



Education and Culture DG

## Lifelong Learning Programme



Centre for the  
Study of  
International  
Governance



---

# From Security Sector Reform (SSR) to Security Sector Development (SSD): A European Structural Diplomacy towards the DR Congo?

**Arnout Justaert (Institute for International and European Policy, University of Leuven)**

**Policy Paper 5: February 2011**

---

This Policy Paper is the fifth in a series that will be produced by the Jean Monnet Multilateral Research Network on 'The Diplomatic System of the European Union'. The network is centred on three partner institutions: Loughborough University (UK), Katholieke Universiteit Leuven (BE) and Maastricht University (NL). It also brings together colleagues from a wide range of academic institutions within the EU, and includes participants from EU institutions and non-governmental organisations. The aim of the Policy Papers series is to contribute to current debates about the emerging EU system of diplomacy and to identify the key challenges to which the EU's diplomatic system will need to respond in the short and medium term.

# From Security Sector Reform (SSR) to Security Sector Development (SSD): A European Structural Diplomacy towards the DR Congo?

## Overview

Since mid-2010 international diplomatic actors engaged in the Congolese security sector have started speaking in terms of security sector *development* instead of security sector *reform*. Although the shift from *reform* to *development* might seem to imply a rather semantic discussion at the technical level of policy implementation, it has the potential to make a major impact at the Union's politico-diplomatic level. The shift, initiated by diplomats from the two largest multilateral actors in the DR Congo, the UN (MONUSCO) and the EU, has had a more significant impact on the organization of international and European diplomacy towards the Congolese authorities than on the SSR strategies and policies of the DR Congo. The shift is thus in the first place a diplomatic strategy for the external multilateral actors in the Congolese SSR process, who have more difficulties than bilateral actors in positioning themselves.

In the past, European security sector reform efforts in the DR Congo have always been rather fragmented, lacking the necessary coordination between EU policy actors and institutions on the one hand and alignment across related policy domains on the other hand. The shift to security sector development broadens the SSR approach and potentially brings security sector related EU policies and actors together, concentrating on common goals and approaches, deploying complementary instruments and adopting a coherent discourse. All of these are crucial elements in the development of a structural diplomacy towards the Congolese security sector.

Structural diplomacy is the process by which an actor seeks to reform or develop sustainable structures incorporating the various relevant dimensions (political, legal, technical, financial) in their efforts and directing these at the various relevant levels (individual, societal, state, regional) simultaneously<sup>1</sup>. Applied to the security sector, in order to be effective and sustainable, security sector reform not only includes the reform of defence structures, the police, the rule of law and the judicial system, but also the promotion of good governance within these sectors, reform and capacity-building in their internal and external control and oversight institutions, accompanied by provision of the necessary financial resources to support these activities and transparency in their use. The achievement of an effective structural diplomacy in SSR requires a high level of structured coordination on two dimensions: across related policy domains and among policy actors involved in the Congolese security sector.

However, this shift from SSR to SSD can not be decoupled from the Congolese context in which the European Union as a diplomatic actor is engaged. It comes at a time when the evolution and progress of Congolese development is highly debated and criticized, exactly fifty years after its independence and one year before the second set of DRC democratic elections. For the Congolese authorities, it is very important to confirm their sovereignty and independence, their growing role in the international scene and their role as a dominant actor in their own development process. Therefore, these authorities have found it increasingly difficult to accept far-reaching external intervention and coordination in their security sector, which is at the heart of their sovereignty. This is especially the case for multilateral initiatives such as those undertaken by the UN and the EU. In the case of bilateral initiatives, the Congolese authorities have encountered fewer difficulties in maintaining control over projects and capital flows and injections. Rather than broad multilateral programs and strategies, the Congolese establishment – or *la Présidence* – prefers bilateral sectoral interventions. The shift to security sector development, initiated by the multilateral UN and EU, can thus be understood as a reaction to the rather rigid Congolese position, and as a justification for the initiation of broad, i.e. sector-wide and actor-wide security sector initiatives under the umbrella of development.

In the European context, the shift from security sector reform to security sector development comes at a moment when the EU is seeking to enhance its internal coordination mechanisms with regard to foreign policies and to strengthen their external representation, thus moving, at least on paper, more and more towards a institutional framework that allows the Union to develop a structural diplomacy.

---

<sup>1</sup> Based on Keukeleire, Stephan, Robin Thiers and Arnout Justaert, 'Reappraising Diplomacy: Structural Diplomacy and the Case of the European Union', in Brian Hocking and Jozef Batora (eds.), 'Special Issue: The European Union and Diplomacy', *Hague Journal of Diplomacy*, 4(2)2009, pp. 143-165.

The aim of this policy paper is to assess the political consequences for the structural diplomacy of the European Union of this shift from *reform* to *development* with respect to the Congolese security sector. The double coordination challenge, (1) across various sectors and policy domains and (2) between the actors involved in the field will be assessed from both a Congolese and a European perspective.<sup>2</sup>

## **Structural Diplomacy in the Congolese Security Sector: The Trouble with Coordination**

### *The Congolese Context*

After the relatively successful organization of the first democratic elections in the DRC, new priorities arose for both the Congolese and the international actors, and relations between them were redefined. The short-term transition agenda was replaced by long-term reform projects and the Congolese authorities were keen to take on their legitimate role as principal coordinator – or perhaps, as a buffer against too much international coordination. In a domain that touches the core of national sovereignty, the Congolese authorities were – and still are – reluctant to organize policy-wide and actor-wide or multilateral coordination. To protect the integrity of their security system, it is far more attractive to the Congolese government to have a multitude of external partners working bilaterally on different aspects over which the Congolese authorities maintain oversight, than to be subject to a coordinated international effort in which they would hardly be able to take the lead. From this perspective the trouble with Congolese leadership and coordination should in the first place be understood as arising from resistance to coordination rather than from a simple lack of capacity to lead and coordinate.

This Congolese resistance to coordination of course has major implications for the development of a European structural diplomacy in the reform of the Congolese security sector. Two important consequences can be distinguished. First it leads to a sectoral and even fragmented approach to security sector reform, in which the bridges between interconnected sectors and dimensions are weakly developed. Second it gives preferential treatment to bilateral relations and diplomacy, to the detriment of multilateral diplomacy. This Congolese preference for and prioritising of bilateral diplomacy above multilateral diplomacy can engender competition and overlap between external – in this case European – players if coordination among them is not developed sufficiently. As the following discussion will demonstrate, the presence of the European Union in the Congolese security sector reform is highly fragmented, and coordination amongst European actors – leaving aside the Congolese partners involved – suffers from serious challenges.

### *Europe's fragmented actorness*

At the European level, the Council of the EU and the European Commission as well as some particular member states are actively engaged in different aspects of Congolese security sector reform. First, within a more traditional perspective, the EU has deployed two CSDP missions, EUSEC DRC (2005-2012)<sup>3</sup> in the field of army reform and EUPOL DRC (2007-2011)<sup>4</sup> in the field of police reform and its interface with the judicial sector. Both missions have a civilian nature, i.e. they concentrate on supporting the Congolese authorities in their respective reform efforts, especially in terms of training. Yet important differences exist between the missions. While the EUPOL mission is financed by the EU budget and managed by the civilian desk of the Council's DGE, the EUSEC mission is financed through Member State contributions and managed through the military desk of the Council's DGE.

---

<sup>2</sup> The paper is based on intensive field research and long term participatory observation by the author at the international diplomatic level in Kinshasa in 2009 and 2010.

<sup>3</sup> Council Decision 2010/565/CFSP of 21 September 2010 on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo).

<sup>4</sup> Council Decision 2010/576/CFSP of 23 September 2010 on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo).

With regard to European intra-institutional coordination, especially for the EUPOL mission this has a significant impact on its position *vis-à-vis* the European Commission and the activities undertaken by the Delegation in Kinshasa. Especially in the area of police reform – and to a lesser extent in that of judicial reform – the Commission has since 2004 engaged in multiple initiatives, initially focusing on the first election process and subsequently engaging in the SSR process. In addition to its financial responsibility with respect to the EUPOL mission, the Commission financially and technically supports the Police Reform Follow-up Committee as well as some specific projects in police reform. In the judicial sector, the Commission supports the REJUSCO program that aims to restore the system of justice, especially in the eastern part of the country.

In addition to the ‘common’ European initiatives developed by the Commission and the Council, particular member states are also very active in the reform of the Congolese army, police and judicial systems. The Belgians engage bilaterally with army reform, while the UK and France have important bilateral activities in the reform of the police. These bilateral programs often have more substantial budgets than those available to the EU, the Commission and the missions themselves. Consequently, for both the Congolese authorities and the bilateral initiators, these projects are considered more important than the collective EU initiatives. Moreover, these member states also occupy key positions in the UN mission in the DRC, MONUSCO. The EU is therefore sometimes pushed into a corner and a difficult position, in relation both to its own member states and to the Congolese authorities, especially since it lacks the capacity to coordinate the European activities.

A multitude of European actors is involved through various initiatives, making challenges of coordination more salient, both with respect to policy dimensions and amongst the actors, and the consequences more tangible. A European structural diplomacy towards the DRC thus is hampered by the two major elements that thwart coordination in the Congolese SSR process, coordination between various external policies and coordination among the multiple external actors involved.

### *The Trouble with Coordination*

The first coordination challenge concerns the linkage – or the lack of it – between security policies and development initiatives. Instead of a policy-wide – or government-wide – approach to security sector reform in which army, police and justice reform are linked to one another as well as to other related domains, strategies and action plans, as well as coordination, are developed at the sectoral level. Concretely, initiatives for the reform of the Congolese police are developed separately from those for the reform of the judicial sector and the army, as well as from those for the reform of Congolese public financial management, public administration and other sectors. The result is not only that various elements are incompatible, but also that their non-alignment to each other and to the reform of the Congolese state’s budget and public finances unfortunately threatens to make them non-implementable. Moreover, the time-frame and instruments used also vary across policy sectors. While development has a long-term perspective and approach in which a wide range of instruments is deployed, security issues are often met with short term and traditional foreign policy interventions.

Secondly, European – as well as broader international – coordination is often impeded by the bilateral initiatives and aspirations of individual member states. First, at the international level, MONUSCO has assumed since 2008 an international coordinating role. The UN mission hosts an ambassador’s forum and a technical working group in which it aims to unite all international partners involved. Since June 2010, however, MONUSCO coordination has not explicitly incorporated in its new mandate following the objections of the Congolese authorities to UN-led international coordination, in line with the Congolese resistance to broad multilateral coordination. Both the Ambassador’s Forum and the SSR WP still exist but are co-chaired with the GoDRC. However, the lack of Congolese acceptance and thus the lack of Congolese support for these coordination fora mean that these bodies are effectively moribund. The result is that although MONUSCO aims to unite all external players with the Congolese partners, the latter remain absent and the MONUSCO meetings are reduced to an international clique. Second, the bilateral initiatives and policies of EU member states obstruct the development of common European policies and positions. Coordination exists amongst the European actors themselves on the ground, but suffers from multiple deficiencies. Although the EU heads of mission and diplomatic representations (‘EU HoM’s’) meet weekly, coordination remains remarkably absent. Both variable interests and differing resources in their partnership with the DRC have led more than once to tensions and to competition rather than coordination among the European actors. As has been

highlighted, the most important contributions and programs deployed by member states that dispose of sufficient resources, take a bilateral form. These are not only more visible for their own public and the target public in the DRC but also allow these countries to develop initiatives according to their own approaches and mindsets.

An additional difficulty is the desire of the EU institutions (Commission and missions) to position themselves in relation to each other, and to the EU member states. The delineation of competences between the EU institutions in the case of security sector reform is rather vague, creating overlap – and sometimes even competition – between the Commission and the Council. This not only leads to a lack of coordination between the Delegation and those acting on behalf of the Council (missions and EU Special Representative for the Great Lakes), but also weakens the EU's position towards the member states. The latter on more than one occasion have undermined common EU action through their more significant bilateral initiatives – initiatives that are also more readily accepted by the Congolese authorities.

Both the Congolese reluctance to establish all-encompassing, i.e. sector-wide, and actor-wide coordination, coupled with the incapacity of the international and even European diplomatic actors to coordinate among themselves, again both across policy areas and between bilateral and multilateral initiatives within a specific policy sector, thus constitute the principal obstacle to an effective EU structural diplomacy towards the Congolese SSR process.

### **Security Sector Development: From Coordination to a Structural Diplomacy?**

At the European level, the shift from security sector reform to security sector development has significant potential implications, not least in institutional and financial terms but certainly also in the Union's potential to develop a structural diplomacy, in which initiatives of various actors as well as in different policy domains are coordinated and aligned. This potential development can however not be decoupled from the innovations that the Lisbon Treaty introduces in the foreign policy domain<sup>5</sup>.

First, given the institutional divide in the EU's SSR policies, approaches, instruments and resources vary significantly between the European Commission and the Council's missions as well as among member states. The European Commission can rely not only on long-term budget support for the DRC in the framework of its development fund (EDF), but also on various specific instruments, such as the Instrument for Stability (IFS) and the European Instrument for Democracy and Human Rights (EIDHR). Through these it finances multiple projects, covering various dimensions of the Congolese governance and security system from infrastructure and finances, to equipment and logistical support. In this way, the Commission can complement the Council missions in terms of budget, instruments at their disposal and activities undertaken. This would not only strengthen the missions, that are almost exclusively focused on training but lack the mandate and means to provide support in other dimensions (such as the democratic control of security structures and the effective payment of their salaries), but would also strengthen the structural dimension of the Union's diplomacy in the Congolese security sector. Bringing the reform of the security sector under the broader external relations agenda can thus contribute to a solution of the sectoral dysfunction that impedes implementation of various policies – in which at present different agendas are pursued. At the Congolese level, a strengthened linkage between development and security dossiers could enhance the coordination between the various Congolese actors involved. This holds especially true for the coordination between the governmental actors responsible for the respective security sectors (defence, home affairs and justice) and other actors such as those concerned with development, budget and finances. Moreover, it would consolidate the role of these transversal actors (ministries) in the Congolese development process.

Second, institutionally SSR has traditionally been seen as a Council-dominated policy (within its CFSP and CSDP framework) in which the European Commission always struggled to fulfil its role vis-à-vis the Council. In the field however, empirical findings illustrate that it is not the Commission Delegation but the Council's missions EUPOL and EUSEC that have struggled to position themselves in the diplomatic arena. This unclear relationship between the Delegation and the missions has partially been addressed by the new provisions of the Lisbon Treaty in which the European Commission

---

<sup>5</sup> O'Shea, Chiade (2010) 'External Action Service Taking Shape' *Europolitics*, n° 4039, 17-24.

Delegation has become an EU Delegation (EUDEL), as part of the European External Action Service under the authority of the High Representative for Foreign Affairs. The EU Delegation is supposed to act as coordinator on behalf of the entire Union and to give political guidance to the EUPOL and EUSEC missions. This is done through monthly follow-up meetings between the heads of EUDEL, EUSEC and EUPOL. However at the same time, when expertise is required in the delegation it is not the political advisor of the respective CSDP mission that provides advice to the Delegation, but the Delegation's diplomats. Coordination between the EU institutions in the field remains rather elusive.

**Figure 1: EU Representation in the DRC**

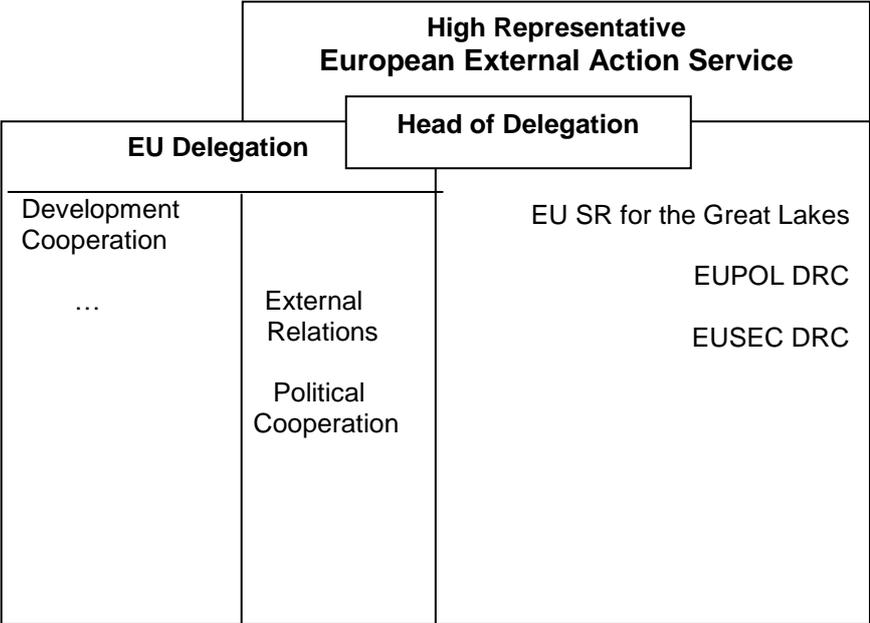


Figure 1 illustrates the new institutional relationships in the field. Several observations can be made. First the new situation changes the position of the two CSDP missions in the country and especially the EUPOL mission, whose financial resources are provided by the EU budget, into one where they act as executive agents or service providers for the EUDEL. This being so, the latter would be the sole diplomatic interlocutor or interface at the EU level *vis-à-vis* other international diplomatic actors or in interaction with the Congolese authorities, both in formal and in informal settings. To illustrate this, during the PSC mission to the DRC for the evaluation of the Council's operations (in Kinshasa, Goma and Bukavu) it was not the CSDP missions that undertook the invitations, but the EU Delegation, assisted by the Belgian Embassy (Belgium assumed the rotating presidency during the second half of 2010). Moreover, during the preparations in Kinshasa for the Great Lakes International Contact Group meeting on the Congolese security sector in Brussels, the missions did not represent the European Union; this was the preserve of the Delegation – as the political coordinator. This illustrates that the EUDEL has become the main interlocutor with international and Congolese diplomacy at the political level and that the missions are clearly seen as occupying the operational and technical level. Paradoxically however, the missions and especially EUPOL do not see themselves in purely technical roles as executive agents for the EUDEL, distinguishing themselves clearly from service providers such as PricewaterhouseCoopers and the International Organization for Migration, that execute respectively the British (DFID) and the European Commission programs in respect of Congolese police reform.

Figure 1 also illustrates that while external relations and political relations with the DRC are integrated in the EEAS, development cooperation with the DRC is not. The latter remains a Commission competence. In the field however, the Head of Delegation assumes authority in respect of both the Commission and the EEAS competences and provides coordination across the various initiatives that arise from competences of the EU institutions and bodies.

An additional ambiguity lies in the position of the European Union Special Representative. In most countries the strengthened delegation (EUDEL) will take up the role of the EU Special Representative (EUSR). However, in regions where the EUSR concentrates on cross-border issues, such as in the sensitive African Great Lakes Region, he or she is likely to remain in place. It is however not yet entirely clear how Roeland van de Geer (EUSR for the Great Lakes Region since 2007 until August 2011) will position himself in relation to the Head of the EUDEL in Kinshasa.

### **Conclusion: Towards a Structural Development and Diplomacy?**

As this empirical analysis illustrates, multilateral actors experience significant problems in positioning themselves in the diplomatic field. In the Democratic Republic of the Congo, where the authorities are reluctant to install policy-wide and actor-wide coordination and the large and dispersed international representation is more like a minefield than a harmonious concert, we can hardly speak of a structural diplomacy and development. Structural development and diplomacy requires policy- or sector-wide as well as actor-wide coordination at all levels of governance. When looking at the conditions for a structural development and diplomacy at the three principal levels involved, the Congolese, the European and the international level, the following observations can be made:

- It would be too simple to conclude that the Congolese authorities lack the capacities for structural development. However, there is clearly a lack of political will, mainly for reasons of sovereignty, to initiate coordination in which reforms in multiple domains are aligned and multiple actors' initiatives are harmonized. Moreover, if coordination occurs, it is situated in the inner circle close to the President.
- At the international level – institutionalized by MONUSCO – coordination in Congolese security sector reform in the first place is not accepted by the Congolese authorities, and in the second place suffers from a lack of commitment from those players most engaged at the bilateral level.
- At the European level, traditional competition persists, on the one hand between the European Commission's initiatives and the Council's civilian operations and on the other hand between the EU's common actions and the bilateral actions of the member states

In order to give substance to a structural diplomacy, both international and European towards the Congolese security sector, the following issues require attention:

- Within the European Union, a clarified relationship between the EU Delegation and the Council's missions on the ground would constitute a major improvement. A maximalist interpretation of the Lisbon Treaty in which the EU Delegation exercises the Union's political authority would allow development of a more comprehensive – structural – approach in the development of the Congolese security sector in which actions are more aligned to each other, in areas such as training and equipment. It would also strengthen the Union's capacity and the Delegation's authority to coordinate among institutions and member states, as well as strengthen a common EU position *vis-à-vis* the Congolese government.
- The EU should provide more intensive support for the Congolese authorities in efforts to develop policy-wide development strategies and coordination instruments in which all relevant actors – ministries and agencies – are represented. In particular, the leading role of the Ministry of Finance and the Ministry of the Plan in this respect cannot be overemphasized.
- This would also encourage the Congolese authorities to effectively take the lead and to organize international coordination within a Congolese framework. Although this risks marginalizing the existing MONUSCO coordination fora, it also carries with it the potential to increase Congolese ownership and guarantee the implementation and sustainability of European diplomatic efforts.

The Diplomatic System of the EU Network, funded by the European Commission's Jean Monnet Programme, brings together three partner universities with a strong tradition in the study of European integration in its international context. The lead partner is Loughborough University, and specifically its Department of Politics, History and International Relations and Centre for the Study of International Governance. The other partners are Katholieke Universiteit Leuven, from Belgium, and Maastricht University, from the Netherlands. Each partner is responsible for key events and a research strand. In addition selected experts drawn from EU and Member State institutions and from relevant sections of civil society will be invited to participate in selected network activities.

Nothing in this paper should be construed as representing the views of any EU or national institution, including those represented in the network itself. For further information about the network and its activities, please visit <http://dseu.lboro.ac.uk>