

The East African Community Regional Force in the Democratic Republic of the Congo: Successes, Challenges and Prospects

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Abstract

Against the backdrop of more than 20 years of existence of the United Nations Organization Mission in Congo/Mission de l'Organisation des Nations Unies au Congo (MONUSCO), the East African Community (EAC) deployed a military force in the eastern part of the country in November 2022. The purpose of the East African Community Regional Force (EACRF) was to contribute towards the resolution of the conflict that has ravaged the region for decades, and specifically to neutralise the M23 resurgence and the numerous informal armed groups. The regional economic community that brings together eight countries, namely, Burundi, Democratic Republic of the Congo (DRC), Kenya, Rwanda, Somalia, South Sudan, Tanzania, and Uganda was doing this for the first time since its establishment in 1999. Slightly over a year since its deployment, and eventual withdrawal in December 2023, there are several questions that arise which are the subject of this article: (i) Why did the EAC deploy EACRF when there is MONUSCO? (ii) to what extent had EACRF achieved its objective? (iii) was the mandate of the regional force appropriate for the situation in eastern DRC and how did it compare to that of MONUSCO? (iv) what are the challenges and prospects for peace, security and political stability in the DRC? While the article relies predominantly on secondary data, it taps into limited primary sources obtained by one of the authors during field humanitarian assignments in different parts in DRC.

Key words: DRC; EACRF; military intervention; M23; MONUSCO

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1. Introduction

Against the backdrop of more than 20 years of the existence of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), formerly the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC), the East African Community (EAC) deployed its first ever military force in the country in November 2022. The EAC countries deployed between 6 500 and 12 000 soldiers at their own expense to work in cooperation with the Congolese military, that is, the Armed Forces of the Democratic Republic of the Congo/*Forces armées de la république démocratique du Congo* (FARDC) and administrative forces to support the political dialogue between rebels and the government, civilian protection, enforce peace agreements and contain, defeat and eradicate negative forces in the country (Sabala, 2023).

The purpose of the East African Community Regional Force (EACRF), which was based in the eastern part of the country, was to contribute towards the resolution of the conflict that has ravaged the region for decades and specifically to neutralise the M23 resurgence and the numerous informal armed groups (Sabala, 2023). More specifically, the mandate of the force was to i) jointly plan and conduct operations with FARDC in the Joint Operations Area (JOA) to defeat the armed group elements in the eastern Democratic Republic of the Congo (DRC), ii) support FARDC in concretising and maintaining law and order; iii) support the DRC in collaboration with humanitarian agencies to continue humanitarian relief to populations affected by the activities of armed group elements, including internally displaced persons (IDPs); and iv) support the Disarmament, Demobilization, Community Recovery and Stabilization Programme (P-DDRCS).

The regional economic community (REC) brings together eight countries, namely Kenya, Tanzania, Uganda, Rwanda, Burundi, DRC, Somalia and South Sudan. The REC deployed for the first time since its establishment in 1999. The EACRF was deployed in November 2022 with a six-month mandate that had been further extended by three months to 8 December 2023 (The East African, 2023). This is the second time such an extension had been granted for the regional force since it began its operations in the eastern DRC. The first was in May 2023, extended by six months effective from March 2023 (The East African, 2023).

Since its deployment, there are several questions that arise which are the subject of this article: (i) why did the EAC deploy EACRF when there is MONUSCO? (ii) to

what extent did EACRF achieve its objective before its withdrawal? (iii) was the mandate of the regional force appropriate for the situation in eastern DRC and does it compare to that of MONUSCO? (iv) what are the challenges and prospects for peace, security and political stability in the DRC? While the article relies predominantly on secondary data, it also taps into limited primary sources.

2. The EAC in peace and security: The grounding documents and policies

While Chapter VII of the United Nations (UN) Charter vests powers to maintain international peace and security in the UN Security Council (UNSC), regional organisations are allowed to engage under articles 52, 53 and 54. In particular, article 52 of the UN Charter recognises the complementary role of the regional arrangements in promoting international peace and security. The Charter (United Nations, 1945:14) states in part that,

Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

The Charter allows the Council to “determine the existence of any threat to the peace, breach of the peace, or act of aggression” and to take military and non-military action to “restore international peace and security” (United Nations 1945:12).

At the African level, the documents that define the working relationship between the African Union (AU) and RECs on matters of peace, security and development in general include the Abuja Treaty (1991), the AU Constitutive Act (CAAU) (2000), the 2008 Protocol on Relations between the RECs and the AU; and the Memorandum of Understanding (MoU) on Cooperation in the Area of Peace and Security between the AU, RECs and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa (2008) and the Common African Defence and Security Policy (2004) (African Union). The CAAU states that one of the objectives of the AU is to promote peace, security and stability on the continent. Article 4(h) provides for the right of the AU to intervene in a member state pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide and crimes against humanity (CAAU, Art 4).

Furthermore, Article 16 states: “The Regional Mechanisms are part of the overall security architecture of the Union, which has the primary responsibility for promoting peace, security, and stability in Africa” (African Union, 2000). They are the building blocks of the African Peace and Security Architecture (APSA) and work closely with the AU to promote peace and security on the continent. Regional organisations and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa are the levers of coordination of the AU Member States’ interests in wider spheres of peace and security, development and governance (African Union, 2008).

At the sub-regional level, the engagement of the EAC in matters of peace and security is grounded in the Treaty Establishing the Community, in particular, Articles 123 and 124.¹

In addition, the EAC Protocol on Peace and Security (2013), the EAC Conflict Prevention, Management and Resolution Act (2014) as well as the EAC Conflict Prevention, Management, and Resolution Mechanism (CPMR) of 2012 identify over 20 objectives for fostering regional peace and security. These objectives include peace support operations, control of proliferation of small arms and light weapons, combating transnational and cross-border crimes, management of refugees, combating terrorism and piracy, and prevention of genocide. To achieve these objectives, the Community normally develops periodic strategic plans to guide the implementation. Finally, the engagement of the EAC in matters of peace and security is driven by the reality that over the years, the region has been a bedrock of protracted complex conflicts. DRC has been an ocean of instability since the 1960s but the situation worsened from the 1990s with the overthrow of Mobutu Sese Seko in 1997 and later, the assassination of Laurent-Désiré Kabila in 2001. Other legal instruments that are relevant to peace and security within the EAC are the EAC Vision (2050) and EAC Development Strategy (2020–2025).

1 These articles note that peace and security are prerequisites to social and economic development within the Community and are vital to the achievement of its objectives as stated under Article 5. The article states: “The Community shall ensure the promotion of peace, security, and stability within, and good neighborliness among, the Partner States”. Article 123 obligates partner states to ensure that the Community shall ensure the objectives of foreign and security policies by peaceful resolution of disputes and conflicts between and within the Partner States.

In the same vein, under Article VI the UN enumerates the various methods of conflict resolution at the disposal of the actors in the pursuit of global peace. These methods, which have been recognised by the AU and EAC, are negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice (UN Charter, 1945). But for the purpose of this article, the focus is on the military intervention of the EACRF in DRC, which falls under Article 53 of the UN Charter that allows regional organisations to take enforcement action, but only with explicit authorisation from the UNSC.

3. Why did the EAC deploy EACRF when there is MONUSCO?

One of the critical questions is why the EAC partner states found it necessary to deploy a military force in the midst of MONUSCO. MONUSCO replaced MONUC under Resolution 1925 of 2010 whose mandate was to protect civilians and support the government in its efforts to protect civilians, and to stabilise and consolidate peace. At that moment, DRC was experiencing varying levels of instability and the new mandate of MONUSCO reflected the new phase that the country had reached. MONUSCO was authorised to use all necessary means to carry out its mandate, which included, among other things, the protection of civilians, humanitarian personnel and human rights defenders under threat of physical violence and to support the government of the DRC in its stabilisation and peace consolidation efforts. Stabilisation and peace consolidation efforts, according to the mandate, include but were not limited to supporting the Congolese government in reforming security institutions and the judiciary, supporting army and police reforms, strengthening the presence of the Congolese state in territories previously occupied by armed groups and providing logistic support to the government for the organisation of elections (UN Security Council Resolution 1925 (2010). It consisted of a maximum of 19 815 military personnel, 760 military observers, 391 police personnel and 1 050 members of formed police units, in addition to appropriate civilian, judiciary and correction components (UNGA-A/64/583, 2009).

There are various perspectives to this question. First, prior to the deployment of EACRF, the internal political and security context was volatile: armed groups were killing civilians in North Kivu and Ituri provinces, the M23 rebels were threatening to take Goma, the strategic and capital city of North Kivu province and the diplomatic relations between the DRC and Rwanda were deteriorating while the

local communities were demonstrating against the presence of the UN peacekeepers in the country (The New Humanitarian 2022; Trithart, 2023). Overall, the eastern part of the DRC has been characterised by vicious cycles of conflict, chronic humanitarian crises and serious human rights violations, including sexual and gender-based violence. Contributing to the cycles of violence have been the continued presence of both the Congolese and foreign armed groups who take advantage of the general absence of the state in the eastern part of the country that has led to significant power and security vacuums. In addition, there is the illegal exploitation of resources, interference by neighbouring countries, pervasive impunity, intercommunal feuds and the weak capacity of the national army and police to effectively protect civilians, the national territory and to ensure law and order (Trithart, 2023; UN, 2013).

The authors opine that the other perspective emanates from the point of view that traditionally, the UN peacekeeping mission has had a lot of challenges in implementing their mandates due to national sensitivities of the troop contributing countries (TCCs). In addition, the decision-making process of taking early warning action is undermined with layers of bureaucracy that often results in delayed action. It is opined that the force from a few countries within the region who bear the brunt of the war in the DRC should be able to convene quickly when the need arises and make quick decisions without the bureaucracy that characterises the UN process. As soon as the DRC was admitted into the EAC in 2022, the partners of the EAC took ownership of the political and security situation in the DRC through the Nairobi Process and committed to restore peace and security – commitments beyond the MONUSCO mandate whose focus was the protection of civilians.

On 22 July 2022, EAC Heads of States at the 22nd Ordinary Summit decided to mainstream the Nairobi Process led by the former Kenyan President Uhuru Kenyatta. Also, they appointed then President Uhuru Kenyatta as facilitator to oversee the implementation of the Nairobi Process as provided for in the modality for the establishment and functioning of the EAC Panel of Eminent Persons and for the deployment of special envoys/representatives (EAC, 2022) and approved the terms of reference for the facilitator. The Summit directed that a special fund be established to support the implementation of the process and decided to expeditiously deploy a joint regional force in eastern DRC (EAC, 2022). Kenya led both the political and the operational process because, at the individual state level,

Kenya opined that by sending troops to the DRC, the country would be protecting its interests and businesses such as Equity Bank's expansion in the region (Igoki, 2014).

4. Achievements of the EACRF

The EACRF had been working towards the implementation of the recommendations from both the Nairobi and Luanda road maps, which advised that the M23 rebels should leave the positions they occupy, go to the cantonment camps and that the DRC government should start their reinsertion process. The Luanda process, as reflected in the Final Communique of the mini-summit on peace and security in the eastern region of the DRC, included the cessation of hostilities, in particular of the M23 attacks against the FARDC and MONUSCO from 25 November 2022; the full compliance with the requirements of the Communiqués of the EAC Heads of State Conclaves of 21 April and 20 June 2022 (Nairobi Process); the withdrawal of M23 from the currently held positions; and the disarmament and cantonment of the M23 in Congolese territory.

The EACRF obtained a *de facto* ceasefire around Goma, creating a buffer zone between the FARDC around Goma and the M23 in Rutshuru territory. This was an important milestone in the search for peace and security in the country in a context where the occupation of Goma by M23 would have escalated the security and humanitarian crisis. The implication of this ceasefire was threefold: political, security and diplomacy related.

Politically, the *de facto* ceasefire has eased the pressure on the Congolese government at national and provincial levels, resulting in some normalcy that helps institutions to function, albeit minimally. Even though the state is not yet present in the territories occupied by the M23 rebels, the uncertainty that prevailed before the entry of EACRF had temporarily reduced. From a security perspective, Goma was no longer under threat due to the buffer zone that EACRF created between the Congolese army and the M23 rebels in several territories surrounding the town. Furthermore, the effect of the ceasefire on the operations and attacks of other armed groups in the area was tangible. The presence of the EACRF had reduced the frequency of sporadic confrontations and attacks between armed groups and the M23, making even the areas occupied by the M23 safer for the locals who decided not to vacate those areas. However, this was a midterm result because without a lasting political or military solution, confrontations can resume

at any time. The mandate of the EACRF was to help the stakeholders implement their commitments from the Nairobi and Luanda political processes. This means that the ceasefire was just a means and not an end in itself.

Diplomatically, the EACRF presence and the *de facto* ceasefire between the Congolese army and M23 had mitigated the diplomatic crisis between the DRC and Rwanda, bringing a lull in the tumultuous relations between the two countries and creating a favourable context for a negotiated solution. Diplomatic relations between the DRC and Rwanda became frosty after the resurgence of M23, with the DRC accusing Rwanda of supporting the rebels, while Rwanda accused the DRC of supporting the Democratic Forces for the Liberation of Rwanda/*Forces Démocratiques pour la Libération du Rwanda* (FDLR). Even if Rwanda refuted allegations of its support to the M23 rebels, it is not indifferent to the security situation in eastern DRC because of the FDLR, accused by Rwanda as perpetrators of genocide and a threat to its security. On several occasions, Rwanda has accused FARDC, of cooperation with the FDLR (The East African, 2023).

The above assessment of the EACRF success is based on tangible outcomes of the presence of the regional force in eastern DRC. These outcomes, however, are limited to a section of the provinces that are the most affected by conflicts in DRC, namely Ituri, South Kivu and North Kivu, the latter concentrating most of the efforts of the force. Of the nine decentralised entities of the North Kivu province, the regional force was present in Rutsuru, Goma, Nyiragongo and Masisi, which are part of the southern part of the province. It is evident that the M23 was the priority of the EACRF, considering the context in which the regional force was deployed. This could be the reason the force was not present in terms of operations in the northern part of North Kivu, in South Kivu and in Ituri provinces where the M23 does not operate.

It is also important to put EACRF's successes into the perspective of its mandate and the overall political context in the DRC. In terms of mandate, the EACRF's mission was to create a conducive environment for political negotiations with the M23 and to deter the group from launching further attacks, including taking Goma, the strategic capital city of the North Kivu province. This could allow successful negotiations between the M23 and the government to ensure the parties implement their commitments from the Nairobi and Luanda roadmaps. However, even if this was the initial understanding of the EACRF mission, from the EAC perspective, there was a misunderstanding of the same mission in DRC.

The government as well as local communities believed that the EACRF would eventually use military force against the M23 and reconquer the territories that the group had occupied before the deployment of the force, including Bunagana (France 24, 2022 and Radio France International (RFI), 2022). This (mis)understanding became the main reason that the DRC objected to the continued presence of the EACRF leading to the eventual withdrawal of troops in December 2023. Looking at the mandate of the force, the DRC seems to have been correct in demanding that it fight the M23 rebels.

The regional force was deployed at a time when demonstrations were ongoing in the eastern DRC and local communities were asking for the departure of MONUSCO, accusing it of passivity and irrelevance (The East African, 2023). The announcement of the EACRF deployment came with a lot of expectations from the central government in Kinshasa and the communities in the eastern DRC. However, this announcement was also met with demonstrations, especially the inclusion of Rwanda in the regional force, which raised suspicion from the Congolese government and local communities who considered Rwanda as part of the problem that the EACRF was coming to solve. President Tshisekedi announced that the force would enter DRC through Bunagana, a strategic town on the border between DRC and Uganda and occupied by the M23 rebels. He assured the population that by entering via Bunagana, the EACRF would fight the M23 (France 24, 2022 and RFI, 2022). According to a respondent who preferred anonymity this expectation from the Congolese government was shared by local communities and signified a shift in approach to the MONUSCO peacekeeping concept. It implied that the EACRF mandate was to take a significant offensive approach compared to that of MONUSCO. From the Congolese perspective-both the government and the local communities – what the EACRF had been doing was a softer option of the initial mandate, a ‘Plan B’ that was dictated not by the mandate but by the geopolitical interests in the eastern DRC. Therefore, what this paper presents as successes of the regional force can be considered as an alternative to what was the initial mission of the force that failed before it started.

Demonstrations restarted three months after the deployment of the EACRF. Local communities requested that the MONUSCO mandate and the EACRF mandate should not be renewed. This is because it was opined that the approach to peacekeeping of the two missions was the same and did not help to solve the problem (Lizzo, 2023). Instead, it made them justify the long stay of foreign troops in the country.

Despite the presence of the EACRF in North Kivu, the main road that connects Goma to the rest of the province was still blocked, including the Butembo-Beni region, the economic hub of the province. This raised the question around the capacity of the force to help belligerents with a solution that responds to the urgent needs of local communities. Because of these concerns, the DRC government began to engage the Southern African Development Community (SADC) whose Mission in the Democratic Republic of Congo (SAMIDRC) eventually replaced EACRF when it withdrew. This implied that the government of the DRC was not satisfied with the EACRF and sought a replacement force. It means that it does not share the mandate-abiding success because the performance was below expectation. In May 2023, in Gaborone, Botswana, President Tshisekedi of DRC said clearly that there were problems with the regional force that made his government question the relevance of the role that was assigned to the EACRF, whose role was not fulfilled (Dube, 2023). The government's lack of confidence in the ability of the EACRF to find a plausible solution to the M23 problem had the potential to affect the *de facto* ceasefire and all the benefits it had generated. The disparity between the EACRF and domestic expectations are not only linked to the mandate of the force but also reflect the challenges the force faced.

5. Challenges of the EACRF

EACRF was confronted with two types of interrelated challenges. There are field-related challenges that are directly linked to the complexity of achieving peace and stability in eastern DRC. The mandate-related challenges are linked to the leadership and operationalisation of the mission.

5.1 EACRF and the complexity of achieving peace and stability in DRC

Field-related challenges included the impact on the security architecture of a protracted conflict, the multiplicity of local actors, the role and security concerns of regional countries, in particular Rwanda and Uganda, the presence of foreign forces and their implications on peace and security in eastern DRC, and the Great-Lakes region as a whole.

Every peace and stabilisation process in the DRC is confronted with what at first seems to be a governance and leadership issue because that is what comes out clearly in the revendications of armed groups opposing the national government. It specifically points to governance of the DRC armed forces. However, beyond

what seems an issue of governance of the army lies the long-term impact of the protracted conflict on the security architecture in the DRC: complex security forces under complex leadership. This is a historical problem that has its immediate origin in the early 2000s with the transition process that put an end to the 1998–2003 war. This transition process allowed all former warlords to bring their troops to be part of the Congolese army through a set of mechanisms, especially the *brassage* which consisted of integrating former rebel combatants into the national army through a centralisation, integration and deployment process and the *mixage*, a mainstreaming process which consists of integrating the commandment of rebel groups into the national army and police commandment, to make sure that while in their initial positions they no longer serve as rebels but as members of the national army and police (Patry, 2014:131).

Through the *brassage* and the *mixage* processes, the DRC developed a sandwich of security forces whose governance and leadership reflected a fragile conciliation among former war lords, ready to defend their origins when necessary and not a national unit ready to defend the sovereignty and protect the people. Despite the 2005, 2011 and 2018 general elections, the Congolese army is still suffering with the problems related to the creation of a national army that brought together different armed groups with varying ideologies and backgrounds, officially reporting to the supreme commandant but indirectly reporting to other political leaders and military commanders. These troops defect as soon as the interests of the political leaders they pay allegiance to are not considered in any political process. It has happened in the past that through covert arrangements with rebel groups, foreign combatants found their ways to the national army, getting a *de facto* Congolese citizenship while serving foreign interests. (Sylvestre-Treiner, 2021; Kakala, 2013) The cases of the two generals are illustrative: James Kabarebe, a Rwandan citizen who became the Chief of Staff of the Congolese army after the Alliance of Democratic Forces for the Liberation of Congo-Zaire/*Alliance des Forces Démocratiques pour la Libération du Congo-Zaire* (AFDL) took power in 1997, and Bosco Ntaganda, a Congolese general who claimed his Rwandese citizenship after being arrested and taken to the International Criminal Court for war crimes and crimes against humanity charges (Roessler and Verhoeven, 2016). Their profiles show that they had served in the Congolese and Rwandan armies and yet DRC had never allowed dual citizenship, and its laws do not allow the recruitment of foreigners into the army.

The governance and leadership issues noted in the Congolese army, including the problem of army infiltration, are explained by this historical problem that the country has not solved to date. Policies were put in place to address the problem by limiting the possibility to transition from an armed group to the Congolese army. These policies include the commitment by President Tshisekedi made on 6 December 2020 in his address to the nation, that strictly proscribes the incorporation of rebels in the Congolese army, the decision by the government of Sama Lukonde 1, made in April 2021 to never validate any peace agreement provision stipulating the incorporation of rebels in the Congolese army and the decision on a permanent instruction on proscription of incorporation (Congo Research Group, 2023). These policies were a political response to the problem of army and police infiltration by foreign agents and the resurgence of rebel groups who previously benefited from army integration measures. Further, it was a response to the challenge to prosecute former war lords who got into the army based on political negotiations and concessions that led the government and MONUSCO to agree on a set of policies aimed at preventing rebel combatants from integrating into the army. In November 2022, during the M23 resurgence before the deployment of the EACRF, the Congolese parliament voted on a bill that has not yet passed into law but which prevents the Congolese government from integrating armed groups into the national army, police and other national security forces as a result of political negotiations with rebels.

However, negotiations between the Congolese government and the M23 have exposed the complexity of implementing the law. When an armed group is too strong to be defeated through military operations, negotiations are undertaken, and the integration of combatants is always an important element for consideration. Therefore, the DRC government faces a dilemma: on the one hand, not to repeat the mistake that led to the infiltration of its army by foreign elements and, on the other, to put an end to the M23 resurgence through political and diplomatic means because the military option has failed. This issue presented a dilemma to the EACRF and the overall political process.

Both the EAC-led and the EACRF processes were affected by the above-mentioned ambiguous position of the Congolese government. The efforts deployed so far may not bear fruit. Under the Nairobi Process, it was agreed that the M23 would concede the territories they occupied to the EACRF, join the cantonment camps and wait to be integrated into the DRC national army. However, the Congolese

government is still reluctant to implement this proposition which contradicts the efforts it had deployed to repair the historical damage caused to the governance of national defence forces because of political concessions made during negotiations with unnumbered rebel groups. The DRC government proposed that the EACRF confront the M23 and defeat it.

The multiplicity of these rebel groups is another challenge in itself. The three provinces most affected by conflicts in the country, notably North Kivu, South Kivu and Ituri, experience the presence of a multitude of armed groups. Adding the provinces of Tanganyika and Maniema, they account for 252 local armed groups and 14 foreign armed groups, according to the armed actors of the programme of Disarmament, Demobilization, Community Reinsertion and Stabilization (P-DDRCS) report of 18 April 2023 (Radio Okapi, 2023). Many of them have a local identity and origin, and are called local armed groups, such as the Mai Mai network, while others have a foreign identity and origin and are called foreign armed groups such as the FDLR from Rwanda and the Allied Democratic Forces / National Army for the Liberation of Uganda (ADF/NALU) from Uganda. However, the distinction between foreign and local armed groups is not automatic because even foreign armed groups have recruited locally and some local groups have foreign nationals as combatants. The labelling of local vs foreign groups is contestable. M23 is considered a local group but it has more foreigners than local members and it serves the interest of a foreign state beyond those of local communities. ADF, for example, is considered a Ugandan group but most ADF combatants and accomplices arrested in Beni territory happened to be Congolese citizens (Ouragan, 2021). FDLR is a Rwandan group but has evolved since 1994 and has incorporated many local combatants. The political as well as the military approaches to peace and stability imply that peacekeepers must deal with all these armed actors. However, facilitating negotiations with a big network of informal actors with divergent positions and unclear political revendications is a hurdle beyond the EACRF capabilities.

In previous negotiations, such as those with the Congolese Rally for Democracy *Rassemblement Congolais pour la Démocratie* (RCD) rebellion and the National Congress for the Defence of the People/*Congrès national pour la Défense du Peuple* (CNDP), it happened that whenever an agreement was reached with a certain group, there was a faction within the same group that rejected the agreement (Sabbe, 2023). As a result, subgroups were born to form new armed

groups. The implication is that negotiations with armed groups in the past led to the creation of other armed groups. Even when it did not, negotiations that led to the integration of armed groups in the army through what was locally called ‘*brassage* and *mixage*’ created two problems: the first being that there were factions within the army that were not easy to control and manage, and whenever there was a problem, they went back to the forest to restart an armed rebellion. This is the reason that from the *Rassemblement Congolais pour la Démocratie* (RCD) rebel group, the *Congrès National pour la Défense du Peuple* (CNDP) was born and from CNDP, M23 was born.

The second problem was that creating an armed group became a motivation to join the army without passing through a proper recruitment process – no background check, no citizenship check, no fitness criteria, no proper training – a situation that allowed elements who still behaved like rebels, inclined to the violation of human rights in fragile contexts and who were not fit for complex military operations to join the national army. Even when they were recruited through a rigorous process, checked and trained, their transition to the army without guarantee of their loyalty to the country and its institutions was a concern that has remained shared in the political space in Kinshasa. Although not directly expressed during negotiations, this concern is reflected in the reluctance of the Congolese government to accelerate the Luanda process of cantonment and progressively integrate the M23 combatants into the army. Some officials, as well as some members of non-Rwandese local communities constituting the majority at the national and province levels, still believe that M23 combatants are not Congolese but Rwandan. (Kakala, 2013 and Sylvestre-Treiner, 2021). They believe that M23 combatants are used to infiltrate the Congolese army through negotiations and political processes that are led by foreigners who do not understand or care much about the geopolitical context of eastern DRC (Kakala, 2013 and Sylvestre-Treiner, 2021).

The EACRF was deployed in the context to facilitate peace and stability. While the primary focus was M23, it also had to face other groups, including those that were not part of the Nairobi and Luanda talks but were sources of insecurity. It is worth noting that the EACRF was able to not only contain the M23 but also, to a certain extent, managed to dissuade other rebel groups from attacking the M23. The cohabitation between EACRF and M23 in the regions occupied by M23 reflects this endeavour, which can be counted as a positive sign. During the deployment period of the force, sporadic attacks between M23 and local armed groups in

Rutshuru, Masisi and Walikale decreased drastically because the armed groups did not want direct confrontations with EACRF. The authors received regular field updates from Rangers in Virunga National Park in the line of humanitarian work but the sources required anonymity.

Nevertheless, it is also a source of speculation and negative campaigning against the EACRF from the domestic perspective (Voice of America, 2022). This cohabitation is considered a sign of cooperation between EACRF and M23 for the exploitation of natural resources in the territories occupied by M23. Both the EACRF and M23 have camps in Ngwanda on the Ishasha-Ruthuru route and in Ruthuru town and, yet, the M23 was to vacate these areas so that the EACRF could take over.

Achieving peace and stability in DRC is not automatic because apart from internal realities, regional countries, mostly Rwanda, Uganda and to a certain extent Burundi, have their own security concerns and play a role that peacekeepers must consider. When the EACRF was deployed, DRC and Rwanda had suspended their diplomatic relations, and DRC was accusing Rwanda of aggression through M23. Rwanda refuted the allegations but its support for the M23 was documented in a December 2023 UN group of experts' report (U.S. Department of State, 2023). Rwanda and Uganda share security concerns regarding the fragile situation in eastern DRC because the territory still has armed groups that Rwanda and Uganda consider a security threat, namely the FDLR for Rwanda and ADF/NALU for Uganda. The two countries have intervened in the DRC in the past and, during the deployment of the EACRF, Ugandan troops were already in North Kivu and Ituri through a bilateral arrangement signed between DRC and Uganda to eradicate the ADF/NALU threat under the Operation *Shujaa*.

Even if Uganda and Rwanda are those foreign actors with security-related interests in the DRC, there are other foreign actors involved in the security process in DRC, the most important one being MONUSCO. The peacekeeping mission was deployed in the country two decades ago through the UNSC resolution 1291 (2000), whose initial mandate was to monitor the implementation of the Cease Fire Agreement of Lusaka signed in July 1999 between the belligerents to the conflict in DRC, investigate violations of the ceasefire and establish and maintain the link between the parties to the conflict in DRC. The agreement was between the Laurent Desiré Kabila Government and the rebel factions that included RCD

(Rassemblement Congolais pour la Démocratie-Congolese Democratic Rally) and MLC (Mouvement de Libération du Congo-Congo Liberation Movement). This mandate was redefined with subsequent resolutions and MONUC, now MONUSCO, has become an important security actor. The presence of MONUSCO forces means that the EACRF was deployed in a context where a bigger organisation already has a mission, meaning that the EAC had to ensure that its mandate did not contradict the UN mandate. This situation would have been considered an opportunity if there were resources available for the same cause.

However, this was a challenge for the EACRF because it could not contradict the efforts of the UN forces in the country and it also had to accommodate the interests of local actors and the government who were not satisfied with the peacekeeping work of MONUSCO. In this regard, for the last two years the DRC government had been asking the UN not to renew the MONUSCO mandate. This dissatisfaction towards MONUSCO's work also affected the EACRF reputation, with locals fearing that the force would also stay without solving peace and security problems in the Kivus and Ituri provinces. During the deployment of the mission, the co-author undertook a humanitarian mission in North Kivu and interacted with locals during anti-MONUSCO and anti-EACRF demonstrations. The EACRF would have had to negotiate this complexity and avoid hurting the interests of these foreign actors such as Rwanda and Uganda whose influence on local actors was undeniable. Rwanda and Uganda have influence over several local actors. For example, several politicians from Beni-Butembo-Lubero who are also former rebels (RCD-K/ML) and still control some rebel groups have maintained close ties with Uganda. Rwanda, and to some extent, Uganda, greatly influence the position of M23 in negotiations. Moreover, these foreign actors, may undermine the political process such as the Nairobi and Luanda processes, if their interests and those of their local partners are undermined.

In 2023, there were concerns about the presence of another foreign contingent, a group of foreign military personnel who do not belong to MONUSCO or EACRF or the Congolese Army that no one in Goma and Kinshasa was willing to talk about. On November 16, 2023 in an interview with radio France International, President Felix Tshisekedi argued that they were not mercenaries but experts whose mission was to build the capacity of the defence forces in the field and that they were around one thousand (Actualite.CD, 2023). The international presence affects trust between actors involved in the political process and makes it more complex than initially planned by the EAC.

5.2 EACRF and the complexity of its own mandate

Another set of challenges are those related to the complexity of the EACRF mandate including a politically bound mission, the issue of resources and support from the local community. In terms of mandate, the EACRF was mandated to back the political processes led concurrently by the EAC facilitator, Uhuru Kenyatta, former President of Kenya for the Nairobi Process and the AU facilitator Joao Laurenço, President of the Republic of Angola for the Luanda process. This link to the political processes had made the mandate complex in terms of implementation because it had to adapt to the evolution of the political process and there had not been significant progress. This mandate was not independent because the political process was inclined to the political will of parties to the conflict and not the determination of the EAC to bring peace and stability to the country.

Furthermore, the resources availed by the contributing countries to the EACRF were limited when compared to the complexity of the task at hand, the time it has taken and the expanse of the area of operation in Congolese territory (FES Research Brief, 2023). It had concentrated efforts in the southern part of the province of North Kivu because the M23 was the major focus. Interventions in other parts of the province and in other provinces seemed not to be linked to the EACRF, even if they were done by armies of EAC partners. In Beni territory, northern parts of the province of North Kivu, and in Ituri province, Ugandan troops were undertaking joint military operations with the Congolese army against the ADF/NALU and there was no connection with these operations and what the EACRF was doing in the southern part of the province. In South Kivu and in the southern part of the province of North Kivu, Burundian troops had been undertaking offensive operations (The East African, 2023) against armed groups and it was not clear whether they derived the offensive mandate from the EACRF mandate or from a bilateral arrangement between Burundi and DRC. Even if this challenge looks coordination-related, it actually has an impact on the resources at the disposal of the EACRF because members of the force are putting more focus on resources into their sole missions and less resources into the community mission.

For the last two years, MONUSCO in DRC has been facing some resistance from the local community they are supposed to protect. Synchronised demonstrations started in 2021 where civil society organisations expressed their wish to see the MONUSCO forces vacate the country. In 2022 and 2023, the demonstrations intensified. (The Guardian, 2022; UN Security Council Report, 2023). Several

actors, including the business community from the provinces most affected by conflicts and instability, notably North Kivu, South Kivu and Ituri, have been organising informal talks with the government, pleading that the MONUSCO mandate should not be renewed past December 2023. Butembo is the second largest city in North Kivu and the most important business hub in eastern DRC. In July 2023, in the midst of anti-MONUSCO demonstrations, members of the Federation des Entreprises du Congo (FEC), the consortium of Congolese companies in Butembo-North Kivu, ordered their businesses to be closed in support of anti-MONUSCO protests, which took 18 days. They sent a delegation in Kinshasa to communicate the message to the Government. The co-author of this paper met with their secretary in Butembo. They talked about the FEC mission in Kinshasa and the secretary mentioned that it is part of ongoing talks about their request to the Congolese government not to renew the mandate of the MONUSCO. Consequently, MONUSCO has since closed its Butembo offices.

The government seemed to support this position and has communicated the same to the UN. President Tshisekedi's speech during the 2022 UN General Assembly session was clear on the issue asking for progressive withdrawal of UN troops (Tshisekedi, 2022). Even if the discourse from the government is that the UN mission has shown limitations in maintaining peace and security in the country, the discourse from the local community and civil society is that the UN has failed in its mandate to protect civilians and therefore, it should vacate.

The local appreciation of the UN and EAC peacekeeping interventions in DRC are reviving a debate on what should be considered a successful peacekeeping mission. Bratt (1996) defines four criteria that can be used to measure the performance of peacekeeping operations and to decide if they were successful or not. These include mandate performance, facilitation of conflict resolution, conflict containment and limitation of casualties. However, as Pushkina (2004) puts it, criteria can be too vague and may not reflect what the beneficiaries of the peacekeeping operation expect.

Nevertheless, this paper shares the position adopted by Diehl (2008) considering that beyond divergent perceptions of peace operations depending on the evaluating actor, there is a general common ground on what should be considered a successful peace operation. There are generic standards applicable to all peace missions, such as conflict abatement and conflict containment, and the completion

of specific tasks that vary depending on specific missions of the operation. Conflict abatement and containment play a key role because other peacekeeping tasks would be possible if and only if the threat of violence from belligerent actors was reasonably contained.

6. Conclusion

After one year of deployment, the first peacekeeping operation of the EAC in the eastern DRC was withdrawn. The regional force was mandated to facilitate the implementation of the Nairobi and Luanda frameworks by the main stakeholders to the DRC conflict – mainly the government and the M23 and other rebel groups operating in North Kivu, South Kivu and Ituri.

The EACRF managed to obtain a *de facto* ceasefire to allow the political process to continue and diplomatic negotiations to take place in a favourable environment. However, the successful implementation of this mandate was bound to the political will of stakeholders who committed to the Nairobi and Luanda processes. The EACRF did not fully win the political will from the government of DRC whose trust in the force eroded drastically in less than a year of operations. This was because the performance of EACRF fell below the government's expectations. The gains of the EACRF were not sustainable because the government decided that military operations remain the viable option to end the resurgence of armed groups, especially the M23. The government approach to address the M23 issue shows that so far this is still considered the best option. The rationale behind a kind of “talks but not deal approach” (Sheperd, 2023) the government in DRC has used so far is to avoid past mistakes where negotiation deals allowed foreign nationals to infiltrate the country's military and there was a resurgence of armed groups that created an unending cycle of peace and violence in eastern DRC. To maintain the EACRF gains in the long run, this article proposes several recommendations.

Recommendations

Co-ordinate the various militaries in eastern DRC

Eastern DRC is awash with various militaries and non-state armed groups. Apart from MONUSCO and EACRF, there is the FARDC and Uganda People's Defence Force (UPDF) and the Southern African Development Community (SADC) Mission in the Democratic Republic of Congo (SAMIDRC). If the purpose of the

various militaries in eastern DRC is to pacify the region and restore peace, then there is need for some coordination among them. Instead, they operate in silos, report to different commanders and launch attacks oblivious of the presence of others. It is important for the parties to re-evaluate the relevance of this military presence. A functional approach should assess their relevance. It is important to look at the situation from various perspectives to determine whether this military presence is harmful or beneficial to peace and security in the region. If it has failed, why not consider the opposite: military absence as an option with strong diplomatic and humanitarian presence?

Address security concerns of Rwanda and Uganda


Neighbouring countries, especially Rwanda, Burundi, and Uganda who are also members of the EAC, have genuine security concerns that explain their direct and indirect presence in DRC. However, the approach they have been using, including providing support to armed groups to create buffer zones and protect their territories, is not only counterproductive but has also led to the deterioration of diplomatic ties with DRC. The approach radicalises local positions towards Rwanda and Uganda and weakens ethnic cohesion in DRC, exposing Rwandese communities to discriminatory relations. Diplomatic means should be given priority to discuss these security concerns and the EAC should be used as a platform to reform existing mechanisms. A regional peace and security plan should be worked out that includes Burundi, DRC, Rwanda and Uganda's security preoccupations and that prevents the countries from the use of proxy armed groups for this and other purposes.

Improve political governance in DRC

At the core of the conflict in DRC is a governance deficit. Since the days of independence, eastern DRC has remained a virtually ungoverned space. The EAC as a regional bloc should consider discussions directly with the Congolese government and offer the support it may need to strengthen its presence in the eastern part as well as promote governance and human rights protection, including the protection of minority groups. A military operation is not the top priority in this regard. Instead, a strong and present Congolese government would guarantee the protection of national and regional interests and sustain peace in the country and the region.

Creating alternative livelihoods for young people and limiting economic gains from conflicts and violence are conflict resolution alternatives that the government should consider. This could serve to end the phenomenon of armed groups motivated by economic gains who take advantage of an important unemployed young population in eastern DRC.

MONUSCO and EACRF

The concept of peace and security is rapidly evolving with the strong participation of a huge network of local actors, stronger voices from local communities and civil society. MONUSCO and EACRF implement a mandate defined at the organisational level. It is at that level – UNSC for MONUSCO and EAC for the EACRF – which should foster their understanding of the new context and of local definitions of peace and security to adapt the mandate of peace keeping operations to the actual needs of the beneficiaries, including local communities and the host country. The situation in DRC should be an opportunity to further discuss the concept of peacekeeping operations and ensure that it is still relevant. 

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