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## The responsibility to protect in Congo: the failure of grassroots prevention

Séverine Autesserre

### ABSTRACT

Prevention was the most important dimension of the Responsibility to Protect's foundational documents and subsequent advocacy efforts. However, the actual implementation of protection on the ground has focused on reacting to crises. This article develops a case study of war resumption in Congo in 2008 to understand why and how this happened. International peacebuilders took preventive action in Congo, but not as part of the protection efforts. Peacebuilders focused on preventing renewed national and regional wars, and they ignored the local conflicts that fuelled these broader tensions. The reason for this lies in a dominant culture of international peacebuilding. This culture shaped international efforts in such a way that the three essential conditions for effective prevention – political will, early warning and the preventive toolbox – were present for the prevention of renewed national and regional fighting but absent for the prevention of local violence. The resulting strategy allowed a crisis localized in the province of North Kivu to escalate into a full-scale war. The same type of effect appears generalizable across several recent interventions.

Much has been written on the blue helmets' failure to protect the population in the Democratic Republic of Congo. For the past 13 years, every time a massacre or an egregious series of rapes and killings took place close to a United Nations (UN) peacekeeping base – such as in Kisangani in 2002, Bukavu in 2004, Kiwanja and Dungu in 2008, Luvungi in 2010 and Beni in 2014 – Congolese and foreign journalists, civil society activists, human rights and humanitarian organizations and international politicians would blame UN soldiers for failing to intervene. These criticisms were particularly harsh in late 2008, when the resumption of war in eastern Congo led to a spike in massacres virtually under the watch of peacekeepers tasked with protecting the population.

One of the many shortcomings with these criticisms is that they miss the central problem with protection efforts, in Congo and elsewhere. They put the emphasis on the failure to react, instead of regretting the failure to *prevent* these atrocities.

The original proponents of the Responsibility to Protect doctrine convincingly demonstrated that prevention is a far better policy option than reaction. Prevention is less costly than reaction to crises, and it is much less intrusive

than military intervention when the population is in immediate danger of physical violence. Furthermore, once a crisis has erupted, it is often too late and too difficult to protect the population adequately.<sup>1</sup>

Understanding the failure to prevent the recurrence of violence in Congo has potentially broad implications. An *Enough* report noted that ‘there are myriad examples from recent history – Liberia, Sudan, Pakistan, and others – where the United States and its international partners have successfully helped to stabilize a situation, but have then reduced engagement only to see crises recur’.<sup>2</sup> In situations like Congo, where international involvement assisted the country in transitioning from war to peace and democracy (from 2003 to 2006), why did international actors fail to help prevent renewed large-scale violence?

Building on the argument I developed in *The Trouble with the Congo*,<sup>3</sup> this article argues that studying the dominant international peacebuilding culture helps explain this failure of prevention. Western and African diplomats, UN peacekeepers and the staff of non-governmental organizations involved in conflict resolution – all of the actors that the Responsibility to Protect doctrine tasks with preventing the resumption of large-scale violence when the state is unwilling or unable to do so – share a set of ideologies, rules, rituals, assumptions, definitions, paradigms and standard operating procedures. In Congo, this dominant culture shaped the intervention in a way that precluded preventive action at the grassroots, ultimately dooming the international efforts.

To develop this claim, I first show that prevention was the most important aspect of the original Responsibility to Protect doctrine and subsequent advocacy efforts, but that the implementation of the new norm has overlooked this dimension, in Congo and elsewhere. I then develop a case study of the 2008 war resumption in Congo in order to understand the reasons behind this neglect of prevention. I explain that preventive actions did take place in Congo, but not as part of specific protection efforts; rather, these actions were associated with the standard template and core work of interveners in any post-conflict environment, regardless of whether they are specifically tasked with protection. I argue that the prevention strategy failed to avert the resumption of large-scale violence because it was incomplete: it focused on preventing renewed national and regional wars, but it ignored grassroots conflicts, which generated massive human rights violations and fuelled the broader tensions. This strategy allowed a crisis localized in the province of North Kivu to escalate once again into a full-scale war.

To explain why prevention was focused on national and regional issues and not on local ones, I review the three essential conditions for effective prevention, as identified by the *Responsibility to Protect* report: political will; early warning; and the preventive toolbox. I demonstrate that the dominant peacebuilding culture shaped how international actors understood their roles and the paths towards peace in such a way that these three conditions were present for the prevention of renewed national and regional fighting but absent for the prevention of local violence.

When not otherwise indicated, all material for the Congo case study comes from over 500 in-depth confidential interviews, more than two-and-a-half years of field observations in Congo's most violent provinces and Kinshasa between 2001 and 2014 and several additional years of participant observation research with international peacebuilders in other conflict zones.

## Protection without prevention: a general trend

### *Prevention, the lost dimension*

Prevention of crises or of crisis recurrence was the most important component of the original Responsibility to Protect doctrine. The idea of moving from a reactive approach to conflicts to a culture of prevention became influential in policy circles in the 1990s, notably within the UN and the World Bank and among frustrated diplomats.<sup>4</sup> In 1997, the Carnegie Commission on Preventing Deadly Conflict published a landmark study that clarified the three broad aims of preventive action – avoiding the emergence of war, the spread of ongoing conflicts and the resumption of violence – and its three main principles: ‘early reaction to signs of trouble’; ‘a comprehensive, balanced approach to alleviate the pressures that trigger violent conflict’; and ‘an extended effort to resolve the underlying root causes of violence’.<sup>5</sup> (In line with the actual practice of prevention on the ground, most of this article focuses on the last two aims of preventive action.)

The International Commission on Intervention and State Sovereignty (ICISS), which introduced the Responsibility to Protect concept in its 2001 final report, emphasized the centrality of prevention – although it was the question of how to protect populations caught in the midst of war that had triggered its work.<sup>6</sup> The first point of the report’s ‘priorities’ section stated that ‘prevention is the single most important dimension of the responsibility to protect’.<sup>7</sup> All subsequent key policy documents pertaining to the new Responsibility to Protect concept reaffirmed the importance of prevention, although prevention was never given as central a role as it occupied in the ICISS report.<sup>8</sup> In 2005, a heads of state summit took place to discuss the ICISS recommendations. After heated debate, the 150 heads of state present adopted a document stating that ‘each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means’.<sup>9</sup> The UN Security Council later endorsed this consensus through Resolution 1674 on the Protection of Civilians in Armed Conflict, which ‘underlin[ed] the importance of taking measures aimed at conflict prevention and resolution’, and then again ‘emphasiz[ed] the importance of preventing armed conflict and its recurrence’. To prevent conflicts, it stressed the role of non-military measures, including ‘promoting economic growth, poverty

eradication, sustainable development, national reconciliation, good governance, democracy, the rule of law, and respect for, and protection of, human rights'.<sup>10</sup> Finally, during the 2009 debates on protection at the UN General Assembly, states 'consistently' emphasized that 'prevention was the key component of the responsibility to protect'.<sup>11</sup>

Prevention was also a key focus of advocacy efforts surrounding the responsibility to protect.<sup>12</sup> Activists emphasized that protection should aim primarily at averting the eruption, spread or resumption of violence, and that it should primarily be a non-military endeavour; military intervention should be used only as a last resort, when all other means (whether diplomatic, economic or political) have failed.<sup>13</sup> However, the advocates faced an important hurdle: neither the ICISS commission nor the subsequent UN debates and documents provided clear guidance on how such prevention could actually be conducted.<sup>14</sup> Worse, the actual implementation of the Responsibility to Protect doctrine mostly ignored the prevention dimension, with the possible exception of international action in Libya in 2011.<sup>15</sup> In Darfur for instance, non-governmental organizations, UN peacekeepers, diplomats, civil society and state actors largely focused on reaction rather than prevention.<sup>16</sup> The same was true for the international response to electoral violence in Kenya in 2007 and 2008 and to the September 2009 massacre in Guinea.<sup>17</sup>

As the rest of this article demonstrates, the Congo case also illustrates this trend, but with an important twist. After Congo (supposedly) completed its transition to peace and democracy in December 2006, there was preventive action to avoid a return to violence at the national and international levels, but there was no such action to prevent the spread of remaining local conflicts or the resumption of violence at the grassroots. In addition, the prevention initiatives that took place were not part of protection activities; instead, they belonged to the standard template for international response to ongoing wars. Although the goals of war prevention and protection of populations overlap, there are important distinctions. Prevention of war addresses conditions that may trigger national or international conflicts, but it does not attend to local tensions that do not threaten national or international peace, even if these local factors create serious population protection issues.

### *Protection in congo: a military, reactive task*

The UN peacekeeping mission in Congo, or MONUC, was one of the first UN missions to receive a civilian protection mandate, as early as February 2000.<sup>18</sup> In the following years, MONUC eventually evolved into 'the UN's largest and most robust operation for which civilian protection is a central purpose'.<sup>19</sup> However, all UN Security Council Resolutions interpreted protection in a very restrictive way: it was limited to 'the areas of deployment of

[MONUC's] armed units' (which, given the low capability of the mission, left out most of the Congolese territory), and included only action 'within [MONUC's] capabilities'.<sup>20</sup> Most importantly, the Security Council's Resolutions always reduced protection to a mere reaction to 'imminent threats of physical violence' (my emphasis), rather than trying to prevent such threats in the first place. Even when the UN Security Council gave MONUC its most robust protection mandate, in Resolution 1856 (December 2008), reaction to crises remained the primary focus. Resolution 1856 'emphasized that protection of civilians [ ... ] must be given priority in decisions about the use of available capacity and resources, over any of the other tasks described [in the Resolution]', but it only required MONUC to 'ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence'.<sup>21</sup> The resolution itself seemed to have been spurred as a reaction to a massacre that had just taken place in Kiwanja, a few kilometres away from a UN peacekeeping base, and after which Congolese civilians and international leaders had blamed UN soldiers for failing to intervene. Preventing conflicts was never explicitly mentioned in any of these resolutions, although several sections, such as 'to contribute to the improvement of the security conditions in which humanitarian assistance is provided', could be interpreted as allowing for preventive activities.<sup>22</sup>

The understanding of what protection entailed was similarly restrictive on the ground. Up to 2004, MONUC did not act on its protection mandate. When I was conducting fieldwork in Kinshasa and in eastern Congo from 2001 to 2003, MONUC personnel never mentioned the protection idea during formal interviews or informal conversations. MONUC officials rather talked about their role as if they had only an observer mandate instead of a chapter VII one.<sup>23</sup> UN actors started mentioning protection in mid-2003 during the Ituri crisis, when fighting between Hema and Lendu ethnic groups in the north-east of Congo triggered concerns among international actors of an impending genocide. Discussions, however, remained focused on the protection of civilians in two large refugee camps located on grounds that MONUC controlled. A year later, the UN failure to prevent large-scale killings and rapes by various armed groups in the town of Bukavu provoked massive protests by Congolese civilians all over the country and outrage in many foreign capitals.<sup>24</sup> From then on, MONUC started acting on its protection mandate.

However, this never meant focusing on prevention. Rather, UN military and civilian peacekeepers interpreted the protection mandate as a military task and as a duty to fulfil once crises had erupted. Holt and Berkman's excellent study of civilian protection in Congo perfectly illustrates this point.<sup>25</sup> The report details how MONUC's military component struggled to carry out the protection mandate, and it rarely discusses the civilian part of the mission. It shows how protection in the field involved purely reactive, military measures:

removal of threats against civilians by ‘a cordon and search operation and/or disarmament of individuals threatening civilian population;’ the establishment of ‘buffer zones between combatants’ and safe areas ‘with adequate military protection;’ utilization of an ‘area domination’ strategy through frequent patrols, overflights, and ‘mobile temporary operations bases;’ escorting humanitarian and human rights actors to areas; and evacuating populations out of danger zones.<sup>26</sup>

The word prevention only appears in the report when associated with ‘harm to civilians under imminent threat’ – meaning, once a conflict had already erupted into violence and escalated to a point that the population was in danger. Tellingly, the report never mentions the idea of preventing a crisis from erupting, as if MONUC had never considered it.

Interviews that I conducted in Congo between 2003 and 2014 similarly showed that MONUC (then MONUSCO)<sup>27</sup> staff’s understanding of its protection mandate mostly involved a military reaction to crises. Questions on the protection mandate invariably oriented the conversation towards a discussion of the mission’s military strategy to respond to imminent threats of violence. At that point, the interviewee would explain that the mandate established clear priorities: UN soldiers should protect first, UN staff and property; second, humanitarian personnel; and third and last, Congolese civilians. Several people then deplored that, given the logistic and security conditions in eastern Congo and the cumbersome standard operating procedures for UN military contingents, only a few peacekeeping troops could be deployed to protect civilians once the first two priorities had been fulfilled. Very few interviewees mentioned the idea of prevention, or (until 2009) the role that MONUC’s non-military personnel could play in preventing conflicts. Even MONUC’s much-touted initiatives of creating ‘Joint Protection Teams’ showed such a restrictive understanding of the protection mandate. In February 2009, MONUC started organizing the deployment of these teams in response to the ‘renewed mandate to protect civilians’ stipulated in Resolution 1856. The terms of references for the teams, as well as the details of the standard operating procedures that they were expected to follow show that, although UN civilians would be part of the experience, these teams were primarily military affairs.<sup>28</sup> And both the terms of reference and the actual practice on the ground evidence that these teams intervened only in a reactive fashion, once a massacre or a series of egregious human rights violations had transpired.

In addition to this military dimension, civilian staff of various UN agencies claimed to contribute to protection in accordance with their respective mandate, but protection was not their main focus until 2009. Protection became one of the mission’s central concerns in 2009–10, and civilian peacekeepers became more involved in this issue at that time, but, just like their military colleagues, they acted in a reactionary manner instead of working



preventively. The child protection section, for instance, looked after individuals who had been enrolled in armed groups. The human rights section investigated cases of human rights violations, notably rapes, torture and killings. The DDR and DDRRR section tried to demobilize combatants and, when relevant, to repatriate them.<sup>29</sup> In sum, all of these civilian interveners focused on reacting to the consequences of violence rather than preventing their occurrence.

Preventive actions on the ground therefore remained rare, and they were little more than side-effects of programmes unrelated to civilian protection. For example, MONUC deployed troops in Baraka to support the UN High Commissioner for Refugees' repatriation programme from Tanzania to Congo. These troops were primarily there to protect UN staff and property but, as a MONUC staff member argued during an interview, the deployment could also be conceived as 'preventive protection' of the population and non-governmental organizations. Even the Joint Mission Analysis Cell, which was mandated to monitor conflicts that could escalate and threaten the mission's main goal, failed to seize this opportunity to act as a catalyst for prevention of renewed crises. Until late 2007, it focused not on preventing harm to civilians, but on preventing whatever could jeopardize MONUC's first priority, the organization of 'free and fair' elections. At the time of this writing in 2015, the unit continues to be under-resourced, and its influence within the mission has remained limited.

Outside of the UN mission, other international actors similarly conceptualized protection as a responsibility that peacekeeping military contingents should undertake in times of crisis, and not as a task requiring preventive action by non-military interveners. Aid workers requested UN soldiers to 'conduct joint assessments, provid[e] military protection to humanitarian convoys, physically tak[e] civilians out of danger, demin[e], and establish field hospitals'.<sup>30</sup> The 'protection cluster', a group of international non-governmental organizations, UN peacekeeping staff and UN agencies involved in issues related to protection from 2005 onward, similarly focused on military and mostly reactive issues, such as advocating for a judicial reform to eliminate impunity within the Congolese army and improving MONUC's military presence in unstable areas.<sup>31</sup> The international response to sexual violence provides an additional illustration of the focus on reaction. Sexual violence programmes overwhelmingly focused on responding to abuses once they had occurred – for instance, providing medical treatment to women who had been raped – at the expense of the prevention of sexual abuse.<sup>32</sup>

In sum, in Congo as in other places where it was implemented, the protection doctrine acquired two characteristics that were in direct contradiction with the spirit of the *Responsibility to Protect* report and subsequent advocacy efforts. First, instead of focusing on prevention, protection focused on reaction to crises. Second, instead of being mostly a civilian enterprise, with



military intervention as a last resort, it was primarily a military affair.<sup>33</sup> These two developments were intimately linked. Military actors are trained and equipped for reaction to crises. They are not trained and not equipped for the diplomatic, economic and social measures that prevention requires.

It does not mean that there were no prevention efforts at all. Preventive action did take place, but not as part of protection activities. Rather, these actions were part of the template for international interventions in post-conflict environments. Most importantly, these efforts were incomplete. They focused on assuaging national and regional tensions in order to prevent conflict renewal at the macro level, and they overlooked the local causes of violence, thus dooming the international efforts.

### **Prevention without protection: understanding war resumption in 2008**

The resumption of war in eastern Congo in late 2008 provides a perfect case to study these dynamics. Prior to 2008, Congo had experienced 15 years of sustained violence. Localized violence erupted in the Kivu provinces in 1993 and escalated when more than a million Rwandan refugees poured into eastern Congo after the 1994 Rwandan genocide. Eventually, the tensions caused two successive civil and international wars, the first from 1996 to 1997 and the second from 1998 to 2003. Militarily, these conflicts involved up to 14 foreign armed groups, three main rebel movements and countless fragmented militias. They caused an estimated three to five million casualties and destabilized most of Central and Southern Africa.<sup>34</sup>

In 2003, a settlement was reached at the national and regional levels. (In this article, regional refers to the level of the African Great Lakes Region: Burundi, Congo, Rwanda and Uganda). Foreign troops officially withdrew from Congolese territory and normal diplomatic ties progressively resumed between former enemies. From June 2003 to December 2006, Congo went through a transition from war to peace and democracy. Its main achievements were the official reunification of the country, the formation of a unified government and an attempt at integrating the different armed groups into a single national army. General presidential, legislative and provincial elections officially marked the successful completion of the transition. In early 2007, Congo was officially at peace.<sup>35</sup>

However, violence persisted at a very high level in the eastern provinces both during and after the transition.<sup>36</sup> Then, in the second half of 2008, the conflict escalated again. From his stronghold in North Kivu, rebel leader Laurent Nkunda launched an offensive against government troops and announced his intention to seize power in Kinshasa. By December 2008, he had conquered large parts of the North Kivu province and threatened the provincial capital of Goma. While instability was growing in the Kivus, the

situation also sharply deteriorated in Oriental Province. Local militias multiplied, and Ugandan troops re-entered Congo in December 2008, officially to fight the Lord's Resistance Army, a Ugandan rebel movement partly based on Congolese territory. A flurry of diplomatic action by international actors, coupled with MONUC's strongest military operation to date and a major reshuffle of alliances between regional leaders, finally managed to remove the immediate threat on Goma and halt the renewed war. However, the spike in fighting had already caused hundreds of casualties and forced more than half a million people to relocate.

This resumption of large-scale violence in North Kivu in 2008 is a textbook case of international failure to prevent protection crises. From the official end of the war in 2003 to the resumption of large-scale conflict in 2008, the situation of the Congolese eastern provinces indeed met the criteria for international action stipulated by the Responsibility to Protect doctrine. 'Serious and irreparable harm' was 'occurring' or 'imminently likely to occur' 'to human beings' as a 'result of internal war, insurgency, repression [and] state failure'.<sup>37</sup> Violence was the result partly of 'deliberate state action', partly of 'state's neglect or inability to act' and partly of 'a failed state situation'.<sup>38</sup> In short, the Congolese state was unable or unwilling to fulfil its responsibility to protect its population – or, to use the criteria agreed on at the 2005 heads of state meeting, the Congolese state was 'manifestly failing at' protecting its citizens. International support to Congolese actors trying to prevent a resumption of war was therefore deeply needed.

This international support could have taken 'many forms', including 'development assistance and other efforts to help address the root cause of potential conflict; or efforts to provide support for local initiatives to advance good governance, human rights, or the rule of law; or good offices missions, mediation efforts and other efforts to promote dialogue or reconciliation'.<sup>39</sup> As the rest of this section shows, international actors did carry out such efforts, but they focused on only some of the root causes of violence – the national and regional tensions. They neglected other critical ones – the local, bottom-up conflicts. They therefore let significant tensions fester, to the point that grassroots antagonisms over land and power created significant protection problems and eventually reignited broader conflicts.

### ***Incomplete efforts to prevent the recurrence of national and regional conflicts***

For analytical clarity, we can divide the root causes of the renewed crisis in North Kivu into two categories: first, national and regional causes, and second, local ones.<sup>40</sup> At the regional level, the Rwandan government regularly deplored that rebel Rwandan Hutu militias were still present in Congo and that they posed an important threat to Rwanda because they included some

of those responsible for the 1994 Rwandan Genocide. According to many sources, Rwanda was actually more interested in pursuing two other goals in Congo. First, it wanted to continue the illegal exploitation of Congolese mineral resources, which remained an important source of revenue for Rwanda. Second, it needed to protect the Congolese population of Rwandan descent living in Congo, a minority that Congolese indigenous groups had consistently discriminated against since Congolese independence in 1960.

At the national level, the president and most former rebel leaders maintained parallel command structures over their soldiers in order to retain their territorial control and weaken their political enemies. Consequently, the army integration process was mostly a failure, and the government could barely extend its authority in the eastern provinces. At the time of this writing, there is still no functioning justice system and no reliable police force there. Soldiers regularly prey on the population, which means stealing and usually beating, raping, torturing or killing those who refuse to comply. Lawlessness, impunity and absence of state authority thus persist, creating a fertile ground for continued and renewed violence.

The tensions between most Congolese leaders and the representatives of Congolese with Rwandan ancestry were another important cause of violence after the war officially ended. During the electoral campaigns, almost all the national actors that did not belong to the Congolese population of Rwandan descent used propaganda against this minority as a way to rally supporters. This hate speech led to many abuses against Congolese with Rwandan ancestry. The 2006 elections only reinforced their marginalization, as they managed to send just a few representatives to the provincial and national assemblies. Fearing for their lives, status and properties, Congolese of Rwandan descent became increasingly radicalized, which fuelled Nkunda's rebellion and Rwandan involvement in Congo.

National economic agendas were also highly influential. Numerous national factions remained involved in the illegal exploitation of resources after the war officially ended. A large part of the continued fighting centred on the control of mining sites and export routes, both before and during the 2008 resumption of large-scale violence.

International actors did try to address these regional and national problems. Diplomats and UN officials organized numerous conferences to provide Congolese, Rwandan, Burundian and Ugandan leaders with a forum where they could discuss their economic and security concerns. In times of crises, African and Western states put pressure on the Rwandan and Ugandan governments in order to prevent them from invading Congo again. Diplomats and UN officials also strove to convince Congolese warlords to integrate their soldiers into the army, while a few African and Western countries trained integrated army brigades. Finally, all donors devoted

massive resources to organizing general elections, which they saw as the best way to end the violent struggle for power and to reconstruct a legitimate state authority.

It is true that international actors could have done more to prevent national and regional antagonisms from causing a renewal of large-scale violence. They could have further prioritized supporting the Congolese army so that it developed ways to integrate all of the armed groups. They could have devoted much more attention and resources to the reconstruction of the Congolese justice system, which is essential to ending impunity and thus deterring violence. They could have further pressured the Congolese and Rwandan governments so that they stopped fuelling violence on the ground and addressed the problem posed by the Rwandan Hutu militias.

However, the international actors' main failure was not related to intervention at the macro levels. Incomplete as it was, it achieved significant results between 2003 and 2008. It largely assuaged many national and regional tensions, in turn leading to a decrease in manipulation of local armed groups by national and regional actors. By early 2008, a relative peace and stability had returned to most of Congolese territory. Many inhabitants of war-torn provinces saw their living conditions improve; displaced people started returning home and reconstructing their villages; and items of basic necessity (such as oil and salt) reappeared in most markets. If national and regional tensions had been the only root causes of violence, Congo would have continued on its paths towards stabilization, development and democracy. However, regional and national agendas were not the only causes of violence. Grassroots tensions also significantly mattered and, as national and international peacebuilders failed to address them, they festered, escalated and eventually jeopardized the macro-level settlements. The main flaws of the international prevention efforts lie precisely in this neglect of bottom-up dynamics.

### ***Neglect of the root causes of violence at the local level***

While there were clear national and regional causes for the resumption of war in 2008, the conflict was also motivated by distinctively local causes. (In this article, local refers to the level of the individual, the family, the clan, the district, the community and sometimes the ethnic group.) In other words, war renewal in Congo was *not* purely or even mostly a consequence of national and regional tensions.<sup>41</sup>

Grassroots political issues were key. There was significant competition at the village or district level over who could be chiefs of villages, districts or territories; who were the highest ranked individuals, families or ethnic groups; and who could be appointed to local administrative positions. All of these local political antagonisms led to small- and large-scale violence many times during the war, the transition and the post-electoral period.

These political tensions usually interacted with economically motivated hostilities because political power guaranteed access to land and economic resources, while access to resources ensured the availability of funds to buy arms and troops that help secure political power. The economic competition usually revolved around the two key sources of wealth in Congo: land and mineral resources. The illegal exploitation of mineral resources in Congo and its links to renewed fighting has been largely documented.<sup>42</sup> However, the stakes of land distribution are similarly intense: land provides the main means of survival to rural Congolese families, and it is the primary way of integrating in the local social structures. It is also a means of securing natural resources. As a result, for centuries the distribution of land was at the core of a lot of small- and large-scale fighting.

Finally, there were important social motivations to be part of a militia and to continue to wage violence. Most importantly, the lack of social opportunities in post-war Congo meant that being a militiaman or, even better, a militia leader, was the best way for the un-educated and the disenfranchised to claim resources and a social status that the traditional order denied them.

These grassroots causes of tensions constantly interacted with national and regional dynamics. For example, micro-level economic, political and social issues often motivated local alliances between Congolese soldiers or civilians and foreign rebel groups. Similarly, the standard narrative presented the tensions between 'indigenous' Congolese and the minority with Rwandan ancestry as a purely national or regional issue, but again, local conflicts over access to land and to traditional and administrative positions motivated large parts of this ethnic violence.<sup>43</sup>

This analysis of the interaction between the local, national and regional dynamics helps explain why grassroots tensions contributed to war resumption in North Kivu. After the war officially ended in 2003, local Mai Mai militias continued to ally with Congolese president Kabila as well as with Rwandan Hutu rebels and to fight Congolese of Rwandan descent because doing so was the best way for them to consolidate their claims over land and local positions of authority. Similarly, Congolese with Rwandan ancestry refused any kind of settlement because they were afraid of revenge killings on their families and kin and because they worried that they might lose the local economic and political power that they acquired during the war. In 2008, as had happened in 1996 and 1998, the local conflict escalated slowly but surely. It caused large-scale violence that no national and regional actors could stop. It fuelled the national and regional sources of tensions – notably the threat that Rwandan Hutu militias posed to Rwanda, the tensions between indigenous Congolese and Congolese with Rwandan ancestry and the complex patterns of illegal exploitation of resources – and eventually jeopardized the macro-level settlements.

Throughout this escalation, there was barely any peacebuilding action to assuage local tensions – sustained initiatives for the resolution of the local

antagonisms took place only reactively, *after* extensive renewed violence had taken place. Before the crisis erupted in large-scale fighting, diplomats and UN officials left it up to Congolese authorities, Congolese religious leaders and non-governmental organizations to conduct bottom-up peacebuilding work. With only a few exceptions, Congolese authorities and religious leaders were unable or unwilling to conduct local conflict resolution, and some were involved in fuelling the violence outright. Congolese and international non-governmental organizations did implement local conflict-resolution projects, but their numbers were too few, and they faced too many challenges to make much of a difference. The following section identifies the reasons behind this neglect to prevent bottom-up conflicts from causing massive violations of human rights and eventually escalating into renewed national and regional wars.

### **Assessing the three essential conditions for effective prevention: the influence of the dominant peacebuilding culture**

The *Responsibility to Protect* report identified three essential conditions for effective prevention: first, political will; second, 'knowledge of the fragility of the situation and the risks associated with it' – called 'early warning'; and third, 'understanding of the policy measures available that are capable of making a difference' – called the 'preventive toolbox'.<sup>44</sup> This section shows that these three conditions were present only for the prevention of national and regional conflicts but not for the prevention of local ones. This section also identifies the reasons behind this difference: a dominant peacebuilding culture shaped the international intervention strategy in a way that precluded local conflict prevention.<sup>45</sup>

#### **Political will**

Take the problem most often mentioned by Congolese and international actors, the lack of political will. Building on previous research on peacekeeping,<sup>46</sup> one could hypothesize that international interveners decided to ignore the prevention dimension because of vested economic, political, security or institutional interests. Two issues may have been especially important. First, major powers, which would bear the bulk of the cost of any protection programme, may have been reluctant to devote the financial, diplomatic and military resources to make programmes successful. Second, all or most states may have prioritized upholding the sovereignty norm at the expense of bottom-up peacebuilding efforts.

This section shows that the dominant peacebuilding culture constructed international interests in such a way that these two explanations applied to local conflict resolution and not to macro-level intervention.

*Reluctance to devote resources to protection:* During interviews, policy-makers and practitioners often complained that, due to insufficient international political will to address the Congolese conflict, peacebuilders on the ground lacked the troops, funding and equipment necessary to conduct effective protection.<sup>47</sup> The few countries and international organizations working in Congo lacked sufficient national interest to get strongly involved (this was the case of the USA, France and the UK), or they lacked the capabilities to follow through on their ambitions (as happened with Belgium, South Africa and the African Union).<sup>48</sup> As a result, the resources devoted to Congo were paltry compared to the needs and, according to my interviewees, this precluded international action at the grassroots to prevent war resumption.

This explanation for the lack of preventive action at the local level is problematic for two reasons. First, preventing crises usually requires fewer resources than reacting to them. Given that prevention is not and should not be a military activity, focusing on prevention resolves the problem of finding better and more military troops and equipment. Furthermore, Smith and Sullivan have shown that, in most cases, it is much more cost-effective to prevent crises than to react to them.<sup>49</sup> The Carnegie Commission made a similar point in its study of seven major interventions in the 1990s. It demonstrated that international interveners could have saved \$130 billion out of \$200 billion spent if they had adopted a more effective preventive approach.<sup>50</sup> No Congo-specific study has yet been developed, but there is little reason to believe that this case would have been an exception.

The second and most important problem with this explanation is that it is incorrect to argue that there was no political will to address the Congolese crisis or to prevent war resumption. International interveners devoted significant resources to address the perceived causes of the problem. The peacekeeping mission deployed in Congo was and still is the largest and most expensive UN mission in the world. In 2003, the European Union sent the first ever European-led peacekeeping mission to Congo, and it stayed in the unstable Ituri district for three months. The International Criminal Court chose Congolese warlords as its historic first cases. Foreign donors contributed half the Congolese budget for most of the 2003–07 period, and they devoted over \$670 million to the organization of the 2006 elections. As detailed above, diplomats and high-ranking UN officials also actively tried to promote national and regional reconciliation.

In certain cases, these resources enabled peacebuilders on the ground to overcome logistical and security obstacles. A comparison between the organization of elections (in 2006 and 2011) and local conflict resolution efforts is particularly illuminating in this regard.<sup>51</sup> Regional and national leaders, including spoilers, could (and at times did) derail the electoral processes in the same way that they could (and sometimes did) disrupt bottom-up



peacebuilding projects. The collapse of the state bureaucracy in many eastern provinces hampered any kind of project needing state support, be it election organization or local conflict resolution. The unceasing security problems affected the electoral process – by preventing freedom of campaigning, endangering candidates and limiting access to unstable areas – to the same extent that they affected local peacebuilding initiatives – by imperilling local peacebuilders and similarly restricting access to unstable locales. The lack of roads and communication infrastructures limited travel in a way that was as problematic for election organization as for local peacebuilding. International interveners had to surmount the overwhelming complexity of the politico-military situation both in the case of elections (to ensure the ‘fairness’ of the electoral process) and in the case of local peacebuilding (to find solutions acceptable to all parties). The polarization of Congolese society meant that the population saw electoral agents with about the same level of suspicion as they regarded local peacebuilders.

However, international interveners devoted massive logistical, financial and human resources to the organization of elections in 2006 and 2011. These resources helped make logistical and security obstacles manageable, so that international and Congolese actors could successfully organize presidential, legislative and provincial elections. There was, however, no such prioritization for bottom-up peacebuilding, which prevented peacebuilders from overcoming logistical and security obstacles to their increased involvement at the local level.

In sum, the material constraints resulting from the lack of political will were not absolute obstacles to the prevention of war resumption. They did not affect action at the macro level in the same measure that they affected action at the micro level. We therefore have to understand why international actors perceived contextual and material constraints as obstacles to preventive action at the grassroots but not to preventive action at the macro levels.

The answer to this question is that the dominant peacebuilding culture constructed national and regional reconciliation as a first priority and relegated local conflict resolution as a negligible task. As I have argued elsewhere, diplomats and UN staff members are trained to work on super-structures, such as national and international negotiations, and they are socialized to focus on predefined tasks and performance guidelines that fail to consider local violence.<sup>52</sup> They therefore believed that their only legitimate role was to intervene at the macro levels. Influenced by the ideological environment of the post-cold war era, they especially viewed the organization of elections as a favourite state and peacebuilding mechanism. They saw other state- and peacebuilding tasks as secondary priorities, and if they approached them, they did so in a top-down fashion. The dominant culture thus enabled foreign actors to pursue an intervention strategy that overlooked the need for local conflict resolution, despite the presence of significant political will to prevent war resumption.

*Sovereignty and double standards:* The same approach is useful to analyse the significance of the sovereignty norm.

Many policymakers and practitioners hold state sovereignty as the central obstacle to a full implementation of the responsibility to protect doctrine.<sup>53</sup> Likewise, in Congo, during interviews, international interveners often mentioned the sovereignty of the Congolese state as the main obstacle to their trying to prevent bottom-up violence. Diplomats and UN staffers argued that local conflicts were an internal matter and therefore, as in any sovereign country, national authorities were the most legitimate actors to address these internal issues. As a result, according to peacekeeping officials I interviewed, it was, 'not necessary, even legitimate' to deal with questions other than the national peace process.

However, as the *Responsibility to Protect* report emphasized, prevention is usually much less intrusive – and therefore much more respectful of state sovereignty – than direct military intervention in reaction to a crisis.<sup>54</sup> Furthermore, UN and diplomatic interveners have not always considered the Congolese sovereignty as an absolute constraint. Instead, they have disregarded the sovereignty norm whenever they deemed it necessary. For instance, they closely supervised the writing of the new constitution in 2005 and 2006, the organization of elections in 2006 (and, to a lesser extent, in 2011) and various legislative processes, which were all principally matters of national sovereignty.<sup>55</sup>

International actors did not interpret state sovereignty as inhibiting their involvement in electoral, legislative and constitutional matters for one central reason. The dominant discourse on sovereignty has significantly evolved in the twentieth century, and humanitarian goals have progressively become legitimate reasons for ignoring state sovereignty, especially in Africa.<sup>56</sup> In the case of Congo, this evolving discursive construction enabled international actors to legitimize overlooking Congolese sovereignty in order to address what they saw as the cause of the humanitarian and security problems in the region – the lack of elected (and thus legitimate) leadership in the 2000s.<sup>57</sup> By contrast, because international actors did not acknowledge the critical role of local conflicts in causing humanitarian problems or in threatening international peace and security, they viewed sovereignty as an insurmountable obstacle to their involvement in this 'domestic issue'.<sup>58</sup> This analysis leads us to the second condition for effective prevention, the 'knowledge of the fragility of the situation and the risks associated with it.

### **Early warning**

As was evident in my interviews, between the official end of the war in 2003 and war resumption in 2008, international actors were perfectly aware of the fragility of the national and regional settlements and the likelihood of war

resumption at the macro levels. By contrast, as I have demonstrated elsewhere, their knowledge of how fragile the local situation was, and of the risks that escalating local conflicts posed to general peace, was limited if not non-existent.<sup>59</sup> This was true both for organizations whose responsibilities include early warning on issues that impact protection of populations (such as the UN Department of Political Affairs) and for early warning bodies not directly related to the responsibility to protect (such as the specialized units within the US or British governments). Some staff members based in the field, as well as a handful of researchers based in headquarters or capitals, had a much deeper knowledge of local situations and a much more accurate sense of how risky it was to ignore local conflicts, but their hierarchies often ignored their reports warning of impending crises. Similarly, researchers and advocates trying to raise awareness of the risks of war resumption should local conflicts continue to fester – such as the Congolese think tank Pole Institute and the Swedish non-governmental organization Life and Peace Institute – were heard only once the crisis had already escalated.<sup>60</sup>

Once again, we can explain this situation by analysing the dominant peace-building culture. UN staff and diplomats are trained to analyse conflicts from a top-down perspective.<sup>61</sup> As a result, they identify national and regional tensions as the causes of the continued fighting and massacres in the eastern Congolese provinces. In addition, between 2003 and 2008, UN staff and diplomats defined the Congolese context as a ‘post-conflict’ environment; the various bouts of large-scale fighting thus became mere ‘crises’ rather than evidence that the war was about to resume. To explain away the violence that they could not relate to any national or regional antagonisms, international peacebuilders used several interrelated frameworks of analysis. In their view, local violence was private and criminal, and it was the consequence of the lack of state authority in Congo. More importantly, because the image of the Congolese ‘inherent savagery’ had persisted since the Belgian colonizers constructed it a century ago, foreign actors usually saw extensive local violence as a normal feature of life in a peaceful Congo.

The North Kivu crisis illustrates how this understanding of violence precluded international preventive action at the grassroots. From 2003 to 2008, because Congo was officially labelled a ‘post-conflict’ country (and, in 2007, a country at peace), sub-national actors such as the ‘renegade leader’ Laurent Nkunda could no longer be conceptualized as rebels or warring parties. As a result, international mediation between different combatants was not an option any more because at least one of the parties was considered illegitimate.

In the first months of 2004, for instance, when warning signs of an impending crisis were developing, the MONUC leadership categorized Nkunda as an illegal actor whom it forbade its staff members from meeting.<sup>62</sup> At that time, the Congolese actors participating in the transition were the only legitimate

partners for diplomats and UN staff. The logic of exclusion continued until it was too late: Nkunda took over the eastern city of Bukavu (South Kivu) in May 2004, and MONUC officials were forced to negotiate with him. Then again, in 2006 to 2007, when it became obvious that Nkunda was building a quasi-independent state in the territory under his control in North Kivu, the top UN hierarchy similarly prevented its staff from meeting with the agitator. The setbacks of this strategy became evident in late 2007 and in 2008, when heavy fighting resumed between Nkunda and the Congolese army.

Intervention took place only when a renewal of extensive violence demonstrated the fragility of the local situation and the risks that local conflicts posed to the broader settlements. From August 2008 onward, as the spectre of a renewed national and regional war loomed larger, MONUC redeployed 90 per cent of its troops to the Kivus. In late November, the UN Security Council authorized the temporary deployment of additional troops to reinforce the peacekeeping missions' capacity, and in December, it authorized an extra 3,000 peacekeeping troops and strengthened their protection mandate. By that time, however, it was too late. The time for prevention had passed, the Congolese populations were once more 'in immediate danger of physical violence', and international interveners were merely reacting to a major crisis.

### *The preventive toolbox*

The 'understanding of the policy measures available that are capable of making a difference' was similarly present in the case of national and international action, but not in the case of support to grassroots movements.<sup>63</sup> Foreign ministries, international and regional organizations and even non-governmental organizations have developed an extensive expertise and numerous standard operating procedures to facilitate national and regional dialogues and to organize elections. However, none of the international bureaucracies involved in peacebuilding, such as the UN and the diplomatic missions, have developed any organizational capacity to address local conflicts. None have specialized units for grassroots peacebuilding, ready-made analytical frameworks to understand decentralized conflicts, standard operating procedures to address bottom-up problems or predefined indicators to measure the successful completion of the task. And UN staff and diplomats have no training for work at the local level. During my interviews, whenever I asked a diplomat or a UN peacekeeper if he had received training on local conflict resolution, he always replied in the negative.

More broadly, peacebuilding bureaucracies have no standard operating procedures for preventive protection of populations, apart from a few early warning systems.<sup>64</sup> During interviews, field-based peacekeepers regularly complained that the units mandated to protect civilians were not used to

implementing that kind of mandate and therefore they had to invent everything as they went. Eventually, one of the routines that developed was to think of protection as a military and reactive task, as detailed above.

This does not mean that local conflict prevention was impossible. To the contrary, it would have been perfectly possible to implement prevention programmes with existing resources, so that local problems did not again jeopardize the national and regional peace (although such a change would have required a significant reconceptualization in the way peacebuilders think and operate).<sup>65</sup> Rather than focusing all their efforts on organizing elections right after the war ended, which negatively affected the prospects for peace without helping promote democracy, international peacebuilders could have used part of the resources to finance local conflict-resolution efforts. This would have provided much needed funding to Congolese non-governmental organizations. They could have implemented local reconciliation projects, such as building a market, a school or a health centre shared by two communities in conflict in order to re-establish social and commercial links between them. They could also have helped reconstruct social mechanisms for the peaceful resolution of conflicts, such as local justice institutions. In each peacekeeping site, MONUC could have deployed, alongside the military, a civilian staff member tasked with monitoring local tensions and providing suggestions for resolution. He or she could have been allowed to draw on military, diplomatic or development resources to promote local peace.

## Conclusion

In many cases, the implementation of the Responsibility to Protect doctrine has overlooked its central tenet: preventing crises should take precedence over responding to them. This flawed reconceptualization of the doctrine is all the more puzzling because the obstacles usually mentioned to explain protection failure – the sovereignty norm and the presence of financial, logistic and human resources constraints – are more problematic for reactive than preventive action.

This article has demonstrated that, in Congo, the failure to prevent the resumption of large-scale violence was due to the international neglect of bottom-up tensions. Preventive action at the grassroots was overlooked, not because of the often-mentioned constraints posed by the sovereignty norm and the lack of financial and human resources, but because a dominant peacebuilding culture shaped the international understanding of the causes of violence and the paths towards peace in a way that precluded support to bottom-up conflict resolution.

This suggests new avenues for research on the Responsibility to Protect. Local conflicts are often critically important in sustaining violence in most

unstable environments.<sup>66</sup> Furthermore, as I have argued elsewhere, the dominant international peacebuilding culture regularly precludes international action at the local level, thus hampering effective preventive action.<sup>67</sup> As a result, millions of people regularly face imminent threats of physical violence, which heighten the need for reactive, military, and intrusive protection interventions. Only a focus on lowering the barriers to international support of preventive grassroots action has a chance to end this vicious circle.

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42. For a critical discussion, see Autesserre (n.31 above), pp.210–13.
43. For detailed examples of the dynamics mentioned in this paragraph, see Autesserre (n.3 above), ch.4.
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51. An earlier version of this paragraph appeared in Autesserre (see n.3 above), p.226. For more details on the claims developed in the rest of this section, see *ibid.*, chs 2 to 5.
52. *Ibid.*, chs 3 and 5 provide a detailed demonstration of the claims made in this paragraph.
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