

*Last year's peace accord could put an end to a cycle of violence which has afflicted Congo for two decades. But many challenges stand in the way of lasting peace. OLGA YOLDI writes.*

# Time for Peace

**L**ast October the Democratic Republic of Congo (DRC) became a world turned on its head. The Congolese army, with the support of the UN peace mission, defeated the rebel movement.

Challenging the traditional tenets of peacekeeping, the UN Forward Intervention Brigade used attack helicopters and ordered its soldiers to use deadly force against the rebels, while providing logistical support to Congolese troops.

"These operations marked a welcome shift to the UN's approach to protecting civilians. For the first time peacekeepers were allowed to take the fight to the armed groups threatening the population," wrote Congo expert Jason Stearns.

The M23 guerrillas had taken up arms in eastern Congo in April 2012, accusing the government of failing to honour previous peace accords and marginalising the Congolese ethnic Tutsi minority.

Now the government's challenge is to ensure the demobilisation and disarmament of hundreds of combatants, and their reintegration into the national army and civilian life. But achieving lasting peace will not be easy. There are currently another 40 smaller rebel groups still operating in the east.

For almost two decades, Congo has been the scene of a series of bloody, prolonged and protracted conflicts in which armed groups, foreign and national armies, battled for political, military and economic control of Congo's land and resources.

Unlike other conflicts, this was an invisible and

A column of Congolese M23 rebels motion to the photographer not to take pictures on the Goma to Rushuru road as they look for FDLR (Force Democratique de Liberation du Rwanda) returning from an incursion into Rwanda Near Kibumba, north of Goma Tuesday Nov. 27, 2012. (AP Photo/Jerome Delay)





A picture dated September 1998 shows Democratic Republic of Congo then chief of staff Joseph Kabila in Matadi, eastern DRC. Kabila inherited the war-torn chaos of this huge African country a day after his murdered father and predecessor was laid to rest. AFP PHOTO ISSOUF SANOGO

expression of a deeper social, political rot,” she wrote. “Here, it is possible to witness how war can become systemic and normal ... how a region can become trapped in violent tension and mistrust.”

**T**rouble in Congo started even before the country became a colony of Belgium.

In 1878 the Belgium King, Leopold II laid personal claim to the largest uncharted Congo Free State (almost the size of Western Europe) of African rainforest, which held a vast fortune in ivory and rubber plantations, a commodity in high demand due to the spread of the automobile in 19th century Europe.

King Leopold established his own company and became its single shareholder. He claimed he would protect natives from Arab slavers and open the territory to missionaries. Instead, he unleashed new horrors, turning the Congo Free State into a massive forced labour camp. Using a mercenary force, rubber gatherers were tortured, their hands cut off, or flogged to death, if they did not meet rubber collection quotas, contributing to the death of an estimated 10 million Congolese due to exploitation and disease.

This became the most infamous international scandal of the 19th century. Missionary John Harris of Baringa was so shocked by what he saw that he wrote to Leopold’s chief

agent saying: “I have just returned from a journey inland to the village of Insongo Mbayo. The abject misery and utter abandon is indescribable. I was moved, your excellency, by the people’s stories that I took the liberty of promising them that in the future they would only kill them for the crimes they commit.”

While he never set foot in the Congo Free State, King Leopold extracted a fortune that helped build Belgium’s cities and infrastructure, but in the meantime he inflicted a wound so deep in the heart of Africa that Congo never recovered.

“Legalised robbery enforced by violence” as the King’s reign was described, remained the template by

inaccessible war waged mostly against civilians, driving millions of people into malaria infested jungles and cutting them off from desperately needed aid. It has caused an estimated 5.4 million deaths (mostly from hunger and disease); massive population displacements, widespread sexual violence and a humanitarian disaster.

This conflict had no one cause and wasn’t fought for ideological or religious reason. “The war isn’t about competing visions of the country’s future or about the fate of nations or ideas,” wrote journalist Armin Rosen. “There is no Sunnis fighting Shiites, or Kurds fighting Turks; no philosophical, religious destinies in clash. Violence isn’t a means to a higher end, but the

which Congo’s rulers have governed ever since. As BBC journalist Mark Dummett wrote, “Congo’s soldiers have never moved away from the role allocated to them by Leopold – as a force to coerce, torment and rape an unarmed civilian population.”

The Congo Free State became a colony of Belgium. But the Belgians continued extracting resources, and did little to encourage development and when the country won its independence in 1960 they had set a new nation up to fail.

Patrice Lumumba became the first prime minister. Congolese people dreamed of peace, prosperity and dignity. Lumumba, a visionary leader, said: “We are going to show the world what the black man can do when he works in freedom and we are going to make of Congo the centre of the sun’s radiance for all of Africa ... We are going to keep watch over lands of our country so that they truly profit her children.”

But the new state was soon destabilised. The lack of governing experience and internal power struggles worked against emancipation. Soon after Lumumba took over the government, the provinces of Katanga and South Kasai engaged in secessionist struggles against the new leadership. As soon as Lumumba turned to the USSR for assistance, the US sent weapons and CIA personnel to Congo.

With assistance from the US, Colonel Joseph Mobutu Sese Seko overthrew the government and seized control of the country, declaring himself president and renaming the country Zaire.

Mobutu governed for 31 years, allowing western companies to exploit the mineral reserves, while neglecting the country’s infrastructure and services. He became notorious for nepotism and corruption and for running government institutions into the ground, and maintained power with the support of mercenaries and his cold war allies. During his time, GDP decreased 65 percent. He embezzled \$5 billion, equivalent to the country’s foreign debt at the time, causing widespread poverty and a total lack of development.

In the early 1990s Mobutu’s time was up. He was dying of cancer and had not only lost his grip on his country, but his territory had become a rare base for

guerrilla groups of neighbouring countries, threatening the stability of the region.

**T**he first Congo war started in 1996 triggered by the collapse of the state and the 1994 Rwandan civil war. According to Paris University historian and author, Gerard Prunier, everything conspired to turn Zaire into a kill zone: a dying dictator, the end of the cold war, Western guilt and a tough, suspicious, post-genocide Rwandan government.

During the Rwandan civil war, when Hutu death squads massacred 800,000 people (mostly Tutsies) and a Tutsi-dominated rebel group seized power, two million Hutus (a third of the Rwanda’s population) fled to Congo’s eastern Kivu region, bringing with them the rivalries from home.

From the refugee camps, with support of Congolese Mai Mai militias, Hutu refugees launched attacks against Rwanda. Arguing it needed to protect its borders, the new Tutsi-dominated Rwandan government sent troops into Congo and attacked Hutu refugees, slaughtering at least 400,000 people in vicious revenge attacks.

The Rwandan government then established a coalition between local Congolese Tutsi minorities, a new rebel group fighting Mobutu under the leadership of Laurent Desire Kabila, and the governments of Burundi, Angola, Uganda and Southern Sudanese rebels. Within a year the coalition overthrew Mobutu, and Laurent Kabila, a former gold and coffee smuggler, declared himself

the new head of the state, renaming the country the Democratic Republic of Congo.

Any hopes of a fresh start soon evaporated as Kabila, Rwanda’s puppet, refused to do as he was told and soon fell out with his former Rwandan and Ugandan allies, triggering one of the bloodiest, most chaotic wars in history and the deadliest since WWII.

According to Prunier, it was the collapse of the Mobutu regime and an erratic Kabila that created a power vacuum that drew other countries into an extended chaotic war.

Indeed, dozens of Congolese militias, the Congolese national army and ten African countries were sucked

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*Huffington Post*



into the conflict, battling one another for a confusing number of reasons. Some armies (the Rwandan, Ugandan and Burundian) were allied with rebel groups to oust Kabila, others (the Angolan, Namibian, and Zimbabwean) to protect him, and for others the reasons were not entirely clear, particularly since alliances continuously shifted, militias fractured, and factions fought one another over access to resources, leadership and the spoils of war.

While the UN deployed the largest and most costly peacekeeping missions in history it failed to protect civilians and bring an end to the conflict. With time, rebel groups and invading armies expanded their reach to half of Congo's vast expanse. The country was fragmented into at least five different parts, each one run by an armed group with a foreign backer. The conflict raged inconclusively for years. A UN panel said the belligerents were deliberately prolonging the conflict to plunder gold, diamonds and other minerals from Congo.

Kabila managed to contain Rwanda and its allies for several years, with the support of local Mai Mai guerrillas, Rwandan Hutu militias and troops from Angola and Zimbabwe. He was assassinated in 2001. His son Joseph Kabila joined a transitional government.

In 2002 a peace agreement was negotiated with the support of South Africa and Belgium. "The magic that these talks had to accomplish was to make each belligerent believe that he would benefit from putting down its arms and joining a transitional government," wrote Jason Stearns in *Foreign Affairs* magazine. "Even though the transition which ended in elections in 2006, would by its very nature produce losers as well as winners."

The international community put pressure on Rwanda and Uganda to withdraw from eastern Congo but both countries continued their influence through proxy armies and developed lucrative networks for trafficking minerals.

Joseph Kabila won office in the 2006 elections, the first in 46 years. All rebel groups joined the government

and integrated their troops into the national army. It looked as if peace had arrived. It hadn't.

The Congolese Rally for Democracy (RCD) that fared poorly in the elections triggered a new rebellion, the National Congress for the Defence of the People (CNDP), this time led by a renegade Tutsi general, Laurent Nkunda, and backed by the Rwandan government and Congolese Tutsi rebels.

Nkunda claimed to be defending the interests of the Tutsi minority in eastern Congo who were subjected to attacks by Hutus. According to author Severine Autesserre, Nkunda's popularity was due to the Tutsi minority's renewed fears of an ethnic cleansing campaign against them and he was seen as a de facto protector.

Nkunda became Congo's most notorious warlord, whose record of violence included mass atrocities, pillaging and destroying villages, recruiting child soldiers and committing mass rapes, causing some 200,000 people to flee.

In 2009, the Rwandan and Congolese government struck a deal to arrest Nkunda and integrate his CNDP militias into the Congolese army. The arrest took place after the release of the UN report documenting Rwanda's close ties to the warlord and concluding he was being used to advance Rwanda's economic interests in Congo.

A new peace deal with CNDP rebel allowed them to stay in the Kivu area and maintain a parallel chain of command with the Congolese army. While the Congolese government was hoping to integrate

ex-combatants in the army, the plan failed as rebels, under a new leader, Bosco Ntaganda, grew richer and more influential. Kabila also agreed to allow Rwandan forces to conduct a five-week joint military operation against Hutu rebels, but attacks against civilians increased.

The peace deal failed in 2012 when Ntaganda launched a mutiny, named March 23, taking many of the former CNDP militias with him. The March 23 Movement, which was defeated last year, was backed by the Rwandan government. Two million people died since the official end of the war.

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*Caitlin Dearing*

Lasting peace will not be achieved if the root causes of the conflict are left unaddressed. Ethnic conflicts and land disputes, coupled with widespread poverty, and unemployment have stymied previous efforts to bring peace.

Since colonial days, large waves of Rwandan migrants, including Hutus and Tutsis, have settled in eastern Congo. According to Autesserre, Congolese people of Rwandan descent especially Tutsis own most of the land that other ethnic groups claim as their own.

"Many Tutsis in the region fled persecution several times over the past decade, abandoning their plots or selling them at a discount and claiming them back on their return again, sometimes by force," she wrote in *Foreign Affairs* magazine.

Since the war uprooted communities, there are no traditional dispute-resolution mechanisms or state authority to solve local disputes. To make matters worse, the government has also imposed on-and-off restrictions on citizenship, a key element in their divide and rule strategies.

People of Rwandan descent are considered immigrants, even though many of them have lived in Congo for generations. This has repercussions for land tenure and precludes them from political representation, contributing to the feeling of alienation.

For peace to prevail, these grievances need attention and resolution at a local grass-root level. A new approach to peace building that includes both, bottom up as well as top down approaches, is needed.

A dialogue with local chiefs is fundamental to resolve land disputes and start rebuilding communities. The government needs to impose the rule of law in the eastern provinces, reform the army, the police and justice systems, build institutions, decentralise revenues and power, and have a more inclusive government.

The propensity for rebel groups to emerge may not be truly overcome until poverty is addressed. High unemployment, lack of development and



Congolese children at a refugee camp in Bunia run by Congolese woman Justine Kerovin, Thursday, Sept. 4, 2003. Over 410 families have taken shelter in the refugee camp after they escaped fighting and killings in Fataki, some 88 km (55 miles) north of Bunia, Democratic Republic of Congo. Bunia is the capital of Democratic Republic of Congo's northeastern Iture province, the scene of bitter inter-ethnic fighting that has claimed tens of thousands of lives in the fast four years. (AP Photo/Sayyid Azim)

opportunities will leave no option to young people but to join rebel groups.

Nation building is then a high priority. Two decades of armed conflict has taken a toll on the economy, devastating the farming sector, damaging the infrastructure and exacerbating its food security situation. While Congo is potentially one of the richest countries in the world, it rates as one of the lowest on the *UN Human Development Index*.

Congo, according to the *Huffington Post*, has enough arable land to feed one third of the world's population. Its immense mineral reserves are currently valued by some estimates at more than \$24 trillion, and include



30 percent of the world's diamond reserves, 70 percent of the world's coltan, used in electronic devices. It is the second biggest copper producer and it is Africa's larger producer of tin ore. It is also an important producer of zinc, uranium, nickel, tungsten-tantalum and gold and has large reserves of oil, natural gas and plentiful water.

There is no doubt that the biggest challenge for the government will be the regulation of its mineral trade. Despite UN sanctions and international law prohibitions, the pattern of illegal-resource extraction has remained prevalent during the war and after peace deals were brokered.

According to a report by the UN Group of Experts, gold, diamonds and other minerals were purchased, trafficked and funnelled into unregulated global markets at huge profit, nothing went to government coffers.

"Conflict trade in Congo has run through a complex web of local and regional networks that include states, private armies, businessmen, elites, organised criminal groups and multinational corporations," Caitlin Dearing, from George Washington University wrote in the *International Affairs Review*. "International companies and global markets are deeply complicit in perpetuating war economies."

She attributes this to international competition for scarce resources, the effects of globalisation, market liberalisation and the deregulation of international financial markets.

All these factors have facilitated the rise in the trade of conflict goods, particularly natural resources. The sale of minerals enabled rebel groups and armies to purchase weapons and supplies and sustain the war for such a long time.

Several companies and states such as Belgium, China, France, Germany, India, Israel, Japan, Lebanon, the Netherlands, Russia, Switzerland, the United Arab Emirates, the UK and US all received substantial amounts of minerals from Congo. Conflict trade is not only a manifestation of the ugly side of globalisation but it also highlights the amoral side of unchecked global capitalism.

Few Congolese have profited from their natural resources except the political and economic elites with ties to the central government. They used their connections and their stakes in private companies to reap millions from resource extraction. As Jason Stearns writes, "everything flows from political office, the best business deals, influence and status. For those outside power there is scant opportunity to prosper."

The government has lost billions in revenue over the last 20 years. A May 2013 report by a panel led by former UN Secretary-General Kofi Annan showed that Congo had lost at least \$1.36 billion in revenue since 2010 in five deals, in which state mining assets were sold at prices well below market value to a friend of Kabila, the Israeli businessman Dan Gertler.

Attempts at enforcing international regulations (through the introduction of supply chain traceability procedures and certification mechanisms) have not been successful.

A 2013 report by Crisis Group said that sanctions did not reduce illicit trade, on the contrary, they promoted over militarisation of mining zones. "The UN attempt to police this international trade foundered on the lack of cooperation by the countries providing a base for the black marketeers and the absence of a legal corpus that is binding on the importing companies."

According to the report, the US and EU also made attempts to regulate the trade. The Dobb-Frank Act obliged companies to disclose the origin of their minerals but the

Congolese government lacked the administration capacity to ensure compliance.

The report attributed the failure to corruption and a clientelism system of governing. "The lack of administration capacity and resources to ensure compliance of sanctions means the problem of smuggling remains," the report said.

Compliance depends on the integrity of the administration as well as those working for it, but when unpaid soldiers had the responsibility to enforce regulations, it became an impossible task.

Prosecution of international companies for the crime

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of pillage and related financial crimes is being advocated by the Conflict Awareness Project, a non-government organisation that conducted an investigation on gold trafficking in Congo.

"A successful pillage prosecution of corporate actors would serve as a powerful deterrent and would modify the behaviour of companies trading in conflict commodities," Kathi Lynn Austin wrote in the project's Interim Report.

"This in turn could help transform the way armed conflicts are financed and would lead to the closure of legal loopholes that have allowed this black market trade to flourish ... Such prosecutions would go a long way towards restoring faith in the international justice system."

There is no doubt that the elites who have benefited from war have now little incentive to work for peace, and may hinder or disrupt the peace process.

Only firm leadership and governance based on the rule of law will ensure sustainable peace. But so far Kabila has proved inept at creating a functioning society and the government lacks the rudimentary security and administration infrastructure to ensure law and order. While he is not an authoritarian leader and has started to address corruption and abuse in the army, Kabila has been accused of focusing his efforts on staying in power rather than on creating an accountable and transparent political system.

"Congo's government is not only extremely weak," writes Jason Stearns, "but it is beholden to a political logic of patronage that undermines the reform of its own state and encourages the creation of competing armed groups."

Peace cannot be achieved without development. Mining must contribute to state reconstruction, economic and human development. Congo and all countries in the region, stand to benefit from a clean, certified and regulated mineral trade, which can transform the whole region. The resulting tax revenues would aid recovery and nation building and contribute to democratisation and national reconciliation.

Kabila promised to promote national dialogue and reconciliation. Congolese people have experienced trauma on a massive scale and deserve to know the truth of what happened during the war and be able to hold accountable those responsible.

Sierra Leone, Kosovo, East Timor, Rwanda and the former Yugoslavia have all had tribunals to deal with the past. Yet this might be difficult in Congo as many perpetrators are still in power. Many members of government, the armed forces and police are complicit in human-rights abuses and sexual crimes. So far only

Bosco Ntaganda and Laurent Nkunda have been indicted by the International Criminal Court.

The recent amnesty law grants amnesty for the act of insurrection to those who give up rebellion. The law however does not grant amnesty for crimes against humanity, sexual violence, the recruitment of child soldiers and other human-rights abuses. This prevents impunity which has in the past sown the seeds for future rebellions.

**A** ccording to press reports, the proliferation of armed groups still remains an obstacle to peace. There are still about 40 armed rebel groups (many without a unified command structure) that need to be disarmed and demobilised, so the Congolese armed forces are now busy negotiating with these militias across the Kivus.

Under the multilateral framework agreement signed under the UN and African Union, there are provisions for disarming rebels, transferring them to demobilisation centres and protecting them from other armed groups.

Kabila's government is also committed to a far reaching reform program, designed to address the root causes of instability and rebellion. The agreement also includes a pledge on national reconciliation and democratisation. The government promised to overhaul its security forces, consolidate state authority in the east and prevent armed groups from destabilising neighbouring countries.

Most observers say any foreign aid must be conditional on these political reforms. Kabila will not be able to implement the agreement without a firm commitment from neighbouring governments to stop meddling in Congo's affairs.

He will also need assistance from the international community, which has often been accused of lacking imagination to find solutions to Congo's conflict. Without the Cold War to keep the continent relevant, Africa has been largely forgotten by the West. While it spent \$1 billion a year in peacekeeping alone, it has provided a piecemeal response, disengaging while the peace process was still fragile. It is time it has a more honest and appropriate engagement with Congo.

A peaceful democratic transition will be a first for Congo and could help it reach its potential. It's past time for the suffering to end. The international community and Congolese government must seize this opportunity to ensure Congo changes the course of its history and works hard towards sustainable peace, only then the wound in the heart of Africa can start to heal. R