



ANNEX

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NOTE

From :	Council Secretariat
To :	Committee for Civilian Aspects of Crisis Management (CivCom)
Subject :	Lessons from the EUPOL Kinshasa mission

Delegations will find attached draft lessons from the EUPOL Kinshasa mission.

Lessons from the EUPOL Kinshasa mission

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II. INTRODUCTION

A checklist based on earlier lessons from civilian ESDP missions was used to compile this report. The Council Secretariat (CPCC, DGE Africa, DGE IX, DGF), the European Commission and the Mission contributed input. A detailed description of the mission, its mandate, achievements and suggestions for lessons are set out in the Head of Mission's final report (doc 14269/07 EU RESTREINT UE).

EUPOL Kinshasa was the first civilian ESDP mission in Africa. It fulfilled its entire mandate and was able to flexibly adapt to new needs as they emerged on the ground. It contributed to the EU efforts to secure the electoral process and managing the end of transition in the Democratic Republic of Congo (DRC). The mission developed a constructive relationship with its local counterpart, the Congolese Integrated Police Unit (IPU) that it was mandated to mentor, monitor and advice. In addition, the mission was also solicited on numerous occasions to provide police expertise including on reform issues to the Congolese authorities and other international actors.

III. CONFIGURATION OF THE MISSION

A. Inception of the mission

The mission was deployed in the context of the overall EU policy towards the DRC and at the request of the United Nations (UN).

In this context, the initial coordination in order to ensure the consistency of the different activities of the EU and of EU member states represented a challenge.-

Recommended action 1: To ensure coherence in overall EU response on the ground, involving all relevant EU policies as well as actions by EU member states, all possible synergies should be sought, notably at PSC level and in other Council preparatory bodies. In this respect and in line with Council decision 2000/354, CivCom could play a relevant role.

B. Mandate and objectives

The mission was given a targeted mandate to mentor, monitor and advise a new national police protection unit (IPU). However, during its lifespan the mandate was adjusted to provide high-level advice on security sector reform (SSR) and to support the security co-ordination efforts in Kinshasa during the election period in 2006, reflecting emerging needs, and an additional component was added to the mission for this purpose.

Recommended action 2: in order to maximise the effectiveness of their intervention, it should be considered that missions support reform in the host state, for example in the broader area of SSR, while also doing mentoring, monitoring and advice. This should be set out in the mission mandate, while taking into account complementarity with other actors on the ground.

Recommended action 3: when a mission supports reform and provides high-level advice with political implications to host state authorities, it needs to co-ordinate with other EU actors, for example the Commission and Member States, to plan together for a coherent effort that includes sequencing of action and complementary measures. From an early stage of planning, an overall implementation plan for EU action in a crisis area could be developed, based on consensus, complementarity, coordination with local authorities and other actors and stakeholders.

Recommended action 4: a mission has the potential to contribute to improved co-ordination among local institutions and this should also be considered in the planning phase. For example, in DRC, national co-ordination structures for the police did not exist before the EU, in particular the Commission suggested they be created.

In addition to the initial training of the IPU which was carried out by the Commission through contracted consultants, the EUPOL Kinshasa mission carried out complementary specialised training, funded by the Commission.

Recommended action 5: in parallel to mentoring, monitoring and advice, related training activities in support of host state institutions may need to be foreseen, as

appropriate in order to improve the effectiveness of the mission.

While the initial timeframe was appropriate for the mission mandate, it was extended twice and received additional objectives (see above).

Recommended action 6:

If line with the emerging needs on the ground, the mandate of the missions should be amended appropriately in a timely manner.

C. Legal framework, including Joint Action and mission budget

Mission security and certain other mission support was outsourced to the local UN mission (MONUC) on the basis of a memorandum of understanding. This was deemed more cost-effective than setting up these functions within the mission; however the negotiation was protracted and left these issues uncertain for too long. When deploying in a non-benign environment, outsourcing will not be sufficient for a mission's needs.

Recommended action 7: based on an expert evaluation of their needs, missions need sufficient budgets to have their security provided in-mission, especially when they operate in non-benign environments.

D. EU co-ordination, including civil-military co-ordination

Several ESDP missions were deployed simultaneously in DRC, at one point there were 3 of them (EUFOR, EUSEC and EUPOL). No pooling of functions with the other ESDP missions took place. When the successor mission, EUPOL RD Congo was set up, its mandate was co-ordinated with that of EUSEC RD Congo in order to make them coherent, whereby the former would concentrate on the police part of SSR and the latter on military part of SSR. EUPOL Kinshasa was also discussed in PSC in conjunction with EUSEC RD Congo in PSC when the 6-monthly reviews took place.

During the critical moment of the DRC elections in 2006, EUFOR Congo supported EUPOL Kinshasa through the provision of satellite imagery that helped find incidents and monitor the movement of militants in Kinshasa. While EUFOR carried out law and order tasks within its

mandate to provide security, EUPOL Kinshasa supported similar action by the Inspector provincial of Kinshasa who commanded two IPU companies charged with crowd control. The co-ordination between the two EU security actors worked well.

Recommended action 8: coherence and co-ordination between EU actors in the field can only be achieved through mutual understanding on the aims and complementarity of their respective action, and taking into account their respective comparative advantage.

Recommended action 9: it should also be explored whether greater synergies could be established in terms of mission support between parallel missions on the ground.

E. Working with the Host State

After the elections in 2006 as the transitional government handed over office, there was a notable decrease in influence for the EU, and for the international community more broadly, over the new, democratically elected government. The country did not have a reform strategy for the establishment of the rule of law or security sector reform. **NOT DECLASSIFIED**

Recommended action 10: for future missions or when changing/extending the mandate of ongoing missions, firm commitments should be sought from the host government on issues deemed crucial for the success of the mission. Where deemed feasible, these should be spelled out in the initial exchange of letters.

Recommended action 11: in order to ensure salaries are paid to officials in the services the EU supports and to prevent favouritism, the mission needs ideally to be present at the strategic level of the host state government and, as appropriate, more widely in public administration in order for the reforms to be sustainable.

F. Working with the UN

Whereas co-ordination of mandates between EUPOL Kinshasa and MONUC was limited, due to the targeted mandate of the former, a greater effort at division of labour was made when the successor mission, EUPOL RD Congo, was established. Regular videoconferences were organised between UN headquarters in New York and the Secretariat in Brussels, and meetings held between MONUC and EUPOL in the field. No common training between EUPOL and MONUC took place.

Recommended Action 12: Co-ordination with international organizations and local authorities needs to start early in the planning phase and to continue throughout the operational phase on the regular basis.

G. Media and public relations

The mission was not a high-profile one but it did get positive attention as a tangible contribution to EU peacebuilding efforts in DRC. A range of activities were conducted in relation to the launching and conduct of EUPOL Kinshasa, e.g. introduction of info strategy elements in planning documents, production of master messages, fact-sheets and press releases and a number of interviews and briefings by the Head of Mission (HoM) with journalists. The HoM was able to establish himself as an authoritative voice in DRC on police reform. VIP visits (SG/HR, Commissioner) contributed to highlighting the mission's efforts.

To local, including official, audiences, it was emphasised that the mission would need clear support and a strong commitment from the DRC authorities in facilitating achievement of the mission objectives and that the mission formed part of an overall EU engagement for DRC security. However, the EU as such was not always able to speak with one voice to the media.

As in other small to medium-size missions, the press and public information responsibilities were carried out by the POLAD, in close co-operation with the Council Secretariat Press office (DG F) in Brussels. In the follow-on mission, EUPOL RD Congo, a press and public information officer (PPIO) post was established.

Recommended action 13: all ESDP missions should have their own information and communication strategy coherent with the relevant Commission services, including for anticipating the risk of the reputation of the mission being tarnished and public criticism appearing as a result of the misconduct of the institution benefiting from the EU support. An assessment of public information requirement should be conducted during the earliest stages of planning.

Recommended action 14: the creation of a PPIO post in a mission should always be examined. When appropriate the pooling of this function with other EU actors in the area, notably with other ESDP missions and EUSR office could also be considered.

Recommended action 15: coordinated (EC, CFSP/ESDP, Member State) media activities and joined media actions in the crisis area should be undertaken with a view to explaining to the broader public what the EU's objectives are and why certain action is taken.

H. Mission generation and deployment

Posts in the mission that could not be filled by secondments were either filled by contracting personnel, or by contributions from Third States. Finding candidates with sufficient working language skills also proved to be challenging.

Recommended action 16: when recruiting personnel by contract on the market, that process should be transparent and these posts should be published on the internet in order to attract the most qualified candidates.

Recommended action 17: in order to increase deployment possibilities, member states are encouraged to improve the language skills of their potential mission members.

Recommended action 18: in some cases translators should be considered in order not to restrict recruiting possibilities for specific functions. The use of translators should be kept to minimum.

The deployment of an advance team of the mission before it was officially launched worked well.

Recommended action 19: deploying an advanced team should be considered before a new mission is officially launched.

I. Third state contributions

This was the first time African states contributed personnel to a civilian ESDP mission. Although they did not contribute to the common costs of the mission, their secondments were limited mainly for financial reasons.

Recommended action 20: the provision of financial incentives for balanced participation of low-income countries in civilian ESDP missions could be explored. Member States could consider financing secondments of low-income countries.

J. Mainstreaming of issues

1. Human rights, gender issues, children affected by armed conflict

The IPU was trained in human rights standards, gender issues and on children affected by armed conflict. The recruitment to the Congolese IPU took into consideration ethnic, political faction as well as gender balance. This though required active and sustained monitoring on the part of the EU and the result was sub-prime in terms of gender balance and equal opportunities.

2. Security sector reform (SSR)

The mission initially addressed a very specific element of SSR, the monitoring, mentoring and advising of the newly created IPU within the Congolese police. Towards the end of its

mandate, the mission began providing high-level advice on SSR, specifically police reform.

3. *Disarmament, demobilisation and reintegration (DDR)*

Demobilisation took place outside the creation of the IPU, and the mission mandate therefore did not include DDR activities.

4. *ESDP concepts*

The ESDP concept for police strengthening missions was taken into account in the planning of the mission.

5. *NGO co-operation*

Regular contacts with NGOs were maintained by the mission on the ground including participation in seminars organised by civil society.

Recommended action 21: With regard to above mentioned issues existing agreed language should be represented in the documents relating to the missions.

IV. CONDUCT OF THE MISSION

A. Conduct

The HoM had the necessary autonomy in interpreting the mission mandate, within the political control and strategic direction provided by the PSC. A balance needs to be struck between supporting, protecting and assisting the mission on the one hand, and controlling, directing and reorienting it on the other hand. At present, the Civilian operation commander / Director of CPCC provides a clearer command and control structure for civilian ESDP missions.

B. Achievement of the mission's objectives

All of the mission's objectives set out in the mandate were fulfilled.

C. Reporting

Reporting took up considerable time that could otherwise have been spent on local action, in particular for the POLAD, as the mission was so small.

Recommended action 22: reporting should reflect real needs and be specific, and include information on progress towards achieving the mission objectives. Reporting requirements may justify additional staffing for the mission.

V. MISSION SUPPORT

A. Mission administration, including human resources

As already highlighted in the lessons from the EU supporting action to AMIS, sufficient staffing and expertise in the mission, for example in terms of administration, political advice, and security are essential. In EUPOL Kinshasa, this was the case, allowing the HoM to concentrate on his core functions. The African ESDP missions so far have been among the smallest in civilian ESDP, however there is a minimum mass of support to the HoM that is needed irrespective of the size of the mission in order for it to operate.

Recommended action 23: all missions need a critical mass of support staff, which should be as lean as possible and able to properly execute their tasks.

The HoM had proven management experience and had the skills to deal with the host country environment and culture. In addition, the Council Secretariat should train the HoM.

Recommended action 24: the HoM before taking up his/her post should receive substantial induction training. The training should clarify what is expected of the HoM in terms of managing and leading a multi-national team.

Recommended action 25: standard procedures or a handbook for running missions should be developed. It should cover issues such as management of personnel, administration, training, security and mission support more broadly. It should draw on experience from ongoing and past missions including proposals by mission staff.

B. Financial management, including procurement

The mission had sufficient funds for its needs.

The slowness of procurement procedures were compounded by local market conditions where a number of goods were not available, and if imported from other countries not suitable to the local climate conditions (heat, humidity). Only a very limited transfer of equipment from other missions was possible.

Recommended action 26: financial and administrative procedures should be adapted to reflect the needs of crisis management missions. Framework contracts should be used systematically for procurement in order to speed it up. Member States need to make available sufficiently trained personnel for administrative mission posts in general, specialised staff are needed e.g. to do the procurement.

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EC consultants in DRC receive significantly higher per diems than the ESDP mission personnel.

Recommended action 28: a principle should be established that per diems for ESDP mission personnel should not be widely discrepant from those of EC contracted personnel working in the same country.

C. Training

Pre-mission training received by personnel turned out to be very uneven.

There was no yearly training programme for mission personnel. The in-mission training provided was not evaluated. No training on working with the military was carried out, nor with civil society and development actors. There was no dedicated budget post set aside for training.

Recommended action 29: pre-mission training needs to include clear information on mission members' individual tasks and what is expected of them in terms of performance. Need for an internal mission training scheme should be considered. Common frame of reference inside the mission needs to be in place that all mission members know and can refer to. The individual skills and capacities mission members bring in should be registered, especially in small missions. The UN experience of testing new staff and providing them with substantive induction training should be considered. Additional, longer induction training needs to be provided for the HoM and key personnel (in particular the POLAD and Head of administration).

D. Medical issues

A doctor in the planning team evaluated the medical needs for the mission.

E. Evacuation

Evacuation was provided by the high risk insurer and this worked well on the one occasion it was used.

F. Logistics

Some of the mission members were embedded in the chain of command of the IPU and co-located with it during working hours, but EU personnel had their own facilities for accommodation and food, as well as a headquarter office.

Recommended action 30: embedding personnel in the host state institution should not prejudice the decision whether to keep separate logistics and a separate EU chain of command.

VI. CLOSURE OF THE MISSION

A. *Prolongation/transition/handover*

The transition from EUPOL Kinshasa to EUPOL RD Congo was a seamless one and it was prepared on time. However, the transition from the EC project that trained the IPU, to EUPOL Kinshasa was hampered by some administrative problems.

Recommended action 31: it should be further explored how a seamless transition between EC and ESDP action, or vice versa, can be achieved.

B. *Sustainability of the mission's results*

The sustainability of the mission's achievements was affected by uncertainty about the future of the IPU, maintenance of its premises, arms, equipment and the risk of theft. EUPOL RD Congo continues to monitor the results of EUPOL Kinshasa in these areas.

For any state-building or strengthening effort by the EU in a crisis area to be sustainable, the host State needs to have the means to continue to fund the institutions the EU supported and pay salaries to their personnel. Where no funds in the State budget are available for this, it could exceptionally be ensured through foreign budgetary aid to the host government as is the case in some other countries (normally salaries of civil servants are not paid with aid money), but ultimately relies on establishment of effective tax collection, from customs duties, value added tax, income tax, and levies.

Recommended action 32: a realistic assessment needs to be made of commitments sought from the host State before a mission is launched to ensure sufficient funding is available for the state structures the ESDP mission supports. In order to ensure sustainability, cooperation with institution-building efforts from the Commission should be envisaged from the planning phase.

Recommended action 33: it also needs to be considered what actions a mission could

undertake to make host State administration more transparent, effective and accountable towards its people, and the international actors / donors. An ESDP mission offers a political instrument that can be used to strategically guide and support local reform and to better co-ordinate and monitor the use of State and donor funds.

C. Evaluation

The mission was evaluated in Brussels through 6-monthly reviews. Benchmarking was not used to monitor implementation of the mission's mandate.

Recommended action 34: a standard benchmarking system should be developed in order to provide guidance and consistent criteria for mission review and evaluation. The basis of benchmarking is a clear mandate, on the basis of which periodic evaluations can be carried out.
