

Subject: Testimony to the House Armed Services Committee on the work of the Mines Advisory Group in the Democratic Republic of Congo

Adam Komorowski
Head of Operations (Africa and the Americas)
Mines Advisory Group

Thank you for inviting me to address the sub committee on behalf of The Mines Advisory Group on issues relating to the conflict and development landscape of the Democratic Republic of Congo. In my testimony I will be presenting the perspective of my organization which is a neutral and impartial humanitarian organization that clears the Remnants of Conflict for the benefit of communities worldwide. MAG has been working in DRC since 2004. With almost 200 staff and 16 teams operating in the field, MAG is the largest operator in DRC in both the Humanitarian Mine Action field, and the Conventional Weapons Management and Disposal field. MAG has been working on issues of Conventional Weapons Management and Disposal in DRC since 2006, supporting the Congolese government and the Congolese Armed Forces (FARDC) to meet their obligations under the Nairobi Protocol through the operation of mobile small arms and light weapons (SALW) destruction teams

MAG's clearance operations in DRC decrease the risks posed by unexploded ordnance (UXO) and SALW and enables communities to live in a safer environment, whilst opening up access to fertile land and essential facilities, services and trading opportunities. In cooperation with Congolese authorities and with the support of various donors, including the US Department of State's Office of Weapons Removal and Abatement, MAG has so far destroyed over 103,000 weapons and 718 tons of ammunition.

In the testimony I will cover a number of operational issues and draw both on the experience and learning we have gathered from our work on the ground and also additional sources of research and evidence that we have based our strategic approach on. I will be looking at the following areas which I hope will illustrate the operational challenges of this turbulent and rapidly changing environment:

- Operational engagement with the military (FARDC)
- How our work relates to regional security and stability issues
- Stockpile management
- Weapons and ammunition destruction and cross border movement of arms

1. Operational engagement with the military

Taking a cautious and pragmatic approach to working with the army is absolutely essential to making progress on the critical issues of weapons management and disposal. MAG DRC works in close collaboration with the FARDC, taking a consistent line of pragmatic engagement; this strategic decision has paid dividends to date in terms of the success of our Conventional Weapons Management and Disposal program. Building trust and recognizing the authority of the military are foundations of this all important relationship. MAG's approach is in line with the recommendations of a recent report which highlights the importance of "ensuring that any engagement with armed actors is strategic, appropriate and will ultimately result in increased protection for communities"¹.

¹ World Vision (2008): "Principled pragmatism: NGO engagement with armed actors"

MAG is the only humanitarian actor in DRC working in FARDC and the National Police (PNC) ammunition and arms depots. As such we been able to access and destroy surplus arms and unstable munitions in FARDC and PNC stocks, and has also **worked closely with FARDC and PNC personnel on all levels to improve their capacity and to support strategic directives for arms and ammunition management.** MAG coordinates with the FARDC and PNC in several ways:

- **Strategic coordination:** MAG regularly meets with the general HQ of the FARDC to discuss critical needs related to arms and ammunition. Notably, following several explosive incidents in ammunition depots in FARDC stockpiles causing hundreds of casualties, and an increased awareness of the critical need to control the flow of small arms,² the FARDC regularly calls on MAG to provide urgent assistance, particularly in regard to the destruction of unstable ammunition.
- **National norms setting and training:** During the past four months MAG has been working with ammunition experts in the FARDC and the PNC to develop national security standards for the management of ammunition and arms depots, in line with NATO guidelines. These norms are expected to be presented in December 2010 to the General of the FARDC Logistic Department. In parallel, MAG has been working with the teaching staff at the National FARDC Logistics School (ELOG) to develop a program and training course for FARDC ordnance specialists.
- **Cooperation in regards to ammunition and arms depots:** MAG and the FARDC coordinate evaluations of armories and ammunition stockpiles, either undertaking joint evaluations or exchanging information post-assessment, to facilitate the destruction of unstable and/or surplus ammunition and arms.
- **Coordination of ammunition destruction:** MAG has two mobile teams working in close collaboration with FARDC field personnel. The ammunition stockpile evaluation team is composed of both MAG and FARDC personnel. The FARDC liaison officer operating in the Evaluation Team reports to the FARDC Central Logistics Base (Base Logistic Centrale). MAG's mobile destruction team coordinates all activities with FARDC personnel in the field and the regional military bases.
- **Coordination of arms destruction:** MAG has provided both the physical infrastructure and the capacity to enable the FARDC to develop an Arms Destruction Workshop in Kinshasa (currently being rehabilitated by MAG), which has been operating since 2007. MAG has trained an FARDC arms destruction team to operate two sets of hydraulic shears, provided to the FARDC with US and Canadian funding. Based on MAG/FARDC assessments of armories, Disarmament, Demobilization, and Reintegration (DDR) activities or other FARDC prioritization, small arms and light weapons are earmarked for destruction across the country. At the request of the FARDC, MAG facilitates the transportation of surplus and obsolete arms from regional military basis to the Arms Destruction Workshop in Kinshasa where they are destroyed.

² Ministère De L'intérieur et Sécurité (December 2009) "Commission Nationale de Contrôle des Armes Légères et de Petit Calibre et de Réduction de Violence Armée : CNC – ALPC"

- **Support to Security Sector Reform (SSR):** MAG regularly attends the working group on SSR on DRC; this provides a forum to allow international actors (particularly MONUSCO, EU, EU missions, and other donors) to coordinate SSR activities with the government.

The FARDC requests MAG's assistance in the destruction of functional weapons and ammunition for a number of reasons. First and foremost, under the Nairobi Protocol, the Ottawa Treaty and the Oslo Treaty and in accordance with the UN Plan of Action, DRC is obliged to destroy certain types (cluster munitions, Anti-Personnel mines) or surplus ammunition and arms. MAG supports the FARDC in reaching these standards. MAG has destroyed 2,007 Anti Tank Mines and 293 cluster munitions, most of which were fully operational when destroyed.

Secondly, as a result of MAG's extensive experience with arms and ammunition in the DRC, MAG has a deep understanding of the types of weapons and ammunition that are available in FARDC stockpiles. At times, the FARDC does not have the appropriate weapon to fire the ammunition in their stockpile or does not have ammunition for a given weapon. In such cases, MAG encourages the FARDC to destroy this ammunition and/or arms.

Thirdly, the FARDC is acutely aware that it does not have the capacity to adequately manage its ammunition and arms stockpiles. They understand the risk that poorly managed stockpiles can pose to their own security as well as to the security of the civilian populations. In recent years the FARDC has experienced several explosive incidents in their ammunition stockpiles which resulted in hundreds of casualties and understands the potential danger (Aéroport de N'djili, Kinshasa (2002); Camp Ngashi, Mbandaka (2007); Kananga, Kasai Occidental (2009) and Mbandaka, Equateur (2010)).

MAG also coordinates closely with the relevant Department of Defense (DoD) actors in DRC, including relevant US Embassy personnel and AFRICOM. MAG is currently exploring opportunities to work in conjunction with the US deployment in regards to EOD training of FARDC personnel. MAG facilitates and supports missions of the DoD's Defense Threat and Reduction Agency (DTRA) wherever possible, across all of our programs. MAG's long-term presence and often strong relations with local, national and regional bodies and authorities provides us with unique access and opportunities for collaborative work.

In line with the DoD's agenda, MAG also prioritizes the destruction of anti-aircraft missiles (MANPADS), anti-personnel mines and cluster munitions. All MANPADS that are located and identified by MAG are reported to the Office of Weapons removal and Abatement within 72 hours.

In 2009, MAG completed a 19-month project working closely with the US embassy and DTRA on the destruction of a significant cache of MANPADS in Burundi. A total of 312 MANPADS were destroyed. The project also involved the implementation of security upgrades at the Ammunition Logistics Base in Bujumbura as recommended by DTRA.

2. How our work relates to regional security and stability issues

DRC shares a total of 10,730km of border with nine countries, many of which are experiencing or have experienced significant instability, including Rwanda, Uganda, Sudan, Central African Republic, Republic of Congo and Angola. Across the country and in the east of DRC in particular, ongoing conflicts and tribal allegiances mean that official political borders with other countries can be very blurred. This can have significant knock-on effects for the communities in those areas. Conflicts regularly flare up in border areas, with easy access to arms exacerbating and in many cases fuelling violence.

Continued instability in the east of the DRC is believed to pose a substantial threat to the stability of the Great Lakes region. Armed groups from neighboring countries continue to operate out of the largely ungoverned areas in eastern Congo including:

- *The Forces Democratiques pour la Liberation du Rwanda (FDLR)*: The FDLR was essentially born from the ALIR (I and II) and is rooted in the movements and structures created by the refugees and combatants that fled Rwanda after the 1994 genocide.
- *The Forces Nationales pour la Liberation du Burundi (FNL)*: The FNL, the oldest existing rebel movement in Burundi and the Great Lakes region, continues to work towards their expressed objectives from their base in the east of Congo, namely the rule of Burundi by the majority ethnic group (Hutus) and the redistribution of national resources (particularly to the benefit of rural populations).
- *Allied Democratic Forces (ADF) and National Army for the Liberation of Uganda (NALU) of Uganda*: The ADF and NALU, with continued links to Islamic extremist groups in Uganda, operate out of the North Kivu province against the Ugandan government.
- *Lord's Resistance Army (LRA)*: The LRA is currently operating in north eastern Congo, destabilizing the region and continuing to pose a risk to the stability of Uganda.

The trafficking and easy availability of small arms and light weapons substantially contributes to the continued instability and the armament of these groups³. Furthermore, a recent UNDP report estimates that there are approximately 300,000 weapons in civilian hands in eastern Congo⁴. The quantity of arms currently in the hands of armed rebel groups operating in this region is unknown. Both the UN Group of Experts on the DRC (2008) and the UNDP found that a significant number of these weapons originally came from FARDC stockpiles, due to thefts and seizures by armed groups, diversion of arms by FARDC officers and units, and desertion and demobilization of FARDC personnel. All of these factors were identified as important sources of arms trafficking in the East⁵. As with the availability of arms, the UN Group of Experts found that the poor management of FARDC ammunition

³ See, inter alia, October 2010 SIPRI Background Paper : "Arms Transfers to the Democratic Republic of Congo: Assessing the System of Arms Transfer Notifications, 2008-2010"

⁴ UNDP (April 2010) "Etude sur la prolifération des armes légères en République Démocratique du Congo"

⁵ UNDP (April 2010) "Etude sur la prolifération des armes légères en République Démocratique du Congo"; December 2008 Final report of a UN group of experts about the security of the FARDC depots

stockpiles combined with the low payment of military personnel may be substantially contributing to the availability of ammunition on the black market⁶.

It has frequently been recognized that poor to non-existent stockpile management by the FARDC is “one of the main challenges to preventing illicit arms flows in the DRC”⁷. The final report of the UN Group of Experts’ in-depth investigation of the causes of instability in the country⁸ found the following:

138. The Group of Experts examined stockpile management within FARDC to review what safeguards had been put in place to prevent the loss of arms. The Group focused on stockpile security, maintenance, marking, record-keeping and the accountability of small arms and light weapons and ammunition. According to foreign military advisers and sources within FARDC, stockpile management is almost non-existent. The Government does not know how many of its arms are stored at which depots and with which units. There are accordingly few safeguards in place to prevent the illegal sale of weapons and ammunition to non-governmental armed groups.

139. While some units showed the Group inventories, many others did not seem to have an accurate picture of the state of their armoury. Individual soldiers are often held accountable for their weapons and ammunition, but there is little such accountability for stocks and depots.

140. Most of the FARDC depots are insecure and outdated. The majority of the ammunition is kept in open dumps exposed to the elements, causing rapid decomposition owing to the harsh climate. In various parts of the country, soldiers are allowed to take their weapons home, contributing to insecurity in these areas.

This report therefore concluded that stockpile security, accountability and management of arms and ammunition should be treated as “an urgent priority” and that “Donors involved in security sector reform should include stockpile management in their assistance to FARDC.”

As such, MAG believes that improving the management and the security of arms and ammunition and the destruction of surplus arms and ammunition in FARDC depots is a critical to decreasing trafficking and improving stability in the east of Congo. Our mobile teams have worked in both North and South Kivu during the last 18 months, destroying significant quantities of arms and munitions. MAG continues to work with the FARDC towards safe and controlled management of arms and ammunition depots, both on the national level (establishment of national norms and training capacity) and in the field (destruction of arms and ammunition, training personnel in field depots and armories, and the physical rehabilitation of armories and ammunition depots). MAG is currently developing a human security impact assessment model to concretely gauge the degree to which the rehabilitation of ammunition depots and armories improves security for communities in the surrounding areas.

MAG’s destruction activities are indirectly in support of the national Disarmament, Demobilization and Reintegration process; however in a country which went through two civil wars between 1996

⁶ December 2008: Final report of a UN group of experts about the security of the FARDC depots

⁷ October 2010 SIPRI Background Paper : “Arms Transfers to the Democratic Republic of Congo: Assessing the System of Arms Transfer Notifications, 2008-2010” p5

⁸ UN Security Council Document S/2008/773, 12 December 2008, pursuant to Security Council Resolution 1533 (2004)

and 2003⁹ and many more years of localized and regionalized conflict, we remain mindful of and sensitive to the huge complexities of such a process. For example, the possibility of inadvertently exacerbating arms proliferation and trafficking through buy-back schemes was highlighted in recent DDR processes in West Africa. Reports suggested that weapons were being transferred from Liberia where they would fetch around \$300 per combatant, to neighboring Cote d'Ivoire where weapons surrender was worth over \$900¹⁰. This issue is equally acute in the Great Lakes, a region with widespread conflict, porous borders, and a low capacity to formulate or enforce regulations. Whilst there have been recent attempts to implement cash for weapons programs in DRC which have yielded some successful results, there were also concerns that this encouraged the diversion of weapons from military facilities, to be used as a source of income in an extremely poor country, rather than civilian disarmament¹¹.

MAG's approach is firmly based on the principle of "do no harm," with an acceptance of the complexity of the process and the potential dangers and pitfalls of the imposition of flawed or "one-size-fits-all" solutions. We recognize that DDR processes need to be local, specific and context-sensitive whilst at the same time taking into account regional, cross-border issues. MAG's role to date has therefore been within clear and specific parameters of what we can usefully contribute and where our expertise and experience can add value.

In accordance with our SALW strategy, MAG has increased coordination between operations in DRC and those in neighboring countries. Furthermore we are planning to implement a coordinated pilot project focused on the rehabilitation of armories along the eastern border of DRC and in neighboring countries towards reducing the trafficking of arms across borders. MAG works in regular coordination with RECSA (the Regional Centre for Small Arms) to assist states in the great lakes region to meet obligations under Articles 6, 7 and 8 of the Nairobi Protocol. Coordination with RECSA is pivotal to building a regional approach to the problems of small arms and light weapons misuse and proliferation.

3. Stockpile management

In addition to the threats associated with insecure FARDC arms (both in regards to use by FARDC off-duty personnel and the risk of theft and trafficking), ammunition stockpiles pose a significant risk to civilian and military populations living in their vicinity. Ammunition stockpiles are often located in heavily populated areas. An explosive incident could cause high levels of both civilian and military casualties.

The case of Camp Ngashi (Mbandaka) is a good example of what can happen; in June 2007 an FARDC ammunition stockpile exploded - the initial explosion caused a huge fire which burned intensely for at least 6 hours, setting off numerous subsequent large explosions. The facility housed large and small scale weapons, small arms ammunition, different caliber mortars and rockets, up to large high

⁹ The first Congolese civil war lasted from November 1996 to May 1997; the second ran from August 1998 to July 2003

¹⁰ See, inter alia, Bernath, Cliff & Sara Martin (2004), "Peace Keeping in West Africa: A Regional Report" Refugees International; Pawson, Lara (2004), "Ivory Coast's Difficult Disarmament", BBC News, UK Edition, 17 March 2004; Isima (2004) "Cash Payments in Disarmament, Demobilisation and Reintegration Programmes in Africa", Journal of Security Sector Management Vol 2, no 3

¹¹ <http://www.irinnews.org/Report.aspx?ReportId=81962>

explosive aerial bombs. Ammunition was ejected up to 3.5km outside of the camp. The cause of the explosion remains unknown: this is itself is not unusual, as research suggests that 36% of such events since 1995 have been cited as cause unknown¹².

Three people were killed, around 100 injured and over 200 families were displaced. Unexploded ordnance was scattered across the densely-populated town, seriously damaging schools, government and military facilities. At the request of the FARDC, MAG emergency response teams were dispatched to the area and tasked with UXO clearance. In accordance with MAG's priorities, the humanitarian needs of the population were prioritized, with immediate clearance being undertaken around households, water points and other key areas where contamination was preventing or endangering daily activities. In total, the MAG teams worked with the FARDC to destroy 3,500 weapons, 5,000 items of UXO and 35 tons of ammunition. Over 10,000 men, women and children received information and training on staying safe during clearance and in the post-explosion context. This operation removed the immediate threat of death or injury; rendered safe land, roads and a crucial water point; and also made a small contribution to regional security by ensuring that weapons and ammunition were not available for trafficking.

Following the incident at Camp Ngashi, the remaining ammunition in the area was regrouped in Bokala Camp. On 23 August 2010, a 107mm rocket departed from the FARDC stockpile in Bokala camp, piercing two walls of the ammunition depot and landing in a tree in the center of the town. If it had been fully functional, its explosion could have maimed and killed high numbers of people either in the FARDC camp or in the town where it landed. Following this incident, at the request of the FARDC, MAG destroyed over 23 tons of unstable ammunition in the stockpile in Camp Bokala.

4. Weapons and ammunition destruction and cross border movement of arms

Since 2007, MAG has been involved in extensive weapons and ammunition destruction activities, over this time we have destroyed 718 tons of ammunition¹³. Under the current grant from the US Department of State, MAG destroyed 62.5 tons of ammunition during the last six months.

During this period we have also destroyed 3,791,288 munitions items, including 2,007 Anti Personnel Mines, 293 cluster munitions, and 12 MANPADS. Under the current grant from the US Department of State, during the first six months MAG destroyed a total of 843,567 munitions items as follows:

- 832,052 1mm – 20mm munitions items
- 3,575 21mm-60mm munitions items
- 2,943 61mm – 100mm munitions items
- 759 101+mm
- 9 AP mines
- 4,229 UXO

¹² Wilkinson (2010) "The threat from explosive events in ammunition storage areas" Explosive Capabilities Limited

¹³ as of October 2010

In terms of weapons MAG has destroyed more than 107,228 small arms and light weapons. Under the current grant from the US Department of State, during the first six months MAG destroyed a total of 5,201 arms, including:

- 5,145 small arms
- 56 weapons of more than 101mm

At the request of the FARDC, MAG destroys dangerous arms and ammunition. Though some are outdated and in poor condition, all weapons and ammunition are believed to pose a significant risk to civilians. Weapons in poor condition can still kill and injure. Parts from three obsolete weapons can be used to make an operational weapon. Notably, most people are not able to recognize a non-functional weapon, and a non-functional weapon can therefore still be used as a tool for coercion and contribute to a culture of violence and fear. As such, an obsolete weapon can be as dangerous as a functional weapon for civilian populations. Equally, despite the work done to date, given the scale of the conflict in DRC and the number of combatant nations there is still much to do and no real knowledge of exactly how many weapons are out there is poorly supervised or abandoned stockpiles.

The issue of cross border weapons movement is considerable in a country of the size of DRC. DRC's borders remain porous and, in many areas, uncontrolled. Coupled with the continued presence of armed groups, most notably in the east, the risk of cross-border trafficking of arms is significant. The following are just a few examples of key areas of cross-border weapons traffic:

Central African Republic Transfers of arms from DRC into CAR have been reported in 1997, 1999 and 2001-2003¹⁴

Republic of Congo Reports suggest ready availability of weaponry and ammunition in Republic of Congo, with dealers crossing the Congo River to traffic items into DRC¹⁵.

Rwanda Arms have been reported to be transferred from Rwanda into DRC by boat, road and plane¹⁶; equally there is much information to suggest flow in the opposite direction from Interahamwe and former Rwandan Army groups based mainly in the east of DRC¹⁷

Sudan Small arms trafficking has been found to be mostly one way, from Southern Sudan into DRC, primarily due to a saturation of arms from the second north-south civil war and therefore lack of demand on the Sudanese side.¹⁸

Tanzania Alleged shipments of weapons including AK-47s, rockets, munitions and grenades were provided to the FDLR by boat from Tanzania between 2008 and 2009¹⁹

¹⁴ Small Arms Survey (2008) "The Central African Republic and small arms: a regional tinderbox"

¹⁵ Demetriou, S., Muggah, R. and Biddle, I. (2002) "Small Arms Availability, Trade and Impacts in the Republic of Congo" Small Arms Survey

¹⁶ Amnesty International (2006) "Dead on time – arms transportation, brokering and the threat to human rights"

¹⁷ Shyaka, A. (2006) "Cross-Border Cooperation in Fighting Small Arms Proliferation and Illicit Weapons: The Case of Rwanda with her Neighbours" in *Controlling Small Arms in the Horn of Africa and the Great Lakes Region: Supporting implementation of the Nairobi Declaration*.

¹⁸ Marks, J. (2007) "Border in Name Only: Arms Trafficking and Armed Groups at the DRC-Sudan Border", Small Arms Survey

¹⁹ UN Security Council, final report of the group of experts on the DRC, 2009

Uganda UN Peacekeepers have recently been patrolling the DRC-Uganda border in response to reports of the Lord's Resistance Army trafficking arms in the area²⁰.

Although it is clear that cross-border trafficking is occurring in significant quantities, there is little accurate and detailed information on the issue. This lack of information is, in part, a consequence of the lack of weapons marking in the region. MAG firmly believes that a key element of curbing arms trafficking is the marking of weapons. To these ends, RECSA has provided the FARDC with arms marking equipment and, in conjunction with MAG operations in neighboring countries, is hoping to begin a weapons marking program, to be monitored by RECSA.

Whilst the movement of arms across borders remains a critical concern, there is substantial research concluding that the majority of arms used by armed groups come from FARDC stockpiles²¹. A recent report concluded that "unless the Congolese security forces significantly improve the effectiveness of their stockpile management, the extent to which the current arms embargo – which places no restrictions on arms acquisitions by the FARDC – can maintain peace and stability in the region will be limited."²² As such, securing and marking existing FARDC arms stockpiles is as critical as securing FARDC borders. Based on its existing successful operations, MAG is convinced that the destruction of surplus arms, building FARDC arms management capacity and the necessary infrastructure in armories and marking operational arms with a unique country code are central to curbing the illicit sale and trafficking of weapons in the DRC.

In closing I would like to thank the committee for its time and the opportunity to present on MAG's range of activities and approaches to dealing with the unique challenges that this vast and unstable country presents.

²⁰ <http://congowatch.blogspot.com/2010/09/un-battles-arms-trafficking-in-congo.html> (24/09/2010); <http://www.afriqueavenir.org/en/2010/09/23/monusco-accuses-lra-of-involvement-in-arms-trafficking-through-drc-south-sudan/> (23/09/2010)

²¹ December 2008 Final report of a UN group of experts about the security of the FARDC depots

²² October 2010 SIPRI Background Paper : "Arms Transfers to the Democratic Republic of Congo: Assessing the System of Arms Transfer Notifications, 2008-2010" p11