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### Evaluation of the United Nations Mine Action Programme in the Democratic Republic of the Congo

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Evaluation of the United Nations Mine Action Programme  
in the Democratic Republic of the Congo  
March-April 2008



Requested by the United Nations Mine Action Service (UNMAS),  
Office of Rule of Law and Security Institutions,  
Department of Peacekeeping Operations.

**Carried out by Anne Capelle and Chris Lang  
Independent Consultants.**

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## Acronyms

|          |  |
|----------|--|
| ADDHIAC  | Agence de Diffusion du Droit International Humanitaire en Afrique Centrale.  |
| BAC      | Battle Area Clearance  |
| BADU     | Bureau des Actions de Développement et d'Urgences.                           |
| CAF      | Country Assistance Framework   |
| CCW      | Convention on Certain Conventional Weapons                                   |
| CERF     | Central Emergency Response Fund  |
| CPD      | Document Programme Pays/ Country Programme Document                          |
| DA       | Dangerous Area   |
| DCA      | Danish Church Aid  |
| DDR      | Disarmament, Demobilisation and Reintegration                                |
| DDRRR    | Disarmament, Demobilisation, Repatriation, Reinstallation and Reinsertion    |
| DRC      | Democratic Republic of Congo   |
| DSCR     | Document de la Stratégie de Croissance et de réduction de la Pauvreté        |
| DSRSG    | Deputy Special Representative of the Secretary General of the United Nations |
| ECC/MERU | Eglise du Christ au Congo/ Ministère pour les Réfugiés et les Urgence        |
| ERW      | Explosive Remnants of War  |
| EOD      | Explosive Ordnance Disposal  |
| EUPOL    | European Union Police Mission ,  |
| EUSEC    | European Union Security Sector reform mission in DRC.                        |
| GIS      | Geophysical information system   |
| GMAA     | General Mine Action Assessment   |
| HAG      | Humanitarian Advocacy Group  |
| HAP      | Humanitarian Action Plan   |
| HCR      | Office of the United Nations High Commissioner for Refugees                  |
| HI-B     | Handicap International-Belgium   |
| ILDI     | Initiative Locale pour le Développement Intégré                              |
| IMAS     | International Mine Action Standards  |
| IMPT     | Integrated Mission Planning Team   |
| IMSMA    | Information Management System for Mine Action                                |
| LIS      | Landmine Impact Survey   |
| MACC     | Mine Action Coordination Centre  |
| MAG      | Mines Advisory Group   |
| MOA      | Memorandum Of Agreement  |
| MONUC    | United Nations Mission in the Democratic Republic of the Congo               |
| OCHA     | Office of Coordination of Humanitarian Affairs                               |
| PAP      | Priority Action Plan   |
| PEAR     | Programme of Expanded Assistance to Returnees                                |
| PF       | Pooled fund  |
| PFNLAM   | Point Focal National de lutte anti-mines/ National Mine Action Focal Point   |
| QA       | Quality Assurance  |
| QC       | Quality Control  |
| RFP      | Request for Proposals  |
| RRC      | Réintégration et redressement communautaire                                  |
| RSA      | Republic of South Africa   |
| SHA      | Suspicious Hazardous area  |
| SoW      | Statement of Work  |
| SSR      | Security Sector Reform   |
| TA       | Technical Advisers   |
| UNDAF    | United Nations Assistance Development Framework                              |

|        |   |
|--------|---|
| UNICEF | United Nations Children Fund                    |
| UNMACC | United Nations Mine Action Coordination Centrer |
| UNMAS  | United Nations Mine Action Service              |
| UNMIS  | United Nations Mission in Sudan                 |
| UNOPS  | United Nations Office for Project Services      |
| UXO    | Unexploded ordnance                             |
| VA     | Victim Assistance                               |
| VTF    | Voluntary Trust Fund for Mine Action            |

# Executive Summary

## 1. Background

The purpose of this evaluation was to define the future course of the United Nations Mine Action Co-ordination Centre in terms of what it does and how it executes its tasks. It is an opportune time to undertake such an evaluation as in the past year the number of challenges that have faced the UNMACC and the DRC in general have abated and for the first time since its inception the MACC is fully funded for 2008.

According to its mandate (SCR 1291 2000) MONUC is required *“to deploy mine action experts to assess the scope of the mine and unexploded ordnance problems, coordinate the initiation of mine action activities, develop a mine action plan and carry out emergency mine action activities as required in support of its mandate”*

Pursuant to this resolution the UNMAS developed a mine action programme to deal with landmines and unexploded ordnance (UXO) in the country in order to assist MONUC in fulfilling its mandate

The UN Mine Action Coordination Centre in the DRC (UNMACC-DRC) was created in February 2002, with offices in Kinshasa and Kisangani. Today the UNMACC operates out of Kinshasa, Bunia (Ituri) and Bukavu (South Kivu).

The UNMACC has operated in a context where the scope and impact of the landmine and unexploded ordnance problem is ill defined and where the UNMACC has faced numerous logistical challenges and continued conflict.

The Mine Action programme in the DRC was designed to be implemented in 3 Phases;

### Phase 1

- The establishment of a Mine Action Coordination Centre under the Auspices of MONUC
- Assessment to determine the humanitarian impact of the landmine and UXO problem
- Implementation of emergency mine action activities
- Implementation of IMSMA as the primary information tool
- Assist MONUC in implementing urgent survey operations (for deployment)
- Establish liaison and coordination mechanisms, involving mine action operators in the DRC including the national authorities

### Phase 2

- Opening of additional offices throughout the country
- Advocacy for and assistance to the government in implementation of the Ottawa Treaty
- Coordination of resource mobilisation
- Management of the programme on behalf of the Government
- Mine action activities(in support of the overall humanitarian strategy for the DRC) including operational programming, coordination, information management and quality assurance/control

### **Phase 3**

- Establishment of a management body and institutional arrangements capable of assuming responsibility for Mine Action activities in the DRC
- Creation of an operational National Capacity on Mine Action in the DRC
- Planning of Mine Action core activities for the mid and long term

At the time of the evaluation it was assumed that Phase 1 was complete, Phase 2 was partially complete and ongoing and Phase 3 is under action concurrently.

## **2. Main Findings**

- **Size and scope of the Landmine and UXO Problem**

The size and scope of the actual landmine and UXO problem in the DRC remains unknown. The team recognises the enormous logistical and financial constraints that are placed on the UNMACC to define accurately the landmine and UXO problem in the DRC and acknowledges that a comprehensive Landmine Impact Survey is probably unworkable in the current climate. The Preliminary Opinion Collection (POC) survey may go some way to defining the most contaminated districts but greater efforts are needed to ensure reliable data is available to assist in mid to long term planning. Whilst the team acknowledges that more reliable data would be of considerable benefit the team considers that this lack of reliable data is too often used as an excuse for omissions in current operational planning

- **National Capacity on Mine Action**

The UNMACC has succeeded in securing a commitment from the Government to establish a National Capacity on Mine Action in the DRC. The team commends the patience and consistency of the UNMACC staff to maintain momentum within the Congolese Government for the development of a draft law on the implementation of the Ottawa Convention and the creation of a National Focal Point for Mine Action by the Minister of State for the Interior. However much remains to be done including ensuring there is a longer term sustainable capacity to deal with the problem of landmines and ERW

- **Interagency Cooperation**

The UNMACC participates regularly in Interagency Meeting. However, the team found that whilst people interviewed recognised the regular participation of UNMACC staff to meetings and their availability to respond to requests for information it was clearly expressed that the UNMACC should be more involved in providing ideas and points of discussion and have more active participation in country action plans and long term strategic planning.

- **Mine Action Activities in Support of MONUC**

The team commends the provision of mine action services in support of the MONUC mission. All stakeholders were very satisfied with UNMACC and its subcontractor MECHEM in their ability to provide a timely and effective response. However, several sources highlight that the lack of forward planning by MONUC of troop deployments decreases the effectiveness of operational mine action assets. Equally, whilst MECHEM does undertake limited humanitarian demining activities there is considerable ambiguity in the Memorandum of Understanding re the level of its involvement.



- **Coordination and Management of Humanitarian Mine Action Activities**

Whilst there is a mechanism for coordination of mine action NGOs and commercial companies in place the team felt that this was a significant area of weakness. The monthly coordination meetings were criticised by several participants as lacking purpose. Equally stakeholders raised concerns regarding the lack of visibility of UNMACC operational staff in the provinces. The team was concerned that the international NGOs were acting autonomously from the UNMACC, which has an adverse effect on the ability of the UNMACC to undertake effective and efficient operational planning activities. The team was also concerned about the current levels of quality control/assurance undertaken by the UNMACC of implementing partners but wishes to acknowledge the staff shortages that have contributed in part.

- **Planning of Mine Action Core Activities in the Mid to Long Term**

The team found that mid to long term planning was insufficient to meet the changing context of the country. The team felt that there was a clear lack of congruence between mine action strategies and the countrywide priorities and strategic direction. The team believes that there is currently too much emphasis placed on creating a functional national mine action structure to the detriment to mid to long term planning for actual clearance activities in the country. The team also found that limited consideration has been placed on ensuring a long term solution to dealing with any residual mine and UXO remaining in the DRC after 2012

### ***3. Main Recommendations***

- **Size and scope of the Landmine and UXO Problem**

- Develop an action plan to collate existing data into a usable database for prioritisation of tasks and tasking in the short to mid term
- Finalise prioritisation of tasking as a priority
- Continue collaboration with the Survey Action Centre to define the most effective data collection methods for the DRC

- **National Capacity on Mine Action**

- Continue to advocate with the Government on the development of a national mine action capacity
- Ensure greater emphasis is placed on the vocabulary utilised to accurately reflect the actual contamination problem in the DRC
- Develop links with the Ministry of Defence and the Army to establish a long term capacity for dealing with landmines and ERW

- **Inter-agency Cooperation**

- Create an interagency working group on mines and ERW

- Strengthen active participation in meetings not only of the protection cluster but also other relevant clusters and security sector
  - Enhance advocacy activities and communication with MONUC for the recognition of the UNMACC and the importance of mine action within the DRC
- **Mine Action Activities in Support of MONUC**
    - Situate the MONUC Mine Liaison Officer in the UNMACC office to strengthen coordination
    - Initiate discussions with MONUC to find a workable solution to the problem of lack of forward planning of mine action requirements of the MONUC Mission
    - Consider making changes to the current MoA to enable greater flexibility of subcontracted mine action assets
- **Coordination and Management of Humanitarian Mine Action Activities**
    - Investigate methods of enhancing coordination with existing mine action partners to improve the effectiveness and efficiency of mine action in the DRC
    - Improve operational control of international and national mine action NGOs and contractors
    - Be more responsive to the needs of the NGOs and proactively support their operations
- **Planning of Mine Action Core Activities in the Mid to Long Term**
    - Develop a 4-5 year mine action operational strategy concentrating on the following areas;
      - Identification of contaminated areas
      - Establishing an action plan for effectively prioritising clearance operations
      - Defining needs for MRE and developing an action plan
      - Developing a meaningful victim assistance policy
    - Developing a national capacity to deal with the residual contamination problem

## **1. Introduction : Objectives of the Evaluation**

### **1.A. Summary of the Terms of reference of the Evaluation**

The terms of reference used in this evaluation center around 3 general questions:

- Does the programme do what it should?
- What should it do that it is not doing?
- Is what it is doing done well?

In order to be able to answer these questions, the following tasks have been listed with the appropriate terms of reference :

1. Analysis of the mandate given to the Mine Action Coordination Centre: (UNMACC)
  - The fundamental security of the peacekeeping mission in the DR Congo (MONUC)<sup>1</sup>,
  - The explicit mandates on mine action contained in the Security Council's resolutions 1291 and 1756,
  - The implicit mandates through which mine action could support the Mission's global objectives.

Then analyze the extent to which UNMACC responds to these requests.
2. Analysis of the DRC Government's expectations in terms of mine action and how UNMACC responds to these expectations.
3. Analyze the requests for development and reconstruction in all domains supporting mine action and to what extent UNMACC responds to these requests.
4. Analysis of sponsor's expectations within the DRC relating to the fight against landmines and to what extent UNMACC responds to these expectations.
5. Analysis of the present activities of UNMACC's operational coordination programme throughout the 5 pillars of mine action and identification of the means to strengthen this coordination, including gender issues.
6. Analysis of the developmental activities undertaken in UNMACC's capacity throughout the 5 pillars of mine action and identification of the means to strengthen this coordination, including gender issues.

### **1.B. Principles of the Evaluation**

Some principles have been used while conducting this evaluation:

- This is a preliminary evaluation designed to identify the means to better respond to the identified needs. The team only reviewed the past actions that seemed necessary to understand and appreciate the present situation.
- An ambitious vision of the place this type of evaluation has in the programme's dynamic and its goal of efficiency.
- A table of the credentials of people met, interviewed about professional questions without judgment of the individual.
- The report does not mention who said what in the interviews.

### **1.C. Methodology used**

The consultant responsible for the work was in New York for an initial briefing preceding her field visit. This briefing permitted her to get a precise idea of what was expected during this evaluation.

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<sup>1</sup> Mission of the United Nations Organization in the Democratic Republic of Congo : MONUC

A meeting between the two consultants then took place in Brussels for a close look at method, scheduling, and task assignment. It was also decided to prepare a debriefing for UNMACC's managerial staff at the end of the on-site mission.

The working method centres around three axis:

1. Review of documents based on a significant number of documents such as UN Security Council's resolutions, the internal reports of the programme and its partners, the reports about visits and meetings, strategic national documents, decrees relating to national projected law, contracts, memoranda of agreements, etc.<sup>2</sup>
2. Direct interviews of key persons in New York, as well as in the Democratic Republic of Congo: UNMACC's managers and employees, MONUC's managers, national authorities, the official agencies of the UN, national and international NGOs. Certain people were also contacted by phone or email<sup>3</sup>.
3. Data analysis and formulation of recommendations.

### **1.D. Acknowledgements**

The team in charge of the evaluating mission would like to warmly thank the director of the Mine Action Coordination Centre, Mr. Ouedraogo and his Deputy Mr. Raad for the effectiveness with which they organized the mission and the numerous meetings, and the flexibility they showed. We would also like to thank the entire UNMACC team of Kinshasa and Bunia for their welcome, their openness, and their accountability.

Our thanks also go to the all the people who graciously met with us, despite very busy schedules, in order to participate in this evaluation.

## **2. Context:**

### **2.A. Historical overview and key dates**

The Democratic Republic of Congo is one of the largest countries in Sub-Saharan Africa. Its size and location are at the centre of the continent, surrounded by eight other countries, making it a key country in the international arena in order to maintain the continent's stability.

#### **A few key dates:**

- 1996-1997: war overthrowing Mobutu, led by Laurent-Désiré Kabila
- 1998-2002: second Congolese war that involved up to 9 African countries. This war was essentially the work of poorly organized military groups. These ill-trained, poorly disciplined troops committed murders, pillaged, raped women and participated in ethnic cleansing, utilizing archaic mines and other outdated explosives.
- In 1999, warring countries signed a cease-fire agreement in Lusaka, which led to the installation of foreign forces from five countries in the DRC to facilitate troop withdrawal. ( Namibia, Zimbabwe, Angola, Rwanda, and Uganda)
- The Security Council created MONUC in November 1999.
- January 2001, President Laurent Désiré Kabila is assassinated and his son, Joseph Kabila, then chief commander of ground forces succeeds him in as Head of State.
- In 2002 the UN Mine Action Service (UNMAS) established the Mine Action coordination Centre in the DRC. Following the Security Council resolution 1291.
- In April 2003, the cease-fire agreement of Lusaka is completed by the Inclusive Global Accord in Sun City, South Africa. The agreement on division of power had as its goal to put in place a transitional government.

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<sup>2</sup> A list of principal documents can be found in the annex.

<sup>3</sup> A list of people met can be found in the annex.

- June 2003: Setting up the transitional government with a president and 4 vice-presidents coming from armed groups. Coexistence is, however, difficult.
- 2006 marked the end of the transitional government<sup>4</sup> and the organizing of democratic legislative and presidential elections in July with support from the international community. This was seen as the best way of ending the fighting. A second round in the presidential elections took place in October 2006 between J. Kabila and J.P.Bemba, won by J.Kabila who then took office as President of the Republic on 6 December 2006.
- Since the end of the elections, the country awaits radical changes: reconstruction, revival of the economy, education, and health care system. However, progress is slow.
- 9 November 2007: *Communiqué* relating to Nairobi on a communal approach between the DRC and Rwanda for the purpose of reestablishing peace and stability in the Great Lakes.
- 23 January 2008: Signature of the Goma Accords aimed at pacification of North Kivu.

## **2.B. Humanitarian Situation/ Development**

The Democratic Republic of Congo is in a state of humanitarian crisis and therefore has garnered attention from the international community for numerous years. Until 2006, this aid was principally in the form of emergency humanitarian intervention.

The Democratic Republic of Congo possesses considerable human and natural resource potential which has not been fully exploited. Citing the Department of Economic and Social Affairs within the UN, in 2007, the population of the DR Congo was about 60.2 million, 47.2% of which is under the age of 15. Their life expectancy, 43.5 years, is one of the lowest in the world. According to the annual UNDP report on human development, the DR Congo is 168<sup>th</sup> of 177<sup>5</sup>.

Humanitarian agencies have developed different documents outlining the priorities of their interventions. The most important in the case of the DRC are as follows:

- Strategy for Assistance to Countries 2008-2011 of the World Bank,
- Humanitarian Plan of Action (HPA) for the humanitarian community piloted by the Humanitarian Coordinator. This plan of action is annual and is still expected for 2009 and probably 2010.
- The Priority Action Programmes (PAP).
- Country Assistance Framework (CAF) of the UNDAF<sup>6</sup>. This “Country Assistance Framework” has a communal strategy approach of a significant number of important donors in the DRC. It covers the period 2007 to 2010 and is used as the basis for harmonization of differing approaches and programmes.

Presently, with the advent of greater stability, it is projected to pass progressively to long-term development programmes. However, this transition will be necessarily progressive and will extend over many years. The reference documents on development planning are:

- The Country Programme Document (CPD) 2008-2012 of UNDP
- DSCR<sup>7</sup> or “Strategy of Growth and Reduction of Poverty Document” is the reference document produced by the Congolese government around five functions of the Presidency.

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<sup>4</sup> The Third Republic of the DRC began officially 18 February 2006 with the promulgation of the Constitution approved by the 18 December 2005 referendum. The result was validated by the Supreme Court on 4 February 2006.

<sup>5</sup> All this data is taken from the report on human development 2007, UNDP

<sup>7</sup> We have not succeeded in obtaining a French version of this document.

<sup>7</sup> Since this document exists and is reference in French, we have maintained the French abbreviation for purposes of cross-referencing.

### ***. Introduction of key mine action players in the DRC***

Other than the Mine Action Coordination Centre (UNMACC), the principal players in mine action in the DRC are as follows:

#### ***2.B.1. MONUC***

The United Nations Mission in the DRC (MONUC) was created on 30 November 1999 by Security Council resolution 1279 following the Lusaka Accords. It is presently the largest of the 18 UN peacekeeping missions.

The mandate's four phases can be outlined as follows:

- The first phase centres around the application of the Lusaka cease-fire agreements;
- The second phase deals with handling violations appropriately;
- The third phase, which is still in progress deals with the process of DDRRR (disarmament, demobilization, repatriation, reinstallation and reinsertion) and
- The fourth phase, also in progress, deals with organizing credible elections.

MONUC is the only player who enjoys true legal legitimacy, accorded by 38 Security Council resolutions, 31 declarations by its President, 22 Secretary General reports, five international accords and five Security Council missions to the DRC since 1999. MONUC has been organized into three components: The military component, the security component and the civil component. It is through MONUC's mandate that the United Nations Mine Action Coordination Centre in DRC was established in 2002.

#### ***2.B.2. Commercial Operators***

The only company currently present in the field is Mechem, which is under contract with UNOPS in order to support MONUC's operations. Mechem is the most diversified mine clearance operator (in terms of means) in the DRC: mobile teams, dog teams, and mechanical equipment. Other commercial operators already came to the DRC for a limited time to support trade activities, principally, mineral mines (ex: Minetech or Armor Group) In the near future, with economic revival, the presence of commercial operators will be more important.

#### ***2.B.3. International Organizations***

Three international, non-governmental organizations are present in the DRC with the capacity for the clearance and management of unexploded devices.

- Handicap International Belgium (HI-B), present since 2001 and active principally in the Eastern Province.
- Mines Advisory Group (MAG), present since 2004 and active principally in the Province of Equator and in North Kantanga
- Danish Church Aid (DCA), has been present in the DRC since 2003 and first deployed clearance teams in 2005, primarily in the South and East. Since 2008 DCA has deployed a clearance team (EOD)<sup>8</sup> in Southern Kivu as well as survey teams and mine risk education teams (MRE) in Maniema.

Besides these three NGOs, the International Committee of the Red Cross (ICRC) is present in the DRC and is involved in the mine action programme principally for victim assistance. If the need was present, they could extend their services to educational projects about the danger of mines, by supporting their operations already in progress.

#### ***2.B.4. National NGOs***

Several national NGOs are involved with current educational programmes about the dangers of mines and explosive remnants of war (ERW)<sup>9</sup>. Certain ones act in partnership with international

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<sup>8</sup> EOD- refers to a removal team for which no proper name was given. Thus, the French acronym has been maintained

<sup>9</sup> ERW= Engins Non Explosés

NGOs responsible for the conveyance of expertise. This is the case principally of Humanitas Unbangi with MAG, ECC/Meru<sup>10</sup> with the DCA and Tosalisana with HIB.

The partnership of ECC/Meru with DCA has been long established, the others developed primarily since 2007. Other local NGOs now seem interested in the mine and ERW issue, and are expanding their traditional spheres of activity in order to include this dimension, principally in regards to MRE and survey. Eight local NGOs are presently invited to the monthly coordination meetings<sup>11</sup>. A few of these are also involved in advocacy activities.

### **2.B.5. UN Agencies**

The DRC is a pilot country for the “cluster” approach defined by the United Nations system to strengthen the efficiency of humanitarian response. This approach is coordinated by the Office for the Coordination of Humanitarian Affairs (OCHA). The mine issue and mine action is considered carefully in the protection cluster and also sometimes in the logistics cluster.

It is through these two clusters that UNMACC assures that the demands of humanitarian mine action are detailed in the annual Humanitarian Plan of Action (HPA).

The High Commission for Refugees (UNHCR), responsible for the problems of both refugees and displaced persons, collaborates with UNMACC on different projects. Among other concerns, the HCR is worried about the possible effects of the presence of mines and ERW in Kivu, where a plan for the return of 800,000 displaced people has been put in place. UNHCR therefore supported the plan of emergency capacity for mine clearance in Eastern Congo which obtained financial support from the CERF.

UNICEF, active in the DRC in numerous issues, is also the focal point of MRE. In this capacity UNICEF finances certain projects led by NGOs. Since 2003 the responsibility of MRE was in the emergency section of UNICEF. At the beginning of 2008, it was moved to the child protection section, which resulted in the portfolio transferring to a new person who has little exposure to MRE and was also responsible for other, more pressing portfolios. Since mid 2007, UNICEF also finances a managerial position for MRE projects, based at the heart of UNMACC.

The principal role of UNICEF in the MRE capacity is the financing of projects, but it only does this for NGOs accredited by UNMACC. As there are no local NGOs accredited, the financial aid is given through international NGOs, except in the singular case where a local NGO received a small amount of direct financial support in 2007. UNICEF would be ready to directly finance local NGOs as soon as they have acquired the required administrative skills.

The UNDP is not yet involved in mine actions in the DRC at this time.

The contact person in UNDP was the post-conflict unity manager. The office closed at the end of March 2008. UNDP programming evolves depending on the country’s changing situation and the new country programme documents, which was a five year programme proposed in April 2008. The development programmes are likely to be strengthened in 2008. If the region’s stability is maintained and the six regional offices are encouraged to do development work, the issues of mines/ ERW will henceforth be classified under the section “government and reform sector”. Up until now in the absence of a national structure, the coordination and capacity development was housed in UNMACC. However, the UN inter-agency’s policy places this responsibility with the UNDP. With the emergence of a national structure and the development of UNDP’s programmes in the DRC, it seems that the moment has come for UNDP to become more involved in mine action.

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<sup>10</sup> Eglise du Christ au Congo/ Ministère pour les Réfugiés et les Urgences

<sup>11</sup> Adra, Adic, Sylam, Addhiac, Humanitas-Ubangi, Badu, ECC/Meru, Tosalisana

## **2.C.6 The Congolese Government**

The Democratic Republic of Congo agreed to the convention which prohibits anti-personnel mines on 2 May 2002 and became a state party on November 1<sup>st</sup> of the same year. The DRC is not a member of the Convention on Certain Conventional Weapons (CCW) nor of Amended Protocol II and Protocol V. After the creation of UNMACC in the DRC in 2002, efforts have been to involve Congolese government in applying the convention rules and in the designation of responsible entities. The activism of the Congolese authority is a key element of dealing with the issue of mines and ERW in the DRC and has yet to be of a satisfactory level. If structures were put in place at various times, they often remain relatively ineffective. Probably due to a lack of means and political will, one can hope that advances in 2008 bring about concrete results and permit us to see the situation improve. Traditionally, Zaire's army followed by the Congolese army had at its disposal a contingent of engineers responsible for clearance; however, its capacities are presently reduced. Yet all persons met found it logical that the army resume this role on a long term basis.

## **2.D The Mine Action Programme**

### **2.D.1 Historical Overview**

Resolution 1291 of 24 February 2000 Paragraph 7(i) stipulates that the Security Council "to deploy mine action experts to assess the scope of the mine and unexploded ordnance problems, coordinate the initiation of mine action activities, develop a mine action plan, and carry out emergency mine action activities as required in support of its mandate;."

In accordance with this resolution, UNMAS put into place a mine action programme to support MONUC to fulfill its mandate, with the Mine Action Coordination Centre (UNMACC), integrated into the central structure of MONUC established in February 2002. This centre is based in Kinshasa with an initial regional office at Kisangani. Subsequently, the regional office in Kisangani was closed and two other regional offices were opened in Bunia and Bukavu.

On 29 January 2003, a letter from the Minister of Foreign Affairs and International Cooperation of the DRC officially presented UNMACC for accreditation, license and quality control of clearance operations with jurisdiction over the entire territory. The letter provided UNMACC an official role.

### **2.D.2 UNMACC's Roles**

In the Memorandum of Agreement (MOA) between the UN and UNOPS relative to UNMACC's operations, the three phases of the plan are described as follows:

#### **PHASE 1**

- The establishment of mine action coordination centre (MACC) under the auspices of MONUC;
- Evaluation to determine the humanitarian impact of mines and UXO.
- Execution of emergency mine action activities;
- Establishment and utilization of IMSMA as a principal tool for managing information;
- Assist MONUC in executing emergency operations and survey (for deployment purposes);
- Establish liaison and coordination mechanisms, allowing all mine action operators in the DRC, including national authorities to participate.

#### **PHASE 2**



The opening of additional offices throughout the country;

- Advocacy and support to the government in the application of the Ottawa Treaty;
- Coordinating resource mobilization;
- Management of the programme in the government's name;
- Mine action activities (in support of the global humanitarian strategy for the DRC) including operational programming, information management, and quality assurance.

### **PHASE 3**

- Establishment of a managerial structure and institutional arrangements capable of assuming responsibilities for mine action activities in the DRC;
- Creation of a national operational capacity for mine action in the DRC;
- Planning for essential mine action activities over the mid and long term.

According to the last MOA, the programme is presently in its third phase, but continuing phase two which will only end when the national structure is in place and will be able to progressively take on its responsibilities.

UNMACC's activities centre around three principal roles<sup>12</sup> :

#### **1) Supporting MONUC**

- Support MONUC through survey as well as clearance operations, and emergency clearance in contaminated areas to facilitate the future deployment of MONUC's forces.
- Provide assistance for disarmament and community rehabilitation done principally via the commercial organization Mechem, contracted by UNOPS to support MONUC.

#### **2) Coordination of mine action**

- Clearly define the humanitarian impact of contamination from mines or ERW and to facilitate emergency mine action.
- Facilitate and coordinate the activities of mine action teams including emergency survey, marking, clearance, as well as mine risk education activities.
- Collect and disseminate information and data, and set up and manage a national database (IMSMA).
- Develop an appropriate mid and long-term response.
- Accredite field and clearance operators in removal and clean up efforts, as well as in MRE.
- Ensure the quality of implementers in accordance with international standards (IMAS).

#### **3) Assistance to the national government and capacity building**

The final objective is to establish a national structure for mine action that would undertake the functions presently carried out by UNMACC. For this, it is necessary to:

- Aid and make the national government aware of the structure and implementation of the Ottawa Convention.
- Promotion of the opening of national management offices and institutions dealing with mine action;
- Assist and promote capacity building in the area of mine action.
- Encourage and help the national government take responsibility for mine action.

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<sup>12</sup> Inspired by the presentation on the website: [www.macc-drc.org](http://www.macc-drc.org)

### **2.D.3 Functional Analysis**

The UN Mine Action Coordination Centre in the Democratic Republic of Congo is made up of a national office located in Kinshasa and two regional offices located in the eastern portion of the country: Bunia and Bukavu. Presently, it is composed of seven international and five national staff, with an additional five national maintenance workers (drivers, gardeners, and janitorial staff)

The centre has seen several quite difficult years, principally due to problems recruiting international personnel. Since the centre's creation, April 2008 will be the first time that the positions are occupied at the same time. This, of course, had direct repercussions on the tasks carried out or not carried out by the centre. The issue of international human resources is treated in more detail in the chapter entitled "UNMACC Support".

The evaluation team is, however, a bit surprised by the small amount of national staff at the centre. The key positions are not occupied by a national alter-ego and there is little assistance relating to the importance of tasks to be accomplished.

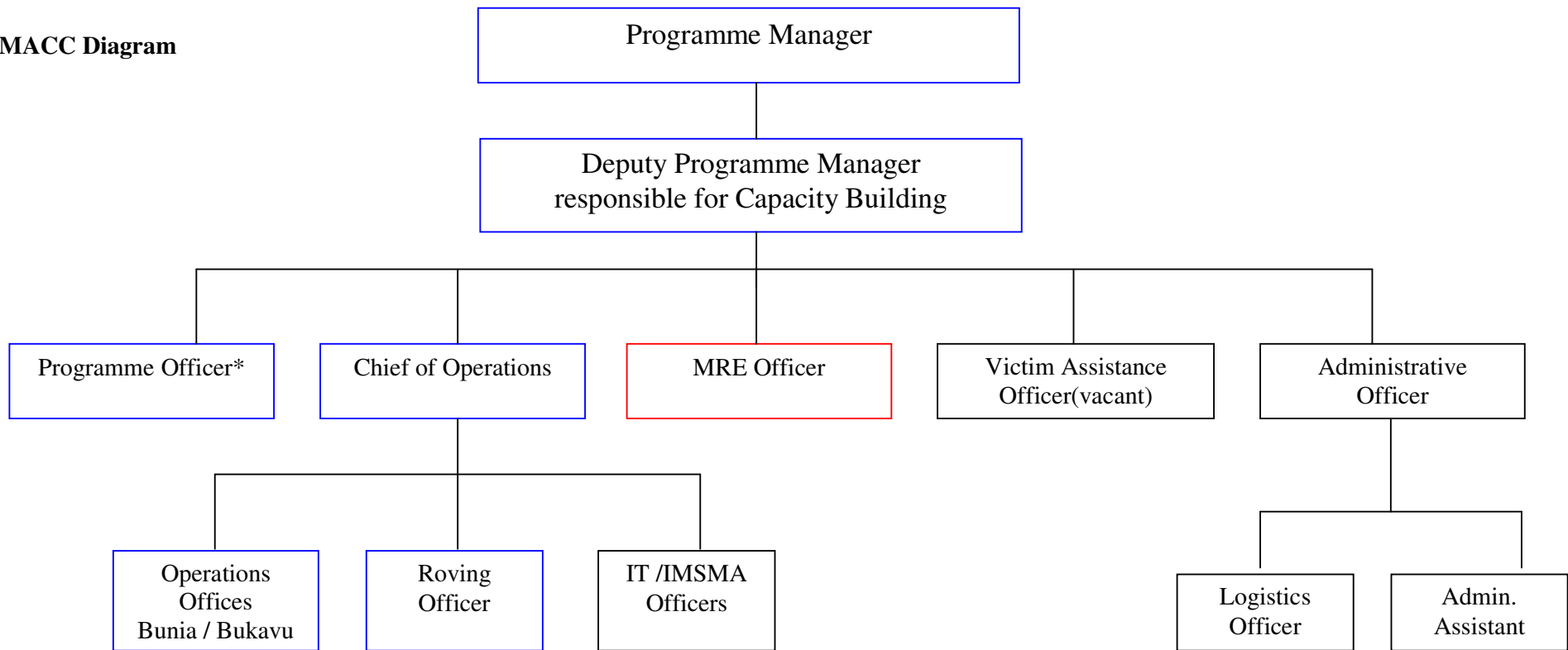
Three important elements are taken into account about the centre's organization:

- The fact that all MONUC's positions are "non-family" positions permits foreign citizens to a leave rotation (two weeks ever two months) which leads to regular absences of staff members.
- The international positions are difficult to fill and lead regularly to very long vacancies.
- The limited staff have the additional burden of the inherent slowness of the network and internet connections available

Together, these three factors have a negative impact on the execution of tasks (for reference, see the chapter on accreditation and communication problems). The recruitment of national staff, assisting the international functions could make some of these tasks less difficult and help in the capacity building of the Congolese staff with the goal of diminishing the number of foreign workers in these positions.

The establishment of the Congolese mine action centre is taking more time than originally thought and it is still impossible to predict when the centre will be functional, and still less predictable is when it will be capable of relieving UNMACC. At this time, it is important that UNMACC be given the necessary skills to carry out its present responsibilities with the target date of 2012 for the clearance of mined areas in the country.

**MACC Diagram**



Blue : International staff funded from the MONUC Budget

\* : funded by the VTF till June 2009

Red : National staff funded by UNICEF

Black : National staff funded by the VTF

### **3. *Moving towards effective mine action:***

#### **3A. *The Scope of the Threat***

As a result of years of war and internal fighting, the DRC is facing a real problem with landmines and explosive remnants of war including principally:

- Unexploded ordnance (UXO)
- Anti-personnel and anti-vehicular mines used in some regions and in ways that are beyond standard military doctrine
- Various abandoned stockpiles stored in unsafe conditions above and at time below ground.

Unexploded ordnance present serious risks to the security of the population. Handling these items causes large explosions that are often fatal to people in close proximity. Their mere presence often causes populations aware of the danger to leave the area.

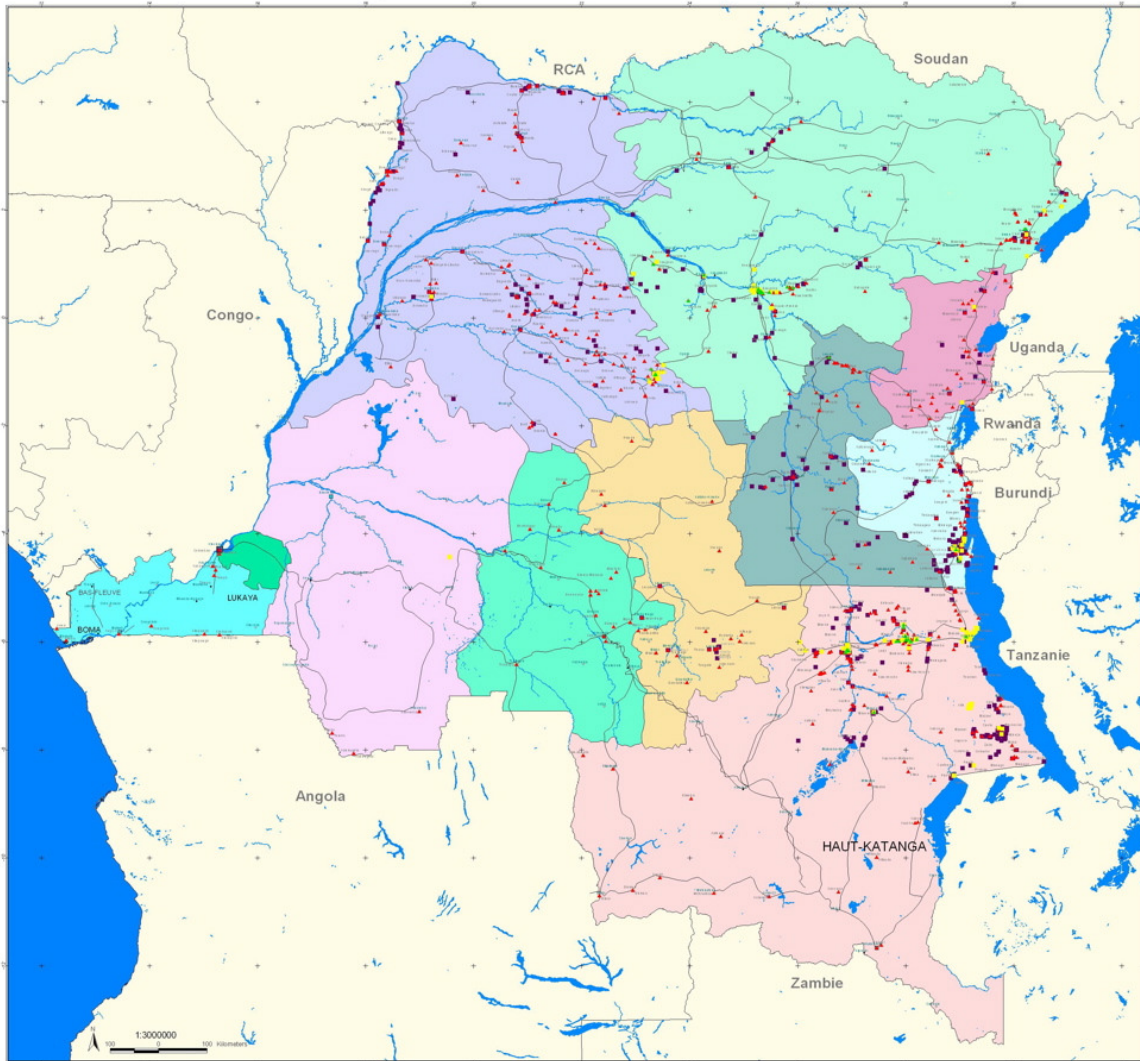
The mined areas are dangerous because it is often impossible to identify them. Large areas which populations suspect are mined are therefore abandoned and remain unused. Also, this sometimes results in avoidance behaviors (detours) which have a direct effect on the population's sources of revenues.

The stocks of munitions stored in warehouses also represent a very serious risk for the populations. Also, the storage conditions do not meet safety requirements, therefore the risk of explosion is particularly high and if one occurs it often has dramatic consequences as was the case at the time of the explosion of the storage depot at Mbandaka. Moreover, the presences of these little or badly guarded stocks contributes to persistent atmosphere of insecurity, danger of theft, and fear within populations. It also happens that caches of arms and munitions are found to present the same risks.

The presence of these hazards is most prevalent on the former front lines and areas where combat was particularly heavy. Ten out of the eleven provinces in the country seem to be effected at some level. However, the areas of concentration are on principally the former front lines in the eastern provinces.

Four international clearance organizations have been active in the DRC for several years and posses data including oral and written communications about the work carried out. The available data are catalogued in UNMACC's databases and permit the development of the map included. However, there remain many unknown factors in regards to the contamination level and it has often been argued that the absence of global data in a GIS format makes large scale planning impossible.

## Situation of Mines and Explosive Remnants of War (ERW) in DRC



### **3.B Mine Action in Support of MONUC**

One of the UMACC's main functions is to support MONUC through the implementation of urgent survey and clearance activities of base locations, airfields and roads that are suspected of being mined and the clearance of mines and UXOs that would hamper mission operations. All operations are coordinated from the UMACC head office in Kinshasa and two sub-offices in Bunia and Bukavu. The size and scope of the operation is governed by a Memorandum of Agreement between the United Nations and the United Nations Office for Project Services as a project to provide mine action support to the MONUC mission.

#### **3.B.1 Subcontracting**

Of the 3.6 million USD made available through the MONUC assessed budget 2.2 million USD has been used to provide the survey and clearance activities implicit in Security Council

Resolutions (The remainder of the monies being utilized to cover the salaries of 7 international staff). The funds are channeled through UNOPS under a Memorandum of Agreement between the UN and UNOPS. Following a competitive tender UNOPS were responsible for subcontracting MECHEM (Pty) Ltd to provide this survey and clearance support to the MONUC mission. The administrative base for MECHEM operations is in Bunia (as per the original RFP) but with the capacity to be deployed throughout the DRC. As per the statement of work (SoW) MECHEM are contracted to conduct the following tasks;

- General Mine Action Assessment (GMAA) Tasks
- Road/Route Survey Tasks
- General and Technical Survey Tasks
- Spot EOD Tasks
- Battle Area Clearance (BAC) Tasks
- Limited Humanitarian Mine Clearance Tasks
- Community Liaison
- Capacity Building to include
  - o Train a local staff as mechanic and flail operator
  - o Train local staff into dog handler positions in equal numbers to those employed as international counterparts
  - o Train the three section leaders into the positions of Team Leader

In accordance with the SoW MECHEM receives all tasking and prioritizing of work in accordance with work plans developed by the UNMACC. The team found that all parties were in general happy with the level and appropriateness of services provided by MECHEM in support of the MONUC mission. MECHEM have developed a very good working relationship with the UNMACC and MONUC and have been able to provide a responsive, efficient and highly mobile clearance capacity within the DRC. As per the SoWs MECHEM provide timely reports to the UNMACC regional operations manager on a daily, weekly and monthly basis.

Whilst it is acknowledged that MECHEM is meeting in full its obligations as per the UNOPS contract, the team were concerned that the actual tasking mechanisms were somewhat unwieldy and adhoc for a variety of reasons. MECHEM is expected to respond to both planned survey/clearance activities such as roads and airstrips and spot tasks as requested by MONUC. There seems to be some obvious constraints effecting the efficiency of the in-country assets; firstly a continual difficulty cited by many stakeholders (including MECHEM and UNMACC) is the apparent lack of forward planning of MONUC troop contingent deployment and peace keeping activities within the DRC. The information chain for tasking is also somewhat unwieldy and this appears most obvious in tasking orders for spot tasks. The current procedure is for individual contingents to report to MONUC HQ either via the civilian Chief Engineer or G3 operations that then passes the information to the Mine Liaison Office who then passes the information to UNMACC HQ in Kinshasa via the Chief Operations Manager who then tasks MECHEM. MECHEM reports the completion of the task to the UNMACC and the individual Contingent concerned reports completion back to MONUC HQ. There is no direct reporting of task completion from the UNMACC to the Mines Liaison Officer at MONUC. Whilst the team must highlight that there have been no complaints from the MONUC itself about the current operational procedure, the team does feel that the system could be improved to make it more efficient and to allow improved information sharing and more efficient tasking. It should be noted that in a country the size of Western Europe mobilization of assets is both a time consuming and costly exercise as the current infrastructure and prevailing security conditions within the DRC mean that most movement has to be by air. Effective mobilization of assets will be discussed in more detail

in section 3.E. The team also considers that lack of forward planning by MONUC also affects the efficient use of MECHEM assets for limited humanitarian demining as detailed in the Scope of Works. Although it is considered that this is a somewhat ambiguous statement that will be address further in section 3.C.2.

## **Recommendations**

- It is suggested that Mine Liaison Officer be situated within the UNMACC HQ and that all reporting of spot tasks and clearance requirements are passed directly to him/her to improve planning and mobilization of MECHEM assets and possibly engineering contingents and/or humanitarian demining assets to improve overall efficiency of mine action within DRC
- Whilst it is acknowledged that from an administrative point of view it is efficient to award one contract purely in support of the MONUC mission, more creative contracts could be designed that ensure more flexibility and cost effectiveness of mine action within the DRC. The current MoA does have a somewhat cut and paste feel to it which can be highlighted by the fact that the current MoA between the UN and UNOPS has several references to UNMIS rather than MONUC which may go some way to explaining a lack of imagination when addressing the actual needs for mine action in the DRC
- The UNMACC Programme Manager should initiate discussions with MONUC to find a workable solution to the problem of the lack of forward planning of mine action requirements of the MONUC mission

### **3.B.2 Engineers Contingents**

There are currently 60 troop contingents within the DRC of which 27 have some form of EOD capacity. There are five Engineering Companies who have self sustaining EOD capacity with a wide geographical spread across the country. With the exception of the South African Engineering Company in Goma, none of the other Engineering Companies have undertaken any form of clearance activities outside of their camp perimeters as per their individually negotiated MoAs with DPKO. However, it is understood that the RSA contingent no longer responds to EOD tasks due to a lack of explosives. It is also understood that the previous RSA response has to date been on an informal basis rather than on a mandated requirement. One of the reasons given for the lack of mobilization of EOD assets within troop contingents to support mission or humanitarian needs is the requirement for force protection to support Combat Engineering contingents undertaking demining activities. However, due to the prevailing security in DRC MECHEM demining activities are often also provided with force protection in the form of infantry battalions and this appears to work well. Whilst it is acknowledged that it is unlikely that any of the Combat Engineering Contingents could engage in full time demining activities as this would adversely effect their ability to fulfill their other roles in support of troop movements, it is suggested that the ability to task them to spot tasks within their operational areas would improve the considerably the cost effectiveness and efficiency of mine action in the country. Discussions with the MONUC Force Commander demonstrate that in principal there would be no objection to utilizing assets in such a way as long as it was properly planned and discussed with clear objectives for mobilization of troop contingents. It is noted that in the recent evaluation mission in South Sudan concerns were raised about the cost-effectiveness of utilizing troop contingents rather than sub-contracting to humanitarian or commercial mine action organizations, it is considered likely that having an internal capacity within the MONUC contingents for quick response teams for spot tasks in their mission operation areas would be much more cost effective than mobilizing MECHEM assets based in Bunia. It is also acknowledged that similar to the

situation in South Sudan there may be issues around ensuring quality assurance. It is clear that UNMACC operational staff are already overstretched in their ability to undertake QA/QC activities for the existing in theater actors and adding further demining teams in the form of MONUC assets may stretching too far their current assets to the point of ineffectiveness. As such UNMACC will have to consider staffing requirements carefully before initiating discussions with MONUC that increase their own workload. There are currently no National staff employed in the role of operations managers or technical advisors and this may well be an ideal opportunity to train up national capacity which would also provide fewer budgetary constraints than employing further international staff

## **Recommendations**

- UNMACC should have discussions with MONUC find a workable solution to enabling greater use of MONUC military/engineering assets to assist mine action within the DRC
- A plan for tasking of EOD capacity within Engineering Companies should be developed jointly between MONUC and the UNMACC that includes expected outputs and likely working days required in support of mine action to enable effective forward planning by both MONUC and UNMACC.
- It is recommended that the responsibility for future tasking should be jointly held between the UNMACC Chief Operations Manager and the MONUC Mine Liaison Officer
- UNMACC should ensure that there is an effective QA/QC plan in place and external TAs to support Combat Engineering Battalions be available as necessary before the deployment of MONUC assets
- UNMACC should assess the possibility of training national staff if it is considered necessary to increase operational staffing levels

## **3.C Humanitarian Mine Action**

The three international mine action organisations undertaking clearance activities in the DRC, HIB, MAG and DCA utilise national staff in clearance activities. Whilst the INGOs are accredited through the UNMACC and attend the monthly coordination meetings during the evaluation visit it became apparent that all of them were working in a fairly autonomous manner in such that they were collecting their own information on dangerous areas in their areas of operation and tasking themselves dependent on this information. There was a general reluctance to respond to tasks by the UNMACC, the main reasons being cited that of difficulties associated with the extra costs incurred to deploy to sites distant to their own provinces. This will be dealt with in more detail in section 3.C.4

### **3.C1 Accreditation**

All three international mine action organizations are accredited by the UNMACC. In the absence of national mine action standards international actors are accredited based on IMAS 7.0. The process of desk top and initial operational accreditation appears to be effective and working well and ensures the competence of the international actors to undertake mine action activities. However serious concerns were raised about ensuring on-going external QA/QC by the UNMACC. Several sources reported that they have received no external monitoring of their activities by the UNMACC. It is acknowledged that in some cases this is disputed and may in part be due to lack of institutional memory by the INGOs themselves as they, like the UNMACC, have experienced difficulties in recruiting and retaining staff. It is also likely that there are some communication breakdowns between the UNMACC and INGOs as as example one organization it was the belief of the Programme Manager that their accreditation had run out which was not



actually the case. As QA/QC is an essential role of the UNMACC this issue has to be addressed at the soonest opportunity. The operational department within the UNMACC should consist of two Operations Officers and one Roving Officer. Currently there is one Operations Office based in Bunia covering the provinces of Ituri, Orientale and the northern parts of North Kivu and North Maniema a second Operation Officer based in Bukavu covering South Kivu, South Maniema and Katanga and a Roving Operations Office based in Kinshasa covering Equateur, Ikela, Kasine and Basongo. It should be noted that it is only since mid April of 2008 that all three posts have been filled at the same time. Even with this level of staffing the team questions whether this is sufficient capacity to cover the entire country effectively. It is also interesting that as part of the UNMACC's remit is capacity building in preparation for a National Mine Action Centre, the Operations Officers have no national counterparts. The current requirement is for all mine action organizations to have at least two visits per month from the UNMACC which they acknowledge is not being achieved. The ability to achieve greater visibility of the UNMACC staff to international operators would also go a long way to improving relations between the two which will be addressed more fully in 3.C.2 and 3.C.4.

### **Recommendations**

- UNMACC should undertake a time and motion study to establish if staffing levels are sufficient to meet its current and future responsibilities for external QA/QC.
- UNMACC should consider recruiting and training national counterparts for both Operations and Roving Operations Officers

A slightly different accreditation process has been designed for national NGOs. The NGOs are seeking MRE accreditations. This reflects the fact that there are no National NGOs in the country with previous mine action experience. All of the NGOs who are seeking accreditation are currently working with international actors who offer both technical and material support. Whilst the operations department of the UNMACC envisages an accreditation system that provides a period of capacity building following the desk top stage there appeared no definitive articulation of what this might involve in terms of duration or content of the training. It was also unclear exactly who would undertake any required training. The actuality of the situation is that to date no national NGO has achieved operational accreditation and this does appear to have led to significant dissatisfaction and resentment of the UNMACC by the National NGOs, this is a situation that needs to be resolved at the soonest possibility.

### **Recommendations**

- The UNMACC must formalize the National NGO accreditation process as a priority
- The UNMACC should formulate a training programme that utilizes current in-country capabilities namely the International NGOs

### **3.C.2 Tasking**

It is apparent that tasking is a contentious issue within the DRC and that it is one area where there is much discussion on what needs to be done to effectively meet the mines and UXO problem within the country. Various suggestions have been postulated as to why tasking is problematic including but not exclusive to;

*“The Congo is very big”*

*“There has been no Landmine Impact Survey therefore a lack of reliable data”*

*“The UNMACC is unable to effectively manage and prioritize information”*

*“We like the status quo”*

*“Our donors dictate our operational areas”*

The team acknowledges that in an ideal world a LIS would greatly enhance the ability of the UNMACC to effectively define the scope of the problem; however it also acknowledges the above first comment and questions whether the cost of undertaking such a survey would be the most effective utilization of the somewhat limited donor funds. Prior to 1<sup>st</sup> May 2008 there has also been no inter-agency standardized data collection that would enable effective tasking although most if not all international operators have collected significant amounts of data on both dangerous areas and mine victims, this will be addressed further in section 3.C.3. It is apparent that a significant weakness within tasking is the relative autonomy of the international operators and their clear desire to maintain this status quo. There is no implied criticism of the operators themselves but this situation does imply that operators respond only to tasks highlighted by their own data collection which has the tendency to confine them to fairly rigid geographical locations which are not necessarily the areas of greatest need. It should also be noted that all operators did express a desire to have more cooperation with the UNMACC but that they did not necessarily believe that centralized coordination would be of any benefit. It is difficult to offer concrete solutions to address the issue to the satisfaction of both sides particularly as most INGOs are funded bilaterally and therefore are not reliant on the UNMACC for funding. However, one strong recommendation would be for the UNMACC to be seen to be providing more direct assistance to the international operators as there were some questions of what the need was to have the UNMACC. All of the international actors were receptive to the idea of deploying into other districts/provinces but requested assistance from the UNMACC to facilitate this for example being able to utilize MONUC assets for transportation. It is acknowledged that currently they are able to do this but they are listed at a low priority level and therefore bumped off flights on a regular basis. The fact that there is no centralized tasking system also leads to difficulties in data input as there often little congruence between known hazardous areas already inputted into IMSMA and the completion reports sent by the NGOs meaning verification can be a timely and difficult process. This will be dealt with in more detail in section 3.C.3

A further problem for tasking at the current time is the lack of criteria for prioritization of existing known SHAs. The team understands that work on prioritization is to begin in May 2008. It is suggested that this work is inclusive with INGOs to enhance ownership throughout the mine action players and to aid their future cooperation.

### **Recommendations**

- Whilst it is acknowledged that there has been no comprehensive LIS or similar there is a large amount of existing data and the UNMACC must develop an action plan to collate this information into a usable data base for tasking in the short term linked to national development plans (discussed further in 3.C.3)
- If the UNMACC wishes to have more centralized operational control of the international operators then the UNMACC should be seen to be providing more active support to the international actors to include, but not restricted to, assistance with transportation if required to undertake UNMACC directed tasks and support INGOs operations
- Finalization of prioritization criteria should be completed as a priority

### **3.C.3 Data-management**

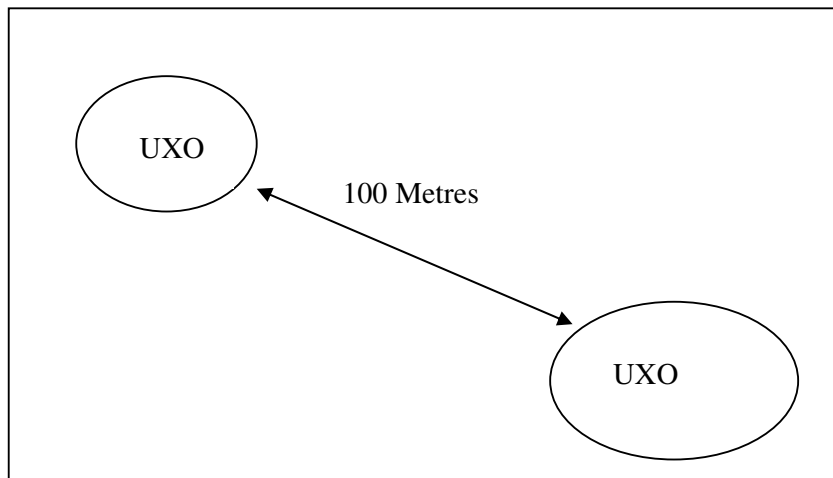
Data management is currently managed by the IT department which consists of two national members of staff reporting to the operations manager. The UNMACC is currently using IMSMA V3 but it is understood that they will be upgrading to V4.2 in June 2008.

During the visit one thing that quickly became apparent is that the department is severely understaffed. The IT department is not only in charge of data input but also offering IT support to the department, mapping (GIS) and maintaining the web page.

During the visit it was impressive to see how much knowledge the two IT officers had about the system when you consider that they have had no formal training in IMSMA, although both IT officers were aware that they were underutilizing the system.

There are several problems with data management at the current time. The first problem is the quality of the data coming in from international and national NGOs, many areas of the existing forms are either incorrectly filled in or missing information completely. This means that the team has to spend a disproportionate amount of time cross checking existing data with known DAs. On many instances, the team also needs to create a DA report before it can generate a completion report. Secondly NGOs are not sending data in a timely fashion. One NGO was reported as sending information on dangerous areas and completion reports every 3 to 4 months. The NGOs themselves dispute this fact, all of them saying that all information is sent to the UNMACC on a monthly basis.

There also appear to be several inconsistencies with how data is reported to the UNMACC particularly with the reporting of dangerous areas. A complaint from the IT department was that some NGOs generated a DA report for each UXO located as shown in the diagram below regardless of the fact that they may well be very close to each other whereas all other NGOs reported this as one DA.

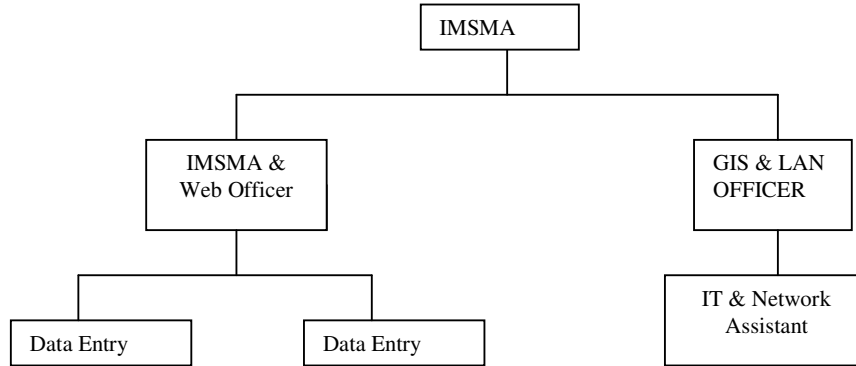


Not only does this situation have implications for the amount of time required to input data it also somewhat skews the known information on DAs and the size of the mine/UXO problem in the DRC.

There is a general feeling of the staff in the IT department that they are somewhat treading water they are always playing catch up. The IT department acknowledges that it is behind on data input. At the time of the visit there was 148 active and expired DA to input from MAG and 16 from MECHEM. The IT department acknowledges the importance of the information to overall planning but is unable with current staffing levels to redress this issue. Equally there appears to be no formalized method of discussing these matters with their line manger. The team felt that organizing regular meetings would be of benefit to share information and discuss problems

## Recommendations

- The current staffing levels of the IT department are inadequate it is recommended to increase staffing levels to a minimum of 6 people as shown in the organizational chart below.



- When V4 is installed the UNMACC should ensure that all NGOs also receive training in the system and are provided with the software
- UNMACC should consider employing/seconding an individual dedicated to pulling together all existing information into a standardized format. This would go some way to alleviating the existing problem of lack of data for tasking etc
- Instigate a system of regular departmental meetings to enable sharing of information and problem solving

### 3.C.4 Coordination with INGOs

During the evaluation visit the overall feeling was that there was very little meaningful coordination between the UNMACC and INGOs. Discussions with INGOs quickly demonstrated that they were all “doing their own thing” and as has been previously mentioned they were more than happy with the status quo. This is in stark contrast to the relationship the UNMACC has with MECHEM. The UNMACC has instigated regular monthly coordination meetings but all of the INGOs questioned the usefulness of these meetings and felt that very little was achieved by them, including the afternoon operations meeting, as such most of the NGOs felt it was very difficult to justify attendance at these meetings by relevant field staff. They felt that there was no real consultation and that the UNMACC gave no impression that they were listening and responding to their needs. There appears to be several reasons for this. One problem is that historically the UNMACC has been consistently understaffed and therefore much of their time has been spent dealing with routine administrative duties. It is clear that the NGOs have been left very much to themselves, the assumption seeming to be that as INGOs with experience in mine action they are able to take care of themselves. Needless to say the INGOs themselves have grown accustomed to this state of affairs and would be fairly resistant to change. The operations department recognizes that this is a problem that should be rectified as soon as possible. It needs to be demonstrated clearly to the NGOs that the UNMACC can add value to their work if improved coordination and to a degree more control of their activities is to be achieved. The fact that all INGOs are bilaterally funded is also an issue in coordination. Not unsurprisingly most NGOs felt a greater affiliation with their donors than the UNMACC. One NGO stated quite clearly that its reporting format was designed to meet the requirements of the donor and it would not change its format or spend time writing a separate report in a format required by the UNMACC as it did not see any benefit in this. Equally there was some criticism of the openness of the tendering process for new contracts, it is unclear how justified this complaint is. As stated in section 3.C.2 this lack of

coordination has a knock on effect on operational issues such as tasking. Several NGOs also stated that they could see no benefit to working more closely with the UNMACC as they perceived no benefit to them. There were recurring comments/complaints about requests for assistance on issues such as transportation, provision of MEDEVAC and assistance on tax exemption on importation of equipment which have remained unresolved. For the most part coordination with national NGOs was much more effective it is assumed in part that this is because the national NGOs are currently more reliant on assistance from the UNMACC

### **Recommendations**

- The UNMACC should investigate methods of improving coordination with NGOs as this is vital to improving the effectiveness and efficiency of mine action in the DRC
- The UNMACC must be more receptive to the needs of INGOs and be seen to be responding to them in a timely fashion
- The UNMACC, in consultation with the NGOs, should investigate means of improving the monthly coordination meetings to make them more participative and beneficial for all sides, a notable example of this happening well is the design of the new data collection form
- The UNMACC should send out agenda's for the meetings in a timely fashion to enable NGOs to send relevant personal to the meetings
- The UNMACC should ensure transparency in the tendering process for new contracts

### **3.D Stockpile Destruction**

Stockpile destruction does not form a large part of the current work of the UNMACC or its implementing partners. Both MAG and MECHEM have been involved in limited stockpile destruction. It is anticipated that this is an area of operations likely to increase as the peace process progresses

### **Recommendations**

- The UNMACC should ensure its involvement in all relevant discussions to enable effective forward planning

### **3.E Optimizing Current Assets**

#### **3.E.1 Donor Funds**

It is generally acknowledged that funding for mine action is problematic in the DRC. Many donors expressed a lack of interest in funding as "*the DRC has much more pressing problems than the risks from mines and UXOs so it is not a priority*". Therefore it is clear that what ever funds are available should be used creatively to ensure the optimal impact. As such the team questions whether utilizing the new funding from the Japanese Government to only provide emergency quick response is the most cost effective method of dealing with the mine/UXO problem in the DRC. It is understood that this was not the initial intention. It is possible that part of the problem lies in a lack of coherent mid to longer term planning of needs that can be used effectively to define objectives for projects.

### **Recommendations**

- The UNMACC should develop better synergies between mid/long term strategies and project proposals
- The UNMACC should investigate more innovative methods of utilizing donor funds. Whilst it is acknowledged that administratively it would be easier to award the contract to

one implementing partner it should consider that the most cost effective and beneficial method of achieving its aims is to distribute the money to several partners

### **3.E2 Operational Assets**

There are a variety of tools being used for clearance in the DRC including manual deminers, mine detection dogs and mechanical assets but not all organizations have access to all of them.

Assuming that the current situation remains with respect to funding and numbers of operators in country much could be done to enhance the current capacity if some form of pooling of resources could be achieved. A notable example of how this is happening is the cooperation between MECHEM and DCA who pooled resources on a road clearance project, MECHEM providing the MDD and DCA following up with manual deminers. However it is acknowledged that in order for this to be achieved the following factors have to be in place

- There has to be a more centralized tasking mechanism in place and;
- Funds have to be available to assist with mobilization of assets

All the NGOs spoken to expressed a desire to cooperate with other organizations assuming financial support to offset any extra costs. However it may be necessary for the UNMACC to provide support for implementing partners with their bilateral donors in support of mobilization outside their working areas. A further issue is how far the current MECHEM assets can be utilized. As already discussed the SoWs for MECHEM does include limited humanitarian demining, this is a somewhat vague description and it is unclear what this means in actuality. It would clearly be of benefit if this was defined more clearly in the MoA with UNOPS and subsequent contracts awarded.

### **Recommendations**

- UNMACC should investigate further methods of pooling assets to provide the most effective clearance methods for individual tasks
- As per 3.C.2 the UNMACC has to develop an effective and efficient tasking method that clearly defines what assets are required and where no one organization has all equipment necessary have the means in place to facilitate two or more organizations to be tasked to the area
- UNMACC should be available to have dialogue with implementing partners' donors if required
- The UNMACC should more clearly define the extent of humanitarian mine action implicit in the UNOPS/MECHEM contract
- The UNMACC should ensure that funding is available via the VTF to be able to effectively offset extra costs incurred of implementing partners

### **3.F Mine Risk Education (MRE)**

Beginning in August 2007, UNICEF funded a position on the UNMACC staff to coordinate MRE issues. Up until then, international NGOs developed programmes with minimal intervention from UNMACC. Certain international NGOs developed partnerships with national NGOs which were then responsible for education.

A system of accreditation existed only for international NGOs and was based primarily on a review of documentation. The accreditation process for national NGOs was launched only in 2008. For a few years, particularly since 2007, a growing number of national NGOs has become more seriously active in MRE and survey activities. Up to the present, none of them has become accredited with the possible exception of those who have obtained this status via partnership with an international NGO. The decision process for targeted areas is not clearly defined.

The national NGOs are seeking practical guidance and also are requesting an acceleration of the accreditation process in order to be able to obtain direct funding.

The growth in the number of players reinforces the need for immediate action to:

- i. Guarantee the adequacy of message and tools for the targeted audience.
- ii. Guarantee operator skills.
- iii. Ensure need based deployment strategies.

It is becoming urgent to strengthen UNMACC's roll in this area in order to guarantee project quality. UNMACC's anticipated projects for 2008 are going in the right direction, but it is important to ensure that the staff has efficient implementation skills. In order for this to occur, a strengthening of the capacity of UNICEF's MRE manager based at UNMACC has become highly urgent.

#### **Recommendations:**

- Develop a strategic MRE plan for 2008-2009 bearing in mind the operators' needs and the extent of the problem in the DRC.
- Reinforce the follow-up process for this action by UNMACC's director or deputy director in order to identify needs and then request the necessary assistance.
- Organize workshops with all experienced MRE operators in order to discuss and develop the general messages and the specific messages (adapted depending on regions, context, targeted public) which will be the basis for projects. For example, it seems that the messages linked to mines are more important than for those linked to ERW.

#### **3.F.1 Messages/Tools**

- Review with the operator's the different tools in existence and to evaluate them (pertinence, efficiency, interest on the national scale, targeted public, etc). Choose a series of tools for reproduction by UNICEF in accordance with the project's framework. These tools will be distributed to the operators.
- Develop tools in accordance with the activity that will be qualitative as well as quantitative (effectiveness of action).

#### **3.F.2 Training**

- Establish a certification process for the national NGOs desiring to become seriously involved in MRE (or for those already doing it). This process will be completed by UNICEF with expert support or by contracting out to one of the NGOs already operating within the DRC.

### **3.F.3 Accreditation/Quality Assurance/Evaluation**

- Finalize the accreditation process of NGOs also making provisions for a quality assurance section for operator's in the field (not only on paper).
- Provide a transition period for the NGOs already implementing but with accreditation like the INGOs.
- Establish an efficiency evaluation for the different community approaches developed by the operators.

### **3.F.4 Tasking**

- As for clearance operations there is no centralized tasking mechanism for MRE activities. As all national NGOs are affiliated to an international partner, tasking appears to facilitate their partner's activities.
- The UN MACC needs to ensure that tasking supports interagency objectives. For example, ensuring that there is effective MRE in support of the returns process.
- The UN MACC needs to ensure that they have effective oversight over when and how the NGOs are working.

### **3.F.5 Support Activities**

- The UNMACC needs to strengthen the skill level of their MRE manager. This person must be qualified to carry out quality assurance missions (training in international regulations, MRE, training QA). This can be done on-site or by sending the person to a specialist for the purpose of strengthening their skill level or by visiting other MRE operations conducted in French.
- The UNMACC needs to support a process of developing tools and messages by an external entity that would facilitate the operators' work and ensure the proper methodology.
- The UNMACC needs to provide a paper copy of MRE best practices as quickly as possible and then provide a French version (even an unofficial translation.) They also need to supply a copy of all supporting documentation.
- All of the documents produced, training, workshops, must be produced in French.

### **3.F.6 Gender Issues**

In MRE programmes, gender issues are of the utmost importance and should be attended to by every member of the team. In accordance with the proportions referred to here, UNMACC recommends that particular attention be given to these questions when planning for discussions, messages and tool choice. Moreover, it is important to encourage operators, particularly the national NGOs to include women on MRE and survey teams. This point should be discussed in all operator training sessions.

## **3.G Victim Assistance**

The situation surrounding services offered to victims of mines and ERW in the Congo are quite dramatic. There is no specific system to register the number of victims and any assistance offered must be given as a part of wider healthcare system, rehabilitation programmes, and re-integration.



People with disabilities must be reintegrated into the economy. A number of orthopedic clinics exist within the DRC. It is therefore possible to obtain equipment (crutches, wheelchair, prosthetic limb), however, the major difficulty remains the victim's access to these facilities. In regard to the other aspects of victims assistance, nothing or very little seems to have been established, either by international or local organization. Until now UNMACC's role has been very limited, but a few activities have produced good results. UNMACC has not yet hired a person in charge of victim assistance. But this position is provided for in the 2008 plan, with the post to be filled by a national staff member.

### ***3.G.1 The collection and dissemination of data on accidents and victims***

The centre organizes information about incidents and has compiled them in the database IMSMA (Information Management System for Mine Action). According to IMSMA there are nearly 2078 victims recorded, 24 in 2007: 1 mine victim and 23 victims of ERW. The information in the database also discusses the status of the year's work. There are 106 reported incidents for which no date is recorded which leaves open the possibility for duplication. Moreover a portion of the DRC has remained inaccessible for years and very little data come from these areas. The data on the incidents are supplied by different individuals with differing skill levels. Up to 24 different organizations supplied data, such as ICRC, MONUC, hospitals and NGOs. Very recently a new questionnaire has been developed and the local NGOs involved in the data collection have been trained in its use and are therefore capable of collecting the information. The use of this questionnaire began in April 2008. It should be noted that there are no statistics at the Ministry of Health level which permit the differentiation of which incidents are due to mines or ERW. These incidents are recorded under a more general category, "Trauma".

#### **Recommendations**

- UNMACC needs to improve the information included in reports to assist implementing partners.
- UNMACC needs to review and disseminate a list of data relative to these incidents: a way of alerting people to the presence of an incident report, and one for the monthly reports.
- UNMACC needs to ensure that there is a mechanism for disseminating data about the incidents that is quick and effective in order to ensure that every operator can be rapidly notified.
- UNMACC needs to evaluate the feasibility of including incidents related to ERW in the early warning system developed by the Cluster approach (health, nutrition, food security, water and well-being).

### ***3.G.2 Support from the Congolese Authority and Advocacy***

In response to the commission responsible for matters related to anti-personnel mine established in 2003, the Congolese Ministry of Health designated the Director of Rehabilitation as responsible for victim assistance. This individual is still active and has participated in various meetings in accordance with application of the Ottawa Treaty. It is also the focal point for ensuring respect for the Treaty's goals in accordance with the initiative related to the questionnaire submitted to the 24 most effected countries.

UNMACC supported the Ministry of Health efforts to this aim through logistics assistance, organizing travel, preparation of presentations, etc.

UNMACC also insisted upon the necessity to ratify a new convention on the rights of persons with disabilities. The Congolese government has not yet signed on to this convention.

### **Recommendations**

- The UNMACC needs to continue the reinforcement of the Ministry of Health capacity as this constitutes the focal point within the country in areas such as inclusion of victims of mines and ERW in the Ministry of Health's statistics.
- The UNMACC needs to promote inclusion of these incidents within the epidemic alert system developed and stored electronically within the Ministry of Health.
- The UNMACC needs to continue advocacy of the Convention on the Rights of Persons with Disabilities.
- The UNMACC must promote the inclusion of affected victims within different mine action operator projects whether these operators be national or international.

### **3.G.3 Political Coordination**

Plans for victim assistance developed by implementers can be found in the Portfolio of Mine Action Projects 2008. This inclusive effort should be applauded. However, in 2007 only 10 percent of the requested funds were obtained. Evidently, victim assistance is not a priority in the DRC due to the relatively low prevalence of victims in proportion to other health problems that the country faces. Establishing specific projects for victims of mines and ERW does not seem justified. However, it is even more important to ensure that the needs of victims of mines and ERW are met through other programmes such as in the health care sector, education, or social and economic reinsertion. Under this framework, UNMACC can play a role in advocacy and technical advice for the different coordination mechanisms and in detailed planning for humanitarian and developmental activities.

### **Recommendation**

- The person in charge of VA at UNMACC has to actively participate in the various coordination meetings when questions about health, rehabilitation, and social and economic reintegration are discussed. In the first phase, this will be within the humanitarian planning framework (health cluster, education cluster, reintegration cluster and community involvement). Subsequently, this work will be handled by the Coordination Ministry dealing with development.
- The UNMACC needs to ensure the inclusion of certain aspects of victim assistance within educational programmes on the dangers of mines: positive image of people with disabilities, psychological support for victims, etc).

### **3.G.4 Support**

- The UNMACC needs to ensure that the individual in charge of victim assistance will receive the necessary aid to accomplish their tasks (UNMAS or via a more specialized agency) and will be able to obtain training in the required skills.

### **3.G.5 Gender Issues**

Statistical data clearly indicates that men are more often victims of mine incidents than are women. However, it is difficult to determine if access to health care and rehabilitation is more difficult for women than for men. Several reports on the impacts of mines and ERW were carried out by the operating NGOs. It might be worthwhile to use these in order to evaluate if there are specific emerging needs linked to gender. Actions could then be recommended. In the longer term it would be worthwhile to work on social perception dealing with people with disabilities, and in particular women, and include this in training for MRE programmes. UNMACC should

ensure that players in victim assistance take this aspect into consideration and supply supporting documents, if necessary.

### **3H Advocacy**

UNMACC efforts in terms of advocacy are particularly focused on applying *The Convention on the Prohibition on the Use, Storage, Production and Transfer of Anti-personnel Mines and Their Destruction* also known as the Ottawa Convention. UNMACC worked with the ICRC to draft a law that was aimed at codifying into national law the obligations of the Convention. A preliminary plan was drawn up in 2003 but was never voted upon in the Assembly for various reasons: conflicts, other priorities, Assembly shifts, etc. One has to recognize that ensuring the involvement of national authorities has necessitated a long and continuous effort on UNMACC's part and that numerous changes at the management level which often led to functional impasses. Following recent elections and the establishment of a democratic government and National Assembly, it is hoped that real progress can be made in the months to come.

Presently, the third draft of the law is being reviewed by the National Assembly and should be ready for a vote within the present session. This draft aims to translate into national law the obligations of the Ottawa Convention, while also establishing a national mine action commission and a Congolese mine action centre.

NGOs active in this area have had similar ups and downs in their activities. The growing number of NGOs active in the mine action programme have focused on the need for reconstruction that will permit the revitalization of the countryside through the removal of mines and ERW.

#### **Recommendations**

- UNMACC needs to continue advocating for the Congolese authority to assume responsibility for the mine action programme.
- UNMACC needs to encourage DRC to become a member of the CCW and adhere to Protocol 5 relating to explosive remnants of war.
- UNMACC needs to continue to encourage the DRC to join the Convention relating to the rights of people with disabilities.
- UNMACC needs to review if they are capable of supporting, in some fashion, NGOs that provide support for disable people.
- UNMACC needs to encourage the DRC to take part in the Oslo Process on cluster munitions.
- The UNMACC needs to support NGOs active in advocacy.

#### **3.H.1 Gender Issues**

Within the framework for supporting associations carrying out this advocacy, UNMACC has to regularly review gender issues and encourage primarily these two aspects:

- UNMACC needs to be conscience of gender issues (gender equality) in its publications, documents, and interviews.
- UNMACC needs to encourage national NGOs to work with female staff.
- On a national level, UNMACC needs to regularly review the importance of ensuring the equality of men and women in differing responsibilities.

## **4. The role of the Congolese Government**

### **4.A. Historical overview**

This is an overview of the key stages in assuring the involvement of the Congolese government in the establishment of a mine action programme:

**March 2003:** Creation of the Anti-Personnel Mine Action Commission as part of the National Committee in charge of follow-up consultations which permit United Nations to respond to security questions in Central Africa. This programme was created by Ministerial Decree 003 of 31 March, 2003. This Decree was issued by the Ministry of Foreign Affairs and by the International Cooperative. This Commission includes four members of the follow-up committee.

**October 2004:** Designation by the Cabinet of the President of the Republic: two experts from the presidency to ensure correct follow-up after the approval of the Ottawa Convention.

**September 2007:** Designation by the Cabinet of the President of an official expert in the area of FARDC to be assigned in UNMACC's offices. This person would then familiarize him/herself with the field operations within the framework of the section aiming for the creation of a national organization. This official is directly responsible to the Presidential experts.

**October 2007:** Transmission of Plan of Ordinance relative to the creation of a National Anti-mine Action Programme by the Cabinet of the President at the Ministry of State.

**March 2008:** Creation of a national focal point for mine actions, PFNLA, by the Minister of the Interior and National Security via Ministerial Decree. This document stipulates the mission of PFNLA, its pillars and composition. Another Ministerial Decree names three members of the Coordination Office: a coordinator, a deputy coordinator and a recorder. The coordinator and the recorder are both members of the Minister of State's cabinet and are also in charge of other missions relating to this department. The deputy coordinator as previously mentioned is an official designated by the Presidential Cabinet. The creation and application of the PFLNA was the subject of discussion with the Ministry of Interior at the time of the first international day for mine action on 4 April 2008.

**In Progress:** A legal draft having to do with the application of the Ottawa Convention and the opening of the Nation Centre for Mine Action is currently being worked on by a Parliamentary coalition. The draft is on the agenda for the session in progress, 1 April to 15 June, 2008.

## ***4.B. Issues Raised***

The present situation brings with it the hope of seeing the establishment of a national structure which will assist in refocusing the efforts and energy of capacity building in view of the structure's eventual independence.

### ***4.B.1 Relating to the PFNLA***

With the inauguration of the PFNLA as part of the Ministry of the Interior, it seemed necessary to clarify what happens to the earlier structures which were part of the Presidency or Foreign Affairs. The responses obtained to these questions are contradictory:

- Under what budget will the PFLNA function? The people met are conscience of this aspect of the problem and are looking for solutions, however, it is unclear how long this will take and it remains necessary to be aware that without finances the PFLNA will probably not function any better than its predecessors. The fact that the members of the focal point named by the Ministry are also members of the Cabinet who have other functions affects their availability. Actually, they are subject to the orders and priorities of the Ministry and it is difficult to anticipate their availability. For example, the focal point coordinator invited to participate in the annual meeting of the Board of Directors of the Mine Action centre had to cancel at the last minute because his Ministry had put him in charge of a mission in a far away troubled region of the Congo. If this situation does not change for the PFNLA, it is crucial to take this into consideration when discussing the draft of the law stipulating national authority and this mine action coordination centre.

- What will become of the PFNLA after the vote on the draft of the law which will establish a national inter-ministerial authority and a mine action centre following an annual plan?

#### ***4.B.2. Relating to the Draft Law***

The draft itself is still unclear on certain aspects such as the functional budget for the structure and the designation of positions: Are these political functions or posts for civil servants? This element is important to consider when discussing anticipated training sessions. It is necessary to avoid in the case of the DRC the establishment of a large structure which will be too complicated. Provision must be made for international and community contributions. Mine action will remain limited at this moment in time. The draft of the law should avoid the establishment of a structure that cannot function due to a lack of means.

#### **Recommendations**

- Need to continue advocating progress with the authorities including members of parliament while introducing the above issues.
- It is necessary to change the draft legislation regarding the National Authority to ensure that the issues raised are included.
- It has also become necessary to change the vocabulary used and to go from mine action to the elimination of ERW (or similar wording) in order that the national centre that will cover all related hazards. It may also have to participate in a larger structure that will have to manage small and light arms.

#### ***4.C. Governmental Appropriation***

It is difficult in the course of such a short mission to have a precise comprehension of the commitment of the Congolese Authority to mine and ERW issues. When we traveled there it seemed to us that a certain dynamic was being promoted through an active and interested ministry which had issued decrees establishing the PFNLAM and advocated this during the ceremony on 4 April. The Minister's speech was encouraging, however, a few days later the coordinator of the focal point could not participate in the annual Board of Director's meeting for the programme. From the parliamentary standpoint a coalition exists which seems committed to enact the law in the near future. It is very difficult to predict if all of this will be put into place in the coming year or not. It is necessary to praise the patience and persistence of the UNMACC's personnel particularly the commitment of the director and his deputy who have continually been in dialogue with the Congolese Authority despite frequent changes and backsliding. Today's results are primarily due to their openness and perseverance.

#### ***4.D. The Role of Army and Police***

Those interviewed from the Congolese army, the military component of MONUC, and others involved in security sector reform clearly mentioned that in the anticipated structure of the new army engineering battalion would have capacity in the management of mines and ERW. There is a request for support in this area in the form of training, equipment and follow-up processes.

When looking at police reforms it is normal that the police should play a role, that this role be at a minimum for information conveyance. But this role could also extend to reconnaissance missions for devices and eventually the destruction of small arms. Initial work is required to define the country's needs, how to structure and include this aspect of reforms in the security sector and then to establish plans for the creation of appropriate positions. All of this should be centered around the establishment of a central national authority and the Congolese Centre for the Elimination of Explosive War Ordinance.

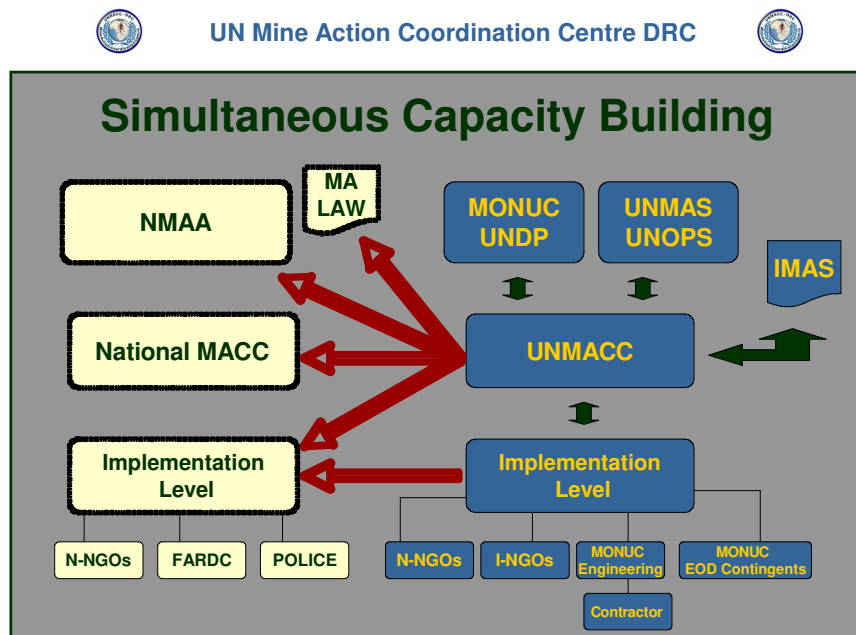
Different possibilities for bilateral or multi-lateral partnerships could establish this. For example, the Belgium Army trained military engineers in road construction in 1997. They could be approached in their capacity as EOD trainers. The Benin mine action institute could also be used as a training centre for more detailed study. The European Union is actively participating in police reform and could also be approached through EUPOL and EUSEC.

### Recommendations

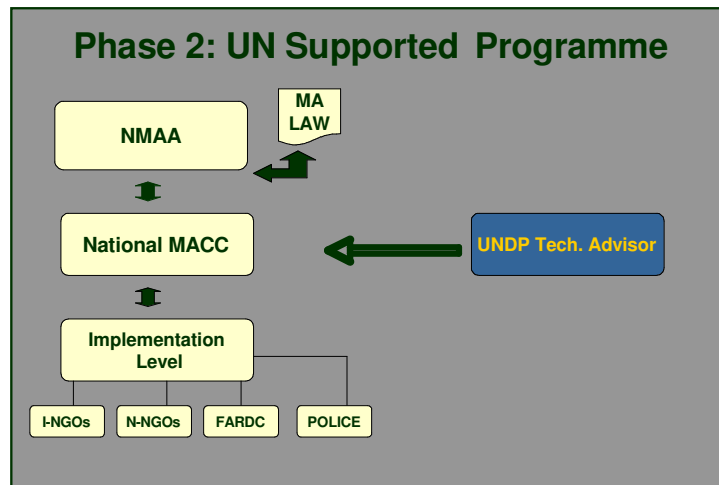
- It is necessary to develop links to the Defense Ministry and that of the Army (FARRDC) relating to military reforms so as to establish a capacity for the managing of ERW in the long term.
- It is necessary to reinforce the links between the Ministry of the Interior and Police relating to the long term management of ERW and its long term needs.
- For the two points noted above, it will be necessary to work closely with the SSR component of the integrated Mission.
- The organization must put this point on the agenda for discussion at IMPT.
- Make a member of UNMACC responsible for developing these points.

### 4.E Capacity Building

One of UNMACC's three key roles is capacity building with the goal of technical training. The individual in charge of this aspect of the programme developed an approach that targets simultaneous capacity building at different levels.



This approach has a more long term goal of being able to transmit the technical skills and the present responsibilities of UNMACC to the national structure with a specific support of UNDP, according to a classic model established in diverse countries.



But to establish a programme of this type necessitates a number of elements:

- A national structure or at a minimum, an outline with individuals designated for key positions,
- A concrete desire for involvement on the part of the government in one capacity or another,
- Existence of a clear direction stipulating the methods for handling the problematic in the long term so that training programmes can be planned and adapted appropriately.

These elements are not yet completely present in the DRC. Even national authorities, as explained above, have not yet assumed responsibility for the issue of mines and ERW, which has been moved from department to department several times. In this case it is almost impossible to lead satisfactory technical training programmes.

UNMACC initially concentrated its efforts on obtaining a commitment from the government and has obtained concrete results; for example, the creation of a National Focal Point.

The National Focal Point reports to the Ministry of the Interior, who is also responsible for decentralization and national security. The network is broken down into three main components:

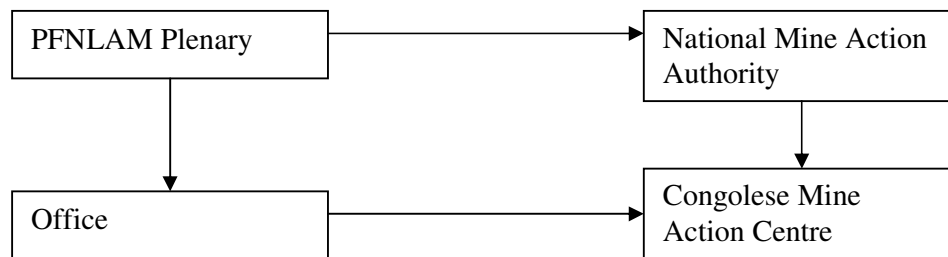
**A Plenary:** composed of a coordination office which includes a technical secretary as well as delegates from the following Ministries and services: The President of the Republic; the Prime Ministry; the Ministries of Agriculture, the Interior, Decentralization and National Security, Foreign Affairs, National Defense and Veterans, Public Health, Social Affairs, Primary and Secondary Education, the National Police, and the Armed Forces.

**An Office** composed of one coordinator, one deputy coordinator, a secretary. All three of these positions are designated by ministerial decree.

**5 Units:** MRE; Advocacy, Removal and Elimination of ERW, Stockpile Destruction, and Victim Assistance. The composition of these units does not seem clear.

These mechanisms are not yet truly functional. Only one of the Office's members has been identified and is in contact with UNMACC. The plenary has not yet convened. Similarly, the decrees mentioned a secretarial branch, but this does not yet exist. Only the vice-Coordinator, Army Captain, and Mine Clearing Expert display a marked regularity. It was proposed that it this function be integrated into UNMACC.

We were informed that this structure will morph after the new law is passed in order to become the structure outline by the law. Even if the Minister in charge remains the same, nothing guarantees this affirmation. Nothing indicates that the structure will function until the law's passage. Our skepticism is due to the fact that budgetary costs have not been provided for in this year's budget.



However, other aspects still have to be regulated, such as the designation of plenary members and the role of Presidential experts in this frame-work. Certain people think that these experts become national authorities.

Newly nominated PFNLA members are requesting training and functional support (office equipment, etc) but at the same time the problem of availability remains real.

Before stipulating which skills to convey and the means of conveyance, it is crucial to define more precisely the functions that different individuals will fulfill. This will become necessary in order to arrive at a response to the questions listed above.

Regarding the conveyance of technical skills to operators, clarification is necessary. For the moment, the four operators are working with their own internally trained staff. No discussion has yet taken place about training opportunities for local clearance NGOs and private companies, and it has not yet been decided if the future Congolese mine action Centre will have its own civilian workers or if the chosen option is oriented towards the use of the military and police forces.

### **Recommendations:**

- Establish an interagency work groups (at a minimum UNDP, UNMACC, and UNICEF) dealing with capacity development for those who will fulfill specific functions:
- Redefining the strategy for skill development while using specific skills from each agency and redistributing the responsibilities depending on the specific expertise of each agency. This work will most likely follow the following steps:



- Strategic orientation choices (for example, the role of the army, the police, national demining NGOs or not, deminers within the structure or not...)
- Capacity development:
  - It is necessary to develop an appropriate structure for implemented decisions.
  - It is necessary to identify acquired technical skills and deficiencies.
  - It is necessary to develop and strengthen these technical skills.
- The organization must establish these partnerships with the aim of strengthening the programme.
- The organization must outline a plan for progressive capacity development and transition.

## ***5 Interagency coordination and operators***

One of the three roles of UNMACC is the coordination of the different players involved in mine action.

### ***5.A The integrated Mission***

The UN initiated the first integrated mission in the DRC. This represented a new concept with the goal of increasing coordination between humanitarian and development officials and the peace-keeping mission. The goal was to increase action efficiency. In the DRC it is the Deputy Special Representative of the General-Secretary for MONUC who also holds the position of UN Resident and Humanitarian Coordinator representative for the humanitarian coordinator.

Different interagency coordination tools exist; among these are:

- The Senior Management team that brings together all the agencies' heads and therefore also UNMACC's director and the team convenes three times a week.
- The IMPT: Integrated Mission Planning Team that integrates the police, military officials, including UN agencies.
- The Humanitarian Action Plan meetings (HAP), by cluster and at the senior level. The work meetings by cluster take place in the capital, Kinshasa or in the provinces. It is these discussions which strengthen PAH at a nation level.
- Inter-Agency Steering Committee ( IASC )
- The HAG: Humanitarian Advocacy Group meets three times a week.
- Specific financing mechanisms: Pooled fund and CERF.

The individuals interviewed recognized the regular participation of UNMACC's members in meetings and their availability for data requests. However, they clearly expressed the need for more active participation, bringing ideas to the discussion. They asked that UNMACC become involved in the field work, as outlined in the annual Humanitarian Plan and the Priority Action Plans (PAP) etc.

For example, within the rubric of Eastern strategy and stabilization, mine action is absent. In discussions with UNMACC, we were told that now that strategies existed, they were going to try to include aspects of mine action in this region. We do not think this approach is the most efficient one. An active participation in discussions from the beginning would permit workers to raise mine and ERW issues in a more appropriate manner. UNMACC representatives were present at certain meetings, but it seemed that they did not make their presence known. Of course a portion of these discussions take place at the provincial level, and except for an office in Bunia, UNMACC does not have regional offices.

Further more, UNMACC told us that because they were not considered to be part of the mission, and therefore were not invited to all the meetings.

Two reasons were given for justification for this state of affairs:

- The problem of recognizing UNMACC as an integral element of MONUC (see the chapter on MONUC)
- The lack of consideration on the part of certain senior management members regarding the importance of the mine action in the DRC due to a lack of precise data on the extent and importance of the threat.

However, this seems to be progressively improving since MONUC obtained personnel identity cards in the beginning of 2008.

There is no UN interagency coordination mechanism specifically for mine action, as is the case in other countries. This is probably not seen to be necessary until now; however, it might be worthwhile to examine the possibility of creating such a mechanism within the framework of a national operational strategy.

### **Humanitarian Action Plan (HAP):**

In the 2008 Humanitarian Action Plan, mine action is present and we must recognize the work that UNMACC carried out. However, the PAH is also supposed to be a tool for prioritizing aid. By looking at the estimated needs of mine action, it seems that this should be a priority throughout the whole country. It is important to strengthen the process used in determining these priorities in order to redefine the criteria used. This work must be carried out in an early discussion between HAP and its operators.

Within the cluster framework used, mine action was placed in the protection cluster which seems to be the most logical. However, the mine and ERW issue must be managed using an interdisciplinary framework. UNMACC should also participate in other clusters' meetings, such as Logistics, Education, Reintegration and Community Involvement, Nutrition, and Health. UNMACC should also use an interdisciplinary approach within each sector, such as PEAR (Programme of expanded assistance to returnees). It is not necessary to include a mine action within each sector, but to make an effort so that the different programmes developed do not forget to consider the threat if it becomes necessary. For example, verify the schools grounds before reconstruction and make sure MRE programmes are dispensed before populations return to an area.

### **Recommendations:**

- Create an interagency work group on mines and ERW.
- Reinforce the active participation in other clusters, as well as in working level meetings about the reform of the security sector ( police, army)
- Intensify advocacy and communication by MONUC through the recognition of UNMACC and its action.
- Prepare a 2009 humanitarian action plan in collaboration with the field operators (NGOs and Mechem). For example, this could be done through a seminar which would evaluate the needs based on several criteria, in order to then define the priorities on a more precise scale than those set forth in the 2008 HAP.

## **5.B UNICEF**

The arrival of UNICEF MRE programmes manager based at UNMACC led to the strengthening of relations between UNMACC and UNICEF.

The integration of MRE responsibilities into the Child Protection sector should permit more long term work on projects (a year rather than two months). Although, UNICEF Kinshasa does not seem sufficiently involved in mine/ERW issues. For example, when considering MRE project proposals for the Japanese government, it was primarily UNMACC that had to complete the work with little or no input from UNICEF Kinshasa. This is due in part to the fact that the Kinshasa office is highly occupied by other priorities and the person in charge does not know much about the mine/ERW issues. The training session for MRE's new project manager focused almost exclusively on aspects relating to the financial management of local NGOs and not on strategic aspects, the plan of action, or issues central to project completion. At this level, task assignment between UNMACC's staff member and its UNICEF counterparts are also unclear. At the time of the evaluation, the NGOs 2007 financial reports had not yet been analyzed, and all 2008 funding could only be decided after the 2007 reports had been processed. During the evaluation, the NGOs assured us that they had sent the reports and UNICEF confirmed receipt. This demonstrates a certain lack of clarity. Who is responsible for follow up on when reports are received and for subsequent analysis of 2008 plans? Regarding programme quality and content, UNICEF Kinshasa realizes that it does not possess the skills necessary for evaluation and leaves this task to UNMACC. Furthermore, it does seem that the UNMACC's MRE programme manager is competent enough to perform this task.

### **Recommendations :**

- The establishment of a UNICEF/UNMACC coordination mechanism has been recommended. This allows for the discussion of more strategic aspects and details financial planning for NGOs, regarding 2008 ERW projects (in conjunction with UNMACC's 2008 priorities).
- Administrative clarification regarding procedures and responsibility for receipt of reports and proposals for NGOs.
- Provide for a local NGO training workshop about project management (preparation, proposal, report) based on UNICEF's requirements.
- Support from UNICEF headquarters will be necessary in this area to assist with the transference of tools and skills, in the proposal of coordination mechanisms.

## **5.C UNDP**

As mentioned above, UNDP is not yet formally active in the mine action in the DRC. Neither is there any strategy on coordination between UNMACC and UNDP. The exchanges are done *ad hoc* during HAG meetings. However, when examining the changes in the Congolese authorities, it seems the time has come for UNDP to become involved in the programme, with the goal of a progressive transference of UNMACC's skills towards a Congolese Mine Action Centre. It seems urgent that UNDP consider drafting a plan on how to lead capacity building. This should be completed as soon as possible (see the above chapter). Work that is jointly prepared and executed will allow for a well constructed and progressive transition.

### **Recommendations:**

- Stipulate in which UNDP pillars<sup>13</sup> to integrate mine action with the assistance of UNDP NY BCPR<sup>14</sup>.
- On the basis of this analysis, UNMACC should make an official request for UNDP intervention in mine action, and more particularly, in the aspect of capacity building.
- Establish a coordination mechanism between UNMACC, UNDP DRC, and other players such as UNICEF, in order to clearly define an action plan and the roles of each player in the programme (See chapter 6, UNMACC's organization)
- UNDP should hire on the behalf of UNMACC a Capacity Development Consultant, who would be in charge of developing a programme for the emerging national structure and its staff. This programme would be based on the experiences and skills of UNDP in this area. The fact that this consultant would be based at UNMACC in the early stages should permit transparency and effective coordination.

### **5.D With the Operators**

A coordination mechanism exists with the NGOs, Commercial contractors, ICRC, UNICEF and MONUC, and certain government representatives. This takes the form of a monthly coordination meeting that brings together all operators. This meeting consists of two phases:

- In the morning, a general meeting consists of a round-table exchange of information about operations, questions, and difficulties.
- Afternoon operational meeting bringing together field staff (primarily technical demining staff and more recently MRE implementers) and addressing technical issues, such as changes in survey training or local NGO accreditation procedures.

We noted with satisfaction that these meetings involve all of the players in mine action (MRE, demining and victim assistance). The local NGOs active in MRE and advocacy are satisfied to be invited to these meetings. This seems to be a recent development, and at these meetings, they find the opportunity to meet other players to be the principle advantage. This gives them the possibility to discuss partnerships and other related matters. Several criticisms surfaced repeatedly from participants and it appears quite clear that these meetings could be more efficient, relevant and more interactive. One key request was for UNMACC to strengthen its presence in certain provinces to play a more effective coordinating role and engage in capacity development.

#### **Recommendations:**

- To establish a meeting calendar in advance in order to improve participation.
- Circulate a more detailed agenda, including items other than information exchange. These would be more policy related questions necessitating debate and consensus among the participants in the meeting.
- To better structure the technical meetings, segregate them by pillar to concentrate discussion and manage the group size. Make provisions to circulate in advance the agenda and potential outcomes.
- In the case of information exchange, it does not require the presence of field operators and could be done only with the presence of capital based representatives with an alternate format: a weekly thirty minute meeting, an information exchange via the internet, etc.

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<sup>13</sup> 5 pillars: Administrative governing, security, political, economic, and decentralization. + community involvement support program

<sup>14</sup> Armed Violence, Mine Action and Small Arms / Conflict Prevention and Recovery Team / Bureau for Crisis Prevention and Recovery

Given the difficulty of transport, for the moment, it is not realistic to count on augmenting the frequency of these meetings. However, in the future, depending on the evolution of the programme, it would be interesting to conduct provincial meetings.

## **6. Organization and Management of UNMACC**

### **6.A Terminology Issues**

In the DRC, people speak of mine action, which has the effect of limiting the discussion to only landmines. Whether it be the UNMACC, references within the legal drafts, the Congolese campaign against mines, the MRE messages, etc.

However, the problem in the DRC is primarily a problem with unexploded and abandoned ordnance with the mine threat confined to specific areas. In the “mine action” community, everyone knows well that when they say “mine action” they mean “mines and ERW”, but in non-specialized circles, this is not the case and often people told us “mines are not a priority”, however, “unexploded ordnance? Oh yes, these have effects on population safety, yes, these are a priority.” It is proposed to use the term “Explosive Remnants of War”, which includes everything and indicates that this represents a priority in order to eliminate the remnants of war, including antipersonnel landmines. A first step could be to rename UNMACC as the Coordination Centre for the Elimination of Explosive Remnants of War (CCEERW), or more simply, Centre for the Elimination of Explosive Remnants of War (CEERW).

### **6.B General Strategy**

It seems to us that MACC was lacking a dynamic and operation strategy that would allow the various efforts of all concerned in mine action to come together and move in the same direction

The fact of focusing attention on a functional national structure designated to take charge of the problem seems to obscure the importance of the work that could be done with the players already present under existing action plans. These plans are humanitarian and developmental in nature. **The problem of mines and ERW in DR Congo is manageable!** With a well-thought out plan, a rational involvement of operators and the establishment of a long term position for residual risk-management. In this way, the DRC mine action programme would gain a sense of cohesion. Within the framework of the convention on the prohibition, of anti-personal mines, the DRC can still hope to attract the attention and assistance of the international community until 2012. This is the Ottawa deadline for clearance of known mined areas in the DRC. With the present knowledge base about the mine problem in the DRC, it is quite possible that the DRC is meeting its obligations. However, it is also clear that the DRC is also facing an issue with the presence of ERW, for which a long term solution is necessary. Thus, we would like to propose a double approach:

#### **6.B.1 Develop an operational strategy for mine action**

This strategy would be completed over four to five years, with the operators already operational, and focus on the following priorities:

- a. Removal of mines and bombs
  - i. Identification of mine areas and areas affected by ERW for entry in the IMSMA database.

- ii. Establishment of a clearance and management plan for mines and ERW management targeting the complete elimination of known mined areas by 2012, and with maximum management efficiency of areas affected by ERW and other suspected areas. This plan will include a system for stipulating priorities at the national level, a system for designating operators tasks through UNMACC and also an efficient follow up structure
- b. MRE/ERW
  - i. Definition of MRE/ERW needs and adapting messages accordingly
  - ii. The establishment of an operational plan for MRE/ERW linked to the demining strategy
  - iii. The establishment of a capacity development plan for national implementers and victim assistance.
- c. Victim assistance
  - i. Improvement in data collection in the accidents/ incidents and their dissemination.
  - ii. Participation in other entities' field work in the area of health care and reintegration into the community.

This strategy needs to be elaborated in concert with all the operators who are already involved in the DRC, primarily operators for clearance and MRE, but also those involved in the integrated mission. This will also be used as a guide for work on preparing the annual Humanitarian Plan and other documents relating to inter-agency population and economic planning.

### **6.B.2 Development of a national capacity for the management of explosive remnants of war.**

A strategy will be developed in collaboration with the Congolese authorities centered around four areas:

- d. Establish and implement a National management authority for the issue, including the different concerned ministries.
- e. Establish the Congolese centre for explosive remnants of war. This requires a careful study of the centre's role in proportion to that of other operators: international and national NGOs, the army, police, commercial contractors and it is necessary to make sure that these are sufficient resources to support the centre.
- f. Develop a capacity development programme.

### **6.C Communication**

At the time of our visit we found out through meetings about mines and ERW in the DRC, that the UNMACC did not make itself visible enough to the population. Some know of UNMACC's existence however they do not really know what it does. Others under-estimate the importance of the mine issue in the DRC and therefore think that it is not truly a priority.

The communication is primarily focused on the antipersonnel mines, which we have to admit does not constitute a major problem for the country (barely 30 new victims recorded in three years). This takes away from the issues posed by other ERW.

- The same message is often heard we don't often know the scope of the problem and therefore we really don't know what solutions are appropriate. We should do a National survey. The message is more focused on the victims, who present a direct and compelling image, but given the low number of new victims, this does not lend urgency to the situation in comparison to other issues that the country currently faces, whether it be disease or human violence.

The communication does not seem to have been a priority for the UNMACC until recently, with the nomination of a new person to the position of Programme Officer, who has a background in communications. Things are moving along smoothly as demonstrated by the organization of 4<sup>th</sup> of April events.

Public outreach is the key means through which UNMACC makes its actions known. It needs to make the public aware of the mine and ERW issue in the DRC and thus participate in advocacy efforts. The importance and complex system for obtaining international aid makes communication difficult. Moreover, the combined use with two or more languages, spoken more or less fluently does not facilitate data transmission. Ensuring the sufficient visibility of UMMACC and the problems related to mines and ERW is a challenge. Ensuring the quality of such products must also be a priority. The public relations service of MONUC produced a video about the issue during the events of the 4<sup>th</sup> of April. The UNMACC did not participate in the script-writing, and the text was presented to UNMACC the evening before the event, when the opportunity to edit the text had already passed. The result was in our opinion not good, and a real occasion to get the message across was thus wasted.

In the same vein, with a 52 minute video currently in production on the impact of mine and ERW in the DRC, it seems vital to us that the UNMACC has the ability to preview and even editorial control on the documentary's content so that the resources expended achieve the desired objective. In the present situation we do not think that the newsletter principle that was sometimes published generated much interest. Actually, the writing of a newsletter is time consuming, is constraining, and the final product is not necessarily read. It is better to aim for more efficient means through an informational web site, technical pages, or technical instructions, training programmes, etc.

#### The monthly reports:

The monthly reports are not sent to New York on time and several reasons were given for this: the late submission of statistics by NGOs (contested by NGOs) and the lack of time available to the programme manager. This could improve if UNMACC's structure was reinforced. This could also be improved by proposing that would provide a timely though potentially incomplete report should some statistics not be available. Another option is to send the statistical report a month later than the narrative report.

#### **Recommendation**

- Change communications channels
  - a. Move from the terminology “mines” to “explosive remnants of war”,
  - b. Move from the terminology “victims” to focus on the socio-economic impact of ERW
  - c. There is a lack of information available, but this needs to be dealt with as a reality.
- Delineate a communication plan with the goal of informing the population about the issue and about UNMACC's role based on the following points :
  - d. Target identification: MONUC, international agencies, NGO'S, Congolese media, parliamentary delegates, etc...
  - e. Identification of key messages
  - f. Delineation of a plan and of the tools to be used, including media training day using some internal capacity from MONUC and development of UNMACC website.

- Strengthen the communication resources available: add a web master/ external communication manager.

### **6.D UNMACC's Organization and Management**

Given the proposals made in the “operational strategy”, that UNMACC human resource division be reorganized. If this plan were followed, the centre would be reconstructed around two guiding principals. The proposals are to establish the necessary coordination mechanisms.

#### **Recommendations for discussion:**

##### **Organization:**

The UNMACC's operations department should also include a section “passing reinforcements” targeted primarily at the National NGOs in the MRE and data collection centre.

##### **Human Resources**

It is necessary to augment the staff as recommended in the chapter on communications and data management.

- Strengthen the programme/ communications department
- Move the information technology department to the administration section and leave data base management under the operations' sector.
- Add a staff member responsible for the integration of mine action in the army and police.
- Propose that the UNDP take on the responsibility for capacity development.

##### **Coordination mechanisms:**

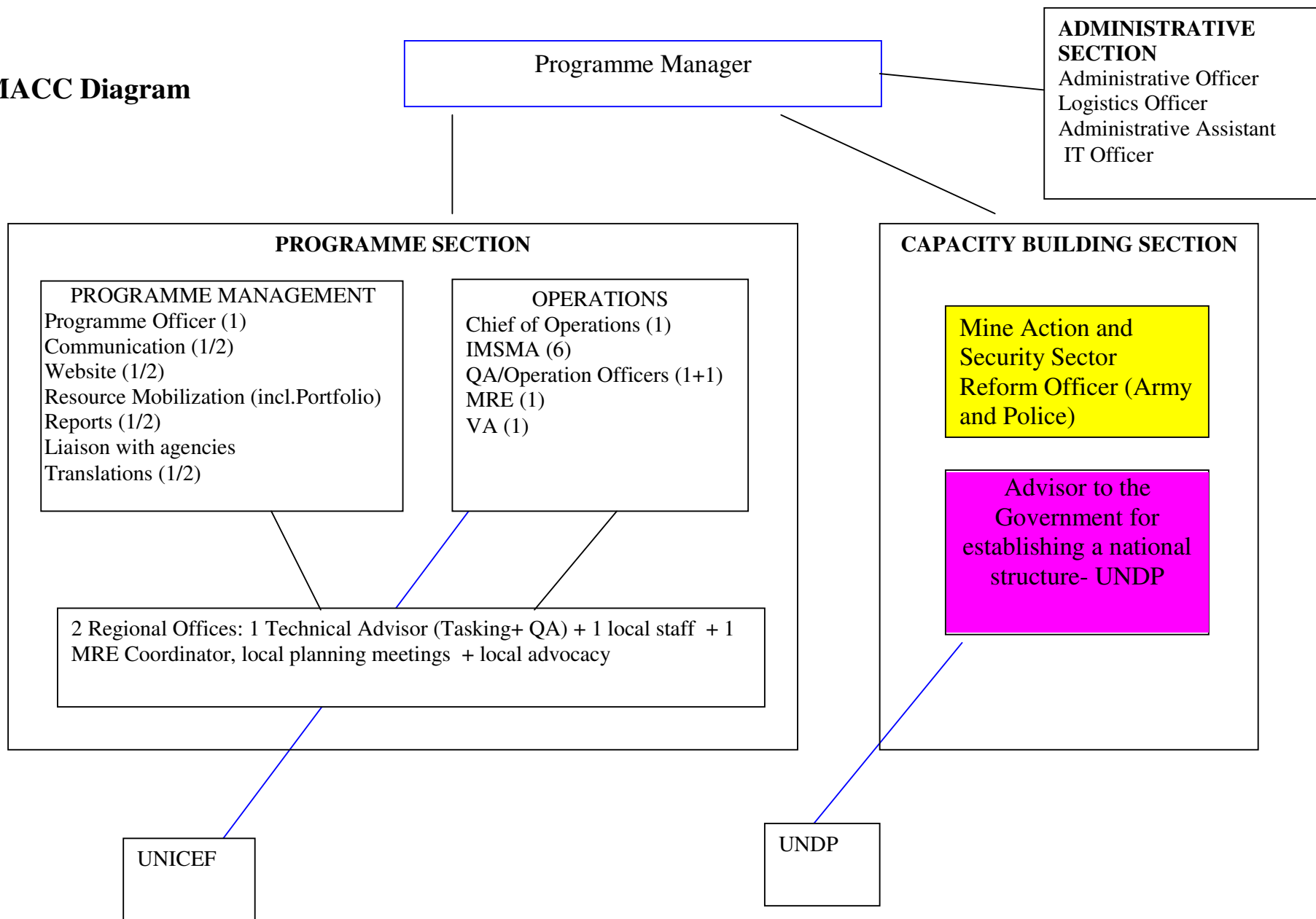
- Weekly meetings between departments.
- Working groups on the inclusion of mine action into security reform programmes, including UNMACC, Ministry of Defense, Ministry of Interior, Army representative, Police, SSR<sup>15</sup>, UNDP, and other interested countries: Belgium, the European Union, France, the Benin training school and invite the GICHD.
- Establish a United Nations inter-agency coordination group on the issue of mines and ERW including: UNDP, MONUC, SSR, OCHA, HCR, UNICEF.
- Monthly meetings for the operators: technical meetings.
- Coordination meeting with the operators for information sharing of some 30 minutes, every two weeks, with only those based in Kinshasa. Minutes would be circulated by the following day.

It is proposed in order to strengthen the coordination between sectors and actors:

- That the MONUC's Mine Action liaison officers have an office at UNMACC.
- That the PFNLAM where the staff would include at a minimum: the representative of the ministry of defense already cited and the victims' assistance representatives (part time) expecting that the ministry designate a office at the PFNLAM level.



# MACC Diagram



## **7.UNMACC's Support**

In this chapter, we discuss the urgent support that UNMACC needs to be able to accomplish its functions.

### **7.A MONUC**

The United Nations and UNOPS signed an agreement stipulating the various responsibilities and services of each party.

#### **7.A.1 Recognition of UNMACC as an element of MONUC**

From the beginning, there was significant disagreement with regards to the place that UNMACC occupied within (or outside of) MONUC. In 2007, Security Council resolution 1756 mentioned clearly in point 2.J that MONUC is mandated to “assist the Government in enhancing its demining capacity.” Although this terminology is not ideal, within the framework of a comprehensive approach to mine action, it nevertheless means a significant growth in MONUC’s mandate and supports UNMACC’s place firmly within MONUC; if only in regards to the establishment of a National demining capacity. However numerous steps have been necessary, including a cable code from the Under Secretary General DPKO. This was then distributed to all MONUC departments and was followed by a specific memo from the DSRSG. Finally in January 2008 UNMACC staff were recognized as official MONUC staff and will finally obtain identity cards, which will allow them access to MONUC’s services.

Presently, one of the difficulties still being dealt with has to do with the limitation of this its interpretation: when a removal action in support of MONUC, and when is it a humanitarian action?

The formulation of the mission in Sudan’s mandate (UNMIS) is of interest because it points to the possibility for introducing a global dimension to mine action as part of a peacekeeping mandate. “9. (...) c) Assist the agreeing parties in cooperation with other international partners, in the area of anti-mine action, through aid activities in the following categories: removal, humanitarian assistance, technological and coordination advice, and through mine danger awareness programmes intended for all sectors of society;”<sup>16</sup>

It was brought to our attention that there was a clear need for augmentation of MONUC's budget, particularly that devoted to mine action.

#### **Secretary General Report on MONUC:**

It is in this manner that proposed changes to the mandate could be introduced. These reports are extremely important. The drafting process is complex and takes time due to numerous sectors involved. The proposal for UNMACC’s contribution arrived too late to be introduced for consideration. It would only be after proposals for changes in the mine action component were included in the report and subsequent resolutions that it could have any budgetary implications.

#### **Recommendations:**

- Prepare a timeline that accurately reflects the timeline for submitting input for the mine action section of the report, keeping in mind the required time for feedback from every level.
- Introduce in the next Secretary General report a review of mine action activities. Where

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<sup>16</sup> S/RES 1706 from 31 August 2006 §9 c)

- possible, link these activities to other aspects of MONUC's mandate, such as
- *“ensure civilian protection”*
  - *“contribute to the amelioration of security conditions in which humanitarian aid is needed ...”*<sup>17</sup>
- Attempt to influence the next mandate renewal to provide more latitude for humanitarian driven mine action activities.

## **7.B UNOPS**

In the DRC, as is the case in other countries, the establishment of mine action programmes is done through UNOPS, through agreement memoranda. Through these MOA, UNOPS is obligated to establish and manage the programme depending on the description provided. Two MOA were established: one reviewing the portion of the project functioning under MONU's budget, and the other concerning activities covered under funds coming from the Voluntary Trust Fund (VTF). Presently, following the Controller's officer decision, the MOA will only cover six months at a time.

### **MONUC's budget MOA**

This MOA covers primarily the cost of international personnel and the budget of the commercial company contracted to support MONUC. In this capacity, UNOPS is in charge of human resource management (personnel recruitment, evaluation, administrative management, etc) of project management and delineation of priorities in coordination with UNMAS. There are also substantive and financial reports. The MOA was established for a year in 2007, and an amendment extends it June 2008.

### **VTF MOA**

Covers the activities carried out through VTF funds. These funds are apportioned based on a year long contract established in 2007 and ending 31 December 2007. The first amendment signed modified the financial arrangements. The second amendment aims to extend the MOA for the entirety of the 2008 year with the associated financial arrangements. The third amendment is in preparation.

The links between UNMACC and UNOPS are directly connected to the North America Office in New York and not the Country Office in the DRC. Relations with New York improved significantly following staff changes some time ago. Presently, UNMACC is satisfactorily involved in all important decision-making aspects, such as the preparation of job advertisement, review of candidates, etc...

## **7.B.1 Human Resources**

Since its creation, UNMACC has experienced a recurrent and extremely damaging personnel deficiency, affecting the programme's effectiveness. Key posts were vacant for long periods, which means certain tasks were not well executed (ex: QA, accreditation). The recruitment and training of competent personnel is the responsibility of UNOPS. Recently, there have been some improvements, and for the first time, in 2008 all positions will be occupied.

We recognize that certain positions will be difficult to staff for various reasons, but in those cases, it will be important to look for other alternatives so UNMACC can continue to play its role. One

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<sup>17</sup> S/RES 1756 from 15 May 2007 §2. a) and b)

proposal was to explore the possibility of hiring and training of local personnel or subcontracting certain tasks to outside businesses (for example: quality assurance of implementers, once a year by an external operator).

At the managerial level (P4-P5) UNMAS needs to be actively involved in personnel review appraisal in order to identify its necessities in proportion to their needs, be it methodological tools, guidance, or specific necessary training.

### **Recommendations**

- In the case where staffing problems are too great, UNOPS and UNMAS need to consider temporary alternatives or more long term solutions, such as the outsourcing or training of national personnel.
- UNMAS should not have to tolerate such staffing problems, and should be more demanding for delivery by UNOPS. The organization should always encourage alternative solutions.
- UNMAS should request that UNOPS justify its support costs.

### **7.B.2 Finances**

It has been reported to us that the MOA between the UN and UNOPS are not completely compliant with MONUC's internal financial regulations. This concerns the advance system and trimester reports. Consequently, it is imperative to review these sections in order to amend the MOA to permit better regulation of internal procedures.

The guiding principal is that fund advance cannot be made until after receipt of the financial report detailing the preceding advance. In the case of late reports, payment will also be late, which is not without difficulties at the UNOPS level. If the situation happens repeatedly, it could have direct repercussions on the programme.

### **Recommendations**

- Adapt the MOA to conform to internal standards.
- Establish a separate document (attached to the MOA), with different drafts of the report (narrative and financial) and the timelines should guarantee production of the report within a stipulated period.<sup>18</sup>

### **7.C UNMAS**

UNMACC seemed satisfied with the support it received from New York. Twice, the Director's visits have allowed for the resolution of complex conflicts with MONUC. This aid was much appreciated. It seemed to us that there was a need for further support.

- A) Strategic aspects: UNMACC needs support for headquarters in order to establish a strategic five year plan (2008-2012) allowing for a view of the all needs and all existing and proposed responses.
- B) Financial Aspect: It is not always easy to mobilize funds for all the DRC projects, even if stability rekindles donor interest. More and more, the mobilization of funds must start in the field, with donors having onsite representatives. UNMACC attempted to initiate a coordination group among donors, but did not receive support from the integrated mission, and therefore nothing came to pass. Conversely, when a donor shows interest, UNMAS NY takes

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<sup>18</sup> See document "delineation of responsibilities –project activities and Services, annexed to the MOA - draft November 16, § F: General and financial administration lines substantive and financial reports" for these two lines, prepare a timetable with responsibilities and deadlines.

care of negotiation for the contribution agreement. It seems that the collaboration at this level is going well, as illustrated by the last Japanese contribution. With the arrival of a programme officer based in UNMACC, collaboration with donors at the local level has intensified and is already producing results. This is exemplified by the contributions received from the pooled fund and CERF. A strategic five year plan would certainly attract the interest and attention of donors, and would aid in furthering the programme.

### ***7.D Gender issues***

Gender issues remain a non-negligible aspect within the mine action programme in the DRC.

From the operators' end, it seems that the question is being addressed through the progressive integration of women into survey and clearance teams. Only the commercial implementer has resisted integrating teams for logistical reasons.

However, if the gender issues specific to the mine action should not be forgotten, it seems that the DRC is presently experiencing some extremely troubling and unacceptable instances of gender based violence. The published reports give differing perspectives on the importance of these phenomena. It seems to us that UNMACC, as the coordinating body, should relay information throughout the country regarding the prevention of sexual violence developed by other UN agencies in order to integrate awareness. These questions should also be addressed by national NGOs and their partners. These messages can also be addressed in MRE programmes. Should a case arise in the mine action programme, be it UN staff or that of an implementing partner, UNMACC should pursue the case with all due rigor through appropriate channels and be transparent regarding any such matters.

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## **8. Annexes :**

1. Terms of Reference of the mission
2. List of persons met.

## **TERMS OF REFERENCE**

### **EVALUATION OF THE MINE ACTION PROGRAMME IN MONUC-DRC**

#### **Background**

In 2002, the United Nations Mine Action Service (UNMAS) established the Mine Action Coordination Centre (MACC) in the United Nations Mission in the Congo (MONUC) pursuant to Security Council Resolution 1291 (2000). The mine and ERW problem in the Democratic Republic of Congo is ill defined due to challenging logistics and limited funding that have made a countrywide survey difficult to implement. Mine action operations carried out by commercial contractors and international and national non-governmental organizations under the coordination of the MACC face numerous logistical challenges that are exacerbated by heavy annual rains. Continued conflict in the east of the country also presents security concerns and limitations on movement.

In addition to the operational challenges, the evolving political situation in the country and rapid turnover of national counterparts has limited efforts to build capacity for an eventual hand over of responsibility from the UN to the Government of DRC. This context has resulted in a lack of donor funding for mine action activities.

In the past year, a number of these challenges have abated. The election of a national government and inclusion of mine action in the Government's agenda bodes well for the future. Donors have shown increased interest with the UNMAS programme in support of MONUC and the DRC. It is fully funded for 2008, the first time full funding has been secured and so early in the year.

The purpose of this evaluation is to define the future course of the programme in terms of what it does and how it executes those tasks.

#### **Reporting**

The consultant will report to the UNMAS Chief of Programme Management and Oversight.

#### **Duties**

7. Analyze the mandate of the MACC in terms of Security Council Resolutions in three categories: fundamental safety and mobility of the Mission; Explicit mandates on mine action contained in Security Council Resolutions 1291 and 1756 and Implicit mandates where mine action may support overall Mission objectives and to what extent the MACC is addressing those requirements,
8. Analyze the expectations the Government of the DRC has in the area of mine action and how the MACC is addressing those expectations,
9. Analyze the requirements of development, reconstruction and recovery across all sectors in terms of mine action support and to what extent the MACC is addressing those requirements,
10. Analyze the expectation of donors in the DRC in the area of mine action and to what extent the MACC is addressing those expectations,
11. Analyze the current operational coordination activities of the MACC across the five pillars of mine action and identify ways in which coordination can be strengthened including in the area of gender mainstreaming,
12. Analyze the current capacity development activities of the MACC across the five pillars of mine action and identify in which ways capacity development can be strengthened including in the area of gender balance,

13. Produce a final report in French with a detailed executive summary in English that enumerates the following:
- Provide recommendations on where the MACC should increase or strengthen current activities (**Are we doing the right thing?**)
  - Provide recommendations on how the MACC can address omissions in its current activities to cover all outstanding concerns (**What aren't we doing that we should?**)
  - Provide recommendations on how the MACC can improve its current activities (**Are we doing it well?**)

#### Schedule

The consultancy will be broken into three parts:

1. Initial consultation with UNMAS and relevant DPKO/DFS components in New York (5 days)
2. Field work in DRC (25 days)
3. Report writing and completion from consultants home (5 days)

#### Requirements

1. A Master's level degree or equivalent in international relations, development or related field,
2. Five to seven years experience in mine action. Experience in NGO and UN implementation preferred,
3. Experience in programme monitoring and evaluation,
4. Excellent written and communicative skills in English and French,
5. Experience in the region desirable.

## List of Persons Met

### In New York

|                    |   |
|--------------------|---|
| Celine Moyroud     | Advisor in Conflict Prevention, BCPR-UNDP   |
| John Flanagan      | UNMAS, Officer-in-Charge  |
| Justin Brady       | UNMAS Planning Officer  |
| Laurent Rudasingwa | Programme Specialist and Regional Focal Point Africa Strategic Planning Unit BCPR- UNDP |
| Lydia Good         | Mine Action Unit BCPR-UNDP  |
| Malik Dechambenoit | Political Affairs Officer, Africa Division Office of Operations, DPKO                   |
| Miki Fikuhara      | UNICEF  |
| Muna Khury         | Field Budget and Finance Division, DFS  |
| Patrick Tillet     | UNMAS Programme Officer   |
| Paul Heslop        | Team Leader Mine Action UNOPS   |
| Richard Kolodge    | UNMAS Information officer   |
| Rick Martin        | Field Budget and Finance Division, DFS  |
| Tania Rzehak       | Portfolio Manager, UNOPS  |

### In the Democratic Republic of Congo

| <b>Nom</b>                   | <b>Titre</b>   | <b>Category</b> |
|------------------------------|--|-----------------|
| Ambassador Zulu              | Member of National Assembly, in charge of the Parliamentarian Coalition for Mine Action  | Authorities     |
| Cpt. Roger Bokwango Munaembe | Deputy Coordinator to the National Focal Point for mine/ERW action   | Authorities     |
| Denis Kalume Numbi           | Minister of Interior, Decentralization and Security  | Authorities     |
| J.D. Oleko                   | Provincial Inspection, National Police   | Authorities     |
| Maître Néhémie Mwilanya      | Advisor to the Administrative and Judicial College, within the Cabinet of the President  | Authorities     |
| Maître.Sudi Alimasi Kimputu  | Coordinator to the National Focal Point for mine/ERW action  | Authorities     |
| Maurice Malibita             | Reporting Officer to the National Focal Point for mine/ERW action  | Authorities     |
| Rhoda Kaswenge               | Advisor to the College Socio-culturel, within the Cabinet of the President   | Authorities     |
| Willy Musafiri Masuga        | Director of the National Programme for Rehabilitation of persons with disabilities and focal point for victim assistance within the Ministry of Health | Authorities     |
| Alessandro Mobono            | Operation Officer, Bukavu, UNMACC  | UNMACC          |
| Antoine Nimbasha             | Chief Operations, UNMACC   | UNMACC          |
| Harouna Ouedraogo            | Programme Manager, UNMACC  | UNMACC          |
| Langis Langlois              | Operation Officer, Bunia, UNMACC   | UNMACC          |
| Madieng Ndiya                | Roving Operations Officer, UNMACC  | UNMACC          |
| Micheline Magwambo           | MRE Officer  | UNMACC          |
| Sadjo Kante                  | Programme Officer  | UNMACC          |
| Salim Raad                   | Deputy Programme Manager, UNMACC   | UNMACC          |
| Brian Lewis                  | Programme Manager, Mechem  | Contractor      |
| Ingeborg Thijn               | First Secretary, Section Economy and Human Rights, European Commission in the DRC  | Donor           |
| Nico Vandijck                | Political Affairs Attache, Belgian Embassy   | Donor           |



|                                  |   |           |
|----------------------------------|---|-----------|
| Sebastian Fouquet                | Humanitarian Advisor DFID   | Donor     |
| Brg.Gen. Lok Bahadur Thapa Magar | Commander, Ituri Brigade MONUC, Bunia   | MONUC     |
| Bruce McCarron                   | Chief Engineer, MONUC   | MONUC     |
| Col. Nadeen                      | Chief of Staff, MONUC, Bunia  | MONUC     |
| General Gaye                     | Force Commander, MONUC  | MONUC     |
| Josiah Obat                      | Political Affairs Division, MONUC, Bunia                                      | MONUC     |
| Lisa Grande                      | Head of integrated Office, MONUC  | MONUC     |
| Lt Col Deepak Kumar Baniya       | Mine Action Officer   | MONUC     |
| Renner Onana                     | Officer-in-Charge DDR-SSR Unit, MONUC   | MONUC     |
| Ross Mountain                    | DSRSG, Humanitarian Coordinator and Resident Representative                   | MONUC     |
| Yasmine Thiam                    | Senior Political Affairs Officer, MONUC, Bunia                                | MONUC     |
| Bob Eaton                        | Survey Action Center ( by phone)  | INGO      |
| Cécile Coudeyras                 | Orthopaedic Project Manager, ICRC   | INGO      |
| Damien Vallette d'Osia           | Survey Action Center ( by phone)  | INGO      |
| Daniel Sissling                  | Country Programme Manager MAG   | INGO      |
| Eric Boulin                      | Handicap International Belgium, Kinsangani                                    | INGO      |
| Julien Chevrolier                | Programme Manager, HI-Belgium   | INGO      |
| Marc Angibeaud                   | SALW/HMA Project Manager, MAG   | INGO      |
| Olivier Martin                   | Deputy Chief ICRC Delegation  | INGO      |
| D'Herd Cabongo                   | Mine Action Programme Officer, ECC/MERU                                       | Local NGO |
| Francky Miantula                 | Chief of Department Mines/ERW/Cluster munitions, ADDHIAC                      | Local NGO |
| Jean-Marie Buloka                | IDLI- Local Initiative for Integrated Development                             | Local NGO |
| Paul Mwambi Bimpa                | Director-Coordinator NGO BADU : Office for development and Emergency Actions  | Local NGO |
| Philippe Sobinzi                 | Humanitas Unbangi   | Local NGO |
| Rév. Milenge Mwenelwata          | Secretary General ECC : Eglise du Christ au Congo (church of Christ in Congo) | Local NGO |
| Rév.Dominique Mukalya            | Director of MERU: Ministry of ECC for Refugees and Emergencies                | Local NGO |
| Andrea De Domenico               | Chief Joint Pool Fund Support Unit, OCHA                                      | UN        |
| Andrew Wyllie                    | Field Operations Coordinator, OCHA  | UN        |
| Eusète Hounsokou                 | UNHCR Representative  | UN        |
| Fernando Larrauri                | Chief of Post-Conflict Unit, UNDP   | UN        |
| Marie Mukaya                     | Focal Point Mines and ERW - UNICEF  | UN        |
| Pierre Jullien                   | Country Director, UNOPS   | UN        |
| Yohondamkoul Sakor               | Senior Programme Officer, UNHCR   | UN        |