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DEMOCRATIC REPUBLIC OF THE CONGO: STEP
FORWARD OF THE UN IN THE GREAT LAKES

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NEW INTERVENTION BRIGADE IN THE DEMOCRATIC REPUBLIC OF THE CONGO: STEP FORWARD OF THE UN IN THE GREAT LAKES

Abstract:

Approving the Resolution 2098, the Security Council of the United Nations has decided to deploy a new intervention brigade in the Democratic Republic of the Congo. Transferring offensive capabilities that exceed the legitimate self-defense, the purpose of the Security Council is that the new international force contributes to neutralize the M23 and other rebel armed groups which remain active in that country. It is the first time that a mission with these characteristics has been approved in the framework of the United Nations.

Keywords:

Democratic Republic of the Congo, M23, Security Council, Great lakes, Rwanda, Uganda, armed conflict, rebel movement.

INTRODUCTION

With news coming from the Democratic Republic of Congo, we have been able to see again that it is a country belonging to a region which, unfortunately for its inhabitants, has been associated for decades with conflict, with the fiercest violence among groups of citizens against other groups. In fact, in the region bordering Rwanda there was the highest number of victims in a conflagration, after World War II. In 1994, the genocide in Rwanda took place, and lasted for the rest of the 1990s, adding also tension and violence to the turn of the century. It is estimated that between 1998 and 2004, about four million people were killed in massacres that were perpetrated even in fields in which the population had tried to find refuge, they were mostly Hutu, who was fleeing from the ethnic violence in Rwanda.

We are still living the consequences of those terrible years in the Great Lakes region. One of its most recent episodes took place with the uprising of the M23 rebel movement, in North Kivu and the rest of the eastern provinces of the Democratic Republic of Congo.

RESOLUTION 2098: THE SECURITY COUNCIL TAKES THE INITIATIVE

On 29 March, the unanimity of the U.N. Security Council endorsed the deployment of the first brigade with such characteristics that has been authorized in the history of the multilateral organization. This decision is intended to curb the "recurring cycles of violence" affecting the eastern Democratic Republic of Congo. With the aim of addressing, at a later stage, the root causes that prevent a final resolution to the conflict.

Also, through the adoption of the Resolution 2098¹, the Security Council established the creation of the quota that, in principle, will be composed by troops from Tanzania, Malawi and South Africa.

The main novelty of this brigade is that it has been provided with offensive capabilities. Therefore, it won't be a mere peacekeeping force, deployed for the sole purpose of maintaining peace or deterring the use of weapons by the contestants. This time, the military unit must neutralize the insurgent, Congolese and foreign movements, that are maintaining the conflict open, in a constant confrontation with the authorities of Kinshasa. To do this, they will need to take the initiative in the combat, and attack the rebel positions whenever it is considered that they are committing further violations of human rights and actions contrary to the international law.

¹ For the full text of the Resolution on:

<http://www.un.org/es/comun/docs/?symbol=S/RES/2098>. Consulted on 7 May 2013.

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Based in the city of Goma, assaulted by the M23 rebels last December, it will consist of 3,000 men. The unit will depend organically on the Command of the MONUSCO (United Nations Stabilization Mission in the Democratic Republic of Congo)². The colonel of the Tanzanian army who will initially command the contingent, has recently reached Goma, the capital of the convulsed province of Kivu. However, a spokesman of the Mission recognized that it cannot be clearly defined yet what date the quota will be deployed and equipped. He also added that there should be a period of adaptation to the terrain and to the circumstances of the region in which the intervention will take place, a circumstance that prolongs the effectiveness of the action taken by the Security Council³.

Goma is impatiently awaiting the arrival of three infantry and on cavalry battalions, and of the reconnaissance company, the units that will be integrated in the force that may become a reference of the international troops in the Democratic Republic of Congo. The commanders may act either on their own initiative, or in coordinated operations with the Congolese Army.

Thus, the Security Council aims to underpin the peacekeeping operations carried out by the MONUSCO (United Nations Organization Stabilization Mission in the Democratic Republic of the Congo). Even if the mission was already authorized to undertake offensive actions, beyond self-defense, this was not its main priority, as in the case of the brigade intervention⁴.

No previous force deployed by the UN had as the main goal taking the initiative in attack actions against any of the parties involved in an armed conflict. In a sense, the Resolution 2098 means recognizing that, so far, the presence of the 17,000 troops that compose the MONUSCO has not been enough to prevent the escalation of violence over the past months, neither to deter the contenders threatening the life and properties of civilians. The reactivation of the M23 and the splinter groups of the movement, such as the rebellious Mai-Mai in the Katanga region, have led the country to an extreme situation again.

² <http://www.un.org/es/peacekeeping/missions/monusco/>

³ See the document published by The Guardian. <http://www.guardian.co.uk/world/2013/may/05/m23-rebels-drc-un-force>. Consulted on 7 May 2013.

⁴ Blyth, Fiona: "Too Risk-Averse, UN Peacekeepers in the DRC get new mandates and more challenges". The Global Observatory, 10 April 2013. Available on: <http://theglobalobservatory.org/analysis/475-too-risk-averse-un-peacekeepers-in-the-drc-get-new-mandate-and-more-challenges.html>. Consulted on 5 May 2013.

FROM THE MAINTENANCE TO THE IMPOSITION OF PEACE

Resolution 2098 is based on a principle set out in Chapter VII of the UN Charter, Article 42⁵. In particular, the so-called Peace Enforcement, which leaves open the possibility of adopting measures of force. However, they can only be approved by decision of the Security Council, once it has been verified that from the peace initiatives implemented to mediate in a conflict no satisfactory results have been extracted.

As Pilar Pozo points out, the concept of collective security in the UN Charter has evolved, from an originally military conception towards a more comprehensive idea, where individual rights and freedoms are emphasized, as well as the right and freedoms of peoples. Human security is one of the most obvious manifestations of this conceptual transformation. Similarly, as among other authors also noted Pozo⁶, many actual risks and threats to security have a global dimension, involving many actors, with a sphere of national, regional or multilateral action.

These risks and threats far outweigh the initial definition reflected in the Chapter VII: "any event or process that leads to large-scale death or lessening of life chances and that undermines the role of the States as the basic unit of the international system".⁷

The so-called "Brahimi Report", which was written in the late 90s, at the request of the Secretary-General, contains the main conclusions of the new paradigm for the prevention and resolution of conflicts, and peacekeeping and consolidation of peace⁸.

The document refers to some of the main problems that have been experienced during the development of MONUSCO, and that may equally affect the deployment of the intervention brigade in the Democratic Republic of Congo: the effectiveness and the resources available to carry out with guarantees the entrusted missions.

From large sections of international opinion, the presence of the UN troops in that complex and impoverished African country is described as a failure. Considering especially that the

⁵ For the full text of the Chapter VII:

<https://www.un.org/spanish/aboutun/charter.htm#Cap7>. Consulted on 7 May 2013.

⁶ See Pozo Serrano, Pilar. "The Charter of the United Nations and the legal framework relating to the use of force: some current problems of interpretation". Journal of the Spanish Institute for Strategic Studies, Vol. 1, nº 1. June 2012. Pending publication.

⁷ United Nations A/59/565, 2 December 2004, p. 12.

⁸ Refer to <http://www.un.org/es/events/peacekeeping60/60years.shtml>. Consulted on 7 May 2013.

main goal of these peace-keeping missions is to protect the civilians, who are very vulnerable when violence breaks out and becomes a target for all the warring factions. In this respect, the statements of a South African soldier who participated in the combat against the M23 illustrate the situation the country is experiencing. In the statements made to various media in his country, the military claimed that they faced battalions composed entirely of children, who called their mothers when they were injured in the clashes.

UNCERTAINTY IN THE NEW MISSION

From the perspective of efficiency, the intervention brigade continues generating some doubts.

First of all, the logistical difficulties that have slowed the deployment have already been mentioned. The troops from Malawi, Tanzania and South Africa have not yet been moved to the scenario of the conflict, nor the weapons nor the artillery pieces that will be available to the quota.

But decisions of this magnitude need some time, and are subjected to previously imposed deadlines. That is, the ability to surprise is lost, due to an early announce of the approximate date of deployment, and the immediacy in action is also lost. This represents a major drawback, which can weigh down the good intentions of the Security Council, and timely decision to take a step forward in the resolution of conflicts. It is likely that, in situations such as those in the Democratic Republic of Congo, the intervention brigade has to act as a supporting force of the national army.

Meanwhile, Colonel Kazarama, one of the rebel leaders of the M23 movement ensures that his men are receiving training to prepare attacks to the new brigade when it is deployed in Kivu. The ambushes and other tactics of guerrilla warfare, based on their knowledge of the terrain and on the control they have over part of the territory, will be the resources that the armed groups who revolted against Joseph Kabila will have. And they do not seem to be minor advantages over the international force.

It is clear that, if almost 20,000 troops have failed to neutralize rebel militias, the 3,000 that will arrive soon must work hard to meet the target entrusted.

An added problem for the command of the MONUSCO, when the intervention brigade enters into action, is the position of the neighboring countries involved in the conflict, especially Rwanda and Uganda. If the governments of Kigali and Kampala decide to continue supporting the Congolese rebels, the resolution of the conflict will be not easy, because of

two reasons: the first one is that the rebels will have arms and financing to continue facing the Congolese army and the international troops. This was exactly what happened during late last year. Then, the M23 was reinforced with weapons supplied by those two countries, according to the findings of a report prepared by the United Nations⁹. The document provoked an irate reaction of the governments accused of rearming the Congolese rebels, to the extent that Uganda threatened to withdraw its troops from the international peacekeeping mission in Somalia. The second reason is the impact that the conflict will have on the civilian population, especially in the area which remains under the direct control of the rebels. The residents, who have not fled yet, fear reprisals and attacks from the M23, as the new brigade enters into action. The impact on the security and the stability of a region suffering from violence, hunger and extreme poverty must also be added.

CONCLUSIONS

The A-side of the story, in its most optimistic version, is the one which gives us Mary Robinson, the newly appointed UN High Representative for the Great Lakes region. In some statements she made this week, during a videoconference broadcasted to the members of the Security Council, said: "We are at a point that represents a new opportunity for peace (...) There is a real chance to overcome the root causes that cause conflict, for the good of all".¹⁰ She warned, however, the negative consequences that a new failure of the efforts carried out by the international community to resolve the conflict would have.

Let us hope that the slight progress in that country, pointed out by Robinson and the Secretary-General of the UN in its latest report¹¹, will make all parties involved in the new mission to be more aware of the importance that the success of the Resolution 2098 acquired for the Democratic Republic of Congo and the entire African continent.

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⁹ See Bolaños Martínez, Jorge. "The threat of open war in the Congo and the New plan for peace and security in the South of the Great Lakes". Available on:
http://www.ieeee.es/Galerias/ficheros/docs_informativos/2012/DIEEEI73-2012_NuevoPlanSeg_SurGrandesLagos_JBM.pdf. Consulted on 7 May 2013.

¹⁰ See <http://www.un.org/apps/news/story.asp?NewsID=44836&Cr=democratic&Cr1=congo>. Consulted on 7 May 2013.

¹¹ Refer to <http://www.un.org/es/peacekeeping/missions/monusco/reports.shtml>