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CENTRAL AFRICAN SECURITY: CONFLICT IN THE CONGO

September 18 - 19, 2001

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Table of Contents

FOREWARD

CHAPTER ONE –
Introduction
Dr. Kent Butts, Arthur L. Bradshaw, Jr., and Dr. Frederick Ehrenreich

CHAPTER TWO –
The DROC: Non-State Actors on Center Stage
Dr. Kisangani N. Emizet

CHAPTER THREE –
The Democratic Republic of the Congo: Everyone's Problem
Dr. Crawford Young

CHAPTER FOUR –
DRC: The Role of Outside Powers?
Ambassador Richard Bogosian

CHAPTER FIVE –
The Congo, Rwanda, and Burundi Down the Road: What Lies Ahead?
Dr. Herb Weiss

ACRONYMS

Central Africa Workshop on African Security Issues

Forward

On September 18 and 19, 2001, the National Intelligence Council, the Defense Intelligence Agency, and the Center for Strategic Leadership (CSL) of the United States Army War College conducted a two-day workshop on African security issues focusing on the Democratic Republic of the Congo. The conference began at 1200 hours on September 18th and concluded at noon on September 19th at the Collins Center U.S. Army War College, Carlisle Barracks, Pennsylvania.

An assemblage of government, academic, and private sector experts joined us to hear presentations on critical aspects of Central African security, and debated their conclusions and defended their positions in an informal exchange with United States intelligence community analysts. The workshop was a small, intimate, and focused activity based on the needs of the intelligence community. The emphasis of the workshop was to focus "out of the box" to address difficult questions related to the ongoing conflict in the strategically important Democratic Republic of the Congo (DRC).

We were indeed fortunate to have as authors presenters Dr. Crawford Young, Dr. Herb Weiss, Dr. Kisingani Emizet, Ambassador Richard Bogosian, and Mr. George Coakley. This esteemed group focused their presentations on the present and immediate past DRC leadership, non-state actors central to the ongoing conflict, the role of outside powers, what lies ahead for the DRC, Rwanda, and Burundi, and the role of minerals in sustaining the conflict. Edited versions of selected papers are presented in this text.

The Center for Strategic Leadership wishes to thank Mr. Bill Thom, Defense Intelligence Agency, and Mr. Chris

Darlington, National Intelligence Council, for their vision and support of this African research workshop.

Douglas Campbell
Director, Center for Strategic Leadership
U.S. Army War College

This volume is dedicated to
Mr. Bill Thom
Defense Intelligence Officer for Africa
1987 to 2001

Chapter 1

Introduction
By Dr. Kent Hughes Butts, Arthur L. Bradshaw, Jr., and Dr. Frederick Ehrenreich

"Strategists of rebellion for the Congo would appear to be faced with an insoluble dilemma."

Crawford Young,

"Rebellions and the Congo" 1970[1]

Crawford Young's assessment of the state of the Congo in the late 1960s is apropos today; the seemingly insoluble dilemma involves a weak Democratic Republic of the Congo (DRC) central government, outside powers, rebel groups, and the United Nations (U.N.). At stake are the lives of millions, access to mineral and other resource wealth, the stability of the central African region, and United States (U.S.) security interests. Noticeably absent is the East-West chessboard that contributed to the conditions for the current conflict.

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1 M. Crawford Young, "Rebellion and The Congo," in *Protest and Power in Black Africa*, Robert L. Rothberg and Ali A. Mazrui, eds, New York: Oxford University Press, 1970.

The Politics of Conflict

Joseph Mobutu

The former Belgian Congo became independent in 1960. Its first five years of independence were characterized by coups, secession attempts, local revolts, massacres and the deployment of a massive UN force to keep order. Army commander Joseph Mobutu, who took power in a 1965 coup, brought a degree of stability to the Congo (which he renamed Zaire in 1971) and maintained a pro-Western position throughout the Cold War. But he weakened the country by siphoning off mining revenues to pay off political allies and rivals, finance un-economic prestige projects, and line his own pockets—at one point in the 1980s, Mobutu's personal fortune was estimated at $4 billion, equal to Zaire's national debt at the time. By 1990, the mining industry was in full collapse from the effects of a lack of investment in the capital plant, and by 1993 copper/cobalt production had dropped to 10% of its mid-1980s level. Deprived of the financial resources to manipulate Zairian politics as he had in the past, Mobutu survived because of his prestige and his continuing ability to play squabbling Kinshasa politicians off against each other.

The final demise of the Mobutu regime began after the 1994 Rwanda genocide when over one million Rwandan Hutu refugees, Hutu militiamen and soldiers from the defeated Rwandan Armed Forces (FAR) fled into politically weak eastern Zaire. The ex-FAR used Zaire as a base for raids into Rwanda, which from 1994 was led by Vice President Paul Kagame and dominated by Tutsis from the Rwandese Patriotic Front (RPF). In response to the raids into Rwanda and to attacks on Tutsis living in Zaire, Rwanda—in league with Congolese rebels it organized and

supported—in October 1996 struck to eliminate the Hutu refugee camps. Their success in destroying the camps demonstrated the weakness of Zaire's military and the existence of a power vacuum. Rwanda—joined by Uganda and Angola—seized the opportunity to replace Mobutu and create a more friendly regime in Kinshasa. They continued to press the offensive, defeated Mobutu's forces, and installed Laurent Kabila—the rebels' nominal leader—in Kinshasa in May 1977.

The end of Mobutu's rule did nothing to bring peace or unity to the newly re-named Democratic Republic of the Congo. Although led by an officer seconded from the Rwandan army, the Congolese army proved unable to curtail the Rwandan Hutu rebels' use of Congo as a de-facto sanctuary as they stepped up insurgent actions within Rwanda. Kabila himself proved too erratic, incompetent and independent for his Ugandan and Rwandan patrons. The last straw came in July 1998 when Kabila replaced his seconded Rwandan army commander and asked his Rwandan military advisors to leave the country. Rwandan and Ugandan forces then attacked the DRC and almost deposed Kabila by launching a spectacular airlift operation to Congo's Atlantic Coast and moving on Kinshasa from the west. Days—or hours—before the attack would have toppled Kabila, Angola and Zimbabwe intervened to turn back the drive and save Kabila.

Though Rwandan forces continued to make advances in the east into 1999, the war since has been characterized by stalemate—and by a falling out of erstwhile allies Rwanda and Uganda, who fought three bloody battles for control of Kisangani in 1999-2000. The Lusaka peace accord of 1999 was only intermittently observed until after January 2001, when Laurent Kabila was killed by a bodyguard and replaced by his son, Joseph Kabila. A cease-fire has since prevailed along the front lines, but the war continues behind the Rwandan and Ugandan lines in the east. Local Congolese militias (Mai Mai) and Rwandan and Burundian Hutu rebels—with some material support from Kinshasa—

fight on against the Rwandans and their RCD-Goma rebel allies, while northeast Congo is gripped by a variety of political and ethnic sub conflicts. Appreciating the complexity of this situation is essential for intelligence analysts and for policymakers trying to define and protect U.S. interests in the region.

Importance of DRC

The Democratic Republic of the Congo, formerly known as Zaire and the Belgian Congo, has long been one of the most strategically important countries on the continent. It was central to the debates and strategies of colonial powers carving up Africa at the Berlin Conference of 1884-85 that gave Belgium control of this vast, mineral rich colony. The DRC straddles the equator in Central Africa. It is drained by the powerful Congo River, upon which the World Bank built the Inga power station. The DRC is approximately 25 percent of the size of the United States and has roughly 50,000,000 people. Its resources led colonial powers to fight and they continue to be a central focus for government, rebels, and foreign powers involved in the current conflict.

DRC's minerals have maintained a strategic importance throughout the years. Diamond mining first began in 1918 at Bakwanga. Although approximately 90 percent of DRC's diamonds were industrial, they proved quite valuable during World War II and three-quarters of global diamond output emanated from the DRC by 1954. By the 1960s, 80 percent of U.S. industrial diamonds were produced in DRC.[2] It was DRC uranium that provided the fuel for the United States first nuclear weapons, and the copper-cobalt reserves of Zaire were a mainstay of Allied strategic mineral production during the Cold War. Some argue that the assassination of Patrice Lumumba reflected the strategic

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2 Partnership Africa Canada, "Human Security and the International Diamond Trade in Africa," June 12, 2001, http:partnershipinafricacanada.org/hsdp/areas/Africa.html

importance of its minerals and Western fears that a Soviet backed government could control these important deposits. The production of cobalt, including Government Services Administration (GSA) grade degassified cobalt suitable for jet engine turban fan blades, made the regime of former President Mobutu unusually important to U.S. African policy. At the time, then Zaire had approximately 56 percent of the known world reserves of this critical alloying material. So important was the DRC's cobalt production that the spot market price of cobalt rose from $6 per pound to $50 per pound when rebel forces from Angola briefly invaded Shaba province in 1978.[3]

The World Bank financed the Inga-Shaba powerline (near Kinshasa-Matadi) that transported the electricity produced at the Inga hydroelectric facility to the large copper-cobalt mines and smelters of Katanga/Shaba Province, some 900 miles away, to insure continued productivity in this critical mineral production venture. The DRC also has offshore petroleum deposits that are produced by a consortium of foreign companies led by Chevron.

The ongoing conflict in the DRC has reduced the production of these minerals substantially since their economic peaks in the early 1970s; however, the mineral production from artisan and slag recovery operations alone are substantial enough to motivate foreign countries such as Uganda, Rwanda, Burundi, and Zimbabwe to fight for control of mineral producing regions of the country. Even today the revenue from this production provides important support to the economies of these foreign countries as well as to the struggling government of Joseph Kabila. In particular, the export of columbium-tantalite (coltan), the price of which exploded in 2000 to $200 per kilogram, from

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3 Kent Hughes Butts, *Resource Geopolitics: U.S. Dependence on South African Chromium*, Seattle: University of Washington, 1985, p.5.

the DRC by Rwandan army elements could have earned Kigali $20 million per month.[4]

Beyond its physical wealth, DRC is important to the geopolitics of Central Africa because of its geographic position. The DRC borders nine African countries and separates Angola from its petroleum rich Cabinda enclave. Metaphorically an elephant with a cold, the DRC's political instability could be contagious. This point is well known to state leaders in Central Africa, which partially explains the presence of forces from Chad, Uganda, Rwanda, Burundi, Zimbabwe, Angola, and Namibia in the DRC during the recent crisis. The DRC has figured prominently in the political instability of its neighbors, serving as a staging area for Western support to Uniao Nacional para a Independincia Total de Angola (UNITA) forces during the Cold War, initiating migrant worker border disputes with Zambia, and serving as a haven for political or economic refuges from the Great Lake states. Most bordering states are politically and/or economically weak. Ignoring destabilizing events in the DRC could easily result in the downfall of these regimes, regional instability, and conflict. The leaders of these states, as well as the international community, have a salient interest in remaining aware of events in the DRC.

The chapters of this book focus on the current conflict and provide insights into the leadership and motivation of the Kinshasa regime, the role of outside powers, the strengths and objectives of non-state actors, and the road ahead for the DRC, Rwanda, Burundi, and Uganda. Kisangani Emizet provides an insider's understanding of the non-state actors that have assumed the center stage. He explains the current conflict in terms of relevant historical events and the goals of the non-state actors. Pro and anti

4 "Report of the Panel of Experts on Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo," United Nations Security Council, 12 April 2001.

DRC forces have the potential to destabilize the region and are central to any strategy to resolve the conflict. Thus, Dr. Emizet provides an in-depth evaluation of these groups and the political accords, such as the Lusaka Agreement, designed to modify their behavior. Finally, he provides several possible scenarios for the future of the conflict.

Crawford Young addresses the current DRC regime, its leadership, and its potential for longevity. The surprising ascension of Joseph Kabila to power posed difficult questions for those seeking stability in the DRC. Would his tenure prove as ephemeral as that of his late father, Laurent Kabila, or decades long like Mobutu Sese Seko? Dr. Crawford draws upon his substantial experience with the Congo to explain the critical variables associated with Joseph Kabila's leadership, judgment, and skills, and the influence of foreign powers. He then addresses the cultural geographic phenomena that contribute to the continued sense of Congolese nationalism. He makes clear that this little explored ideology will play a central role in determining whether the DRC will disintegrate.

In 1964, at the peak of the Congolese rebel insurrection, rebel leader Christophe Gbenye proclaimed a revolutionary government in Kisangani that threatened the control of the Tshombe government in Kinshasa. The outside powers that figured most prominently in this crisis were Belgium and the United States. At that time, the regional states were struggling with the consequences of their own independence. In the current DRC conflict, the most prominent outside powers are the regional states. Ambassador Richard Bogosian examines the nature of the regional states' involvement, their goals, domestic imperatives, and potential for continued presence in the DRC. In so doing he provides keen insight into why seven of the nine neighboring states are in trouble, which eastern states will remain involved, and the relative influence of the southern neighbors.

The tension and acrimony from four years of warfare complicate efforts to develop a strategy to stabilize the region. Dr. Herb Weiss identifies the critical elements that affect the conflict in the East and suggests iterative measures for establishing a framework for stability. He examines the role of mediation, the U.N. Forces that are required to establish credibility, and the impact of non-state actors upon Rwanda, Burundi, and Uganda. In so doing he deepens our understanding of the Kinshasa regime's strategy in the war and the potential for stability that lies down the road.

These authors presented their research to the intelligence community during the *Workshop on Central African Security Issues* held at the U.S. Army War Center for Strategic Leadership. For these presentations, Dr. Steve Weighert, Dr. Barry Shutz, and Mr. Rick Ehrenreich served as discussants, enriching the subsequent dialogue with their keen observations, penetrating questions, and creative suggestions. The resulting discussions brought out many issues that facilitate one's understanding of the conflict: the impact of the previous immigrations of Hutu and Tutsi upon DRC land tenure and the traditional authority role of the chiefs; the evolution of African nationalism beyond the anti-colonial ideology of the past; Mobutu's strategy of maintaining strict control over Kinshasa, Lubumbashi, and other political and economic nodes while allowing the East to fester; and that the DRC is a more heavily armed country than it ever was under Mobutu and disarming the antagonists will require substantial forces.

The group of authors and discussants agreed that any solution to the DRC conflict will have profound implications for other Central African conflicts. However, measures to stabilize the region can only be successful if they recognize the political, economic, and ethnic variables that underlie the objectives and behavior of the non-state actors and outside governments, and the complexity of finding competent and representative leadership for DRC.

Chapter 2

The DROC: Non-State Actors on Center Stage

Dr. Kisangani N. Emizet
Associate Professor of Political Science
Kansas State University

I. Introduction

Laurent Kabila became the third president of the Democratic Republic of the Congo (DRC) in May 1997 after a seven-month civil war that toppled Mobutu Sese Seko. Angola, Rwanda, and Uganda sponsored the war hoping to have a friendly government in Kinshasa capable of securing their borders with the DRC. The Rwanda government even posted military advisors with Kabila and several of his ministers were reporting directly to Kigali. Uganda's President Mu Seveni dreamed of a direct route between Kampala and Kisangani that would open the DRC to Ugandan traders. Finally and more importantly the Congolese hoped that a revival would be seen in the DRC after more than thirty years of Mobutu's mismanagement and autocratic rule.

All these hopes were, however, dashed by Kabila's incompetence, mismanagement, and his support of *ex-Forces Armees Rwandaises* (ex-FAR) and *Interahamwe* militiamen who committed the 1994 genocide in Rwanda. Furthermore, Kabila was seen by Congolese as a Rwandan puppet when he repudiated the proceedings of the National

Conference. Kabila could hardly have endorsed the conference without accepting Tshisekedi, although had he done so, he would have gained the immediate support of a vast part of the population for whom the National Conference was the legitimate political basis for transition. In late July 1998, as Kabila was battling both internal and external pressures, he ordered all foreign troops to leave. This ended the military cooperation that lead to the overthrow of Mobutu and began the current conflict.

The war broke out on 2 August 1998. It was essentially an attempt to replace Kabila, seen as uncontrollable, by a regime more amenable to Kigali and Kampala. Just as the rebels were on the verge of taking Kinshasa, Zimbabwe and Angola came to the DRC's rescue as part of a military alliance within the Southern African Development Community (SADC). As the war dragged on, the late President Kabila was facing military setbacks that forced his alliance to rely heavily on forces from his neighbors' dissidents, especially the ex-FAR. Eleven months after the onset of the war, the different parties to the conflict signed the Lusaka Peace Accord. The accord aims at halting the war, stopping any attempt to overthrow the Kabila government, and coordinating efforts through the creation of a Joint Military Commission to contain and disarm foreign militias based in the DRC. By recognizing the role of non-state players in the conflict, the Lusaka Accord treated the conflict in the DRC as a civil war. Therefore, it undermined the sovereignty of the DRC by assuming that the Kinshasa regime was one of the competing groups that must negotiate with the rebels at the same equal level.

Although the Lusaka Peace Agreement remains the starting point of the peace process, its proponents have overlooked the fact that many important groups were not included in its resolution. The civil society, political parties, and traditional chiefs were all excluded from the peace process. Nonetheless, the positive aspect of the Lusaka Accord was to call for an Inter-Congolese dialogue that would set a government of national unity. The Gaborone

pre-dialogue meeting between the government, the civilian opposition, the rebels, and the civil society met in 20-24 August 2001. A fifty-day dialogue was set for October in Addis Ababa.

Described by many commentators as Africa's first world war, the conflict in the DRC involves several non-state actors and nations. Many explanations of the current war have been suggested including Kabila's authoritarian leadership, his support of various insurgent groups fighting his former allies, conflicts over land, access and control over resources of the DRC, as well as various political agendas. Three years since the outbreak of the war the toll on the people and the environment has been devastating. It is estimated that more than two million people are internally displaced in the DRC, and of these 65 percent are in the eastern part of the DRC. More than one million of the displaced have received absolutely no outside assistance. Worse than that, 2.9 million people in the DRC have died since the outbreak of the war, many from preventable diseases. At least 37 percent of the population, or 18.5 million people, have no access to any kind of formal health care. More than 15 million people have critical food needs. Officially, close to one million children have been orphaned by AIDS. The war has also destroyed more than 70 percent of the Kivu health and road infrastructure, which was mostly maintained by private citizens and Christian missions since the mid-1970's.

I have to point out that the current conflict is different from the previous one in many aspects. First, popular support is lacking. Second, the different rebel groups share no common agenda and their objectives are conflicting.

Third, the logistical capacity of these new forces is more limited than during the war of 1996. Fourth, only the Mai Mai group is seen as representing the Congolese people in the eastern DRC and its popular support is increasing. Finally, there is the uncertainty as to the duration of the conflict, given the economic interests of the different parties involved in the war.[1]

The purpose of this chapter is to analyze the role and viability of non-state actors in the DRC conflict. First is a brief historical overview in order to understand the role and goals of non-state actors. Second is a discussion of anti-DRC forces. Third, I analyze the pro-DRC forces and try to fit the Mai Mai movement within the conflict equation. I conclude with a few remarks that highlight several scenarios describing both probable pasts and probable futures.

II. A Brief Background: Land, Traditional Authority, Greed, and State Spoils

The current conflict in the DRC has its root in the nationality issue of the Congolese of Rwandan origin known as Banyamulenge and Banyarwanda. The Banyamulenge were incorporated in the DRC (then the Congo Free State) in 1885 when its borders were drawn. They migrated to South Kivu in the nineteenth century in searching of better pasture land and in escaping the army of King Rwabugiri who wanted to conquer the southern part of Rwanda, Kyaniaga, which was until then autonomous.[2] According to a similar historical view, these groups left Rwanda at the end of the nineteenth century to escape political rebellion in the Court of Mwami Musinga and moved toward the Itombwe area.[3] Since then, they have remained quasi-homogenous, preferring intra-marriage to inter-ethnic

1 For an analysis of these issues see Kisangani Emizet, "Domestic and International Root Causes of the Congo Conflicts: Prospects for Peace and Implications for Post-War Reconstruction," Kansas State University, Typescript June 2001.

2 Catharine Newbury, *The Cohesion of Oppression: Clientship and Ethnicity in Rwanda* 1860-1960 (New York: Columbia University Press, 1988), pp. 48-49.

marriages. The term Banyamulenge emerged in 1967 to distinguish the pastoral ethnic group living in the Mulenge or Itobwe area in South Kivu from Rwandan refugees, especially Tutsi, who started migrating in 1959. This new identity gave the Banyamulenge some historical legitimacy over their lands that had been accepted and negotiated by other local populations such as Bafulero and Babembe.[4]

On the other hand, the Banyarwanda were separated from Rwanda by the Convention signed on 14 May 1910 between the German Empire and the Belgian Kingdom that set today's boundaries between Rwanda and the DRC (then Belgian Congo) by which several Rwandan territories were incorporated in the DRC. Banyarwanda includes natives of Rutshuru (or Banyabwisha) in the North Kivu province, Rwandan immigrants during the colonial period, and some 50,000 Tutsi refugees.

If the Banyabwisha were separated from Rwanda in 1910, Rwandan immigrants started their journey to the DRC in 1937 when the colonial system implemented immigration policies that consisted of moving people from Rwandan overpopulated highly territory to land-abundant North Kivu. Three waves of migrations occurred from 1937 to 1955 in the zone of Masisi, mostly inhabited by the Hunde ethnic group.

In 1936, an act of cession was signed between the traditional chief of the Hunde, Kalinda, who received 29,600 Belgian francs in compensation for 350 square km of land (19.5 km x 18 km) in Gisharia to host the first group of Rwandan migrants. This piece of land became administered by a Tutsi chief chosen by the first group of

3 Jean Hiernauz, "Note sur les Tutsi de l'Itombwe: La Position Anthropolgique d'unde Population Emigree," *Bulletins et Memoires de la Sociere d' Anthropologie de Paris*, Serie 19, No 7 (1965), pp. 361-379.

4 Jean-Claude Williame, "Banyarwanda and Banyamulenge," *Cahiers Africains* No 25 (March 1197); P. Mathieu and M. tsongo, "Guerres Paysannes au Nord-Kivu (Republique Democratique du Congo), 1937-1994," *Cahiers d'Etudes Africains*, 38, 2-4, (1998), pp. 385-416.

immigrants in 1937. One year later, local Unde chiefs in Masisi became alarmed by the high percentage of Tutsi (72 percent) over Hutu (28 percent) within this first group of immigrants. (Note that the Tutsi are pastoral, whereas the Hutu are agriculturalist.) A high percentage of Tutsi meant a few people per square km of land in an environment where people lived in farming the land. In the second semester of 1939, the Governor General of the colony reversed the trend through a decree by emphasizing more Hutu immigrants into the DRC than Tutsi. Belgian authorities nominated Hutu as chiefs of the immigrants in the Masisi area to distinguish them from chiefs in Rwanda, who were mostly Tutsi. This policy of demarcation was critical as it initiated a major policy so that Hutu became the majority of the immigrant population in North Kivu. From 1937 to 1945, some 25,000 Rwandans moved to the area.

The second phase occurred between 1949 and 1955 when a major famine swept Rwanda in which 60,000 additional people moved to the hills of Masisi. Some of these people had to be placed beyond the 350 square kilometers allocated to Rwandan immigrants. The colonial administration moved the second wave of Rwandan migrants to the Hunde collectivities of Washali-Mokoto. In the 1950's the Rwandan immigrant population occupied some 1,500 square km of land in the Masisi area.[5] These official waves were not without local resistance. In addition to these organized migrations, the Belgian rulers recruited some 80,000 Rwandans to work in the Congolese plantations and mines located in South Kivu, Maniema, and Katanga.

The third wave of immigrants, approximately 60,000, occurred in 1959-1961 during ethnic conflict in Rwanda. These were political refugees and most of them went to Masisi, Kalehe, Fizi, and Walikale. By 1966, the United Nations Human Rights Commission (UNHRC) registered 25,000 and by 1972, only 21,000, and the rest were probably

5 Kisangani Emizet, "The Massacre of Refugees in Congo: A Case of U.N. Peacekeeping Failure and International Law," *The Journal of Modern African Studies* 38, 2, (2000).

absorbed in the local Rwandan population in the DRC. Five territories have been affected by these immigrations: Goma, Karisimbi, Rutshuru, Walikale, and Masisi became a minority in their own territory. In other words, the population of Rwandan origin is now the second largest group in the North Kivu after the Nande of Beni and Lubero.

Thus, the issue of land tenure in highly populated North Kivu has been most acute in Masisi where local ethnic groups have been outnumbered by the Banyarwandan immigrants. Although the distribution of the population over land remains critical, it is the declining role of traditional chiefs as custodians of the land that is also at the root of conflict in the DRC. In fact, the issue of land was never a major issue in the 1950s because the traditional

Table 1. *Composition of Ethnic Groups in the North Kivu as of 1992*

Counties	Locals	Rwandan Extraction	Percentage	Total 1990	Percentage
	(1)	(2)	(2)/(1)	(3)	(2)/(3)
Beni	651,990	1,013	.002	653,003	.002
Goma	50,008	9,256	.19	59,003	.16
Karisimbi	52,788	5,834	.11	58,622	.10
Lubero	767,835	3,325	.004	771,980	.004
Masisi	172,166	320,811	186.00	492,977	.65
Nyiragongo	24,939			24,939	
Rutshuru	381,077	100,849	.26	481,926	.21
Wailikale	166,077	23,094	.14	189,505	.17
Total	2,267,214	464,182	.20	2,731,396	.17

Computed from Leon de Saint-Moulin, *Atlas des Collectivites du Zaire* (Kinshasa: Presses Universitaires du Zaire, 1976) and Jean-Pierre Pabanel, "La Question de la Nationalite au Kivu," *Politique Africaine* 41 (March 1991), p. 36.

land tenure based on patron-client ties was respected by all the parties. The chief and his vassals granted user rights over land to their clients in exchange for loyalty.

In the 1960s, however, this system confronted an increasing scarcity of arable land and became a major issue of contention as the decolonization process brought new, lucrative commercial activities that benefited the Rwandan immigrants. In fact, an increase in smuggling activities in the Kivu area increased exports of palm oil from Maniema, tea, gold, and coffee from North Kivu via Rwanda-Burundi to Eastern Africa. A link between Rwandans and Asian traders developed and facilitated smuggling activities after the end of the colonial period. In addition to their commercial activities, several other Rwandans emerged as political leaders of the Kivu provincial government and they became strongly opposed to any type of federalism in the DRC.

To deal with the continuous illegal migrations of Rwandans, the electoral legislation of March 1960 stipulated that all Rwandan and Burundian immigrants in the DRC before March 1950 had the right to vote. However, this was changed by the Law of 27 April 1962 which inaugurated federalism and increased the number of provinces from six to twenty-one. This law also engendered centrifugal forces regarding the allocation of legislative seats in the provincial assembly.[6] Furthermore, the law created a string of "contested" territories between two or more provincial authorities. These territories, which also included Goma and Rutshuru inhabited by Congolese of Rwandan origin, became under the authority of the central government and were legally subject to a referendum. By the time the United Nations (U.N.) defeated the Katanga secession in 1963, most of these contested areas were still unscheduled for a referendum.

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6 See Williame, op.cit.

In 1964, the nationality issue became more restrictive. The Constitution of 1964, especially its Article 6, states that Congolese nationality is exclusive to only those people whose ancestors were members of any ethnic group that has lived in the DRC before 18 October 1908. This article automatically excluded most Congolese of Rwandan origin who migrated into this DRC between 1937 and 1955, unless they made a special request within 12 months to change their nationality of origin. Despite some clashes between the Banyarwanda and local groups after the enactment of the law, the situation never escalated to a major conflict, except in 1964-1965 after the Banyarwanda rebelled following provincial and legislative elections in Masisi that suspiciously gave the majority of seats to the Hune group.[7] Since 1965, the Banyarwanda have been trying to put in place their own structure of power by disregarding local tradional authority. Because Mobutu had no control over Kivu he ruled it through indirect rule.[8] This indirect rule in the Kivu provinces made the Banyarwanda immigrants quite powerful. Furthermore, President Mobutu used a "divide and rule" policy to play the ethnic card in the Kivu area by siding with one group at the expense of the other according to circumstances and opportunity. In the 1970s, Mobutu sided with the Banyarwanda against local groups that contested his authority. Local Hunde-Nyanga-Tembo groups accused the Banyarwanda of creating a secret hierarchical structure to advance their political and economic interests at the expense of local groups.

The conflict over land in the Kivu area emerged from many causes. The first was an increase in rural population due to an increase in the growth rate of the population. The second cause was an over concentration of rural population and massive migrations from Rwanda. The third main reason remains a quasi-absence of industrial development to absorb labor surplus from rural areas.

7 Mathicu and Tsongo, op.cit.

8 Note that Mobutu used direct rule in western provinces that he could control.

Even though land rights and traditional authority are major causes of ethnic conflict in Kivu, economic and political visibility of the Banyarwanda has frustrated local groups and created a sense of loss that led to hatred. In the early 1970s, the Banyarwanda gained high political visibility in the Office of President Mobutu following the appointment of Bisengimana Rwema to the position of Chief of Staff. The result was the law of 5 January 1972 that conferred Banyarwanda, especially natives of Rwanda and Burundi, Congolese (Zairean) citizenship. From 1972 to 1980, their influence in the political life of North Kivu was resented by other ethnic groups for whom this influence represented domination by foreigners. These groups also claimed that they were marginalized by Tutsi immigrants throughout the Mobutu period and their land ownership rights in the hills were jeopardized.[9]

In addition to this law, the Bakajika Law substituted traditional land tenure system for a more legal ownership that benefited the Rwandans. Furthermore, the nationalization of small and medium sized firms that occurred in November 1973 helped Banyarwanda acquire 45 percent of arable land in Masisi, which they used as pasture in a region in which agriculture provides a livelihood for more than 70 percent of the people. They also acquired 90 percent of all nationalized businesses in North Kivu.

An event occurred in 1977 that reversed Tutsi power in government. Bisengimana was accused of pocketing more than his share of commissions from a Kisangani-based textile plant. After his removal from the Office of the President as Chief of Staff, Kivu politicians lobbied in the parliament to pass the law of 29 June 1981, which explicitly canceled the rights of the Banyarwanda in Kivu, except for

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9 Abbas H. Gnamo, "The Rwandan Genocide and the Collapse of Mobutu's Kleptocracy," in H. Adelman and A. Suhrke (eds), *The Path of a Genocide: The Rwanda Crisis from Uganda to Zaire* (New Brunswick and London: Transaction Publishers, 1999), pp. 321-349.

the native Banyabwisha. The law also denied Congolese of Rwandan origin from holding any public office. Article 4 stated that Congolese were all those whose ancestors belong to one of the ethnic groups that were established in the DRC in its boundaries of 1 August 1885. Nonetheless, Article 15 provided a provision that the president had discretionary powers to confer the Congolese nationality after consultation with the Central Committee to anyone on the basis of his or her past services to the nation. Thus, many members of the establishment who were of Rwandan origin were exonerated from the 1981 immigration law. After the 1981 law, Mobutu encouraged an anti-Banyarwanda sentiment among local ethnic groups.

The Tutsi issue in the DRC remained dormant until April 1990 when Mobutu started the democratization process. As the process dragged on, it ignited an already tense situation, as the Hunde, now a minority group in Masisi, feared that the democratic game would isolate them from power and state spoils at the benefit of the Banyarwanda. In early 1993, several clashes between the different groups took the lives of more than 12,000 people.[10] By early 1994, local chiefs were able to stop the violence and bring some semblance of peace to the area. During the same year, the ex-FAR and Hutu militiamen also attacked the Banyamulenge, who put up military resistance. Some of them fled to Rwanda where they joined the military wing of the Rwandan Patriotic Front or the Rwandan Patriotic Army (RPA).

In late 1995, the Transitional Parliament adopted the 28 April 1995 Resolution that stripped Banyarwanda and Banyamulenge of their Congolese nationality. The parliament act was a national response from Kivu politicians who feared to lose in the elections if the democratization process proceeded because the natives had become minorities in their own areas after the massive

10Kisangani Emizet, *Zaire after Mobutu: A Case of A Humanitarian Emergency* (Helsinki: United Nations University/World Development for Economics Research, 1997).

influx of Rwandans in 1994. On 6 October 1996, the deputy governor of South Kivu asked the Banyamulenge to leave in accordance with the 1995 resolution. He gave them six days to vacate the Mulenge area and go back to Rwanda or be attacked and killed. The Banyamulenge refused to leave and turned to the Rwandan Tutsi government for help. This call for help was what the Rwandan government was waiting for to deal with its own conflict. Later that year, Mobutu's undisciplined and incompetent armed forces put up little resistance when Tutsi soldiers helped Congolese rebels, headed by Laurent Desire Kabila, to seize the town of Goma and other eastern parts of the DRC. The campaign to topple Mobutu lasted seven months and Kabila's forces entered Kinshasa on 17 May 1997.

Several weeks later the Mai Mai turned against Kabila and accused him of selling out Kivu to Rwanda. In mid-1998, Rwanda and Uganda denounced Kabila for failing to deliver peace in eastern DRC. Less than 14 months after he became president, Kabila confronted a "war of liberation" against him. The number of non-state players in the current conflict and the uneasy coexistence of their competing agendas characterize the DRC de Facto partition into three occupied zones by different rebel groups and one governmental area.

III. The Rebels or Anti-DRC Forces[11]

3.1 The RCD-Kisangani (RCD-Liberation Movement or RCD-ML) and the RCD-Goma

The anti-Kabila revolt started as a cohesive group called Congolese Rally for Democracy (RCD). The foreign backers of the rebellion, Rwanda and Uganda, hastily assembled most of the fifty founding members of the RCD in exile. President Museveni of Uganda viewed the rebellion as a movement to be staffed by ideology and he fostered the

11 This section relies on information from many sources that included personal correspondence, *Africa Research Bulletin, Africa Confidential, The Guardian, New York Times, Washington Post, International Herald Tribune, and Lexus-Nexus*.

emergence of political and military organizations modeled on its own movement system and people's army. He carefully selected young Congolese intellectuals who combined military and ideological training aimed at attaining his objective. On the other hand, General Kagame of Rwanda thought of the rebellion as an instrument to protect Rwanda from its insurgent groups and to foster Banyamulenge's goal to capture power in the DRC. These practical differences between the two backers of the rebellion sowed the first seed of division and power struggle within the RCD. In early August 1998, however, Wamba dia Wamba emerged as the chairman of the RCD after an initial struggle over the position.

Kagame and Museveni requested that he form a government, which they expected to install rapidly in Kinshasa. However, the lightening campaign to capture the capital city failed. As the war dragged on, fissures materialized within the fragile coalition of the RCD and constant leadership disputes produced political confusion.[12] The confusion gave Mobutu supporters an opportunity to be involved in the rebellion and they took advantage of the situation to swell the ranks of the movement.

In May 1999, Wamba was evicted in Goma and moved to Kisangani, which was controlled by Rwandan and Ugandan troops, to create RCD-Kisangani as opposed to original RCD-Goma. Rivalry over the mineral resources of Kisangani precipitated further divisions as Rwandan and Ugandan troops confronted each other in August 1999. Meanwhile, the Lusaka peace process was underway and no agreement emerged among rebel leaders about whom to represent the organization. The battle of Kisangani was also caused by disputes over which RCD faction would sign the Lusaka cease-fire accord. Because neither faction could be eliminated, all the members signed and affixed their

12 A major defection in early 1999 was the rebel leader Arthur Zahid Ngoma. He was at odds with the other RCD leaders, whom he considered to have ceased having any democratic ambitions when they rejected his motion calling for an opening up of the movement to the wider Congolese public.

names in alphabetical order to avoid more quarrels. No one questioned how a movement, which could not even agree on its representatives, could carry out its obligations under the accord.

Thus, the RCD-Goma continued to control the military contingent of the rebellion and the RCD-Kisangani initially had no significant military arm. Attempts by the Ugandan army, the Ugandan People's Defense Forces (UPDF), to train some Congolese recruits for the RCD-Kisangani angered the Rwandan commanders in Kisangani. They sought to dismantle the training camp, actually arresting dozens of recruits under the pretext that they were members of the extremist Hutu militias that perpetuated the 1994 genocide in Rwanda. Furthermore, Rwandan soldiers in Kisangani prevented Wamba from holding public meetings to rally the support of the population.

After Rwanda defeated Uganda in August 1999 in the battle of Kisangani, Wamba felt insecure and relocated his office to a presidential guesthouse in Kampala where, in September 1999, he established the RCD-ML, a reincarnation of RCD-Kisangani. He announced that Bunia would be the new headquarters. He nominated two deputies-Mbusa Nyamwisi and Ateenyi Tibasima. Nonetheless, soon his two deputies set up their own separate administrations in their hometowns of Beni and Bunia, which were both controlled by Ugandan forces. Furthermore, the two deputies raised their own army along ethic lines from Nande and Hema tribes, although they had no authority to do so. They called it *Armee Populaire Congolais* (APC). In both instances, the Ugandan army provided the instructors who trained and armed hundreds of recruits at the Nyaleke training camp in Beni and an Rwampara training camp in Bunia. In early 2000, Wamba repudiated this recruitment strategy and announced the formation of a representative army to include as many ethnic groups as possible. He also created his own presidential guard called "Presidential Protection Unit."

Despite the existence of these military factions, the Ugandan army sector commanders exercised ultimate authority over all military and security matters in each district. In July 2000, some RCD-ML military elements, mostly Hema, and some Congolese Banyamulenge left the RCD-ML to join local Hema militiamen in the bush to fight the Lendu on land issues. The defectors declared they would come to Bunia and oust Wamba. On July 22, the Hema defectors attacked the village of Nyakunde and were on their way to Bunia. Wamba's camp circulated reports that the defectors were Ugandan insurgents-the Allied Democratic Force (ADF) and the National Army for the Liberation of Uganda. This was enough to persuade Museveni to send strong reinforcements to Bunia by air and road, including armored vehicles and a reconnaissance helicopter gun-ship. As it turned out, the insurgent group was a group of RCD defectors called "Leopard Mobil," composed of teenagers who have decided not to work with Wamba because of his poor administration.

In November 2000, Mbusa accused Wamba of being anti-Uganda and his forces attacked the Wamba presidential home. Other factions also emerged that included RCD-National led by Roger Lumbala in Bafwasende and RCD-Populaire led by Nyonyi Bwanakawa, the governor of North Kivu. In June 2001, the RCD-ML claimed to have some 45,000 soldiers. However, the real number is close to 15,000 and most of these soldiers are teenagers and far less experienced than their Ugandan masters. So far, the RCD-ML controls central-eastern DRC led by Wamba. Without Ugandans, this faction is likely to explode and create a major humanitarian emergency in Beni, Lubero, Tshopo, and Ituri.

After the eviction of Wamba from the RCD-Goma in March 1999, the RCD appointed General Emile Ilunga to take charge of its military operations and agreed on a new unity among factions that had broken away from Wamba. Thus, the RCD's leadership became an executive committee of three members: President Emile Ilunga, first Deputy

Jena-Pierre Ondekane, and second Deputy President Moise Nyarugabo. The RCD-Goma has a larger military contingent of close to 18,000 men and many of these rebels are also teenagers.

The RCD-Goma has also suffered other leadership changes. In February 2000, several rebel leaders wanted to remove Emile Ilunga from the leadership position. Several discontented rebels accused him of failure to act independently of their Rwandan ally. Others accused the commander of the rebel forces, Jean Pierre Ondekane, of not being up to the task and not being in control of field operations. Then in November 2000, the RCD-Goma nominated Adolphe Onosuma as the new leader of the RCD-Goma.

3.2 The Congo Liberation Movement (MCL)

On 9 November 1998, a new rebel group emerged in the Equateur province. Within a couple of weeks, Jean-Pierre Bemba and his MLC captured several towns in eastern Equateur and western Oriental province. The support of the Ugandan government to the newly formed group was not welcomed by the RCD group. Bemba, a businessman from Equateur whose father supported Mobutu, was able to create an army from former Mobutu presidential guards and several ethnic groups in his region of Equateur. The movement is funded by military men who were generals under the former regime and are keen to regain power. The MLC controls the northeast DRC. Just like the other groups, he relies entirely on the Ugandan army to conduct any military operations.

However, the disorganization within the RCD-ML spawned even smaller splinter groups with limited personal or local agendas weakening the Ugandan base of political support in the DRC. In late 2000, the RCD-ML was on the verge of collapse when the MLC emerged as a strong rebel group in the northwestern front. For President Museveni, Bemba was the right person to save the RCD-ML and other splinter groups. He proposed a merger of all groups under

the banner of the Front for the Liberation of Congo. Today Bemba also controls most diamond deposits in the Equateur and is taking more than 20% ad valorem export tax on these gems.

3.3 Goals of Anti-DRC Forces and Their Record

The current conflict started in August 1998 because Kabila was criticized by his close associates for being authoritarian in his leadership and for developing a personality cult like his predecessor. Thus, the two wings of the RCD and the MLC promised to achieve three major objectives: the restoration of a federal state, the establishment of a liberal system, and the development of an open economic system.

In order to understand the real objectives of these rebel groups, it is critical to look at their records after three years of conflict. The first goal is the establishment of a federal state. So far, centralization is the rule in areas dominated by the three rebel groups and they all seem reluctant to establish a federal system that will give local authorities more power on matters that concern their communities.

The second goal is the democratization process. Since they began their military campaign, none of the rebel leaders have ever attempted to hold open elections in occupied territories. Records of human rights abuses and extra judicial killings indicate a process of ethnic cleansing of non-Tutsi ethnic groups in North Kivu. Several investigations made by Human Rights Watch in areas controlled by both wings of the RCD have documented a pattern of involvement of the rebels and their Rwandan and Ugandan backers in civilian killings and other extra judicial killings and executions. The frequent leadership disputes in the RDC-ML exacerbated ethnic tensions and reignited a deadly inter-ethnic war in the region between the agriculturalist Lendu and the pastoralist Hema, who are identified with the Tutsi and Ugandan Hema. At least 7,000 people were killed. The conflict flared up when Ugandan officials around the same time unilaterally passed

a decree creating the province of Kibali-Ituri in the disputed area and appointed mostly Hema officials in control of its administration.

Most civilians in eastern DRC are trapped between the armed contenders for power in the region. The different rebel groups have systematically violated international humanitarian law through indiscriminate attacks on civilians, summary executions, torture including rape, other kinds of cruel treatment, pillage, and the destruction of civilian property. However, victims and witnesses of attacks had difficulty identifying the perpetrators because the number of forces operating in eastern DRC is too numerous and confusing. In recent months the Rwandan government has sent Hutu Rwandan soldiers to the DRC and this move has further complicated the identification of perpetrators. My recent communication with some professors in eastern DRC indicates some informal complicity between Hutu RPA troops and predominantly Hutu armed groups, with RPA soldiers refusing to fire on the Hutu armed groups that are attacking people in such places as Kalonge and Bunyakiri. Even members of NGOs and human rights groups are mistreated by the RCD. Lack of due process totally contradicts the rebel group's aim of establishing a democratic society. The International Rescue Committee has issued an alarming report accusing both wings of the RCD and their backers (Rwanda and Uganda) of mass murder, rape, starvation, and disease. The report accuses these forces of having directly killed more than 480,000 people. Furthermore, some 2.4 million people fell victim to the consequences of war such as hunger and disease.

It is reported almost everywhere that the rebels are detested in the areas they have now occupied for more than a year. For the people in the east of the country, the RCD men are intruders and their leaders are upstarts. True, they blame Kabila for his opposition to democracy and his inability to govern the country, but the rebels are worse. Political parties are not allowed to operate in the occupied

areas, those who defend human rights are persecuted or silenced, public service employees in the areas under rebel control are not being paid, and the assets of public undertaking are confiscated by the rebels to fund their activities. Congolese troops in the rebel army are also discontented. Their pay is derisory because they are paid in the local currency, whereas the well-equipped Rwandan and Ugandan armies are paid in dollars.

Unpopular because of Rwanda-Uganda invasions, both wings of the RCD have never really managed to get a firm foothold in the east of the country which they claim to control. They have forgotten the democratization process. Rebel leaders have tried to reach out to student groups and tribal leaders in the area they now hold with minimal success. The rebellion has not persuaded the population that it is a genuine force to change for the Congolese hungry for a deep change. Furthermore, Rwandans are strongly disliked in much of the DRC, partly because of hostility to the Tutsi ethnic group which governs Rwanda but also because many people hold Rwanda responsible for much of the killing in the rebellion that brought Kabila to power as well as the current ethnic cleansing in the Kivu area in which more than 2.4 million have died from war.

The war has also destroyed the environment. First, road and health infrastructures, which were maintained by Christian missions and traders in Kivu since the mid-1970's, have been totally destroyed by the rebels, who claim to have a vision of development. Second, the World Wildlife Federation Fund issued a report in May 2001 chronicling the havoc the war in eastern DRC has wreaked on the environment. Much of the volcanic soil has been stripped of its natural resources and endangered species have been decimated by illegal hunters, poachers, and the starving. In addition, thousands of unpaid soldiers, militias, and guerillas in the region have been attacking remote villages, pillaging for food, and harassing and killing innocent civilians.

Finally, there is greed over the wealth of the DRC. Rwanda and Uganda as well as their rebel groups have been involved in the exploitation of mineral resources in the DRC. The rebel group backed by Uganda is accused of controlling gold mines in Bafwasende and other areas. Goma rebel leaders also acknowledged to raising more or less $200,000 per month from diamonds and close to $1 million a month from coltan. Therefore, the DRC's rich resources provide easy ways to finance the conflict and the rebels have already been successful in setting up financial administrative bodies in their controlled areas, especially with regards to trading with Rwandan and Uganda.

The MLC also seems to have the same problems. Its leader set almost the same agenda intended to oust Kabala in order to democratize the society and to build a market economy. Given the dominance of Mobutists in its rank, how would a group that had remained in power for thirty years change its kleptocratic habits over night? Could former Mobutists be willing to institutionalize democratic institutions? The fact is that most of them have no local constituencies.

Finally, the rebel groups were supposed to administer and manage the zones "liberated" by their troops and to do so they needed a program of development and a budget. Instead they have no political coherence, no budget, and no programs. The war waged by the different rebel groups has ceased to be a liberation war and has become a war where one dictatorship would be replaced by another. Both wings of the RCD and the MLC have failed to mobilize the public opinion of the Congolese that they intended to liberate.

IV. Pro-DRC Forces

4.1 The Ex-FAR and Interahamwe

The victory of the Rwandan Patriotic Front in June 1994 ended Hutu rule and began the leadership of minority Tutsi for the first time in the history of independent Rwanda. The result was the end of genocide and the outflow of 1.72 to 2.1

million Hutu refugees to Burundi, Congo, Tanzania, and Uganda. Of this outflow, Congo hosted 1.1 to 1.25 million. Among them were some 20,000 to 25,000 ex-FAR and 30,000 to 40,000 Hutu militiamen (*interahamwe* and *impuzamugambi*) who were responsible for the genocide in Rwanda. The ex-FAR and Hutu militia represented less than 6 percent of the Hutu refugees, but their presence in refugee camps would affect the political situation in Congo in two ways.

First their mere presence in North and South Kivu provinces of Congo tipped the demographic balance in favor of the Banyamulenge and Banyarwanda. The second major impact was the security of the new Rwanda government, which was dominated by Tutsi. Soon after crossing borders, the ex-FAR began launching armed attacks into Rwanda from bases in refugee camps, making Rwanda ungovernable. To protect its borders, Rwanda launched an attack on refugee camps and decided to topple Mobutu.

In their hot pursuit of ex-FAR throughout the DRC jungles, the Rwandan Tutsi soldiers killed more than 233,000 innocent Hutu refugees.[13] In the pursuit, thousands of extremist elements responsible for the genocide were not confined to DRC alone. Today, there are numbers of such groups in Tanzania, in the Central African Republic, and throughout French speaking Africa, not to mention the networks organized from Belgium, Switzerland, and Canada. It is estimated that the DRC hosts close to 4,500 ex-FAR and more than 3,000 are in the Kamina military base.

The influx of refugees and the presence of the ex-FAR in the Kivu area altered inter-ethnic relations in Kivu. In North Kivu (Goma), this broke an old alliance within the Banyarwanda, who until July 1994 had fought together against local Hunde and Nyanga groups when the Hutu and the Tutsi were involved in ethnic conflict in Rwanda. The

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13 Emize, op. cit. (2000).

arrival of Hutu refugees also fueled ethnic hatred toward the Banyamulenge in South Kivu. Thus, the arrival of the anti-Tutsi ex-FAR and Hutu militiamen only fueled local hatred of the Tutsi over land and nationality issue. Tensions flared and local politicians used the Hutu refugees to exploit rivalry over nationality rights in the two provinces.

In order to set up their Hutuland, the ex-FAR and Hutu militiamen began launching attacks on the Tutsi Congolese with the help of local ethnic groups who used the opportunity to settle their old scores with the Banyarwanda and the Banyamulenge. In mid-1995, the ex-Far, Hutu militiamen, and local groups started attacking the Banyarwanda in North Kivu. Then the ex-FAR turned against the local population and drove hundreds of thousands of Banyarwanda Tutsi and local people out of their land in order to set up a "Hutuland" from which to launch attacks on Rwanda. An estimated number are still operating in North Kivu and have been able to mobilize an anti-Tutsi sentiment among the Nande and the Hunde people.

As one suspects, the goal of the ex-FAR and their leadership is to regain power in Rwanda. There seems to be some type of rapprochement between Hutu and Tutsi royalist. The Tutsi movement was supposed to restore the monarchy, but Kagame isolated the royalists and consolidated his own power. The Tutsi minority in power in Kigali cannot overlook the majority, because if it does the international community might also witness the Burundian nightmare in Rwanda that has so far resulted in more than 889,000 people dead in Burundi since the 1972 genocide.

4.2 Anti-Burundi Forces

The two major insurgent groups against the government of Burundi are predominantly composed of Hutu – the National Liberation Forces (Forces Nationales de Liberation (FNL) and the national Council for the Defense of Democracy-Forces for the Defense of Democracy (FDD).

The FNL and FDD have recruited Rwandan Hutu in Rwanda, in the DRC, and in Burundi to continue the war against the government. Thousands of ex-FAR are now reported to belong to these Burundian insurgent groups. Until the democratic process takes root, peace will remain a scarce commodity in Burundi.

4.3 Allied Democratic Forces (ADF)

The ADF rebel group has been fighting the Ugandan government since 1996 in the southwest of Uganda near the border with the DRC. Composed of Tabliq Moslem, the ADF rebels are from the moribund National Army for the Liberation of Uganda and soldiers from the overthrown governments of Rwanda and the DRC. They accuse Museveni of being a foreigner trying to establish a Tutsi empire in the Great Lakes region. They are now receiving their support from Iran and Sudan.

Recently, Congolese militias have worked with the ADF which is fighting the Ugandan army in the west of the country. They have intensified their operations in Kampala and have reportedly established an operational base in the Wakiso district near Kampala. They have targeted diplomats and have carried out acts of robbery and bombing. The support this movement is receiving from some Muslim countries is likely to remain a major threat to the Museveni administration. Therefore, the longer the duration of war in the DRC, the more likely this group might regain some momentum in the Great Lakes region.

V. The Mai Mai Militias: Where do they fit?

The Mai Mai movement came to prominence in the 1964 rebellion. Born from the Mulele rebellion in 1964 in the western Bandundu province, the Mai Mai movement was revived in Kivu against the background of ethnic rivalry and land disputes. The different Mai Mai groups were formed by traditional leaders of the native Kivu tribes, mainly Hunde and Nande, and owe their name to a corruption of the Swahili word for water, *maji*. They are

united by a common hostility toward the Tutsi settled in the Congo as they see them as immigrants from Rwanda who have no claims to land rights. The movement was also encouraged by native politicians when the democratization process started as these politicians felt threatened by the number of Rwandan immigrants. The Mai Mai movement cuts across ethnic groups that spread from North Kivu to South Kivu. Ethnic groups that are loosely allied with the Mai Mai include the Nande, the Tembo, the Nyanga, the Bafuliro, the Havu, and the Hunde. The Mai Mai movement in the South Kivu is only loosely connected with the Mai Mai in the North Kivu and generally carries out separate military operations. They have three commanders: Louetcha, Dunia, and Padiri.

A large portion of Mai Mai consists of young people averaging 16 to 20 years old. Although their engagement is due to the lack of economic and social opportunities, one major objective is to fight the dominance of the Tutsi Banyarwanda who had settled in North Kivu near Masisi and Rutsuru over land and traditional authority. The Mai Mai groups have shifted alliances to achieve their objective.

In 1996-1997, during the war that brought Kabuli to power, they fought alongside the Banyamulenge in their attacks against the Interahamwe militias and the ex-FAR. Between 10,000 and 25,000 Mai Mai youth joined the ADFL forces during the war that toppled Mobutu. They nonetheless maintained their separate identity after the war despite an effort to deploy them in other parts of the country. After Kabila took power, they accused him of having sold the North Kivu to Rwanda and of being a Rwandan puppet. They quickly began to desert the ADFL and return to their bases in North Kivu. The first sign of ethnic issues emerged in the late 1997 when the Mai Mai fighters started fighting against the government of Kabila.

To understand the Mai Mai movement, we need to analyze the historical contour of Kivu areas where local traditions remain an intrinsic part of the social life. Most

political entities in Kivu are organized around chieftaincy and small complex principalities in which *mwamis* (local chiefs/princes) have some mystical power over land, which remains the source of life in agrarian societies.

The 1973 nationalization program encouraged local barons in the eastern Congo provinces of Kivu to build their own networks of clients along ethnic lines. This reinforced the autonomy of local barons vis-à-vis central government or Mobutu's control. Because Mobutu barely controlled the Kivu provinces, the nationalization policy deepened ethnic cleavages as it gave some groups huge material advantage. More specifically, the nationalization of November 1973 helped the Banyarwanda acquire more than 48 percent of arable land in Masisi and more than 90 percent of nationalized businesses in North Kivu. With their economic advantage over locals and increasing political visibility, the Tutsi were able to counter traditional authority and to subdue it.

A number of ethnic groups in Kivu are now sending their children or young recruits to join the Mai Mai warriors, because they see them as a legitimate force fighting against the foreign occupation, even though they are guilty of undisciplined behavior and pillaging. Their goal is to drive out foreigners in the Kivu area and restore traditional authority. In fact, the Rwandan presence in Kivu has created bitter resentment among local Congolese ethnic groups. Anti-Tutsi sentiment is on the rise as the RPA continues to carry out operations in North Kivu. Non-Tutsi ethnic groups regard Rwanda as a force of occupation bent on conquering the Kivu provinces. As the war drags on, most civilians would side with the Mai Mai that they see as truly representative of their aspirations. This may be a major cause of ascendant Congolese nationalism that would be hard to control.

VI. Conclusion

This brief overview of non-state actors in the DRC conflict provides several implications. First, in the eyes of

many Congolese, Kabila has become a national hero just like Lumumba before him, because he refused to bend to foreign domination. The creation of these heroes has tremendous consequences for state building and nationalism. Second, the reasons initially invoked for the war have faded to reveal the belligerents' real motives-shameless plunder of the Congo's riches. In the eastern part of DRC, the Societe Miniere des Grands Lacs (SOMIGL) has a monopoly on the purchase of "coltan." SOMIGL exports all ores to Rwanda and from there ores are channeled to Europe and the United States by three companies: Africom, Promeco, and Cogecom (respectively Belgian, Rwandan, and South African). The wealth extracted from the DRC, which is used to fund the Rwandan defense budget, has fueled the emergence of a new corrupt political and military class in rebel groups, Kigali and Kampala. Thus, the war in the DRC and the lucrative business provided by the war to all the parties fit quite well into the argument supported by proponents of a divided DRC that the DRC is ungovernable, too big, too diverse, and probably should break up. This will open the way for a federation of provinces or a constellation of microstates that would have special relationship with the adjacent countries for trade purposes.

The fact is that no one has even tried to ask Congolese about this outcome. Surprisingly, all Congolese are deeply attached to the idea of unity through some type of nationalism that goes back to Lumumba, and revived by Mobutu and Kabila. This nationalism is sometimes tinged with chauvinism, and suspicion of neighboring countries and foreigners in general, including the U.N., whose disastrous role in the early years of independence has not been forgotten. People tend to overlook the fact that Kabila broke his relation with Rwanda not because he was afraid of the two allies, but because of this nationalism and some sense of grandeur that the Congolese attach to the wealth they feel is an object of envy by neighboring countries, Africa, and the West. The current plundering of DRC's

minerals only reinforces what Congolese have always suspected about their neighbors and the West.

Most Congolese argue that the Rwandan and Ugandan presence in the DRC on security reasons has become a pretext. They maintain that the real motives are much more devious. According to several interviews I have conducted with the diasporas in North America and Western Europe the genocide of the Tutsi is now invoked to play on the international community's sense of guilt and persuade the United States to look with a kindly eye on what is nothing less than a plan to conquer and control the resources of the DRC. The exercise has gone far beyond a hunt for renegade Hutu. In other words, their presence inside the DRC hundred miles away from their own borders is inconceivable on security grounds.

Let me conclude with several scenarios. The first scenario is to assume that the inter-Congolese dialogue is successful and that the different parties agree on the formation of a government of national unity. In this scenario, the different parties have three choices: first is to accept Kabila as both head of state and head of government; second is to accept him as a symbolic president and to confer power to a prime minister from the opposition or outside the opposition; third is to reject him. What is the best solution?

The second scenario is that the dialogue is unsuccessful. Four paths emerge here: first is the continuation of the war until war fatigue sets in; second is government victory and another General Joseph in power for 32 years; third is a rebel victory depending on which rebel group wins the war (chaos or prosperity); and fourth is the continuation of the war until the breaking up of the DRC. What is the best outcome here?

This brings me to three probable pasts. What could have happened in the Great Lakes region if the United States had intervened in 1993 to stop the genocide? What could have happened if the United States did not use its power to diffuse the situation and force Mobutu to leave Kinshasa

before the ADFL entered the capital city? What could have happened in August 1998 if a minority Tutsi aided by Rwanda and Uganda had defeated Kabila?

Chapter 3

The Democratic Republic of the Congo (DROC): Everyone's Problem

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Joseph Kabila

Current events in the Congo reflect its postcolonial history and the political culture of this large and complex country. These variables will influence its future leadership and territorial integrity. In that context, this chapter will address who is Joseph Kabila and what are we to assume about him, and how prone is the Congo to breaking up? Before assuming those questions I will offer some background on the topics and provide some relevant observations.

The Congo is a giant country richly endowed with natural resources. In the last 36 years it has had three successive leaders who could be called accidental presidents; accidental in that they were in large part designated, selected, or given the qualifications for office by outside actors. Mobutu Sese Seko was selected by Belgium and American Intelligence in Brussels in 1959. He was also unwittingly put on a trampoline from which he could catapult into power by Patrice Lumumba. Once in power, he was given the initial support and wherewithal to

facilitate his consolidation of power by Western allies from the outside.

Laurent Kabila's rise to power was somewhat different, this time interestingly involving much more direct African participation, particularly by Rwanda, and subsidiarily Angola and Uganda. Kabila was certainly installed by Rwanda in 1997. He had reappeared as a kind of warload emeritus partly by accident. He emerged as the chief luminary of the composite group, the ADFL. Of its three other leaders, two, Anselme Masaso and Andre Ngandu, were subsequently assassinated or executed, the last certainly by Kabila and probably the first one as well. The third leader now has defected to one of the opposition formations.

Laurent Kabila also enjoyed an initial degree of external acceptance and support which he quickly squandered. It proved that he was exceptionally unsuited to consolidate power, having on the one hand the ethics and habits of a warlord and on the other a set of ideas originating from the 1960s that were out of step with the economic and political realities of the 1990s. Accidental President number three, Laurent Kabila's son, Joseph Kabila, was put in power by a very small handful of people sitting around a table, most prominently from Zimbabwe and Angola but also a few Congolese, almost all from his immediate Katanga clique.

Once again Joseph Kabila was a singularly unusual figure to emerge as president. Although he was about the same age as Mobutu when Mobutu first appeared on the scene, unlike Mobutu, he had never really lived in the country. His ancestry is under dispute; there is evidence that both parents were Rwandan Tutsis and that he was only an adoptive son of Laurent Kabila. However, those stories have largely faded in relevance. His actual political and military experience was limited and his capacity, therefore, to step in and become the leader of this large and complex state, now in the state of advanced decomposition,

seemed extremely minimal. That is the first introductory observation.

Finding a solution to the current situation will be difficult. There is an emerging challenge to the international community and to American diplomacy of learning how to live with and cope with highly interpenetrated, multiple conflicts at once. This Congo conflict cannot be resolved like Macedonia or Kosovo. External actors define the situation; Rwanda, Zimbabwe, Uganda, and the other regional states are all central to the issue. The same thing applies to the West African cluster of insurgencies and civil disorders. These are all occurring in a situation where perpetrators of civil disorder are now operating in a climate of ready availability of weapons, access to skilled military leadership, the capacity to survive with minimal or no support from local populations, and a general pattern of extreme disorder.

Turning then to Joseph Kabila, it must be said that he has shown remarkable survival skills, one of which, perhaps not unlike Mobutu's early in his career, was a willingness to listen carefully to external handlers. It seems evident that his first steps were scripted in ways that are difficult to imagine him conceiving all by himself. He apparently listened carefully to what the American Ambassador, the French Ambassador, and the Belgium Ambassador had to suggest to him about how to make himself presentable to the external world, and to create a window of opportunity to consolidate his power. He has accomplished that with great skill.

Kabila has also appointed some talented men to key positions. He had the good judgment to dispense with some, but not all, of the most disreputable elements in his father's entourage. At his side he has some well-regarded people, particularly his foreign minister. Unlike his father, he appears to be unencumbered by the intellectual baggage of past decades and able to regard contemporary challenges with an open mind and a pragmatic spirit. He clearly

benefits to a surprising extent from a popular initial acceptance, if not enthusiastic support, at least in the parts of the country that are, loosely speaking, under Kinshasa control.

He benefits from some disposition to give a chance to anybody new that might somehow bring a better situation to the populace at large. He also benefits from what appears to be a form of disillusionment with the old political class. This is a young man who is not part of the successive political combines that have operated in Kinshasa since the 1960s, and rotated in and out of the Mobutu regime. Therefore, as a new figure in the firmament, he is given some degree of acceptance and credibility. This credibility is limited, limited in time, limited in depth, but for the moment it gives him some capacity to maneuver in this new framework of more active engagement in the Lusaka Process.

It would also appear that there is an unfolding effort on the part of major Western powers to use this opportunity to consolidate Kabila's position in power and help him to remain in power over a longer term. Observing the flow of events from afar, the impression is clear that he is being given some encouragement and a growing ambition to remain in power by the key Western states, France, Belgium, and the United States. It does seem to me, as a personal comment, that given the past history of the Congo and the track record of the outside powers in selecting Congo leaders that it is a moment for some hesitation about getting too deeply committed to that kind of effort. It is a tempting solution to the Congo dilemma because first, he is there, and second, he listens and is responsive to the concerns of the international donor community and major Western powers. On the whole, he seems to be doing sensible things. So naturally, from the international community's point of view, anything that could stabilize this vast country appears to be an appealing kind of solution. Let me just enter a personal voice of underlying caution and skepticism about the Kabila solution.

Will the Congo disintegrate? Of course one can imagine scenarios in which this country could disintegrate; it is certainly a possible outcome. The most likely way it could happen is if there is no resolution of this present impasse. Over extended time, this de facto division of the country could reach a point where all the social economic and political systems reorient themselves. In function of this reality on the ground, they begin to take on some kind of normality, so that a leader of one fragment or another of the country begins to perceive a long-term personal advantage for himself in this kind of outcome. One cannot dismiss that possibility. However, it is enormously important and truly remarkable in the present situation that all relevant parties want to preserve the unity of the country. That was the unanimous view of the conclave of Gaberone that was preparatory to the fifteenth of October meeting. This is not true of other large African countries, such as Sudan or Nigeria.

What is it that creates such attachment to this thing called the Congo, which after all is the bastard child of King Leopold? Why should it retain such appeal? Not only is it a bastard child of King Leopold, but it is a state that has been so deeply corrupted over the years that the institutional manifestation of the country is popularly perceived as a predator, a vampire, or a pirate, an entity to avoid. Why should the state be so decomposed but yet the "nation," for want of a better term, remains some kind of reality in the social imagination? There are some interesting variables that require analysis.

There is not a Congolese Nationalism that is isomorphic with Armenian Nationalism or Serbian Nationalism or French Nationalism, having the kind of deeply rooted historical ideologies that compose the ideological basis of a national identity in a number of settings. There is first, simply the reality of an idea of belonging that has more than a century of history. But that is only the beginning.

Second, one must remember that this idea of a nation over the last 40 or even 50 years has been heavily promoted by all of the didactic resources of the state. Let us not forget in the creation of American Nationalism how strong a role things like the school system played in creating and instilling the idea of "I'm an American." Studies of how peasants became Frenchmen in the nineteenth century similarly place central stress upon the schooling. Yet, it was not just schooling; it was the media and the innumerable rituals of daily life. In multiple ways this notion of "we are Congolese and we are not something else, we're not Angolans; we are not Ugandans; we are especially not Rwandans," has become embedded in the popular culture. It has roots in Lingala music, in the forms of popular art, in many sites of public expression that are more consequential than one often appreciates.

Let me add another factor, this one quite recent. There is a new kind of ideology that has entered the picture. A very important book was published in 1998 by a distinguished Congolese historian, Isidore Nziem, *Histoire Generale Du Congo*. Nziem develops a notion that there is some natural Bantu cultural solidarity.[1] Even those groups in the northern part of the territory that are not really classified by linguists as "Bantu" are becoming semi-Bantuized. This book has had a very big impact on the Congolese intelligencia. It happened to coincide with the crisis with Rwandans, who therefore put the arch-typical "other" into the picture, the non-Bantu, evil enemy, the Tutsi. The Tutsi are something else; they are Nilo-Hamites or they are Nilotics. They are some other linguistic category that is not "we Bantu." My colleague Jan Vansina gave a very powerful presentation recently that is very critical of this whole Bantu ideology, which has many racist implications.[2]

1 Isidore E. Nzeim, *Histoire Generale Du Congo*, Parris: De Boeck 5.a. Department Ducolet, 1998.

Nonetheless, it is now a part of the discourse of identity in the country and has some importance.

Adding all these variables together we can begin to understand this attachment to "being Congolese." There is a very impressive book on nationalism by one Michael Billig, called *Banal Nationalism*, that argues that what is really important to understand about a lot of nationalism is not its high discourse, but its everyday unreflected resonance in the social imagination.[3] It is how people react to walking by and seeing a flag hanging on the flagpole and other icons; it is nothing highly intellectualized, but something that is simply there in the background of everyone's being.

All of these come into play in helping us to understand why there is still a Congo. If any group, any region, any ethnic community in the last fifteen years had really felt like the Albanians in Kosovo, or like the Tamils in Sri Lanka feel and wanted to separate, who could have stopped them? Perhaps the international community because the international community has a great concern over states breaking up. Nevertheless, there would have been very little capability to prevent the breakup of the country, certainly not coercive force in the hands of a Kinshasa regime. What holds the country together is not the functional systems of an effective state, but rather a subliminal pattern of "Congolese" consciousness. It does not erase ethnicity. It is not in conflict with ethnicity. It is a different level of being. Therefore, being Congolese does not mean that one cannot be Mukongo or whatever.

Only time will tell if Joseph Kabila will retain power, or if the Congo will remain intact. However, at this point in time, both appear likely.

2 Karel Arnaut and Hein Vanhez,, "History Facing the Present: An Interview with Jan Vansina," November 2001, *H-Africa*, http://www2.h-net.msu.edu/mil.

3 Michael Billig, *Banal Nationalism*, London: Sage Publications, 1995

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Chapter 4

DRC: The Role of the Outside Powers?

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I. Introduction

This paper is titled with a parenthetical phrase with a question mark. I call it "DRC: The Role of the Outside Powers," or "They're Having a War, Who Wants to Come?" Before considering the motivations of Rwanda, Uganda, Burundi, Angola, Namibia, and Zimbabwe, the principal outside combatants in the current Congo War, there are several preliminary points to consider in order to place their actions into a broader context.

First, other countries have been involved in the Democratic Republic of the Congo (DRC) during this present crisis. Chad had combat troops in the Congo during the early phase of the war but withdrew its forces when it became apparent that it did not have the logistical capability to remain engaged. Sudan, North Korea, Iran, and others have been involved as well, through one form or another of military assistance for the Dialogue Inter-Congolais (DIC). Kenya, Tanzania, Zambia, and South Africa, among DRC's neighbors, have been engaged

diplomatically, and the war itself has spillover into the Republic of Congo and the Central African Republic. The United States, France, Belgium, the European Union, and the U.N. Security Council have been very active diplomatically. Next it is necessary to note that what motivated the six countries that have maintained combat forces in the DRC in 1998 and what drives them at present may not be exactly the same.

For each of the six there were different reasons which reflect different calculations of national interest, some sacred, some profane. Therefore, it would be a mistake to be too cynical or too simplistic in analyzing the reasons for each country's actions. In each case there is a context in which key decisions were made. I will be able only superficially to review those different situations, but at one point I hope a more complete and penetrating analysis will be prepared. Perhaps it will be by our (unclear) special envoy, Howard (Wolpe), when he writes his memoirs.

I think that it is important to note some elements of the DRC which were very likely considered by the leaders of the six countries. The DRC was big, weak, rich, and anarchic. Therefore, it was necessary to act, especially to respond to the threat posed by antagonistic, malicious groups whose objective was the violent overthrow of the regimes and their respective neighboring capitals. So let's look at the six who stayed and fought. What then was behind the decisions of leaders in Kigali, Kampala, Bujumburu, Windhoek, and Harare to plunge into their turbulent giant neighbor? In each case it was a combination of relatively obvious understandable factors combined with psychological, domestic, political, and even personal reasons.

Rwanda

In 1998 the government of Rwanda felt threatened and had concluded that Laurent Kabila was essentially betraying Rwanda through support of the ex-FAR Interhamwe rebels. With the recent traumatic memory of the 1993 genocide and deep skepticism over whether anyone

else was either willing or able to help, the Rwandans decided to move quickly and deeply into Zaire (DRC) with a view of overthrowing Kabila. While their action may have had inevitable economic implications, and while overcrowding is a basic problem in Rwanda, I do not believe that economic factors were an important element in leading the Rwandans to decide to move militarily into Congo. Nor were they especially concerned about the international reaction.

II. Uganda

The Ugandans also had what one might call legitimate security concerns but the problems of the Allied Democratic Forces (ADF) operating from northeast Congo were not as profound as the ex-FAR Interhamwe challenge that Kigali faced. Moreover, Uganda's concerns even with the Allied Democratic Forces (ADF) were more with Sudan than with the DRC. In Uganda's case three of the elements were important. Musevene probably felt an obligation to Rwanda which continues even now, despite current strains. Musevene is turning over captured ALIR fighters to Rwanda. In addition, Musevene attached higher priority to perceived economic benefits if he could lay the groundwork for a Kisandani-Uganda commercial axis. Finally, Musevene's own sense of his and Uganda's broader regional role may have been a factor in his decision to commit troops to the DRC. I recall the first time I met former President Sylvestre Ntibantungaynya of Burundi in Washington. He said to me, you know, Musevene is planning a Hema empire. Now I do not know whether Musevene believes that, but other people do.

III. Burundi

The Buyoya regime, like its northern neighbor, faced a real and open threat from rebels operating from the DRC. However, the Government of Burundi, perhaps because of Buyoya's own weakness, chose not to openly admit that it was in the DRC. Burundi has taken a more cautious and restricted position, essentially limiting itself to the region

immediately west of Burundi and the western shore of Lake Tanganyika. It has been less openly allied with Rwanda and Uganda in their DRC exercise and Burundi did not take part in the Lusaka negotiations. From an Angolan point of view, the presence of UNITA in the DRC is the primordial consideration. Angola will do what is necessary to meet the challenge posed by UNITA. That requires a friendly, perhaps pliant regime in Kinshasa. In the summer of 1998, the regime in Rwanda was increasingly concerned over what it believed to be cooperation between Rwanda and Uganda on the one hand, and UNITA. Thus, the presence of Rwandan and Ugandan forces next door to Angola in Bacongo, threatening Kinshasa itself, triggered Angola's swift military response in support of Lauren Kabila. That the DRC was a SADC ally was relevant as well, and it added legitimacy to Angola's actions.

IV. Namibia

The SADC legitimacy angle was probably important to Namibia as well. Two other factors may have been relevant. In conversation with diplomats Sam Nujoma saw the crisis very much as one between Bantus and the Tutsis, which suggests that he was motivated by psychological and emotional considerations. He may also have wanted to demonstrate Namibia's independence, presumably of South Africa, within the SADC context.

V. Zimbabwe

It was Robert Mugabe who took the initiative to convoke the SADC security organ, which he chaired, and to steer the group to the decision to respond to Kinshasa's invitation, and to send troops to support Kabila's regime. While he also was probably sincere in wanting to respond to the legitimate needs of the SADC ally, Mugabe saw his actions as demonstrating regional leadership as well. It is not all together clear to what degree Zimbabwe was motivated initially by economic consideration, but it took little time before economic links between Zimbabwe and the DRC became a major element in the bilateral relationship. It was

one that benefited a number of politically important individuals in Zimbabwe.

VI. The View from 2001

In the three years since the war began there have been many new elements added to what at the outset was one of the most complex crises in the world. By the summer of 2001 these developments included (in no special order): the assumption of the presidency of the DRC by Joseph Kabila upon the murder of his father; the emergency of the Mai Mai fighters and their episodic alliance with the Forces of the Defense of Democracy (FDD) over Rwanda rebel forces; the inability of Congo rebels allied with Rwanda or Uganda to maintain cohesion or to gain popularity and legitimacy among the Congolese people; continued ethnic violence in Eastern Congo, notably between the Haymouwondo in the Northeast; multiple bloody clashes between Ugandan and Rwandan forces in (Kisengane), and lingering animosity and mutual suspicion between Kagame and Musevene; a humanitarian catastrophe in eastern Congo; the Lusaka accord calling for a cease fire and military disengagement in national dialogue, and the disarming and demobilization of negative forces; the deployment of a UN Security Council authorized peacekeeping force; and domestic developments in Rwanda, Uganda, Burundi, Angola, Zimbabwe, and Namibiu that tend to make keeping soldiers in the DRC an increasingly expensive and less attractive option. Conversely, there is concern over the implications of a sudden withdrawal of troops and the desire to capitalize on access to the DRC's natural resources, including Coltan, about which the world was largely ignorant in 1998.

In short, the broader context has changed considerably. At the end of summer 2001, Namibia has withdrawn its forces and Uganda is moving in that direction. Burundi's forces are needed at home but are still required in the DRC. Burundi's actions will be determined more by the evolution of Burundi's peace process than by the DRC's specific developments, although the two are obviously related.

While some of the other troops are being withdrawn, Angola, and especially Zimbabwe and Rwanda, seem committed for the long haul. A successful national dialogue probably would be helpful but it is hard to imagine the Rwandans withdrawing from the eastern DRC as long as the threat remains.

Zimbabwe and Angola, which by now play an important if not all-together dominant political role in Kinshasa, can be expected to maintain important troop levels in the DRC as long as Rwanda and perhaps Uganda and Burundi keep troops there, or if other elements place the regime in Kinshasa at risk. What initially was a move to overthrow Laurent Kabila with the objective of reducing and eliminating the rebel threat to Rwanda, Uganda, and Burundi has failed. Nevertheless Rwanda, especially, will remain inside the DRC, if only in the Kivus, as long as the present regime believes its very existence is threatened and that it is being challenged by the same people who masterminded the genocide. The latter factor is sufficient to convey legitimacy to Rwanda's actions in the minds of Paul Kagame and his followers in Rwanda.

Angola and Zimbabwe continue to believe they are the legitimate defenders of SADC allies. As long as Rwanda perceives the possibility of UNITA using the DRC as a sanctuary, and as long as the forces are not needed inside Angola itself, it will be prepared to keep troops in Congo.

However, by now there are other political and economic factors that will also motivate Rwanda's and Zimbabwe's decision regarding the Congo. The irony is that after all the bloodshed and horror of the current DRC war, there seems to be a growing recognition that neither the war, nor the DRC's more general problems will be resolved soon. But it is the very weakness and anarchic character of the DRC combined with its size and wealth that makes the situation there so intractable but significant.

Some foreign observers are beginning to ask why they are there. But there needs to be some continued presence of

foreign troops, either a truly qualified, capable, and U.N. Security Council authorized peacekeeping force, or some Rwandan, Zimbabwean, and Angolan presence, al be it under an agreed international framework.

Chapter 5

The Congo, Rwanda, and Burundi Down the Road: What Lies Ahead?

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This chapter addresses political developments in the Democratic Republic of the Congo (DRC) and the potential difficulties that the country may face in the near future.

While the government of the Congo seeks to present itself as completely cooperative in its relations with the international community, it also appears to be pursing a more covert policy aimed at undermining and defeating its opponents, especially Rwanda. Such a policy, of course, undermines the Lusaka Agreement, the cease-fire and the commitment to the Internal Dialogue at which all parties, including the government, are to negotiate on the basis of equality. The most important element in this covert policy has been the dispatching of approximately 7,000 to 9,000 Hutu army troops which made up the best fighting units of the Forces Armees Congolaises (FAC) from the Kinshasa controlled areas to the East, probably to South Kivu and North Katanga. These troops, now increasingly called ALIR, previously called Interahamwe/ex-FAR, have to be coupled with the Hutu guerrilla forces that have been in the East

since 1996 and the FDD insurgents, which are also located in Eastern Congo. The FDD are Hutu insurgents from Burundi. They are currently said to be attempting to infiltrate Rwanda in very small units, thus frustrating Rwandan plans to fight them in a frontal battle in the Congo.

The second highly publicized part of the Congo's "nice guy" policy has been the agreement to give up to the United Nations the remaining Hutu military in the Kinshasa controlled part of the country. This group constitutes about 3,000 men and their families, and is likely to both test and embarrass the United Nations, which is not yet ready to receive them or to press forward with a D3 program. D3 is the latest phrase used to identify demobilization, disarmament, and what is now described as durable solutions for the people so demobilized and disarmed. The 3,000, who some allege to be mainly civilians, are also part of a Rwandan Hutu strategy to mobilize support in the international community for negotiations between Hutu representatives and the Rwandan government. In other words, they want a Burundi-like approach to Rwanda's internal politics. Since there is no civil war in Rwanda, and the Kagame regime has strong ideological commitments against such negotiations, and some of the Hutu leaders involved are accused of participating in the genocide against the Tutsi in 1994, this Hutu strategy is not likely to succeed anytime soon. However, it will undermine Rwanda's claim that it is moving towards a more pluralistic form of government.

Clearly, the increase of Hutu military in the East has the potential of altering the balance of power in the RCD/Goma controlled areas, and increasing the already tremendous levels of violence present there. Several potential scenarios are emerging. The alliance between the Interahamwe/ex-FAR and the Mai Mai is undergoing profound changes. Some Mai Mai unit leaders have concluded that as long as there are Hutu military in the East, the Rwandans will continue to be both present and

oppressive. Hence, they are actively divorcing themselves from the Hutu and seeking support from foreign entities in that endeavor. They have asked for such support, including arms from the United Nations, from Rwanda, and from the RCD. These changes have resulted in local cease-fire zones between some Mai Mai groups and the RCD/Goma. On the other hand, in other areas it can be assumed that the alliance between the Hutu ALIR and the FDD on the one hand and the Mai Mai on the other continues, and may in fact be forced upon the Mai Mai, as the Hutu forces are substantially strengthened. Mai Mai leaders feel excluded from the political negotiations that will affect, if not control, their fate. Therefore, they are seeking to emerge from their isolation and gain access to both the international community and the Congolese negotiations that have been taking place as part of the Internal Dialogue agreed to in the Lusaka Agreement. To accomplish this they need to associate with external forces because they are not signatories to the Lusaka Agreement. Since the Mai Mai are not a united movement, they are doing this in different ways. Some groups maintain their alliance with Kinshasa and seek participation in Kinshasa's delegation to the internal dialogue, which Kinshasa will no doubt grant them. Some have made moves to participate on their own, for example, calling upon Lumumba's son to act on their behalf after he became their chosen mediator in the negotiations leading to the release of hostages that they had taken. Some are flirting with the idea of negotiating with their local enemies, the RCD/Goma.

It is absolutely essential to recognize that the eastern Congo is the only area of the country where violence is a daily occurrence. This violence benefits the Kinshasa regime because it can point to the oppressive impact of the invading foreign forces. A secondary benefit is the ability of Kinshasa to largely hide the fact that it is protected by Angolan and especially Zimbabwean forces that are drawing major economic benefits from their presence in the Congo. Some of the Mai Mai groups are seeking to stop the

carnage that is limited to their area, hence the creation of local cease-fire zones. If this process were to expand, the sometimes expressed Mai Mai and RCD/Goma demand for international mediation for the Kivus would have to be acted upon. However, it is virtually certain that Kinshasa will invoke rights of sovereignty to oppose such a move, since violence in the East is, at present, its very best card. Does that mean that these local peace making, cease-fire efforts are doomed? That clearly depends on the position of the international community or, unilaterally, the United States. Without serious support from external actors, the local efforts are likely to prove insufficient when extended to the entire region. Moreover, with the enlargement of Hutu forces in the East (Interahamwe/ex-FAR, FDD) it is likely that bloodshed will increase, in part because the Rwandan government forces will predictably prefer to fight these forces in the Kivus rather than on home territory.

On the positive side of the dilemma of eastern Congo is a notable change in the Rwandan policy towards Hutu fighters who fall into Rwandan hands. At Mudende camp, captured and/or capitulated Hutu fighters from the North Kivu based guerrilla forces are undergoing a D3 program that is non-punitive and has great potential for the reintegration of such fighters into Rwandan society. It is also a positive development that Rwandan authorities view around eighty percent of the Hutu fighters in the Congo as not subject for prosecution because of involvement in the genocide. If word of the Mudende experiment could be brought to the Hutu forces in the Congo, many of them might defect. That would constitute one large step toward eliminating the claimed reasons for Rwanda's presence in the Congo.

Northeastern Congo is the former RCD/Wamba area, also known as RCD/ML and RCD/Kisangani. As a result of Ugandan initiatives it has been amalgamated with the MLC led by Jean-Pierre Bemba in Equateur. Initially, Bemba was very successful. He managed to get the Lendu and Hema chiefs to reach a cease-fire agreement, and he

managed to get Mai Mai units to sign on to an agreement (the so called Butembo Accord) that was to lead to their integration into the MLC forces, re-named FLC, after the amalgamation. These re-trained, integrated Mai Mai fighters were to be given their own brigades with special responsibility for border control. This was a brilliant concept because the Mai Mai, although very divided into ethnic or sub-ethnic components, have one thing in common; they want foreigners out of the Kivus. Therefore, the idea of being the guardians of the frontier is sympathetic to their underlying ideological common denominator. The Butembo Accord clearly played on that and initially the agreement was a success. However, the Ugandans sabotaged this effort. As a result it failed and the Mai Mai returned to the "bush." It is, however, also the case that some of Bemba's moves backfired. For example, he put in trusted police and army commanders from his MLC structure and brought them into command positions in the East. This was a logical move since the northeast was in anarchy condition and the RCD/ML was divided, with warlords dominant in different localities. However, it was very much resented and seen by the local people as simply a move on Bemba's part to control the area and steal its wealth. Bemba had always argued that the RCD/ML area had wealth but no organized effort against the Kinshasa forces and, therefore, should be taxed in order to pay for the war effort, for which the MLC controlled area bore the entire weight. Unfortunately for Bemba, this argument was unacceptable to the politicians and businessmen in the northeast.

Another problem that emerged as part of the merger between MLC and RCD/ML was the behavior of the approximately three thousand MLC troops that had been brought from Equateur to the northeast. At the front, near Mbandaka, the MLC army had attained a reputation for being very disciplined, good fighters who treated the civilian population in a proper and respectful manner. That appears to have disappeared when they moved to the

northeast. Everybody with whom I raised this issue in the northeast argued that they are oppressive and that they steal and loot. Perhaps the underlying problem is the role difference between being a revolutionary army with popular support at the front line of a war and being essentially a police force in urban centers where the population is resentful.

The northeast is an area where the social fabric of society is disintegrating faster and more completely than anywhere else. The important question is this: will other areas of the Congo where violence is prevalent degenerate into similar conditions? If one looks at causal details, the answer becomes clear. First, there was the Hema-Lendu conflict that degenerated into an incredibly bloody inter-ethnic war. It really had little to do with the political issues that are at the root of conflict in the Congo, but the absence of state power and divisions with the RCD/ML created conditions in which such a conflict could grow without restraint. These same conditions have resulted in even more obscure, yet uncontrolled, conflicts. For instance, there has recently been a witch-hunt that, according to reports that I have received, has cost 800 people their lives. Eight hundred people were killed because they were accused of being witches or poisoners! This occurred within a single ethnic group, thus even ethnic unity is no longer a hindrance to violence. Conditions elsewhere in the northeast are even more troublesome; it is widely reported that Ugandan officers in partnership with Congolese warlords and gangs in the area are turning their military power into money-making enterprises and are helping to train and arm different – often mutually opposed – militia groups. When such conditions exist, similar results may occur.

What will the Rwandans do? As indicated, there is something of a *de facto* armistice in place for Hutu soldiers or guerrillas who are either captured or capitulate and return to Rwanda. However, I do not think that Kagame will be willing to negotiate with the organization that the Hutu are now forming in the Kinshasa controlled area. The aim that

the Rwandan Hutu exiles in the Congo seem to be pursuing is to arrive at a negotiation formula for Rwanda that is similar to that which is currently (up to now unsuccessfully) being applied in Burundi. In effect it would mean that the Hutu and the Tutsi would negotiate as institutionally separate entities.

In other respects Burundi becomes important to the Rwanda problem because it is less well defended against incursions by Hutu guerrillas (the FDD) in the Congo than Rwanda. In addition, it is thought by some observers that not only the FDD but also the Rwandan Hutu forces in the Kivus are infiltrating in small groups into northwest Burundi with the intention of then moving into Rwanda. This is probably the reason why it is said that Rwandan troops are currently stationed in Burundi and helping the Burundian government. I think that the Rwandan government is confident that it can deal with these ALIR forces in the Kivus even after the substantial enlargement of these forces when the majority of the Hutu units in the FAC moved east. This confidence is probably based in part on the experience in May-June 2001 when allegedly 5,000 Hutu guerrillas who had been located in the Walikale/Masisi area of North Kivu infiltrated into Rwanda and were routed by the Rwandan army. The Rwandans probably even prefer to have the Hutu troops from the Kinshasa controlled area in the east because they were beyond reach once the cease-fire line had been established and MONUC arrived to monitor it. Of course, having an army of mixed guerrilla and regular Hutu forces on its frontier constitutes a real danger for Rwanda and in a sense brings events back to 1994-96 when Hutu forces were mixed into the UNHCR camps that had been established in the Kivus on the Rwandan border. However, some conditions have changed since 1996 and it appears that the Rwandans believe that they can win. They seem to be confident about that fact.

One of the reasons why the idea of negotiations between Hutu as Hutu and Tutsi as Tutsi rather than Rwandans as

Rwandans is so excluded in the case of Rwanda, is that Kagame has placed a great deal of emphasis on a new kind nationalism that supposedly rejects "ethnic" or "cast" identities and seeks to create a united Rwandan identity. That is very idealistic and whether it is going to work is not clear.

The Burundi situation and its implications for the Congo is also complex. As regards to the Congo, the FDD is one that the Lusaka Agreement defined as "negative forces," which are to be disarmed and demobilized and presumably returned for reintegration into Burundian society. That is what the Lusaka Agreement says. However, there is also the Arusha Process, in which the FDD is invited to participate in peace negotiations. Further complicating events in the Congo, the FDD is allied to the ALIR (Rwandan Hutu insurgents) forces as well as to some Mai Mai groups in South Kivu. This amounts to a major conundrum. How should the FDD be treated? There are ongoing, internationally sanctioned processes that are competing with one another.

CONCLUSIONS AND RECOMMENDATIONS

While progress in the context of the Internal Dialogue could vastly improve the situation in the Congo, leading to reunification of the country and power sharing in the national government in Kinshasa, one must recognize that such a development would not automatically end the war in the eastern Congo. This war has resulted in the world's greatest humanitarian disaster and has the potential of further destabilizing the entire region, including Uganda, Rwanda, Burundi, the Central African Republic, and Sudan. Thus, the first recommendation is to *focus on the east*. It was in the east that this five year old continental war began and it remains in the east where conflict continues unabated.

What could be done? First, the international community and individual players of the international community have

the capacity to encourage local cease-fires which would give some respite to the local population. Unfortunately, however, doing so would arouse certain opposition from the Kinshasa government and would also arouse the opposition of important elements of Kivu civil society that have coalesced around the idea that nothing should be done to give the slightest legitimacy either to the FCD or to the Rwandan presence in the Congo. Of course, sponsoring negotiations with the RCD and the Rwandans does give them some legitimacy and recognition. But, nonetheless, such a move is necessary if one is to make progress in the east, and one should remember that both the RCD and the Rwanda Government are signatories to the Lusaka Agreement.

The other side of this equation is contact with the Mai Mai. Here the problem is that they are a very dispersed movement with about a dozen independent leaderships. That said, several of these leaders have very insistently expressed the desire for negotiations, especially for the presence of "international" mediators. The success of this effort will turn to finding ways to contact the Mai Mai leadership and, if possible, rewarding Mai Mai groups that establish cease fire zones with immediate help in the form of road repairs, dispensaries, schools, and other infrastructure.

It is also important to encourage the Rwandan Government to commit itself to a benign treatment of Hutu military who are either captured or, even more, who agree to be disarmed and repatriated. The Mudende experiment should be extended and financial resources should be committed to finding jobs for such former soldiers or guerrillas to provide incentives to lead a decent, non-violent life.

One of the key elements in stopping the war in the east would have to be the repatriation of Hutu forces that now employ the Kivus and northern Katanga as havens for current or eventual incursions into both Rwanda and

Burundi. Such a program of disarmament, demobilization, and reintegration into their home countries is most likely to succeed if there is both a carrot and a stick approach. The carrot will be the manner in which they are received in Rwanda and Burundi if they give up the idea of Hutu conquest. The stick could be the MONUC forces actively pursuing them. However, under current political circumstances this is virtually out of the question. Therefore, the only "stick" which can conceivably be designed has to be a change in the conditions under which they exist in eastern Congo. Here their relation with the Mai Mai is crucial and encouraging a divorce between the Mai Mai and ALIR/FDD forces should be a top priority. But, such a divorce is dependent upon giving the Mai Mai recognition and possibly sharing power at the local level. All of that will take a great deal of sensitive, skillful mediation.

The role of mediator need not be undertaken by a government. Such a mediation effort should be undertaken at a high level with substantial resources that reward peace-making and cease-fire activities. It could be undertaken by an international NGO, but *with* strong support from the governments of major powers involved in the war in Central Africa. And, from the beginning, one should be fully aware that there is going to be stern opposition from Kinshasa, which will base its position on its "sovereignty rights" as a recognized national government of the Congo. If one is not willing to override such opposition, then the whole project is not worth undertaking.

Success in developing solutions for the Congo will turn on a sizable, dedicated United Nations presence. The U.N. presence should be strengthened. Its weakness and lack of capability sends a signal. The U.N. is increasing its presence in Sierra Leone, which is already at 12,000 men, while for the Congo only about 5,000 are projected and approximately 2,000 to 3,000 are actually there. Furthermore, I get the impression that MONUC seems to be operating with an unspoken slogan: "How soon can we get out?" I think that the presence of MONUC has had a very

positive effect, and if it were to be enlarged that positive effect would be enhanced dramatically.

ACRONYMS

ADF	Allied Democratic Forces
ADFL	Alliance des Forces Démocratiques pour la Liberation du Congo (Alliance of Democratic Forces for the Liberation of Congo/Zaire)
ALIR	Previously called Interahamwe/ex-FAR coupled Hutu guerrilla forces
APC	Armee Populaire Congolaise Military Wing of RCD-ML
CDR	Coalition pour la Défense de la Republique
CIA	Central Intelligence Agency (U.S.)
CNDD	Conseil National pour la Defénse de la Démocratie (Burundi)
DIC	Dialogue Inter-congolais
DIP	Division of International Protection (UNHCR)
DoD	Department of Defense (U.S.)
DRC	Democratic Republic of the Congo
DSP	Division Speciale Présidentielle. Elite force in the Zairian army.
ex-FAR	ex-Forces Armees Rwandaises
FAC	Forces Armees Congolaises
FAZ	Forces Armées Zairoises
FDD	Forces for the Defense of Democracy
FLC	Front Four la liberation du Congo
FNL	Forces Nationales de Lieberation

ICRC	International Committee of the Red Cross
LNR	Lubumbist National Resistance
LRA	Lord's Resistance Army
MLC	Congo Liberation Movement
MNF	Multinational Force
MONUC	United Nations Organization Mission in the Democratic Republic of Congo
MRND	Mouvement Revolutionnaire National pour le Développement et la Démocratie
NGO	Non Governmental Organization
OAU	Organization of African Unity
PRM	Population, Refugee, and Migration Bureau (U.S. State Department)
RCD ML	RCD Liberation Movement
RCD	Congolese Rally for Democracy
RDR	Rassemblement pour le Retour ct la Démocratic
RPA	Rwandan Patriotic Army
RPF	Rwandan Patriotic Front
SADC	Southern African Development Community
SOMIGL	Societe Miniere des Grands Lacs
U.N.	United Nations
UNDP	United Nations Development Programme
UNHCHR	United Nations High Commissioner for Human Rights
UNHCR	United Nations High Commissioner for Refugees

UNICEF	United Nations Children's Fund
UNITA	Uniao Nacional para a Independincia Total de Angola
UPDF	Ugandan People's Defense Force
U.S.	United States
USAID	United States Agency for International Development
WFP	World Food Programme
ZCSC	Zairian Camp Security Contingent