

The Suitability of the Mandate Used by the United Nations Humanitarian Military Intervention in North Kivu Province, Eastern Democratic Republic of Congo, 2004-2022

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ABSTRACT

North Kivu is one of the provinces in Eastern Democratic Republic of the Congo (DRC) where conflict seems to defy the multiple interventions by a number of national, regional and international organizations. It hosts several United Nations Humanitarian Military Intervention (UNHMI) bases and has shown a humanitarian crisis resulting from the conflict in Eastern DRC including hostilities by the armed groups. This study interrogated the suitability of the mandate used by the UNHMI through the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) between 2004 and 2022. This study was informed by two complementary theories namely; Realism and New Institutionalism. Realism argued that that humanitarian military intervention by the UN in Eastern DRC was motivated by the need to promote the geopolitical interests of powerful states. New Institutionalism on the other hand contended that North Kivu province was characterized by weak institutions and there was lack of trust between the different actors. This study took the form of an exploratory research design employing the use of both primary and secondary sources. Purposive and snow ball sampling techniques were used to select 99 respondents who included 19 representatives from international humanitarian organizations in North Kivu, 20 representatives from the civil society, 10 government officials, 15 experts in conflict management, 15 security specialists, and 20 Congolese nationals. Questionnaires and interview schedules were the main research instruments. The study concluded that in as much as the UNHMI was suitable in the context of conflict management, the operation faced a number of setbacks. The study recommended that the government of DRC, taking advantage of the suitability of the Mandate of UNHMI, should cooperate with and provide more support to MONUSCO in addressing the conflict.

Keywords: Conflict Management, Military Intervention; Stabilization

INTRODUCTION

Turner (2007) identifies two forms of conflict in Eastern DRC civil conflict. The first form of conflict involves native inhabitants against Kinyarwanda speakers who migrated from Rwanda after the 1994 genocide. The second type of conflict involves hostilities amongst Kinyarwanda-speaking ethnic groupings. Hutu and Tutsi ethnic groups had long been at odds with one another leading to the 1994 genocide in Rwanda. The hostilities between the two groups were exported to Eastern DRC with the influx of refugees running away from conflict in Rwanda.

The second form of conflict involves the regional violence pitting Kinyarwanda-speaking groups against one another (Turner, 2007; Stern 2011). After the genocide in Rwanda in 1994 thousands of Rwandese refugees entered the DRC through North and South Kivu. Similar to this in 1998 the Rally for Congolese

Democracy (RCD) under the leadership of Ernest Wamba *dia* Wamba, seized Goma and launched an offensive against Laurent Kabila, who had already managed to alienate his erstwhile regional supporters within a year of his triumph. Laurent Kabila had exiled the Banyamulenge and other Tutsis from positions of authority and actively worked to win the favor of Congolese people (Breytenbach et al. 1999). According to Muraya and Ahere (2014) and Kibasomba and Lombe (2011) the M23 and other rebel organizations sprout in support of the Tutsi people of the Kivus. The main foe of the M23 was the Democratic Forces for the Liberation of Rwanda (FDLR), a Hutu group. The National Congress for the Defence of the People (CNDP) purportedly provided protection for the Congolese Tutsi population in 2006 and included mainly ex-RCD rebels located in Goma.

Many areas of the DRC have been plagued by unrest for close to three decades. The country's violent conflicts began in the early 1990s when a wave of refugees entered the DRC as a result of the genocide in Rwanda in 1994. In order to overthrow the regime of Mobutu, Laurent Desire Kabila in 1996 oversaw a coalition of Congolese rebel fighters with support from the national armed forces of Rwanda and Uganda. When Kabila proclaimed himself president in Kinshasa in May 1997, the First Congo War came to an end (Dobbins *et al.*, 2013).

The conflict of interests between Laurent Kabila and his partners in Rwanda and Uganda who had contributed immensely to his ascendancy to power precipitated into an armed conflict beginning in 1998 following significant military setbacks (Ruddock, 2001). Further foreign intervention by Kabila's allies Angola, Namibia, and Zimbabwe helped crush any rebellion from his adversaries. As documented by Karbo and Mutisi (2012), the Second Congo War came to an end on December 16, 2002, with the signing of the Pretoria Agreement.

Westing (1986) addressed the role of strategic resources in precipitation of conflicts in African countries. The author argued that the existence of strategic resources in developing countries produced a higher likelihood of causing conflict than other resources. Autesserre (2010) and Shah (2010) reported that Multinational Corporations (MNCs) were also accused of fueling the war in the DRC by pursuing mining contracts and concessions under more favorable terms than would be feasible in calm and stable states. To take advantage of the Congo's mineral resources, the MNCs established networks of important governmental, military, and business elites. The MNCs also conducted business with rebels who established the financial and administrative frameworks necessary for them to have access to the revenue from minerals. All the parties to the battle apparently used this cash to fund both their involvement in the fighting and to benefit themselves.

The humanitarian situation in North Kivu province worsened between December 2022 and March 2023, with a total of 350 civilian (including 114 women and 38 children) deaths, hence threatening the stability of DRC with thousands of people falling victims of violence and sexual abuse by armed groups, including the Allied Democratic Forces (ADF), Cooperative for the Development of Congo (CODECO), Democratic Forces for the Liberation of Rwanda (FDLR), Zaire, 23 March Movement (M23) and Mai-Mai. Persistent cycles of strife, enduring humanitarian emergencies, and grave transgressions against humanity, including instances of sexual and gender-based abuses have continued to manifest in Eastern DRC (UN, 2023). It is against this background that this study interrogated the suitability of the mandate used by the United Nations Humanitarian Military Intervention (UNHMI) through the United Nations Organization Stabilization Mission in the Democratic republic of Congo (MUNUSCO) between 2004 and 2022.

Theoretical Framework

This study was informed by two complementary theories namely; Realism and New Institutionalism. Realists contend that the predominant interests of powerful nations within the United Nations Security Council (UNSC) can result in interventions characterized by restricted mandates, limited rules of

engagement, and a prioritization of short-term stability over the resolution of underlying causes of conflict (Musau, Mulu, & Hamisi, 2023).

The application of realism provided insights into the security challenges encountered by UN personnel in Eastern DRC. By emphasizing the significance of power dynamics and state interests within the realm of international relations, realism theory offered a framework to comprehend the security risks posed by armed groups and the regional rivalries that influence the security landscape in the conflict zone. Realism argued that that UNHMI in Eastern DRC was motivated by the need to promote the geopolitical interests of powerful states.

New-Institutionalism was the second theory that informed this study. Institutions, according to this theory, can either encourage or hamper cooperation. An environment of trust and cooperation is created with strong institutions whose objectives are clear, stable, and enforceable that help humanitarian military interventions by reducing unnecessary conflicts. Nevertheless, weak institutions create an environment of uncertainty and conflict, hence harmful to humanitarian military interventions, as hinders protection of civilians and wanes trust between actors (Scott, 2008).

From the new institutionalist's perspective, North Kivu province in the eastern DRC is characterized by weak institutions. It has a long history of political instability, violence, and corruption. These factors have eroded trust in government (and non-government) institutions and created a climate of impunity. MONUSCO has faced several setbacks in its efforts to stabilize the eastern DRC. For instance, the rule of law is weak with the Congolese government unable to enforce laws and regulations. This has permitted armed groups to operate with impunity and has made it difficult for MONUSCO to help in protecting civilians. New Institutionalism argued that North Kivu province was characterized by weak institutions and there was lack of trust between the different actors.

METHODOLOGY

This study took the form of an exploratory research design employing the use of both primary and secondary sources. Purposive and snow ball sampling techniques were used to select 99 respondents who included 19 representatives from international humanitarian organizations in North Kivu, 20 representatives from the civil society, 10 government officials, 15 experts in conflict management, 15 security specialists, and 20 Congolese nationals. Questionnaires and interview schedules were the main research instruments.

The main research instruments for this study comprised questionnaires and interview schedules with both closed and open-ended questions. Interview guides comprised open ended questions to give the respondents room to respond to questions without much restriction. Questionnaires were semi-structured and composed of closed ended question. Data collected in this study was analyzed qualitatively and quantitatively.

REVIEW OF RELATED LITERATURE

Kormoh (2021) in exploring the conflicts in the DRC noted that that development, peace and security in the country faced serious threats from armed groups. Halabo (2020) noted that civil conflict in the DRC was influenced by a number of factors like geopolitics of the region, inherent issues in Congo state, cross border regional dynamics, shifting of the alliances in the region and economic war. The studies above did not focus on how the UNHMI in DRC had altered the dynamics of conflict in Eastern DRC, a contextual gap the current study sought to fill by focusing on its mandate.

Ntanyoma (2021), in describing the complexity of violence in Eastern DRC recorded more than 120 active armed groups mostly operating under ethnic names. According to this author's description, attacks on

civilians were caused by armed groups and foreign actors. The role of DRC as a state with an army was ignored. The author however failed to give specific information on the mandate used by UNHMI in DRC, a contextual gap that this study sought to fill.

Choi (2013) examined factors that influence the United States humanitarian intervention. The study revealed that the US used force in the course of offering humanitarian interventions to protect human rights and also for the purposes of serving US's own national interests such as securing oil supply. The study above was however a comparative one, a methodological gap the current study sought to fill by investigating the suitability of the mandate used by UNHMI in DRC.

Olsen (2022), in a study of military in developing countries noted that the consequences of the interventions were not about stability but were meant to support the incumbent elites. This study focused on consequences of military interventions in different regions while this study focused on the mandate used by UNHMI in DRC to bridge the geographical and knowledge gaps.

Prakash (2022) examined the mandate of MONUSCO in the DRC. His study looked at the general lessons learnt about MONUSCO, with very little emphasis on the mandate. Kabemba (2013) in a study of UN military intervention in the DRC observed that such interventions became stagnant, corrupt and ineffective due to conflicting goals and vastly heterogeneous priorities from among international nonprofit organizations, local people and governments. This study however comprehensively evaluated the mandate of MONUSCO to see its suitability in addressing the conflict in DRC to fill the knowledge gap from the above study.

Adolphe (2023), in answering the question as to whether MONUSCO had increased or reduced security in DRC concluded that the mission was only meant to support the Congolese government in providing security. Whereas the author mentioned scantily about the mandate of MONUSCO, he failed to comprehensively evaluate it in relation to the conflict in Eastern DRC, a contextual gap this study sought to fill.

The International Peace Institute, Security Council Report, and the Stimson Center (2023) recorded that the UN should avoid military approaches while considering its long-term presence in DRC. In studying exit strategies of Peace Support Operations in DRC Musau, Mulu & Hamasi (2023), noted that such operations forcefully withdrew or abandoned their mandates before the expected timelines. The above studies concentrated on MONUSCO's transition and reconfiguration while this study concentrated on how the current mandate affects MONUSCO's effectiveness. The studies focused on exit strategies and mentioned very little about how the mandate has affected the effectiveness of MONUSCO, a knowledge gap this study sought to fill.

Ingabire & Kurnaiwan (2022), classified DRC as having the longest rebel conflict of the 21st century. In analyzing the difficulties of the UN in dealing with the armed groups, they concluded that the armed groups' crisis was due to various internal problems and MONUSCO was ineffective due to its mandate which did not facilitate success in maintaining peace. This study therefore sought to evaluate the mandate of the UN to determine its suitability in addressing the protracted conflict in North Kivu to add to the knowledge gap left by the above study.

Sarjoon, and Yusoff (2019) in examining the challenges and operations of UN peacekeeping concluded that the mandate for a peacekeeping mission must have clear and achievable objectives with peace integrating strategies and that peacekeeping mandates should be implemented by all UN peacekeeping components in respect of international law and customs of host states. In analyzing challenges and opportunities for the UN humanitarian mission in DRC, the International Crisis Group (2022) noted the introduction of troops from the East African Community and begged the question on the operational coordination between MONUSCO

and these new forces. This study filled the time gap by studying the mandate of MONUSCO after the deployment of the Kenyan led East African Community Regional Force (EACRF).

Tull (2018) explored the limited and unintended consequences of peace enforcement by the UN military intervention in the DRC. The study found out that Force Intervention Brigade (FIB) was yet to prove to be the game changer in conflict resolution matters and that it had led to both state building and performance of UN peacekeepers' unintended negative consequences. The study above focused on Force Intervention Brigade whereas the current study focused on suitability of the mandate used by MONUSCO in addressing conflict in Eastern DRC.

Whitehurst (2023) compared three different UN peacekeeping missions (UNMISS, MINUSMA, and MONUSCO) The study noted that even those UN missions perceived to be ineffective still provided some benefits to the host states. The study however employed a comparative methodology relying on purely secondary sources. This study comprehensively analyzed the mandate of one UNHMI (in this case, MONUSCO) using both primary and secondary data sources to fill the methodological gap.

Statement of the Problem

The dynamics of the civil conflict in Eastern DRC have remained complex with several rebel groups fighting for dominance. The volatile political situation in Eastern DRC created conditions for the emergence of several rebel groups that included the 23 March Movement (M23), The Congolese National Defense of the People (CNDP), Rally for Congolese Democracy (RCD) and Armed Forces of the Democratic Republic of Congo (FARDC). Neighboring countries notably Rwanda and Uganda have been involved in the conflict for or against the regimes in power.

Debates have ranged on the rationale and suitability of UNHMI. Scholarly debates on humanitarian military interventions exist as much as there is scarce data about them and their effects. Significant progress has been made in the larger DRC since establishment of this humanitarian military intervention by the UN. The ongoing UNHMI in the DRC through the United Nations Organization Stabilization Mission in the Republic of Congo (MONUSCO) has been granted authorization to employ any necessary measures in order to safeguard the well-being of civilians, humanitarian personnel, and human rights advocates who face the risk of physical harm. The UNHMI in North Kivu Province through MONUSCO has faced several setbacks which have in essence hampered the success of the operation.

It is against this background that this study interrogated the suitability of the mandate used by the United Nations Humanitarian Military Intervention (UNHMI) through the United Nations Organization Stabilization Mission in the Democratic republic of Congo (MUNUSCO) between 2004 and 2022.

FINDINGS AND DISCUSSIONS

In attempting to interrogate the suitability of the mandate of UNHMI, the study examined different peace related activities which respondents perceived to be suitable in addressing the conflict in the area in line with the UN's mandate, successful programs by UNHMI and perception of respondents on suitability of the mandate of UNHMI in addressing conflict in North Kivu province.

Peace Related Activities Mandated by UNMHI to Address Conflict in North Kivu

One of the mandates of the UNHMI is to protect lives and property. Respondents were asked to mention the peace related activities mandated by the UNMHI to address conflict in North Kivu province. The study found out that 31 respondents (31%) mentioned humanitarian assistance, 30 respondents (30%) mentioned peace support operations, 20 respondents (20%) mentioned local governance support initiatives as the major

peace related activities mandated to address conflict in north Kivu by UNHMI. The result is illustrated in Table 1.1 below.

Table 1.1: Peace Related Activities Mandated by UNMHI

UNHMI Peace related Activities	Frequency	Percentages
Humanitarian Assistance	37	37.37%
Peace support Operations	36	36.36%
Local Governance Support	26	26.26%
Total	99	100%

Humanitarian assistance was reported to be the first peace related program by UNHMI. Threefold programs were listed under this category to include emergency response (urgent medical care, provision of shelter and food), protection services in the context of safeguarding the rights of vulnerable people like children, women, and IDPs. The third one being long term support to communities towards recovery. For example, rebuilding of roads and providing psychological counseling. Humanitarian aid was also reported as part of humanitarian assistance in the form of provision and distribution of food stuff, medical equipment, essential items like blankets, hygiene kits and supply of tents for shelter.

The peace support operations mentioned include protection of civilians, DDR, support FARDC, Human rights monitoring, and electoral support. Protection of civilians is the primary role of UNMHI. This is achieved by deployment of peacekeepers in conflict hotspots, who undertake deterrence and active patrols to deal with armed groups. The peacekeepers support the Congolese army in combating the armed groups. The partnership, according to this study, was successful in some cases but also failed in other circumstances.

The third peace support operation was Disarmament, Demobilization and Reintegration (DDR), where MONUSCO provided relevant support for disarmament, demobilization and reintegration of combatants from the armed groups back into the community. Monitoring and reporting of Human rights violations to the government forces and local human rights organizations. Electoral support was a crucial peace support operation mentioned by informants. MONUSCO provided logistical support to the DRC's electoral body hence ensured that supported the electoral commission in performing its mandate. Provision of security through convoy escorts during elections was another way MONUSCO helped in the electoral process in DRC.

Local governance as a peace related program by the UNHMI in addressing the protracted conflict entailed community outreach activities and dialogue. The study established that MONUSCO had occasional engagements with the local communities to help conflict resolution and management. The Civil society groups, local leaders and community-based initiatives were observed to cooperate with MONUSCO in promoting cohesion.

Successful Programs by UNHMI in North Kivu Province

The study sought to evaluate the success rate of the peace related programs by the UNMHI in North Kivu province. Respondents were asked the UNHMI peace related programs they consider successful. The study reported that 44 (44%) respondents considered Humanitarian assistance, 35(35%) respondents considered peace support operations, while 20(20%) respondents considered local governance support initiatives by UNHMI as successful. This could be attributed to the fact that most informants considered Humanitarian assistance activities as being sufficiently done by MONUSCO. Local governance programs by MONUSCO seemed to be least successful among the threefold peace related programs by UNHMI. The increased

displacement of persons could be a reason for this, or the unavailability of UNHMI programs in some areas due to bad terrain in North Kivu province.

Successful Programs by UNHMI in North Kivu Province

The study sought to evaluate the success rate of the peace related programs by the UNHMI in North Kivu province. Respondents were asked the UNHMI peace related programs they consider successful. The data is tabulated in Figure 1.1 below.

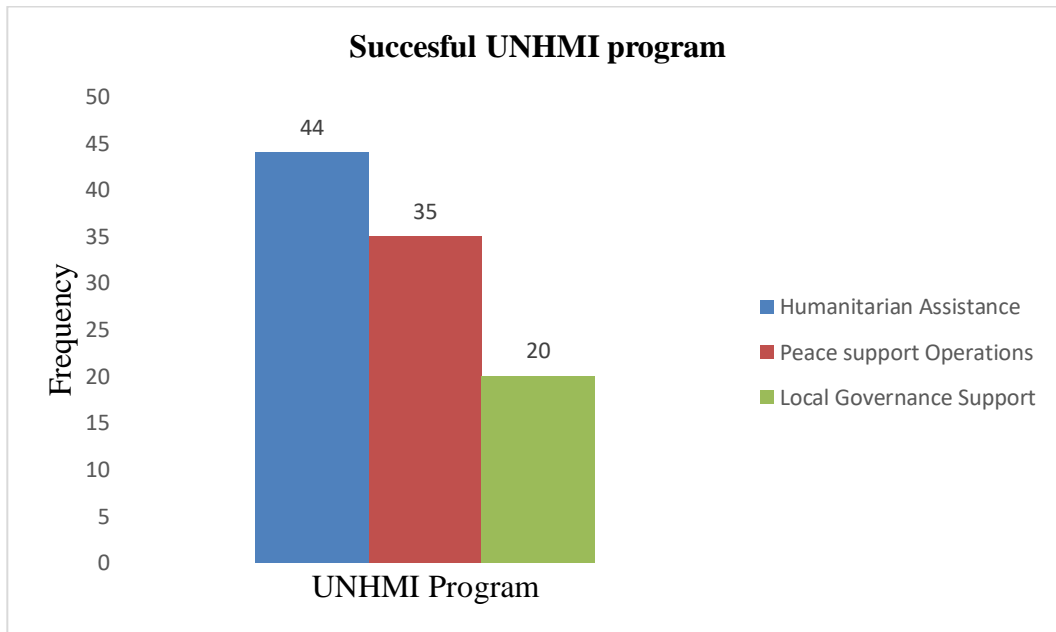


Figure 1.1: Successful UNHMI Peace related Programs

Perception on Suitability of the Mandate of the UNHMI

The study further examined the perceptions with regards to the suitability of the mandate of the UNHMI in North Kivu province. The study found out that 47 respondents (47%) felt that the mandate of the UNHMI is suitable, 44 respondents (44%) felt that the mandate of the UNHMI is not suitable while 8 respondents (8%) were not sure about the suitability of the mandate of the UNHMI in addressing the conflict in North Kivu province. The data is illustrated in Figure 1.2 below.

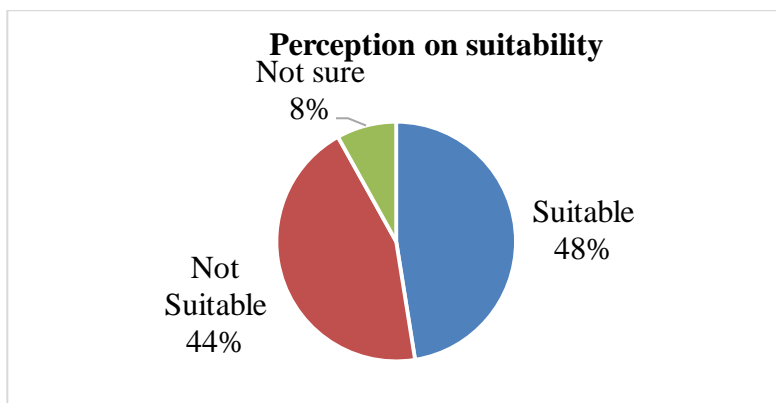


Figure 1.2: Perception on Suitability of UNHMI Support

As shown in Figure 4.9 above, 47 respondents (47%) felt that the mandate of the UNHMI is suitable, 44

respondents (44%) felt that the mandate of the UNHMI is not suitable while 8 respondents (8%) were not sure about the suitability of the mandate of the UNHMI in addressing the conflict in North Kivu province.

Although the margin is small, most respondents felt that the UNHMI mandate is suitable for addressing the protracted conflict in North Kivu. Some of the reasons cited for suitability of the mandate were that the UNHMI-led appeared to be more organized as compared to the Congolese- led programs. The respondents felt that the UNHMI officials were not corrupt like the Congolese administrators, hence the reason why the mandate was considered suitable by respondents.

CONCLUSION

In attempting to interrogate the suitability of the mandate of UNHMI, the study examined different peace related activities which respondents perceived to be suitable in addressing the conflict in the area. Humanitarian assistance, peace support operations, local governance support initiatives are the major peace related activities mandated to address conflict in north Kivu by UNHMI.

Threefold programs were listed under humanitarian assistance to include emergency response (urgent medical care, provision of shelter and food), protection services in the context of safeguarding the rights of vulnerable people like children, women, and IDPs. The third one being long term support to communities towards recovery. The peace support operations mentioned include protection of civilians, DDR, support FARDC, Human rights monitoring, and electoral support.

The study established that MONUSCO has occasional engagements with the local communities to help conflict resolution and management as part of local governance programs by the UNHMI in addressing the protracted conflict comprising community outreach activities and dialogue. Humanitarian assistance is the most successful peace support operations by UNHMI. Local governance programs least successful according to respondents due to the increased displacement of persons could be a reason for this, or the unavailability of UNHMI programs in some areas due to bad terrain in North Kivu province.

The mandate of UNHMI is suitable for addressing the protracted conflict in North Kivu. Some of the reasons cited for suitability of the mandate were that the UNHMI-led appeared to be more organized as compared to the Congolese- led programs. The respondents felt that the UNHMI officials were not corrupt like the Congolese administrators.

RECOMMENDATION

The study recommended that the government of DRC, taking advantage of the suitability of the Mandate of UNHMI, should cooperate with and provide more support to MONUSCO in addressing the conflict in Eastern DRC.

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