continue to take place along the borders, further research is needed to capture the impact that further integration under EPAs could have on these local economies.

As the largest trading partner in the ACP region, the EU has a strong role to play in ensuring that the whole range of its trade co-operation strategy and trade-related assistance in ACP countries are not only developmental, but also contribute to peace. Only a slow pace of regional integration in line with the pace of development of each respective member country, and coupled with a generous package deal from the main regional economic powers, is likely to lead to a genuinely peaceful and developmental regional trade integration process. In the case of the European Union – itself conceived of as a means to prevent conflict between former second world war enemies – asymmetric trade was compensated for by significant aid money for the economies of the poorest member countries (in itself a major attraction to join the EU), and a full customs union was only established with the Maastricht Treaty in 1993. Given the EU’s commitment to peace and development in Africa, a similarly cautious approach towards EPAs is needed.

31 OECD, Initiative for Africa ‘Central Africa and the cross-border regions: reconstruction and integration prospects’, Roland Pourtier, June 2003

## Conclusion

Changes in DRC will be slow. Even if the outcome of the general elections is accepted, this alone will not suffice to establish a culture of democracy and put an end to the country's endemic insecurity. The EU will therefore need to remain strongly engaged in the country for many years to come. As alternative and 'less demanding' sources of funding become available, the EU and its member states will need to work more closely together to harmonise their approach to security, governance and development. The 10th EDF provides a timely opportunity to do so. But the donor community will also need to be more realistic in what it can deliver. Quick-fix palliatives to long-term issues will not work, and donor money should therefore be used directly to address the root causes of poverty and instability in DRC.

The main obstacle to peace and development in the country is the culture of predation and impunity that prevents the Congolese from turning the country's riches into broad-based economic opportunities for the population as a whole. As the state is being rebuilt with donor support, actions to reinforce the capacity of the population to hold the government to account and influence policy-making will remain essential. The EU can help not only by providing support at both ends, but also by being more transparent in the way it works. A constant dialogue not only with the government but also, directly or indirectly, with other key state institutions and civil society actors, will help fuel a much-needed nationwide debate on governance issues. This is of particular importance in fragile countries, where the social contract between the government and the population remains weak.

Policy coherence will also need to improve. The European Commission claims that a free trade agreement between the EU and African countries will be beneficial. Yet nothing can guarantee that countries in this very fragile region will either comply with the deal or be in a position to understand it fully. This process has not been participatory either and lacks transparency. More than anywhere else in the world, unco-ordinated actions, a lack of engagement with all actors, poor policy coherence and the wrong type of aid could have significant impacts on this already very fragile country. As the largest donor to the DRC, the EU, including Member States, has been instrumental in supporting the country's transition. But the challenges remain enormous and the EU will need to sustain the commitment it has so far shown for many years to come.





**International Alert.**

346 Clapham Road, London SW9 9AP, United Kingdom

Tel +44 (0)20 7627 6800, Fax +44 (0)20 7627 6900, Email [general@international-alert.org](mailto:general@international-alert.org)

[www.international-alert.org](http://www.international-alert.org)

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