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Non-military strategies for civilian protection in the DRC

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This think piece is based on an independent review of the international protection response in the DRC conducted for the Norwegian Refugee Council (NRC) in November, 2012. It will focus on the current protection response in the DRC, identify gaps and suggest ways in which the international community, and especially the humanitarian community, can improve its protection response. The opinions expressed are the author's own and do not necessarily reflect the positions of NRC.

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1   Introduction

1.1   The paralysis of complexity

The DRC is a very complicated place. The region is plagued by long histories of multiple inter-ethnic conflicts, genocide, crimes against humanity, and several recent invasions. Dozens of armed groups range from self-protection community militias to organized-crime/bandits to large-scale armies with political aspirations. There are complex regional relationships with many neighbors, illegal cross-border trafficking in minerals, no rule of law, massive corruption; almost no state function; cyclical patterns of violence and vengeance. The list of issues seems almost endless.

The complexity is made worse by all that is unknown and hidden and uncertain. Much of the real power structures are undercover, illegal or informal. Multiple undocumented versions of each piece of local history compete with each other. Much analysis is inevitably based to some extent on rumors, half-truths, stereotypes, oversimplifications and suppositions.

All of this complexity, when combined with the horribly violent recent history of this region[1], tends to have a paralyzing impact on organizations trying to help. Each analysis can be contradicted by another one. Every potential solution to one aspect of one problem seems to be undermined by the other problems. *Nothing seems to work*.

There are several understandable outcomes of this paralysis: on the one hand, there is a high degree of hopelessness and cynicism among those who are trying to help; secondly, there is a tendency to give up on big-picture analysis and strategic approaches to find real solutions, and settle instead for small piecemeal band-aid approaches to smaller problems ("At least we're helping *someone!*")*; third, there has been a desperately exaggerated hope in some quarters that organized military force (e.g. MONUSCO's 'protection through deterrent deployment') will be the silver bullet to the Congo's protection challenge.

This '**think piece'** is an attempt to promote a broader discussion aimed at escaping some of that paralysis. Certain understandings or assumptions underpin this attempt:

- **Analysis** of the longer-term big picture - complex as it is - must be the basis for action, getting beyond quick responses to recent victims. Both long-term and short-term strategies should be based on this analysis. The author will therefore attempt some 'big-picture' analysis in this paper. Due the the exploratory and small-scale nature of this project, it will certainly have flaws and gaps (which can be corrected or developed), but the point is that this is a risk that must be braved by institutions who want to make a difference. There are many experts on the DRC. They are not all correct (nor do they claim to be) and they do not all agree. Judgments must be made about how to take advantage of their expert analysis in the strategic planning of organizations on the ground.

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[1] Estimates of deaths in the Congo conflicts since the late 1990s range in the millions. Currently there are 2.6 million displaced. In 2012 alone there were over 600,000 new displaced.

- Consequently, the analysis must go beyond enumerating the many problem dynamics. It must dissect the relationships between them. Most importantly, it must make controversial judgment calls about the relative importance of different causal dynamics. Strategic choices based on such a ranking should target changes with the highest likelihood of the biggest impact.
- **Protection** in this conflict cannot be achieved solely by providing services to victims. The abuses and the conflict are *chronic. Protection* must involve efforts to change the behaviour of perpetrators of violence and reduce conflict. Therefore, in many ways *working for protection = working for peace,* and this paper will argue that humanitarian organizations committed to protection must embrace working for peace as part of their responsibility.
- **A drop in the bucket is not enough**. Protection is not about symbolic or piecemeal impact. Certain activities might 'in principle' seem like rational protective approaches, helping a limited number of individuals or even communities, but if we aim for any durable protective impact we have to be rigourous and also consider **how much** of a given type of activity would truly be needed to cross a threshold or tipping point and change the prevailing dynamics of violence.

1.2   What "Protection" are we talking about here?

'Protection' is a very broadly defined term in the humanitarian community[2], potentially applied to nearly every effort that aims to make any improvement in people's access to their rights in any situation, addressing everything from violent conflict and mass murder to structural deficits in education or health, and including activities from human rights monitoring to shelter reconstruction and much more.

A more useful way to understand protection work is to think about the timeline of impact: on the one hand there is long-term work that is not targeting specific moments of abuse, but rather aims to build structures and capacities and change attitudes in society which will make conflict and abuse less likely to occur in the future, or to un-do damaging structural problems that make abuse more likely. A second and more immediate level of prevention is aimed at specific imminent threats: actions that reduce the risk of a violent threat being carried by either influencing the perpetrators or reducing the vulnerability of the intended victims. At this immediate level there are also peacemaking efforts that aim to negotiate nonviolent resolutions to conflict to avert violence, which of course has a protective as well as peacemaking impact.

Another element of humanitarian work related to violent abuse, the most frequent, is to provide services to victims after abuses have happened, to reduce the post-abuse suffering and help victims rebuild their lives. Some of this work is 'preventive' in the sense that it can prevent additional or secondary suffering, but it is not preventive of the abuses themselves.

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[2] The Inter-Agency Standing Committee consensus on protection, for instance, refers to "All activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and spirit of the relevant bodies of law, namely human rights law, international humanitarian law and refugee law."

In this paper we are not discussing all of this breadth of 'protection' territory. In particular we will not be assessing post-abuse services to victims as protection. These complex and diverse services each require a detailed and technical level of assessment that is beyond the scale and scope of this research. More importantly, the post-abuse services are *symptomatic* – they are required because the more fundamental protection problems are not being resolved. The fundamental protection challenge we are addressing is this: large-scale violence and intimidation (including murder, rape, forced recruitment, and pillage) by militaries and armed groups that has – for two decades -been causing mass displacement and keeping the region of the Kivus in a state of instability that has prevented progress on most other problems. What are the (non-military) strategies that can reduce or end this large-scale violence and intimidation?

There are three primary reasons for choosing this protection focus:

Most humanitarian organizations have a principled commitment to international law, rights-based approaches, and those working on displacement ostensibly seek "durable solutions." In a setting like the Kivus it should be self-evident that until military and armed group violence against civilians is brought under control, everyone in every community is at constant risk of the next attack and displacement. There are no "durable solutions" here without a change in the level of peace and stability, and changes in the destructive behaviour of the armed parties towards civilians. People are not fleeing their homes for lack of food or education, nor even so much from the prevalent extortion and "taxes". They are running for fear of lethal or traumatizing violent attack, well-founded fears based on personal and community experiences of trauma and multiple prior displacements.

Secondly, the objective of this paper is to address "non-military" strategies, in contrast to MONUSCO's "military" strategies. These military strategies are themselves aimed at controlling armed group and military behaviour and promoting peace, so it is logical to focus here on the non-military alternative strategies that might be available to pursue these same objectives. No one is worried about MONUSCO applying excessively "military" approaches to education deficits, lack of shelter, lack of food, domestic violence or the wide range of other "non-military" problems – the current approaches to most of these is already entirely non-military.

Thirdly, it is worth focusing on this protection objective because it is an area where the humanitarian community usually fails to take full advantage of many potential opportunities for impact, often excusing themselves from engagement with the challenge of reducing violence using flawed arguments about neutrality, politicization, or self-imposed 'identity' limitations (*"We don't do that kind of work!"*). Yet, in conflicts the world over, some humanitarians and other international actors have engaged in a wide range of effective non-military approaches to limiting armed violence and resolving conflicts.

The objective of reducing armed violence is not so limiting as it might appear, as the next section on problem analysis will show: many different problem dynamics contribute to or motivate armed violence. Any problem-solving approach has to confront these causal dynamics.

2 <u>Analyzing the problems</u>

If you ask Congolese and international actors about the causes of organized attacks on civilians, the responses come quickly: "a weak state-weak army-weak police," "land conflicts," "ethnic animosity," "Rwandan influence," "lack of weapons control," "lack of education," "no economic prospects for young men," "Competition over mineral wealth," "Soldiers don't get their salaries." To make sense of the multitude of potential contributing factors, we need to distinguish between two very different questions:

- Why does a military or armed group leader tell his men to kill or rape or pillage in a community? (And why does he have men who are willing to do this?)
- Why is there no effective process to stop them?

A "weak state," for instance, does not explain why people commit such violence – though it might help to explain why it is not stopped. Lack of education does not automatically turn someone into a killer, nor does lack of a job, though frustrations over such gaps may help leaders mobilize anger.   In this analysis section, we will look first at the dynamics of lethal violence, and then widen the analysis to consider some of the vicious cycle dynamics that sustain it, and the virtuous cycles of change that might control it.

2.1   Dissecting lethal violence

2.1.1   Who kills?

The vast majority of people in this world, and in the eastern Congo, are not killers and rapists. These are rare behaviours: they have negative impacts on a large number of people, but they are committed by a very small minority. The number of men in armed groups and armies in the eastern Congo represents a small percentage of the male population. Among these armed men, only a fraction are willing to kill, and even fewer willing to commit atrocities. Research has shown that there is a deep psychological resistance in most humans to killing another human being. In fact, when people with this normal resistance are forced to kill, the result is often deep psychological trauma.[3] For military institutions, this resistance to killing can be a serious problem – many (perhaps most) soldiers on the battlefield do not actually aim at the enemy.[4] According to these studies, in a very small minority of a population this natural resistance is much lower, and these individuals are able to kill without severe psychological consequences. They are therefore also able to kill repeatedly. In most conflicts and wars, the vast majority of direct killing is carried about by this small minority who are capable of killing repeatedly.

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[3] In fact, one study suggests that a frequent cause of post-traumatic-stress-disorder among soldiers is not the fear of battle or 'combat-fatigue' but the debilitating psychological reaction to having had to kill. (David Grossman, <u>On Killing: The Psychological Cost of Learning to Kill in War and Society</u>, Back Bay Books, New York, revised edition, 2009.)

[4] In modern high-technology military operations, this dynamic of resistance has been long recognized as a military challenge, and is overcome in large part by putting a psychological distance between the killer and the victim. A pilot dropping a bomb, or a technician controlling a drone does not feel the same psychological resistance or responsibility. In the Congo conflicts, however, most killing has been direct and close-up.(ibid)

This dynamic should be considered in our analysis: a strategy aimed at reducing violence by targeting 'the average person' might be quite different than a strategy that focuses on this small minority who are the most responsible for the worst violence.

We will look now at the factors that motivate or inhibit lethal violence, but in so doing we have to make another distinction as well, between leaders and followers. The decision-makers and leaders at the top who are controlling, directing or influencing armed actors to carry out such violence may have different motivations and different sensitivities to inhibiting factors than the foot-soldiers carrying out the orders.

2.1.2   Why do they kill?

Even most people who are capable of killing still don't kill – if they did the levels of homicide would be astronomical throughout the world. People need a reason or motivation to carry out such violence, and they need to see a benefit in the process that outweighs the cost. There are a range of such reasons and motivations in the Congo conflicts, feeding each other in complex ways that are sometimes difficult to separate:

A belief that violence and killing is necessary for one's own survival: Multiple armed groups and militaries are competing for control of territory and population. They are constantly insecure and mistrustful, worried about the next potential armed challenge to their control and worried about civilians collaborating with their enemies. Leaders are insecure, and they convince their men that their own survival depends on the attacks they are ordered to carry out.

Similarly, members of ethnic groups which have been targeted in the past may perceive their survival as a people to be at risk. Hutus and Tutsis, in particular, have experienced or know of the recent history of genocide in both directions in the region. This fear, present in large numbers of people, can be mobilized by leaders to promote pre-emptive attacks ("Kill them before they kill us.")

Hatred and anger towards the target group: In a region with generations of tribal struggles over land, exacerbated by decades of recent history of genocide and counter-genocide and countless smaller-scale massacres targeting different ethnic groups, trauma for some is transformed into hatred and a desire for revenge which is generalized to target the "other" ethnic group. All the classic processes of objectification of the "other" as a lesser being deserving to die can be seen in the discourses prevalent in the Eastern Congo.

Immediate economic benefits: It is well-documented that armed groups and FARDC contingents reap substantial profits from their control of territory, mineral wealth and populations. This control is sustained through violence, especially when the armed party has limited or no local support. It is the leaders at the top who profit the most, but some of this motivation trickles down the ranks. The perception of many Congolese is that for the men in armed groups, "Having a gun means having an income."

Longer-term political, economic or reputational benefits: Given the repeated recent history of integrating armed group leadership into the military, leaders may see longer-term benefits to being "a force to be reckoned with." Similarly, they may foresee long-term benefits to military alignments with other powerful actors, for instance, Rwanda.

Psychological warfare tactics: even though attacks on civilians may bring no direct military benefit, these tactics may be calculated by military leaders to instil fear and reduce resistance to control of a given territory. The political and military effectiveness of terror as a means of social control has been long-acknowledged and studied in military counter-insurgency strategies.

Following orders, combined with fear of punishment: For the average foot-soldier, survival is at stake. Members of armed groups are frequently ordered to carry out attacks, and face the threat of punishment, even execution, if they do not carry out the orders.

All of these motivations get mixed together, to the point where it is not easy to distinguish in any given case which element is the "primary" cause and which elements are primarily serving to justify the action. Some may commit violence for economic benefit but hide this motivation behind political, ethnic or self-defence arguments, for instance. Similarly, a fighter who has been forced into violence unwillingly may over time look for other arguments to justify actions he feels he cannot escape.

2.1.3 Why not kill? What are the costs or drawbacks?

We have seen above some of the benefits or arguments that justify or motivate the violence. But what factors inhibit it? The prevalence of violence in the Kivus suggests that some of these factors are weak, but we need to lay them out in order to think about whether there are strategies that could strengthen these inhibitions.

Risk of 'getting caught,' through prosecutions and punishment: Given the generalized level of impunity in the Congo, this must at present be a weak inhibiting force. Nevertheless, there have been increasing numbers of prosecutions at lower ranks of the FARDC which may over time have some impact on soldiers' cost/benefit analyses. For armed group leaders, ICC indictments and prosecutions may also have some impact on their choices with respect to using atrocities as a tactic.

Reputational or political costs of being labelled a war criminal: If being a "successful" armed group leader brings promise of political promotion, being known as a war criminal may (or should) create pressure in the opposite direction.

Loss of legitimacy within one's own constituency: Armed groups that might at one point have been seen as honourable defenders of their own people can lose this local legitimacy over time as a result of excessive violence against civilians.

Individual moral, family or religious pressures: Each armed individual and leader is also a human being, with personal connections, family, roots, religious background and influences, traditional cultural norms, etc. all of which might influence him. The individual psychological resistance to violence and killing mentioned about is one of the key inhibiting factors, and this resistance has been reinforced in nearly every cultural moral code throughout history.

Visibility/transparency: There is usually more restraint on violence the more it is made transparent and visible (with the exception of some deliberately "public" acts of psychological terror). Impunity is guaranteed through isolation and secrecy – if no one knows about it or sees the crime the inhibiting effect of moral or reputational concerns is greatly reduced. But if the armed actors know that everything they do will be observed, known and publicized, their "cost" calculation is more likely to constrain them.

Economic benefits may be limited: Sanctions, and other measures which contain or regulate the commerce (e.g. in illegal minerals, extortion, or forced labour) might reduce the profits coming from violence-based land control.

High-level orders to reduce violence: Advocacy at higher levels is transmitted through the chain of command. For example, if Rwanda has the influence over the M-23 that many allege[5], then international pressure on Rwanda could result in pressure being put on the M-23 and its allies by Rwanda to control their behaviour. Similarly, pressure on FARDC leadership about the behaviour of soldiers (reprisal killings, rapes, etc.) has sometimes led to orders to control behaviour.

In the DRC, the weaknesses of some of these inhibiting factors are consequences of some of the broader structural weaknesses in the Congo which many respondents point out:

- The state's lack of commitment to the rule of law limits the threat of legal prosecution of abusers or effective economic regulation of resources.
- Congolese politics, with its deeply-entrenched corruption and tolerance for violence, is currently unlikely to penalize someone's future career on the grounds of bad behaviour.
- A long divide-and-conquer history of political manipulation of ethnic politics at the national and community levels has eliminated or weakened inter-ethnic dialogue structures that might mobilize social pressure about the illegitimacy of inter-ethnic violence.
- Civil society is apparently too weak and divided to mobilize effective broad-based moral pressure.
- The weak chains of command in many armed entities – especially the FARDC - does not guarantee that orders of restraint, if given, would be followed.

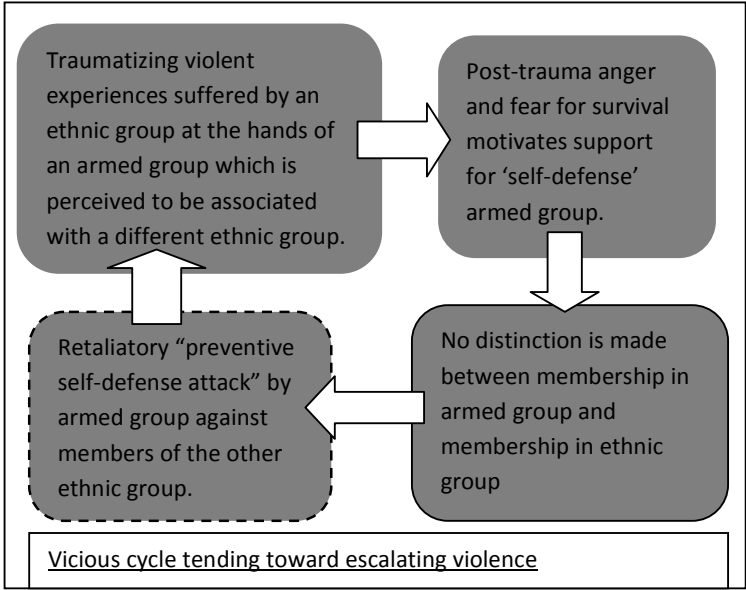## 2.2   The short-term versus the long-term – vicious and virtuous circles

In the long run these structural weakness and historic divisions must be addressed. And in fact there are ongoing efforts to strengthen the state, strengthen civil society, support the rule of law, promote local and national dialogue structures, and more. But these are inherently long-term challenges with long-term solutions. The concerted and sustained effort they demand is constantly undermined by renewed short-term bursts of violence. Effective strategies therefore have to take into account both the long-term challenges and the shorter-term risks.

One analysis approach that can help to illuminate this long-term/short-term relationship is the concept of vicious and virtuous cycles. (The **virtuous cycle** and **vicious cycle** are economic terms, referring to a complex chain of events that reinforces itself through a feedback loop. A *virtuous* cycle has favorable results, while a *vicious* cycle has detrimental results.)
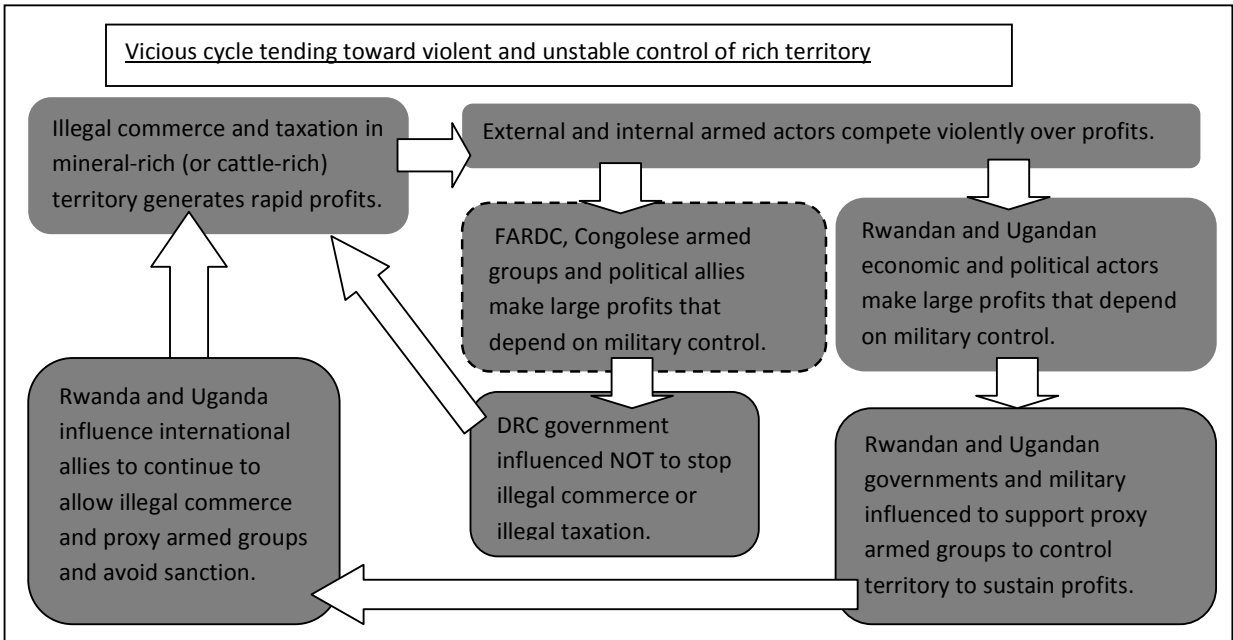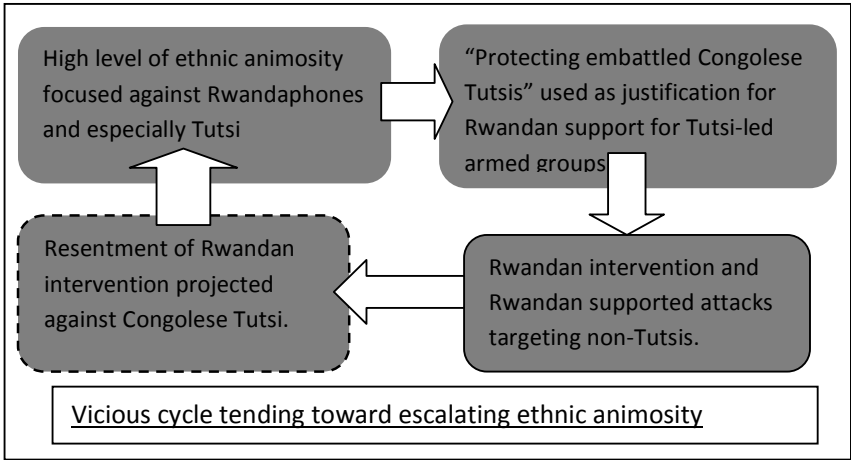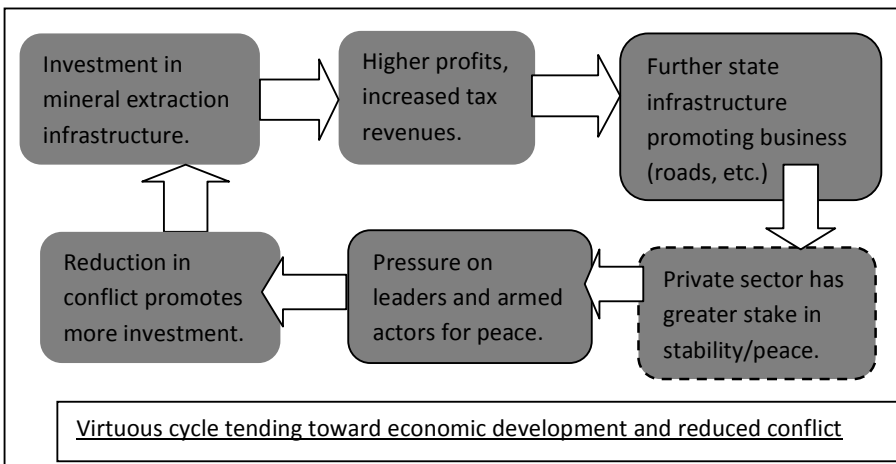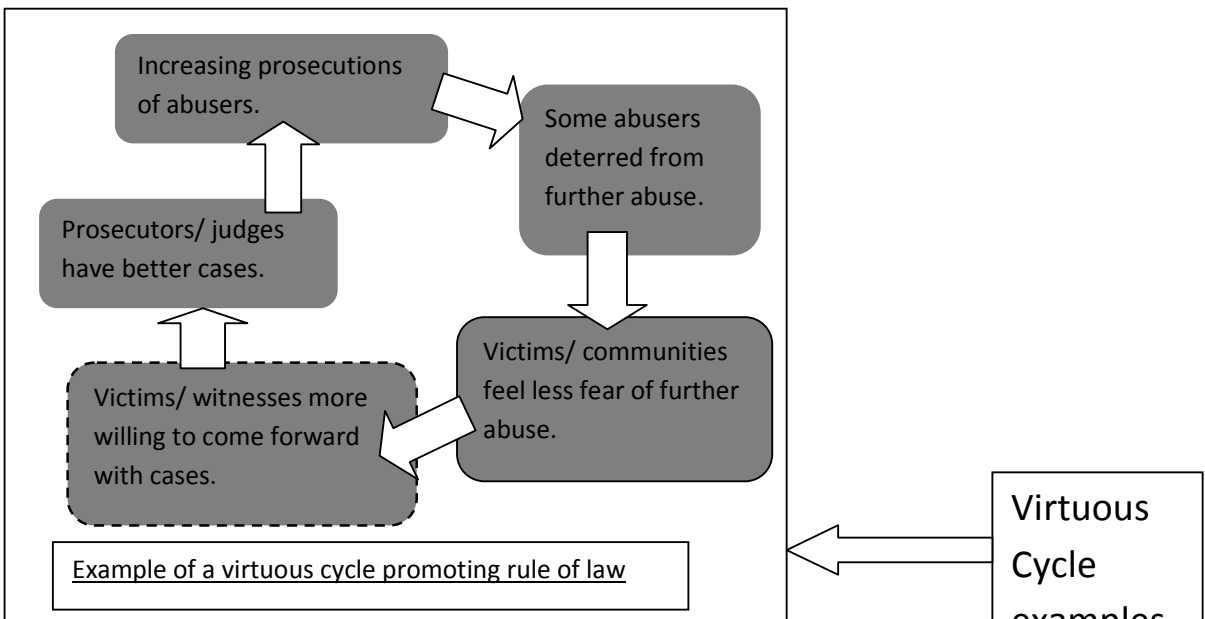
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[5] UN Group of Experts (2012), Stearns (2012), multiple author interviews.

Vicious Cycle examples

Vicious cycle tending toward escalating violence

- Traumatizing violent experiences suffered by an ethnic group at the hands of an armed group which is perceived to be associated with a different ethnic group.
- Post-trauma anger and fear for survival motivates support for 'self-defense' armed group.
- No distinction is made between membership in armed group and membership in ethnic group
- Retaliatory "preventive self-defense attack" by armed group against members of the other ethnic group.

Vicious cycle tending toward escalating ethnic animosity

- High level of ethnic animosity focused against Rwandaphones and especially Tutsi
- "Protecting embattled Congolese Tutsis" used as justification for Rwandan support for Tutsi-led armed groups
- Rwandan intervention and Rwandan supported attacks targeting non-Tutsis.
- Resentment of Rwandan intervention projected against Congolese Tutsi.

Vicious cycle tending toward violent and unstable control of rich territory

- Illegal commerce and taxation in mineral-rich (or cattle-rich) territory generates rapid profits.
- External and internal armed actors compete violently over profits.
- FARDC, Congolese armed groups and political allies make large profits that depend on military control.
- Rwandan and Ugandan economic and political actors make large profits that depend on military control.
- DRC government influenced NOT to stop illegal commerce or illegal taxation.
- Rwandan and Ugandan governments and military influenced to support proxy armed groups to control territory to sustain profits.
- Rwanda and Uganda influence international allies to continue to allow illegal commerce and proxy armed groups and avoid sanction.

Vicious cycle inhibiting real political change

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Elite politicians are          →    Ethnicization of all discourse      →    Criticism blocked and
corrupt, self-enriching,            marginalizes proponents of                development of
and lack political will to          interethnic unity or dialogue.            alternative leadership is
address real people's                                                         inhibited.
problems.                      →    Repression against civil society
                                    and human rights defenders.
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Vicious cycle inhibiting real political change

Example of a virtuous cycle promoting rule of law

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Increasing prosecutions      →    Some abusers
of abusers.                       deterred from
                                  further abuse.
↑                                      ↓
Prosecutors/ judges               Victims/ communities
have better cases.                feel less fear of further
↑                                 abuse.
Victims/ witnesses more      ←
willing to come forward
with cases.
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Example of a virtuous cycle promoting rule of law

Virtuous Cycle examples

Virtuous cycle tending toward economic development and reduced conflict

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Investment in        →    Higher profits,      →    Further state
mineral extraction        increased tax             infrastructure
infrastructure.           revenues.                 promoting business
                                                    (roads, etc.)
↑                                                        ↓
Reduction in         ←    Pressure on          ←    Private sector has
conflict promotes         leaders and armed         greater stake in
more investment.          actors for peace.         stability/peace.
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Virtuous cycle tending toward economic development and reduced conflict

The strategic challenge for reducing conflict and protecting civilians is to set in motion or reinforce the virtuous cycles that can accelerate positive longer-term change, while simultaneously acting to block or inhibit the vicious cycles that undermine their potential.

There are a number of vicious cycles that keep adding fuel to the fires of violence in the Congo. The examples illustrated on these pages give a sense of how ethnic conflict, conflict over territorial wealth, and political corruption are self-reinforcing. But even these are simplifications – these vicious cycles not only feed themselves, they feed each other.

2.3   What needs to happen?

The concept of vicious and virtuous cycles is important because the scale of the problem and territory is far too large to be notably affected by a limited number of scattered external interventions. These interventions can only make a significant difference if they help to catalyze or reinforce virtuous cycles that will be self-sustaining with steadily-increasing positive impact. But even the most promising virtuous cycles will continue to be undermined until some of the worst 'vicious cycles' of violence are interrupted or slowed.

A protection strategy that aims to reduce violence and create durable solutions must therefore be very selective: on the one hand it must prioritize and focus adequate energy on slowing the most damaging vicious cycles. At the same time, it needs to prioritize and focus adequate support on the most promising virtuous cycles. The emphasis has to be on "prioritize" and "adequate" – as long as international actors continue to scatter their interventions in too many places and programs, they are unlikely to focus enough attention in any one place to really change one of the cycles. As long as helping a limited number of individuals who are suffering is the objective rather than changing the dynamics of the problem, interventions will not be strategically targeted.

In terms of stopping the vicious cycles, in the current DRC context, strategies which target leaders are likely to have far more impact than those which try to target the rank and file. Education, sensitization, income generation or other projects may serve to distract *some* young men from joining armed groups, for instance, but not very many. As long as armed group leaders are benefitting politically and economically from violence, they are going to be able to find men who will work for them. And as long as key Rwandan actors see their support for Congolese armed groups as bringing greater benefits than costs, their intervention will continue.

Similarly, promotion of virtuous cycles at the community level only (such as through conflict resolution mechanisms) is unlikely to affect the problem dynamic much at a broader scale, especially when even these small virtuous cycles are so fragile and vulnerable to externally-induced conflict. There need to be strategies that promote a more broad-based national Congolese effort at conflict resolution, problem-solving and confronting the failures of the current political elites.

Before we look more closely at potential strategies, we need to briefly review some of the current protection efforts underway.

3   Current protection strategies

Given that "protection" is such a broadly-defined work area among international actors, there is an equally wide array of activities being carried out that are ostensibly aimed at protection objectives. This section will partially summarize some of these, but focus more detailed attention on those efforts aimed at the central protection objective of reducing conflict and changing the behaviour of armed actors. Unfortunately this research effort was not sufficient to do a thorough inventory of all current activities in all these areas, so this summary is not exhaustive.

As we look at these efforts, we need to think about how they might impact some of the DRC's vicious and virtuous cycles.

3.1   Service to victims

The majority of activities being labelled "protection" by the humanitarian community are focused on providing services and support to victims, or more generally to the population affected by the violence. This includes food aid, medical aid (including to the many survivors of SGBV), psycho-social support, education support, IDP camp support, small income-generation projects, and many other service and capacity-building activities. These services aim to reduce the suffering and assist the survival of those affected by violence. They are *not* aimed at changing the dynamics of violence or the behaviour of the perpetrators.

3.2   Information gathering

A second major area of effort is information-gathering: hundreds of people in different organizations are gathering and tabulating multiple, overlapping and uncoordinated databases of incidents of violence and humanitarian needs. By and large, the information is used to identify humanitarian needs in order to target service responses. But complaints were widespread about the reliability of these processes; the failure to effectively coordinate, analyze and share the information; the lack of coordinated referral processes leaving grave doubts as to whether the majority of incidents or needs are being addressed by anyone; the lack of advocacy follow-up where the information gathering clearly points to a need for it; and general doubts about whether this range of information-gathering processes was worth such a large human resources investment if it isn't being used effectively.

Within the humanitarian community, this study looked at two major processes of information-gathering. The "Protection Monitoring System," led by UNHCR, contracts Congolese NGOs to gather a database of 'protection incidents' through the region. This process, and UNHCR's management and use of it, is the subject of a range of criticisms. There are concerns about the reliability of the information.[6] Although there are some referral processes in place, concerns were expressed about gaps in the coordination of referrals to ensure that humanitarian follow-up occurs for the most pressing needs.[7] Given the military dynamics and armed group control over territory as well as resource limitations, monitoring cannot cover all territory equally, so there needs to be care taken

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[6] Several respondents mentioning concerns were specific in saying that they felt the reliability and utility of the system had deteriorated since UNHCR made policy changes in it and changed its implementing partners. UNHCR spokesmen said that they have not received complaints about information reliability. It isn't within the scope of this study to verify the reliability of the protection information produced by the system.

[7] Feedback was contradictory about the extent to which the Protection Monitoring data is rigorously treated by Protection cluster meetings in order to ensure rapid follow-up and referral.

about drawing generalized statistical conclusions from the data collected. Also, at the time of this research there had been a period in which distribution of monitoring reports had ceased, and many respondents voiced concerns about the resulting impact of the program. UNHCR intends to resume systematic distribution. One of the uses of the data is that it is passed on to MONUSCO and forms a key input to its "Must-Should-Could-Protect" matrix, influencing its protection-of-civilians response choices.

A second important information gathering process which has gained considerable momentum in recent years are the 'Multi-Sectoral Assessments" (MSA) that are carried out as part of the UNICEF-led program of "Rapid Response to Movements of Population" (RRMP), with four INGO implementing partners. The RRMP is an "assessment and response" mechanism, through which the implementing partners who carry out the MSAs are also responsible for immediate reaction and follow-up on assessed needs within their areas of competence while referring other needs to other humanitarian INGOs or to the cluster system. The RRMP program was fairly well-regarded among humanitarian actors interviewed, and not subject to the same level of critique as the Protection Monitoring System, largely because it is seen to have a direct link and commitment to immediate response to needs.

However, the MSA's of the RRMP are *not* protection assessments. Some protection-focused questionnaires have been developed to complement the MSA information-gathering process, but feedback suggests that these are not being used widely in practice. Despite the creation of these questionnaires, UNICEF was adamant in clarifying that RRMP "is not a protection program" and several other respondents pointed out that they had gotten clear signals that UNICEF considered "protection" to be too sensitive a topic to include in the MSA process. Although the MSA reports, which are public, usually include a general introduction detailing the political and conflict context that caused the particular displacement being assessed, they focus primarily on measuring material humanitarian needs within very limited and technical parameters, and follow-up and referral responses area also limited to these parameters.[8] Even though abuses and attacks may be mentioned, the reports do not generally recommend any advocacy follow-up with authorities or armed groups or other responsible actors, or conflict reduction activities.

The humanitarian community's information-gathering activities, and especially the RRMP program coordinated by UNICEF, should much more proactively integrate protection objectives. The program purports to address "mortality and morbidity" of people on the move, and violence and abuse are in most cases the primary causal factors the mortality and morbidity being assessed. UNICEF and its partners need to adapt the RRMP program to include an explicit assessment of protection needs, causal factors behind violence and abuse. MSA reports and RRMP responses, based on such assessment could then also include responses and recommendations aimed at conflict reduction and changing armed actor behaviour, through community interventions and advocacy referral processes.

Such a change in RRMP functioning will require an investment in the skills of the implementing partners. RRMP MSA reports show a high degree of technical capacity and rigour in their current areas of expertise. Assessing protection is no less rigorously demanding: RRMP partners will need staff who can do the necessary assessment and analysis and other RRMP staff would need additional

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[8] RRMP competencies/response capacities include: Non-food items, shelter, WASH (water, sanitation and hygiene), health, and education.

training. RRMP partner organizations and UNICEF would also have to work on developing appropriate and responsible and safe ways of communicating this protection analysis and follow-up recommendations.

3.3 MONUSCO Protection of Civilians work

MONUSCO has a complex array of protection activities which, in principle, fit together in a coherent strategy. The practical impact of these activities was deeply questioned by nearly all respondents, including many within MONUSCO itself, but whether MONUSCO's protection strategies are mistaken or insufficiently implemented was less clear. The humanitarian community is implicated and linked to these strategies, and the very genesis of this paper is linked to doubts about them, so it is important to understand their strengths and weaknesses.

MONUSCO gathers information about protection risks facing communities from a range of sources (its own staff, especially Civil Affairs and Human Rights and their respective networks of Congolese sources, its Joint Protection Teams and Community Alert Networks, the humanitarian community, and others). This information becomes part of a database that feeds into a tool MONUSCO calls the "Must-Should-Could Protect Matrix." This matrix is a prioritization tool for ranking the severity of risk to different communities. MONUSCO in principle commits to an active response to the highest risk "must protect" communities – often including the deployment of military peacekeepers to the neighbourhood. "Should protect" are also communities at high risk which MONUSCO in principle will take steps to protect. In practice, however, MONUSCO does not even have the military or logistical resources to cover all the "must protect" areas identified.

MONUSCO has several specific mechanisms which gather information and form part of the protection response. Joint Protection Teams (JPT) are cross-mission multi-profession teams from multiple UN sections that go to "hot spots" together to investigate, analyze and propose responses. They usually include Civil Affairs, Human Rights, Military, UN Police, Child Protection, Gender, sometimes other MONUSCO components, and sometimes representatives of the UN Country Team agencies such as UNHCR. They spend a few days in a community or region gathering information, do their analysis, and produce a report with recommendations for follow-up action. Recommendations might include military deployment, recommendations to the FARDC about their deployment, recommendations for humanitarian support for victims, and advocacy recommendations for Kinshasa, among others. These reports are processed by MONUSCO leadership at the regional level as well as in Kinshasa. Very few people outside of MONUSCO see these reports. Some feedback suggests that the reports are uneven in the quality of their analysis and recommendations, and there is uncertainty about how many of the hundreds of recommendations that have emerged from JPT reports have actually been followed up on. Also, according to some respondents as of the time of this research, MONUSCO's Senior Management Group for Protection had not been convened by the SRSG for many months, and this gap in the strategic process would tend to weaken high-level advocacy follow-up.

The Community Alert Network (CAN) is a network of Congolese individuals in conflict areas to whom MONUSCO has given telephones or radios and who serve as information-gathering nodes to pass on information to MONUSCO about imminent risks to communities. The network was organized by MONUSCO Civil Affairs, with regional partners including CRS.

Community Liaison Assistants (CLAs) are Congolese MONUSCO staff who speak local languages and are deployed to live in remote MONUSCO military bases. They serve as a link between the base and the neighbouring communities and as a permanent source of information and analysis for MONUSCO about what is going on. Prior to the CLA deployment, MONUSCO military contingents, which often speak no local languages, faced greater difficulties in relating to communities and understanding the local context. The establishment of the CLA posts has helped, although community relationships are still challenging for MONUSCO.

When "must protect" locations are identified, MONUSCO can (sometimes) deploy a small "Operating Base" into the field, which might stay a number of months, or even more. The protection theory behind this deployment is simple deterrence: armed groups should be less likely to hurt people when MONUSCO soldiers are close by, and the FARDC should be well-behaved. The CLAs in principle increase the responsiveness of the local base to the protection needs.

More controversially, when MONUSCO does not deploy its own soldiers to respond to a protection risk, its alternative is to advocate to the FARDC to deploy such a protective presence, to fulfil the state's legitimate and sovereign responsibility, despite grave doubts about the political will or capacity of the FARDC to protect people.

This deterrence strategy may be logical and coherent in itself, but strikingly, almost no one consulted in this study thinks it has been working. At worst, MONUSCO protection is considered by many to be an utter failure, with several respondents citing armed group attacks against civilians right under MONUSCO soldiers noses.[9] Civil society respondents suggested that the population is frustrated and disillusioned by MONUSCO's failure to protect, even though they wish it could. The experiences of "FARDC protection" have been even worse in many cases. In some communities, FARDC protection is considered better than none at all, but in others some FARDC soldiers have become the abusive occupiers of the regions they enter, or have exposed the population to armed group reprisals when they leave. Due to the close MONUSCO/FARDC alliance, MONUSCO's reputation is also inevitably hurt by FARDC behaviour, and by FARDC's weaknesses and failures to protect, such as was most recently and scandalously seen in the November 2012 M-23 takeover of Goma.

Despite these concerns, MONUSCO spokespeople tend to be very proud of its vigorous approach, which is undoubtedly the most proactive protection-of-civilians strategy of any DPKO peace operation. Unfortunately, MONUSCO does not tend to be a self-critical or "learning institution" [10] and its real protective impact has never been objectively evaluated. The weaknesses of its military approach to protection are very serious. Among the problems are:

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[9] Author interviews.

[10] This critique, echoed by both external and internal-MONUSCO respondents, is broadly applicable to most peace operations, which share the same characteristics that inhibit learning and objective impact evaluation: high turnover of soldiers, officers, staff and mission leadership; irrational and contradictory political pressures from New York as well as from Troop-Contributing Countries; pressure to produce sanguine and optimistic "impact reports" to sustain its huge annual budget; "results-based-budgeting" processes that focus only on process indicators and reward hyper-activity rather than impact on the ground; pressures from high in the hierarchy to produce information rather than to act on it; a bias towards seeing military strategies as the only relevant ones; etc.

- Although on paper, MONUSCO has a broader strategy, it is dominated by a misplaced confidence in the deployment of peacekeepers as a deterrent, while other political and civilian-implemented strategies are undervalued and under-supported.

- Even if this deterrence strategy worked locally, MONUSCO would in any case never have the military resources to deploy to all the places it would be necessary – as one respondent put it "We can't have a blue beret behind every tree!"

- At best, the deterrence-by-presence strategy creates only a very temporary risk to an armed group that it might suffer a cost for its actions. The armed groups' appreciation of this risk logically decreases with every incident of MONUSCO failure to react. MONUSCO battalions' infamous preference to stay safely in their barracks is not only an embarrassment to the UN as a whole, but steadily weakens the potential impact of the protection strategy. It is no surprise that armed groups and the FARDC have clearly shown their willingness to abuse civilians scandalously close to MONUSCO bases. Maybe MONUSCO can't be behind every tree, but the logic of its deterrence strategy requires more time out in the forests inflicting real costs on perpetrators of attacks against civilians.

The high prevalence of human rights abuses carried out by elements of the FARDC should raise further questions about the net protective impact of any MONUSCO encouragement to the FARDC to occupy new territory. The FARDC's failure to hold territory and the reprisals against the populations after it pulls out further compromise this supposed protective impact. UN respondents are quick to point out any examples of communities "asking for the FARDC," and Oxfam has recently released its 2012 protection study, which affirmed that a majority of those consulted wished for a stronger FARDC presence as protection, but beyond perceptions, there has been no serious objective study of the net protective impact of FARDC military conquest of territory, conquest which MONUSCO encourages and supports.[11]

Furthermore, even if MONUSCO deployment did have an immediate deterrent effect, it has no longer-term impact on the armed groups (or military) cost/benefit analysis or their penchant for violence. It does nothing to reduce the motivations or benefits that armed groups are getting from violence. It does not promote dialogue, negotiation or problem-solving. It does not confront the economic gains the armed actors earn from territorial control. It does not address ethnic animosities or other local sources of conflict.

> **Practical steps for humanitarian actors**: Given the importance of MONUSCO/FARDC's protection role and its impact on humanitarian action, humanitarian organizations could support (and encourage donors to support) an intensive, objective, independent impact assessment of the net protective impact of MONUSCO and FARDC military action on the reduction of abuses.

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[11] Liam Mahony and Tessa Mackenzie, Protecting human rights in the DRC: Reflections on the work of the Joint Human Rights Office and MONUSCO. Fieldview Solutions, 2010. (www.fieldviewsolutions.org).
Also see Oxfam Briefing Paper 164, Commodities of War: Communities speak out on the true cost of conflict in eastern DRC. November 2012.

MONUSCO does, however, have other longer-term non-military approaches which have potential protection impact. Its human rights component, for instance, is working to promote accountability, strengthen the capacity of the justice system, confront impunity and therefore increase the "costs" of abuse.[12] MONUSCO's Civil Affairs division has a program aimed at strengthening civil society which has in the past supported regional civil society conferences, but this program has no real political strategy to help mobilize civil society for peace. The Civil Affairs division also works on conflict management in some regions, but this has not been the major focus of its work in the Kivus.

3.4   Local conflict management support

Another key area of international and national activity with important protection potential are the diverse efforts to create or support community structures that will bring different ethnic groups together to collaborate for mutual benefit, or to work directly on addressing conflict drivers or protection challenges. Such activities are often labelled 'peacebuilding' but they are being carried out or supported by humanitarian groups as well, and their objectives sometimes include immediate protection/early warning as well as reducing causes of conflict or more general promotion of "social cohesion" or "peaceful cohabitation." These include projects such as Oxfam's "Local Protection Committees," International Alert's work with intercommunity dialogue, and the Norwegian Refugee Council ICLA program's work with "Comités d'Acceuil et Reinsertion" (CAR).

Many analyses of the conflict drivers in the eastern Congo point out that the important destructive impact of locally-based conflicts is often underestimated.[13] Land conflicts, for instance, at the local level, can sustain ethnic friction between groups for decades. Conflict-management and social cohesion programs usually function at the village level, purportedly serving to reduce these frictions and conflict drivers both by resolving the local conflicts and by getting the different groups to work together.

The Local Protection Committees supported by Oxfam were mentioned by many respondents as one of the best examples of this kind of work. These committees, functioning in over 30 communities, are generally comprised of 6 men and 6 women, all volunteers elected by their community. They carry out their own risk analysis, make their own choices about what the priority protection problems are, and design strategies to approach each threat. They have engaged in community education to help people understand their rights, and have substantially increased the level of communication between their communities and local and provincial authorities about the risks they face and the responses they need. These committees encourage different ethnic communities to work together at the village level.

The ICLA program of the Norwegian Refugee Council has established "Comites D'Acceuil et Reinsertion" (CARs) in 41 communities in North and South Kivu[14]. As part of its commitment to

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[12] Mahony and Mackenzie, (2010)

[13] Autesserre argues that this gap is the greatest flaw in the international approach to the eastern Congo. Autesserre, Séverine, The Trouble with the Congo: Local violence and the Failure of International Peacebuilding, Cambridge University Press, New York, 2010.

[14] The CARs are part of a broader ICLA program, which is also involved in negotiating temporary access to land for IDPs, carrying out a registration of customary lands, documenting local customary principles relating to land, training Congolese authorities in the Guiding Principles on Internal Displacement as well on Congolese customary laws related to land, bringing together authorities to negotiate when their responsibilities overlap, and general education through the production of publications.

"durable solutions" NRC targets communities where IDPs have returned from displacement, encourages the formation of these conflict-resolution committees that are representative of the different ethnic communities in the village, taking advantage of existing leadership and expertise on land management issues within the community. NRC offers training on land tenure law as well as mediation techniques, and then financially supports their sustained functioning. NRC's goal is for these CARs to find negotiated solutions to land conflicts that returning IDPs face when their land has been occupied by others during their displacement. In practice the CAR's become a tool that can also address a wider range of land conflicts in the communities. Their track record in resolving local one-on-one conflicts is apparently very good.[15]

The International Rescue Committee (IRC) "Tungane" program has promoted the creation of village development committees (VDCs) in 92 communities in North Kivu (and 1025 communities across DRC). This model aims to promote social cohesion, social welfare and economic recovery by encouraging the formation of representative VDCs who will choose development projects and work together with IRC support to implement them. The objective is more about supporting structures of local self-control and governance than dealing with conflict, for although the committees "choose" the projects they will collaborate on, IRC offers only to support projects within a limited range of sectors (Water and Sanitation, Health, Markets, Roads, Education, etc.) that does not include "soft" projects addressing conflict.

International Alert (IA) supports Intercommunity Dialogue in North and South Kivu including 32 dialogue groups focusing specifically on women's roles within 19 communities. Alert is also working with CARE and FAO on conflict sensitive development, good governance and peacebuilding in a multi-sectoral programme which will cover 35 communities over a 4-year period. IA's approach is to build on peace structures that already exist in the communities, encouraging adaptation if these existing structures are not sufficiently representative (of different ethnicities or women, for instance). Search for Common Ground (SFCG) also engages in this kind of work.

These are but a few of the efforts in this field, whom the author had the opportunity to talk directly with. International Alert research has documented a much wider range of such support for local conflict-management structures being carried out a by local, national and state institutions, including for instance: [16]

- Land conflict-resolution groups (e.g. AAP – *Aide et Action pour la Paix*)
- Peace huts (Alpha Ujuvi and RFDA – *Réseau des femmes pour un développement associatif*)
- Land-related reflection groups (e.g. IFDP – *Innovation et Formation pour le Développement et la Paix*)
- Arbitration (e.g. UPDI – *Union Paysanne pour le Développement Intégral*)
- Peace committees of the Peace & Justice Commission (Catholic Church)
- Offices for peaceful conflict resolution (e.g. CEJA – *Centre d'Etudes Juridiques Appliquées*)
- Paralegal work by agricultural support centres (SYDIP – *Syndicat de Défense des Intérêts Paysans*)
- Conciliation chambers (FEC – *Fédération des Entreprises du Congo*)
- Intra-community Barazas (tribal solidarity groups – mutualités ethniques)

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[15] A formal evaluation of NRC's ICLA program in the Kivus is scheduled for 2013.

[16] Hélène Morvan and Jean-Louis Kambale Nzweve, SMALL STEPS TOWARDS PEACE: Inventory and analysis of local peace practices in North and South Kivu, International Alert, 2010.

- Governmental structures: permanent local conciliation committees (STAREC – Programme de Stabilisation et de Reconstruction des zones sortant des conflits armés) and rural agricultural management council (Ministry of Agriculture) and
- Customary structures

The number of different efforts is impressive – this list is only a sampling. Some of their local results around specific local problems are even more impressive. But these processes are small, scattered, and uncoordinated. Each process may make sense in its own local context, but even if they were all added together, it seems unlikely that they could be covering more than small portion of the thousands of small communities at risk of violence in the Kivus. Without a coordinated strategy to ensure that this limited resource of conflict-management support is being targeted to the conflicts that are the worst drivers of the vicious cycles of violence that are most undermining peace and stability, their global impact on the overall problem dynamic is open to doubt. In fact, other criteria usually determine the targeting of communities being supported: some institutions specifically choose the lower-intensity areas of conflict where they believe such efforts are more feasible. Some are focusing on communities where they already have networks and linkages from other development or humanitarian work they engage in. Some, like NRC's ICLA CARs, are targeting only IDPs or returnee communities rather than identifying those communities at greatest risk of future conflict and displacement, or those whose conflicts have the most damaging knock-on effects on other communities.

Because these efforts are focused at the community level, the International Alert study concludes that "they have a limited impact on the management of conflicts with a political and/or ethnic dimension, mainly because the people involved and the issues at stake extend beyond the local level."[17] This was echoed by respondents during the current research: there seems to be an acknowledgment that the worst forms of violence that are most likely to destabilize whole communities and prompt collective displacement are most often coming from forces located outside the affected communities, and may not be substantially affected by these local conflict-management processes.

These individual community efforts may not directly affect the plans of armed groups, politicians or military leaders outside their communities. But if they successfully create greater internal community cohesion, they might - using the "less fuel for the fire" argument - partially insulate these communities against manipulation by outside forces. However, no one consulted could point to any evidence of this dynamic to date.

3.5 Congolese civil society action

This paper will recommend (in section 4) a much more active engagement by all international actors with Congolese civil society actors. Let's first clarify what we mean by civil society, and what protection work is already underway among them.

A commonly used and inclusive definition of civil society in the social sciences is **"the arena, outside the family, the state and the market, where people associate to advance common interests."** Unfortunately, many "civil society" studies and international organizations focus only on the NGO sub-sector when they think of civil society. But civil society includes religious structures, professional

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[17] Ibid, p.4

associations, social movements (pro-democracy, minority rights, etc.), large sectoral organizations (labour unions, women's organizations, peasant leagues, etc.), NGOs, human rights organizations, traditional leadership groups – elders, etc., community-based organizations; even political parties. When we discuss civil society in what follows we are considering this broad definition. The professional NGO sector is just a small fraction of civil society, and some of the most important civil society capacities for self-mobilization and problem-solving are often found elsewhere.

One of the key "**arenas... where people associate to advance common interests**" is at the level of community coping skills. Communities tend to know their problems and needs, and they confront conflict together. Respondents mentioned many collective community protection practices in the Kivus: going to fields in groups to minimize risk; using whistles to alert each other to danger; reorganizing agriculture in order to cultivate in safer proximity to their village. Some mentioned examples of the non-rwandaphone population protecting Rwandaphones. To the question "who helps communities mobilize these protection strategies?" answers came including church leaders, community social groups, cooperatives, basically any existing structures where people meet to talk over problems.

There are also larger structures extending beyond single communities. Inter-ethnic traditional structures such as Baraza la Wazee try to bring together moderate leaders of multiple ethnic groups to try to confront interethnic conflict and promote unity. Although some respondents expressed concern about the politicization of such inter-ethnic structures, and there is some risk of bias or exclusion, Baraza La Wazee spokesmen emphasized that high-level examples of ethnic collaboration can influence people's thinking. Multi-ethnic leadership delegations can potentially negotiate with authorities or armed groups and express people's needs.

Another vital mobilizing structure among the population are the churches – the largest being the Catholic Church network, which reaches to nearly every remote corner of the country. Although some respondents expressed concern that the churches were factionalized and competitive, or that their leaders had lost some credibility due to their prominent role during the election period, their legitimacy is nonetheless broadly recognized. Church networks are important sources of information and analysis. The Catholic Church has a "Justice and Peace" network with a commitment to confronting human rights issues. A Catholic Church delegation led by the bishop recently travelled to Rutshuru, for instance, to speak with the M-23 about their concerns for the population. As one respondent put it, "They are everywhere, they are listened to, they have lots of influence."

Other respondents stressed that there is a long history of civil society work for peace in the Congo. There are hundreds of small organizations, many more than in the past, especially due to increases in funding availability for their work.[18] Although many are small and weak and dominated by single charismatic leaders, others have significant networks of activists, technical skills, and ideas for political change in the Congo. Unfortunately, their activism and advocacy efforts are also constrained by the prevalent dynamic of security threats. So many human rights activists, for instance, have been killed or threatened in the last several years that MONUSCO's human rights division established a special Protection Unit for Human Rights Defenders, Journalists and Witnesses.

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[18] Gouzou, Jerome, Study on the role of Civil Society in Governance Processes in the Democratic Republic of Congo (DRC), CARE, June 2012.

3.6   Additional protection-related efforts

The ICRC has a large presence in the eastern DRC, engaged in its standard full menu of assistance activities and direct communication with armed actors. This contact is by definition confidential, and this study did not focus on the ICRC per se, so we cannot assess its impact, but it is respected by all consulted. Many armed actors have participated in ICRC trainings on IHL. Most are in regular communication with the ICRC, and are therefore receiving regular messages of concern about the impact of their operations on civilians.

A number of development and 'state-building' institutions are engaged in long-term work which is ostensibly aimed at promoting 'virtuous cycles' involving better governance, civic participation, economic development, etc. all of which in the long-run, if effective, could influence the cycles of violence in the Congo. However, assessing long-term development initiatives was not part of this study.

4 Expanding, improving, and building new non-military strategies for protection and conflict reduction

The conflict and humanitarian response in the eastern Congo has been going on for decades, and many very committed, experienced and smart people have been devoting their lives to doing something about it. If there were any easy answers or quick solutions they would already have been tried. There is no simple template we can bring in from other conflicts: any new strategies have to be closely linked to the specific problem analysis of what is happening and why it is happening in the DRC, today. What we present now, therefore, will not all be new ideas. Some may be new to some actors. Some may have already been tried, but then discarded, or never tried with sufficient force or persistence. The challenge is not simply coming up with ideas for action, but figuring out "how much" of each idea has to be implemented to have a tangible impact on stopping the vicious cycles and propelling the virtuous cycles.

Overall, although protection efforts are numerous, they are too diffuse. They amount to a splattering of many small drops in too many different large buckets. There is no system-wide prioritization or focus that will enable these efforts to combine effectively to reach a threshold of impact or a turning point on any single part of the problem. This section explores possible ways of enhancing the international community's protection response, and some possible contributions by humanitarian actors.

4.1 Changing our thinking

Before new strategies can be implemented, the institutions and individuals involved may need to question some of the ingrained thinking and habits that constrain creative problem-solving. Sévérine Autesserre, in The Trouble with the Congo[19] describes how the dominant "culture" of the international intervening actors skews and narrows their approaches to the DRC, in essence guaranteeing failure. This "culture," shared by the UN, donors and INGOs alike, is characterized by a set of shared (but flawed) assumptions, ideologies, definitions, paradigms, self-imposed rules and habitual practices, which combine to stringently limit the scope of action of the largest institutions, who as a result keep repeating the same errors. Institutional cultures also tend to effectively squelch creative (or "rebellious") voices that call for change and flexibility.

4.1.1 Overcome the paralysis of hopelessness

One of the most powerful impressions the author got during this field research was the deep sense of sadness, impotence and hopelessness shared by so many of the most committed people trying to help. These emotions seem warranted by the consistently bad news they live with. Nevertheless, a sense of impotence is one of the worst inhibiting forces against any level of collective strategic thinking and planning. The ability to muster the energy and cooperation needed for strategic planning is completely undermined if we have no expectation of success. Creativity also suffers: If we don't believe that solutions exist, we are less able to look for them. Sometimes, we even have to look back and review strategies that appear to have failed in the past, and perhaps bring them back to life. Sometimes ideas were good, but their implementation was weak or the moment was wrong.

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[19] Autesserre, 2010.

The cynicism that comes with these emotions also promotes oversimplifications and stereotypes – for instance dismissing *all* armed groups as completely closed or impossible to reason with, dismissing the *entire* Congolese political class as *all* corrupt and impossible to work with, or dismissing *all* civil society as too weak and divided to bother with. It takes a certain amount of positive thinking, hope and disciplined energy (sustained by this hope) to get past these monolithic oversimplifications and find the exceptions, nuances and openings for positive change.

There are no simple ways to build hope, but the humanitarian and peace-building communities need to start by acknowledging the accumulated inhibiting impact of these emotions in so many people over so many years. Their analysis – which is always affected by attitude - may be correspondingly more pessimistic than necessary. They need to seek mutually supportive spaces and mechanisms to support each other and to encourage more forward-looking solution-oriented planning, and strengthen their willingness to keep trying even in the face of high risks of failure.

4.1.2 Overcome the excessive faith in military solutions

There are widespread misunderstandings about the differences between unarmed or non-military approaches to conflict reduction as compared with military responses. These misunderstandings are preventing international institutions and policy-makers, and the Congolese themselves, from taking fuller advantage of the potential of non-military approaches:

1) *The potential protection or conflict-ending impact of armed force tends to be greatly overestimated.* The presumption that a gun can only be met with a gun is incredibly strong; people think that military action 'has to work' where nothing else will.[20] Yet most rebellions or civil wars end through negotiation rather than military victory. Many military leaders in peacekeeping operations will acknowledge that their military options are extremely limited, and can only achieve very precise objectives in just the right circumstances. Some of the most vociferous opponents of the UN's 'Protection of Civilians' policies come from within the very UN military bodies being asked to do it, who know how hard (or in some cases impossible) it is.

2) *The role and potential impact of unarmed field presence is basically unknown or misunderstood.* Few decision-makers in the Security Council or the Human Rights Council know what a human rights officer or a civil affairs officer actually does, so their role is barely considered in mandate or budget deliberations. Humanitarian agency decision-makers at the highest levels are often equally uninformed about the potential protection and advocacy impact of their own staff on the ground. Bilateral donors tend to be more impressed by how many tents are delivered than by how much time field staff spend convincing people not to kill.

3) *There is a false presumption of a spectrum running from unarmed to armed approaches, with progressively greater impact moving toward armed response.* In other words, in the face of violence, people tend to consider armed action "strong" and nonviolent action "weak." No such automatic correlation exists; the most effective approach depends on the context and the

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[20] For an illuminating contradiction of this assumption, see Why Civil Resistance Works: The Logic of Nonviolent Conflict, by Erica Chenoweth and Maria J. Stephan (Columbia University Press, NY 2011). Their data (base on a detailed empirical and statistical study of all armed and unarmed civil conflicts in the 20th century) show that unarmed resistance movements have been far more successful at toppling dictators and other repressive regimes than armed rebellions. The study examines the factors that explain this result.

strategies implemented. Unarmed missions were successful in El Salvador, Guatemala, Nepal, and elsewhere, whereas armed missions have had plenty of failures.

4) *There is a tendency to assume that unarmed approaches cannot influence armed actors who are considered the "enemy".* The assumption that "you can't reason with them!" has been frequently proven wrong, not only by high-level negotiators but by international and national field staff at the local level dealing with every form of local thug in countries the world over.[21] Even though a group may have a terrible history of atrocity, this does not in itself imply there are no points of leverage to influence it. Unfortunately, neither the UN nor the humanitarian community provides effective guidance or training for persuasive interactions with armed actors that could take advantage of potential leverage points.

Many respondents who were most critical of MONUSCO's "failure to protect" nonetheless tend to share this excessive faith in military options, frequently demanding only that MONUSCO and the FARDC be more "robust" and forceful in implementing armed "solutions," rather than pushing for stronger advocacy against impunity, or demanding negotiation approaches – which are also part of MONUSCO's work. Even the international community's use of the word "robust" is a powerful signal of these assumptions. The word means "strong and healthy", but in the international community it means "military and violent."

MONUSCO and FARDC's strategies of military protection are very problematic. They may provide some protection in some instances, but their overall impact deserves a serious empirical evaluation that no one is willing to do. Meanwhile, expectations in these strategies are far too high, and serve to inhibit serious or sufficient consideration and investment in other non-military approaches.

On information-sharing with MONUSCO

Given MONUSCO's alliance with the FARDC, some humanitarian and peace-building organizations are concerned that the sharing of humanitarian information with MONUSCO (and therefore with the FARDC) may pose a threat to staff and to their information sources, while also compromising humanitarian neutrality.

If humanitarian information is perceived by other armed actors to be military intelligence, then the sources of this information may be perceived as spies. This risk should be assessed empirically based on real incidents and armed group behaviour: where a real risk exists it makes sense for humanitarian organizations to filter the level of detail they pass on to MONUSCO – even though MONUSCO would prefer that this filtering does not happen.

However, most information about risks faced by communities is not secret or confidential, and as long as individual sources can be protected, MONUSCO among other actors should be encouraged to confront these risks. If humanitarian actors are uncomfortable with the military responses chosen by MONUSCO or the FARDC, this discomfort should not be resolved by cutting the information link to absolve one of responsibility or complicity, but through "robust" advocacy to MONUSCO and FARDC about how they ought to respond to the information provided.

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[21] Mahony, Liam, Proactive Presence: Field strategies for civilian protection, Centre for Humanitarian Dialogue, 2006. Geneva.

4.1.3 Overcome humanitarian misunderstandings

The humanitarian community has a particular set of attitudes and misunderstandings that inhibit creative thinking about addressing conflict and dealing with protection, despite the fact that in recent years nearly every major humanitarian institution has explicitly embraced "protection" as one of their key objectives.

All too often, unfortunately, their conception of protection work is limited to what is often referred to as "protection mainstreaming" – which usually implies making only minor tweaks in already-planned work to ensure that this work is done in a responsible fashion that does not cause greater harm. But **protection is** *much* **more than "mainstreaming" or "do-no-harm"**. A real commitment to protection demands that an institution identify what are the key risks of abuse people face and design programs to address them. The far-too-broad "protection definition" embraced by the IASC[22] combined with this even broader "mainstreaming" concept too easily allows humanitarian organizations and managers to *claim* they are doing protection even if they are avoiding the most crucial problems of abuse. The recent report of the Secretary-General's Internal Review Panel on the United Nations action in Sri Lanka points out how this approach contributed to the international community's failure to protect: "The fact that protection was defined so broadly that it included a wide range of humanitarian actions obscured the very limited extent to which the UN's protection actions actually served to protect people from the most serious risks."[23]

A commitment to the humanity principle[24] demands a commitment to *preventive* protection, not just services after abuse. A protection strategy must therefore take on the challenges of reducing conflict and changing the behaviour of abusers. And **these challenges are political: they demand political analysis and political advocacy.** Humanitarians need to overcome their fear of "political." One often hears in the humanitarian community "protection is too sensitive" or "protection is too political." These attitudes are also frequently associated with a fear that any engagement in advocacy for protection is "not neutral." "Political" is a vague term that could mean almost anything, and is too easily confused and manipulated for the convenience of the speaker. The same Sri Lanka report to the Secretary-General noted,

> *"Throughout the conflict, some UNCT and UNHQ actors sought to separate the humanitarian response from what they termed "political" issues. While it can be helpful to distinguish between humanitarian, political and other matters, in Sri Lanka the UN's reference to what was "political" seemed to encompass everything related to the root causes of the crisis and aspects of the conduct of the war. Issues appear to have been defined as political not because they had a political aspect but rather because UN action to address them would have provoked criticism from the Government. Thus, raising concern over who was killing civilians, how many civilians were being killed, or how many civilians were actually [at risk]… were all, at various times, described as political issues. The distinction was used by some senior UN staff as an*

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[22] See note 2

[23] Report of the Secretary-General's Internal Review Panel on the United Nations action in Sri Lanka, November 2012.

[24] The humanity principle: The commitment to saving lives and alleviating suffering wherever it is found.

argument against additional UN action or full reporting on these issues, and even to exclude them from the purview of UN monitoring or response."[25]

Although this citation and report refer to United Nations action, the dynamic described is ubiquitous, affecting humanitarian INGOs as well, in nearly every country where a state or armed party is sensitive to criticism. The underlying fear is not that dealing with protection challenges will call into question the principle of neutrality, but that it might inconvenience our institution vis-à-vis the states or armed parties that control the territory where we work.[26]

Faster is not inherently better: Many humanitarian institutions have a preference for rapid action. But fast is not always good, and risks being superficial. The "Humanity" principle is not only about instant response to the person suffering today, but about preventing the suffering of tomorrow. Violence and displacement in the DRC are not "emergency" – they are now chronic. Humanitarians committed to protection and durable solutions in the DRC must have a long-term approach.

> **Practical steps for humanitarian organizations**: Internal and public protection discourse should distinguish between activities that are primarily post-abuse service provision and those that are preventive and conflict-reducing, in order to ensure that it is putting sufficient emphasis on the latter.

> **Practical steps**: In its strategy and day-to-day work planning, humanitarian organizations need to ensure that the pressure to move quickly does not marginalize their commitment to longer-term work that can have a deeper impact on the conflict.

4.1.4   Do the math!

All too often, strategies which are really not about protection are being explained or justified on the grounds of their protection impact. In other cases, small-scale strategies are described as protection when they could only make a significant difference at a much larger scale.

For example, a number of respondents, when asked how to control the behaviour of armed groups, pointed out that young men join armed groups to make money because society offered them no other economic options. Therefore, they argued, strengthening education systems and providing income generation opportunities to young men would undermine the recruitment base for the armed groups. But just do the math: if you put together all the ongoing education and recruitment programs these institutions are carrying out, they at best will provide some opportunities to a small portion of the young men in the east. They will not eliminate the huge pool of potential recruits in most rural areas, and as we have argued above, the armed groups only use a very small minority of these young men. Education and income-generation are praiseworthy development goals in and of themselves, but they are not going to change how armed groups function – and certainly not within the timeframe needed to interrupt the vicious cycle of violence.

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[25] ibid

[26] The Sudanese government's 2009 expulsion of several international NGOs from Darfur is often cited to argue that advocacy can result in a loss of access to beneficiaries and increased suffering. But in fact, after those expulsions, UN agencies and other NGOs stepped into the gap to provide the necessary services for IDPs. The expelled humanitarian institutions themselves suffered financial, logistical and political costs, but the most damaging consequences to beneficiaries was probably the loss of advocacy voices on their behalf.

Community-focused conflict management programs have a real potential of reducing immediate local violence that is caused by the small local conflicts in the few communities where they work. At their best they might also help these communities unite in other ways to confront external intimidation. But how many communities would need such programs for this strategy to affect the broader conflict dynamics?

The point is, institutions trying to implement protection strategies need to think quantitatively: they need to set objectives of *how much* of certain kinds of activity are needed, and then mobilize resources or partners to work at a scale that will make a measurable difference to the dynamics of insecurity and conflict. This may seem a very tall order, but given the massive amount of international resources being spent on the DRC, the institutions *should* have the objective of making a strategic impact.

4.1.5   Create new forums/mechanisms for collective strategic thinking

The current constellations of strategy and protection planning processes – whether the protection cluster meetings or the multi-lateral strategy/funding processes (HAP, etc.) are not providing an adequate forum where creative and forward-looking analysis and strategic thinking can happen. There need to be some new, perhaps informal, discussion settings with limited agendas where some thoughtful people can start working together over the long-haul to come up with new strategic ideas. Open-ended interactions involving international organizational strategy thinkers and their Congolese civil society counterparts need to really dissect and question each other's strategies and analysis, find common points and think together about the future. They need to do some honest assessment of existing capacities – a kind of "peace inventory" that projects future possibilities of mobilization by community leaders, church leaders, chiefs, Baraza La Wazee and other sectors of society, and identifies gaps and needs to reinforce these capacities.

When new analysis emerges, the effort should be made to generate more discussion among multiple actors. For instance, the recently-published paper by International Alert, "Breaking the deadlock: Towards a new vision of peace in the eastern DRC" (Sept. 2012) presents an opportunity to convene wide-ranging and diverse discussions among all the protection and peacebuilding actors. The paper lays out a cogent analysis and an ambitious proposal, but this can only gather steam if it is worked through and discussed and adapted collectively by more of the stakeholders who would have to implement it.

> **Practical steps for humanitarian organizations**: Convene ongoing discussion groups to promote deeper analysis and strategic thinking about new collective approaches to the conflict.

The conflict-management efforts discussed earlier have identified many wise local mediators and facilitators in communities throughout the region. It could be extremely rich and productive to bring some of the best of these local problem-solvers together to think about broader dialogue strategies that go beyond their individual community needs.

4.2   Short-term approaches: interrupting vicious cycles

4.2.1   Using field presence to more effectively moderate armed group and military attacks on civilians now

Prior studies have shown how international field presence can influence military and armed group behaviour – if the staff and management make the best use of that presence to communicate and convey messages of restraint that play on points of leverage and point to real costs.[27] The more visible the presence and more consistent and persistent the communication, the more the armed actors are conscious of the political and reputational costs of the human suffering they cause.

Be closer to the problems: The greater the projection of international presence out to the marginalized areas likely to suffer the worst violence, the greater the protective impact. The international organizations (UN and INGOs) should get as close as possible to the military actors and to the abuses they carry out. They need to **maximize their visibility where armed group leaders will see it**. And they need to **stay present** as things get worse – that is when the communities need their presence the most. Having more international staff out in the field boosts this protective impact of presence and visibility, and also tends to reduce the security risk for national staff.[28] Both the INGOs and the UN agencies need to reconsider their security policies to allow for a prioritization of field presence closer in a sustained way to where they expect problems to occur. As long as UN policies limit its presence and contact outside of FARDC-controlled territory, INGOs will need to continue to fill this gap, expanding their presence in areas under armed group control.

Security concerns for staff may in some cases reasonably limit this presence. But it is important that security planning be based on an analysis of local dynamics rather than stereotypes of global trends projected from other conflicts. Attacks or threats on humanitarian staff in other countries (e.g. Dadab, Afghanistan, Iraq, Somalia) do not in themselves imply any change in the security reality for staff in the DRC. In addition, security analysis must take into account the importance of relationships: direct contact and communications with armed groups can build relationships that actually *add* to security rather than creating risks.

> **Practical steps**: Conditional upon adequate local security assessment, humanitarian organizations could improve their protection impact by increasing rural field presence and contact with armed actors. Field trips primarily designed for service delivery or other programs can include a component of "protective presence," deliberate visibility and diplomatic communication.
>
> Specifically, UNICEF and other RRMP partners should build a more active protection component into the multi-sectoral assessments and subsequent responses.

Talk with military and armed group leaders on a regular basis: Several respondents mentioned that both OCHA and other humanitarian actors have been reducing their contact with armed groups. But

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[27] Mahony, Proactive Presence

[28] (Report of the Secretary General's Internal Review Panel on the United Nations in Sri Lanka, November 2012). UN humanitarian agencies were severely criticized for their abrupt departure from the Vanni region before the end of the war, leaving both the civilian population and the families of their national staff exposed to far worse danger without the international presence.

greater field projection and visibility should give humanitarian organizations both the credibility and the access to sustain regular contact with armed groups at the local level. The substance of this communication will be discussed below, the point here is the importance of *regularity and frequency of contact.* Armed groups and military leaders should come to expect visits from humanitarian actors, and expect that the discussions of these visits will be, explicitly or implicitly, about their behaviour towards civilians (not simply about "access").

4.2.1.1.1 BOX: Sustained international rural presence

In the Philippines and South Sudan, the INGO "Nonviolent Peaceforce" has established a non-military field presence including international staff in some of the most exposed and conflict-ridden communities. Instead of depending on short periodic visits from a central location, they have deployed hundreds of staff in teams of three or more in dozens of at-risk rural communities, always with at least one international staff-member on each team. These teams work directly with communities, *full-time,* on protection and peace-building. In South Sudan, for instance, they have helped communities create local early warning mechanisms that map threats and patterns and plan strategies for high-probability risk scenarios; they have negotiated local agreement between pastoral and farmer groups in conflict, they have done sensitization campaigns to help communities resist politicization and provocation from outside actors. They have also helped establish "Joint Protection Schedules" where different groups and institutions rotate "patrol duty" to keep a watchful eye over communities at risk. These patrols may be either armed (carried out by UNMISS, the UN DPKO mission in South Sudan) or unarmed (carried out by community groups or the Nonviolent Peaceforce, for instance). The Nonviolent Peaceforce has a different approach to security than most of the mainstream UN and humanitarian community, counting on building close and trusting relationships with the local population to protect itself. This approach allows them to travel, work and *live* in areas and modes that many other institutions will not allow their staff to do. (see www.nonviolentpeaceforce.org)

4.2.2 Understanding and maximizing advocacy impact

Changing armed group behaviour is fundamentally an advocacy challenge. But *advocacy* needs to be understood not simply as a set of messages or press releases or reports, but rather as a strategy of communication, pressure and leverage aimed at achieving clearly articulated changes in behaviour. The challenge to both international and national actors is to focus and maximize all of their persuasive resources to reduce the violence against civilians carried out by armed groups, in order to create the space necessary for the construction of longer-term solutions to deep underlying problems.

The armed actors need to be analyzed and differentiated on multiple parameters: their potential to de-stabilize (e.g. to accelerate vicious cycles or block virtuous cycles); their likelihood of carrying out mass violence against civilians; their impact on provoking or sustaining ethnic animosities that drive the conflict; etc. Based on this a strategy can prioritize which ones are most important to influence most quickly. No armed actors should be discounted simply because their atrocities are terrible - there is no necessary correlation between the level of atrocities committed and being closed to influence.

Tailored advocacy strategies are then needed for each different armed actor: the leverage points and effective messages for the FARDC in one region will differ from another. The leverage points for

the M-23 will be different from other armed groups, etc. But for each one, the approach needs to take into consideration the motivations behind the violence (self-defense, hatred, economic profit, political reputation, psychological warfare, orders from above, etc.) and the possible inhibiting factors: (being observed, getting caught or prosecuted, losing access to wealth, losing legitimacy with the community, moral influences, family and cultural norms, orders from above).

The advocacy potential of the international community is currently extremely under-utilized. Many of the armed groups are accessible in the field - it is possible to talk with them directly. Many have political ambitions such that it is in their interest to talk with international organizations and state their case or justify their actions.

Given the current conflict dynamic described, at the very least international actors need advocacy strategies towards a) the FARDC, b) the M-23, c) influential Rwandan government actors, d) leaders of other armed groups.

4.2.2.1 Advocacy with the FARDC

> **Practical steps for humanitarian organizations**: Invest more in analysis and development of targeted advocacy approaches and messages for different actors in the eastern DRC.
>
> - Management and staff should plan and practice for their interactions with armed actors, authorities and other influential advocacy targets.
>
> - Provide advocacy training for any staff who will be engaged in this contact.
>
> - Increase advocacy staffing to carry out this analysis, targeted advocacy planning, training, and communication.

The FARDC gives the international community plenty of advocacy access. Meetings with international and humanitarian actors are routine. MONUSCO should have a particularly powerful influence, and its "conditionality" and "due diligence"[29] policies are ostensibly expected to increase its capacity to pressure the FARDC to reduce abusive behaviour. Several respondents, however, suggested that MONUSCO and the diplomatic community are far too gentle and weak with the DRC government and the FARDC, favouring the "carrot" far too much over the "stick." MONUSCO leadership could be more forceful and outspoken in their advocacy and particularly in their demands for accountability, prosecutions of high-level criminals, sanctioning of political and military appointments of abusers. This kind of MONUSCO advocacy has to be linked to a genuine and credible threat of withdrawal of support – this is what has given the Conditionality and Due Diligence policies their force.[30]

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[29] MONUSCO's "conditionality," or "zero tolerance" policy, explicitly outlined in the text of UNSC Resolution 1906, (2009) provides a potential source of leverage with the FARDC. MONUSCO provides significant support to the Congolese government and the FARDC, including direct support for military engagement with armed groups. This policy obliges MONUSCO to selectively choose which operations and military units will benefit from resource support, based on the criteria of the human rights records of individual officers.
The "Human Rights Due Diligence Policy on U.N. support to non-U.N. security forces" extended this idea to all UN operations. It states that no U.N. entity should support, train or finance, even indirectly, any army or police force likely to engage in serious human rights violations.

[30] In 2009-2010, President Kabila signaled some willingness to curtail MONUSCO's presence, resulting in a revised mandate and the addition of "Stabilisation" to its name. Some conclude from this episode that

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INGOs should try to influence MONUSCO to be more forceful, but they should also increase their own advocacy towards the FARDC, right down to the local level. The FARDC officers in charge of an area should always be visited when the INGO is doing work in the area, and the conversation should not fail to mention concerns about protection risks the community is facing. If FARDC has check-points to extort from merchants travelling with their goods, INGOs can visit these checkpoints and make their concerns known there and with their supervisors.

4.2.2.2 Advocacy with Rwanda and the M-23

The M-23 rebellion is causing huge suffering in the region, provoking existing vicious cycles and undermining virtuous cycle possibilities. Although pressure has increased recently, much more is needed. INGOs should never miss the opportunity to try to speak with the M-23 leadership when going to Rutshuru or other M-23-controlled territory. They should also be encouraging more visits to the controlled regions by diplomatic and high-level visitors (embassies, etc.). The communication with the M-23 should never be limited to pleading for "access." The M-23 claims to legitimately represent the needs of some sector of the population[31], and it is therefore sensitive to the message that it is being closely monitored and will be held accountable for any abuses against civilians. This need not be done in accusatory denunciations. The message demanding restraint can be implicit: ask questions about the conditions of civilians, ask how they are ensuring that their men do not carry out abuses, explain that your job as a humanitarian includes keeping track of any suffering that civilians are experiencing, etc. Every time one raises concerns about the plight of civilians, even subtly, the message that "you are being observed" is being conveyed.

It is widely asserted that Rwanda and Uganda are supporting and influencing (or perhaps controlling) the M-23, and that the M-23 would not be such a destabilising force without this support. This has been documented by the UN Group of experts and other analysts and observers. Despite this public documentation and analysis, most INGOs and UN actors largely avoid mentioning it openly. They leave the advocacy task to others, and this is a mistake. Rwanda, in the past relatively immune, is now under increasing pressure regarding its alleged interventions in the DRC, and if this pressure escalates it may generate actual changes in behaviour. If the pressure on Rwanda is sufficient they may put increasing pressure on the M-23 to control its own human rights abuses. The humanitarian community has a credible presence in the region with good access to information. It is respected and listened to. If humanitarian actors point out publicly how Uganda and Rwanda's interference in the conflict is having terrible humanitarian consequences, it will make a difference to those countries decision-makers. To be silent is to miss this opportunity to reduce the violence, and is therefore irresponsible in humanitarian terms.

"But, Oh no! If we speak out against Rwandan and Ugandan intervention or monitor M-23 abuses, they might hinder our ability to work in their territory or threaten our staff!" These risks must be assessed carefully, but not simply assumed in advance. The M-23 claims to functionally govern their territories, and therefore they benefit from humanitarian assistance. Discussions with the M-23

MONUSCO cannot do forceful advocacy without risking its own expulsion. This internal pressure towards pre-emptive self-censorship must be resisted. MONUSCO, like many other international actors present, cannot carry out its mission effectively without such advocacy, so it is a risk that must be taken.

[31] For deeper analysis of the origins and motivations of the M-23 see Jason Stearns, <u>From CNDP to M-23: The evolution of an armed movement in eastern Congo,</u> Rift Valley Institute Usalama project, November 2012.

should talk openly about staff security and seek guarantees. If threats to staff do arise, they should be dealt with openly: the M-23 should be held responsible publically. If the M-23 block access to some humanitarian organizations, given their desire for services, resources and legitimacy they probably won't block all of them and it would probably only be a temporary measure. If it happens, the pressure and advocacy should *increase, not decrease:* the M-23 (*and Rwanda and Uganda*) should be held publicly and loudly responsible for any suffering caused by blocking aid access. As in Darfur in 2009, even if some institutions may be blocked, other actors can fill the gap and continue to help beneficiaries.

4.2.2.3 Other Armed Groups

This general approach is valid for other armed group leadership, including the FDLR and different Mai-Mai groups. Analyze their motivations for violence and what might inhibit them. Talk to them whenever possible, and make sure they hear that their abuses against civilians are being observed and kept track of. Reinforce any positive commitments they make (any claims, for instance, that they are protecting civilians themselves). Keep coming back.

4.2.2.4 "But they pay no attention to pressure and advocacy!"

This is a common feeling. Sometimes our advocacy fails, either with an armed group or the FARDC. Sometimes we just can't tell – it is not in their interest to show us that they are paying attention ("Appearing to be unresponsive" is a common strategy to wear you down and reduce future advocacy attempts). It is difficult to measure impact, because the effects come later and are often hidden. Nevertheless there are many signals of such impact. When armed actors are defensive about being observed, when they threaten those who monitor them, when they put bureaucratic obstacles in the way or do other things to limit observation – all these efforts demonstrate sensitivity to observation. If monitoring and advocacy had no impact on them they would have no reason to hinder it. Even further, we now sometimes see armed groups co-opting the language of human rights and protection, claiming they stand for these principles themselves. Such a discourse, although dishonest, is still a signal that they respect the power of these principles and need to use them as damage control. One OCHA respondent shared an example in which an OCHA publication alleged certain abusive actions by an armed group: the group's leader immediately called the local OCHA office to talk it over and share their side of the story. Another shared an example of a pastoralist/farmer conflict in which FARDC soldiers were harassing the pastoralists. Advocacy messages were passed up to Kinshasa and the order came down quickly to cease the harassment. Such incidents are numerous and clearly show an interest in sustaining international credibility. Advocacy, like other programming, sometimes fails and sometimes works, and that is why the approaches must be multiplied and strengthened.

4.2.2.5 Silence is not neutral
Sometimes it will be a wise choice to avoid public advocacy or to avoid direct advocacy contact with armed actors, for reasons of security or due to a strategic assessment that no benefit will be gained. But these choices are not without cost: Silence is never neutral. Silence is a message, and it can often have a negative impact.[32] Negotiating for access, for instance, and *not talking about civilian safety*

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[32] Internal Review Panel on the United Nations action in Sri Lanka. This report, cited earlier, describes how the UN's silence served to reinforce or facilitate the government's attacks on civilians.

can implicitly communicate to your negotiating counterpart that you are *less* concerned for civilian safety, that you are dependent on access and willing to be silent to get it, and that you are weak enough to be easily manipulated. For instance, after the November 2012 M-23 take-over of Goma, several INGOs attempted to draft a joint press release , but they could not agree to even mention the well-documented (and obviously relevant) Rwandan and Ugandan support to the M-23, and in the end did not even release the statement. Coming after Rwanda had been actively working internationally to undermine the UN Group of Experts' conclusion to this effect, such INGO silence or omission could be seen as an implicit *support* for Rwanda's interventionary role.

International NGOs often look to the UN for advocacy. While they should certainly *demand* more advocacy from the UN, they should not depend on it, and certainly should not consider that UN will make up for their silence. When INGOs are silent, the UN is usually *more* silent. Respondents pointed out how in the DRC the INGOs have more mobility, more neutral credibility and more freedom of speech than the UN, so their advocacy role is uniquely important.

4.2.2.6 Advocacy coordination
To have the best advocacy impact, like-minded institutions should be thinking together and coordinating their advocacy approaches to each advocacy target. This coordination needs to be as local and specific as possible.[33] Don't just gather in Goma to discuss broad overall messages for the Kivus. Have discussions about coordinating approaches to the M-23 in Rutshuru. Have discussions in Beni among partners about coordinating approaches to the FDLR or the Beni/Butembo based FARDC contingents, etc. Staff should be trained about the advocacy approach to take with each actor, so that every local contact opportunity projects a consistent message.

Like-minded groups engaged in contact with armed actors should discreetly monitor and keep track of how these actors are behaving and responding in each encounter. These reactions should be shared and analyzed to see if there are variations or changes over time. Such a feedback process would enable adaptations in advocacy approaches over time for greater impact.

Support Congolese advocacy actors – Armed actors in the Congo have different reasons to listen to pressure from other Congolese than from international institutions. Church leadership, moderate community leaders or Baraza La Wazee inter-ethnic structures have a completely different voice and source of leverage. These Congolese messages leverage the concerns that armed leaders may have about political or even moral legitimacy at the local and national levels. The international community can facilitate this Congolese advocacy work with logistical, political and security support. Joint delegations or accompaniment of national delegations with international NGO or UN staff can sometimes help to protect these actors, giving them greater opportunity to use their voice.

4.2.3   Confronting Impunity – and publicizing small advances
The impunity enjoyed by human rights abusers in the DRC is chronic, but there have been some notable advances. An increasing number of soldiers and officers in the FARDC have been prosecuted for abuses – especially rapes. Although the prevailing opinion has been for a long time that higher-level officers are "untouchable" and will continue to get away with mass crimes, there have even

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[33] In practice, it is almost always easier to coordinate approaches at the sub-provincial or local level, where there are fewer institutions to coordinate and where they tend to share a similar analysis of the local problems.

been a few indictments at higher levels. One armed group leader is being prosecuted by the ICC and others are indicted.

Despite these advances, it is difficult to tell if the prevailing public perception of impunity is changing. This perception is important: it is the *fear of getting caught* that inhibits violence. Prosecutions will not inhibit future action unless people know about them and see some risk of being affected themselves. Unfortunately, pessimism about "inevitable" impunity in the DRC discourages efforts to publically demand action or to publicize these advances.

Confronting impunity is not only about legal prosecutions. Any punishment, whether legal, economic, political or reputational, is a signal of "not getting away with it". There are a range of efforts through which organizations can try to build up the perception that there are punishments or costs associated with abuse:

- Constant public demands for the arrests of all who are indicted by the ICC.
- Public insistence that no M-23 deal is acceptable that gives any political role or legitimacy to those accused of war crimes or crimes against humanity.
- Holding Rwanda publicly liable for actions committed by the M-23.
- Increasing demands for targeted sanctions against individual abusers.
- A publicity campaign that lists and publicizes all prosecutions of FARDC soldiers that have happened. Such outreach must especially be directed to other soldiers, who may have no knowledge of these prosecutions.
- Loud pressure against any political rewards to abusers (e.g. through military integration of M-23, for instance).
- Targeted demands for prosecutorial action, such as pushing the DRC justice system on one or two high-profile examples, as well as selected mid-level abusers, and *not letting up*.) The point is not the prosecutions *per se*, but for armed group and military leaders to be constantly reminded by this publicity of the risk of political fallout from violence against civilians.

> **Practical steps for humanitarian actors**: Be more proactive and public on human rights and impunity. Even if the organization has no direct programming on these topics, its voice can have a valuable protective impact. Public statements on human rights abuse are thoroughly consistent and coherent with rights-based approaches and commitments to international law that are the norm among humanitarians. Just as a public discourse on gender and SGBV have become the norm among humanitarian organizations, addressing other violent abuses and the impunity of perpetrators should be considered non-controversial, non-political, and normal.

The usual suspects in the human rights community (Human Rights Watch, Congolese NGOs, etc.) are already making many such demands. But for there to be an appreciable *change* in the perceived political costs, these messages need to escalate and come from unexpected quarters, including the humanitarian community. Since the objective is to change the perceptions of the armed group and military leaders, demands/concerns on the issue of impunity must be as public as possible.

4.3 Starving the fire – reducing the fuel

While advocacy and other direct approaches push the armed leaders on their behaviour by emphasizing some of the potential costs they could incur, other strategies need to reduce some of the factors that continue to fuel or justify the conflicts.

4.3.1 Confront ethnic conflict more honestly

Although there are many smaller and more local inter-group conflicts, the biggest fault-line of ethnic conflict in the eastern DRC is between Rwandaphone (Hutu and Tutsi) and non-Rwandaphone (all other tribes). There is a further dynamic in the region described by one respondent as "Everyone against the Tutsi." Remarkably, though, very few respondents actually mentioned ethnic conflict in their description of the problems, and almost no one explicitly named which groups are in conflict with each other. It was as if the tensions are so high that people fear that transparently mentioning them will make them worse.

One civil society representative was willing to address things directly. He pointed out,

> "We used to live together with Tutsis back when the "enemy" was the whites. We even inter-married. But after we forced the whites out we seem to have decided the enemy is the Tutsis. Before we said the whites had to leave. Now we say the Tutsis have to leave. The Parliamentarians are pulling strings. Someone will benefit and get the land if Tutsis are forced out. Somehow we have to break down the idea that a good leader is one who chases the "foreigners" out."

Other civil society respondents pointed out that there have been positive experiences, where *"Tutsi saved Hutus from trouble, or Hunde saved non-Hunde. We need to promote such good examples to inspire more. Through this we may find good leaders."* But many seemed very aware that at higher political levels there is too much temptation to use fear and division to mobilize support. *"If a leader comes out and says "I want to unite all the people" the population will NOT go for him. They are too divided."*

Tensions are high, and people are afraid to discuss these sensitivities. One Congolese respondent pointed out, *"In my village there is no forum for people to express their own anger constructively. Even in church they can only listen."* But without opening up the discussion, there can be no dialogue or negotiation to resolve the tensions. They just stay bottled up, waiting to explode.

Encouraging and facilitating discussion on ethnic identity, citizenship and past frictions is very sensitive. But one service that external actors have sometimes been able to play in polarized situations is that of creating or facilitating safe spaces where people can try to break through

> 💡 **Practical steps for humanitarian organizations**: Create appropriately discreet and confidential spaces to discuss ethnic tensions honestly at three levels: a) internally within the organization, b) sharing ideas among organizations working on community conflict approaches, and c) among local contacts in communities.

these sensitivities and talk honestly about their problems and concerns. Multi-ethnic dialogue spaces can not only serve to reduce tensions, they also can sometimes serve as problem-solving spaces.

As International Alert points out, "the problem of intense, ethnically-driven political competition must be tackled… this zero-sum political game heightens the frustration felt by "small" communities and regularly reignites inter-community tensions." [34] They add, "issues related to identity and politics should be included in land conflict resolution programs, going beyond a purely legal approach."[35]

4.3.2   Continue to expand decentralized local conflict reduction efforts

Section 3.4 described a range of local (and internationally supported) efforts to address community-level disputes, to weaken their impact on sustaining ethnic animosity and violent conflict. This work should continue, not only because of its immediate impact on small conflicts, but because it potentially builds or strengthens local inter-ethnic structures that can address other conflict drivers as well. This latter impact should be deliberately structured into the programs.

In addition, some experiments should be tried which bring some of the best community mediation actors together to propose new approaches to broader conflict dynamics that extend beyond the borders of their individual communities. Similarly, community-level activists who have practiced in these structures could also be brought together with larger structures, such as Baraza La Wazee or Justice and Peace to share analysis and ideas about new approaches to conflict reduction.

Humanitarian and peacebuilding organizations should consider working with their more established community conflict management groups to see if these structures could serve to facilitate broader community dialogue on issues of ethnic tension or as discussion spaces for developing community protection strategies, drawing from some of the positive experiences of Oxfam Local Protection Committees.

These organizations should also initiate or facilitate multi-lateral discussions among international and national institutions and mediators, to share best practices and ideas for new approaches.

4.3.3   Confront the economic drivers of regional intervention

The Rwandan mineral sector grew to around USD 164 million in 2011—becoming that country's largest foreign exchange earner. According to Jason Stearns, sources within the sector estimate that between 10 and 30 per cent of this trade (or $16-$50 million) could consist of smuggled Congolese "re-exports."[36] Stearns continues, "Nor is it only minerals that matter. Rwandan army officers keep cattle in Masisi and prominent Rwandan businesses—some owned by the ruling party—trade in everything from fuel to drinking water. The potential consumer base is immense: the population of North and South Kivu is around 11 million people, roughly the same as that of Rwanda."[37] This is very big business – big enough to safely assume there are very strong economic and political pressures on Rwanda coming from the highest levels both inside and outside the government to sustain its interventionary role in the eastern DRC and keep this profitable exploitation going.[38] The

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[34] Ending the Deadlock, International Alert, September 2012 pp. 7-8.

[35] ibid

[36] Jason Stearns, From CNDP to M23 The evolution of an armed movement in eastern Congo, Rift valley institute Usalama project, November, 2012.

[37] Ibid

[38] This combined financial drain into Rwanda could easily exceed $100 million a year. Stearns minimizes the consequent potential political influence, comparing it to the overall Rwandan GDP of $6 billion, of which $100 million would represent less than 2%. But percentage of GDP is not an adequate measure of economic or

profit motive is not the only force sustaining Rwandan intervention, but it is an important one that needs much more attention.

Some downplay Rwandan factors, insisting that the Congolese have to take responsibility to solve their own problems, and pointing out that they too easily blame Rwanda for everything. There are of course many contributing factors to violence in the DRC, and the Congolese and their government bear a heavy share of responsibility for causing them. But this does not change the fact that if the negative influence of those Rwandan actors who are responsible for fanning and fueling the flames can be reduced, it should be.

International NGOs that do global advocacy should be more engaged with this issue and putting pressure on the relevant economic and political actors to reduce the profits Rwandan actors are making from this intervention. Such advocacy could include:

- Encourage MONUSCO and the UN to fulfill their prior commitments to controlling the illegal industries fueling the conflicts. One program MONUSCO was supposed to be implementing was a process of regular spot-checks of trucks travelling in the mineral-rich border areas, to check shipments and paperwork. This has not been happening with any regularity. In fact, one source suggested that the failure to implement these programs was due to political pressure on DPKO in New York from the Rwandan government and its allies.
- Encourage more effective targeted sanctions on the economic actors involved.
- Publicly monitor and discuss processes such as the U.S. Dodd-Frank bill which attempt to dissuade the international industry from buying illegally-obtained resources, pushing for more rigorous application but also seeking to apply a "do-no-harm" lens to the processes to ensure that the economic impact on the poorer Congolese involved in the trade is not unduly damaging.[39]
- Demand that regional negotiations address the issue of conflict-based profiteering.
- In general, keep the issue on the public radar. Although considerable efforts have already been made, by groups such as Global Witness, and sometimes appear fruitless, the political dynamics are constantly changing. Now for instance, after the report by the UN Panel of Experts and the M-23 take-over of Goma, pressure on Rwanda and Uganda is more important than ever, and economic levers are one key point of pressure.

4.4 Longer term approaches – Virtuous Cycle Promotion

Many respondents point out that in the long run the international community cannot create or reconstruct the Congolese state. Nor can it reverse the venality of Congolese politicians and leaders or the deep-seated corruption affecting every aspect of the economy and government. *"The solutions have to come from the Congolese."*

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political influence. The influence efforts of a specific sector tend to be concentrated only the policy decisions that most affect that sector. Those profiting from illegal trade in Congolese minerals may not influence the rest of Rwandan policy, but they will logically concentrate their pressure on the policy toward the Kivus with an impact far disproportionate to their size. For comparison sake – the petroleum sector in the United States represents only a little more than 2% of the US GDP, but no one would doubt its huge influence any US policies that concern it.

[39] Global Witness, a London-based NGO, has done considerable work on the issue of conflict accountability in the minerals trade. See, for instance, http://www.globalwitness.org/campaigns/conflict/conflict-minerals/democratic-republic-congo.

To some extent this is obvious: just compare the scale of the problems to the scale of international inputs. The international community may be spending a few billion dollars a year on the Congo, but the Congo is a huge country with 70 million people scattered among thousands of villages in its disproportionately vast territory without infrastructure. The international inputs can affect only a small proportion of it. The international community has few if any clear strategies for how it applies the majority of these resources, and it has hardly any best practice to draw on: internationally-led interventions to address such challenges as state-building, rule-of-law, or corruption have had few successes to date.

Nevertheless, both the international community and the Congolese community have a moral commitment to the protection of civilians. And Congolese actors – both state and civil society – are also failing this responsibility. *"The solutions must come from the Congolese"* is no excuse for the failures of international action. It can't be our justification for settling for only tiny impacts on small pieces of the problem.

Instead, *"The solutions must come from the Congolese" should be one of the key objectives of international strategy.* While in the short run, as described above, the international community must substitute for the weaknesses of Congolese actors and engage directly in as much advocacy and pressure as possible to reduce current violence, it must also be supporting Congolese actors who have some promise of being more effective mobilizers for peace, strengthening their capacity to do so, and helping them to catalyze new Congolese strategies that might take hold more broadly among the population.

In principle this is already happening – it is the stated objective of much of the state-building support offered by MONUSCO and many other bilateral actors. It isn't within the scope of this paper to deeply analyze the impact of these programs, such as ISSSS and STAREC among others. These programs, however, seem to suffer from several fundamental weaknesses: a) a tendency to try to do too many things, to 'tick the boxes' and then evaluate only the number of activities carried out rather than whether they led to any real impact or change, b) a reliance on promoting change through often extremely corrupt actors and dysfunctional systems in a near-total vacuum of political will for such change, and c) an over-focus on the state rather than on other structures in Congolese civil society that might in the future mobilize the Congolese population to reform its own state.

Many respondents suggested that the necessary structural change in the DRC was not possible with the current Congolese political leadership, no matter how much money the international community pumps into it. Their entire careers, power base and wealth grows from the system as it is and they have no interest in changing it. They can instead count on successfully mobilizing fear, ethnic divisions and patronage to sustain themselves, as they always have. And quite likely they are also figuring out how to get even more money into their pockets from the international community's state-building and humanitarian investments.

This analysis suggests that a more successful approach to the longer-term structural changes needed to promote protection and conflict resolution ('durable solutions') might be based on more targeted work with civilian non-governmental actors with the objective of creating/supporting a broad-based inter-ethnic movement or constituency from the grassroots, demanding change, demanding protection, demanding better governance and opposing corruption – creating a constituency that would affect the national political climate.

4.5   Mobilization of power bases for action: civil society

How could Congolese civilian actors be motivated, catalyzed and supported to build a power base that would actually deal with the problems of conflict and the challenge of protection? And how can international actors help to maximize their peacemaking and protection potential? Section 3.5 above described some of the current strengths and weaknesses in civil society. The weaknesses tend to get more airtime, and many international actors have over time given up on partnering or working closely with Congolese civil society.

If we recognize that change in the DRC requires mass-based support and functional civil society structures to mobilize it, then it is a short-sighted mistake to judge civil society as "strong or weak" as a criteria for engagement with it. We have to decide that the glass is half-full, and get to work. What is strong needs to be strengthened, and what is weak needs to be strengthened. International organizations cannot themselves mobilize a Congolese popular base for change, but they can think strategically, identify opportunities for such mobilization and strengthen and protect the organizations and individuals who might be promising. They can support the convening of Congolese discussions and even participate in the debate.

The humanitarian community could help this process by engaging more with civil society forces outside the professional NGO "assistance" community. Special attention should be paid to civil society actors who bridge communities and regions, such as the churches or the inter-ethnic traditional structures like Baraza la Wazee. This kind of engagement will be resisted in the humanitarian community. For some it will seem too "political."Others will fear getting enmeshed with the political ambitions of the Baraza La Wazee members. Others will fear that any level of engagement with church actors will threaten the "secular" nature of their institution. But these fears are all surmountable, especially because the kind of collaboration required does not necessarily involve highly public joint action or financial relationships.

Humanitarian organizations could encourage and engage more with church-based peacemaking efforts. Humanitarian staff already take advantage of church-based housing sometimes in rural areas where they travel and work, and have relationships with priests and other church-workers in rural areas. These relationships could be expanded to include regular private discussions about how to complement each other's approaches to conflict issues. Similar discreet discussions could be held at the provincial level, for instance with Justice and Peace Commissions or other committed church activists. Humanitarians, with their substantial logistical capacity could help these church-based activists when they need to travel to remote communities as part of their work. International staff and vehicles could accompany national actors when they are travelling to insecure places. Since both the humanitarian institutions and the church have an interest in protecting their independent identities, the discussions during this collaboration could find solutions to ensure this.

This is just an example. With each potential civil society actor who might have a promising influence on mobilizing grassroots support for peace and protection, humanitarian institutions should think jointly and creatively about how to encourage and support them in ways that do not compromise the identity or work of the institution. Avoid knee-jerk reactions such as "that is not the type of organization we collaborate with." There is usually a way to do it, if we think there is a good reason.

Another important area of mobilization recommended by several respondents was to encourage greater involvement of women in the work for political change. Experiences in other countries, such as Liberia, has shown how women can use symbolic action and mass mobilization to effectively break through traditional attitudes about conflict and violence and pressure armed actors to alter their behaviour.[40] The international community has recognized at the highest level that women play a unique and important role in peacemaking which must be strengthened.[41] International Alert focuses significant programming on increasing women's political role in communities and at the national level, for instance. At present there does not appear to be any large-scale movement of women in the DRC working on conflict reduction, but any broader mobilization strategies must be sure to be inclusive of women at the leadership level to take advantage of these possibilities.

4.6 National Dialogue processes

One of the most important proposals on the table already, and mentioned by a number of actors, is the need to convene a National Dialogue that will bring together key stakeholders – especially civil society and state actors – to discuss the causes and solutions to the conflict, encouraging all concerned to overcome ethnicized logic. Alexis Bouvy and Maria Lange of International Alert propose for instance, a "structured process of bottom-up dialogue… beginning with the territories… reworked at the provincial level (the two Kivus and the Ituri district) and completed by a national dialogue".[42] Such a process deserves support from international institutions, as it will demand substantial resources, logistics and political protection.

Short of this large-scale idea, other measures that will promote greater dialogue between civil society and state actors are essential. Civil society actors need the space to construct and present their solution proposals to state actors, but the process also has to generate enough popular pressure to build some level of political will among state actors to implement changes.

> **Practical steps**: Humanitarian organizations together with other international NGOs and national civil society organizations could offer greater support to efforts promoting national dialogue processes.

More discreetly and carefully, there also need to be more dialogue initiatives between civil society actors and armed group leadership.

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[40] See, for instance, "Pray the Devil back to Hell," a video describing the influence of women's mobilization on ending the conflict in Liberia. http://praythedevilbacktohell.com

[41] UN Security Council Resolution 1325 is just one a broad array of international instruments designed to acknowledge and promote this recognition.

[42] Ending the Deadlock, Towards a new vision of peace in eastern DRC, International Alert, Sept. 2012, p. 8

5   Conclusions

The chronic and extreme violence in the eastern DRC poses a stark challenge to traditional humanitarian "urgent response mode" approaches. The humanitarian service machinery has become a virtually permanent fixture in the region, serving victims of multiple displacements and repeating cycles of violence for two decades, while efforts to change the underlying dynamics of conflict have been insufficient and ineffective.

The urgent services to victims are of course vital, but a key question to the institutions investing substantial resources in trying to help the people of the eastern Congo is whether the collective net distribution of resources is adequately balanced – is there sufficient emphasis on long-term problem-solving? This paper argues that the answer is no: neither the resource investment nor the quality of strategic thinking being put into longer-term problem-solving are sufficient. The humanitarian community, which represents such a major proportion of the investment, needs to take greater responsibility for this imbalance.

Humanitarian organizations are in particularly strong positions to confront this challenge. Many already have a strong institutional commitment to protection, rights-based approaches, and long-term durable solutions. These organizations should adapt and balance their portfolio of programmatic approaches to the conflict in the direction of greater long-term problem-solving impact.

The following analytical discipline will help address the challenge:

- Distinguish between activities that have conflict-reducing or preventive impact, as compared with those that are primarily serving to reduce victims suffering after abuses have occurred.

- Prioritize activities that are most likely to have a strategic impact on levels of conflict and violence. Consider how much of these activities would be needed to make a difference, and focus resources on a more narrow range of actions in order to make an appreciable difference.

- Focus on lethal and traumatic armed violence that is most likely to cause large-scale destabilization and displacement. Analyze the motivation behind this violence in each case (self defence, ethnic hatred based on past trauma, economic benefits, political and reputational benefits, atrocity as psychological warfare, etc.) Analyze the potential costs to the perpetrators (risk of getting caught or prosecuted, damage to reputation, loss of political constituency, social or religious pressures, reduced access to economic benefits, order from above, etc.). Then target strategies to reduce the motivations or benefits and increase the costs of violence.

- Identify vicious cycles that escalate conflict, and virtuous cycles that can de-escalate. Design strategies that break the feedback loops of vicious cycles, and reinforce the feedback loops of virtuous cycles.

- Encourage collective discussion with partners to inspire more proactive and hopeful approaches to analysis and action.

The international community needs to seriously reconsider some of the assumptions underlying its actions. In particular:

- The exaggerated faith in the armed protection approaches of MONUSCO/FARDC are based on a number of myths and stereotypes rather than on empirical results. Given the importance of MONUSCO/FARDC's protection role and its impact on humanitarian action, humanitarian organizations should support (and encourage donors to support) an intensive, objective, independent impact assessment of the net protective impact of MONUSCO and FARDC military action on the reduction of abuses against civilians.

- The humanitarian community's too-broad definition of "protection" encompasses so many different objectives and activities that it tends to obscure the need to prioritize action preventing the worst abuses and influencing perpetrators.

- The prevalent fears or stereotypes in the humanitarian community that advocacy is "too political" or "too sensitive" inhibits a wide range of influential advocacy actions that could be taken, actions that fall well within the humanitarian commitment to protection and pose no undue threat to humanitarian access or safety.

Diverse practical actions on the ground could increase the strategic protective impact of international actors, and of the humanitarian community in particular:

- International organizations should maximize their field presence, visibility and contact with armed actors. This visibility and presence has a constant subtle influence on the behaviour of armed actors towards civilians. In contrast, isolated civilian community who receive no visits from international organizations tend to be more vulnerable.

- Field trips primarily designed for service delivery or other programs can include a component of "protective presence," deliberate visibility and diplomatic communication.

- UNICEF and its partners need to adapt the RRMP program to include an explicit assessment of protection needs, causal factors behind violence and abuse. MSA reports and RRMP responses, based on such assessment could then also include responses and recommendations aimed at conflict reduction and changing armed actor behaviour, through community interventions and advocacy referral processes.

- International institutions, individually and collectively, should develop targeted locally-tailored advocacy strategies for different armed actors (FARDC, M-23, others). They should coordinate these advocacy approaches with other organizations, and train their staff in implementing these advocacy strategies. They need to increase their advocacy staffing to implement this effectively. These strategies must include a willingness to direct advocacy pressure towards interventionist regional actors such as Rwanda and Uganda.

- Humanitarian actors on the ground should be talking with military and armed group leaders on a regular basis. Armed groups and military leaders should come to expect visits from humanitarian actors, and expect that the discussions of these visits will be, explicitly or implicitly, about their behaviour towards civilians (not simply about "access").

- In their advocacy approaches, international institutions should openly address key issues that drive the conflict, even if these issues are not explicitly part of the organization's current programmatic work. INGOs should be demanding much more robust advocacy approaches from MONUSCO and other multilateral and bilateral actors.

- In particular, a wider range of organizations should be calling much more loudly for advances against impunity for human rights abuses. Public statements on human rights abuse are thoroughly consistent and coherent with rights-based approaches and commitments to international law that are the norm among humanitarians. Just as a public discourse on gender and SGBV have become the norm among humanitarian organizations, addressing other violent abuses and the impunity of perpetrators should be considered non-controversial, non-political, and normal.

- Similarly, international actors must do more to address and pressure the economic interests fueling regional interventionism. This could include pressuring MONUSCO to take more robust action to control the flow of illegally-obtained resources, supporting targeted economic sanctions, and insisting that the issue of resource exploitation be dealt with in any conflict negotiation processes.

- International and national organizations should expand the local work on conflict management. These efforts need to address ethnic tensions driving the conflict. The scope of action of community conflict management or development efforts could be expanded to include developing community protection strategies.

- The mobilization of broader civil society efforts to address the conflict and violence needs more international support. In particular, INGOs should develop partnerships with the strongest civil society forces, such as the churches, and support calls from civil society and others for a national dialogue process to end the conflicts and address their causes.

It is hoped that this paper may prompt discussion among humanitarian organizations and their partners to build momentum towards better protective impact. These processes demand that we open our minds, avoiding any strict or limited conception of "what we normally do". The DRC is a uniquely challenging situation, but if this challenge provokes greater creativity and longer-term thinking, the strategies developed to address the challenge will help humanitarians and others in conflicts the world over.

About Fieldview Solutions and the author

Civilian suffering in the face of conflict and human rights abuse places a tremendous obligation on United Nations and non-governmental organizations who try to confront it: an obligation to be efficient and effective; an obligation to get past words and rhetoric and find real solutions that make a difference. To meet this obligation, they need good analysis, well-trained staff and creative strategies. Fieldview Solutions helps organizations that deploy staff in conflict zones and regions of significant human rights abuse, by bringing a rigorous analysis of best field practice into their analysis, planning and training.

Fieldview Solutions has done analysis and training development projects with the UN Office of Coordination of Humanitarian Affairs, the Office of the High Commissioner for Human Rights, the World Food Program, the UN Department of Peacekeeping Operations, the Economic Community of West African States Emergency Response Teams, Amnesty International and Peace Brigades International, the Norwegian Refugee Council and other NGOs. Fieldview Solutions recently published the book: "Influence on the Ground: Understanding and strengthening the protection impact of United Nations human rights field presences," co-authored by Liam Mahony and Fieldview Solutions' co-director Roger Nash.

Liam Mahony, co-director of Fieldview Solutions and author of "Proactive Presence: Field strategies for civilian protection," (Centre for Humanitarian Dialogue, 2006) is an expert on the role of international civilian field missions and how they can contribute to conflict reduction and protection in situations of violent and massive human rights abuse. Mr. Mahony has researched a wide array of organizations in the field, including both non-governmental organizations and United Nations field operations. Mr. Mahony has also been a protection trainer and advisor for DPKO and OHCHR field missions, and UN and non-governmental humanitarian agencies.

Annex 1: Methodology

This paper was commissioned by NRC in October, 2012, and involved a field trip to the DRC in November, 2012. Following the terms of reference, the scope of research included a scan of unarmed protection strategies in other conflicts as well as a detailed analysis of options in the DRC. Research stages, therefore, included:

Document review prior to, during and after field research:

- o Documents, books and web-based sources relevant to unarmed strategies in other countries.
- o Documents, books and web-based sources analyzing the eastern DRC.
- o Other documents provided by NRC-DRC.

Telephone interviews prior to and after field research including five nonviolence experts familiar with unarmed strategies used on other contexts, one DRC expert, and NRC staff.

Interviews carried out in the DRC (Kinshasa, Goma, Beni and South Lubero). For reasons of security and confidentiality individual names will not be listed here, but the following representatives or institutions were included:

- Seven external analysts on nonviolence and the DRC
- Twelve Congolese non-governmental organizations
- One representative of the Catholic church
- Full-day visits to two community conflict management (ICLA) group meetings in South Lubero
- Nine representatives of UN Country teams agencies or programmes (UNHCR, OCHA, UNICEF, WFP) in Kinshasa, Goma and Beni
- Six representatives of diverse European and US government donor agencies
- Ten representatives of different branches of MONUSCO (Military, JMAC, Strategic Planning, G-2, Civil Affairs, Joint Human Rights Office, others.)
- Six representatives in international NGOs (excluding NRC)
- Diverse NRC staff

Trainings as research input: In addition to interviewing the heads of NRC-DRC offices and some programs, the author delivered workshops for 40 NRC staff in Beni and Goma which also produced important research inputs for the study.

Author's prior research and practice: Finally, this study was informed by the author's prior field, research and writing experience on protection and human rights, and as a researcher and protection trainer in the DRC. In particular, Mr. Mahony is the author of the 2006 book, Proactive Presence: Field strategies for civilian protection, which was based on a global study of best practices in protection developed by international field missions in conflict zones, and which has become a basic resource for a range of United Nations and humanitarian NGO protection training programs. Mr. Mahony was commissioned in 2010 to carry out an analysis of the protective impact of the MONUSCO Joint Human Rights Office in the DRC, and was subsequently invited to deliver trainings in protection and strategic planning to MONUSCO Civil Affairs.

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