



Local government office, Nyabiondo, Masisi territory, North Kivu. Photo: Phil Moore/Oxfam

‘SECURE INSECURITY’

The continuing abuse of civilians in eastern DRC as the state extends its control

The Democratic Republic of Congo used to make international headlines for the conflict that has flared up repeatedly over the past 20 years. When the M23 rebel group was defeated in November 2013, there seemed to be a shift away from these repeated cycles of violence. The country appeared to be turning a corner into a post-conflict phase.

However, new research presented in this paper shows that citizens continue to experience widespread exploitation. In many areas they are still vulnerable to brutal violence from armed groups and in some cases from the government, including the police, army and local officials.

The challenge – how to consolidate the authority of the state, in a way that serves its people and ensures a lasting peace – remains a huge but vital priority.

EXECUTIVE SUMMARY

With the signing of the Peace, Security, and Cooperation Framework (PSCF) in February 2013,¹ and the defeat of the M23 rebel group at the end of that year, the world's attention largely moved away from the Democratic Republic of Congo (DRC) and the conflict that has ravaged the east of the country for more than two decades. By signing the PSCF, the Government of DRC committed to, among other things, consolidate state authority throughout the country and deepen the reform of its security services. However, new research conducted for this report shows that little has changed for many people in eastern DRC.

Two years after the PSCF was signed, conflict and violence towards civilians remain widespread in many areas of eastern DRC. Since early October 2014, more than 250 women, men and children were killed in attacks allegedly undertaken by the Allied Democratic Forces (ADF), an armed group in Beni in North Kivu. In early 2015, the Congolese army, Forces Armées de la République Démocratique du Congo (FARDC), announced military operations against the Forces Démocratiques pour la Libération du Rwanda (FDLR), an armed group that has operated in the Kivus since 1994,² after it failed to meet its 2 January 2015 deadline to surrender.³

Humanitarian organizations have expressed concerns about the potential impact of such military action on civilians. In 2009, operations against the FDLR displaced hundreds of thousands of people, without ultimately defeating the FDLR.⁴ A 2009 NGO update estimated that for each FDLR fighter disarmed in 2009, one civilian was killed, seven were raped and 900 were forced to flee their homes.⁵

In this report, Oxfam presents new research scrutinizing the experiences of communities in certain areas of eastern DRC where state police, officials and military have extended their control. Although these areas have been deemed by the state to be secure, for communities the insecurity continues, leading one local official to describe the situation as '*secure insecurity*'.⁶

A range of factors still contribute to insecurity in areas deemed secure by the state. In some areas of North Kivu, Oxfam found that competition for land – sometimes following the return of displaced people – still drives conflict. In communities that Oxfam visited in South Kivu, conflict commonly hinges on cyclical violence between ethnic groups. In both North and South Kivu, conflict is characterized by clashes which deepen inter-community tensions. In all of the 16 villages where Oxfam conducted research, continued violence by armed groups was mentioned. In some areas of South Kivu, for example, communities live in fear of physical harm, sexual violence, kidnappings and killings.

No-one asks officials for help, if you are beaten by the army, or by someone else. There's no point, they don't even want to hear about it. That's why we turn to God for help.

Interview with a religious leader, Rutshuru, North Kivu, 17 September 2014

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2nd Situation Update from NGOs on DRC (2009)

Oxfam's research was conducted in August and September 2014 and comprised 55 focus group discussions (involving 430 community members) and 70 interviews in 16 villages, across four territories (Masisi and Rutshuru in North Kivu, and Kalehe and Uvira in South Kivu). Overall, the research reveals how little progress has been made towards building legitimate and credible state authority in many parts of eastern DRC, a disturbing conclusion.

In all of the 16 villages where Oxfam conducted research, continued violence by armed groups was mentioned.

The human cost of this lack of progress is continuing violence and extortion – like the violence and frustration recounted by one woman in the Ruzizi Plain area of Uvira: *'Today, the bodies of two people were found... just a few metres from my home. We don't know where to turn, we just want some fresh air; we want peace'*.⁷ In villages where Oxfam undertook research, men and women consistently reported abuse by officials. *'The soldiers of the FARDC are at the core of the insecurity; they steal, they set up illegal road blocks'*.⁸ They feared violence as well as extortion at the hands of the state.⁹

The research also brought women's experience of abuse to the fore, and highlighted how traditional beliefs about women's roles in society, and a lack of resources to pay the necessary fees, prevent most women from seeking protection or justice from local officials. As a woman in her early thirties told Oxfam: *'When I went to see the chief about a case of rape in our district, the chief told me that justice doesn't concern women'*.¹⁰

Our husbands cannot go out because they might be killed. [As a result the women go out to get food]. It's in this kind of situation that we are often raped, if there are soldiers on the road.'

The research found that while state officials are now present in most villages and towns, they are not able to travel to some areas supposedly under their control because of insecurity. In some areas, they effectively share authority with armed groups that are also present there.

Focus group discussion with women, Masisi, North Kivu, 24 September 2014

Often, the presence of state officials does not guarantee protection for civilians from violence or abuse. Respondents explained that they are forced to pay for protection that the state should be providing to its citizens as their right.¹¹ They told Oxfam how state officials – especially the security services, the army (FARDC) and police (PNC) – perpetrate abuses themselves.¹² As one 19-year-old street vendor from Kalehe territory in South Kivu said: *'Last month, soldiers beat a person so badly that he died before he got to hospital. The same soldiers attended the burial, and nobody could do anything about it'*.¹³

Oxfam's research did reveal examples of good practice by state officials. In one village in South Kivu, one woman said: *'when there's a problem, officials invite the population to find solutions together. Often, these meetings take place at the local leaders' office. Even the women are invited'*.¹⁴ But these examples were relatively few. Men and women also told Oxfam about fees charged by the local police – for instance, \$5 to report a crime and an additional \$10¹⁵ to investigate it.¹⁶ Oxfam heard of other officials extorting money at illegal roadblocks, or through illegal taxation at markets – the same tactics that civilians have come to expect from armed groups. As one official is reported to have said, *'If you used to pay the armed groups, why can you not give [pay] the government?'*¹⁷

Communities in eastern DRC want functioning and accountable government structures that can uphold their rights. Research undertaken by the Harvard Humanitarian Initiative at the end of 2013 showed that 73

percent of people in eastern DRC identify the government as the key actor that must take action to protect them.¹⁸ Oxfam's research shows how far that hope is from being realised. But it also shows that many people continue to seek justice or protection from state officials, even when they are illegally forced to pay for these services. This is not necessarily because they consider the state's protection anywhere near adequate. It is because they understandably seek any protection they can, be it from armed groups, the state or community structures.

Recognizing the inadequacy of the state, many communities have implemented their own initiatives to try to protect themselves from violence or to resolve local tensions. Many respondents told Oxfam of village committees or low-level chiefs that are doing so, though such initiatives tend to exclude those people who are most at risk of violence and abuse, such as women or young people. One 20-year-old woman told Oxfam how community mediation had forced her to marry a man who had raped her as a minor, alongside compensation paid by his family.¹⁹ While the judgement may have helped to resolve family and community tensions, she was forced to marry a man who still physically abuses her.

Two years after the PSCF was signed, civilians in many parts of North and South Kivu still feel alienated from the state's services, and vulnerable to abuse by its officials. The challenge to consolidate the state in a way that serves its people remains a huge but vital priority.

This paper concludes with a series of recommendations to the Government of DRC, at the national and local level, to donor governments and other organizations working on stabilization, and to the Great Lake Envoys of the African Union, UN, United States and European Union.

Recommendations for the Government of DRC

To deliver on its commitment to 'consolidate state authority', the national Government of DRC should:

- Pay state officials, train them in their roles and responsibilities and monitor their implementation of these roles and responsibilities; starting in areas targeted for stabilization, to be implemented by the end of 2015;
- Support research and implementation of a quota system for women to be appointed as state officials.

Provincial, territorial and local governments should:

- Prioritize budget for the provision of support for state officials to offer services in rural, as well as urban, areas.
- Promote access of women, youth and other groups to management and decision-making positions within customary structures which are subsumed into the public service;
- Organize training and awareness raising in communities, so that citizens understand the roles and responsibilities of officials, as well as the fact that their services should be provided free of charge.

People go and seek help from the [armed group] Nyatura when they have a problem, rather than coming to us. The Nyatura are preventing us from doing our work.

In-depth interview with local official, Rutshuru, North Kivu, 20 September 2014

To deliver on its commitments to ‘continue, and deepen’ security sector reform (SSR), the Government of DRC should:

- Allocate budget for reform of the security services and ensure salaries for security services are paid. Pass all laws on SSR, as per the PSCF action plan;
- Implement the commitment in the PSCF action plan published in July 2014 to establish accountability mechanisms for all security services – police, army and intelligence - by the end of 2015;
- Make urgent progress on the latest disarmament, demobilization and reintegration (DDR) programme, which has not yet been funded.

Recommendations for parties involved in funding stabilization programmes

The Stabilization Support Unit (housed within MONUSCO), donors and implementing NGOs should:

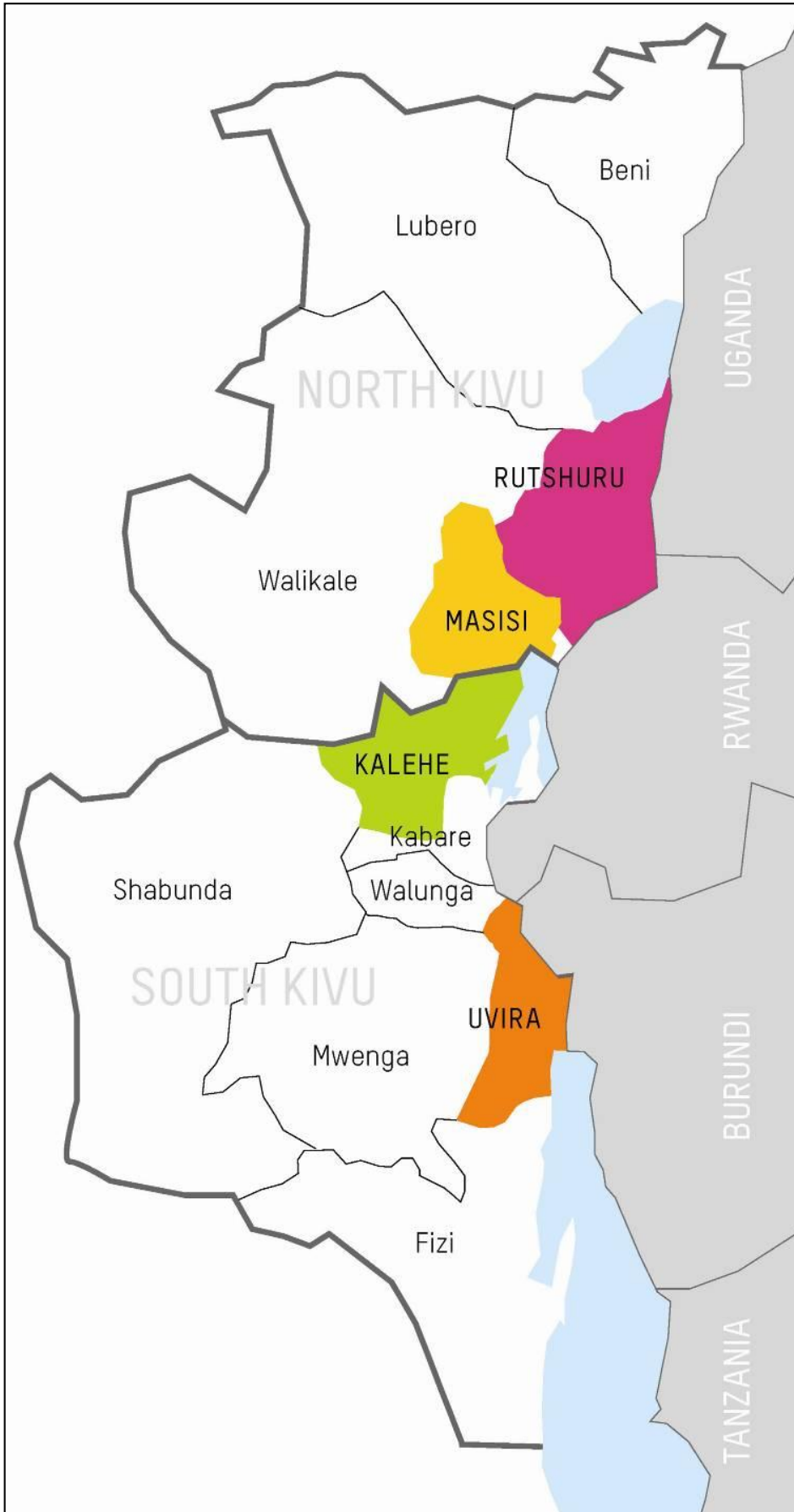
- Advocate for the payment of salaries to FARDC. This is an essential component of the International Security and Stabilization Support Strategy (ISSSS) focus on security, which aims to extend law and order, and to ‘build trust in the FARDC and change perception of the FARDC’;
- Include gender analysis in all pillars of the ISSSS strategy, particularly regarding return, reintegration and socio-economic recovery, and prioritize projects which challenge norms that exclude women.

Recommendations for the Great Lakes Envoys

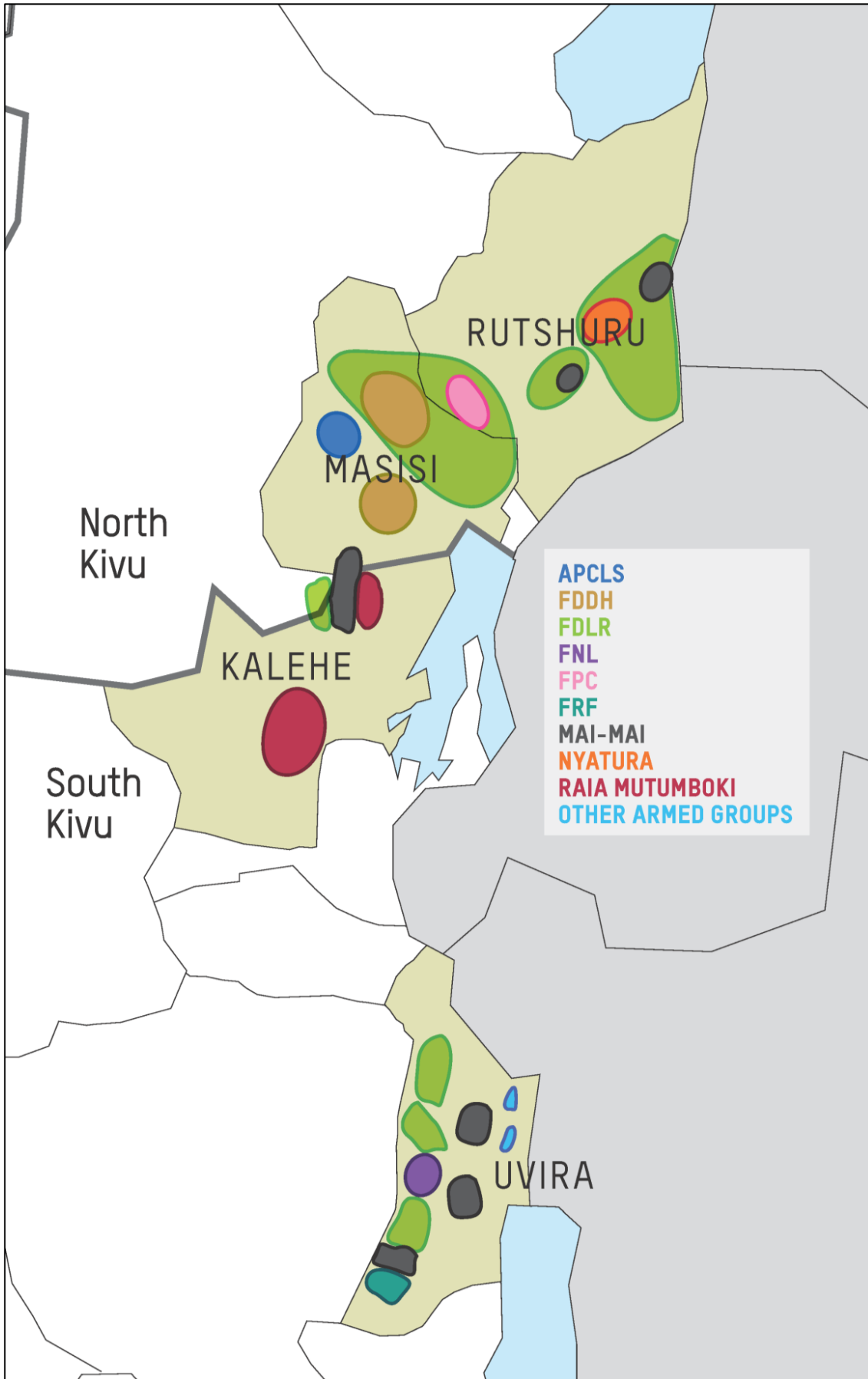
- Emphasize the need for inclusivity and accountability of state structures and progress on the PSCF action plan, including by convening regular meetings with the international community to ensure they are coordinated and consistent in their support for state consolidation in the DRC;
- Promote the inclusion of representatives of women’s groups in decision making regarding land reform, particularly in relation to the returns process.

Maps

Map1: Eastern DRC, highlighting the territories where research was carried out in 2014



Map 2: Approximate zones of control for rebel groups at the time of research (August–September 2014)



NOTES

- ¹ UN Office of the Special Envoy of the Secretary-General for the Great Lakes Region of Africa (2013) 'A Framework of Hope: The Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region', <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/SESG%20Great%20Lakes%20Framework%20of%20Hope.pdf>
- ² The FDLR claim to fight for the liberation of Rwanda from its current regime.
- ³ ICGLR and SADC (2014) 'Second Joint ICGLR-SADC Ministerial Meeting 2 July 2014, Luanda, Republic of Angola: Communique', ICGLR and SADC, http://www.mofa.go.ug/files/downloads/Joint%20Communique_Second%20Joint%20ICGLR-SADC%20Ministerial%20Meeting.pdf (last accessed 23 January 2015)
- ⁴ Umoja Wetu was the joint Congolese-Rwandan offensive against the FDLR in February 2009; Kimia II was the joint FARDC-MONUC operation launched thereafter. Both military operations caused a lot of civilian harm.
- Oxfam (2009) 'Waking the Devil: The impact of forced disarmament on civilians in the kivus', Oxford: Oxfam International, <http://policy-practice.oxfam.org.uk/publications/waking-the-devil-the-impact-of-forced-disarmament-on-civilians-in-the-kivus-115061>
- ⁵ 2nd Situation Update from NGOs on DRC (2009) 'Too much lost, too little gained: The impact of anti-FDLR operations on the situation of civilians in Eastern DRC and what the EU should do about it', http://reliefweb.int/sites/reliefweb.int/files/resources/3D49DCCAD1DC01418525765700763446-Full_Report.pdf (last accessed 11 February 2015).
- See also Human Rights Watch (2009) 'DR Congo: Civilian Cost of Military Operation is Unacceptable', <http://www.hrw.org/news/2009/10/12/dr-congo-civilian-cost-military-operation-unacceptable> (last accessed 02 February 2015).
- ⁶ In-depth interview with a local official, Rutshuru, North Kivu, 20 September 2014
- ⁷ FGD with women, Uvira, South Kivu, 31 July 2014.
- ⁸ One example is from FGD men, Kalehe, South Kivu, 8 September 2014. Also mentioned in: UN Group of Experts on the Democratic Republic of the Congo (2014) 'Final Report of the Group of Experts Submitted in Accordance with Paragraph 5 of Security Council Resolution 2078 (2012)', New York: UN Security Council, p.2, <http://www.un.org/sc/committees/1533/egroup.shtml> (last accessed 14 January 2015)
- ⁹ FGD with young people, Kalehe, South Kivu, 08 September 2014.
- ¹⁰ FGD with women, Masisi, North Kivu, 17 September 2014.
- ¹¹ The International Alert December 2014 conflict analysis for central Masisi states that the weakness of the security services is a fundamental cause of the persistent insecurity. International Alert (2014) 'Analyse de conflit, zone centre de Masisi, nord-Kivu, R.D. Congo', p.3.
- ¹² This was also mentioned by the Group of Experts on the Democratic Republic of the Congo. UN Group of Experts on the Democratic Republic of the Congo (2012) *op. cit.* p.2
- ¹³ FGD with young people, Kalehe, South Kivu, 8 September 2014.
- ¹⁴ FGD with women, Uvira, South Kivu, 30 July 2014
- ¹⁵ In the DRC, both FC and US dollars are commonly used as currency. As FC notes above 500 FC (equivalent to \$0.55) are hard to come by, anything costing over \$5 is usually paid in US dollars.
- ¹⁶ FGD with women, Rutshuru, North Kivu, 17 September 2014
- ¹⁷ FGD with women, Masisi, North Kivu, 17 September 2014
- ¹⁸ P. Vinck and P.N. Pham (2014) 'Searching for Lasting Peace, Population-Based Survey on Perceptions and Attitudes about Peace, Security and Justice in Eastern Democratic Republic of the Congo', Harvard Humanitarian Initiative, United Nations Development Programme, p. ii, <http://www.peacebuildingdata.org/research/drc/2014-research-results> (last accessed 12 February 2015)
- ¹⁹ In-depth interview with a 20-year-old woman, Masisi, North Kivu, 23 September 2014.

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This paper was written by Marijke Deleu with support from Louise Williams and Ed Cairns. Oxfam acknowledges the assistance of Joanna Trevor, Josephine Liebl, Sophia Ayele and Jon Mazliah in its production. Research for this paper was conducted under the supervision of Adolphe Baduda and Florentin Kahwa. Oxfam would like to thank the research assistants that were involved in the fieldwork for their dedication during the research. In addition Oxfam wishes to thank the many community members, state officials and local leaders who took the time to share their experiences with the research team. This paper is part of a series of papers written to inform public debate on development and humanitarian policy issues.

For further information on the issues raised in this paper please e-mail advocacy@oxfaminternational.org

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The information in this publication is correct at the time of going to press.

Published by Oxfam GB for Oxfam International under ISBN 978-1-78077-810-5 in March 2015. Oxfam GB, Oxfam House, John Smith Drive, Cowley, Oxford, OX4 2JY, UK.

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