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The End of an Era? Embedding MONUSCO's Withdrawal in the Current State of UN Peace Operations

1. Where are UN peace operations currently at?

When the United Nations was founded after the Second World War, UN peacekeeping missions as we have seen in recent decades were not laid out in the UN charter. For example, the UN Security Council can adopt binding resolutions that can be used, with or without coercive measures, to resolve conflicts and maintain international security and peace but UN peacekeeping missions were first established at the initiative of various senior figures in the UN system, including the second UN Secretary-General, Dag Hammarskjöld.

Early missions such as the UN Truce Supervision Organization (UNTSO, 1948-present), the UN Military Observer Group in India and Pakistan (UNMOGIP, 1949-present), or the UN Emergency Force (UNEF I, 1956-1967) were and are missions to monitor ceasefire agreements or peace agreements. The UN Operation in the Congo (ONUC, 1960-1964) is a dramatic exception, as the mission, with nearly 20,000 troops and air force, was tasked with assisting government in the decolonization process to ensure that a mineral-rich region, Katanaga, supported by Belgium, did not secede from the young Republic of the Congo as favored by the former colonial power.

In the 1990s, the organization of peacekeeping missions took a significant turn. The experience with the genocide in Rwanda, which the United Nations Assistance Mission for Rwanda (UNAMIR) was unable to prevent due to a lack of personnel, or the experience of the UN Protection Force (UNPROFOR) in Bosnia, which was unable to recognize any clear possibility of intervening in the dynamics of violence due to unclear rules of engagement for peacekeepers when the genocide took its course. The events in the presence of UNAMIR and UNPROFOR led to extreme pressure for reform within the UN as to how peacekeeping should be changed in the future in order to prevent such horrors from happening again.

Among other things, a high-level panel chaired by Lakhdar Brahimi suggested that peacekeeping missions should be provided with more resources and given more options for the use of armed force to protect civilians.[1] This so-called Brahimi Report of 2000 and its recommendations were followed by a series of further reform proposals, such as the so-called Capstone Doctrine (2008)[2] the HIPPO Report (2015)[3], the Cruz Report (2017)[4], and the initiatives Action for Peacekeeping (A4P, 2018)[5] and Our Common Agenda (2021).[6] A comprehensive evaluation with further reform proposals will also be presented by the former head of the UN stabilization mission in Mali, El Ghassim Wane, at a Peacekeeping Ministerial in Berlin in May 2025.

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1 UN General Assembly/UN Security Council (2000): Report of the Panel on United Nations Peace Operations (A /55/305– S /2000/809). https://peacekeeping.un.org/en/brahimi-report-0 [25.11.2024].

2 UN Department of Peacekeeping Operations/UN Department of Field Support (2008): United Nations Peacekeeping Operations. Principles and Guidelines. https://police.un.org/en/united-nations-peace-operations-principles-and-guidelines-capstone-doctrine [25.11.2024].

3 UN General Assembly/United Nations Security Council (2015): Report of the High-level Independent Panel on Peace Operations on uniting our strengths for peace: politics, partnership and people (A/70/95–S/2015/446*). https://www.globalr2p.org/resources/report-of-the-high-level-independent-panel-on-peace-operations-on-uniting-our-strengths-for-peace-politics-partnership-and-people/ [25.11.2024].

4 Cusimano, S.; Dos Santos Cruz, C. A. & Philips, W. R. (2017): Improving Security of United Nations Peacekeepers. We need to change the way we are doing business. https://peacekeeping.un.org/sites/default/files/improving_security_of_united_nations_peacekeepers_report.pdf [25.11.2024].

5 UN Peacekeeping (2024): Action for Peacekeeping.https://peacekeeping.un.org/en/action-for-peacekeeping-a4p [25.11.2024].

6 UN (2024): Our Common Agenda. https://www.un.org/en/common-agenda [25.11.2024].

Soon after the Brahimi Report, UN peacekeeping missions were significantly larger and equipped with more budget and personnel in order to prevent situations such as those in Rwanda and Bosnia and Herzegovina from arising again in the future. This became particularly observable when the UN mission in the DR Congo (MONUC, 1999-2010), the mission in Côte d'Ivoire (UNOCI, 2004-2017), in Liberia (UNMIL, 2003-2018) and in Haiti (MINUSTAH, 2004-2018) increased their personnel. This increased resourcing but also militarization of peace operations became apparent at the latest with the re-mandating of missions from 2010 and extremely comprehensive tasks (so-called christmas tree mandates) - for example in MONUSCO (2010-present), UNMISS (2011-present), MINUSMA (2013-2023), as well as MINUSCA (2014-present).

2. The history of UN engagement in the DR Congo

As mentioned briefly at the beginning, the UN was active in what is now the DR Congo soon after it was founded - initially with the ONUC mission. This was also the first UN peacekeeping mission with a specific combat mission, which was completely new territory for the young world organization at the time. After ONUC, the DR Congo was dictatorially ruled by Mobutu Sese Seko for almost 30 years. However, as he grew older and frailer, his power base crumbled and the genocide in neighboring Rwanda led to an exodus of the Hutu population, who came under general suspicion of being genocide perpetrators after the genocide against the Tutsi. Rwanda suspected many so-called *ancien génocidaire* in the refugee camps in the eastern DR Congo and saw Mobutu's handling of this situation as fatal. In 1996, Rwanda attacked the DR Congo together with Uganda and supported the rebel leader Laurent Kabila in overthrowing the Mobutu government, which he succeeded in doing in 1997. However, Laurent Kabila, the new president of the DR Congo, increasingly came into conflict with Rwanda and Uganda, who again attacked the country, this time with various African states supporting the Kabila government. This second Congo war lasted from 1998 to 2003, with Laurent Kabila being assassinated by a bodyguard in 2001 and his son, Joseph Kabila, succeeding him in office.[7] At the end of the second Congo war, various agreements were negotiated to end the fighting and establish a peaceful order. Namely the so-called Lusaka Ceasefire Agreement (1999) and the Sun City Agreement (2003), which stipulated that Kabila could remain president as long as Jean-Pierre Bemba, leader of the rebel group MLC, which was mainly supported by Uganda, would become prime minister. In addition, the Pretoria Accord (2003) stipulated that Ugandan and Rwandan troops would leave the DR Congo.

As the peace process progressed, the UN mission in the DR Congo was established as MONUC in 1999 to monitor the Lusaka Ceasefire Agreement and the withdrawal of troops. The mission was initially provided with 500 military observers. However, the number of personnel and the mission's budget were soon increased significantly as it became clear that rebel groups would continue to pose a major threat to the stability of the country and the security of the civilian population. Under the still very fresh and painful impression of the developments in UNAMIR and UNPROFOR, MONUC was then given the task of supporting the Transitional Government in 2003, and in 2005 the mission was also given the specific task of protecting civilians. MONUC also carried out independent operations against rebel groups, for example against the Islamist group Allied Democratic Forces (ADF).

Another problem in the DRC is that one of the largest rebel groups, the FDLR, is largely recruited from Rwandan Hutu. An aditional large rebel group, the CNDP, was supported by Rwanda to fight against the FDLR and, from their perspective, to protect the Tutsi in the DR Congo. However, the CNDP usually did not act as protectors of the population and over time was able to take control of large parts of eastern DR Congo. In 2008, the so-

7 Onishi, N. (2001): Glimpse of New President as Joseph Kabila Takes Oath in Congo. https://www.nytimes.com/2001/01/27/world/glimpse-of-new-president-as-joseph-kabila-takes-oath-in-congo.html [25.11.2024].

UN Peacekeepers Stand Guard over Congolese Towns at Centre of Conflict.[8]

called Goma Peace Talks led to the CNDP being integrated into the Congolese army (FARDC) in 2009, although it maintained parallel command structures as a rebel group and its commanders insisted that they would continue to be deployed only in the east of the DR Congo and would otherwise disband the integration.

Joseph Kabila emerged victorious from the 2006 presidential elections and was therefore able to run for another term as president. This also led to a situation in which, by 2009 at the latest, Kabila was also looking ahead to the next presidential elections in 2011 and feared losing support if the DRC, 50 years after its independence, was still dependent on international support on such a large scale. The sole presence of MONUC had thus become unacceptable to him, among other factors, and he demanded that the UN withdraw the mission. UN peacekeeping missions generally depend on the consent of the government of the host country, so the UN would have to comply with this request. UN Secretary-General Ban Ki-moon tried to convince Kabila to continue to tolerate the mission. In the end, it was agreed to rename the mission, equip it with more forces and add the word „stabilization" to the name, so that MONUC became the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO).

3. MONUSCO under constant pressure

However, the challenges facing the DRC and the UN mission have not necessarily diminished in the meantime. When a mutiny took place in the CNDP soon after the renaming of the mission, part of the group split off and renamed itself after the date on which the group had, fatally from its perspective, agreed to be integrated into the FARDC. The new rebel group Mouvement du 23-Mars (M23) mana-

8 Credit: UN Photo/Sylvain Liechti

MONUSCO Peacekeepers on Patrol in Kitchanga.[9]

ged to conquer large parts of the eastern provinces of the DRC, North Kivu and South Kivu, in a very short time. Backed by UN investigations, the Rwandan government was (and is) accused of not only supporting the M23, but also of using it as a proxy in the DRC to illegally smuggle valuable minerals from the eastern DRC to Rwanda. The conquest of the provincial capital Goma in 2012 marked a turning point in this development. Because MONUSCO was unable to prevent the conquest of areas and Goma by the M23, alternatives were quickly sought to push back the rebel group and prevent even greater mass atrocities than the violence that was already taking place.

The Southern African Development Community (SADC) quickly declared that it would be prepared to put together its own combat-ready intervention force to fight the M23 and deploy it to the DR Congo. The UN was skeptical about the parallel deployment, which would also raise operational questions as to which mission would be responsible for what in the future. Instead, it was agreed to put together a brigade that would be funded by the UN, staffed by a total of 3,000 soldiers from the SADC and attached to MONUSCO - the so-called Force Intervention Brigade (FIB). Under time pressure, the FIB was then deployed to the DRC, where it succeeded in driving the M23 out of Goma and effectively pushing back the rebel group as a whole.

Despite this success against the M23, well over 100 rebel groups remain active in the DRC to this day, some fighting against the government, some fighting among themselves and differing significantly in structure and size.[10] In addition, over the years up to the present day, more and more ci-

9 Credit: UN Photo/Michael Ali

10 Human Rights Watch (2023): DR Congo: Killings, Rapes by Rwanda-Backed M23 Rebels. Rebels' Incursions Exacerbate Humanitarian Crisis in East. https://www.hrw.org/news/2023/06/13/dr-congo-killings-rapes-rwanda-backed-m23-rebels [25.11.2024].

vilians have become targets of violence by rebel groups as well as by the Congolese army and national police themselves.[11] Smaller and larger rebel groups still occupy a significant part of the eastern provinces of North Kivu, South Kivu and Ituri. Both the army and the police are not perceived as a protective force in large parts of the DRC, which makes further implementation of a security sector reform essential.[12] However, demonstrations were also often directed against MONUSCO itself, which was accused of not intervening when violence was used against civilians and even of actively supporting human rights violations by supporting the FARDC. The situation remains extremely tense, as it has been for years, and internally displaced persons (IDPs) in the territory of the DRC have little prospect of returning to their homes. In total, today there are 7.2 million internally displaced persons in the DRC in 2024.[13]

After Joseph Kabila won the presidential elections again in 2011, he also reached the limits of his constitutional ability to stand for election again. However, Kabila left this option completely open for the 2016 elections, which led to massive protests against him, which were often violently dispersed. Only protracted negotiations led to the so-called Saint-Sylvestre Agreement on December 31, 2016, which stipulated that Kabila would not run again and that presidential elections would take place in December 2017. When the elections finally took place, Kabila did not run as promised and Felix Tshisekedi was elected as his successor. However, the back and forth regarding the presidential election became a constant source of un-

Under-Secretary-General for Peace Operations Visits IDP Camp in Democratic Republic of Congo.[14]

11 MONUSCO (2020): Report on violations of human rights and international humanitarian law by the Allied Democratic Forces armed group and by members of the defense and security forces in Beni territory, North Kivu province and Irumu and Mambasa territories, Ituri province, between 1 January 2019 and 31 January 2020. https://www.ohchr.org/sites/default/files/Documents/Countries/CD/ADF_EN.pdf [25.11.2024].

12 United Nations/UNHCHR (2020): 1,300 civilians killed in the DRC in past eight months – Bachelet. https://www.ohchr.org/en/press-releases/2020/06/1300-civilians-killed-drc-past-eight-months-bachelet [25.11.2024].

13 UNHCR (2024): Democratic Republic of the Congo. https://reporting.unhcr.org/operational/operations/democratic-republic-congo [25.11.2024].

14 Credit: UN Photo/Eskinder Debebe

certainty for the civilian population, political actors and MONUSCO at the time.[15]

The DRC also lacks an effective justice system. This is also due to the fact that many of the more remote regions can hardly be reached by vehicle. One of MONUSCO's initiatives in this regard was the establishment and further support of ‚mobile courts', which followed the principle that the administration of justice does not necessarily require a large building. Judicial staff, security personnel, documents and electronic devices were brought to various remote towns in order to conduct trials. Some of these cases concerned local disputes, but some also involved crimes committed by rebel groups. The aim of these courts is still to restore the population's trust in state institutions, which has been successful so far.

A major problem that has been discovered in MONUC and continues to haunt MONUSCO is that peacekeepers and humanitarian personnel of the mission are regularly accused of being involved in sexual exploitation and abuse of the civilian population. The prosecution of such misconduct (e.g. transactional sex) and crimes (e.g. rape) is extremely difficult for a UN mission because it cannot invoke military justice for its own personnel. This remains the responsibility of the states that send the personnel - but in most cases these cannot conduct own investigations in the country of deployment.[16] In many cases, however, the UN Office of Internal Oversight Services (OIOS) has been able to prove that mission personnel were actually involved in such offenses. In the course of this, a zero-tolerance policy towards sexual exploitation and abuse was introduced, as well as some other measures, such as special training sessions, but one of the few tools available to the mission to curb this problem remains the repatriation of personnel who can be proven to have committed such offenses.[17]

4. Leaving the DR Congo – but why and how?

The reasons why the DRC government once again wants MONUSCO to leave the country are obvious - but also not. The mission has always struggled to fulfill its ambitious mandate, for example to comprehensively protect civilians from violence, restore state authority and support judicial and security reform to a satisfactory state. On the UN side, the question also arises as to how long MONUSCO would have to remain in the country in order to fulfill its mandate and whether this is possible at all. Of course, the fact that the mission costs an annual budget of around $1,000,000,000 for most of its existence as MONUSCO and that mission personnel are permanently in a dangerous situation is also a matter of consideration. That the M23 was able to attack cities again in 2022, continues to be heavily supported by Rwanda,[18] and committing a massacre in the city of Kishishe in North Kivu in which at least 131 civilians were killed also called into question the ability of the Congolese army and MONUSCO to protect civilians.[19] The DRC's problems are manifold and rooted in political, socio-economic, geographical and demographic causes that MONUSCO alone will not be able to solve. Even though the DRC government cannot offer a solution as to how its policies and security forces can solve the existing problems and the relationship with the Rwandan government is extremely tense, the government wishes to be on its own in solving these issues.

However, the withdrawal of MONUSCO will not be as spontaneous and unplanned as was recently the case for MINUSMA in Mali, but rather represent a model example of the gradual dismantling of a UN mission. Consultations between MONUSCO and the government and authorities at national, regional and local level take place on an ongoing basis in order to plan the withdrawal. To this end, there

15 International Crisis Group (2017): Time for Concerted Action in DR Congo. https://www.crisisgroup.org/africa/central-africa/democratic-republic-congo/257-time-concerted-action-dr-congo [25.11.2024].

16 Teiner, D. (2024): Persistent Practices? Understanding Continuity and Change in SRSGs' Leadership of UN Peace Operations. International Peacekeeping, online first: https://doi.org/10.1080/13533312.2024.2383584

17 UN News (2024): Sexual exploitation and abuse. UN intensifying efforts to uphold victims' rights. https://news.un.org/en/story/2024/03/1148016 [25.11.2024].

18 UN Meetings Coverage and Press Releases (2024): Military Group's Expansion in Democratic Republic of Congo 'Carries Very Real Risk of Provoking Wider Regional Conflict', Mission Head Tells Security Council. https://press.un.org/en/2024/sc15760.doc.htm [25.11.2024].

19 Reuters (2022): U.N. says M23 rebels killed at least 131 in Congo reprisal killings. https://www.reuters.com/world/africa/un-says-m23-rebels-killed-least-131-congo-reprisal-killings-2022-12-08/ [25.11.2024].

is a three-phase disengagement plan in which the mission's personnel and budget are gradually reduced and MONUSCO military bases are successively closed and handed over to the Congolese army. In October 2023, for example, the MONUSCO base in Lubero, North Kivu was closed[20] and in April 2024 the MONUSCO base in Bukavu, the provincial capital of South Kivu.[21]

5. Where to from here?

A fundamental element in mandating MONUSCO's protection mission, as in other UN peace operations, was that the state security forces are primarily responsible for ensuring that the civilian population is not subjected to violence. However, as the national police and military often used violence against the civilian population themselves, MONUSCO was the only one to turn to in the eyes of the population. With the withdrawal of MONUSCO, the continuing inadequacies of the national security forces will become even more apparent than they already are. But perhaps this circumstance will finally lead to a substantial security sector reform - that will depend on the political will in Kinshasa. It will also depend on the government how the political relationship with Rwanda develops. If violence in the DRC is to be reduced and the country is to become economically stable, Rwanda's role in this must be addressed and dealt with politically. However, recent statements by President Tshisekedi point more towards a confrontational stance, which is probably not suitable for reducing the political tensions between the two governments.[22]

Over the years, MONUSCO has also played an important role in organizing logistics and transporting a wide range of goods to remote regions. This includes, for example, logistical support for national elections where rural communities might otherwise be excluded, which would significantly diminish the legitimacy of the elections. The DRC has also experienced two Ebola outbreaks during MONUSCO's time, during which the mission brought urgently needed medical equipment to rural areas and appointed an Ebola Emergency Response Coordinator to manage the situation. The future will show how the DRC government can deal with these challenges, even if there are not sufficient capacities that have been created in these areas by the state in recent years, which would be able to compensate for the loss of MONUSCO's support.

For the UN and its peacekeeping missions, the withdrawal of MONUSCO is another milestone after the withdrawal of MINUSMA in 2023.[23] The outcome is mixed: although the mission was not able to fulfill its mandate in full, it did bring significant relief to the people of the DRC. MONUSCO has been able to prevent a lot of violence over the years, albeit not as comprehensively as it would have liked. Without MONUSCO and the FIB, the situation in Goma in 2012 could have been much worse than it already was, and the flying tribunals have given many people the prospect of finding justice for crimes against themselves and their relatives. These are just highlights alongside years of continuous struggle to improve the security and living conditions of the people in the DRC and to stabilize the country.

Since the establishment of MINUSCA in 2014, UN peace operations have no longer been set up in this format - partly due to accusations of the militarization of peace operations, problems in fulfilling christmas tree mandates and a lack of exit plans. At the moment, there are many indications that peace operations will be smaller again in the future, established with a more specific mandate and probably not deployed directly in armed conflicts, but only once a political peace process has begun through mediation efforts, for example, or a

20 MONUSCO (2023): North Kivu: MONUSCO announces the closure of the Lubero base. https://monusco.unmissions.org/en/north-kivu-monusco-announces-closure-lubero-base [25.11.2024].

21 Aljazeera (2024): UN peacekeepers close base in preparation to leave DR Congo. The UN mission has been told to leave due to inefficiency in protecting civilians from armed conflict. https://www.aljazeera.com/news/2024/4/26/un-peacekeepers-close-base-in-preparation-to-leave-dr-congo [25.11.2024].

22 BBC (2023): DR Congo President Tshisekedi compares Rwanda counterpart Kagame to Hitler. https://www.bbc.com/news/world-africa-67669187 [25.11.2024].

23 Teiner, D. (2024): Das deutsche Engagement in der internationalen Krisenbewältigung vor vielfältigen Herausforderungen. https://ubt.opus.hbz-nrw.de/frontdoor/index/index/docId/2184 [25.11.2024].

ceasefire or even a peace agreement is in force that a UN mission can support. Protecting civilians in armed conflicts is an ambitious goal, but one that is extremely difficult to achieve. However, if the UN Security Council decides in future to no longer send missions to conflicts in which civilians are acutely threatened by rampant violence, this will also be an unsatisfactory state of affairs.

There are also plans to transfer more responsibility for setting up peace operations to regional organizations such as the African Union (AU), which would then receive financial support from the UN, for example.[24] This may be an option for the African continent, as the AU already has experience with a number of peace missions. For Asia and South America, however, there is no comparable regional organization that would be prepared to set up larger peace operations. Whether the EU would be prepared to set up peace operations like the UN or AU is also an open question.

24 Belay, T.; Chen, E.; Dessu, M. K./Liaga, E. & Yohannes, D. (2024): A New Approach to United Nations Peace Operations: Pathways for Demand-Driven Interventions. https://s42831.pcdn.co/wp-content/uploads/2024/02/A-New-Approach-to-United-Nations-Peace-Operations-February-2024.pdf [25.11.2024].