A Violent Peace

The Ongoing Conflict in the Democratic Republic of Congo

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Since 2003, the Democratic Republic of the Congo (DRC) has enjoyed only a tenuous peace. For the past decade, a period spanning two official wars and years of continued violence, the only constant division has been between those who have guns and those who do not. The transitional government, established in 2003, brought the main rebel groups from the Second Congo War into the government, a move to stabilize the intertwined political and military conflict. However, a constantly shifting web of armed groups continues to operate in the DRC, particularly in the northeast. The alliances sometimes cross borders. In this very fluid conflict, identifying the aggressor, the allegiance of certain fighters, or the location of a group of refugees or internally displaced persons fleeing conflict can change almost monthly. Despite five years since “peace,” national elections, and the presence of the most expensive current United Nations peacekeeping operation, the DRC remains destabilized and has seen no drastic improvement.

The internationally recognized conflict in the DRC began in 1997. The country, then known as Zaire, had been ruled for decades by a notoriously corrupt dictator who was more preoccupied with increasing his own wealth than promoting the safety and stability of his nation. The rebel Laurent-Désiré Kabila seized the opportunity to overthrow the dictator, Mobutu Sésé Seko, and proclaim a republic. His successful war, which had been actively backed by neighboring Rwanda and Uganda, started anew when Kabila ordered the expulsion of all foreign troops from the Congolese territory in 1998. Some of his former supporters took up arms against him, some independently and some strongly backed by neighboring states. Sparked by his reaffirmation of sovereignty, a new international war began and more troops poured in.

At the height of the conflict, five foreign nations had troops in the DRC—Rwanda, Uganda, Angola, Zimbabwe, and Namibia. Roughly half of the nations supported Kabila’s government, while the other half supplied and financed nascent rebel movements. Uganda and Rwanda in particular supported the *Rassemblement congolais pour la démocratie* (RCD), one of two main opponents to Kabila’s power.

The other main rebel group, the *Mouvement pour la libération du Congo*, is considered to be an independent Congolese movement. Laurent-Désiré Kabila was assassinated in January 2001; his son assumed the mantle of power the next day, keeping the main players similar. The Lusaka Ceasefire Agreement was signed on 10 July 1999 by the DRC, Namibia, Rwanda, Uganda, Zimbabwe, and Angola. On 1 August 1999, the *Mouvement pour la libération du Congo* (MLC) became a signatory, followed by the other main rebel group, the *Rassemblement congolais pour la démocratie* (RCD) on 31 August 1999. Though the ceasefire agreed to in July 1999 was flagrantly violated for years, this agreement set the table for continued international involvement. The United Nations has deployed varying numbers of military observers and formed units in the DRC since late 1999, ostensibly to assist with implementation of the original ceasefire, though their mandate has evolved considerably over time.

Official Cessation of Hostilities

From the beginning, the resolution of the Second Congo War, also known as Africa’s First World War, was never going to

be a straightforward process. In late August 2000, President Kabila began insisting to the international community that the “war of aggression” against the DRC needed to be considered separately from the internal political conflict (SG-1). This is, in fact, the way in which the international community did address the war. On July 30, 2002, the DRC and Rwanda signed the Pretoria Agreement. This was followed shortly thereafter by the Luanda Agreement between the DRC and Uganda, which effectively ended violence between DRC and its two main foreign rivals. Resolving the internal factionalism took much longer and was conducted in multiple stages. It concluded with the signing of the Global and All Inclusive Agreement in December 2002 and the establishment of a transitional constitution and government on April 4th, 2003. The new government incorporated President Kabila and the leaders of the two main armed rebel factions.

However, as any human rights group will be quick to point out, the Democratic Republic of Congo is not a peaceful place. Violence continues to this day. While the transitional government officially began the reconstruction process, it is unclear if the root causes of the conflict were actually addressed. The nature of the current violence in the DRC is notable for two reasons. The first notable aspect is that the continued unrest in the DRC is simultaneously a civil conflict and an international conflict. In the northeastern DRC, an area that was the flashpoint for both previous wars and continues to be the most volatile region today, the “border” with Rwanda and Uganda is largely a porous concept. The domestic conflict has affected the nations bordering the DRC, most significantly with refugee flows and spillover violence. Many of the Congolese armed groups are supported by foreign governments, both implicitly and explicitly, creating a network of interests that is hard to unravel and trace. Most importantly to future security, the DRC is still said to harbor foreign rebel groups within its borders that

threaten the security of Rwanda and Uganda.

The second notable characteristic of the war being waged, besides its dual civil and international nature, is that it is a war on the population. Consider this statement by the International Crisis Group in 2005: “The main reason for the impasse, including postponement of elections, has been the reluctance of the former belligerents to give up power and assets for the national good. All have maintained parallel command structures in the army, the local administration and the intelligence services. Extensive embezzlement has resulted in inadequate and irregular payment of civil servants and soldiers, making the state itself perhaps the largest security threat to the Congolese people” (“A Congo Action Plan”). These former rebels spent years warring against the established state power and now find themselves responsible for state security. All sides, all armed groups, Congolese and foreign, have committed horrible war crimes including the use of child soldiers, rape, looting, and the murder of civilians. Who is “right,” who is “wrong,” and why does it matter?

An International Conflict Waged within One Country’s Borders

The porous eastern border of the DRC is an endemic problem. One of the original causes of both the First and Second Congo Wars was the presence of armed rebel groups based in eastern Zaire launching cross border attacks on Uganda and Rwanda. The poor security situation was in fact acknowledged on both sides. President Kabila reached security agreements with both neighbors shortly after his rise to power (Clark, 271). Rwanda was allowed in DRC territory in order to sweep out rebel groups that were believed to have perpetrated the 1994 genocide and continued to carry out cross-border attacks on Rwanda (Clark, 271). Uganda was similarly concerned about cross-border attacks by the Allied Democratic Forces (Clark, 271-272). Uganda and Rwanda had both been present

on DRC soil before 1998 with permission from the president they had helped put in power. As Clark explains, “both Kagame and Museveni had already become disenchanted with Kabila on a number of accounts, but mainly because of his failure to establish effective control over eastern Congo” (279). It was only with the expulsion of all Tutsi troops by President Kabila in July 1998 that their continued presence became a hostile occupation (Clark, 271).

Since the end of official hostilities, the cross-border nature of the conflict has become more difficult to qualify. Instability in the northeast of the DRC destabilizes the entire surrounding area, collectively known as the Great Lakes region. Three provinces in the northeast of the country are nearly synonymous with armed groups, displacement, cross-border violations, and a flashpoint for larger patterns of conflict; North and South Kivu, described together as the Kivus, were the originating point of both the First and Second Congo War. Ituri, another province, continues to be plagued by widespread violence and warring factions. Ituri and the Kivus share a border with both Rwanda and Uganda. An international conflict continues, essentially carried about through suspected proxy wars among internationally supported Congolese warlords.

Sometimes, the threat originates from foreign nations violating the sovereignty of the DRC. However, equally as often, the conflict within the DRC spills across the border, affecting foreign nationals or even Congolese

citizens seeking refuge. One of the stated reasons for the Second Congo War, as well as continuing tensions between the DRC, Rwanda and Uganda, is the presence of foreign rebel groups taking shelter on DRC soil. Even since the Pretoria Agreement and cessation of official hostilities in 2002, Rwanda has threatened to invade to disarm these rebels if the DRC does not. In 2004, rumors circulated for months confirming the presence of Rwandan soldiers on Congolese soil, while MONUC, the United Nations Mission to the Democratic Republic of Congo, reported suspected Rwandan troop incursions in the face of firm denial by the Rwandan government (Snow; *IRIN-1*). Rwandan Hutu militias, known as the ex-FAR (former Rwandan Army) and *Interahamwe* (a youth militia), believed by many to be perpetrators of the 1994 genocide, continue to hide in the DRC, despite being targeted by the national army and the United Nations Mission in the DRC (MONUC) in recent years. The Lord's Resistance Army, a rebel group from Uganda led by Joseph Kony, has also been reported to be taking refuge in the DRC wilderness within the last few years (SG-2, SG-3).

There are also numerous instances of armed Congolese rebels violating the border. In August 2004, militias attacked and burned Gatumba, a refugee transit center for Congolese located in Burundi. Though the identity of the group is disputed (Burundian or Congolese), the perpetrators were most likely a combination of armed groups based in the DRC. In another instance, in 2004, a Congolese rebel known as Jules Mutebutsi fled with over 100 armed men across the border into Rwanda after losing a battle. His troops took shelter in a United Nations High Commissioner for Refugees run transit center in Rwanda, only to redeploy back across the border a few months later, a blatant breach of international refugee laws (“Letter”).

Much of the international tension over the continued civil unrest in the DRC stems from fears about cross-border attacks and that the volatility of the DRC conflict will spill

over and destabilize neighboring states. The country is already one of the largest producers of refugees in the world, with camps for Congolese refugees in thirteen different African nations. Large refugee encampments occupy valuable land space, creating resentment among neighboring peoples as well as their governments. In Rwanda and Uganda in particular, the nations that border the most volatile regions, it does not look as if the refugee flow will be ultimately reversing any time soon.

A War on the Population

In 2004, a joint report issued by the United Nations Office for the Coordination of Human Affairs, German Agro Action, and the European Commission for Humanitarian Affairs declared that 80% of North Kivu was empty ("Timeline"). 100,000 civilians were displaced in a single week due to internal fighting in the national army. The national army, supposedly a tool of central power and stability, is composed of previous rebel groups and continues to be fractionalized by different leaders continuing to place their own interests above those of the state.

In order to document or put an end to the atrocities committed against civilians, the first logical step is to identify the perpetrator. Here, one runs into difficulties. Every group involved in the conflict has committed atrocities. The multitude of acronyms used to identify armed groups can be a bit difficult to follow. The Congolese national army can be referred to as the FAC, the FARDC, or integrated FARDC brigades, depending on the year of reference. Frequently, attackers are identified only as "rebel forces." The range of attackers includes foreign nations from the late 1990's, Congolese rebel groups affiliated with other nations, Congolese militias, foreign rebel groups based within the DRC, and factions that split from each of the preceding groups.

Who reports these atrocities? First, United Nations affiliated groups. IRIN, the UN's independent news service, is a fairly reliable

source of information on battles, violence, attacks, and looting. The information often concerns humanitarian and aid organizations operating within the area—their safety, the proximity of violence, or new flows of population displacement. Another source of information on war crimes are watchdog groups like Amnesty International and Human Rights Watch. These groups often gather their information from confidential interviews with victims, refugees, and aid group officials on the ground. Sources, and therefore findings, are difficult to independently verify. Despite the difficulties of finding truth in a war zone, as well as the difficulties of identifying the "rebels" in a nighttime attack by armed men, when something big happens, it gets noticed. It will get reported and investigated, but whether or not the picture is ever resolved is another matter.

For an example of the confusion regarding the identity of the perpetrator, one can observe a relatively small-scale incident that took place in late April 2000. The village of Izege in South Kivu was torched by armed groups. A local human rights organization identified the culprits as *Rassemblement congolais pour la democratie* (RCD) soldiers who were seeking to flush out *Mayi-Mayi* fighters in retaliation for a recent attack (*IRIN-2*). Five villagers were killed. Both RCD soldiers and *Mayi-Mayi* fighters are Congolese; the RCD opposed the Kabila government with support from Rwanda, while the *Mayi-Mayi* are resistance fighters who oppose foreign presence on Congolese soil. *Mayi-Mayi* fighters generally support the Kabila government, although the designation is a general term for numerous Congolese armed groups. Days later, the governor of South Kivu refuted the identity of the attackers of Izege, blaming instead *Interahamwe* militia for attacking villagers accused of supporting RCD-Goma (*IRIN-3*). In this account of events, only one person was killed. RCD-Goma is a faction of the RCD, while the *Interahamwe* are Rwandan Hutu forces that fled Rwanda following the

1994 genocide, in which they were generally believed to have been perpetrators. In one small event in one village in one year of a decade-long conflict, the exact number of civilians killed cannot be agreed upon; four different armed groups are blamed, two of whom are amorphous groups with constantly changing leadership structures.

On a much larger scale, consider the event known as the Gatumba massacre. On August 13th 2004, armed forces descended upon the UN administered Gatumba transit camp in Burundi. The camp, which was close to the border, housed Congolese refugees from the Banyamulenge ethnic group. The Banyamulenge, also referred to as Congolese Tutsis, are an ethnic minority in the DRC and are often discriminated against. Over 160 refugees, mostly women and children, were brutally killed and burned in the nighttime attack. The transit center was only one kilometer from the border with the DRC (*IRIN-4*). The day after the attack, a Burundian rebel group known as the *Palipehutu-FNL (Parti pour la liberation du peuple Hutu Forces nationales de libération)* claimed responsibility for the attack, saying they had originally been aiming to hit a military base nearby ("Tutsis massacred," BBC News). However, the governments of both Rwanda and Burundi, as well as some victims of the attack, blamed cross-border attacks by Congolese and Rwandan rebel groups ("Burundi," Amnesty International).

The United Nations Security Council ordered an investigation into the attacks. MONUC and ONUB, the United Nations Peacekeeping Operations in the DRC and Burundi respectively, conducted a joint investigation to determine the identity of the perpetrators. In his first report on ONUB, Secretary General Kofi Annan noted that, "Eyewitnesses reported to ONUB that FNL had actually attacked a nearby FAB (Burundi Armed Forces) base, while Congolese Mayi-Mayi and FDLR (Rwandan [Hutu] ex-FAR/Interahamwe) elements carried out the Gatumba massacre." Human Rights Watch also published an

extensive report on the attacks, determining that in fact the FNL were "the chief force in the slaughter at Gatumba. Witnesses both in and near the camp agree that the attackers arrived making music and singing religious songs in Kirundi. This has been standard practice for FNL attacks for several years, a practice not found among other Burundian armed groups nor ordinarily among groups in the Congo. Many witnesses said that women accompanied the combatants and carried off looted goods. Several witnesses commented also on the young age of some of the attackers. In the last two years, FNL forces included women and children in many attacks. In addition, the site of the refugee camp at Gatumba lies near the Rukoko forest where the FNL are known to have an important base" ("Burundi," Human Rights Watch).

Whether or not the camp had been attacked was never disputed.

Implications

An internationalized civil conflict in which all forces exhibit continued disregard for the human rights of civilians creates a dangerous spiral. What the Democratic Republic of Congo's government still lacks is a regard for its civilians as the most important part of a state. With a displaced population numbering into the millions, with a conflict whose length has surpassed a decade, with an estimated one thousand people dying each day from war related causes in 2008, war is an ever-present reality for the people of the DRC ("DRC," International Crisis Group). People continue to turn to armed warfare. Raped women have little recourse in the justice system. Demobilized child soldiers are shunned for atrocities they committed. Demobilized soldiers often take up arms again because there are few options for peaceful occupation in an area characterized by violence. According to the International Displacement Monitoring Centre, in late 2007 at least 1.4 million people remained internally displaced ("Worsening humanitarian"). In late

2006, the United Nations estimated that over half of an estimated 17,500 foreign combatants present in the Kivus refuse to disarm (*IRIN-5*). In the past eight years, an estimated 3.9 million people have died (*IRIN-6*).

Much of the conflict in the DRC is said to revolve around exploitation of its natural resources, which include copper, coltan, diamonds, gold and cobalt (Ross, 48). As Ingrid Samset explains, “war facilitates excessive resource exploitation, and excessive exploitation spurs continued fighting. The circumstances of armed conflict, which suspend norms of sovereignty and democracy, are used by internal and external actors alike to justify and facilitate excessive exploitation... While the initial aim may have been military victory over an identified enemy, the case of the DRC shows that adversaries can end up sharing a common aim in sustaining stalemate” (477).

In this unstable region, the rule of law is weak and the power of the central government only remotely felt. It is difficult to decide which problem engenders the other—violence or weak infrastructure—

making it even more difficult to bring peace to the troubled populace. The problem must be addressed from all possible angles. The continued demobilization of armed groups is an important step, but requires cooperation from the soldiers themselves. With few other opportunities in this war-ravaged zone, incentives to reintegrate are sparse. Perhaps the most significant sign of progress in the DRC will be successful local elections. As recently as January 2008, MONUC’s mandate was expanded to include assistance for the preparation, organization, and carrying out of local elections (“Resolution 1797”). As the Secretary-General reported in April 2008, the “successful conduct of credible local elections has been identified as an important benchmark for the eventual withdrawal of MONUC” (SG-4). Behind the vagaries of his language is a belief that the security, rule of law, transparency, popular participation, and the respect thereof, that are all necessary for “credible local elections” will become entrenched in a country sorely in need of positive habits.

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