Regional Governance of Internal Displacement and Peacebuilding in North Kivu

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Abstract

This research paper discusses the failure by regional peacebuilding efforts in North Kivu to produce better conditions for peace and stability over the last ten years. Years of conflict in the eastern provinces of the Democratic Republic of Congo have resulted in one of the worst displacement crises on the globe, with North Kivu being home to 2.5 million internally displaced persons (IDPs) at the end of 2023. Poor governance and recurring violence have allowed this crisis to become protracted, which creates critical challenges for populations in North Kivu and in turn fuels key conflict dynamics that drive armed group proliferation and conflict regeneration. This is despite the presence of regionally supported peace operations over the last several years, which have evidently failed to prevent recurring conflict induced displacement and protect IDPs. This paper therefore studies two regional frameworks on the management of internal displacement, the *Protocol on the Protection and Assistance to Internally Displaced Persons*, as well as the *African Union Convention for the Protection and Assistance of Internally Displaced Persons and* examines why they have not been able to address the displacement crisis in North Kivu and the implications this has had for peacebuilding. This analysis concludes that the institutions behind these regional frameworks – the ICGLR and the AU – have been characterised by significant gaps and weaknesses which limit their ability to implement and operationalize their regional principles on managing displacement – resulting in peacebuilding initiatives that not only fail to manage the consequences of displacement in North Kivu, but at times exacerbate the crisis and thereby contribute to conflict regeneration. This indicates that beyond the deficiencies of the state in Kinshasa, the failure to tackle root causes of insecurity in eastern Congo can also be attributed to a crisis of governance at the regional level.

Keywords: peacebuilding, regional conflict management, internal displacement

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Acronyms

ADF	Allied Defence Forces
AFDL	Alliance de Forces Démocratiques pour la Libération du Congo-Zaïre
AU	African Union
AUC	African Union Commission
CNDP	Congrès National pout la Défense du Peuple
CNR	Comité National pour les Refugies
CSO	Civil Society Organisations
DRC	Democratic Republic of the Congo
EAC	East African Community
EACF	East African Contingency Force
ECCAS	Economic Community of East African States
FAR	Force Armées de Rwanda
FARDC	Force Armées de République Democratic du Congo
FDLR	Democratic Forces for the Liberation of Rwanda
FIB	Force Intervention Brigade
ICGLR	International Conference on the Great Lakes Region
IDP	Internally Displaced Persons
M23	Mouvement du 23 Mars
MONUC	UN Mission in the Democratic Republic of the Congo
MONUSCO	UN Organization Stabilization Mission in the Democratic Republic of the Congo
OCHA	UN Office for the Coordination of Humanitarian Affairs
PSC-F	Peace, Security and Cooperation Framework
RCD	Rassemblement Congolais pour la Démocratie
RPF	Rwanda Patriotic Front
SADC	South African Development Community

Introduction

The Democratic Republic of the Congo (DRC) has been the stage for an intractable crisis with wide-ranging implications. In 2022 the resurgence of the Mouvement du 23 Mars (M23) group in the eastern province of North Kivu renewed international interest in the crisis after almost a decade of presumed peace that really did not resemble peace at all. In fact, since 2013 North Kivu has been characterised by a protracted humanitarian crisis that persists alongside a broader proliferation of both peacekeepers as well as armed groups (Stearns J. , 2022; Verweijen & Wakenge, 2015; Kithatu-Kiwekete, 2023; Stearns & Vogel, 2015). The question is then why peace in North Kivu remains elusive despite numerous multilateral peacebuilding efforts. There are certainly several issues that characterise the continuing insecurity in the province, but this paper will focus on the displacement crisis that has developed over the years in North Kivu and discuss the implications it bears for peacebuilding.

Mass displacement in North Kivu is one of the most persistent challenges born out years of violent conflict, with the province being home to 2.5 million IDPs as of the beginning of 2023 (IOM, 2023). This number fluctuates but, since the M23 crisis in 2013, has consistently been in the hundreds of thousands as the province continues to experience recurring mass displacement due to violence. These numerous mass displacements create several challenges that have intensified competition over land, leading to land disputes and fueling the conflict dynamics that have perpetuated the structural violence in North Kivu over the last decade. The violence born out of this competition in turn contributes further to the displacement crisis.

In recognizing this critical relationship between human security challenges and conflict that persists even beyond the Kivus, Congo's neighbours adopted frameworks to cooperatively address the challenges that impede peacebuilding and development; these

include the Great Lakes Pact and its *Protocol on the Protection and Assistance to Internally Displaced Persons*, as well as the *African Union Convention for the Protection and Assistance of Internally Displaced Persons*, also commonly known as the Kampala Convention. By focusing on internal displacement, this paper discusses the links that exist between displacement and conflict, and therefore seeks to understand why regional frameworks on displacement have failed to address the crisis in North Kivu and explain the implications this has had for peacebuilding efforts over the last ten years. The conclusion is that the institutions behind these regional frameworks have been characterised by significant gaps and weakness that have limited their ability to implement and operationalise the regional principles on displacement, resulting in peace operations that not only fail to manage the consequences of displacement in North Kivu, but at times exacerbate the crisis.

The structure of this paper is as follows; the paper first sets out to present various definitions and concepts that are adopted and used to guide the analysis, such as the concepts of human security and peacebuilding. This section will also make a case for why it is prudent to study the governance of displacement at the regional level as a conflict management tool, and therefore offer a brief description of the origins of regional conflict management models on the continent and why they are prevalent. It is also provide a necessary brief introduction to various terminologies used when discussing displacement.

The first half of this paper will begin with a background on the situation in North Kivu, aiming to provide a brief context rather than map out the entire conflict nexus. This is necessary to understand why North Kivu is a critical geopolitical arena drawing in the entire Great Lakes region and therefore deserving of this focus. Following that, the paper presents research that draws a clear picture of the displacement trends in North Kivu over the last ten years and the resulting humanitarian crisis, as well as a discussion on how this humanitarian crisis has been understood to drive critical conflict-generating dynamics. The latter half of

this paper then looks at the governance frameworks around displacement that have been adopted by all regional states and analyzes why these frameworks have failed to address the displacement crisis in North Kivu, thereby undermining peacebuilding efforts.

Definitions and Concepts

Internal Displacement

Internal displacement is the involuntary relocation or evacuation of an individual or group of individuals within state borders. This phenomenon constitutes 'forced displacement' – with context this is used interchangeably with 'internal displacement' or simply 'displacement' – but specifically when the displaced individual or group of individuals has not crossed international borders to find either temporary or permanent resettlement and refuge. These two foundational elements are derived from the initial definition provided by the UN in 1992 as a means to bring attention to an issue that had widely been disregarded until then (Mooney, 2005).

This definition only considered individuals who were "forced to flee their homes suddenly or unexpectedly in large numbers", and these stipulations on time and quantity of persons moved, was considered too narrow (Mooney, 2005). It was adjusted in 1998, with the publication of the *Guiding Principles on Internal Displacement,* to include any involuntary movement within recognized borders for any and all reasons. The AU convention and the ICGLR's IDP Protocol have adopted this definition and thus referred to IDPs as:

> "…persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border." (ICGLR, 2006) (AU, 2009)

This paper will often refer to displacement and 'conflict-induced displacement' interchangeably, but unless specified otherwise, all the figures regarding displacement and the displaced population in North Kivu will be referring to conflict-induced displacement as conflict management with regards to displacement is the theme of the research question. There is also a notable differentiation between "the number of internally displaced individuals" and "the number of internal displacements". The former refers to a specified number of individual human units who are internally displaced, and the latter refers to the specified number of unit occurrences of internal displacement. This means one individual can experience multiple displacements that would each count towards the number of internal displacements within a specified time. This follows the terminology operationalised by OCHA and other humanitarian organizations on the ground.

Peacebuilding

The term peacebuilding is used often and interchangeably when examining activities in North Kivu aimed at conflict management, resolution, and termination. The term itself has more generally evolved over the past few decades to encompass more activities and issues than when it was first used by the UN during the early 1990's. In his 1992 written report *An Agenda for Peace*, Boutros Boutros-Ghali introduces a definition to the concept that considers it to be a post-conflict "action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict" (Fetherston, 2000). This action may include measures such as disarmament, restoration of order, and government reforms.

Critics of this definition argue that it lacks a transformative agenda that renders it ineffective as these measures often become "another aspect of a system which only seeks stability within the confines of that system, a system which already made the war possible" (Fetherston, 2000). This critique thus favors defining peacebuilding as a transformation of

society that deals with structural causes of conflict—in other words challenging the systems that prop up these structures—which is the only way to promote 'positive peace' as opposed to a 'negative peace' where the development of society continues to be impeded by structural violence (Galtung, 1969).

Moshe (2001) provides a definition that is more in line with this critical approach as it goes beyond reform measures, but rather considers peacebuilding to be a range of "conditions that will enhance the transition from a state of conflict to coexistence and thus contribute to sustainable peace." This definition centers ideas of equality, justice, and human rights at the core of the peacebuilding process, which begins by identifying what is at the root of the conflict. Boutros-Ghali (1992) identified that these root causes are often economic despair, social injustice and political oppression, and this definition considers these issues to ultimately also be at the root of peace. This means that peacebuilding is an effort to "eradicate social, economic, and political policies and procedures that promote conditions of poverty, unemployment, homelessness, discrimination, and fewer opportunities to ensure human growth and development" (Moshe, 2001).

Therefore, peacebuilding is not just a post-conflict notion but is an active part of the transition process from conflict to peace, by promoting equality through justice and human rights, which ultimately establish a sustainable and positive peace. The discussion provided by this paper on peacebuilding in North Kivu opts for this interpretation on peacebuilding as it is best suited to explain why, by failing to transform the displacement crisis, regional mechanisms have failed to build peace. This comprehensive definition is also the preferred interpretation of peace and peacebuilding by the regional IDP frameworks that will be examined in this paper.

Human Security

This paper discusses the regional governance of displacement and the need to address challenges faced by IDPs in North Kivu that go beyond conventional security threats. Therefore, this section also provides the paper's working definition for human security. Like peacebuilding, the concept of human security has been approached through numerous definitions which either narrow or expand it. The *1994 UN Human Development Report* provided the first definition and presented it as an approach that is universal, preventive, 'people-centred' and that promotes both the "freedom from fear and freedom from want" (Alkire, 2003).

By this definition the aim was to go beyond conventional understandings of security, which only consider the fear from violence, and include an understanding of the insecurity brought about by economic and social deprivation. This necessarily includes several domains that can produce a threat to an individual's safety including poverty, disease, hunger, repression, and environmental degradation. While some definitions have sought to narrow the definition of human security thereby making it more feasible, other definitions have expanded on the UNDP definition.

Thomas (2001) uses a definition that goes beyond the provision of basic and essential needs and includes the "achievement of human dignity which incorporates personal autonomy, control over one's life and un-hindered participation in the life of the community" as a crucial element of human security (Thomas, 2001). Thomas also restates that these qualitative and non-violent threats to an individual's life are not just conflict related, but they also often become root causes of conflict (Alkire, 2003). This "recalls the work of John Burton, who made a connection between human needs and armed conflict, arguing that the satisfaction of basic human needs is essential to addressing the root cause of conflict" (Newman, 2007). This paper adopts this understanding of human security in the analysis of

the implications of the mass displacement crisis in North Kivu and the ways in which it reproduces root causes of conflict.

Kaldor (2011) has provided an even more encompassing definition of human security that is able to conceptualize its application to security operations. This definition proposes that in addition to considering the threats brought about by everyday social and economic deprivations, human security is also "about addressing the variety of risks and dangers experienced in those places where complex operations are conducted" (Kaldor, 2011). Kaldor points out that counterinsurgency security operations often use conventional military frameworks that justify potential risks or even harm to civilians for a desired military outcome, a practice that "actually increases insecurity and enhances conditions favorable to terrorist recruitment" (Kaldor, 2011). The definition of human security used here challenges the conventional hierarchy of priorities and puts the needs of the "population above identifying targets and disrupting networks" (Kaldor, 2011). This paper opts for this conceptualisation of human security as it relates to security operations and applies it to the evaluation of regionally deployed operation into North Kivu (i.e. FIB and the EACF).

Regional Conflict Management

This research emphasizes the governance of internal displacement and peacebuilding at the regional level instead of the state level and therefore relies on the concept of regional conflict management. Thorton (1991) traces the prominence of regionalism to "the end of colonialism and the decline of the Cold War bipolarity" that necessitated a growth in regional organizations capable of dealing with "problems that the superpowers no longer can or want to handle" (Thornton, 1991). This included various types of disputes and governance issues, but especially conflict management. Alagappa (1995) defines conflict management as combination of strategies aimed at either "conflict prevention, containment, and termination".

By adopting this same definition, Enuka and Nwagbo (2016) add that the prominence of regional conflict management was not only enabled by decolonization and the end of the Cold War, but that it was also brought about by demand due to the increase in intra-state conflicts, that overwhelmed the international community and resulted in neglected failed state crises that "foster instability in regions". "This leaves [a] gap that has assumed the concern of regional organizations, many of which cannot afford to ignore the conflict and civil wars at their doorsteps" (Enuka & Nwagbo, 2016). Thus, the goal of regional conflict management "is the protection of the member states from insecurity created by other states and organizations" (Alagappa, 1995).

Indeed, a regional approach has been pushed to broker a resolution to the decades-long insecurity in North Kivu which has been enabled by conditions that resemble a failed state, and which have evidently created serious security implications for the entire region. The DRC belongs more broadly to the African Great Lakes region, which includes member states from both the East African Community (EAC) and the South African Development Community (SADC) regional communities. All member states and regional communities aforementioned are members of the AU and party to its conventions. Due to this overlapping nature of regional identities on the continent, regional governance of issues related to the crisis in North Kivu has gone through various regional mechanisms including but not limited to the AU, the EAC, SADC, and the ICGLR, but has always involved the same states belonging to the Great Lakes region and its immediate neighbors. These regional partners have exhibited the kind of concern described by Enuka and Nwagbo (2016) and Algappa (1995) and have actively been in a key management role of the DRC crisis since the late 1990s. Thus leading to the motivations of this research to study the issue of displacement and peacebuilding in North Kivu at the regional management level.

Methodology

This paper is a qualitative analysis that aims to describe the trend of displacement in North Kivu throughout the previous decade and understand the relationship between displacement and conflict. In order to grasp the scale of displacement in the province, this paper relied on reports and studies provided by the numerous humanitarian agencies on the ground, namely the Norwegian Refugee Council (NRC) and its Internal Displacement Monitoring Center (IDMC), as well as UN agencies such as OCHA, IOM, and UNHCR. These organisations carry out monthly mappings of displacement across the DRC and are able to provide quantitative data that sheds light on the protracted and recurring nature of displacement in North Kivu. These sources also provide insight into the humanitarian crisis associated with the phenomenon and the human security challenges faced by IDPs.

The analyses in this paper also relied on secondary research from scholarly literature that are able to contextualize these displacement trends within broader conflict dynamics such as local disputes and violent land competition as well as armed group proliferation. Additionally, this paper used numerous publications from government entities to study and discusses the contents of the two agreements and frameworks. These are mostly from the AU and the ICGLR. Beyond that, online publications were occasionally used when needed to describe news events.

Overview of the Insecurity in North Kivu

Mapping out the beginning and causes of the current violence in the eastern DRC is beyond the scope of this paper. However, this section seeks to provide the context that is necessary to understand the current geopolitical nature of the situation in North Kivu. The broader Kivu region has seen several rounds of violence that have involved numerous actors and movements and that are of varying magnitudes. Nonetheless a handful of systemic and

societal issues are understood to be the prelude to the conflict in the 1990s that set the stage for the revolving door of armed actors and insecurity.

The First and Second Congo Wars, 1996-2003

Independence from Belgium galvanized the issues of citizenship, land, and power that had plagued communities in the Kivus during the country's colonial administration, leading to outbreaks of violence even as early as the 1960s. At the heart of these local struggles for land and power was the "Rwandan problem", the presence of Rwandan communities most of which had been resettled in the region by the Belgians (Mararo, 1997). The exit of the colonial power and the attempt at a democratic system meant that indigenous populations and those that they deemed as outsiders had to struggle for power and ownership of the land in the Kivus. President Mobutu manipulated this situation for political gain, promoting Kinyarwanda-speaking Congolese individuals at one point, and later removing opportunities for them to claim citizenship (Vlassenroot & Huggins, 2004). This created a contentious relationship between various Congolese actors (e.g. central government, provincial governments, customary leaders), as well as between "Rwandophones" and Rwanda, which has been politicised and placed at the center of all major outbreaks of conflict in the region since the late 20th century.

The spillage from the Rwandan civil war in the early 1990s and the genocide against the Tutsi in 1994 added an even more lasting dynamic to the insecurity in the Kivu region. When the genocide was stopped in July 1994, it is estimated that 1.3 million Rwandans fled into the DRC (then Zaire), fearing retaliation from the RPF forces that had just overthrown the government (UNHCR). Amongst those who fled into Congo were the former government's leadership as well as armed perpetrators of the genocide, whose arrival reignited ethnic violence and instability in the border province. It also resulted in an influx of arms and the deployment of the Congolese military which initiated the militarized

environment that still exists today (Stearns J. , 2012). Elements of the FAR (ex-FAR) and the Interahamwe used the chaotic and dense camps to rebuild their base with an estimated number of 50,000 troops across the various refugee camps (HRW). Both the new Rwandan government and the international community recognized that this situation was a disaster in waiting.

Evidently, the First and Second Congo wars were the consequential disasters that resulted from the presence of millions of refugees and the armed elements of the deposed Rwandan government. The first Congo war (1996-1997) started with an invasion by a Rwandan-led coalition to break up the armed threat that had set up base in the refugee camps and who also benefitted from Mobutu's cover. The outbreak of war utterly collapsed Congolese society which had been weakened for years by Mobutu's economically ruinous and despotic rule (Stearns J. , 2010). Many communities and youths were sucked into the conflict seeing the invasion of the *Alliance de Forces Democratiques pour la Liberation du Congo-Zaire* (AFDL) as a movement to liberate Congo from Mobutu. The first Congo war ended with the ousting of Mobutu and the ascension of Laurent Kabila, an ally of Rwanda, to the presidency. The Second Congo War (1998-2003) was triggered by the government in Kinshasa's attempt to break away from their Rwandan allies and instead align itself with the anti-Rwanda forces that were still set up in Congo. This war was even worse than the previous one and created the worst humanitarian crisis since the second world war. It again involved mainly Rwanda and Uganda, but also included numerous regional actors namely Burundi, Angola, Zimbabwe, and Namibia. By 2001, much of the heavy conflict had been confined to the eastern provinces.

The issues at the heart of both wars have not disappeared or been resolved, and the two conflicts have marked Congolese society as well as the entire Great Lakes region with dire humanitarian consequences. This will be discussed in a later section. While concrete

numbers do not exist, it is estimated that the two wars (1996-2003) claimed close to 4 million lives, with around 3.8 million of those lives being claimed by the second war (Coghlan, et al., 2007). The humanitarian reality was so calamitous that only 2% of these deaths were a direct result of violence. This is because beyond the violence, the country also became engulfed with mass displacement, looting, rape, and the collapse of public health infrastructure. Many died of treatable diseases like malaria, typhoid, and cholera or from malnutrition due the lack of shelter, clean water, and access to healthcare. Malnutrition was especially a problem as it claimed more than 50% of the lost lives, 45% of whom were children under the age of five (Coghlan, et al., 2006).

Beyond the devastating effects of malnutrition on children, the conflict also entrapped many into the business of armed violence. The dire state of social and economic collapse meant that many children lacked access to education and any employment prospects, making them susceptible to be easily recruited into armed groups, while many were also forcibly abducted into groups. It is estimated that in 2003, 30,000 youths under the age of 18 participated in armed groups (Mounguembou, 2019) (Rakisits, 2008). This, coupled with the intense injection of weapons and arms into the east, fueled the rapid proliferation of armed groups during and after the war.

The 2003 Peace Process

Hunger, disease, and violence had completely ravaged and transformed Congolese society by the time actors in the conflict came to the table. The peace process was a lengthy and consolidated effort by many African states who stepped in to mediate and host the discussions. The process was initiated by the Lusaka Ceasefire agreement in 1999 which established a framework for the Inter-Congolese Dialogue (2000-2002), a number of negotiations that culminated in the final signing of the *Global and Inclusive Agreement on Transition in the Democratic Republic of Congo in South Africa* in 2003. Evidently, the

numerous interests and actors in the Kivus necessitated a continental effort to resolve a situation that was getting out of hand. The talks included all participating external states including Rwanda and Uganda, as well as the leaders of the numerous armed groups that had risen in response to the conflict. The peace process was meant to set up a transitional government that shared power with the internal belligerents while also ensuring the withdrawal of external elements. A UN peacekeeping force that was deployed in 1999, MONUC, was supposed to guarantee and monitor the peace process. In the meantime, the transitional government was tasked with establishing a decentralised and democratic government as well as set the stage for transparent elections in 2006.

Despite the continental effort, the process was inherently flawed and has thus failed to bring about the peace it envisioned, especially in North Kivu. The process heavily relied on cooperating with armed groups, which required an appeasement approach. As described by Vlassenroot and Raeymaekers rather than silencing the guns this approach created an environment where armed groups as well as the Congolese government, have "systematically manipulated the spoils of the national peace process to attain other, privately established goals" (Vlassenroot & Raeymaekers, 2009). Inadvertently the peace process has instead led to the proliferation of armed groups and insecurity. Moreover, the focus on armed insecurity at both the national and regional levels failed to address the local issues that had plagued the Congolese population especially in the East. Armed groups were able to easily exploit the economic and social issues that remained unresolved for the populations in the Kivus and fuel violence from a local stage, further discouraging these armed groups from cooperating under the terms they previously agreed to. As Autesserre puts it, "the land problems that had led to massive local violence before and during the war remained salient in the eastern Congo and often constituted the grassroots dimension of local conflicts" (Autesserre, 2007).

The Kivus since 2012

The M23 rebellion poignantly proved that the DRC's peace process was failing. This insurrection was neither the first nor the only one, but it was very significant as it garnered the most attention internationally to date. Following the 2006 election which ended the transition period implemented by the peace process, armed groups started vying for more power because the election had created losers (Stearns J. , 2022). The M23 insurrection involved elements of the previous *Rassemblement Congolais Pour la Democratie – Goma* (RCD-G) and under a different banner, the *Congres National pour la Defense du Peuple* (CNDP) had orchestrated another mutiny in 2009. The Congolese government had failed to get the RCD and then the CNDP on board with the integration process that was central to the peace process. Their stated concern with integrating into the FARDC and possibly being deployed away from the Kivus was the marginalization and discrimination that Tutsi Congolese faced, as well as the continued presence of FDLR elements. The *March 23 Agreement* in 2009 was meant to further appease the CNDP and hold together an already flailing peace process, but this proved unsuccessful with the 2012 mutiny.

In May of 2012 the M23 group officially launched itself, announcing its defection from the peace process and by June the group had set up a full-fledged offensive. The group's leadership stated that their mutiny was a justified response to the failure of the Congolese government to hold up their end of the March 23 agreement and that their rebellion was in the interest of protecting marginalized Tutsi communities in North Kivu (Stearns J. , 2018). However, the group's leadership had always been controversial and earlier that year Congo's president had expressed that he would help the international community carry out an arrest warrant for the mutiny's leader, General Ntaganda, on charges of war crimes in eastern DRC (Krüger, 2013) (IRIN, 2002).

Stearns also argues that their rebellion had more to do with the diminishing influence of the RCD and CNDP during the transition and the belief that their interests and influence could be restored through rebellion rather than cooperation (Stearns J. , 2022). More importantly the group's predecessors had strong ties to the Rwandan government that added an extra layer of mistrust and villainization which ultimately shaped the nature of the insurrection and the conflict that followed. The M23 were not the only group that had rebelled from the process. However, evidently this dynamic, as well as the fact that they posed a threat to the regime, made them one of the few groups the state was willing to fight, and once again put the "Rwandophone" issue at the center of insecurity in eastern DRC (Stearns J. , 2022).

Despite the mutiny itself being short and the group being defeated 19 months later, North Kivu was severely destabilized by the violence that ensued. The clashes between the M23 and army forces, as well as other armed groups between 2012 and 2013, forced an estimated 800,000 people to flee, many into neighboring countries (Enough Project, 2013). One example of these clashes is the capture of Goma—the capital of North Kivu and a crucial commercial hub in the Kivu region—which caused 14,000 displacements, and numerous human rights abuses by both the M23 and the FARDC forces (Krüger, 2013) (IDMC, 2014). Even after the group's mutiny was quashed, it is estimated more than 70 armed groups continued to exist in North and South Kivu, and 1.6 million people still lived in displacement in 2015 (Stearns & Vogel, 2015) (IDMC, 2023)

The regional dimension of the conflict and the gripping insecurity it created prompted the deployment of 3,000 strong Force Intervention Brigade (FIB), and regional talks that culminated in the *Framework for Peace, Security, and Cooperation in the Democratic Republic of the Congo and the Region* (PSC-F) (Müller, 2015) (Krüger, 2013). Both initiatives failed to bring about peace and stability in the Kivus in the years that followed, and

instead the number of armed actors swelled. When the M23 was defeated, rather than create a strong state and military presence, the Kivus continued to harbor numerous armed groups who governed through insecurity. Instead of promoting peace, the period was marred by the proliferation of armed groups (Verweijen & Wakenge, 2015). The FDLR emerged as the strongest and largest group in North and South Kivu and benefitted from a close relationship with both the army and the state (Stearns & Vogel, 2015).

Mechanisms of the peace process were supposed to disarm and demobilize the FDLR but evidently the group "not only failed to unconditionally and fully surrender and demobilise but has also continued to recruit new fighters in their ranks" (United Nations, 2015). The Kivus entered into a new status quo that differed from the complete outbreak of war, but that also lacked any resemblance to peace and stability. Observers argue that this was a deliberate creation of the Congolese state in order to serve the interests of military elites that are served by insecurity and chaos, but more importantly that this elusive "peace" allowed the tension behind the cyclical conflicts to worsen (de Vries, 2015) (Verweijen & Wakenge, 2015).

As a result, the M23 resurged in 2022, by which time there were more than 120 armed groups operating in eastern DRC. Most of these groups are small and locally rooted, but many also have strong basis in neighbouring countries. In North Kivu alone, the FDLR was not the only group with external foundations, the Allied Democratic Forces (ADF) and the Red-Tabara, which have roots in Uganda and Burundi respectively, were also highly active albeit to a lesser degree than the FDLR (Biningo, 2023). Their presence rekindled the geopolitical rivalry in North Kivu, further complicating the resurgence of M23 as well as the regional response.

Mass Displacement in North Kivu

The periods of conflict that the DRC has experienced, and the resulting instability, have persistently uprooted communities throughout the country, but most especially in the North Kivu province. The Kivus have been the central stage of the country's insecurity, which has resulted in the recurring displacement of hundreds of thousands. In the aftermath of the Second Congo War, three million people were internally displaced within the DRC. In 2003 alone, 700,000 were newly displaced in the North Kivu province due to the vacuum created by the withdrawal of the foreign troops which renewed local violence (Norwegian Refugee Council, 2004). This number has continued to grow due to armed actions of both state and non-state actors alike. In 2010, almost all IDPs in the DRC, a staggering 1.7 million people, were in the eastern provinces.

Following the M23 rebellion in 2012, the North Kivu province saw an increase in IDPs by 50%, bringing the total number of displaced persons in the province back to up 1.03 million after a couple of years of the figure's slow but steady decline (IDMC, 2014). The capture of Goma in late 2012 for example, led to the displacement of 140,000 people within a number of days, some of whom crossed the border into neighboring countries. The group's mutiny was not the sole driver of this mass displacement as FARDC, often during campaigns against the M23, regularly failed to distinguish between civilians and combatants, or to carry out operations that do not uproot the communities the army is supposed to protect (White, 2014). In fact, the areas where FARDC carried out its operations often experienced the worst displacement of civilians as they often disregarded civilians (Stearns & Vogel, 2015). This, coupled with the exploitation of IDPs by non-state elements, contributed to a humanitarian crisis that overwhelmed existing humanitarian efforts to accommodate an already high number of IDPs; by 2014 the number had only decreased to around 800,000 IDPs in North Kivu alone (IDMC, 2014). The rebellion itself was short, and for some the displacement was

relatively temporary, but for many this was not their first time being displaced by the outbreak of violence.

While large scale battles often lead to mass displacement, smaller outbreaks of violence often create trickles of movement, temporary or permanent, that are often not captured in official numbers. These displacements and migrations create more issues that often further feed into the insecurity created by insurrection. Following the 2012 insurrection, about 70% of displaced individuals fled into neighboring communities and sought shelter with host families (Healy & Tiller, 2014). In this way the outbreak of conflict in North Kivu undermined security and access to resources in other provinces that had to share their scarce resources with incoming IDPs.

To make matters worse, during the M23 crisis humanitarian workers mainly targeted those in official camps and some in makeshift camps leaving out the large amount that sought shelter elsewhere (Healy & Tiller, 2014). A lack of shelter, income, and security as well as a strong present state in the North Kivu also drove many who were desperate to illegal work and trade which strengthened the armed groups. For one, due to scarcity and inadequate aid, individuals had to find sources of income. Some displaced women were forced to go into sex work, while others take on work from armed groups (IDMC, 2014). Displaced families also needed the children to contribute and thus children were often pulled out of school and made to work.

Around 2014 and 2015, there were 59 official UN supported camps set up in North Kivu, but they did not provide much safety. It was very common for armed groups to exploit the inhabitants and loot the aid rations they received (MSF, 2019). The situation was much worse in makeshift camps that were not supported by aid organizations, where displaced individuals faced exploitation and threats from armed groups. Due to this, many turned to local defence groups along ethnic lines as a form of self defence and survival (IDMC, 2014).

These issues were perpetuated by the state of insecurity and despair brought about by forced displacement.

In 2015, Congo had the lowest number of IDPs for the first time since 2008, with a cumulative number of 1.5 million. However, 2016 and 2017 saw a dramatic increase in the number of new displacements once again (IDMC, 2023). This was mainly due to renewed clashes between government forces and various armed group as well as intercommunal conflicts that resulted from numerous local issues exacerbated by displacement, especially in North Kivu (USAID, 2017). Communities chronically experienced attacks against civilians by armed groups that would cause displacements by the thousands each time. During this time, the country had the highest number of new displacements in the world. In the first half of 2017, there was another 1.5 million newly displaced people; by the end of the year, there was a cumulative figure of 4.9 million displaced persons living in Congo (IDMC, 2017). Children accounted for 60% of those displaced and 80% of displaced persons lacked access to clean water (NRC, 2017).

In 2019, 687,500 people were living in displacement across the areas of Masisi, Rutshuru and Walikale in the south of North Kivu alone, with MSF estimating that this included 11,220 malnourished children (MSF, 2019). Only 92,000 of the total number of displaced persons in these territories were living in the 22 official camps that were operating that year (UNHCR, 2019). In other territories of the province, the UN estimated that populations experienced “between a 31 and 66 per cent increase in hunger amongst displaced families and the communities hosting them” (NRC, 2019). That year there was a total of 1.5 million displaced people in all of North Kivu province which, like the rest of the country, was battling outbreaks of the Ebola virus (NRC, 2019) (UNHCR, 2019). As will be discussed in more detail later on, these recurring waves of displacement were due to cyclical and

structural violence from armed groups but also human rights abuses from government forces that persisted in the province throughout these years (UNHCR, 2019).

Ten years after the 2012 mutiny, these levels of displacement in the North Kivu province have not only persisted, but have dramatically increased. The cumulative number of IDPs in DRC has been steadily rising from five million in 2019 to almost 6 million towards the end of 2022. In 2022 alone there were four million new displacements due to the resurgence of the M23, most of which were temporary but continue to recur with intensifying clashes between the group and government forces. Between March 2022 and April 2023, 1.2 million displacements occurred directly due to M23 conflict nexus in North Kivu (IDMC, 2023).

Displacement and Conflict Dynamics in North Kivu

Forced displacement creates a cycle of movements and migration whereby displaced people also return, or attempt to return, to the areas they were initially forced away from or to find new permanent and safe settlement. In North Kivu, as illustrated above, displacement is fluid and in 2013 for example while 600,000 people were being displaced due to the ongoing M23 crisis, 1.2 million were also returning to their original settlements (IDMC, 2014). Within the context of the local dynamics that plague North Kivu and that contribute to structural violence, the migration that results from this protracted displacement crisis has evolved into a critical root cause of violence.

In eastern DRC, access to land and land rights have deep roots as drivers of local disputes and conflict; this is especially the case in North Kivu. Since the early years of decolonization and the 1990s, land has been used by politicians and armed groups to manipulate local dynamics and secure “control and power in the systems developed by these armed actors” (Vlassenroot & Huggins, 2014). This has established a persistent reality of unequal land distribution. The insecurity in North Kivu and the DRC more generally is not all

about land, nor is land the most important driver of conflict, but land issues have a key presence in local disputes as land holds key economic and power opportunities in rural communities (Mathys & Vlassenroot, 2016).

Displacement and migration after these wars radically transformed how land was acquired as these local dynamics around politics and economics intensified with the growing competition for land among populations (Vlassenroot & Huggins, 2014). When returnees who had fled the wars tried to reclaim their land or access other land this resulted in local disputes that perpetuated a volatile environment in Kivu's in the mid 2000's (Vlassenroot & Huggins, 2005). Land access was a key factor in the Congolese wars as these local disputes inevitably fed into ethnic tensions as well as the regional contexts that brought about full out war (Autesserre S. , 2008). Local land disputes were mischaracterized by the international community as a local issue that did not necessitate international peacekeeping efforts, and so instead of "treating core problems at the local level, especially long-standing land disputes" focused "exclusively on managing their broader consequences" (Autesserre S. , 2008) (Huggins, 2010).

This link between land and conflict has persisted in the years following the M23 crisis. As pointed out earlier, displaced families seeking temporary refuge in neighbouring communities often intensifies the scarcity of basic resources in host communities (IDMC, 2014). Moreover, recurring displacement continues to deepen tensions around land in North Kivu when these displaced communities try to return to their original settlements or find somewhere else safe to resettle. Similarly to the aftermath of the wars, displacement and migration continues to exacerbate existing tensions around unequal land distribution which have created a landless social economic group that is easily mobilized (Mathys & Vlassenroot, 2016) (Verweijen & Wakenge, 2015). The density and scarcity of livable and arable land in eastern provinces like North Kivu means that often when one population moves

out of an area in the process of fleeing conflict, it can quickly be occupied by others. Those occupying the land often have links to armed groups, which puts non-armed civilians at a disadvantage as they have no way to defend themselves, or to call on their own armed support and put up a fight (van Leeuwen, Mathys, de Vries, & van der Haar, 2022) (Global Protection Cluster, 2023). This is often how displaced communities lose land they have tended to and laboured on for a long time which stems up feelings of injustice and leads to land disputes, which eventually develop into conflicts.

The local disputes and conflicts that arise from this protracted situation have thus been linked to the proliferation of armed groups, as armed groups have been able to "seize upon and inflate" local land disputes to mobilize support and justify taking up arms (Verweijen & Wakenge, 2015). Access to land allows residents to obtain agricultural income or basic sustenance, and also provides them access to mineral resources. and so "as a material basis for survival…has become a key resource of larger identity-based power dynamics" that are a source of mobilization (Mathys & Vlassenroot, 2016). Therefore, land control has become a key strategy and purpose for armed groups. This militarized competition for land control and access gives way to the creation of more armed groups and more violence. Many of the larger armed groups are keen on land control as a means of funding their military operations through artisanal mining, but the injustices resulting form displacement and land dispossession become the stated cause of local defense groups whose main aim is to secure agricultural land for their communities (Vircoulon, 2010) (Mathys & Vlassenroot, 2016).

The displacement crisis has created a dire humanitarian situation and impoverishment that closes opportunities beyond this violence. Displaced families who have experienced land dispossession, or perhaps owned no land to begin with, have very few options for stable income. In rural areas, farming and artisanal mining are virtually the only source of livelihood (Mathys & Vlassenroot, 2016). As discussed earlier, IDPs often suffer from

malnourishment and hunger, and lack access to clean water and safe shelter. Therefore, they lack exit options from activities such as sex trade, illegal and dangerous mining, and especially violence. Therefore, the mass displacement crisis has not only created immense impoverishment in North Kivu, but also "created a growing workforce for informal mining and recruitment into armed groups, which has altered the social and economic fabric of the region" (Vogel, 2024).

In North Kivu land dispossession following displacement is further enabled by a governance crisis, which significantly undermines the protection of land rights, provision of justice, and management of land disputes (Mathys & Vlassenroot, 2016) (van Leeuwen, Mathys, de Vries, & van der Haar, 2022). In the absence of state authority, a whole other host of problems arise. For one, very often locals refuse to flee in fear of losing their land, especially when it is their only source of income or food provision. Hence some people remain in harm's way and experience violence from armed elements (Global Protection Cluster, 2023). This is because they have little faith in the government or resolution mechanisms, and do not believe they will be able to resettle on their land once the violence ceases. The Congolese military also uses abusive practices and violence to forcibly evict IDPs who find safe areas to resettle or who try to return to land that they claim as theirs, in turn these individuals often mobilize against the government forces (UN-Habitat, 2018).

Tensions around land access are exacerbated by recurring displacement and land dispossession as they intensify competition over land, leading to land disputes and fueling conflict dynamics that have evidently perpetuated the structural violence in North Kivu over the last decade. The violence born out of this competition in turn contributes negatively to the displacement crisis. OCHA estimated that 659,653 people were displaced due to these land and intercommunal disputes in 2022, making it the second most common cause of displacement in the DRC that year (NRC, 2023). Root causes of conflict in North Kivu are

diverse across issues and inherently complex, but the human security challenges born out of an intractable and poorly managed displacement crisis have also become sources of violence that further feed into the wider dynamics of insecurity in North Kivu. This exhibits the connection between severe human insecurity and conflict that Thomas (2001) describes and highlights the significant implications of internal displacement on peacebuilding efforts.

The sections that follow will explore how regional mechanisms have also recognized these linkages and therefore adopted principles on governing displacement, yet subsequent peacebuilding efforts attempt to militarily manage the insecurity in North Kivu, failing to address these human security challenges and therefore failing to promote positive peace. Regional peacebuilding efforts since 2013 have emphasized a strategy to crush the M23 and other armed groups, but this military strategy failed to resolve root causes and at times exacerbated them by contributing to the displacement crisis.

Regional Agreements on Internally Displaced Persons

The dreadful rate of forced displacement in eastern Congo, but also in other places across the region—namely Uganda, South Sudan, and Ethiopia—made it evident that these humanitarian consequences continue to undermine efforts to promote stability in the Great Lakes Region. There are a number of national and regional efforts to address the root causes of forced displacement and protect IDPs. These regional efforts are also meant to establish a legal and institutional framework for preventing forced displacement and protecting IDPs. Nationally, *the Comité National pour les Refugiés (CNR)* was established in 2002 to oversee the governance of refugees and issues related to refugee populations. Since then, it has also overseen IDP displacement camps under the UNHCR. Even though the CNR was established under the Congolese Ministry of Interior, it operates as an implementing partner of the UNHCR rather than a government organ and is thus not an effective entity for governing IDP issues in North Kivu (White, 2014).

The displacement crisis in North Kivu, and the eastern Congo more generally, continues to worsen and become part of the intractable conflict dynamic in the region. Therefore, more attention has been put into creating regional understandings and commitments to governing forced displacement. This is also done in the spirit of promoting geopolitical stability and economic development through holistic approaches that address some of the most pervasive issues being faced by populations in the region, namely conflict, food and water insecurity, and chronic poverty. Chronic forced displacement is an imperative issue that cuts across all three. As in the case of North Kivu, mass displacement is fueled by conflict but in turn also contributes to various factors that promote violence and insecurity as well as poverty. Displacement in North Kivu and the other three eastern provinces is also closely tied to the cross-border insecurity that plagues the Kivus. In recognizing this crucial regional dimension to displacement issues, two major agreements have created a governing framework for the region.

The Great Lakes Pact and the Protocols on IDPs

The most significant contribution to the regional governance of internal displacement was the ICGLR. The ICGLR was initiated in 1996 and designed to be a joint UN-AU interstate process that could promote dialogue on some of the most intractable cross border issues in the region. At the time the region was yet to recover from the events in Rwanda i.e. the genocide against the Tutsi in 1994 and its subsequent spill over into eastern DRC. The creation of the ICGLR, a turn to regionalism, was a recognition that many of the intractable conflicts in the region had a significant regional dimension that warranted "an inclusive and participatory approach, both across the region and between governments and non-state actors" (IDMC, 2008). The ICGLR did not really begin its work until *the Dar es Salaam Declaration* in 2004 which kicked off the preparatory phase of drafting up the region's

commitment to “address the root causes of intractable conflicts and constraints to development” in the region (ICGLR).

In 2006, *The Pact on Security, Stability and Development in the Great Lakes Region* was finalized and then ratified by all members in 2008. Also referred to as the Great Lakes Pact, it is the most central accomplishment of the ICGLR as it was a holistic document that outlined the regions priorities and strategies towards stability and development for the next several years. It set out four programmes of actions, created implementation mechanisms and institutions, and defined the ten protocols. These protocols provided legal frameworks for member states to commit to the four priorities outlined in the Pact: democracy and good governance; humanitarian and social issues; peace and security; and economic development and regional integration. The *Protocol on the Protection and Assistance of Internally Displaced Persons* (IDP Protocol) as well as *the Protocol on the Property Rights of Returning Populations* acknowledge the cross-cutting issue’s crucial impact on promoting peace and stability in the region (IDMC, 2008).

The IDP Protocol was a creative and first of its kind agreement that created a lot of optimism for the governance of IDPs in the Great Lake region, predominantly in eastern DRC (Bueno & Clancy, 2013). It comprehensively covered all types of displacement, conflict induced and that caused by natural disasters or economic development and was tuned to the realities of the region (ICGLR, 2004). The IDP protocol also ambitiously set out to provide a legal framework for the protection of IDPs. It obligated all member states to adopt the UN’s *Guiding Principles on Internal Displacement* into domestic law, the first multilateral agreement to do so (Bueno & Clancy, 2013). The *Guiding Principles* were developed in 1998 by the Representative of the UN Secretary-General on Internally Displaced Persons and are a set of 30 principles that define the rights of IDP. All ratifying states had to “domesticate the *Guiding Principles* fully and to provide a legal framework for their implementation within

national legal systems" (Article 6(3)). Moreover, states had to establish adequate institutions to implement this legislation and overall promote the rights of IDPs (Article 6 (4)(c)).

The document also emphasized the crucial need to protect and safeguard the well being of IDPs. The document uses a comprehensive description of what this entails. According to article 4(1)(f) of the protocol, this means guaranteeing "the safe location of internally displaced persons, in satisfactory conditions of dignity, hygiene, water, food and shelter" and most significantly away from armed conflict. In drafting the Pact, it was evident that the most critical displacement situations in the region are highly driven by armed non-state actors who in many ways exploit the vulnerability of displaced communities. Hence the document calls on member states to participate in a regional mechanism that works to identify and separate armed combatants from displaced populations in order to prevent them from manipulating refugees and displaced persons for political or military purposes (Dar es Salaam Declaration para.63).

The IDP Protocol also calls for the special protection of women and children as well as the assistance of communities which host IDP (Article 4(1)(e)). This provision is one example of how pragmatic the document aimed to be by addressing various region-specific realities of IDPs. As seen in the case of North Kivu, most displaced people flee to neighbouring communities instead of established camps, yet often go without targeted assistance. *Protocol on the Rights of Returning Persons* highlighted the importance of successful integration and resettlement in promoting sustained peace. Competing claims to land and property, as well as challenges resettling after displacement have characterized many local issues in North Kivu that have become root drivers of conflict. The protocol created a process that called states to not only ensure legal remedies for the destruction of property during displacement, but also encourage states to protect this property with special attention to "the property of returning women, children, and communities with special

attachment to land in the Great Lakes Region" (Article 2 (1)(4) (5)). These provisions went further than the UN principles and represent the EAC's desire to take a wholistic approach to intractable crises like eastern DRC.

The Great Lakes Pact and its Protocols set out ambitious goals for how the region should be governing the issue of mass internal displacement and overall provided an innovative and comprehensive document that was keen on some of the issues that are most specific to the region. Prioritizing the ability for displaced people to return in a sustainable manner and be enabled to participate in rebuilding their communities and recovering economically in a safe environment is highly understood to be a crucial part of sustainable peacebuilding and conflict termination (Kälin, 2007) (Bueno & Clancy, 2013) . When displaced people attempt to resettle but the process is characterized by competition for property rights and resources, as well as insecurity this drives local disputes that often exacerbate their situation (Zeender & Rothing, 2010). In North Kivu for example, it is these tense situations that allow armed groups to militarize communities and bolster their positions (Verweijen & Wakenge, 2015). It was also evident there that armed groups are able to exploit the lack of protection for IDPs and forcibly recruit them into their ranks or loot their makeshift settlements (Healy & Tiller, 2014) (IDMC, 2014). The IDP protocols were created to embody principles that address these drivers of repeated displacement and conflict.

The Kampala Convention

The ICGLR's first success was inspiring a wider continental agreement on protecting IDPs through similarly binding process. The *African Union Convention on Internally Displaced Persons* was a continuation of the work the ICGLR embarked on with its Protocols. The Convention itself goes beyond the Great Lakes Region as it was established through the African Union, but nonetheless the influence of the Great Lakes Protocol on IDPs, and in general the region's headship in governing internal displacement on the

continent, have made the convention a key pillar in governing internal displacement in the region. As a hotspot for forced displacement Great Lakes states played a driving role in the creation of this Convention and its ratification. Indeed, the Convention is more commonly referred to as the Kampala Convention as the AU Special Summit of Heads of State and Government on forced displacement was also held in Kampala in 2009.

By building on from the Great Lacks Pact, the Convention aimed to strengthen the legal framework that was established and further address the "legal vacuum" for protecting and assisting IDPs on the continental by drawing strong basis from other internationally enshrined principles (Beyani, 2006). The Convention reiterated the desire to draw on the Guiding Principles that inspired the Great Lakes document and in a manner that considers "the special circumstances of the phenomenon of internal displacement in Africa" (Abebe, 2010). It also goes beyond identifying the rights and needs of IDPs and tries to "identify and clarify the obligations of States and non-state actors regarding the protection of IDPs" (Abebe, 2010).

The Convention also echoes provisions of International Human Rights and Humanitarian Law that reiterate the right to not be arbitrarily displaced and document also provides it own definitions of arbitrary displacement. These include displacement due to poor practices, conflict, and natural disasters, as well as displacement as a form of collective punishment or other discriminatory practices that violet human rights law (Article 1(k)). The document also draws on the basis of the international responsibility to protect and reinforces the "AU's right to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity" in article 8(1).

The normative document is formed on several pillars or themes: (1) improving the protection of IDPs, (2) preventing forced displacement, (3) promoting cooperation in the protection of IDPs, (4) safeguarding mobility and movement (5) strengthening the link between displacement and development (Bamidele & Pikirayi, 2023). The document, similar to the Great Lakes Protocol, emphasizes the obligation of non-state actors and individuals to prevent displacement and protect IDPs. The Convention requires ratifying states to ensure armed groups are held accountable for their role in causing displacement through domestic law and institutions (Article 3(h)(j)). Article 7(5) prohibits armed groups from causing arbitrary displacement, denying IDPs the access to dignifying access to basic needs, including security and integrity of their property, as well as blocking their access to humanitarian aid or endangering personnel attempting to provide said aid. The provision is ambitious as it aims to regulate irregular entities, but the AU was hopeful that by binding states into holding these groups accountable the articles would hold significance in furthering its objectives (Adeola, 2021).

The Kampala Convention also reinforces the significance of managing and promoting the successful return and resettlement of displaced population and the necessary prioritization by states. The document obliges African states to facilitate and promote the return of IDPs in a safe and dignifying manner (Article 11(1)). It also pays special attention to the need for states to establish fair processes "for resolving disputes relating to the property of internally displaced persons" in article 11(4). This falls under the theme of promoting sustainable solutions to forced displacement in order to facilitate sustainable development and peacebuilding.

In drafting the IDP Protocols, Great Lakes states recognized that their nations are "so interlinked ethnically, culturally and linguistically that the instability initially generated by purely internal causes in each country quickly spreads to generate and maintain the dynamic

of conflict in the entire region" (IDMC, 2008). With this in mind, the Kampala Convention falls in line with the region's agenda to promote geopolitical stability through multilateral cooperation on various issues. Both documents embody an overall commitment to 1) eradicating root causes of displacement through responsible legislation and governance, 2) protecting IDPs and assisting them with the challenges they face, and 3) responsibly governing resettlement issues. Subsequently all Great Lakes States had ratified the document by 2019, including the DRC which ratified it in 2014. The Convention came into effect in 2012 and since, subsequent mechanisms and evaluation processes have been enacted as well.

Both the Great Lakes and the Kampala document signify an understanding of displacement within the human security paradigm by member states. The adoption of these two frameworks is true to the fashion in which both the ICGLR and the AU were created – to drive comprehensive peace and development agenda's that allow sustainable solutions to some the continents most intractable problems (ICGLR, 2004) (Abebe, 2010). The logic behind these two documents also reiterates the adopted concepts of human security and peacebuilding that were presented at the beginning of this paper, by acknowledging the distinct ways human security challenges undermine sustainable solutions towards peace and security, as well as recognizing that peacebuilding is a process that is centered around eradicating security threats but also threats to human security. Seeing as these regional documents on displacement have been able to actively endorse and reiterate these ideas, the sections that follow examine the implementation process of these documents and therefore explain the lack of continuity of these ideas into the peacebuilding operations deployed in North Kivu.

Implementing the IDP Principles

The Great Lakes Pact and its Protocols on IDPs, as well as the AU's Convention on IDPs were at first regarded as creative and progressive regional documents that had the potential to significantly impact the displacement crisis across the continent but especially in protracted situations such as eastern DRC. The drafting of these documents was a relatively quick and cooperative process, but beyond ratification it was obvious that the real challenge would be effective implementation of these agreements. Evidently, implementing the principles and obligations of these documents has been a challenge, and for various reasons both the IDP Protocol and the Kampala Convention have fallen short of their ambitions.

The following sections study the institutions that supposed to govern the implementation of the Great Lakes Protocol and the AU Convention – this is the ICGLR and the AU respectively. The ICGLR was established specifically for the furtherance of the Great Lakes region's frameworks on peacebuilding and development, and this included the Protocols on displacement. In fact, while the institution governs issues across the region, its creation was a direct response to the crisis in the DRC and it has continued to mainly focus on eastern Congo (Hauck, 2017). The analysis below, however, suggests that it has been too weak to drive effective implementation and compliance with the obligations of the Protocol. Similarly, despite driving the campaign to get states to adopt the convention, the AU has not been able to support weak states in developing capable institutions to implement these principles. Therefore, during the M23 crisis, as well as its aftermath, the two documents failed to shape the region's crisis response and peacebuilding initiatives in North Kivu, and evidently this has hampered efforts for sustainable peace in the critical province.

Institutional Gaps

The signing and adoption of the Great Lakes Pact and the Kampala convention by numerous African countries, but especially by the DRC and its neighbors, created a renewed

hope for tangible improvements in the management of the humanitarian crisis in the East. Like all ICGLR member states, the DRC ratified the Great Lakes Pact and its protocols on internal displacement in 2006 and has been legally bound by it since 2008. There were some initial strides with implementing the document's protocols and creating a domestic framework for its obligations, but these efforts have not been fruitful. The Kampala Convention was meant to solidify the principles behind the protocols and better ensure adherence to these norms during security crises. When the DRC ratified the convention in 2014, eastern provinces were still reeling from the displacement crisis caused by the M23 crisis and the move signaled renewed commitments to better govern the issue as a peacebuilding priority. Unfortunately, both documents have failed to materialize into institutions and policies that can guide the implementation of their principles on preventing displacement and protecting displaced populations.

One factor that has undermined the impact of the Great Lakes Protocol on IDPs is the structure of the ICGLR, which is the regional mechanism that oversees the implementation of the Great Lakes Pact. The Pact and its ten protocols also set the agenda of the ICGLR, which is often categorized as a peace and security organization, but has also tried to establish norms and governance frameworks on a wide range of other socioeconomic issues that are understood to be key contributors to conflict (Hauck, 2017). Moreover, despite being made up of numerous members and "co-opted members" from the ECCAS, EAC and SADC region, the organization has mainly carried out its mandate with regards to the crisis in eastern DRC. Arguably, most of these neighboring states are implicated in the country's history of conflict or at the very least concerned with the security threats harboured by the chaos it creates. Most notably Rwanda, Uganda, Burundi, and South Sudan have continually expressed their concerns with the armed threats based in the eastern provinces of DRC.

Hence when it comes to the DRC, the ICGLR has often been characterised as more of a "political process, based on a political pact " (Adunimay, 2023).

The political interests that characterise the ICGLR have also stripped the secretariate of its power to effectively monitor and implement the various commitments of the Pact and its IDP protocols. The secretariate is the institution's technical body "responsible for coordinating, facilitating and monitoring the implementation of the Pact and Programmes of Action", but it answers to the executive body which is comprised of the Ministers of Foreign Affairs from all member states. The secretariate lacks both the sanctioning mechanisms and the political leverage necessary to follow through with its responsibility and therefore successful implementation rests predominantly on the political will of the executive body, which tends to vary on issues (Hauck, 2017). Another consequence of this is that it undermines the prosecution or even condemnation of member states who violate the binding obligation of IDP protocols. In article 2 of the IDP Protocol, the pact commits members to protecting civilians from displacement but in the case of the North Kivu, the institution has failed to condemn the role of various sanctioned and non-sanctioned forces in causing mass displacement (Adunimay, 2023).

In addition to the impediments rooted in politics, the ICGLR has also been significantly reduced to irrelevancy due to its lack of resources. This is certainly due to the afore mentioned political realities, but also due to the limited financial capacities of member states to allocate funding to issues such as internal displacement. The institution's most, and perhaps only, notable advancement of the Pact is with regard to the protocols on the illegal exploitation of natural resources for which it receives significant financial support from the international community (Adunimay, 2023). Similar enthusiasm to fund the institution's efforts towards internal displacement has not been evident, either from within or from the international community. This lack of core funding for its overall mandate has limited its

impact and visibility on many pressing issues, which member states have in turn cited as reason for not prioritizing its financing (Hauck, 2017) (Bøås, Lotsberg, & Ndizeye, 2009). The ICGLR secretariat's human resources capacity is also critically limited, and the secretariat lacks the "expertise to implement the regional agenda in a complex political environment" or sufficiently target the peace and security challenges that the ICGLR aimed to address through the peace Pact (Hauck, 2017).

These financial and technical constraints have made the ICGLR's ambitions to implement the protocols on internal displacement heavily reliant on Civil Society Organizations (CSOs) and international NGOs who are able to access relatively more sustainable financing. For example, when the Congolese government tried to fulfill some of the obligations that require member states to establish government organs responsible for the management of humanitarian assistance towards IDPs, the government lacked both the resources and the capacity to coordinate responsibilities amongst different ministries (IDMC, 2014). This is a crucial step that both documents emphasize as key to proactively managing displacement issues. In theory, the ICGLR should have been able to guide the government through this process by sharing best practices from fellow member states and technical support, but instead international NGOs have taken on the administration of IDP issues, especially in North Kivu, where the state is "relatively absent" from the management of these IDP issues (IDMC, 2014).

While the ICGLR should have been empowered by the fact that its members are all deeply impacted by the security crisis in eastern DRC due to the fluidity of their shared borders and thus the "close links existing between [there] peoples", it was the adoption of the Kampala Convention that reenergized the efforts of the Great Lakes Protocol on IDPs (ICGLR, 2004). For one, the Convention has not been victim to the same institutional weakness of the ICGLR, as it is overseen by the AU which has been able to better support the

promotion of these principles with its numerous bodies and organs. The AU Commission (AUC), the organisation's secretariat body, has led the charge by pushing more countries to ratify and domesticate the document, with the most progress being seen in 2019 which was declared the 'Year of Refugees, Returnees, and Internally Displaced Persons'. Throughout the themed year, the AU held numerous high-level dialogues on internal displacement and strategies to advance the convention's commitments. The AUC was also able to draft a model law that is supposed to guide states on how adequately to domesticate the convention and apply it to national legal systems (ICRC, 2017).

The AU has been able to get more states on board with the normative principles of the convention, but like the ICGLR, the organization has not been successful in getting regional blocs and states to effectively implement them, especially in conflict settings. The adoption of the themed year is evidence that there is political will to advance the ideas of the Kampala convention at the AU assembly, the institution's general assembly body, but the AU is also known to generally experience fragmentation amongst its different organs that often impedes effective monitoring and enforcement of the assembly's political efforts (Adeola, 2021). The assembly's political decisions are supported and implemented by numerous institutional bodies – e.g. the AU Peace and Security Architecture, and the African Commission on Human and People's rights, etc. – but they tend to work in silos which results in uncoordinated initiatives.

Despite these gaps in institutional arrangements, there have some positive progress in the development of domestic frameworks that are aimed at promoting IDP principles in some Great Lakes states, under both the Pact and the Convention. Uganda has been the leading example on the continent to enact policies and institutions with specific provisions that go beyond the protection and assistance of IDPs. Kenya also adopted a "Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act" in 2012 that

fulfills many obligations of the Kampala Convention even though Kenya has chosen to remain party to the Great Lakes Pact only (NRC, 2015). Likewise, Burundi and Rwanda have adopted similar national policies, with Rwanda also criminalizing arbitrary displacement (ICRC, 2017).

It was the aspiration of both the Pact and the Convention that development of numerous domestic policy frameworks on the continent and within the region would create a positive reinforcement of the two document's ambitions for the governance of internal displacement and thus produce comprehensive approaches towards regional crises (ICRC, 2019) (Kamungi, 2010). This has not turned out to be case. For example, during the M23 crisis, Uganda led the ICGLR peace negotiations that resulted in the PSC-F, a document that listed several commitments that should be renewed in order promote sustainable peace in the eastern provinces. Yet this peace agreement failed to mention the commitment of all parties involved, as well as states observing, to prevent displacement and prioritize the issues it brings about. Established legal frameworks should have also enabled states to be proactive and mitigate displacement crises but this has not been the case with the crisis in North Kivu. This has again been largely due to financial constraints and lack of expertise on crisis aversion (Bamidele & Pikirayi, 2023) (Adunimay, 2023).

The two regional mechanisms should have also been able to deploy institutional support to the government when it consistently failed to do so, or at the very least shaped regional peace initiatives by promoting them to prioritize the issue of forced displacement and mitigate its effects. Each document calls on its respective institution to support member states in this domestication process. For example, the ICGLR is responsible for reinforcing institutional capacities "at regional and national levels and development of systems and procedures for effective implementation of the Pact" (ICGLR).

The discussion below suggests that neither of the two agreements have guided the deployment of regional peacekeeping forces in North Kivu, which might have resulted in more positive trends in terms of displacement. Despite the ICGLR's role in mediating peace negotiations during the M23 crisis, the peace framework that resulted lacked any mention of the principles on IDPs. Evidently, the institutional shortcomings of the ICGLR have limited progress in terms of implementing the IDP Protocol's standards for addressing the root causes of forced displacement and mitigating the effects of conflict on civilian populations. Likewise, despite having the capacity to lobby for the adoption and domestication of the Kampala Convention, the AU has not been able to oversee the effective implementation of the convention's obligations.

IDP Standards in Security Operations

In the mid 2010's there was a proliferation of agreements and regional talks that created hope for peace in the region. Initially, the region saw some progress with the negotiation of the PSC-F 2013 which echoed the concerns laid out in the Great lakes Pact, but also reiterated the regional commitment necessary to tackle the root causes of conflict and humanitarian crisis in the DRC.

The FIB emerged out of the peace negotiations process as a creative and strong response to the ongoing M23 insurgency that would produce better results than the MONUSCO peacekeeping force that had failed to promote security and protect civilians. The force would work under the banner of the MONUSCO peacekeepers and be initially made up of 3,000 personnel from South Africa, Malawi, and Tanzania (Fabricius, 2014). It would carry out "peace-enforcement tasks of preventing the expansion of, neutralizing and disarming armed groups, to be carried out together with disarmament, demobilization and reintegration and disarmament, demobilization, repatriation, reintegration and resettlement efforts" (UNSC, 2013).

In its early months, the force carried out its mandate with effectiveness, starting off with a strong launch into the Kivus in July of 2013, and defeating the M23 by November of the same year (Kithatu-Kiwekete, 2023). Most significantly, the creation of the FIB was a result of regional cooperation as there were numerous calls within the region for a more assertive response to the armed groups that were hindering peace building efforts. At the height of the M23's grip over North Kivu, discussions about a stronger peace enforcement body began within the ICGLR and the AU, but it soon became evident that the region needed significant support from the UN (Wongibeh, 2017). The force was originally given a one-year mandate but evidently continued to operate and even saw an increase in personnel. The FIB's swift successes were evidence of the potential for earnest and willful cooperation in the region.

Despite some of these early successes, the FIB faced numerous criticisms, even prior to its deployment. For one, the deployment of the FIB acted inconsistently with the political strategies for conflict termination and demobilization in the east (Stearns, Verweijen, & Baaz, 2013). This included the security sector reform and demobilization efforts that were part of the negotiations being mediated by the ICGLR in Kampala. These reforms were commitments of the PSC-F that claimed to target root causes of armed mobilization, but the deployment was instead seen, by both the M23 and other civil society partners, as undermining these processes which had better odds at creating lasting peace (IPI, 2013). This was partly because it discourages groups from voluntarily participating in the negotiations and this was indeed the case at first because following the announcement of the force's creation, the political negotiations in Kampala stalled (Stearns J. , 2013) (Clottey, 2013). More importantly the force seemed to be at best a temporary solution, as it would allow the Congolese government to quash the rebellion while the "more intractable issues are shelved" (Paddon, 2013).

This aggressive approach towards the M23 could have created a better situation on the ground, but the region was not acting instep with its own commitments to responsibly target root causes – i.e. addressing human security challenges that allow for violent mobilization – and thus failed to make the force a complimentary initiative to the political processes aimed at sustainable peace. Due to this lack of balance, the deployment of the FIB failed to deter the creation of new armed groups in the Kivus and less than two years later the number of armed groups had soared to at least 70, and within another five years that number had almost doubled to more than 130 groups, with the M23 remerging as one of them (Stearns J. , 2022). This was mostly due to the fact that the FIB was only able to act where the government wanted it to, which undermined its attempts to crush FDLR strongholds (Kithatu-Kiwekete, 2023) (Fabricius, 2014). The force's allyship with the FARDC was also heavily criticized because of the army's track record with human rights and violence against civilians and because the architects of the force were seemingly ignoring the shifting alliances between armed groups and government forces (Vogel, 2014) (Stearns, Verweijen, & Baaz, 2013).

A more significant reason that the FIB was not able to enforce peace and demobilize North Kivu was because it's deployment not only failed to mitigate the threats brought about by armed group activities in North Kivu, but it also failed to protect civilians and at times even contributed to the insecurity. For one, neither the force or MONUSCO were any better or more effective at protecting civilians and mitigating the threats to their livelihood (Benson, 2016). One of the rationales for the existence of the FIB was to increase the capacity to protect civilians and mitigate the impact of armed group activities, yet hundred of thousands of people continued to live in displacement and under severe violent and nonviolent threats, even when they found shelter in official camps (IDMC, 2014). Since the height of the force's activities, and through out the years, IDPs in North Kivu continue to be targets of violent attacks by armed groups, and as most are unable to defend themselves they are often

kidnapped, exploited and pillaged for the supplies they receive from humanitarian agencies (MSF, 2019) (Healy & Tiller, 2014) (IDMC, 2017).

Not only did the deployment of the FIB fail to protect IDPs, but there also continued to be hundreds of thousands of new displacements, especially in areas where the force was carrying out it operations (IDMC, 2014) (IDMC, 2013). During the M23 crisis, this was sometimes due to reprisal attacks to protest the presence of the FIB or the mobilization of smaller groups taking advantage of the vacuum left by the departure of defeated armed groups (Verweijen & Wakenge, 2015) (van de Walle, 2022). But very often clashes between the FIB, alongside the FARDC, and the M23 created waves of displacement both within the province and even across borders.

Humanitarian agencies estimate that 800,000 people were displaced of the M23 rebellion and clashes with government forces accounted for a lot of this as well (IDMC, 2013) (Stearns & Vogel, 2015) (White, 2014). While some of this displacement was temporary, most of it was not and instead a protracted displacement crisis has emerged as it continued to feed into local intercommunal violence that created more forced displacements. Even with the presence of the force and an increase in its size, North Kivu has continued to experience significant levels of conflict-induced displacement in the years that followed, even during the absence of the M23 and an record low involvement of external actors (Stearns & Vogel, 2015) (Stearns, Verweijen, & Baaz, 2013).

Despite the outcome of the FIB's deployment, regional leaders continue to subscribe to the same fallacy of trying to militarily manage the conflict indefinitely without getting better at enforcing peacebuilding principles or protecting civilians and mitigating displacement and its humanitarian impacts. In November of 2022, an EAC contingent force made up of troops from Uganda, Burundi, Tanzania, and Kenya deployed into North and

South Kivu to support existing troops at the invitation of President Tshisekedi. The force's mandate included carrying out security operations with the FARDC in North Kivu with the goal of defeating armed groups and protect civilians (EAC). This is indeed similar to the FIB's mandate which was still being carried out, but due to protests by populations across the Kivus, the force as well as MONUSCO are to depart by the end of 2024.

Clashes between the existing forces (i.e. the FIB and FARDC allied forces) and the M23 had resulted in the displacement of 160,000 people in the month of July 2022 alone, creating reasonable concerns for what an additional deployment of 6,500 would mean for the extremely volatile situation (van de Walle, 2022) (Akilimali, 2022). The Congolese president and his regional counterparts did not seem to acknowledge this increased risk for the civilian population, but they did however emphasize that this time the deployment would be complimentary to the efforts for structural and political reforms, as well as demobilization efforts, but they never defined how this would be ensured (EAC).

The East African force was overshadowed by internal politics and its deployment was short lived, but the FIB was able to operate for several years; yet neither force was able to carry out its mandate in a manner that prioritized human security and upheld the human centric peacebuilding principles enshrined in the Great Lakes Pact and Kampala document. Following the deployment of the EAC forces, the M23 leadership violated a temporary ceasefire, and there was a significant uptick in armed violence between the M23 and government-allied forces in North Kivu, which resulted in the displacement of 122,000 people within the span of two days in January of 2023 (OCHA, 2023). The more recent period of the force's deployment is beyond the time frame of this research, but UN data on displacement since the resurgence of M23 in North Kivu, indicate that overall, the response has fueled the phenomenon and failed to mitigate the surge of IDPs.

The EAC force and the UN-supported FIB are the two regional multilateral military operations into the Kivus since 2012, but from time to time the Congolese government has been party to bilateral security operations between various countries in the region, all of which are commonly understood to be unsuccessful. However, the EAC force and the FIB were created through multilateral means with the aim of advancing solutions to root causes of the violence and creating a better humanitarian situation in line with the region's understanding of peacebuilding, and therefore should have been more successful. With regards to the FIB deployment especially, the ICGLR was at the helm of its inception, citing that the region and international peace stakeholders needed to be more robust in protecting civilians from the effects of armed violence. But instead, a prioritization of a military defeat at any cost by both the FIB and the most recent EAC force, is evident in the displacement outcomes of the force's joint operations.

Discussion

The preceding sections sought to evaluate the regional conflict management approach towards the crisis in North Kivu by focusing on the region's governance of internal displacement and its implications for peacebuilding. In North Kivu, a protracted displacement crisis continues to create desperate conditions for millions, allowing armed actors to mobilize communities and close pathways out of violence, thereby making meaningful peace for the region increasingly elusive. By adopting both the Great Lakes Protocol on IDPs as well as the AU Convention on IDPs, regional states acknowledged the significant impediments for peace posed by internal displacement, and therefore stated a commitment to address root causes of displacement and adopt the *Guiding Principles on Internal Displacement.* Following an evaluation of the situation in North Kivu however, it is evident that these commitments have failed to address the displacement crisis in North Kivu, and this has had significant implications for peacebuilding.

The IDP Protocol and the Kampala Convention that followed it emphasized the crucial responsibility of states to address root causes of displacement and protect civilians from displacement, and when that has failed, to protect and assists IDPs as well as ensure their safe resettlement (Abebe, 2010) (IDMC, 2008) (ICRC, 2019). However, the analysis above underscores significant institutional shortcomings that explain the failure of these IDP frameworks to address the challenges in North Kivu and therefore advance peacebuilding in the province. Both the ICGLR and the AU, but more so the ICGLR, are hampered by political realities as well as financial and technical gaps that limit their capability to deploy the agenda of the IDP Protocol and the Kampala Convention. The ICGLR's structure is unable to function above the political interests and will of member states, which also limits the core funding committed by states (Hauck, 2017). This has in turn rendered the institution unable to develop expertise and retain the critical human capital that would allow it to deploy policy and support implementation (Adunimay, 2023) (Bøås, Lotsberg, & Ndizeye, 2009). Similarly, the AU has only been able to push normative adoptions of the obligations outlined in the Kampala document due to its institutional fragmentation (Abebe, 2010) (Adeola, 2021).

These institutional shortcomings have had severe consequences for the crisis in North Kivu in a number of ways. For one, this has resulted in a failure to guide a wide-reaching domestication process, meaning that even though Great Lakes states, including the DRC, are bound by the Protocol and the Convention, only a handful have developed meaningful domestic frameworks for implementation (Bamidele & Pikirayi, 2023) (Abebe, 2010). Both the IDP Protocol and the Convention call states to proactively address displacement issues by establishing national legal frameworks for the implementation of these principles and obligations, as a way to ensure state management of displacement issues and also deploy these practices towards regional measures (ICRC, 2019). The failure to realise this ambition can explain why the Congolese state has followed a reactive rather than proactive action

towards an issue that is understood to be an impediment to peacebuilding. Rather the government and its regional partners have allowed CSOs and humanitarian agencies to take on the burden of managing the displacement crisis in Congo.

Another critical consequence of these institutional gaps is that neither the AU's organs nor the ICGLR's Secretariat has been able to deploy their agenda and shape the peace frameworks that come out of these mechanisms. Where states fail to fulfil these commitments, these institutional bodies should be able to align regional actions to these principles (Hauck, 2017) (Adunimay, 2023). Yet time and time again, the region has coordinated interventions and initiatives for peace in North Kivu through the ICGLR and with the support of the AU, but then proceeded to pursue measures that largely disregarded the documents' obligations. One example provided in the analysis above is the endorsement of the PSC-F in 2013, which failed to acknowledge unresolved displacement issues as key impediments to conflict termination and therefore include "specific provisions and recommendations on addressing and solving existing situations of internal displacement, as necessary, taking into account the challenges of the context" as recommended by the Kampala process (ICRC, 2019). This indicates that these institutional weaknesses allow the two documents to remain ineffectual and have limited bearing on conflict management strategies.

The outcomes of both FIB and the EACF is evidence of how this poor operationalization of the principles has had severe implications for peacebuilding initiatives. Rather than endorsing a comprehensive peace process that incorporate the obligations and considerations of the IDP Protocol and the Kampala convention, Congo's neighbors have insisted on pursuing military solutions which have not been mindful of the two document's central commitments – to prevent displacement by ensuring civilian's right to be protected against displacement, and when that fails to prioritize the protection of IDPs and the

resolution of displacement issues (IDMC, 2008) (Bamidele & Pikirayi, 2023). The poor and unsafe conditions that IDPs continue to live in, as well as the displacement trends throughout the FIB's activity in North Kivu, indicate that its operations prioritized the military defeat of insurgents at any cost and were counterintuitive to the responsibility adopted by states (Benson, 2016) (IPI, 2013). This is even more concerning when considering that these staggering displacement trends persisted during the absence of the M23 and a period of record low involvement of external actors (Stearns & Vogel, 2015). Reports by humanitarian agencies on the ground indicate that similar consequences are emerging from the recent EACF deployment, but the lasting impacts are yet to be determined.

These implementation failures would have perhaps not been so critical for peacebuilding if the displacement crisis in North Kivu was not so intricately tied to conflict regeneration by fueling local dynamics. The analysis above sheds light on how years of mass displacement in the context of poor governance, have exacerbated tensions around unequal land distribution and immense poverty, thereby fueling local conflict dynamics such as competition for land. The lack of assistance and protection for IDPs creates desperate conditions that allow these populations to be recruited by armed groups due to a lack of alternative pathways (Verweijen & Wakenge, 2015) (Mathys & Vlassenroot, 2016). Armed group proliferation is a defining aspect of the intractable insecurity in North Kivu, shedding light on the significant implications of the human security challenges brought about by displacement (Stearns J. , 2022). Yet peacebuilding initiatives fail to protect IDPs from the violent and non-violent threats that entrap them within these pervasive conflict dynamics.

This understanding of displacement as both a consequence of violence as well as a generator of conflict dynamics recalls countless research and humanitarian work that emphasizes the need for land reform in eastern Congo (Autesserre S. , 2008; Huggins, 2010; Vircoulon, 2010; van Leeuwen, Mathys, de Vries, & van der Haar, 2022). Insecurity in North

Kivu is not all about land, but poor governance of land issues allows land to be a catalyst for disputes and conflict. MONUSCO and UN Habitat have launched programmes that support the local administrations in Masisi and Rutshuru in fostering land reform and proper governance of issues regarding forced eviction and land dispossession. These efforts remain futile as there is still a great need for better "protection-of civilians response, and in increasing the accountability of the military and civilian authorities to respect, and ensure respect for, the legal norms prohibiting eviction" (UN-Habitat, 2018). Moreover, neither the UN nor the supporting humanitarian organisations on the ground have the mandate, capacity, or funds to adequately address these issues without the proactive commitment of the state and its regional partners.

Beyond land and displacement, a crisis of state governance has also been linked to both political and economic realties that pose structural impediments to peacebuilding and development throughout Congo. This includes involuted political interests, whereby political and military elites have developed interests in mobilizing violence and continuing conflicts that do not threaten their survival (Stearns J. , 2022). Peacebuilding the DRC is also hindered by poor infrastructure (e.g. transportation, health care, education) which creates more pathways into violence rather than promote sustainable economic opportunities for populations in North Kivu. The links between impoverishment and conflict established by the works of Thomas (2001) and Newman (2007) support the understanding that the challenges brought about by recurring mass displacement prop up other structural issues that feed conflict dynamics and therefore require a peacebuilding process that transforms society through the eradication of these systems of poverty and poor governance (Galtung, 1969) (Fetherston, 2000).

The drafting and adopting of the Great Lakes Pact and the Kampala Convention suggests that member states recognize the value of peacebuilding approaches that are situated

within a human security paradigm and therefore cognizant of displacement as a key issue. Similar outcomes emerged out of peace-making efforts prior to the M23 crisis in 2013, as they resulted in "continued conflict, militarisation, authoritarianism, [and] in-creased poverty" despite prior commitments to a comprehensive approach (Hendricks, 2020). This paper determines that similar peacebuilding errors reinforced conflict generating dynamics that allowed for the resurgence M23 and the current crisis, suggesting that there is a prevailing pattern and preference for reactive military management of crises in Congo (Stearns, Verweijen, & Baaz, 2013) (Paddon, 2013) (Handy & Djilo, 2023).

This insistence on military action during armed group crises, rather than more comprehensively informed peace efforts means that regional actors constantly "disregard the very political and socio-economic conditions that favoured their emergence and even their establishment in large swathes of territory" (Handy & Djilo, 2023). The region's broader actions towards promoting peace and stability within its collective borders should include strengthening the institutions that were created for this purpose. These ad hoc military peace operations that are devised during crises are clearly at odds with their desired outcome, and the failure to implement 'lessons learned' is due to weak institutions. In order to move away from these counter intuitive and reflexive military responses, regional institutions need to strengthen their governance capacity and therefore be enabled to shape operations that can compliment political and socio-economic solutions to root causes of insecurity (Yohannes, et al., 2023). Beyond the deficiencies of the state in Kinshasa, the dire situation in eastern Congo is also perpetuated by a governance crisis at the regional level.

Extreme militarisation of regional peacebuilding initiatives has also been evident across the continent. The Sahel is one example where states in that region continue to develop militarised responses that so far have only resulted in "a dead end, as the structural causes of crises largely remain unaddressed" (Handy & Djilo, 2023). This is partly due to "the lack of

capacity of troops from neighbouring countries (and African countries in general) [which] often translates into a lack of efficiency, which, in turn, leads to excessive brutality" (Handy & Djilo, 2023). While the argument of this paper agrees with this, the analysis looks at this lack of capacity as it stems from institutional weaknesses. These replicated failures indicate a challenge for regional conflict management beyond the Great Lakes region, but evidently the consequences for eastern Congo have been detrimental. This evaluation of the forces in North Kivu within the context of displacement issues therefore significantly contributes to this wider discourse on the militarization of peacebuilding and conflict management on the continent.

The deployment of these security forces is not inherently the wrong move, but rather the failure of the region as a conflict manager to use these regional forces as a means to protect IDPs and civilians as well as prevent their displacement, and thereby properly manage the displacement crisis. Kaldor (2011) suggests that military operations can be used to positively manage human security crises if they are centered on the "primacy of human rights." This makes the primary goal protecting civilians instead of defeating an adversary, and therefore engaging in peace enforcement rather than a classic warfighting operation (Kaldor, 2011). The FIB's actions and outcomes, as discussed, indicate that its deployment was a classic warfighting operation whose end was to defeat an adversary, and by this logic, the region was waging war in a war-torn area as a means of promoting peace. This is the kind of peacemaking logic that "increases insecurity and enhances conditions favourable to terrorist recruitment" (Kaldor, 2011). Had regional institutions been able to implement their principles on internal displacement, these peace operations would have been centered on the 'primacy of human rights' and aimed to manage or even mitigate the challenges of a protracted displacement crisis, instead these deployments merely perpetuated environments conducive for violent mobilization and armed group proliferation.

Conclusion

The aim of this research paper was to provide a better understanding as to why regional peacebuilding efforts in North Kivu have not been able to produce better conditions for peace and stability over the last ten years. Evidently, these regional efforts have had a limited impact due to their inability to address critical consequences of insecurity such as recurring mass displacement and the additional challenges it creates. The governance of regional frameworks on displacement has been characterized by critical institutional gaps and weaknesses within the ICGLR and the AU that have limited their ability to implement and operationalize the principles and obligations of the IDP Protocol as well as the Kampala Convention. By highlighting the links between the protracted displacement crisis and conflict regeneration North Kivu, this paper has illustrated how the failure to operationalize these two documents has led to counterintuitive conflict management approaches that have not only failed to address the crisis, but at times resulted in more displacement for populations in North Kivu.

The Great Lakes Protocol and the AU Convention on internal displacement push for the management of internal displacement as a catastrophic consequence of conflict, but also as a human security challenge that impedes peace and development goals for the entire region. The deployment of several military peace forces into North Kivu was a cooperative effort by the same states that are party to these two frameworks to promote peace and stability and cooperatively solve a critical security crisis. The discussion above ties together the findings of this paper and concludes that a crisis of governance at the regional level has limited Congo's neighbors as conflict managers, and evidently peace and stability in North Kivu remains elusive.

Stability and peace in North Kivu might be delivered through regional cooperation, but as this previous decade of conflict management suggests, it will not be delivered through

a militarized action. Years of conflict in North Kivu have resulted in an intractable crisis as the consequences of violence have created a self-perpetuating dynamic that regenerates conflict. These challenges are poorly governed at the state level, but poor governance at the regional level has also limited the ability of regional actors to at least improve this situation through their numerous actions. For regional efforts to properly address the current crisis North Kivu, they need to go beyond additional military action and actually advance the peacebuilding principles promoted by various regional frameworks. With regards to displacement, any military action taken needs to be centered around preventing displacement and protecting those who are already displaced, and more importantly military action can not be the de facto peacebuilding strategy. The frameworks provided by the Great Lakes Pact and the AU's conventions need to be revitalised and deployed towards the most intractable crises in the region and beyond.

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