

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	368
Land:	Demokratisk Republik Congo
Kilde:	Oxfam
Titel:	Secure insecurity
Udgivet:	27. februar 2015
Optaget på baggrundsmaterialet:	8. maj 2015



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

‘SECURE INSECURITY’

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

EMBARGOED UNTIL 00:01 HRS GMT 27 FEBRUARY 2015

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

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

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

EXECUTIVE SUMMARY

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

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

The UN has argued that a new military offensive is needed in order to defeat the FDLR.⁴ It believes that the government will be able to move swiftly into areas from which FDLR fighters are cleared, so that long-suffering communities can begin to access the protection, security and government services that they need and deserve. But humanitarian organizations have expressed concerns about the potential impact of such military action on civilians. In 2009, operations against the FDLR displaced hundreds of thousands of people, without ultimately defeating the FDLR.⁵ A 2009 NGO update estimated that for each FDLR fighter disarmed in 2009, one civilian was killed, seven were raped and 900 were forced to flee their homes.⁶

In this report, Oxfam presents new research scrutinizing the experiences of communities in certain areas of eastern DRC where state police, officials and military have extended their control. Although these areas have been deemed by the state to be secure, for communities the insecurity continues, leading one local official to describe the situation as 'secure insecurity'.⁷

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

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

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

For each FDLR fighter disarmed in 2009, 1 civilian was killed, 7 were raped, and 900 were forced to flee their homes.

2nd Situation Update from NGOs on DRC (2009)

conducted research, continued violence by armed groups was mentioned. In some areas of South Kivu, for example, communities live in fear of physical harm, sexual violence, kidnappings and killings.

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

The human cost of this lack of progress is continuing violence and extortion – like the violence and frustration recounted by one woman in the Ruzizi Plain area of Uvira: *'Today, the bodies of two people were found... just a few metres from my home. We don't know where to turn, we just want some fresh air; we want peace'*.⁸ In villages where Oxfam undertook research, men and women consistently reported abuse by officials. *'The soldiers of the FARDC are at the core of the insecurity; they steal, they set up illegal road blocks.'*⁹ They feared violence as well as extortion at the hands of the state.¹⁰

The research also brought women's experience of abuse to the fore, and highlighted how traditional beliefs about women's roles in society, and a lack of resources to pay the necessary fees, prevent most women from seeking protection or justice from local officials. As a woman in her early thirties told Oxfam: *'When I went to see the chief about a case of rape in our district, the chief told me that justice doesn't concern women.'*¹¹

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

Often, the presence of state officials does not guarantee protection for civilians from violence or abuse. Respondents explained that they are forced to pay for protection that the state should be providing to its citizens as their right.¹² They told Oxfam how state officials – especially the security services, the army (FARDC) and police (PNC) – perpetrate abuses themselves.¹³ As one 19-year-old street vendor from Kalehe territory in South Kivu said: *'Last month, soldiers beat a person so badly that he died before he got to hospital. The same soldiers attended the burial, and nobody could do anything about it.'*¹⁴

Oxfam's research did reveal examples of good practice by state officials. In one village in South Kivu, one woman said: *'when there's a problem, officials invite the population to find solutions together. Often, these meetings take place at the local leaders' office. Even the women are invited'*.¹⁵ But these examples were relatively few. Men and women also told Oxfam about fees charged by the local police – for instance, \$5 to report a crime and an additional \$10¹⁶ to investigate it.¹⁷ Oxfam heard of other officials extorting money at illegal roadblocks, or through illegal taxation at markets – the same tactics that civilians have come to expect from armed groups. As one official is reported to have said, *'If you used to pay the armed groups, why can you not give [pay] the government?'*¹⁸

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

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

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

Communities in eastern DRC want functioning and accountable government structures that can uphold their rights. Research undertaken by the Harvard Humanitarian Initiative at the end of 2013 showed that 73 percent of people in eastern DRC identify the government as the key actor that must take action to protect them.¹⁹ Oxfam's research shows how far that hope is from being realised. But it also shows that many people continue to seek justice or protection from state officials, even when they are illegally forced to pay for these services. This is not necessarily because they consider the state's protection anywhere near adequate. It is because they understandably seek any protection they can, be it from armed groups, the state or community structures.

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

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

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

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

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

Recommendations for the Government of DRC

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

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

Provincial, territorial and local governments should:

- Prioritize budget for the provision of logistical support for state officials to offer services in rural, as well as urban, areas.
- Promote access of women, youth and other groups to management and decision-making positions within customary structures which are subsumed into the public service;

- Organize training and awareness raising in communities, so that citizens understand the roles and responsibilities of officials, as well as the fact that their services should be provided free of charge.

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

- Allocate budget for reform of the security services and ensure salaries for security services are paid. Pass all laws on SSR, as per the PSCF action plan;
- Implement the commitment in the PSCF action plan published in July 2014 to establish accountability mechanisms for all security services – police, army and intelligence - by the end of 2015;
- Make urgent progress on the latest disarmament, demobilization and reintegration programme, known as DDR3, which has not yet been funded.

Recommendations for parties involved in funding stabilization programmes

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

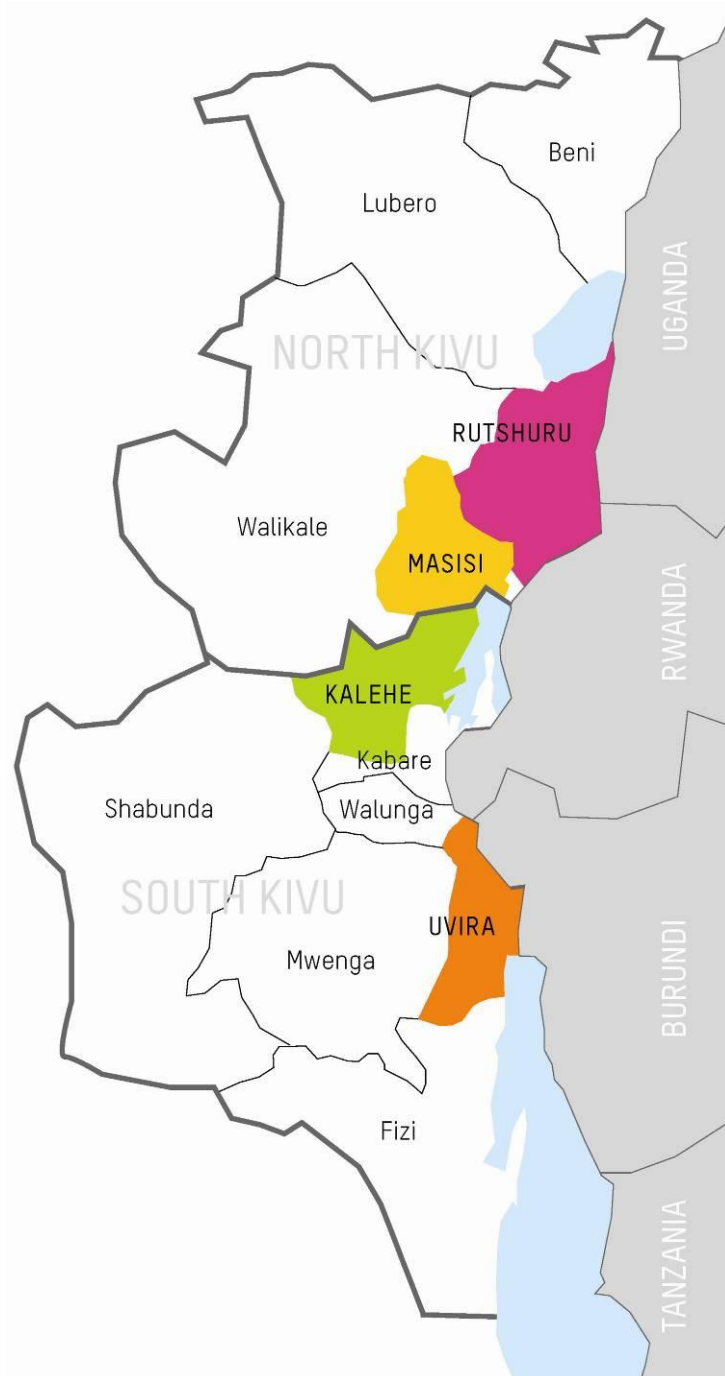
- Advocate for the payment of salaries to FARDC. This is an essential component of the International Security and Stabilization Support Strategy (ISSSS) focus on security, which aims to extend law and order, and to ‘build trust in the FARDC and change perception of the FARDC’;
- Include gender analysis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

Recommendations for the Great Lakes Envoys

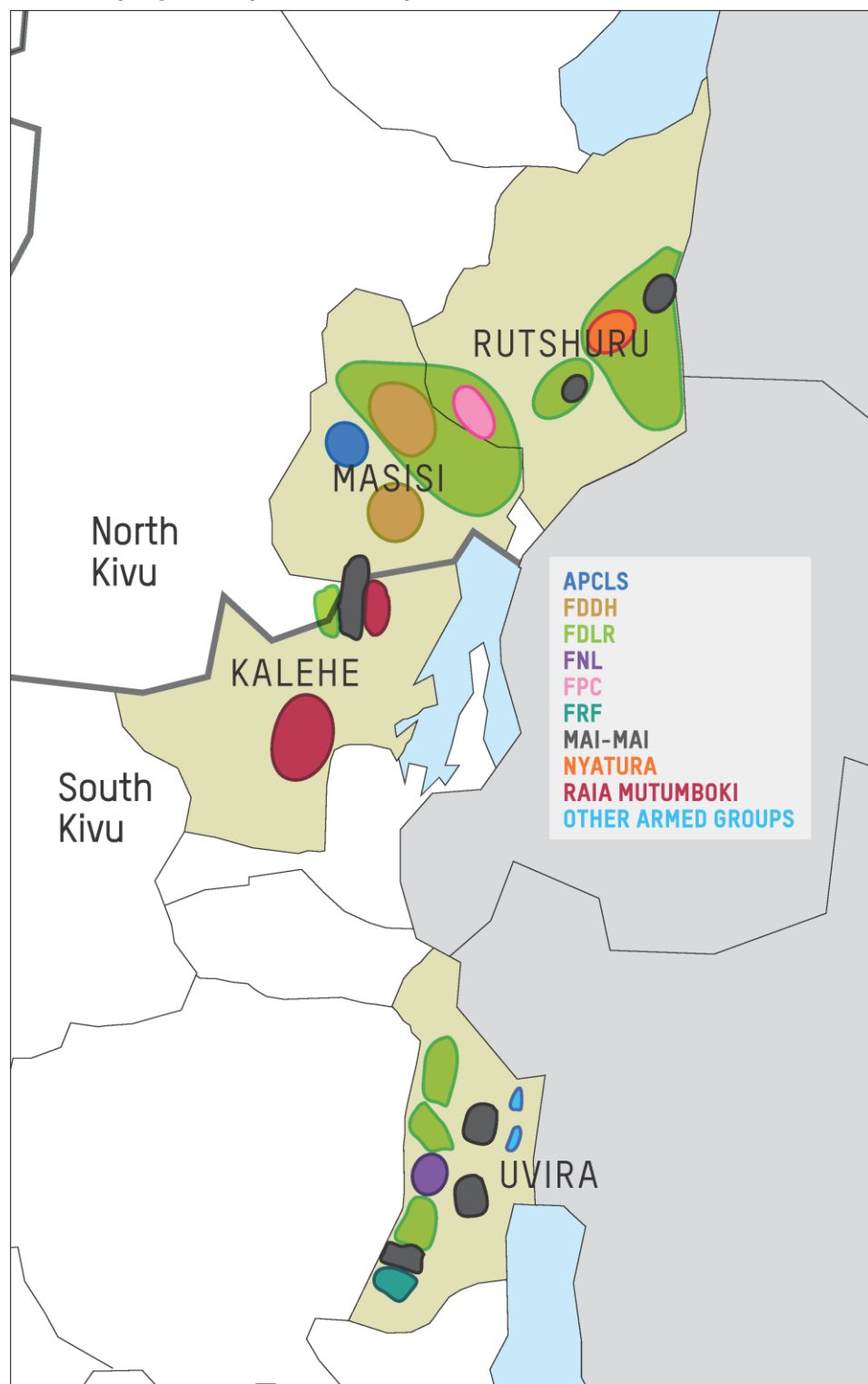
- Convene regular meetings with the international community to ensure they are coordinated and consistent in their support for state consolidation in the DRC, emphasizing the need for inclusivity and accountability of state structures and progress on the PSCF action plan;
- Promote the inclusion of representatives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

Maps

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



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



1 AIM AND METHODOLOGY

Since 2006, Oxfam has undertaken regular research in eastern DRC in order to highlight the threats faced by communities in the region, and to explore ways to improve their protection.²¹ As DRC state presence is being re-established in areas previously held by armed groups, there is a growing responsibility on the state to provide protection to citizens. During August and September 2014, Oxfam undertook research to understand how officials and citizens interact in areas where the state is being consolidated. The findings from this research, as well as Oxfam's own programme experience and other key resources cited in the text, are the basis of this report.

Oxfam carried out research in four areas of eastern DRC that have been prioritized for stabilization.²² There are several coordination mechanisms for stabilization in eastern DRC, including the government-run Stabilization and Reconstruction Programme for War-Affected Areas, known as STAREC, and the International Security and Stabilization Support Strategy (ISSSS), which is housed within the UN Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and coordinated by the Stabilization Support Unit (SSU). Together these programmes coordinate support for stabilization and provide a framework for implementing partners. The state's authority in the areas identified for stabilization is meant to be being consolidated or 'restored', in order to prevent armed groups from destabilizing the region further, and to build 'mutual accountability' between state and society.²³

The research explores communities' views and experiences in order to scrutinize what 'mutual accountability' really means in practice. It highlights the threats that many communities still face; assesses the state's performance in protection and justice; and shows how communities are trying to improve their own protection in some areas where the state has been consolidated. The research also set out to explore how gender determines how citizens access protection services and interact with state officials. Oxfam's findings in the areas selected for stabilization mirror research carried out across eastern DRC by the Harvard Humanitarian Initiative (HHI) in 2013 which showed that people in eastern DRC 'questioned the commitment of the government to improve security, peace and services.'²⁴

Oxfam's research adopted a qualitative methodology comprising in-depth interviews with key informants and focus group discussions (FGDs) in two of the ISSSS key areas for stabilization in each of the two provinces of eastern DRC (North Kivu and South Kivu). The selected areas were Masisi and Rutshuru in North Kivu, and Kalehe and Uvira in South Kivu. Within each of these areas, the research team chose four villages. The selection of village sites was made to reflect diverse levels of security, accessibility and ethnic differences, as well as a variety of geographical locations.

Oxfam conducted 55 FGDs and 70 key informant interviews in 16 villages. A total of 430 community members and 70 community leaders and government representatives participated in the research.²⁵ Three FGDs were held in each village. The research team held one FGD with women only, and one with men only, to allow both men and women to express themselves freely. Though participants were not statistically representative of their communities, they were selected to reflect differences in age, ethnicity and educational and occupational background. In each village, one FGD was held with a specific group, such as young people, old people, vulnerable people or people affected by displacement, with the expectation that different sub-groups within the community may have different experiences of interacting with authorities and armed groups.²⁶ Between six and eight people participated in each focus group.

Semi-structured key informant interviews were held with four individuals in each village, specifically with a customary representative, an administrative official, a security agent and an opinion leader.²⁷

The interviews and FGDs took place in Swahili, and were subsequently translated into French and transcribed. Quotes from these were then translated into English to be used in this paper. This paper does not provide detailed information about the locations or people involved, in order to respect the anonymity and security of the participants.

2 INTRODUCTION: FROM CONFLICT TO PEACE?

The latest stage in a twenty-year conflict

DRC is still experiencing violence and conflict in many parts of its eastern territories, despite a much-heralded peace agreement in February 2013.²⁸ Since early October 2014, more than 250 women, men and children were killed in attacks in Beni in North Kivu, allegedly by the armed group Allied Democratic Forces (ADF).²⁹ In early 2015, MONUSCO and the Congolese Army (Forces Armées de la République Démocratique du Congo - FARDC) are planning joint military operations against the Forces Démocratiques pour la Libération du Rwanda (FDLR), the armed group that emerged after the Rwandan genocide in 1994. The FDLR failed to meet its latest deadline to surrender by 2 January 2015.³⁰ The UN has argued that a new military offensive involving both DRC and UN troops is needed to defeat the FDLR. It believes that the government will be able to move swiftly into areas from which FDLR fighters are cleared, so that the long-suffering communities in those areas will then be able to receive the security and services they deserve. However, humanitarian organizations have expressed concerns about the potential impacts of such military operations on civilians. These concerns are based on experience of the 2009 operations against the FDLR which resulted in major displacement of local populations, without ultimately defeating the FDLR.³¹ Previous Human Rights Watch research estimated that, for each FDLR fighter disarmed in 2009, one civilian was killed, seven were raped and 900 were forced to flee their homes.³²

The conflict is characterized by clashes between FARDC and several different armed groups. These armed groups fight with the FARDC and with each other. Alliances between armed groups and even between the FARDC and armed groups are not uncommon but often short-lived. Exploitation and harassment of communities is carried out by all warring parties.³³ Oxfam's 2013 DRC protection report, *In the Balance*, described how people 'continue to be relentlessly squeezed for economic gain by armed actors, state and traditional authorities'.³⁴ These economic gains – through extortion, illegal taxation and forced labour – provide the necessary resources for the continued violence; they also create an incentive to maintain a certain level of conflict and militarization in eastern DRC. Territorial zones frequently change hands between the different parties to the conflict, while the inhabitants serve as commodities, providing the means to prolong the conflict.³⁵

Following a series of significant changes in 2013, not least the signing of the Peace, Security and Cooperation Framework (PSCF) in early 2013, many people believed that the security situation in eastern DRC was improving. A new brigade, the Force Intervention Brigade (FIB), was created within MONUSCO, with a mandate to 'neutralize' armed groups. Mary Robinson was appointed as the first UN Special Envoy to the DRC and the Great Lakes. She hailed the PSCF as a 'framework of hope'. This hopefulness was strengthened at the end of 2013 when FARDC and the FIB defeated the M23 armed group.

In early 2014, MONUSCO moved most of its civilian staff to Goma, the provincial capital of North Kivu, signalling a commitment to stabilization in North and South Kivu. Hundreds of thousands of people returned to their places of origin, as security became more widespread and hopes of longer-term peace increased. In the second half of 2014, however, security deteriorated once again, with an increase in clashes between armed groups, as well as operations by FARDC targeting various armed groups in North and South Kivu. This insecurity led to a sharp rise in the numbers of people fleeing conflict. Some of the most significant clashes and displacements took place in South Lubero, in the northern part of North Kivu, where over 58,000 people were forced to flee. Beni, not far from Lubero, also saw brutal violence and killings. Currently, abuses continue and humanitarian needs are increasing in many parts of eastern DRC; proof that these areas are not yet moving into a post-conflict phase.³⁶

Frameworks for peace and stabilization?

The PSCF was signed by the DRC and 11 other countries in the region on 24 February 2013.³⁷ The PSCF commits to 'consolidate' state authority, to make progress on decentralization and to structural reform of government institutions in DRC. The guarantors for the PSCF are the Chairperson of the African Union Commission, the UN Secretary General, the chairperson of the International Conference of the Great Lakes (ICGLR) and the chairperson of the Southern African Development Community (SADC), with support from the EU, Belgium, France, the UK and the US. There are two oversight mechanisms – one regional, one national (representing the DRC) – which aim to meet regularly to review progress on implementation.³⁸ While the regional oversight mechanism regularly comes together to review the action plan for PSCF regional implementation, the national DRC oversight mechanism has been slow to get off the ground. Its action plan lacks clear deadlines, adding to the sense that the PSCF has so far done little to build a culture of peace, or the conditions for economic recovery and stability.

The International Security and Stabilization Support Strategy (ISSSS) was established with a timescale of 2013–17; the latest in a long line of stabilization strategies in DRC. Previous initiatives have repeatedly failed to involve communities in the design and delivery of stabilization strategies.³⁹ Oxfam published a paper in 2012, *For Me but Without Me is Against Me*, highlighting this failure.⁴⁰ The current ISSSS is underpinned by a greater commitment to involve communities in its design and implementation. One of its aims is to 'build the trust and capacities of

local actors and of state and social institutions.⁴¹ Key to its approach is an 'integrated, holistic but targeted process of enabling state and society to build mutual accountability [between state and society].⁴² It articulates key focus areas for its programme of interventions: democratic dialogue; security; the 'restoration' of state authority; return, reintegration and socio-economic recovery; and the fight against sexual violence.⁴³

Plans to deliver these ISSSS programmes in each province are being developed alongside the DRC government's own stabilization programme, the Stabilization and Reconstruction Programme for War-Affected Areas (STAREC), which was set up in 2008 to 'consolidate the security gains made under the 23 March agreements'.⁴⁴ STAREC aims to restore the authority of the state in areas that were controlled by armed groups, and to improve the security environment. STAREC also commits to: humanitarian and social action; civil protection and the fight against sexual violence; fighting poverty and impunity; inter-communal reconciliation; and good governance.⁴⁵

These three frameworks – PSCF, ISSSS and STAREC – together remain a key part of the road map for the DRC government and its regional and international partners towards peace and stability. This paper questions whether this approach to stabilization is really improving protection for all of eastern DRC's citizens; and whether it is really improving 'mutual accountability' between the DRC government and its people.⁴⁶

The frameworks all refer to the 'restoration' (ISSSS and STAREC) or 'consolidation' (PSCF) of the state. The PSCF specifies that consolidation will 'prevent armed groups from destabilizing neighbouring countries',⁴⁷ while the ISSSS says it focuses on 'bringing state actors and society closer together and to assure the equitable delivery of services based on local needs'.⁴⁸ This paper will use the term 'consolidation of the state' to refer to the establishment or re-establishment of a state presence, including activities under ISSSS and STAREC.

3 'SECURE INSECURITY'

Oxfam's research has found that many communities in Masisi, Rutshuru, Kalehe and Uvira continue to experience brutal violence, abuse and extortion. Interviewees spoke of threats from three sources: local conflict; violence from armed groups; and the exploitative practices of the state. They described the state's presence as still limited to a small number of officials in the main villages or towns, who lack the means to implement their roles effectively. According to a police commander in North Kivu, *'The population needs to live in peace and security in the areas that are under our [the government's] control. We have deployed a police unit, but it's too small to assure the security of the population on that hill.'*⁴⁹ In so far as the state has been consolidated, it has not yet made communities feel safe. One local state official referred to the situation as *'secure insecurity'*, where insecurity for people remains, irrespective of the fact that the state considers these areas to be *'secure'*.⁵⁰

Threats from local conflict

Local conflict follows different patterns in different areas of North and South Kivu. In the areas of North Kivu where the research was conducted, there is significant conflict stemming from land and power issues, following the return of displaced people. According to an analysis conducted in central Masisi in December 2014 by the NGO International Alert, conflict over land is being caused and exacerbated by a combination of the return of people who were forced to migrate during previous conflict periods; unequal distribution of land; and local customary and official systems of land ownership.⁵¹ Many former refugees and displaced people told Oxfam that they had returned to find their land occupied or sold. One woman in Rutshuru said that, *'The Tutsi families that lived here were obliged to flee to Rwanda in 1994–95. After a while some of them came back to sell their land. So maybe you bought it from the big brother of the one who fled, the small brother will come back and have you arrested, even when you have the documents.'*⁵²

Oxfam's research in South Kivu indicates that cyclical inter-community conflict between ethnic groups with different livelihoods is the dominant trend there.⁵³ These local conflicts can result in the theft and slaughter of livestock, killings, kidnappings, destruction and expropriation of fields, preventing access to land and forced displacement. For instance in the Ruzizi Plain of Uvira, one woman said: *'Today, the bodies of two people were found, it was just a few metres from my home. We don't know where to turn, we just want some fresh air; we want peace.'*⁵⁴ Such inter-community conflicts can lead to the setting-up of self-defence groups that in turn sometimes develop into armed groups based on ethnicity, such as an armed group called the Nyatura which is based around the Hutu identity.⁵⁵

This week, a man was killed and his cows were stolen by unidentified armed men. This situation makes the conflict between the Bafulirhu and the Banyamulenge even worse.

FGD with men, Uvira, South Kivu, 29 July 2014

Continued violence by armed groups was mentioned in all of the 16 villages where Oxfam conducted research.

Violence from armed groups

Armed groups often remain present in the areas that are targeted for stabilization (see Map 2 on page 7). Oxfam learned that in some areas communities live in fear of physical harm, sexual violence, kidnappings and killings from armed groups. Economic exploitation by armed groups is also rife. Repeatedly, respondents described having to give away part of their crops at each step of the production process. For instance, people in some communities told Oxfam that the FDLR demands 10 percent of their crops before they are even harvested. Armed groups set up illegal road blocks, requiring farmers transporting their crops home or to market to hand over part of their harvest. Similarly, people returning from selling their crops at the market are often obliged to hand over part of the earnings on their way back to their village. One police (PNC) commander in Masisi, North Kivu explained, *'For instance, if you cultivate a field of beans and you produce 100kg, you need to give 10 kg. In addition you need to pay the daily taxes of produce at the road blocks that they erect on market days. So, that is a second levy.'*⁵⁶ This paper refers to these practices of extracting money or goods as 'illegal taxation.'

Not even a week ago, armed men visited our neighbourhood. They looted the houses and one victim was taken to hospital.

FGD with young men, Rutshuru, North Kivu, 18 September 2014

Sometimes, conflict or anticipated clashes between armed groups or between armed groups and the FARDC lead to temporary displacement of civilians. This may mean people regularly leaving an area to protect themselves from attacks, or sudden displacement in anticipation of, during, or following clashes. One woman in Uvira, South Kivu, explained: *'Every day at 2pm we leave our houses and go near the military camp. There we sleep because we flee the FNL [Forces nationales de libération] who kidnap and kill people from my community.'* A displaced person in Kalehe recounted the following: *'There were clashes between the Raia Mutumboki and the FARDC. I didn't have time to gather any of the family goods when I fled. I spent one week in the forest, but I suffered so much that I came here. Here, the situation is as bad as where I came from. I no longer know where to go.'*⁵⁷

Soldiers put up roadblocks demanding 200 FC [\$0.25] from each passer-by. If you don't have the money, you have to cut wood for the soldiers.

FGD with men, Kalehe, South Kivu, 08 September 2014

Insecurity, the threat of physical abuse or killings, and temporary displacement all increase the difficulties for people to reach their fields and markets, and undermines their ability to maintain their livelihoods and provide for their families. One woman with fields in the high plateau of Kalehe told Oxfam she has no other option than to take the risk of going to her fields; she has to put herself in danger in order to feed her family.⁵⁸ In Uvira, the presence of the FNL leads to insecurity, stealing of cattle and inaccessibility of fields.⁵⁹

Exploitative practices of authorities

Respondents described how state officials – especially the army and police – are perpetrators of abuse.⁶⁰ FGD members told Oxfam that state officials commit some of the same abuses usually associated with armed groups, such as extortion at road blocks, forced labour, and illegal 'taxation', as well as arbitrary arrests and payment for protection

and justice services. Members of an FGD in North Kivu recounted how an official told community members: *'If you used to pay the armed groups, why not give to the government?'*⁶¹ In December 2013, the UN Group of Experts on the Democratic Republic of the Congo identified the FARDC itself as a party to numerous violations of human rights.⁶²

One administrator in Masisi told Oxfam that the police and military have continued to use illegal road blocks that had been set up by the FDLR.⁶³ It is well-known that illegal taxes are demanded by state authorities at markets in eastern DRC.⁶⁴ One woman in Kalehe told Oxfam that she and other women in her village have to leave a *pagne* (a length of fabric used by women as clothing, or to carry their goods or children) at the entrance to the market. They can only get her *pagne* back if they pay 200 FC (\$0.25) when she leaves the market.⁶⁵

In the villages where Oxfam undertook research, men and women reported abuse by officials. A member of the male FGD in Kalehe, South Kivu said, *'The soldiers of the FARDC are at the core of the insecurity, they steal, they set up illegal road blocks.'*⁶⁶ They feared violence, as well as extortion, at the hands of the state. A 19-year-old street vendor from Kalehe told Oxfam that *'Last month, soldiers beat a person so badly that he died before he got to hospital. Those same soldiers attended the burial and nobody could do anything about it.'*⁶⁷ In Rutshuru, one man said of abuses committed by government officials, *'The community no longer trusts the authorities. Not for the prevention of threats nor to bring the guilty to justice, especially when a government official is concerned. We feel abandoned.'*⁶⁸

Piecemeal 'restoration'

The restoration of the state in eastern DRC is fragmented and piecemeal. While in some areas the state has been partly or fully 'restored', in other areas it is entirely absent; in some areas the state may even be sharing its role as authority with armed groups. In general, the authorities are limited to villages and towns in Rutshuru, Masisi, Kalehe and Uvira. They are often not able or willing to assert their presence further afield where there may be armed groups.⁶⁹ In eastern Rutshuru, for instance, several government officials told Oxfam they cannot travel to some areas, *'There are places where I don't dare to go, because of insecurity or because the population doesn't know me,'* one said.⁷⁰ As other research in central Masisi has shown, armed groups profit from the vacuums created when the army and police are not present.⁷¹

In eastern DRC, rural communities tend to be mobile, moving from fields to home to the market place. These movements may mean crossing between different zones of control; rural women and men are at increased risk of violence or extortion as they cross these zones.

Women in eastern DRC 'are responsible for 70 to 75 percent of food production in rural areas and play a central role in the subsistence economy.'⁷² When women report abuses to the police, they often raise concerns about their access to fields and the location of armed groups

After we flee our home, there is no-one to help us. Our children cry from hunger, so we, the mothers, have to go back to the village to get something to feed the children. Our husbands cannot go out because they might be killed. It's in these kind of situations that we might be raped, if there are soldiers on the road.

FGD with women, Masisi, North Kivu, 24 September 2014

I don't have any fields here and I have many children to feed, so I'm forced to go to ... [fertile area 70 km from the village where she lives] where I have some fields. When I go to these fields to get the harvest, I suffer from harassment. I'm obliged to leave part of my harvest [to the rebels or the FARDC].

Woman farmer in her early forties, FGD with women, Kalehe, South Kivu, 09 September 2014

because they are more vulnerable to threats as they visit insecure areas in order to work the land.⁷³ Women tend to travel more than men in order to maintain food production and provide for their families. In a men's FGD in Uvira, one member explained that, '*Here, it's the women who feed the family, if you try and come near her crops, you're hurting her.*'⁷⁴ To tend her crops or visit the health centre, a woman may have to travel between areas controlled by armed groups and the state. Crossing these boundaries makes her vulnerable to extortion and violence.

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

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

4 PAYING FOR INADEQUATE JUSTICE AND PROTECTION

The previous section described how respondents saw local conflict, the state and armed groups as the sources of violence and abuse. This section will look at the challenges people face in accessing the range of administrative, customary, judicial, security and protection services that the state should provide for its citizens.

Oxfam's research did find some positive examples of interaction with state officials. In Masisi, for example, one police commander told Oxfam how they had visited all the hills in their area to explain their role to communities once a rebel group had left.⁷⁵ In a village in South Kivu, the women said that *'when there's a problem, officials invite the population to find solutions together. Often, these meetings take place at the local leaders' office. Even the women are invited.'*⁷⁶ But the research also revealed widespread difficulties in getting effective protection or justice from state officials, and common complaints that illegal payments were demanded for what little protection was given. A widow in Masisi described the situation as, *'We are their fields, the authorities live off us.'*⁷⁷ This reflects a widely held view that officials have little incentive to improve the situation when people have to give corrupt payments to officials in order that they will agree to investigate complaints. As another woman in Masisi said, *'If [the authorities] protect people, they will not eat [receive bribes].'*⁷⁸

Our chef de localité pampers the population like a baby. He does everything to check whether the population [that had to flee after clashes in the area] has returned. He also gives us feedback from the meetings in which he participates.

FGD with women, Masisi, North Kivu, 22 September 2014

'Gatekeepers' to a failed system

Interviewees told Oxfam that state officials lack clear roles and responsibilities, with civil authorities, the police service and the army all involved in each others' roles. For instance, an official in Rutshuru said that he would bring the FARDC with him to collect taxes, because they are 'more active' than the police. Members of the FGD with local leaders in Uvira described how the FARDC takes on the role of the police service when they arrest villagers for committing crimes.⁷⁹ Similarly, a recently displaced woman explained that the authorities *'are in competition because of the [illegal] taxes they collect, and each and every one tries to safeguard or protect their selfish interests.'*⁸⁰ As a result people 'shop around' to try and find an official or community leader who is willing to take action on a complaint.

Without a willing official, it is very difficult to get help from the state. As one man in Uvira said, *'Authorities tell us, "Who are you to come and talk to us?", "from what title do you address me, from which power?"'*⁸¹

I can't go and see the chef de groupement if I haven't gone through the chef de localité. The chef de localité will ask me to pay him a bribe in order for him to plead my case.

48-year-old farmer in FGD with men, Moyon Plateau, Kalehe, South Kivu, 8 September 2014

People have to target a gatekeeper who is accessible, be it a state official or a customary or community leader. As one woman in Rutshuru told Oxfam, *'We approach the official at the lowest level close to us.'*⁸² All lower government officials (*chefs de chefferie*, *chefs de groupement* and *chefs de village*) are customary authorities who have been integrated into the government system.⁸³ These positions are appointed according to local tradition (passed down from father to eldest son) and confirmed by the administrative authorities.

State officials are part of a hierarchical system that involves patronage at many levels. For a woman or man trying to find protection or justice, it means that no access is free. A 'gatekeeper', a local official or leader, will pay a fee, aptly known as a *corruption*, to a more senior government official for him to hear the case or take action. Those seeking justice will have to pay the gatekeeper in turn, but may still find it difficult to find out what action has been taken. Follow-up enquiries will be directed to the same local official or leader who will need, and demand, a further *corruption* in order for them to take the matter up with the more senior official. This means that anyone who wants to follow through on a report will have to pay several levels of officials. A 71-year-old man in Rutshuru explained how the local official will already have *'eaten the money as corruption, [so] he will tell you to come back and come back, until you're tired of doing the follow-up.'*⁸⁴

Paying at every level

In every village that Oxfam visited, people explained how they not only have to pay for the state's inadequate protection services, but even to raise their concerns. As one woman in Masisi said, *'If you have sweet potatoes [money] you can go [to see the chief].'*⁸⁵ If not, you cannot. In some villages, Oxfam researchers were told that there are standard prices to engage the services of the state. Examples provided by community members in both North and South Kivu include a standard fee of \$5 to report a crime to the local police and \$10 to carry out an investigation.⁸⁶ If more senior officials need to be paid, then the cost increases. As one woman who had returned to her community after displacement explained, *'Authorities will ask \$5, \$10 or \$15 [depending on the level]. If it's the chef de poste, you have to pay two crates of Primus [beer – equivalent to about \$40].'*⁸⁷

None of this money goes towards improving the protection and justice that people need. Some local officials told Oxfam of their frustration at the lack of state funds and support to fulfil their roles; one official said, *'The state doesn't give us the means to do our job well, there are insufficient logistical means and we are not paid.'*⁸⁸ This affects security forces too, a policeman in Uvira told Oxfam that, *'When people come to report a problem, I am honest and tell them there is little we [the PNC] can do because we are very limited in numbers.'*⁸⁹

In every single village Oxfam visited, people raised concerns that they are forced to pay for the state's inadequate services to protect them, and even in order to raise their concerns.

Here, in haut plateau, we [community members] pay the soldiers to look after our security. Everybody needs to contribute in order to ensure the safety of the village, as if that is not the soldiers' job anyway.

FGD with young people, Kalehe, South Kivu, 9 September 2014

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

In-depth interview with a religious leader, Rutshuru, North Kivu, 17 September 2014

Box 1: Community-led committees

As a response to the above, Oxfam heard of many villages setting up their own structures to resolve justice and protection issues. One example is the *Lubunga*, a committee of 'the wise' in the Moyen Plateau, South Kivu.

These structures, however, are almost always made up of male village elders and leaders, except for the occasional woman or youth representative. They do not represent a range of ages or ethnicities, but are often based on ethnic or clan alliances. For instance, the *chef de famille* is a system which mostly unifies people from the same ethnicity, thus reinforcing ethnic division in the community. These systems therefore do not challenge gender roles or ethnic or age-related stereotypes. They risk reinforcing traditional divisions and exclusions, and the tensions and even causes of conflict that go with them.⁹⁰

Whose state is it?

In many ways, solutions to the DRC's dysfunctional public services do not lie in the hands of local officials. An individual official has very limited individual power to change the system, and will fear losing their position and livelihood if they try. Despite the stabilization policies and agreements of 2013 that say otherwise, creating a state and officials who are truly accountable to local people does not seem to be a priority. Local government salaries are not paid; support is not given; and local officials are motivated less to serve local communities, and more to exploit them as a source of income.

The research respondents repeatedly asserted the belief that the state exists mainly to make money from them. Some groups, such as women and young men, are particularly vulnerable to exploitation by the authorities.

The person who has money can get access to officials. Me, I'm an old widow, I have no money, I can't go and see the officials.

FGD with old women, Masisi, North Kivu, 16 September 2014

5 EXCLUSION FROM PROTECTION SERVICES

Oxfam's research highlights the challenges faced by specific groups such as women and youth when attempting to access protection services.

Women: Discrimination and cultural beliefs

A woman in her early thirties in Masisi, North Kivu told Oxfam that, *'When I went to see the chief about a case of rape in our district, the chief told me that justice doesn't concern women.'*⁹¹ Time and again, this sentiment was repeated by government officials, community leaders and others – and most of all by the women who participated in Oxfam's research.

One woman in the Moyen Plateau, South Kivu said, 'If you go and see [the chief] and want to say something, he thunders over you and then you no longer know what to say because you are embarrassed. Because of the shame and the fear, it is difficult for us to go and see officials.'⁹²

Discrimination against women is widespread in eastern DRC, where women are 'expected to care for children, prepare food, run the household, and dig the fields. [They are] expected to be submissive, and not to take part in public life.'⁹³ A group of women in Kalehe, South Kivu told Oxfam, *'You need to be a man to see the chief, because you need to drink alcohol with him.'*⁹⁴ Having fewer resources – money or other assets – is also an obstacle: *'A man can sell things to get money and thus can get access [to officials].'*⁹⁵

Government officials and customary leaders are almost all men. All of the local officials who were interviewed for this research were men. Fifteen out of the 16 research villages had no woman at all among their *Nyumba Kumi* or *notables* (local community leaders who are not a part of the government system).⁹⁶ This limits women's access to the much-needed 'gatekeepers', as women tend not to be allowed to address male officials outside their household directly.

A respondent in an all-male FGD told Oxfam, 'Tradition dictates that women cannot participate in men's meetings, that security is a men's issue. Women can't file reports with the authorities or follow up on them.'⁹⁷ Oxfam heard how, as a result of this discrimination, women face multiple practical challenges accessing the authorities.

Young men: Mistrusted by security forces and community

Oxfam's research showed that young people in general and young men in particular are often excluded from protection services, as well as from community structures.

According to our customs, women are not allowed to participate in meetings.

FGD with men, Haut Plateau of Uvira, South Kivu, 30 July 2014.

You're called a witch if you go see the chiefs. I once did and he said, 'the state is money, if you don't have money, you don't have the right to speak. Leave, leave, witch.'

FGD with women, Masisi, North Kivu, 17 September 2014

Being a young man in eastern Congo can be a double-edged sword. On the one hand, in some communities they are counted upon to assist the state security services through the creation of community self-defence groups. For instance, in the Moyen Plateau, Uvira, FARDC, PNC and local defence groups set up joint patrols which recruit support from among young men in the community.⁹⁸ In other communities, young men are often suspected of being complicit with armed groups, due to the fact that armed groups recruit heavily among the youth, although forced recruitment is also common.

I belong to an association of women that sell fish. It is only through the association that we can request officials to protect us from the harassment and abuse of the police.

FGD with women, Kalehe, South Kivu, 9 September 2014

Young men are particularly targeted by state security services, suspected of belonging to an armed group. A group of young men in Masisi said, 'The soldiers annoy us a lot because they arrest the youth from the village claiming that they are military rebels. They come, beat the youth and take their money. They tell the chief that you are armed and then they say that you are part of the armed group APCLS.'⁹⁹

Trying to break the cycle of exclusion

In certain communities, groups such as youth and women fight exclusion by choosing a committee or a leader to try and have their interests represented in order to combat exclusion.

In communities where young people have set up committees or groups, some youth leaders are proving to be channels for successfully negotiating access to officials. In South Kivu, an army commander told Oxfam that 'It's mostly the president of the youth committee that comes to see me to follow up on problems.'¹⁰⁰ These youth representatives can serve as a bridge for young people to be able to bring their concerns to community leaders.¹⁰¹

Women also seek out female leaders from community-level community structures or women's associations to represent their voices. However, these women representatives sometimes find it hard to speak up in committees, and tend to hold little sway in decision making. In one extreme example in South Kivu, Oxfam heard of a woman who used to speak directly to officials about problems in the community. She wasn't afraid to talk to them. But other members of the community did not like her talking to the officials and decided to teach her a lesson. They abducted her. Once she was freed, she had to leave the community; she went to Kinshasa and has never returned to her village.¹⁰²

In conclusion, Oxfam's research indicates that committees that represent young men are relatively successfully at accessing officials. This may be in part due to the potential of young men to take up arms which may lend more weight to their requests to have their protection concerns heard. Other groups who are vulnerable to discrimination face exclusion too, such as disabled people, people with chronic illness, IDPs and widows. Some groups fare better when it comes to accessing power, both state and customary. Older men's status in society means they often – though not always – have a privileged role in influencing customary authorities and in gaining access to gatekeepers in the state.

Women, however, tend to struggle to have their voices heard both by the state and by the community; an elderly woman told Oxfam how her request to set up a women's committee had never received a response from the local community leaders.¹⁰³ So women are limited in their support from both state and customary services when they try to seek justice or file a report in the face of abuse or exploitation. This double exclusion serves to increase women's marginalization and their vulnerability.

6 CONCLUSION AND RECOMMENDATIONS

In the two years since the PSCF was signed, the Government of DRC has begun to consolidate its authority in some parts of eastern DRC. So far this process has been piecemeal at best, and has largely failed to give communities substantially more protection than they had in the past. This failure has left many people feeling alienated from state services, and vulnerable to the continuing violence and extortion that blights so much of eastern DRC.

The challenge to build the authority of the state so that it serves and is accountable to its people is enormous, and will require a long-term commitment on the part of the DRC government and its international partners and donors. Progress will vary across different zones targeted for stabilization. Setbacks will be inevitable. Yet, if the people of eastern DRC are to feel the benefits of 'peace', it is vital to get stabilization right, after the failed stabilization strategies of the past.

Some communities are making progress towards a more peaceful future, particularly those benefitting from state officials who prioritize inclusive access for all community members. But two years since the PSCF was agreed, many communities in eastern DRC should have more to show for that commitment to peace, security and cooperation in DRC. Justice and the rule of law should be established; reconciliation should be taking hold. That is why Oxfam is calling for urgent progress towards the stated goal of the PSCF, 'to put an end to recurring cycles of conflict'.

Concrete progress on the PSCF must happen without delay, by the DRC government, other countries in the region, and the international community. In the immediate term, they must take the first steps at least to ensure that officials are paid, are trained in their roles and responsibilities, and are monitored. In the medium term, they must make communities aware of the roles that officials are already supposed to perform, and make progress on accountability measures so that communities can really claim free and equitable access to the services of their state. No single change will be enough; in the long term, all the following recommendations and more must be delivered by the DRC government and its international partners.

This paper has not addressed the debate about which geographical zones are selected as priorities for stabilization. These recommendations focus on those zones, but any recommendations about improving state services should be rolled out across DRC.

Recommendations for the Government of DRC

To deliver on its commitment to ‘consolidate state authority’, the national government of DRC should:

- Pay state officials, train them in their roles and responsibilities and monitor their implementation of these roles and responsibilities; starting in areas targeted for stabilization, to be implemented by the end of 2015;
- Reinforce and monitor the actions taken in the fight against corruption at all its levels (local, provincial, national) by implementing regulations regarding complaint mechanisms, promoting officials who have clean records and ensuring regular payment of salaries;
- Support research and the implementation of a progressive quota system for women to be appointed as state officials;
- Awareness-raising in communities: engage with customary leaders to increase the acceptance of women officials; support training for the women officials themselves;
- Deliver on the commitment in the PSCF to support economic development, in particular the creation of employment opportunities for young men;
- Elaborate and adopt all the laws which allow decentralization to take place and ensure public services are developed as part of that process to serve the people in a fair and equitable way;
- Appoint accountable, effective state officials who offer their services in a free and equitable manner.

Provincial, territorial and local governments should:

- Prioritize in their budgets the provision of logistical support for state officials to offer services in rural as well as urban areas on a regular basis, as well as in response to specific requests for support from communities that may be at risk in harder-to-reach or more insecure zones;
- Promote access of women, youth and other groups to management and decision making positions within customary structures which are subsumed into the public service;
- Organize training and awareness-raising in communities so that citizens understand the roles and responsibilities of officials, as well as the fact that their services should be provided free of charge; to be started immediately and progressively rolled-out;
- Train local level state officials on human resource and management issues, including promotions, and other issues such as retirement rights.

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

- Allocate budget for reform of the security services and ensure salaries are paid; pass all laws on SSR, as per the PSCF action plan;
- Make urgent improvements to the banking process used to pay the

FARDC, in order to ensure that troops can access their bank accounts across eastern Congo and receive regular salaries. This is underway but blocked by bureaucratic obstacles, which means that some units in the east are not receiving their salaries regularly and are turning to exploitation and abuse of communities;

- Transport salaries to troops on the front where there are no banking services. This requires logistical support for planning and administrative services and requires urgent prioritization as troops are engaged in operations across eastern DRC;
- Implement the commitment in the PSCF action plan published in July 2014 to establish accountability mechanisms for all security services – police, army and intelligence by the end of 2015;
- Tackle the obstacles to implementation of the latest disarmament, demobilization and reintegration programme, known as DDR3, which has not yet been funded, in order to create a credible process which international partners will be willing to invest in. This must take place in the first six months of 2015;
- Reform the training of security forces and ensure that the FARDC get training on:
 - ‘Civic education’ as well as codes of conduct on military and civilian interaction, by the PSCF action plan deadline of the end of 2015;
 - The roles and responsibilities of service provision, including the duty to provide free and equitable services to all;
 - Codes of conduct, international humanitarian law, and international human rights law;
- Establish ‘mixed chamber’ courts – courts that engage a combination of DRC and international experts to hear war crimes – in order to prioritize justice for war crimes in DRC.

Recommendations for parties involved in funding stabilization programmes

The Stabilization Support Unit, donors and implementing NGOs should:

- Advocate for the payment of salaries to FARDC. This is an essential component of the ISSSS focus on security, which aims to extend law and order, and to ‘build trust in the FARDC and change perception of the FARDC.’ Until security forces are paid, exploitative practices committed by certain elements within FARDC (and therefore perceptions of the FARDC) will not change;
- Build awareness within communities on SSR as well as the roles and responsibilities of DRC government officials, using mass media and other communication means such as theatre;
- Implement training of state officials in their roles and responsibilities, as part of its focus on restoration of state authority in order to ensure that communities start to ‘perceive the state and its agents as an enabling presence’;

- Include gender analysis in all pillars of the strategy, particularly regarding return, reintegration and socio-economic recovery. Prioritize projects which challenge norms that exclude women, in order to enable women to gain full access to officials, and for sustainable peace to be built on equitable services;
- Raise awareness in communities on the need to include women amongst state officials, by e.g. engaging with customary leaders to increase the acceptance of and respect for women officials;
- Ensure that women's access to resources receives particular attention in the ISSSS pillar on return, reintegration and socio-economic recovery, in order that the process to support the return of displaced persons and refugees also ensures progress towards long term solutions and improvements for women's rights in the region. Stabilization should ensure women's access to land and other resources is not permanently limited in the returns process;
- Include civil society in the implementation of stabilization: facilitate dialogue on the communities' needs, including youth, women and other potentially excluded groups;
- Seize the opportunity to facilitate public engagement on the PSCF and support the translation of the PSCF into accessible texts in order for the government to be held account on its commitments.

Recommendations for the Great Lakes Envoys

- Convene regular meetings with the international community to ensure they are coordinated and consistent in their support for state consolidation in the DRC, emphasizing the need for inclusivity and accountability of state structures and progress on the PSCF action plan;
- Demand that the government makes progress on the PSCF action plan for DRC and lives up to its commitments in that action plan;
- Promote the inclusion of representatives of women's groups in decision making regarding land reform, particularly in relation to the returns process;
- Demand progress on SSR by the government of DRC, as per its PSCF commitment; demand MONUSCO supports this process.

LIST OF ACRONYMS

- ADF – Allied Democratic Forces
- APCLS – Alliance des Patriotes pour un Congo Libre et Souverain
- DDR – Disarmament, Demobilization and Reintegration
- DRC – Democratic Republic of Congo
- FARDC – *Forces Armées de la République Démocratique du Congo*
- FC – *Francs Congolais* or Congolese Francs
- FDDH – *Force de défense des droits humains*
- FDLR – *Forces Démocratiques pour la Libération du Rwanda*
- FGD – Focus group discussion
- FNL – *Forces nationales de libération*
- FIB – Force Intervention Brigade
- FPC – *Forces populaires congolaises*
- HHI – Harvard Humanitarian Initiative
- ICGLR – International Conference of the Great Lakes
- IDP – Internally Displaced Person
- ISSSS or I4S – International Security and Stabilization Support Strategy
- NK – North Kivu Province
- M23 – March 23 Movement
- MONUSCO – United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
- PNC – *Police Nationale Congolaise*
- PSCF – Peace, Security, and Cooperation Framework
- SADC – The Southern African Development Community
- SK – South Kivu Province
- SSR – Security Sector Reform
- SSU – Stabilization Support Unit
- STAREC – *Le programme de stabilisation et de reconstruction des zones sorties des conflits à l'est de la RDC* (Stabilization and Reconstruction Programme for War-Affected Areas)

NOTES

- ¹ UN Office of the Special Envoy of the Secretary-General for the Great Lakes Region of Africa (2013) 'A Framework of Hope: The Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region', <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/SESG%20Great%20Lakes%20Framework%20of%20Hope.pdf>
- ² The FDLR claim to fight for the liberation of Rwanda from its current regime.
- ³ ICGLR and SADC (2014) 'Second Joint ICGLR-SADC Ministerial Meeting 2 July 2014, Luanda, Republic of Angola: Communiqué', ICGLR and SADC, http://www.mofa.go.ug/files/downloads/Joint%20Communiqué_Second%20Joint%20ICGLR-SADC%20Ministerial%20Meeting.pdf (last accessed 23 January 2015)
- ⁴ UN Security Council Press Release, 8 January 2015, <http://www.un.org/press/en/2015/sc11729.doc.htm> (last accessed 29 January 2015)
- ⁵ Umoja Wetu was the joint Congolese-Rwandan offensive against the FDLR in February 2009; Kimia II was the joint FARDC-MONUC operation launched thereafter. Both military operations caused a lot of civilian harm.

Oxfam (2009) 'Waking the Devil: The impact of forced disarmament on civilians in the kivas', Oxford: Oxfam International, <http://policy-practice.oxfam.org.uk/publications/waking-the-devil-the-impact-of-forced-disarmament-on-civilians-in-the-kivas-115061>
- ⁶ 2nd Situation Update from NGOs on DRC (2009) 'Too much lost, too little gained: The impact of anti-FDLR operations on the situation of civilians in Eastern DRC and what the EU should do about it', http://reliefweb.int/sites/reliefweb.int/files/resources/3D49DCCAD1DC01418525765700763446-Full_Report.pdf (last accessed 11 February 2015).

See also Human Rights Watch (2009) 'DR Congo: Civilian Cost of Military Operation is Unacceptable', <http://www.hrw.org/news/2009/10/12/dr-congo-civilian-cost-military-operation-unacceptable> (last accessed 02 February 2015).
- ⁷ In-depth interview with a local official, Rutshuru, North Kivu, 20 September 2014
- ⁸ FGD with women, Uvira, South Kivu, 31 July 2014.
- ⁹ One example is from FGD men, Kalehe, South Kivu, 8 September 2014. Also mentioned in: UN Group of Experts on the Democratic Republic of the Congo (2014) 'Final Report of the Group of Experts Submitted in Accordance with Paragraph 5 of Security Council Resolution 2078 (2012)', New York: UN Security Council, p.2, <http://www.un.org/sc/committees/1533/egroup.shtml> (last accessed 14 January 2015)
- ¹⁰ FGD with young people, Kalehe, South Kivu, 08 September 2014.
- ¹¹ FGD with women, Masisi, North Kivu, 17 September 2014.
- ¹² The International Alert December 2014 conflict analysis for central Masisi states that the weakness of the security services is a fundamental cause of the persistent insecurity. International Alert (2014) 'Analyse de conflit, zone centre de Masisi, nord-Kivu, R.D. Congo', p.3.
- ¹³ This was also mentioned by the Group of Experts on the Democratic Republic of the Congo. UN Group of Experts on the Democratic Republic of the Congo (2012) *op. cit.* p.2
- ¹⁴ FGD with young people, Kalehe, South Kivu, 8 September 2014.
- ¹⁵ FGD with women, Uvira, South Kivu, 30 July 2014
- ¹⁶ In the DRC, both FC and US dollars are commonly used as currency. As FC notes above 500 FC (equivalent to \$0.55) are hard to come by, anything costing over \$5 is usually paid in US dollars.
- ¹⁷ FGD with women, Rutshuru, North Kivu, 17 September 2014
- ¹⁸ FGD with women, Masisi, North Kivu, 17 September 2014
- ¹⁹ P. Vinck and P.N. Pham (2014) 'Searching for Lasting Peace, Population-Based Survey on Perceptions and Attitudes about Peace, Security and Justice in Eastern Democratic Republic of the Congo', Harvard Humanitarian Initiative, United Nations Development Programme, p. ii, <http://www.peacebuildingdata.org/research/drc/2014-research-results> (last accessed 12 February 2015)
- ²⁰ In-depth interview with a 20-year-old woman, Masisi, North Kivu, 23 September 2014.

- ²¹ The two most recent reports are:
- Oxfam (2014) 'In the Balance, Searching for Protection in Eastern DRC', Oxford: Oxfam International, <http://policy-practice.oxfam.org.uk/publications/in-the-balance-searching-for-protection-in-eastern-drc-311665>
- Oxfam (2012a) 'Commodities of War, Communities Speak Out on the True Cost of Conflict in Eastern DRC', Oxford: Oxfam International, <http://policy-practice.oxfam.org.uk/publications/commodities-of-war-communities-speak-out-on-the-true-cost-of-conflict-in-eastern-drc-252424>
- ²² Stabilization Support Unit (2014) 'Zones prioritaires pour l'analyse de conflit et évaluation de besoins'
- ²³ Stabilization Support Unit (2013) 'International Security and Stabilization Support Strategy 2013-2017', <http://monusco.unmissions.org/LinkClick.aspx?fileticket=UtrATvctRMs%3D&tabid=10825&language=en-US> (last accessed 14 January 2015)
- ²⁴ P. Vinck and P.N. Pham, *op. cit.*, p. ii.
- ²⁵ In South Kivu the research in Uvira included 19 FGDs involving 150 participants and 19 in-depth interviews. The research in Kalehe included 12 FGDs involving 91 people and 16 in-depth interviews. In North Kivu, the research in Masisi included 12 FGDs involving 91 participants and 17 in-depth interviews. In Rutshuru there were 12 FGDs involving 98 participants and 18 in-depth interviews.
- ²⁶ For the purpose of this paper, we define vulnerable people as people with a disability, widows, chronically ill, elderly and so forth who lack a social support network.
- ²⁷ A customary representative, such as a *chef de village*, *chef de groupement*, and *chef de localite*; an administrative official, such as the *administrateur territoire* and the *chef de poste*; a security agent, such as a police or army commander, soldier, or police officer; and an opinion leader, such as a women representative, a religious leader, leader of a grassroots organization, or youth leader.
- ²⁸ Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region (PSCF)
- ²⁹ The ADF is 'a Ugandan-led Islamist rebel group that has been active in Beni territory since 1996'. HRW has asked for further investigation into 'the identity of the attackers and those who support them.'
- Human Rights Watch (2014) 'DR Congo: Scores Killed in Rebel Attacks', www.hrw.org/news/2014/12/16/dr-congo-scores-killed-rebel-attacks (last accessed 23 January 2015).
- ³⁰ ICGLR and SADC, *op. cit.*
- ³¹ Oxfam (2009) *op. cit.*
- ³² 2nd Situation Update from NGOs on DRC (2009) *op. cit.*
- ³³ Oxfam (2014) *op. cit.*
- ³⁴ *Ibid.* p.2.
- ³⁵ Oxfam (2012a) *op. cit.*
- ³⁶ Armed groups active in eastern Congo include NDC Cheka, FDLR, APCLS, Raia Mutumboki, and various Mai-Mai.
- ³⁷ Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region, *op. cit.*
- ³⁸ *Ibid.*
- Ben Sheperd (2014) 'Beyond Crisis in the DRC: The Dilemmas of International Engagement and Sustainable Change', London: Chatham House, p.5.
- International Crisis Group (2014) 'Policy Briefing, Congo: Ending the Status Quo', Nairobi/Brussels: International Crisis Group, <http://www.crisisgroup.org> (last accessed January 2015), p.6.
- ³⁹ Stabilization Support Unit (2013), *op. cit.*
- ⁴⁰ Oxfam (2012b) 'For Me, but Without Me, is Against Me: Why Efforts to Stabilise the Democratic Republic of Congo are Not Working', Oxford: Oxfam International, <http://www.oxfam.org/sites/www.oxfam.org/files/oxfam-lobby-briefing-drc-july2012-for-me-but-without-me.pdf> (last accessed January 2015).
- ⁴¹ Stabilization Support Unit, *op. cit.*, p.19
- ⁴² *Ibid.*
- ⁴³ Stabilization Support Unit (2013), *op. cit.*, pp.28-33.
- ⁴⁴ Stabilization Support Unit (2013), *op. cit.*, p.8.
- ⁴⁵ Ordonnance n. 14/014 du 14 Mai modifiant et complétant l'ordonnance n. 09/051 du 29 Juin 2009 portant institution, organisation et fonctionnement d'un programme de stabilisation et de reconstruction des zones sortant des conflits armés, dénommé « STAREC ».

- ⁴⁶ Stabilization Support Unit (2013), *op. cit.*, p.19.
- ⁴⁷ Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region, *op. cit.*, p.2.
- ⁴⁸ Stabilization Support Unit (2013), *op. cit.*, p.30.
- ⁴⁹ In-depth interview with a PNC commander, Masisi, Nord Kivu, 17 September 2014.
- ⁵⁰ In-depth interview with a local official, Rutshuru, North Kivu, 20 September 2014.
- ⁵¹ International Alert, *op. cit.*, p.3.
- ⁵² FGD with women, Rutshuru, North Kivu, 22 September 2014.
- ⁵³ K. Vlassenroot (2013) 'South Kivu: Identity, Territory, and Power in the Eastern Congo', Nairobi: Rift Valley Institute
- ⁵⁴ FGD with women, Uvira, South Kivu, 31.07.2014
- ⁵⁵ K. Vlassenroot, *op. cit.*
- ⁵⁶ In-depth interview with police (PNC) Commander, Masisi, North Kivu, 17 September 2014
- ⁵⁷ FGD with internally displaced persons (IDPs), Kalehe, South Kivu, 5 September 2014
- ⁵⁸ FGD with women, Kalehe, South Kivu, 9 September 2014
- ⁵⁹ FGD with men, Uvira, South Kivu, 29 July 2014.
- ⁶⁰ Power is often linked to the ability to carry a weapon. Some state officials who do not carry a weapon say that they feel uncomfortable or powerless when discussing protection issues with security service officials who carry weapons. Community members said they feel that the security services are the hardest to approach of all government services because they carry weapons.
- ⁶¹ FGD with women, Masisi, North Kivu, 17 September 2014
- ⁶² Group of Experts Report (2012) *op. cit.*, p.2.
- ⁶³ In-depth interview, local official, Masisi, North Kivu, 17 September 2014
- ⁶⁴ Rachel Sweet describes how one local leader targeted for replacement reportedly collects informal taxes from markets in Beni to send revenue to ADF rebels to limit coercion. R. Sweet (2014) 'Guest Blog: Politics and Business intersect in String of North Kivu Killings', <http://congosiasa.blogspot.com/> (last accessed 17 January 2015).
- ⁶⁵ FGD with women, Kalehe, South Kivu, 9 September 2014
- ⁶⁶ One example is from FGD men, Kalehe, South Kivu, 8 September 2014. Also mentioned by UN Group of Experts on the Democratic Republic of the Congo. Group of Experts Report (2012) *op. cit.*, p.2.
- ⁶⁷ FGD with young people, Kalehe, South Kivu, 8 September 2014
- ⁶⁸ FGD with men, Rutshuru, North Kivu, 16 September 2014
- ⁶⁹ Kalehe and Uvira territories are geographically divided into the plain (*le littoral*), the middle plateau (*les moyens plateaux*) and the high plateau (*les hauts plateaux*).
- ⁷⁰ In-depth interview, local official, Rutshuru, North Kivu, 15 September 2014.
- ⁷¹ International Alert, *op.cit.*, p.3.
- ⁷² Emilie Combaz (2013) 'Gender Dimensions of Conflict Drivers and Stabilization in Eastern DRC, GSDRC Helpdesk Research Report 970', Birmingham: GSDRC, University of Birmingham, p.6.
- ⁷³ In-depth interview, PNC commander, Uvira, South Kivu, 26 July 2014
- ⁷⁴ FGD with men, Uvira, South Kivu, 31 July 2014
- ⁷⁵ In-depth interview, PNC commander, Masisi, North Kivu, 17 September 2014
- ⁷⁶ FGD with women, Uvira, South Kivu, 30 July 2014
- ⁷⁷ FGD with vulnerable people, Masisi, North Kivu 18 September 2014
- ⁷⁸ FGD with women, Masisi, North Kivu, 22 September 2014
- ⁷⁹ FGD with leaders, Uvira, South Kivu, 26 September 2014
- ⁸⁰ FGD with women, Rutshuru, North Kivu, 22 September 2014
- ⁸¹ FGD with men, Uvira, South Kivu, 30 July 2014
- ⁸² FGD with women, Rutshuru, North Kivu, 20 September 2014
- ⁸³ When they were recognized by the constitution under article 207
- ⁸⁴ FGD with vulnerable people, Rutshuru, North Kivu, 18 September 2014
- ⁸⁵ FGD with women, Masisi, North Kivu, 22 September 2014
- ⁸⁶ In North Kivu, exact prices for services were mentioned in seven out of eight villages where Oxfam conducted research. Prices varied between \$2 and \$15. In other cases, payment in kind – such as with a crate of beer – was mentioned.

- ⁸⁷ FGD with returnees, Masisi, North Kivu, 23 September 2014
- ⁸⁸ In-depth interview, Administrative official, Kalehe, South Kivu, 3 September 2014
- ⁸⁹ In-depth interview with a police officer, Uvira, South Kivu, 26 July 2014
- ⁹⁰ P. Englebert, *op. cit.*
- ⁹¹ FGD with women, Masisi, North Kivu, 17 September 2014.
- ⁹² FGD with women, Kalehe, South Kivu, 09 September 2014.
- ⁹³ Oxfam (2012c) 'Protecting Communities in the DRC: Understanding Gender Dynamics and Empowering Women and Men', Oxford: Oxfam GB, <http://policy-practice.oxfam.org.uk/publications/protecting-communities-in-the-drc-understanding-gender-dynamics-and-empowering-247194>
- ⁹⁴ FGD with women, Kalehe, South Kivu, 9 September 2014
- ⁹⁵ FGD with internally displaced persons (IDPs), Masisi, North Kivu, 23 September 2014
- ⁹⁶ One *notable* in Rutshuru is a woman.
- ⁹⁷ FGD with men, Uvira, South Kivu, 30 July 2014
- ⁹⁸ FGD with leaders, Uvira, South Kivu, 30 July 2014
- ⁹⁹ FGD with men, Masisi, North Kivu, 21 September 2014
- ¹⁰⁰ In-depth interview with an army commander, Uvira, South Kivu, 26 July 2014
- ¹⁰¹ FGD with men, Uvira, South Kivu, 26 July 2014
- ¹⁰² FGD with women, Uvira, South Kivu, 26 July 2014
- ¹⁰³ FGD with elderly people, Rutshuru, North Kivu, 22 September 2014

© Oxfam International February 2015

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

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

This publication is copyright but the text may be used free of charge for the purposes of advocacy, campaigning, education, and research, provided that the source is acknowledged in full. The copyright holder requests that all such use be registered with them for impact assessment purposes. For copying in any other circumstances, or for re-use in other publications, or for translation or adaptation, permission must be secured and a fee may be charged. E-mail policyandpractice@oxfam.org.uk.

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

Published by Oxfam GB for Oxfam International under ISBN 978-1-78077-809-9 in February 2015. Oxfam GB, Oxfam House, John Smith Drive, Cowley, Oxford, OX4 2JY, UK.

OXFAM

Oxfam is an international confederation of 17 organizations networked together in more than 90 countries, as part of a global movement for change, to build a future free from the injustice of poverty:

Oxfam America (www.oxfamamerica.org)
Oxfam Australia (www.oxfam.org.au)
Oxfam-in-Belgium (www.oxfamsol.be)
Oxfam Canada (www.oxfam.ca)
Oxfam France (www.oxfamfrance.org)
Oxfam Germany (www.oxfam.de)
Oxfam GB (www.oxfam.org.uk)
Oxfam Hong Kong (www.oxfam.org.hk)
Oxfam India (www.oxfamindia.org)
Oxfam Intermón (Spain) (www.oxfamintermon.org)
Oxfam Ireland (www.oxfamireland.org)
Oxfam Italy (www.oxfamitalia.org)
Oxfam Japan (www.oxfam.jp)
Oxfam Mexico (www.oxfammexico.org)
Oxfam New Zealand (www.oxfam.org.nz)
Oxfam Novib (Netherlands) (www.oxfamnovib.nl)
Oxfam Québec (www.oxfam.qc.ca)

Please write to any of the agencies for further information, or visit www.oxfam.org.

www.oxfam.org



OXFAM