

The Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region

First Progress Report

Final

19 September 2014

Table of Contents

List of Abbreviations.....	ii
Executive Summary.....	iii
A. Findings.....	iii
Overview of the implementation of the 15 priority activities under the regional Plan of Action.....	iv
B. Key Recommendations.....	vi
1.0 Introduction.....	1
1.1 The First Progress Report.....	2
1.2 Methodology.....	2
2.0 Content and Structures of the PSC Framework.....	3
2.1 The Regional Oversight Mechanism and the Technical Support Committee.....	4
2.2 The Role of the Special Envoy.....	4
2.3 Programmatic aspects of the implementation of the PSC Framework.....	6
2.4 Overall Achievements and Challenges of the PSC Framework.....	6
2.4.1 Achievements.....	6
2.4.2 Challenges.....	7
3.0 Commitments for the Region: Monitoring the implementation of the 15 priority activities.....	10
3.1 Commitment 1: Not to Interfere in the Internal Affairs of Neighbouring Countries.....	10
3.1.1 Strengthening the Capacity of EJVM and JIFC.....	10
3.1.1.1 Expanded Joint Verification Mechanism.....	10
3.1.1.2 Joint Intelligence Fusion Centre.....	11
3.1.2 Following up the implementation of the Nairobi Declarations.....	12
3.1.3 Tracking the ICGLR Protocol on Non-Aggression and Mutual Defence in the Region.....	13
3.1.4 Establishing the Women’s Platform for the PSC Framework.....	13
3.1.5 Engagement of Civil society.....	14
3.2 Commitment 2: To neither tolerate nor provide assistance or support of any kind to armed groups.....	15
3.2.1 Implementing the DRC National DDR Plan.....	15
3.2.2 MONUSCO/FIB Support to FARDC.....	15
3.2.3 Prevent Assistance to Entities/Individuals that Could Destabilize Neighbours.....	17
3.3 Commitment 3: To Respect Sovereignty and Territorial Integrity of Neighbouring Countries.....	17
3.4 Commitment 4: To Strengthen Regional Cooperation, Including Economic Integration, with Special Consideration for the Exploitation of Natural Resources.....	17
3.4.1 Revitalizing CEPGL to Bolster Regional Integration.....	19
3.4.2 Support ICGLR Regional Initiative on the fight against the illegal exploitation of Natural Resources ...	19
3.4.3 Economic Opportunities for Youth.....	20
3.5 Commitment 5: To Respect the Legitimate Concerns and Interests of the Neighbouring Countries, in Particular regarding Security Matters.....	21
3.5.1 Joint Strategy to Neutralize Armed Groups.....	21
3.5.2 Facilitate the voluntary, safe and dignified return and reintegration of refugees.....	22
3.6. Commitment 6: Not to Provide Protection to Persons Accused of War Crimes, or Persons Falling under the United Nations Sanctions Regime.....	23
3.6.1 Implement Domestic Legislation for Prosecution of International Crimes.....	23
3.6.2 Facilitate Execution of Arrest Warrants.....	24
3.7. Commitment 7: To Facilitate the Administration of Justice through Judicial Cooperation within the Region.....	24
3.7.1 Judicial Cooperation and Joint Investigations Commissions.....	24
3.7.2 Regional Training Facility on the fight against sexual and gender-based violence in the Great Lakes region.....	25
4.0 Commitments of the Government of the DRC.....	25
4.1 National Oversight Mechanism.....	25
4.2 Security Sector Reform.....	26
4.3 Consolidating State Authority in eastern DRC.....	26
4.4 Decentralization Reforms.....	27
4.5 National Reconciliation.....	27
5.0 Commitments by the international community.....	28
6.0 Conclusions and Recommendations.....	30

List of Abbreviations

ADF-NALU	-	Allied Democratic Forces and National Liberation Army of Uganda
APCLS	-	<i>Alliance des patriotes pour un Congo libre et souverain</i>
AU	-	African Union
CEPGL	-	<i>Communauté économique des pays des Grands Lacs</i>
CNDP	-	<i>Congrès national pour la défense du peuple</i> – National Congress for the Defence of the People
DDR	-	Disarmament, Demobilisation and Reintegration
DRC	-	Democratic Republic of the Congo
EJVM	-	Expanded Joint Verification Mechanism
FARDC	-	<i>Forces armées de la République démocratique du Congo</i> – Armed Forces of the Democratic Republic of Congo
FDLR	-	<i>Forces démocratiques pour la libération du Rwanda</i> – Democratic Forces for the Liberation of Rwanda
FIB	-	Force Intervention Brigade
FNL	-	<i>Forces nationales de libération</i>
GDP	-	Gross domestic product
ICGLR	-	International Conference on the Great Lakes Region
JIFC	-	Joint Intelligence Fusion Centre
M23	-	<i>Mouvement du 23 Mars</i>
MONUSCO	-	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NOM	-	National Oversight Mechanism
OSESG	-	Office of the Special Envoy of the Secretary-General for the Great Lakes region
PNDDR	-	National Programme for Disarmament, Demobilisation and Reintegration
PSCF	-	Peace, Security and Cooperation Framework for the DRC and the region
ROM	-	Regional Oversight Mechanism
SADC	-	Southern African Development Community
TSC	-	Technical Support Committee
UN	-	United Nations

Executive Summary

1. The process that culminated in the signing of the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the region (PSC Framework) on 24 February 2013 reflects a shared vision and determination of the leaders of the region and the international community to address the underlying causes of recurrent violent conflict in eastern Democratic Republic of the Congo (DRC). Past efforts to neutralize armed groups that operate in eastern DRC did not fully achieve the desired results, thus threatening the peace, security and development of the entire region.
2. The PSC Framework comprises commitments of the DRC Government, Governments of the region, and the international community. It calls for the establishment of benchmarks and indicators to monitor progress.
3. This is the first Progress Report reviewing the implementation of the PSC Framework, in particular the regional Plan of Action and its 15 priority activities adopted by the Regional Oversight Mechanism (ROM) at its third meeting on 31 January 2014. The report is based on data collected using various methods. These include desk review of reports on conflicts in the Great Lakes region, interviews with representatives of governments in most of the signatory countries, the guarantors, Technical Support Committee (TSC) members, International Conference on the Great Lakes Region (ICGLR) National Coordinators, United Nations (UN) Country Teams, bilateral and multilateral partners, civil society and women's groups, independent researchers and experts on the Great Lakes region.

A. Findings

4. Since the signing of the PSC Framework, some important achievements have been made. These include the defeat of the *Mouvement du 23 mars* (M23) and the conclusion of the Kampala Dialogue; ongoing *Forces Armées de la RDC* (FARDC) and MONUSCO Force Intervention Brigade (FIB) military operations against armed groups in eastern DRC; the relative restoration of peace in some areas in eastern DRC; the launch of a number of initiatives to engage women and civil society to support the PSC Framework; progress under the economic pillar of the PSC Framework, in particular increased regional development cooperation and preparations to hold a Great Lakes Private Sector Investment Conference; and enhanced collaboration between the region and the international community.
5. However, overall implementation of the PSC Framework has been slow, and has lost some of its original momentum, partly due to persisting political, security and humanitarian challenges in the region. These include: lack of trust among some countries in the region,

delay in the disarmament process of the *Forces démocratiques pour la libération du Rwanda* (FDLR); challenges faced by concerned parties in the implementation of the Nairobi Declarations of the Kampala Dialogue (Nairobi Declarations); difficulties encountered by regional security mechanisms, such as, the Expanded Joint Verification Mechanism to fully deliver on their mandate; continuing incidents of human rights violations; and high numbers of refugees and internally displaced persons.

6. Since assuming the ICGLR Chairmanship in January 2014, President José Eduardo dos Santos of the Republic of Angola has led regional efforts to address some of these challenges with concerned Heads of State, through a series of mini-summits. To succeed, these efforts require political will from relevant regional leaders, as well as intensified cooperation and coordination among the international community actors, predicated on enhanced cooperation between the ICGLR and Southern African Development Community (SADC). Hence, the second Joint SADC-ICGLR Ministerial Meeting held in Luanda on 2 July 2014 has served to promote cohesion and coherence of policy and actions between these regional organizations on the peace and security agenda. In addition, due to the complexity and long-standing nature of the underlying causes of instability in the DRC and the region, making progress in the implementation of the commitments under the PSC Framework requires both adequate financial resources and sustained engagement by all the signatories, with the full participation of women and civil society.

Overview of the implementation of the 15 priority activities under the regional Plan of Action

7. The regional Plan of Action adopted by the Heads of State in Addis Ababa in January 2014, required the governments of the region to strengthen the capacity of the Expanded Joint Verification Mechanism (EJVM) and the Joint Intelligence Fusion Centre (JIFC). The findings show both institutions are underfunded and understaffed. They lack resources and equipment to effectively carry out their mandate. There is also a growing perception of lack of political independence and impartiality on the part of EJVM in the way it operates.

8. The Nairobi Declarations of the Kampala Dialogue, signed in Nairobi on 12 December 2013, mandated the ICGLR Secretariat and the DRC National Oversight Mechanism (NOM) to follow up on the implementation process. While the NOM has developed a roadmap, the pending repatriation of approximately 2,000 ex-M23 members present in cantonment sites in Uganda and Rwanda remains a stumbling block, and more needs to be done to implement all the provisions of the Nairobi Declarations. Following the promulgation of the Amnesty Law by President Kabila in February 2014, the implementation began to gain traction with the conduct of two technical missions by a DRC Government delegation to Uganda and Rwanda to identify and process the eligible ex-M23 members.

9. In January 2014, the Women's Platform for the PSC Framework was launched. It has developed its own benchmarks and identified program activities as well as identified women's organizations to receive grants. Going forward, it would be important to increase synergies and collaboration with the ICGLR Women Forum.

10. The DRC Government has developed an elaborate plan for DDR, and is funding preparatory activities that have begun in earnest. However, the DRC Government lacks the additional financial resources to implement it in full.

11. In accordance with UN Security Council Resolutions 2098 (2013) and 2147 (2014), and in line with the African Union (AU) and regional initiatives, FARDC and MONUSCO/Force Intervention Brigade have launched military operations against a number of armed groups. Successful operations against M23 were conducted, and operations against other armed groups, such as, ADF-NALU are on-going. The DRC Government has decided to concentrate on military operations against ADF-NALU because of its terror activities against civilians. As a result, operations against FDLR are yet to start, and this delay has created unease and tension among countries in the region. However, regional initiatives led by the ICGLR Chair, President dos Santos, through a series of ministerial meetings and mini-summits since January 2014, demonstrate concerted efforts to address the FDLR issue. In particular, as outlined in the Final Communiqué of the ICGLR mini-summit held in Luanda on 14 August 2014, granted the FDLR until 2 January 2015 to peacefully disarm or face military actions. The leaders also agreed to meet again in October to review progress in this regard. The ICGLR decision was also endorsed at 34th SADC Summit held in Victoria Falls, Zimbabwe on 17 and 18 August 2014 reflecting further progress in coordination and coherent actions on the FDLR.

12. With regard to regional economic cooperation, resources have been mobilised to support regional energy projects, and important groundwork has been done to prepare for a Great Lakes Private Sector Investment Conference in the coming months. In this regard, the Investment Opportunity Brief for the Great Lakes region has been prepared. However, the *Communauté économique des pays des Grands Lacs* (CEPGL) is yet to be revitalized, and a Summit of Heads of State for this purpose has not yet taken place.

13. Compliance with the ICGLR mineral certification process is showing some progress. Rwanda and DRC have received their certificates. In the DRC, revenue from minerals has increased, implying that certification is having an impact.

14. Currently, there are a number of Tripartite Agreements on the return of refugees in place, involving several governments of the region and the UN High Commissioner for Refugees (UNHCR). Concerning the return of Congolese refugees, during the past year, tripartite discussions have only been held with Uganda and Rwanda. Since the end of the conflict with

M23, there have been voluntary and spontaneous returns of Congolese IDPs and refugees to certain areas in eastern DRC, but no full-scale organized returns have been conducted by UNHCR. The absence of conditions for safe and dignified return, as well as armed conflicts, ethnic tensions within communities, large-scale human rights violations and land and mineral conflicts, continue to inhibit the return of refugees.

15. With regard to dealing with persons accused of war crimes and crimes against humanity, acts of genocide or crimes of aggression, or persons falling under UN sanctions regime, there have been two major developments. In March 2013, the Government of Rwanda facilitated the transfer of former FARDC commander and M23 military leader Gen. Bosco Ntaganda to the International Criminal Court (ICC) in The Hague by the Embassy of the Netherlands in Kigali, after Ntaganda had reported himself to the Embassy of the United States of America on 18 March 2013. In May 2014, a military tribunal in DRC handed down its decision against 39 FARDC officers, who had been charged with rape and other war crimes, including the rape of over 130 women and girls in Minova, South Kivu. While only two low-level soldiers were convicted of rape, the case offers constructive lessons learned for future atrocity prosecutions in the DRC and the region.

16. Little progress has been made on the commitment to facilitate the administration of justice through judicial cooperation in the region. The ICGLR has an extensive framework for judicial cooperation in relation to all crimes, including international crimes, and it held a workshop on the domestication of key protocols, such as, the Protocol on Judicial Cooperation. However, further work and action is required.

B. Key Recommendations

17. The following are proposed as key recommendations aimed at addressing the main challenges faced in the implementation of the PSC Framework, particularly, in the achievement of the goals of the regional Plan of Action. Additional recommendations aligned with the 15 priority activities are included in the last section of this report.

- **Neutralize all armed groups.** Increase political and military efforts to neutralize and disarm all armed groups operating in eastern DRC, including through joint operations between MONUSCO/FIB and FARDC.
- **Neutralise the FDLR.** In line with UN Security Council Resolutions 2098 (2013) and 2147 (2014) and the regional initiatives led by the ICGLR Chair, President dos Santos of Angola, and as outlined in the Final Communiqués of the mini-summit held in Luanda on 14 August 2014, and the 34th SADC Summit held in Victoria Falls, Zimbabwe on 17 and 18 August 2014, address all issues concerning the surrender and disarmament of FDLR.

- **Accelerate the implementation of all provisions of the Nairobi Declarations in line with the roadmap developed by the National Oversight Mechanism.** Among other activities, the ICGLR should encourage the DRC to expedite the repatriation of eligible ex-M23 members from cantonment sites in Uganda and Rwanda in conformity with the Final Communiqué of the Luanda Mini-Summit of 14 August 2014.
- **Increase collaboration among Member States within existing regional security mechanisms,** in particular with the Expanded Joint Verification Mechanism (EJVM), the Joint Intelligence Fusion Centre (JIFC), Joint Bilateral Commissions, and boost national and international support to these mechanisms, as appropriate.
- **Accelerate measures to restore and consolidate state authority in eastern DRC,** including through the establishment of the Rapid Reaction Force, as called for in UNSC Resolution 2098 (2013), and the implementation of the DRC Government national stabilization and reconstruction program.
- **Increase efforts to roll out the DRC DDR national plan,** including through timely provision of financial and technical support.
- **Contribute personnel, equipment and funds to EJVM and JIFC.**
- **Call on Member States to expedite the full implementation of the ICGLR Protocol on the Protection and Assistance to Internally Displaced Persons,** including the domestication of the protocol.
- **Fast-track economic programs to address youth unemployment in the region** in line with the outcome of the ICGLR Special Summit on the “Fight against Youth Unemployment through Infrastructure Development and Investment Promotion” held in Nairobi on 19-24 July.
- **Call upon the Heads of State of CEPGL to hold a Summit for revitalizing CEPGL and bolster regional integration.**
- **Convene the Private Sector Investment Conference for the Great Lakes region.**
- **Take serious and effective action in the fight against impunity.** All governments in the region should strengthen their capacity to effectively address crimes against humanity, war crimes and acts of genocide, fight impunity, and offer assistance to victims of such crimes, in particular to victims of sexual and gender-based violence, in conformity with the ICGLR protocols, including the Protocol on Judicial Cooperation. As an immediate step, convene a regional high-level workshop on international crimes.

- The TSC and its co-Chairs should explore proposals to increase the engagement of the ROM on key issues under the PSC Framework in order to advance peace, security and development in the region. The TSC meetings should be held in different signatory countries to draw attention to the challenges faced by all signatory countries in the implementation process, seek views from other relevant stakeholders on key issues, and raise awareness of the PSC Framework throughout the region.
- Under the good offices of the SESG, the international community should lend political support to ongoing regional efforts, in particular those led by the current Angolan Chair of the ICGLR, to resolve sensitive issues among countries in the region. The Team of Special Envoys and the International Contact Group should step up cooperation with the ICGLR and SADC.
- The Office of the Special Envoy of the Secretary-General for the Great Lakes region (OSES) should also continue to strengthen collaboration with existing mechanisms and regional bodies in support of the PSC Framework.

1.0 Introduction

18. The process that culminated in the signing of the Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the region (PSC Framework), on 24 February 2013 by 11 Heads of State¹, emerged from a shared vision and determination by the leaders of the region and the international community to address the underlying causes of recurrent violent conflict in eastern DRC, which result in, and are propelled by, massive humanitarian crises, political instability and underdevelopment. Since the 1994 Rwanda genocide, the 1998 war in the DRC involving a number of countries in the Great Lakes region, and beginning of efforts to apprehend perpetrators hiding in eastern DRC, the region has experienced devastating violence involving several armed groups and governments in the region.

19. Past efforts to bring durable peace to eastern DRC by the International Conference on the Great Lakes Region (ICGLR), Southern African Development Community (SADC), the African Union (AU) and the United Nations (UN) recognized the root causes of recurring conflicts in the Great Lakes region but did not fully achieve the desired result. The violent conflict that erupted in April 2012 in eastern DRC when members of the FARDC mutinied and formed a rebel movement, the Movement of 23 March (M23)², compelled the ICGLR Member States as well as the international community to seek a comprehensive approach to the crisis. The capture of the town of Goma in November 2012 by members of M23 prompted rapid change in the approach by the UN, regional governments under ICGLR and SADC.

20. The new approach by the UN, ICGLR and SADC Member States underlined the need to use both military and political/diplomatic actions to address the crisis. This new approach entailed three important initiatives, namely: the signing of the PSC Framework for the DRC and the region under the good offices of the UN Secretary-General; a more robust mandate for the UN Organisation Stabilization Mission in the Democratic Republic of Congo (MONUSCO) with the creation of the Force Intervention Brigade (FIB); and the appointment of the Special Envoy of the Secretary-General for the Great Lakes region to follow up on the implementation of the commitments under the PSC Framework.

¹ The first 11 signatories were: Angola, Burundi, the Central Africa Republic, the Democratic Republic of Congo, the Republic of Congo, Rwanda, South Africa, South Sudan, Tanzania, Uganda, and Zambia. Kenya and the Sudan joined the 11 countries in January 2014.

² Violence erupted after members of the *Congrès national pour la défense du peuple – National Congress for the Defence of the People* (CNDP), who had been integrated into the Congolese army, FARDC, deserted and constituted a military wing, the M23. They cited failure by the government to fully implement the agreement reached on 23 March 2009 between the CNDP and the DRC Government. Constituting themselves as *Mouvement du 23 Mars* (M23), they consolidated their control of parts of North Kivu.

1.1 The First Progress Report

21. This is the first Progress Report on the implementation of the PSC Framework. It was drafted by South Consulting Africa Ltd. with the support of the Office of the Secretary-General's Special Envoy for the Great Lakes (OESG) and the African Union Special Representative for the Great Lakes at the request of the Technical Support Committee (TSC). The TSC members reviewed and finalized the Report at their meeting in Nairobi on 4 to 6 September 2014 for presentation to the fourth meeting of the Regional Oversight Mechanism of the Peace, Security and Cooperation Framework Agreement for the Democratic Republic of the Congo and the region to be held in New York on 22 September 2014. The Progress Report covers the period between February 2013 when the PSC Framework was signed and August 2014 when the review was completed, and mainly concentrates on the 15 priority activities that the TSC identified³ as urgent and critical for building confidence and generating impact and peace dividends on the ground.

1.2 Methodology

22. Several methods of data collection have been utilized in order to assess the progress of implementation of the PSC Framework and the priority activities. These include review of reports on the conflict in the eastern DRC and the Great Lakes region. In-depth interviews with key respondents in the signatory countries⁴, including members of the TSC and relevant government officials, ICGLR National Coordinators, UN Country Teams, the guarantors, bilateral partners, civil society groups, the private sector, and leading researchers on the Great Lakes region have also been held. In addition to the face to face interviews, a structured questionnaire was sent to all TSC members and implementing partners in the region, as well as guarantors of the PSC Framework, development partners, and civil society groups. Respondents were asked to fill and return the questionnaires.

23. A key limitation to the collection of data is the imbalance in knowledge of the PSC Framework among respondents in the different countries. Apart from the TSC members, most of the other actors had limited understanding of the PSC Framework or what had been achieved. In some cases, there was confusion between what had been achieved under the PSC Framework and other regional mechanisms. In addition, interviewees were reluctant to respond to questions they perceived as 'sensitive', such as questions on support to armed

³Report of the 4th TSC meeting held in Nairobi 24-25 October 2013; and report of the 5th TSC meeting held in Nairobi, 7-8 January 2014.

⁴ It was not possible to visit the Central African Republic owing to time and logistical challenges. The review team did not visit South Africa partly because the TSC representative for South Africa was also interviewed in the DRC and partly because of constraints of time.

groups. Knowledge of the Framework even among the TSC members, development partners, and civil society groups, varies considerably.

24. As a result, a lack of data is a challenge for full monitoring of implementation. It was difficult to obtain data of progress on a number of indicators because data collection is not systematized. Furthermore, there is no centralized place for data and record keeping. However, the response rate to the questionnaires circulated to the TSC members to collect the necessary information was satisfactory.

2.0 Content and Structures of the PSC Framework

25. The PSC Framework committed leaders of the region to act together to end the recurring cycles of conflict and violence in eastern DRC and the region. The PSC Framework comprises sets of mutually reinforcing national (for the DRC), regional, and international commitments, as well as oversight mechanisms at the national and regional level to ensure implementation.

26. The principles espoused in the PSC Framework are not new. The PSC Framework builds on the 2006 ICGLR Pact on Security, Stability and Development in the Great Lakes Region and its Protocols and recommits the governments of the region and the international community to renew efforts to restore sustainable peace in the region. Through the regional Plan of Action and its architecture, the PSC Framework is, at the same time, unique in a number of ways: (a) it identified peace in the eastern DRC and the region as a shared, common responsibility of the DRC, the region and the international community; (b) it outlined a clear strategy, timeline and institutions for monitoring implementation of concrete actions; (c) it recognized on-going peace efforts and created synergy through project adaptation and cooperation; (d) brought international attention and pressure to bear on the actors involved in the situation in eastern DRC; (e) to anchor peace, it emphasized a development approach to complement political and military solutions to the recurrent crises in the region.

27. In addition, an important element of the PSC Framework is the demand for regular monitoring of progress in its implementation. This resulted from the recognition that past commitments by regional governments to similar initiatives did not prevent a recurrence of violence. Thus, at the outset, the PSC Framework required regular meetings to review progress at all levels. It also required the development of a detailed plan for implementation and the establishment of benchmarks and appropriate follow-up measures to assist in measuring progress in the implementation of the various commitments, at both national and regional levels. As a result, the Regional Oversight Mechanism (ROM), comprised of the 13

signatories to the PSC Framework and four guarantors⁵ began to meet in May 2013 for the purpose of overseeing and monitoring progress in implementation. Both the UN Security Council, through Resolution 2098 (2013)⁶, and the AU Peace and Security Council welcomed the PSC Framework and stressed the importance of regular meetings to review the progress of implementation.

2.1 The Regional Oversight Mechanism and the Technical Support Committee

28. The ROM is the main oversight body under the PSC Framework. It meets twice a year on the margins of the UN General Assembly in New York and the AU Summit in Addis Ababa to review progress on the implementation of the national and regional commitments. To date, the ROM has held three high-level meetings. The first one, on 26 May 2013 at the AU Headquarters in Addis Ababa; the second, on 23 September 2013 at the UN Headquarters in New York; and the third one on 31 January 2014 at the AU Headquarters.

29. At its first meeting, and on the initiative of the SESG, the ROM established the TSC under the co-chairmanship of the Special Adviser of the SESG and the Special Representative of the African Union for the Great Lakes region. The TSC comprises senior Government representatives of the signatory countries, as well as senior officials from ICGLR and SADC. It was mandated *inter alia* to develop a detailed plan for the implementation of the regional commitments with benchmarks and follow up measures. The Office of the Special Envoy of the Secretary-General for the Great Lakes region acts as the Secretariat and provides support to the work of the TSC. The TSC meets every two to three months to review progress of implementation.

30. The TSC held its first meeting on 24 June 2013 and has held several meetings since (eight meetings in total). The TSC meetings play an important role in building relationships among its members and help promote on-going, open and frank dialogue. At the beginning, ‘it was a hard start’ but relations warmed up in the course of holding the meetings. They now have a collegial atmosphere in meetings. On several occasions, TSC members have expressed a need to be more directly engaged in the activities related to the implementation of the PSC Framework commitments.

2.2 The Role of the Special Envoy

31. On 18 March 2013, the UN Secretary-General appointed Mrs. Mary Robinson as the Special Envoy for the Great Lakes region and tasked her, *inter alia*, to work with the

⁵The Chairperson of the African Union Commission (AU), the Chairperson of the International Conference on the Great Lakes Region (ICGLR), the Chairperson of the Southern African Development Community (SADC), and the Secretary General of the United Nations (UN).

⁶S/Res/2098 (2013) adopted by the Security Council at its 6943rd meeting, on 28 March 2013.

governments of the region to achieve the objectives of the PSC Framework and support efforts to reach durable solutions in a multi-track plan that allows the convergence of all initiatives in progress. In addition, as per Security Council Resolution 2098 (2013), the Special Envoy is required to “lead, coordinate and assess the implementation of national and regional commitments under the PSC Framework, including, through the swift establishment of benchmarks and appropriate follow-up measures”. The Security Council also encouraged the Special Envoy to “lead a comprehensive political process that includes all relevant stakeholders to address the underlying root causes of the conflict”⁷.

32. During her tenure⁸, Special Envoy Robinson has convened several meetings in the region and consulted with almost all the Heads of State and Government. The Special Envoy held consultations at the ROM level where key decisions on the PSC Framework commitments were reached. She has held consultations with TSC members on various occasions. The Special Envoy launched initiatives including the Women’s Platform for the PSC Framework to help promote the voice of women at the negotiating table, and has engaged with civil society organizations in the region. Her Office has organized various events on the implementation of the PSC Framework, some held in collaboration with the World Bank, ICGLR, SADC and other envoys working on the Great Lakes region.

33. The Office of the Special Envoy supports the Special Envoy in carrying out her mandate, and to promote the implementation of the PSC Framework. The Office also provides support to the work of the TSC and serves as a coordinating structure for all national, regional and international actors/partners supporting the implementation of the commitments under the PSC Framework. However, significant concern was expressed that the Special Envoy was not stationed on the ground. It was felt that being stationed in the region would allow the Special Envoy to be more visible and to act swiftly when there is need to do so. While recognizing that the outgoing Special Envoy had a part-time mandate, many informants emphasized that due to fluidity of the situation in the region, the Special Envoy should be available at all times. Some recommended that the Special Envoy live in the region in order to carry out shuttle diplomacy to ‘convene and convince’ regional leaders as regularly as possible, as this would allow the Envoy to address problems as they arise. Such presence would assist in enabling leaders to consolidate trust and confidence among themselves. Proximity to the region and engagement on a full-time basis is, therefore, generally argued as an important element in regard to the office of the Special Envoy.

34. Another view echoed across the region is the need for the Special Envoy to work in close consultation with the Chairs of SADC and ICGLR and bring together, on a regular and as

⁷ Resolution 2098 (2013) adopted by the Security Council at its 6943rd meeting, on 28 March 2013.

⁸ On 14 July 2014, Mrs. Mary Robinson was appointed Special Envoy for Climate Change. On 17 July she was replaced by Mr. Said Djinnit, as Special Envoy of the Secretary-General for the Great Lakes Region.

needed basis, the leaders of the core countries of the DRC, Rwanda, Uganda, and Burundi. Regular meetings between the leaders of the DRC and Rwanda especially would help to build and consolidate trust and confidence, which are required to address the root causes of tensions between the two countries. Many see a UN Special Envoy as having the status to convene leaders of the region, working in concert with existing mechanisms, such as SADC and ICGLR. While recognizing that implementation of projects under ICGLR has been slow due to lack of resources and capacity, some leaders in the region emphasized the need for greater collaboration and synergy, including joint programmes with ICGLR.

2.3 Programmatic aspects of the implementation of the PSC Framework

35. A regional Plan of Action to operationalize the PSC Framework in respect of regional commitments was approved by the TSC members during their fifth meeting in May, 2014. It is a living document to be reviewed and updated regularly. It was endorsed by the ROM in its Third Meeting held on 31 January 2014. In the regional Plan of Action, there are benchmarks and activities for each of the seven regional commitments. Activities are also clarified in terms of priorities. In total, there are about 30 benchmarks and 70 activities divided into three priority areas. There are about 38 Priority One activities; 29 under Priority Two; four under Priority Three. Indicators of progress have also been identified for each benchmark. From the activities, the TSC has identified 15 priority activities that are achievable, build trust and create peace dividends to focus on during 2014, among other things.

36. During the past year, the NOM has also developed a plan of action and benchmarks operationalizing the national commitments. Benchmarks and indicators of progress for the international commitments have also been developed. These tools are comprehensive enough to cover all aspects of the commitments under the PSC Framework. The regional Plan of Action was, in particular, developed in line with the criteria adopted by the TSC.

37. It is important to note, however, that the PSC Framework does not have a program document accompanying the benchmarks and indicators that measures progress, which would explain ‘how things work’. In regard to the PSC Framework, such a consolidated document could pull everything together into a coherent and holistic report. The document could explain how the PSC Framework is implemented, the role of different actors, reporting mechanisms, relationships between institutions, the office structure, clarify the PSC Framework and guide implementation of activities and programs.

2.4 Overall Achievements and Challenges of the PSC Framework

2.4.1 Achievements

38. At the outset, the review sought to identify the key achievements of the PSC Framework and the challenges faced in implementing commitments under it. Several achievements have been identified in this regard. First, bringing relative peace to eastern DRC after the defeat of the M23 in November 2013 and the signing the Nairobi Declarations of the Kampala Dialogue, as well as continuing military pressure by FIB and FARDC against other negative forces such as ADF-NALU.

39. Secondly, the PSC Framework has made it possible for the first time for the region to have a coordinated and coherent approach to some of the so-called negative forces in eastern DRC. Of interest is the strong emphasis placed on how FIB and FARDC neutralized the M23.

40. Thirdly, the PSC Framework has rallied the international community to prioritize the Great Lakes region yet again. The PSC Framework is credited with mobilizing international attention and resources toward the region, departing from the view that political dialogue alone was sufficient strategy. The PSC Framework recognizes that the conflict in eastern DRC is complex and requires attention at the national, regional and international level. It brings together the countries of the region to collectively address the problem.

41. Fourth, the Framework provides guidance on how to secure peace in eastern DRC and the region. It spells out actions for the DRC, the region and also underlines what the international community can do to support efforts for sustainable peace in the region. It links prospects for peace to the need for promoting economic development and requires follow up on these commitments. The PSC Framework is widely seen as another window of opportunity for peace in the Great Lakes region. Some indicate that the PSC Framework provides the last opportunity to secure peace partly because it is comprehensive enough and partly because it comprises multiple elements and strategies: military, political, diplomatic and economic development components. The multi-pronged approach to securing peace and finding lasting solutions to the conflict in the region is noted as an important element of the PSC Framework. Others note that failure to utilize the present opportunity offered by the PSC Framework will squander the chance to resolve the regional problem. While scepticism may reflect recognition of the complexity of the layered conflict and its legacy, some see a unique opportunity created by the PSC Framework to implement actions that can drive and sustain momentum for change.

2.4.2 Challenges

42. While recognizing the value added by the PSC Framework, its implementation is not without challenges. First, the lack of trust that characterises relations between some of the countries in the region. Specifically, the lack of trust between neighbouring countries remains an important challenge. Relations between some of the signatories of the PSC Framework in

general had improved considerably until MONUSCO/FIB and the Congolese army began their campaign to disarm ADF-NALU first, instead of concentrating on the FDLR. There are those who argue that military intervention against FDLR was sequenced to follow the defeat of the M23 but this did not happen. Instead, FIB and FARDC proceeded to launch operations against ADF-NALU, thereby leaving FDLR quite secure in the territory they have operated in for many years and from where they have organized violent incursions into Rwanda.

43. Secondly, there is concern that FDLR is embedded in the population and military engagement is likely to result in a high number of civilian casualties, this drift from the original plan has stoked fresh suspicions. It has also caused costly delays and dilemmas for the FIB, and generated unease and uncertainty in the region. However, the Government of the DRC is urging the FDLR to leave the country immediately and without conditions. This should help dispel mistrust and tension. In addition, the decisions of the second Joint SADC-ICGLR Ministerial Meeting in Luanda on 2 July 2014, the mini-Summit of the Regional Leaders of 14 August 2014, and the 34th SADC Summit held in Victoria Falls, Zimbabwe, have contributed to help the region find a consensus on this issue, by demanding that the FDLR should peacefully disarm by 2 January 2015 or face military actions.

44. Thirdly, the manner in which some activities have been implemented appears to be an issue of concern to some actors. The PSC Framework and some activities under the regional Plan of Action have at times been perceived as competing and replicating on-going activities by the ICGLR. This perception has the effect of preventing solid synergies between the Framework and other regional initiatives already underway or in a planning stage. Thus far, however, this perception has not prevented collaboration. Nonetheless, it has the potential to constrain synergies and undermine progress.

45. Fourthly, although all signatory countries, with the exception of the Central African Republic, participate in meetings, there are countries that are behind in terms of paying their dues to ICGLR. There are also members who have not sent representation to the Expanded Joint Verification Mechanism (EJVM) and the Joint Intelligence Fusion Centre (JIFC). This limits the operational abilities of these two bodies and their capacity to address some core issues, which could help advance the objectives of the PSC Framework, as outlined in the regional Plan.

46. Fifthly, the continued existence of armed groups in eastern DRC is a continuing affront to the full success of the PSC Framework. Domestic armed groups, many profiting from illegal extraction of minerals and reportedly being supported by state and non-state actors at the local, regional and international levels, have the potential to weaken the course of the PSC Framework. Since the military defeat of the M23, the DRC Government has made some progress in restoring state authority in areas formerly occupied by this armed group with the

support of MONUSCO and other international partners. Further efforts should be made to continue to support the DRC Government in consolidating state authority throughout the east, protecting civilians and promoting recovery and development.

47. Finally the lack of information to enhance knowledge about the PSC Framework among citizens, development actors and other actors in the region remains a significant problem. There is insufficient information on the PSC Framework to help mobilize support from critical constituencies. This has important implications for ownership by the ordinary people in the region. Some civil society groups had little knowledge of the Framework, and no tools to hold their governments to account for what they signed. Except for DRC where a strong number of civil society groups are closely monitoring implementation of the national commitments, civil society engagement on the PSC Framework in other countries appears weak and not focused. Indeed the extent to which parliaments and people in the region have owned the PSC Framework is debatable.

48. As general elections approach in several countries, and governments of the region become busy with other pressing national issues, the momentum for the implementation of the PSC Framework is increasingly waning. National elections in the DRC are scheduled for 2016. This will certainly shift attention away from some important reforms and commitments under the PSC Framework. Similarly, Burundi and Tanzania have scheduled elections in 2015, while Uganda will hold elections in 2016 and Rwanda in 2017. Elections usually close the window for undertaking difficult reforms or measures. Thus, the sooner progress is made to neutralize all negative forces still operating in eastern DRC and implement the commitments under the PSC Framework, the better for the region.

3.0 Commitments for the Region: Monitoring the implementation of the 15 priority activities

49. This section reviews progress and on-going challenges in the implementation of the seven regional commitments, with particular attention to the 15 priority activities that were endorsed by the Heads of State at the third ROM meeting held in Addis Ababa on 31 January 2014.

3.1 Commitment 1: Not to Interfere in the Internal Affairs of Neighbouring Countries

50. The priority activities identified to guide implementation in this respect included:
- a. Strengthening the capacity of the Expanded Joint Verification Mechanism (EJVM) and the Joint Information Fusion Cell (JIFC) in order to effectively carry out their respective mandates;
 - b. Establishing follow-up mechanisms to track progress of the implementation process of the concluded Kampala Dialogue and in accordance with the joint ICGLR-SADC Final Communiqué issued in Nairobi on 12/12/2013; and
 - c. Establishing the Great Lakes Women's Platform to support, advocate, and monitor progress on the implementation of the PSC Framework.

3.1.1 Strengthening the Capacity of EJVM and JIFC

3.1.1.1 Expanded Joint Verification Mechanism

51. Prior to the existing Expanded Joint Verification Mechanism (EJVM), there was a Joint Verification Mechanism (JVM) which was a technical body comprising experts from both the DRC and Rwanda and had the mandate to address DRC-Rwanda border security issues and advance regional cooperation. Due to the lack of trust characterizing the relations between these states, the 7th Extra-Ordinary Summit of the ICGLR held on 5 September 2013 expanded the JVM to include other members of ICGLR, South Africa, the UN and AU in order to enable the regional mechanism to carry out its mission more effectively. The EJVM reports directly to the ICGLR Committee of the Ministers of Defence through a procedure that requires consensus from representatives of the Member States. MONUSCO provides security escorts and logistical support to EJVM. It also asks the mechanism to investigate security matters when they arise. A Memorandum of Understanding (MoU) to deepen collaboration between EJVM and MONUSCO was signed in Bujumbura on 1 June 2014. EJVM also receives material and financial support from bilateral and multilateral donors through the African Peace Facility. In June 2014, the Government of the DRC also contributed to the Mechanism by providing two vehicles.

52. EJVM is supposed to comprise 33 military officers, including three representatives from Rwanda and the DRC, representatives of South Africa, MONUSCO and the AU. As chair of ICGLR, Angola recently appointed a senior military officer. Three ICGLR member states (Central African Republic, Sudan and South Sudan) have designated their military experts but

they have not yet taken up their duties. Two military officers from South Africa arrived in July 2014 to start their tour of duty following the return of the previous South African officer. It has carried out approximately 50 missions to monitor military interference along the DRC-Rwanda border.⁹

53. Staffing, equipment and funding remain a challenge to the capacity of the EJVM. By the end of July 2014, EJVM had only 14 military experts (excluding MONUSCO), yet it requires a total of 33 officers to operate at the envisaged optimal capacity. With regard to funding, the EJVM has been operating below budget. The financial requirement for the year 2013, for instance, was US\$3,293,600. However, EJVM received only US\$1,628,610.26 or 49 per cent (less than half) of the budget. The Mechanism's 2014 Budget was adopted by the Committee of Ministers of Defence of the ICGLR on 13 June 2014.

54. The financial requirements of EJVM are funded through monetary contributions of ICGLR member states. However, not all states pay their contributions in a timely manner. This tends to constrain the ability of EJVM to carry out its mandate.

55. Understaffing, underfunding, delays in the payment of contributions and in the transfer of funds from donors prevent the effective operation of the EJVM. If these problems persist, then EJVM will not be in a position to carry out audit missions or carry out its overall mandate in an effective manner. Regular payment of contribution by Member States is critical for capacity development and for enabling EJVM to undertake its activities. In this connection, the mini Summit of ICGLR Heads of State of 14th August 2014 urged all ICGLR Member States to meet their financial obligations and pay any arrears to EJVM and JIFC by 30th September 2014. Similarly, all Member States have been requested to send by October 2014 their representatives to EJVM in accordance with its terms of reference to ensure effectiveness of its operation.

56. While the EJVM has contributed to reducing tensions in the region, the challenges mentioned above continue to impede its ability to effectively deliver its mandate.

3.1.1.2 Joint Intelligence Fusion Centre

57. The Joint Intelligence Fusion Centre (JIFC) was established in Bujumbura, Burundi, on 31 October 2011 by Chiefs of Intelligence of Member States of the ICGLR, and officially launched on 13 June 2012 in Goma, DRC. The JIFC reports to the Regional Coordination Committee (RCC), composed of intelligence and security chiefs of ICGLR Member States. The budget of the JIFC is funded by contributions from the Member States. By the end of June 2014, all member states had contributed intelligence experts except Kenya, Sudan and the Central African Republic.¹⁰

58. The JIFC declined to provide information for this review, indicating that questions about the number of intelligence reports produced, staffing needs, budget and other capacity needs

⁹ Written response to questionnaire; a face to face interview indicated that 'more than 30' had been done.

¹⁰ The evaluation team was informed that CAR had contributed one but withdrew due to the challenges facing the country. It is expected the officer will resume his post when the situation stabilizes.

were ‘too sensitive,’ and that only the ICGLR Regional Coordination Mechanism in Khartoum could release this information.¹¹

3.1.2 Following up the implementation of the Nairobi Declarations

59. The Joint SADC/ICGLR Nairobi Communiqué of 12 December 2013 which was signed at the conclusion of the Kampala Dialogue in Nairobi on 12 December 2013, called for a mechanism to carry out ‘implementation, monitoring and evaluation’ of the commitments by the Government of the DRC and the M23. The Declarations identify the DRC NOM, which was established on 13 May 2013 by Presidential decree, to be responsible for monitoring the implementation process, with the support of the ICGLR Secretariat. The Nairobi Declarations also require that the M23 appoint a coordinator to be part of the monitoring process. On 12 March 2014, the ex-M23 designated Rene Abandi as the M23 ‘Coordinator’. The NOM has developed draft benchmarks for monitoring and planning activities on the Nairobi Declarations.

60. In December 2013, the NOM developed a timetable and budget estimate for the repatriation of M23 ex-combatants by the end of March 2015. However, the ex-M23 combatants were still in Uganda and Rwanda without any clear indication of when they would be repatriated as at the end of August 2014. A number of interviewees noted that protracted stay by the ex-combatants in camps would increase the risk of escape to either regroup or join existing armed groups. It is also worth noting that on 4 and 5 February 2014, the first working meeting with the Executive Secretary of the ICGLR in support of the NOM was held in Entebbe, Uganda, in accordance with Article 11.3 of the Declaration by the Government of the DRC, which states that ‘the Executive Secretariat of the ICGLR will accompany the National Oversight Mechanism in this task for a period of six months, renewable once.’ It seems, therefore, that there is strict oversight on commitments by the DRC, in respect of both its national commitments and implementation of the Nairobi Declarations.

61. However, the stakeholders involved in the repatriation process encountered a number of challenges in the full implementation of the Nairobi Declarations. These challenges, together with delays in starting military operations against the FDLR, constitute obstacles to restoring trust between the countries in the region. While screening of former M23 members and combatants was done in Uganda on 17 April 2014 and in Rwanda on 18 July 2014, the formal repatriation process to the DRC has not commenced. The DRC enacted the Amnesty Law on 11 February 2014, developed a National DDR Plan and associated budget in December 2013¹² and started some pre-DDR activities. However, close to eight months later, full funding for DDR is yet to be received and the M23 ex-combatants remain in Rwanda and Uganda without a clear indication of when eligible individuals will be repatriated.

¹¹Email communication: “We regret to inform you that the questions seem to point more towards politics/policy. Since this a sensitive institution, we are unable to provide any judgement/answers as regards the questions asked in the said questionnaire.” 18 July 2014

¹²This was done by December 2013

3.1.3 Tracking the ICGLR Protocol on Non-Aggression and Mutual Defence in the Region

62. Under the framework of ICGLR, Member States and governments agreed to establish a Regional Follow-up Mechanism to ensure the implementation of the ICGLR Pact on Security Stability and Development and its 10 Protocols. The Pact provides a regional legal framework for non-interference in the internal affairs of another state. In March 2013, ICGLR convened a regional meeting of Legal Focal Points and the National Coordinators to finalize the Model Laws on the Protocol on the Fight Against Illegal Exploitation of Natural Resources and the Protocol on the Prevention and the Suppression of Sexual Violence against Women and Children. A similar meeting was held in Nairobi on 18-20 March 2014 to develop a final version of the draft Model Laws on the Protocol on Non-Aggression and Mutual Defense, and the Protocol on Judicial Cooperation.¹³ In addition to these meetings, several states have formed joint bilateral commissions. Others established ad hoc committees, which meet to exchange information and carry out activities on a needs basis.

63. In spite of the finalization of the model laws on these protocols, the process to develop domestic legislation in all member states is slow. Many countries confirm that they have not domesticated the protocol; only DRC confirmed having done so. This raises the need to speed up the legislative process to adopt the protocols.

3.1.4 Establishing the Women's Platform for the PSC Framework

64. The Women's Platform for the PSC Framework was established in Bujumbura in July 2013 at the Women's Conference on Peace, Security and Development convened by the Office of the Special Envoy. It was officially launched on 28 January 2014 in Addis Ababa on the margins of the 22nd Session of the AU Summit. The aim of the Platform is to ensure that women are fully engaged in the implementation of the PSC Framework and participate in peace processes in the region. The Platform is to support key women's groups through the provision of grants while advocating more strategic donor contributions to women's groups in the region. Towards this end, the Women's Platform will provide grant-making support to women's organizations, convene meetings for capacity-building and learning, and mobilize resources for women's rights groups in the region.

65. The Global Fund for Women is the designated secretariat of the Women's Platform, while other implementing partners are the OSESG, *Femmes Africa Solidarité* (FAS), the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and *Fonds pour des Femmes Congolaises* (FFC). The Women's Platform aims to maintain momentum for peace already initiated by existing women groups, guided by the observation that women's organizations are a necessary and effective vehicle for establishing peace and security in the Great Lakes region.

66. The Women's Platform has finalized indicators on the four thematic areas, (i) monitoring and advocacy on the PSC Framework and the implementation of regional and national plans

¹³ Interview with one of the ICGLR National Coordinators, June 2014

of action under UNSC Resolution 1325; (ii) combating violence against women and supporting women affected by violence; (iii) advancing women's livelihoods and development; and (iv) access to clean energy at the local level. It has developed terms of reference to engage Gender Affairs Ministers of the region as well as the draft logical framework. An Advisory Board has been established comprising of selected individuals with expertise on development and women's rights in the Great Lakes Region. A proposal for funding was prepared, submitted, and endorsed by a number of donors.¹⁴ From June 2014, the Advisory Board began rolling out initiatives and activities that support women's organizations through the provision of grants.

67. By the end of July 2014, two proposals for funding had been prepared, submitted, and endorsed for implementation with support from the Dutch and Irish Governments.¹⁵ The Women's Platform has also developed criteria for selection of proposals for grants, received and reviewed the proposals, and began to review the amount to be allocated to the selected women groups involved in SGBV work, training and peace-building. A total of 34 organizations from four countries of the PSC Framework (DRC, Rwanda, Uganda and Burundi) are expected to receive grants in the first year of support.¹⁶ The Women's Platform continues to focus on fund raising, and has reached out to over 20 foundations and 40 individuals to support its activities.

68. The establishment of the Women's Platform for the Peace, Security and Cooperation Framework by the Office of the Special Envoy has been one of key achievements of the PSC Framework. However, some of those interviewed called for more consultation, information-sharing and synergy with existing mechanisms, such as the ICGLR Women Forum. In particular, the ICGLR Secretariat is of the view that instead of creating a parallel women's platform, the Office of the Special Envoy should have supported the already existing ICGLR Women's Forum. Efforts are underway to ensure synergy and collaboration between the Women's Platform for the PSC Framework and the ICGLR Women's Forum.

3.1.5 Engagement of Civil society

69. An important element of the PSC Framework is that it recognizes the role of civil society groups in promoting peace within the region. They have a crucial monitoring role to play to hold their respective governments to account for the commitments they have made. In the DRC, civil society actors are strongly engaged in implementing and monitoring the PSC Framework. However, throughout the region, civil society groups complained about information gaps and lack of engagement in the Framework. There is a real need for the signatory countries and the ICGLR to disseminate information on the Framework, including on progress achieved and ongoing challenges.

70. National consultations are underway in the DRC, Burundi, Rwanda and Uganda to raise awareness of the PSC Framework. A regional consultation is planned for October that will bring together representatives from these four countries to develop a regional civil society

¹⁴ Telephone interview with an NGO collaborating partner, August 2014

¹⁵ Telephone interview with an NGO collaborating partner, August 2014

¹⁶ Ibidem.

coalition on the PSC Framework that will work towards monitoring implementation by the signatory states.

3.2 Commitment 2: To neither tolerate nor provide assistance or support of any kind to armed groups

71. Under this Commitment, two priority activities were identified:

(a) Implement the DRC National DDR Plan, with particular attention to vulnerable youth, women and children associated with armed forces and groups, and promote cooperation among countries in the region to disarm and neutralize armed groups and repatriate ex-combatants,

(b) Encourage MONUSCO and its FIB, in line with its mandate, to support FARDC in continuing military operations against armed groups operating in the DRC, particularly FDLR, ADF-NALU and, other armed groups.

72. The findings show unprecedented efforts to address the challenge of armed groups in the region. The military defeat of M23 and military pressure against ADF-NALU are important achievements, which have contributed to reducing tensions and improving the security situation.

3.2.1 Implementing the DRC National DDR Plan

73. The findings show that processes have been put in place, such as development of a National DDR Plan (PNDDR III) and establishment of criteria for screening and other pre-DDR activities. The Plan has a number of components, including disarmament, demobilisation, pre-reintegration activities, socio-economic reintegration, support to vulnerable groups, and Monitoring and Evaluation. Under the DDR III Programme, a total of 8,542 ex-combatants have been demobilised. Of these, 7,321 are male while 1,221 are female. In addition to the adults, a total of 3,663 vulnerable children are to be supported through the reintegration process.

74. While the Plan is in place, little progress has been made to facilitate the reintegration of ex-combatants. Reports show that over 3,200 ex-combatants are held in regrouping sites in Centres de Triage, while another 2,000-plus are in Rwanda and Uganda awaiting repatriation. Indecision and challenges in addressing key issues around repatriation are generally viewed as likely to create conditions under which ex-combatants scatter from camps to regroup or join existing groups. This has remained a challenge for security sector reforms in the country.

3.2.2 MONUSCO/FIB Support to FARDC

75. On 28 March 2013, UN Security Council Resolution S/RES/2098(2013) in addition to extending the mandate of MONUSCO, also established the Force Intervention Brigade

(FIB)¹⁷. ON 28 March 2014, the UN Security Council again extended the mandate of MONUSCO and its FIB through resolution 2147 (2014). The FIB is the first-ever UN Force mandated to proactively neutralize armed groups. These two Resolutions also ‘strongly condemned the M23, the FDLR, the ADF, the APCLS, the Lord’s Resistance Army (LRA), the National Force of Liberation (FNL), the various Mayi Mayi groups as well as all other armed groups and their continuing violence and abuses of human rights, demanded that all armed groups cease immediately all forms of violence and destabilizing activities and that their members immediately and permanently disband and lay down their arms.’ The Council further ‘reiterated that those responsible for human rights abuses and violations of international humanitarian law be held accountable and should not be eligible for integration into the FARDC or other elements of state security forces.’

76. In accordance with Resolutions 2098 (2013) and 2147 (2014), MONUSCO and the FARDC have carried out joint operations according to the agreed programme to neutralize all illegal groups. The following milestones have been achieved: the M23 has been neutralized and ADF-NALU has been diminished, the capacity of national armed groups, such as NDC-Cheka and APCLS, have been greatly reduced; and the Government of the DRC has been able to restore state authority in areas previously under the control of these foreign and national armed groups. MONUSCO has also engaged in a reorientation of its activities related to its mandate to protect civilians, shifting from a protection-by-presence to a protection-by-action.

77. The Joint ICGLR/SADC Inter-Ministerial Meeting held on 2 July 2014 gave FDLR six months to surrender. It also provided for a mid-term review in the third month after 2 July 2014, with a view to urgently engaging military action against those unwilling to disarm. These decisions were endorsed at the ICGLR Mini-Summit convened by President dos Santos on 14 August 2014 in Luanda and at the 34th SADC Summit held in Victoria Falls, Zimbabwe on 17 and 18 August 2014. The Government of Rwanda maintains its support for the continued repatriation of those willing to disarm and return voluntarily through the DDR structures that it has put in place.

78. Joint MONUSCO-FARDC operations against the ADF-NALU began on 17 January 2014. By the end of June 2014, ADF had been significantly weakened. While a number of strongholds had been overrun, the command and control structures of ADF had not been destroyed.

79. With regard to the FDLR, MONUSCO and the FARDC started planning for operations against this rebel group in February 2014. However, given FDLR’s proposal to voluntarily surrender, operations have not yet started. By end of August 2014, low ranking FDLR rebels had begun to surrender in North Kivu (103 FDLR plus 202 dependents) and South Kivu (83 plus 236 dependents). As part of the non-military efforts to disarm the FDLR, a joint delegation of the Government of the DRC, SADC, ICGLR and MONUSCO met with the

¹⁷ The “Intervention Brigade” consists, *inter alia*, of three infantry battalions, one artillery and one Special Force and Reconnaissance company with headquarters in Goma, under the direct command of the MONUSCO Force Commander, with the responsibility of neutralizing armed groups as set out in paragraph 12 (b) of S/RES 2098 and the objective of contributing to reducing the threat posed by armed groups to state authority and civilian security in eastern DRC as well as to make space for stabilization activities

FDLR political leadership on 6 August 2014 to deliver a strong message for them to vacate the camps that they are currently occupying in North and South Kivu and proceed to Kisangani. This has not yet happened, hence the six month ultimatum by the regional leadership for them to disarm or face military action.

3.2.3 Prevent Assistance to Entities/Individuals that Could Destabilize Neighbours

80. UN Resolution S/RES/2098 (2013) prohibited support to armed groups and urged Rwanda and Uganda not to allow ex-combatants to slip out of their cantonement camps and back into the DRC, where they could regroup or join other armed groups still operating. It also recalled that some leaders of the rebel movements had arrest warrants in the DRC and were subject to a worldwide travel ban. Some are under United States and UN sanctions. Resolution 2098 called on all states to uphold their commitments not to promote impunity.

3.3 Commitment 3: To Respect Sovereignty and Territorial Integrity of Neighbouring Countries

81. Under this commitment, the priority activity identified was to develop and implement a plan for joint management of borders to include joint patrolling and exchange of information within the framework of the ICGLR Committee of Ministers of Defence.

82. The ICGLR Committee of Ministers of Defence meets every six months to review the security situation in the region. Regarding disputed borders, the EJVM investigates illegal cross-border movement of personnel and weapons. The EJVM has also participated in making an inventory of the M23 weapons alleged to have crossed the border into DRC and verifying the presence of the M23 equipment. However, as noted earlier, the EJVM does not maintain a database of information on cross-border movement, nor do they have the capacity to monitor the border except through occasional mandated patrols, which they are unable to complete due to lack of funding. While the EJVM and MONUSCO readily exchange information, there is no information-sharing agreement between MONUSCO and JIFC. No cross-border military operations have been recorded and no arms movements have been confirmed.

83. With regard to borders, this Progress Report acknowledges that several African states have boundary disputes due to lack of cartographic maps showing the exact location of borders, or due to irregular movement of people. Despite allegations of breach of boundary in the region, no cases have been brought before the AU Border Commission for arbitration. States prefer to address boundary disputes at a bilateral level. Of note, Rwanda and DRC have put in place a mixed technical team in charge of border demarcation. The team held a meeting in Rubavu, Rwanda, on 17-18 April 2009 and recently met in Goma from 4 to 6 August 2014 to discuss budget relating to border demarcation.

3.4 Commitment 4: To Strengthen Regional Cooperation, Including Economic Integration, with Special Consideration for the Exploitation of Natural Resources

84. Under the economic pillar of the Regional Action Plan, four priority activities were identified, namely:

- (a) Organize an investment conference for private sector mobilization on priority projects to foster regional investment;
- (b) Mobilize resources and prepare projects for rehabilitation of Ruzizi I HPP, Ruzizi II and transmission line to Goma for provision of clean and sustainable energy;
- (c) Hold a CEPGL Summit to revitalize CEPGL and further bolster regional integration; and
- (d) Support the operationalisation of the ICGLR Audit Committee to monitor the level of implementation and compliance to its certification mechanism.

85. Preparatory work towards the Great Lakes Private Sector Investment Conference is underway.

86. The Ruzizi River forms the border between the DRC and Rwanda. The south-flowing river connects Lake Kivu with Lake Tanganyika. Lake Kivu, which is surrounded by Rwanda to the East and the DRC to the west, drains at the south into the Ruzizi River, also known as the Ruzizi Cascades, which flows into Lake Tanganyika. In 1959, a small hydropower project was developed near Bukavu, DRC, located 3 kilometers downstream of the outlet from Lake Kivu, with a capacity of 29.8 MW. This plant was owned and operated by the DRC. This power plant is known as Ruzizi I. In 1989, a second plant, Ruzizi II, was commissioned further downstream with a capacity of 43.8 MW, this time by *l'Organisation de la CEPGL pour l'Energie des pays des Grands Lacs*, and managed by la Société internationale d'électricité des pays des Grands Lacs, SINELAC, a multi-national organization established by a treaty among Burundi, the DRC, and Rwanda. SINELAC is mandated to operate the Ruzizi II hydropower plant and its dependencies, and sell the energy production of Ruzizi II to the three national utility companies in the DRC, Rwanda and Burundi.

87. The objectives of the Ruzizi Hydro-Power Projects are to supply sustainable electricity to the three countries, control of the water level in the river basin, and promote peace and stability in the Great Lakes Region. To increase power supply to the region, there are plans to build Ruzizi III with a capacity of 145 megawatts, downstream of the other two. As part of Ruzizi III, which is projected to be completed in 2016, Ruzizi I and II are to be refurbished.

88. The review found that between 2008 and 2011, the World Bank, the African Development Bank and other donors supported feasibility studies, and in 2012, a preferred bidder was selected following a tendering process. In 2014, a Public Private Partnership was negotiated and construction is expected to start in 2016, projected to end 2020.

3.4.1 Revitalizing CEPGL to Bolster Regional Integration

89. The *Communauté économique des Pays des Grands Lacs* (CEPGL) was established in 1976 and has long been regarded as a potential mechanism to enhance regional interconnectivity in the field of energy, including hydro-electricity, better collaboration on customs and border management, as well as cross-border trade between the DRC, Rwanda and Burundi. Efforts to revive the regional economic community have not been successful to date due to what observers attribute to lack of political will at the highest level. Nonetheless, CEPGL has continued to exist and thrive as an institution, albeit hindered by a lack of appropriate approvals needed to start some of the planned projects.

90. The CEPGL Plan of Action and budget for 2014 points to a wide range of envisaged projects in energy, infrastructure and communication.¹⁸ Currently, activities under implementation include cross-border projects such as the common fruit and vegetables market at Kavimvira on the DRC-Burundi border in South Kivu for Uvira women and that of Gatumba in Burundi. Development partners fund these projects. There is also the regional hydro-electric project, Ruzizi III, which is planned for development after clearance of the Kamanyola dispatching centre and clearing energy supply lines towards beneficiary countries (Bujumbura in Burundi and Bukavu in DRC) with funding from Germany. Projects in the pipeline include the construction of two “one-stop border posts” in partnership with the Common Market for East and Southern Africa (COMESA) in Gatumba-Kavimvira between DRC and Burundi, and in Corniche-Grande Barriere between DRC and Rwanda.

91. The main challenge to the realization of CEPGL’s projects remains the failure by the Member States in the region to convene a high level meeting for any meaningful revitalization of the organization including approval of budgets. On the other hand, efforts to remove non-tariff barriers are increasingly constrained by lack of information and mistrust between member states. Part of this underpins the current non-tariff tensions on imposition of work permits in the two countries, with each blaming the other for the tension over work permits.¹⁹

3.4.2 Support ICGLR Regional Initiative on the fight against the illegal exploitation of Natural Resources

92. Under the ICGLR framework, progress has been made in the implementation of the Regional Initiative against the Illegal Exploitation of Natural Resources. In 2008, the ICGLR launched the Regional Initiative against the Illegal Exploitation of Natural Resources as a

¹⁸ Meeting of Ministers of Foreign Affairs held in Bujumbura on 14 February 2014

¹⁹Rwanda was complaining that DRC was imposing restrictions and work permits on Rwandans working in Goma, Rwandan students and business people. However, DRC officials also complained that Rwanda was imposing restrictions on its citizens. There were even allegations that DRC was charging visa fees for Rwandans visiting DRC.

means of implementing the Protocol. A special Summit of the Great Lakes countries was held in December 2010 in Lusaka, Zambia, where the six tools of the Regional Initiative were approved. The ICGLR Secretariat is of the view that the most effective way to take action on the illegal exploitation of natural resources would be for all Member States to support all six tools. The 2010 Lusaka summit also affirmed the ICGLR's endorsement of the OECD Due Diligence Guidance on Responsible Supply Chains of Minerals from conflict-affected and high-risk areas.²⁰ The ICGLR Mineral Tracking and Certification Scheme has four main pillars: (i) Mineral Tracking from Mine Site to Export, which includes Mine Site Inspection and Certification, chain of Custody Tracking and Certification of Mineral Exports; (ii) Regional Mineral Tracking via an ICGLR Database; (iii) Independent Third Party Audits; and (iv) ICGLR Independent Mineral Chain Auditor.

93. The ICGLR Regional Certificate Mechanism has established a Regional Certificate for three minerals which have been declared 'conflict minerals': Tantalum, Tin and Tungsten (3Ts) and gold. The certificate has enhanced traceability from the exporter to the mine. By the end of August 2014, certificates had been delivered to Rwanda and the DRC. Some 522 mines sites, of which 349 are in Rwanda, 17 in Burundi and 156 in the DRC have been sampled and included in a reference database. The regional Audit Committee was established at a meeting in Kigali in October 2012, a meeting of the Audit Committee was held in Nairobi in October 2013. Meetings were also held in May and August 2014 in Kinshasa and Bujumbura, respectively, to finalize the accreditation process of Third Party auditors.

94. The Protocol on the Fight against the Illegal Exploitation of Natural Resources is an integral part of the Pact on Security, Stability and Development signed by 11 Member States in 2006. Save for Angola and South Sudan, all Member States have, therefore, adopted the Protocol. At this point, the domestication process for the Protocol has been finalized in the DRC, Rwanda and Burundi, and is currently underway in Uganda, Kenya, Zambia and Tanzania. Progress made with regard to certification of minerals has reduced the incidence of foreign illegal exploitation of natural resources, and enhanced the capacity of the government of the DRC to collect taxes from trade in mineral wealth.

3.4.3 Economic Opportunities for Youth

95. Youth unemployment remains a fundamental challenge to poverty reduction and political stability in the region. The 4th Ordinary Summit of ICGLR Heads of State and Government held in Kampala in 2012 revisited this issue and instructed the ICGLR Regional Inter-Ministerial Committee (RIMC) to focus discussions on the fight against unemployment,

²⁰ ICGLR, 'Briefing Note on the ICGLR Regional Certification Mechanism', available at http://www.pacweb.org/Documents/icglr/PAC_Briefing_Note_on_the_ICGLR_Regional_Certification_Mechanism_June_2012.pdf accessed 5 August 2014

especially youth unemployment, within the context of the development of infrastructures and investment. In this regard, the Levy Mwanawasa Regional Centre for Democracy and Good Governance, the scientific and technical organ of the ICGLR Secretariat, commissioned studies to draw up an inventory on the status of youth unemployment and its related diverse aspects in the region. The RIMC presented their report during the 5th Extra-Ordinary Summit of ICGLR Heads of State and Government, which took place in Nairobi on 19-24 July 2014, hosted by the Government of Kenya and co-funded by the OSESG.²¹

96. The Extraordinary Summit on the Fight against Youth Unemployment by Developing Infrastructure and Promoting Investments made a strong appeal for the creation of youth employment opportunities. The Declaration at the end of the meeting observed that 70 to 80 per cent of young people in the Great Lakes region are below the age of 30, and mostly unemployed. Ministers of the 12 member countries of the ICGLR deliberated on this matter, considered appropriate measures and adopted the regional policy action plan on promoting youth employment. The meeting also considered a message of hope from children who attended the Children's Forum of Hope held in Bujumbura on 31 May and 1 June 2014, organized by UNICEF with support from ICGLR, the Office of the Special Envoy and the Government of Burundi. An umbrella Memorandum of Understanding between the ICGLR Secretariat and the OSESG that sets the basis for cooperation on projects for the implementation of the PSC Framework has been agreed upon by both sides on 17 July 2014.

3.5 Commitment 5: To Respect the Legitimate Concerns and Interests of the Neighbouring Countries, in Particular regarding Security Matters

97. Under this commitment, Member States were expected to undertake one priority action: to establish mechanisms and launch processes to facilitate the voluntary, safe and dignified return and reintegration of refugees as per the Tripartite Agreements, and according to existing International Refugee Law, International Humanitarian and Human Rights Law.

3.5.1 Joint Strategy to Neutralize Armed Groups

98. The existence of armed groups in the territory of other states or used as proxy agents of destabilization constitutes a fundamental cause of protracted conflict in the DRC and the region. Past efforts to militarily defeat and disarm the groups, including through joint DRC-Rwanda military offensives, considerably weakened the FDLR. The FDLR call to ~~decision by~~ SADC to witness its 'voluntary surrender' in May and June 2014 was met with scepticism, particularly by Rwanda. In this regards, at the 14th August mini summit, the Government of

²¹ For report on what some states in the region have done to address youth unemployment, see Kamungi, Prisca, 2014. *Youth Unemployment in Kenya, Rwanda, South Sudan, Sudan, Tanzania, Uganda, and Zambia: A challenge for States and Societies* Lusaka: ICGLR

Rwanda expressed reservation on subscribing to the FDLR “voluntary surrender” as condition to the beginning of military operations to eradicate the armed group.

3.5.2 Facilitate the voluntary, safe and dignified return and reintegration of refugees

99. The PSC Framework also required member countries to ensure the creation of conditions that guarantee secure and safe return of refugees from neighbouring countries and internally displaced persons from the camps. Findings show that following the end of the Kampala Dialogue and signing of the Nairobi Declaration, the UN Office for Humanitarian Assistance (OCHA) reported a 40 per cent decrease in the number of IDP camps around Goma in Eastern DRC between November 2013 and May 2014. However, other armed groups continue to carry out killings and serious violations of human rights. The armed groups’ activities continue to sustain the flow of displaced persons and impede refugees and IDPs from returning to their places of origin.

100. Between 20 June and 4 July 2014, a joint mission comprising staff from Office of the Special Envoy of the Secretary General, OCHA and the UNHCR travelled to Uganda, Rwanda, the DRC (North Kivu) and Burundi to identify challenges hampering safe return to Eastern DRC, and to gain a deeper understanding of the complexities of refugee returns. The mission found that identity and ethnic tensions, unresolved contests over land and natural resources, lack of basic services, state authority and economic opportunities, and insecurity caused by different armed groups constrain the return of displaced persons.

101. Several tripartite agreements have been signed to facilitate the repatriation of refugees to their states of origin, although some need to be updated. However, the numbers of refugees in the region remain high. The conditions for safe and dignified return have not been established. In the DRC in particular, the violent activities of armed groups produce new displaced persons and refugees, thus preventing return. In other countries, poverty, landlessness and the perception of insecurity hinder return even after violence has ended. In Zambia, for instance, there is a cessation clause for Rwandese refugees, but some are yet to return home.

102. The voluntary repatriation of all refugees in the region should be accelerated in the context of furthering the agenda of reconciliation and tolerance. In this regard, MONUSCO has developed a Risk Analysis Map showing the distribution, per province, of community conflicts, their intensity and risks to assist the government of the DRC to prioritize interventions to high risk zones. Provincial and Local Risk Analysis Committees bring together provincial government, non-governmental organizations, civil society, UN and donors to update the provincial risk analysis map, and identify and monitor conflicts that pose a threat to national security; prioritize early recovery activities, in particular support to conflict resolution and support the establishment of provincial development committees.

3.6. Commitment 6: Not to Provide Protection to Persons Accused of War Crimes, or Persons Falling under the United Nations Sanctions Regime

103. Under this commitment, the Regional Plan of Action identified two priority activities:

(a) convene at least two (2) regional workshops for stakeholders to share information and lessons learned on national investigations and prosecutions of international crimes, including sexual and gender-based violence, and formulate options for further action in the fight against impunity; and

(b) Prosecute, transfer, extradite or surrender suspected perpetrators of international crimes and gross violations of human rights in accordance with relevant national, regional and/or international legislation.

104. There has been little progress in implementing these two priority activities.

3.6.1 Implement Domestic Legislation for Prosecution of International Crimes

105. The PSC Framework called on the governments to recommit to implementing domestic criminal legislation for prosecution of international crimes and gross violations of human rights. These included prosecution of SGBV cases in accordance with the Rome Statute on the International Criminal Court (ICC), and the ICGLR Protocol on the prevention and punishment of the crime of genocide, war crimes and crimes against humanity. The PSC Framework also called on governments to recommit to the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children.

106. The region has multiple illegal armed groups whose leaders are under the UN sanctions regime. However, the lack of judicial cooperation has impeded progress in the transfer of suspects of war crimes and crimes against humanity in line with Commitment Six. While parties recognize the need to fight impunity, there is slow progress in the transmission of suspects to the International Criminal Court or extradition to their home country for justice. The suggested participation of one of the FDLR leaders in a peace meeting in Rome on 25 June 2014 drew sharp reactions from Rwanda, which accused the international community of harbouring someone under the UN sanctions regime. Only a few states in the region have domesticated the Rome Statute.

3.6.2 Facilitate Execution of Arrest Warrants

107. The review found that arrest warrants have not been transmitted oftentimes due to ‘political reasons’. The persistence of human rights violations has bred a culture of impunity in the region. However, it is important to note that collective efforts were made by the Governments of Rwanda, the Netherlands and the United States to send Gen. Bosco Ntaganda to the Hague in March 2013, following violent internal fighting within the M23 which led his wing to flee to Rwanda.

3.7. Commitment 7: To Facilitate the Administration of Justice through Judicial Cooperation within the Region

108. Two priority activities were identified under this commitment:

- (a) Convene a high-level consultation on regional judicial cooperation with a focus on the ICGLR Protocol on Judicial Cooperation and the establishment of Joint Investigations Commissions; and
- (b) Launch the sexual and gender based violence (SGBV) Regional Training Facility in Kampala, Uganda.

3.7.1 Judicial Cooperation and Joint Investigations Commissions

109. The ICGLR Protocol on Judicial Cooperation obligates states to undertake to extend reciprocal judicial assistance with respect to the extradition of fugitives or accused persons who cross the border. It provides guidelines on conditions for extradition, procedures and cooperation in respect of investigations and prosecution, statutory limitations and concurrent requests, among other considerations.

110. Under ICGLR, a sub-regional workshop on human rights, conflict prevention and the exploitation of natural resources in the Great Lakes region was convened jointly with the Office of the United Nations Commissioner for Human Rights from 19-20 November 2013. At the ICGLR Summit in Luanda on 15 January 2014, the UN High Commissioner for Human Rights urged member states not to turn a blind eye to the presence of armed groups in their territory.

111. The slow progress to take actions to arrest and extradite persons accused of international crimes is in part due to lack of extradition treaties between countries, and lack of political cooperation: ‘often an unhealthy or unfavourable political context between the states undermines judicial cooperation. Cooperation can only be conceived between allies and not between belligerents or political enemies.’²²

²² Republic of Burundi, Ministry of Justice Office of the Prosecutor General of the Republic, ‘Challenges of Cooperation in Africa: The Great Lakes Region’ undated, accessed 10 Aug 2014

3.7.2 Regional Training Facility on the fight against sexual and gender-based violence in the Great Lakes region

112. The sexual and gender-based violence Regional Training Facility was launched in Kampala, Uganda, on 18 February 2014 with the financial support of the UN Women and the Government of Uganda. The aim of the facility is to train judicial officers, police units, social workers, and doctors, among others in the region, on how to handle cases of sexual violence effectively and efficiently. Discussion and plans are underway to operationalize the Regional Training Facility.

4.0 Commitments of the Government of the DRC

113. The PSC Framework, in addition to regional and international commitments, itemized national commitments to be undertaken by the DRC government. These national commitments are inextricably linked to the commitments for the region and have implications for the achievement of the regional Plan of Action.

114. The Government of DRC has made some progress in implementing its national commitments which should be commended. However in some areas, the pace and operationalization of reforms have been too slow to achieve the desired results. Many reform laws have been passed but implementation still remains an issue of concern.

115. It is significant to note that the DRC has been on a recovery path over the past few years. The GDP has been on the rise in the last few years; the economy grew from 2.8 per cent in 2009 to above 7 per cent in 2011 and 2013. It is expected to grow at about 8 per cent in 2014. Inflation has also been on decline. It has dropped from 10 per cent in 2010 to 3 per cent in 2013. Considering the challenges that the country has been facing and considering that this growth has been from a very low base, these figures are evidence of a good recovery. Undertaking key reforms in the areas identified under the PSC Framework will lay a firm foundation for further sustainable development.

4.1 National Oversight Mechanism

116. In May 2013, the DRC Government established a National Oversight Mechanism (NOM) to help facilitate dialogue with different government departments and ensure full implementation of the national commitments. A Steering Committee under the chairmanship of the President was constituted to facilitate the work of the NOM. A Consultative Council comprising public and non-state actors was also established to provide a forum for engagement on national commitments.

117. On 12 July 2014, the NOM endorsed and launched the benchmarks and indicators for the national commitments. These are perceived as a critical next step which will lead to the development of a Plan of Action for implementing the national commitments under the PSC Framework, as well as a roadmap and periodic reports.

4.2 Security Sector Reform

118. The DRC Government has made some progress in reforming the police and the army. With regard to the police, the Government has enacted a police reform law, established police training centres, and has started a pilot project on community policing. Reform of the army has also begun, although not moving fast enough to have the required momentum and impact. Some initial army training has started with the assistance of MONUSCO and development partners. This training aims to improve the capacity of the army, and eventually establish a rapid reaction unit.

119. A significant achievement in the reform of the national army has been the Government's use of biometrics to audit the actual number of army personnel. Those verified have been issued with identification cards. These measures have been taken to ensure the Government has the actual number of soldiers serving in the army. It is also meant to synchronize numbers with the amount paid in salaries and prevent the mismanagement of funding.

4.3 Consolidating State Authority in eastern DRC

120. The PSC Framework prioritized consolidation of state authority in eastern DRC because the administration in this region lacked capacity, institutions have been under resourced, and police presence has been inadequate. All these combined to allow criminal networks and armed groups to undermine state authority.

121. Some progress has been made in establishing state authority in eastern DRC but the continued existence of criminal networks and armed groups, domestic and foreign, continue to make it difficult for the DRC Government to exert its full control. Nonetheless, the territory in North Kivu vacated by M23 has several 'islands of stability' where the government has sent some police officers and is preparing to provide other services. Schools and medical facilities have reopened. The Government is also recruiting and training public servants for deployment to these areas. Some Government officials noted that the situation in South Kivu is slightly better, especially in areas where armed groups have been pushed back. In this region, the DRC Government has started reconstruction of infrastructure and the provision of other basic services.

122. To further consolidate state authority requires establishing strong administrative and criminal justice institutions. These must be backed by reconstruction of infrastructure and the delivery of basic services. It must be acknowledged, however, that adequate provision of these services may take long. They require significant amounts of resources to put them in place. However, once these services are provided, they rekindle people's confidence in the government and lay a firm foundation for provision of other services.

4.4 Decentralization Reforms

123. The DRC Constitution provides for decentralization, which was adopted as a means of addressing some of the root causes of conflict in the country. It provides for equitable distribution of services and resources. It also has the effect of enabling effective integration of numerically smaller groups, often marginalized and alienated.

124. Since the signing of the PSC Framework, the DRC Government has drafted several laws that, if adopted, could help to move forward the decentralization reform, including laws relating to modalities of planning for new provinces; and delimitation of boundaries. The requirement that provinces get back a 40 per cent share of revenue has also been unworkable because revenue generated is not meeting the required threshold. Furthermore, the capacity of some of the decentralized units is quite limited to undertake the decentralized functions. The foundation for decentralization is in place because the provinces at present comprise provincial assemblies, which in their own right are important elements of devolution. However, the creation of units that require the sub-division of existing units has generated resistance and blocked progress.

125. Decentralization and the devolution element in particular, have the potential to address the root causes of conflicts in eastern DRC. It enables local level governance and empowers communities to effectively participate in the making of policies that affect them. It also allows for mobilization of local resources for local development. If accompanied by other institutional arrangements such as inclusive government and the promotion of minority rights, decentralization can help address the challenges in the east in an effective way.

4.5 National Reconciliation

126. In September 2013, the DRC government convened national consultations on reconciliation. About 100 priority recommendations were made to further reconciliation in the country, including completion of on-going judicial reform, decentralization and a government of national unity.

127. On 11 February 2014 the government passed the Amnesty Law in line with the Nairobi Declarations. The law applies only to those who did not commit war crimes, crimes against humanity, rape and other forms of sexual violence, and those not involved in recruiting child soldiers. How this law is administered is critical to its success. To further criminal accountability for war crimes and crimes against humanity, a Law on Mixed Chambers was drafted and debated in Parliament, but eventually defeated, thereby requiring further efforts to develop an acceptable accountability mechanism.

5.0 Commitments by the international community

128. The PSC Framework outlines actions for the international community. The Security Council should remain seized and continue to support long-term stability of the DRC and the region. The bilateral partners should remain engaged in supporting the DRC and the region, including by supporting implementation of the protocols and priority projects of the Pact on Security, Stability and Development in the Great Lakes region. There should be renewed commitment to work towards the revitalization of CEPGL and support its economic development and regional integration agenda.

129. Since the signing of the PSC Framework, the Security Council has remained engaged in supporting initiatives to restore peace in the DRC and the region. As per Resolution 2098 (2013), the Security Council agreed to establish an “Intervention Brigade” under ‘the direct command of the MONUSCO Force Commander, with the responsibility of neutralizing armed groups’, and with the objective of ‘reducing the threat posed by armed groups to state authority and civilian security in eastern DRC and to make space for stabilization activities’. On 28 March 2014, the Security Council again adopted Resolution 2147 in its 7150th meeting, authorizing MONUSCO to take necessary measures to protect civilians, and United Nations personnel and facilities. It also authorized MONUSCO to work with the Government of the DRC to identify threats to civilians and implement existing prevention and response plans, among others.

130. The Security Council has continued to receive quarterly progress reports on implementation of the PSC Framework and on MONUSCO through the Secretary-General. The reports identify actions taken to strengthen efforts to restore peace in the DRC and the region. In addition to these reports, the SESG has regularly updated the Security Council on key developments in the region and proposed actions taken to promote stability. The Security Council has also held several extraordinary sessions to discuss the Great Lakes region, the last one on 7 August 2014. SESG Robinson also organized, together with UK Presidency of the Security Council, an informal ministerial meeting on the situation in eastern DRC and the Great Lakes.

131. There have been several other initiatives to strengthen engagement of the international community in the region. There are other mechanisms for coordinating international support for the region, such as the International Contact Group (ICG) on the Great Lakes and the team of Special Envoys. The team of Envoys has been engaging in regular coordinated diplomatic efforts through regional visits and joint statements in support of the implementation of the PSC-Framework. The ICG meets quarterly to discuss key political developments in the Great Lakes including how to help respond to the problem of armed groups and support to national governments, amongst others.

132. Bilateral and multilateral agencies have been engaged in efforts to promote development in the region. On 27-30 May 2014 the United Nations Country Teams, together with UN agencies and regional representatives as well as the O/SESG met in Kigali and outlined steps

to support the PSC Framework. They developed a comprehensive strategy for the Great Lakes and agreed to design joint regional projects. The World Bank also initiated a \$1 billion regional economic development fund allocated to the Great Lakes.

133. The international community remains committed to support the revitalization of the CEPGL and the implementation of its economic, development and regional integration agenda. But as noted in the preceding sections, there are several projects planned for implementation. These will require high level endorsement before actual implementation can begin.

6.0 Conclusions and Recommendations

134. The PSC Framework recommitments the Governments of the Great Lakes and the international community to restore peace, stability and development and rebuild trust among states in the region. The PSC Framework should be implemented in a manner that supports the mandate and the work of the ICGLR. Progress has been made to implement several regional commitments. However, there is little progress on some and a number of activities of the regional Plan of action are yet to start. M23 has been defeated but the process of repatriation and reintegration is slow. FDLR has offered voluntary surrender but the military option remains open if they fail to do so within the stipulated timeframe. In addition, while the focus is on foreign armed groups, there are many Congolese armed groups still operating in eastern DRC, perpetrating human rights violations and undermining establishment of state authority and the conditions conducive for the return of internally displaced persons and refugees. Focussed attention must be given to the national and foreign armed groups which continue to operate in eastern DRC.

135. Little success has been achieved in fighting impunity for war crimes and crimes against humanity, including sexual and gender-based violence. While at least seven cases from the region are before the International Criminal Court, persons under the UN Sanctions regime continue to live in countries signatory to the PSC Framework. The lack of judicial cooperation in building momentum for action is attributed to lack of extradition treaties, entrenched mistrust between states and general lack of political will.

136. International attention to the region and concrete actions following the signing of the PSC Framework led to improved security and relative stability in eastern DRC. Compared to the past, the number of incidents of overt interference in the internal affairs of neighbours has reduced. Unprecedented military pressure by MONUSCO/FIB and the Congolese army has also pressured armed groups such as FDLR to opt for voluntarily surrender.

137. The implementation of activities identified in the Plan of Action of the PSC Framework is experiencing a number of challenges. Awareness of the PSC Framework is low even among government officials involved in its implementation. Not many development partners and civil society groups appear to have adequate information about the PSC Framework, in general or on any progress that has been made. This constrains their ability to engage with the Framework or use its provisions to hold governments to account. The civil society in the DRC is a notable exception, where engagement is very strong and ownership apparent. However, in the region, inadequate information prevents various actors from mobilising the support required to maintain momentum for implementation.

138. The lack of trust and suspicions between some of the countries in the region continues to delay the implementation of some regional commitments. For example, low levels of trust manifest in how the issue of FDLR is being addressed.

139. The findings show that the Government of the DRC is implementing the required reforms under national commitments: security sector reform is underway with support from development partners and MONUSCO, but concerns remain regarding doctrine,

professionalization and downsizing of the army. The DRC Government passed the Amnesty Law and held national consultations to promote reconciliation. However, the legacy of the absence of state authority continues to hinder state penetration of society in areas where armed groups have held control for many years. The pace of implementation is slow in part due to lack of resources and the fact that some challenges are long-term structural problems and the impact of reform is not immediately visible.

Specific recommendations

Raising awareness of the PSC Framework

140. The O/SESG should work on a communication strategy targeting different audiences that will raise awareness of the PSC Framework

141. The O/SESG should develop a framework/program document to promote the PSC Framework as well as a monitoring matrix for the implementation of the regional Plan of Action.

142. The O/SESG should continue to work closely with UN Country Teams and specialized Agencies in the region to finalize the UN-wide action plan in support of the PSC Framework.

143. O/SESG should also continue to strengthen collaboration with existing mechanisms and regional bodies in support of the PSC Framework.

The Regional Oversight Mechanism (ROM) and the Technical Support Committee (TSC)

144. The TSC and the co-Chairs should explore proposals to increase the engagement of the ROM on key issues under the PSC Framework in order to advance peace, security and development in the region. The TSC should reflect on how it can play a more active role throughout the year to ensure all signatory countries are implementing their commitments.

145. The TSC meetings should be held in different signatory countries to draw attention to the challenges faced by all signatory countries in the implementation process, seek views from other relevant stakeholders on key issues, and raise awareness of the PSC Framework throughout the region.

Regional Commitments

Commitment 1: Not to interfere in internal affairs of neighbouring states

146. **Increase collaboration among Member States within existing regional security mechanisms**, in particular with the Expanded Joint Verification Mechanism (EJVM), the Joint Intelligence Fusion Centre (JIFC), Joint Bilateral Commissions, and boost national and international support to these mechanisms, as appropriate.

147. Contribute personnel, equipment and funds to EJVM and JIFC. EJVM and JIFC are underfunded and understaffed, which inhibits their ability to discharge their mandate.

148. Accelerate the implementation of all provisions of the Nairobi Declarations. In this regard, among others, the ICGLR should encourage the DRC to expedite the repatriation of eligible ex-M23 members from cantonment sites in Uganda and Rwanda in conformity with the Final Communiqué of the Luanda Mini-Summit of 14 August 2014.

149. Neutralise the FDLR through military and non-military actions. In line with UN Security Council Resolutions 2098 (2013) and 2147 (2014) and regional initiatives led by the ICGLR Chair, President dos Santos of Angola, and as outlined in the Final Communiqués of the mini-summit held in Luanda on 14 August 2014 and the 34th SADC Summit held in Victoria Falls, Zimbabwe on 17 and 18 August 2014, address all issues concerning the surrender and disarmament of FDLR.

150. Great Lakes Women's Platform and engagement of civil society: Promote synergy and complementarity between the Women's Platform and the ICGLR Women's Forum, as well as among civil society organizations and forums throughout the region.

Commitment 2: To neither tolerate nor provide assistance or support to armed groups

151. Neutralize all armed groups. Increase political and military efforts to neutralize and disarm all armed groups operating in eastern DRC, including through joint operations between MONUSCO/FIB and FARDC.

152. Increase efforts to roll out the DRC DDR national plan, including through timely provision of financial and technical support. The Government of the DRC has inaugurated the DDR III plan, but funding remains a major challenge for the plan. The Government of the DRC is encouraged to continue mobilizing resources for the DDR III plan, including convening a donor round-table with the assistance of the World Bank.

Commitment 3: To respect the sovereignty and territorial integrity of neighbouring states

153. Joint management of borders including joint patrols and exchange of information. Encourage member States to continue their demarcation work through Joint Border Commissions, with the support from the AU Border Program.

Commitment 4: To strengthen regional cooperation, including deepening economic integration, with special consideration for the exploitation of natural resources

154. Call upon the Heads of State of CEPGL to hold a Summit for revitalizing CEPGL and bolster regional integration.

155. Convene the Private Sector Investment Conference for the Great Lakes region.

156. **Mobilize resources.** Call upon the World Bank to provide detailed information to the signatory countries on projects for the Great Lakes region, and ensure that the projects supported will have quick impact and relate to peace dividends.

157. **Support the implementation of the regional initiative on illegal exploitation of natural resources:** Urge all ICGLR Member States to make effective the ICGLR's six tools on the fight against the illegal exploitation of natural resources.

158. **Fast-track economic programs to address youth unemployment in the region** in line with the outcome of the ICGLR Special Summit on the "Fight against Youth Unemployment through Infrastructure Development and Investment Promotion" held in Nairobi on 19-24 July.

Commitment 5: To respect the legitimate concerns and interests of the neighbouring countries, in particular regarding security matters.

159. **Call on Member States to expedite the full implementation of the ICGLR Protocol on the Protection and Assistance to Internally Displaced Persons,** including domestication.

Commitment 6: To neither harbour nor provide protection of any kind to persons accused of war crimes, crimes against humanity, acts of genocide or crimes of aggression or persons falling under the UN sanctions regime.

160. **Take serious and effective action in the fight against impunity:** All governments in the region should strengthen their capacity to effectively address crimes against humanity, war crimes and acts of genocide, fight impunity, and offer assistance to victims of such crimes, in particular to victims of sexual and gender-based violence, in conformity with the ICGLR protocols, including the ICGLR Protocol on Judicial Cooperation. As an immediate step, convene a regional high-level workshop on international crimes.

Commitment 7: To facilitate the administration of justice through judicial cooperation within the region

161. All Governments in the region should implement the ICGLR protocols, in particular the Protocol on Judicial Cooperation, and develop a strategy, and necessary mechanisms, to establish a fair, credible system of regional, judicial cooperation.

162. **Operationalize the ICGLR Regional Training Facility on the Fight against Sexual and Gender-Based Violence in the Great Lakes region.** Encourage Member States and the international community to support the recently opened ICGLR Regional Training Facility and commence training as soon as possible.

National Commitments for the DRC

163. Encourage the DRC to continue to implement its commitments under the PSC Framework.

International Commitments

164. The international community should maintain its engagement in the Great Lakes region, including, as appropriate, through the provision of financial and technical support for the implementation of the PSC Framework.

165. Under the good offices of the SESG, the international community should lend political support to ongoing regional efforts, in particular those led by the Angolan Chair of the ICGLR, to resolve sensitive issues among countries in the region. The Team of Special Envoys and the International Contact Group should step up cooperation with the ICGLR and SADC.

166. The good offices of the Team of Special Envoys should be leveraged to address other pressing issues beyond DRC, such as the promotion of economic cooperation and support for the implementation of the commitments of the Nairobi Declarations.

167. Building on the joint visits conducted so far, the Team of Special Envoys should visit each of the capitals of the signatory countries and give greater attention to the current crisis in the Central African Republic and South Sudan.