

# **A Primer on the Historical Context of Humanitarian Relief Efforts in the Democratic Republic of Congo**



**Prepared for:  
USAID/DCHA**

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**Contract No. AEP-I-00-00-00022-00  
Task Order #9  
September 2004**



**CHECCHI AND CO. CONSULTING/ LOUIS BERGER JOINT VENTURE.**

# **A Primer on the Historical Context of Humanitarian Relief Efforts in the Democratic Republic of Congo**

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In introducing the history of the DRC it is difficult to know where to start, because as in every other country, historical events are linked in chains of cause and effect relationships. Should one start with the horrors of the Leopoldian Congo Free State? Or, with the paternalistic Belgian colonial system which followed it? Or, with the Congolese independence struggle which was so handicapped by the sudden collapse of Belgium's will to rule so that not enough time remained to forge even a semblance of unity before the transfer of sovereignty? Or, with the collapse of the first Congo government just days after independence as the army mutinied and produced a state of lawless anarchy? Or, with the disintegration of national unity, as the richest provinces in the Congo, Katanga and South Kasai, seceded, again just days after the achievement of independence? Or, with the establishment of a virtual UN trusteeship, under US leadership, just weeks after independence? Or, with the assassination of Patrice Lumumba, the Congo's first Prime Minister? Or, with the massive revolutionary upheaval which began in 1963 and rapidly conquered over half the country only to be defeated by massive Western military support at the cost of about one million Congolese lives? Or, with the US backed dictatorship of President Mobutu that lasted over thirty years? Or, with more recent events leading up to two continent wide wars and several more local wars all on Congolese soil with heretofore-unknown catastrophes?

This historical overview will begin with the now little remembered revolutionary movement of the mid-1960's because it is the most important historic event that helped to shape the culture of non-violence that, up to the present, is evident among the majority of Congolese. Since violent conflict is the main source of humanitarian disasters and the displacement of populations, it is particularly appropriate to focus on this phenomenon. Between the mid-1960's and the mid-1990's, the Congolese often struggled for an end to dictatorship and corruption but on the whole avoided the use of violence. The surrounding states followed a different, often long lasting, pattern of violent protest and conflict. Examples abound; Angola, Congo/Brazzaville, Sudan, Uganda, Rwanda, and Burundi.

The culture of non-violence is also the reason why Mobutu was able to hold on to power for so long despite the endlessly declining standard of living under his corrupt rule. The courage and energy to rise up against him by employing violent protest means had largely been dissipated during the failed revolutionary years, 1963-68.

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<sup>1</sup> This document was prepared as an unsolicited background paper to an Evaluation of USAID's Humanitarian Response in the DRC (Contract No. AEP-I-00-00-00022-00, Task Order No. 9, September 2004).

## 1. THE CONGOLESE REBELLIONS/REVOLUTION: 1963-68

The beginning of what has been called the Congo Revolution-Rebellions occurred in Kwilu District in what is today Bandundu Province in the summer of 1963. It began when a few politicians who had supported the assassinated first Prime Minister, Patrice Lumumba, returned from exile and set up partisan camps in the bush in which young men and women were given “political lessons” and taught guerrilla warfare techniques. The actual uprising started about six months later and spread with lightning speed “liberating/capturing” most of Eastern Kwilu in a few days. The Government mounted a major offensive against the movement, but with little success despite the fact that the partisans had virtually no modern weapons. One reason for this army failure was the use of magic by the partisans. Not only did they believe themselves to be invulnerable, but the army soldiers also believed this with the result that they often fled in terror before magically “baptized” partisans. The Kwilu part of the uprising was, however, limited by certain ethnic boundaries and this illustrates one aspect of mobilization for revolutionary action – it tended to coincide with ethnicity, that is to say, an ethnic group would typically crystallize around a pro or anti revolutionary posture.

By far the largest area of revolutionary activity occurred in the east and north and was called the Eastern Rebellion. It started in the spring of 1964. At the apex of its extension, it had conquering approximately half of the Congo. It established its headquarters in Kisangani and received material and political support from a variety of foreign sources. The most famous or, for the West, most infamous, foreign aid came from Cuba when Che Guevara accompanied by about 300 Cubans established a base in South Kivu in an area commanded by the then rebel leader, Laurent Kabila. Once again, mobilization occurred with lightning speed and the resistance of the Central Government’s army was ineffectual. Here, as in the Kwilu, magic played a major role in raising the morale of the partisans who were called *simbas*, meaning lions, and frightening soldiers of the Congo army. This formula reversed itself dramatically when hundreds of white mercenaries were recruited to fight against the revolutionary movement. Indeed, it is reported that when the *simbas* realized that their invulnerability did not work against white mercenaries, it was they who were frightened and fled. In the end, the Eastern Rebellion was given the *coup de grace* when a Belgo-American commando attack against Kisangani succeeded in dispersing the leadership.

It is perhaps not a great surprise that the areas controlled by the revolutionary movement overlap to a considerable degree with the areas in which the Lumumbist alliance had in the May 1960 elections proved to have its strongest support. It is, however, interesting to note that it is also this region that became the “rebel” controlled areas during the Second Congo War between 1998 and 2003 [see maps on pp. 21-23]. But, as stated above, the most lasting heritage of the failed revolutionary uprising was a rejection, by the vast majority of Congolese leaders and the masses, of any resort to violence in order to end the Mobutu dictatorship. Even when exiled Congolese invaded the Congo from Angola in 1977 and 1978, they were unable to inspire an uprising among the Congolese public.

## 2. POST-REVOLUTIONARY CONGO

With the Revolution/Rebellions defeated largely as a result of foreign support and intervention, an attempt was made to return to the “normalcy” of governance by political party pluralism. However, such a return did not occur.

This then was the moment when Mobutu – the head of the army since Lumumba had appointed him to the post - thought it opportune to conduct his [second] coup, one in which he adopted dictatorial powers and declared himself president. Having succeeded not only in a military coup but also in gaining massive popular support for it, Mobutu also gained the acceptance of the then President Kasavubu and Parliament. In effect, his first move was to promise order and the fulfillment of all the wish lists of different groups. Mobutu turned out to be a magician in balancing powerful individuals, politicians, classes and ethnic groups against each other. He was also a master at undermining the links between leaders and their constituencies and thus making them entirely dependent on his favor.

Between 1969 and 1972, Mobutu sought to extend his power by pursuing two goals; first, gaining complete control over the administrative apparatus and, second, institutionalizing his relationship with the Congolese citizenry. He sought to accomplish the first goal by “de-tribalizing” the Administration. No one was allowed to hold an administrative position in his home or ethnic region. He accomplished his second goal by establishing a single, mass mobilizing party - which he called a movement to avoid association with the disparaged political parties of the past. The MPR (*Mouvement Populaire de la Revolution*) had the job of recruiting all Congolese citizens into the party ranks.

The decline of the Mobutu regime probably started with the confiscation of just about all foreign owned property in 1973. Mobutu announced a policy of the “Zairianization”<sup>\*</sup> of all foreign owned business and what he called *le retour à l'authenticité*. These businesses were appropriated by the state and handed over to friends and family of President Mobutu and favored MPR leaders who, in turn, often used the capital to buy consumer goods. Inventories were liquidated and not replenished, and by mid-1974, shortages and long lines for foodstuffs and other consumer goods were commonplace in all cities, including Kinshasa.

The economy, already vulnerable due to the long-standing predatory practices of the state, was deeply affected by many of the external shocks suffered by other African states during the late 1970s after the tripling of petroleum prices. In addition, the closing of the Benguela railroad as a result of the Angolan civil war, the two Shaba [Katanga] invasions (by the so called Katanga Tigers, former supporters of Moise Tshombe who had fled to Angola after the defeat of Katanga secession), and the severe drop in world copper prices further harmed the Congo economy. By the early 1990s, the national currency, the Zaire,

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\* “Zaire” was the new name Mobutu gave the Congo. It also became the name of the newly printed currency and the former Congo River.

valued at US \$0.50 in the early 1970s, was valued at one U.S. dollar for 7,500 Zaires. The rural population was increasingly reduced to subsistence farming or small-scale food production that fed the growing urban population. Inflation was so high that only the lowest level of the economy employed the national currency; any substantial transaction was conducted with U.S. Dollars.

During Mobutu's thirty-year rule, the state and party abandoned virtually all social service delivery functions and the country's socio-economic infrastructure deteriorated almost completely. The informal economy did replace many functions that had previously been performed by a more structured economic system, but this did little more than slow down the ever-declining standard of living of ordinary Congolese. Non-governmental organizations took over many service functions that had previously been performed by the state and civil rights associations and some Church leaders became the only voice defending ordinary people against the arbitrary power of state representatives. By the late 1980s, the Mobutu regime had ceased to have legitimacy with most of the Congolese people. However, Mobutu continued to receive Western support largely because he was a valuable ally in the Cold War. As the Cold War wound down, he came under increasing pressure to liberalize his policies and to end corruption notably from his oldest ally, the US.

Mobutu also faced growing internal pressures for reform and democratization. The so-called "non-violent" opposition was of course, met with harassment and imprisonments as well as defections in response to Mobutu's carrot and stick manipulations. Nonetheless, by 1990, he was forced to make some concessions. In April 1990 he announced the end of single-party rule. Over 200 political parties were established, yet many of them were front organizations created by Mobutists. Elections were promised, but never took place. A transitional government was put in place, but dismissed when it opposed the President's interests.

Finally, a national conference, the CNS (National Sovereign Conference) was organized, but its decisions were never applied. Despite many obstacles, the CNS did accomplish a great deal. It produced a widely accepted plan for a peaceful transition to democracy. Perhaps the most important result has been the broad legitimacy that the Congolese people have given to its decisions.

There were moments in the declining days of the Mobutu dictatorship when elements of the military as well as foreign actors appealed to anti-Mobutu leaders to head a *coup d'etat* backed by force. Consistent with its philosophy, the so-called non-violent opposition always rejected such proposals. In a word, the "transition" to a democratic state dragged on for seven years and in the end was overtaken by the First Congo War.

### **3. THE POST-MOBUTU WARS**

#### **a. The First Congo War [1996-97]**

This war has profoundly affected all the countries of the region, especially their relation with one another, but since military conflict manifested itself exclusively in the DRC it is

there that it has caused the greatest devastation and produced one of the world's greatest humanitarian crisis.

The genocide of Tutsi in Rwanda in 1994 that involved Hutu leaders mobilizing almost the entire Hutu population in mass murder is the first event in a series that has transformed a relatively non-violent society — the DRC — into an arena of conflict and war. The genocide in Rwanda profoundly destabilized eastern Congo with the result that this area has been plunged into endless cycles of violence. Inter-ethnic relations in the Kivus (both North and South) and in Ituri have, for many years, been more problematic than in most other parts of the DRC. This is probably due to three underlying factors: first, the coexistence of pastoralists and sedentary farmers; second, a higher than usual population density; and third, a cultural divide between the original sons of the land and Kinyarwanda speaking immigrants — both Hutu and Tutsi — migrating westward from Rwanda and Burundi. It should be noted some of these migrations occurred hundreds of years ago while others are of much more recent vintage.

The Tutsi genocide completely changed the balance of power in the Kivus. When the Tutsi-dominated RPA (Rwanda Patriotic Army) defeated the Hutu government of Rwanda (which had perpetrated the genocide), about a million Hutu — some with French army cover — moved into the Kivus. Close to the Rwanda border, UNHCR camps were established in which the political and military personnel that had been responsible for the genocide reestablished themselves. From these camps attacks were launched against the new, Tutsi dominated, government of Rwanda. But more important, from the Congolese perspective, the ethnic balance in the Kivus was upset. The Hutu became a dominant force in some regions and proceeded to isolate and attack Congolese Tutsi and, these attacks found moral and eventually military support from the Congolese (then Zairian) army and some Kivu politicians. This constellation of circumstances resulted in attacks on the Tutsi in the Masisi area of North Kivu. Those who managed to escape took refuge in Rwanda. Then, in early and mid-1996, growing pressure developed against the Tutsi in South Kivu. These were the Banyamulenge, most of who lived in homogeneous communities high on a plateau. They are probably the oldest of the Tutsi communities in the DRC.

Faced with the danger of an ethnic cleansing campaign against them, the Banyamulenge undertook a preemptive strike against the FAZ (Forces armées zairoises) soldiers and the Hutu “refugee” camps in their neighborhood in September 1996. It is very probable that these attacks were coordinated with Rwanda. At any rate, Rwandan forces entered the fray and the war against the Mobutu regime had begun. It will be recalled that General Paul Kagame, had pleaded with the international community to separate the Hutu military (the ex-FAR) and militia (the Interahamwe) from civilian refugees and to make it impossible for the camps to be used to launch attacks against Rwanda. When nothing was done, he warned that in the end Rwanda would act on its own. His words were not taken seriously. The attempt to expel the Banyamulenge from their homes in the DRC was, therefore, a gift from the heavens for Kagame, since Rwanda was able to defend its cross-border advances as preventing another genocidal attack against a Tutsi community.

In rapid succession, the Rwandan army attacked the Hutu camps and Mobutu's army with the result that the ex-FAR (i.e. the former Hutu army of Rwanda) and the Interahamwe tended to flee westward accompanied by many Hutu civilians while the majority of them walked back into Rwanda where they were channeled to their home communities. In subsequent months, the retreating Hutu both fought for the Mobutu regime and were massacred — men, women, and children — by the advancing anti-Mobutu armies and especially RPA units.

It is obvious that it was very much in the interest of Rwanda and Uganda (which almost immediately joined the Rwandan invasion of the DRC) to portray their actions as something other than an attack against a sovereign state, no matter how corrupt and unpopular its leadership had become. Finding Congolese allies against Mobutu was, therefore, a priority. But, the problem facing them was that, although a broad and substantial Congolese/Zairian opposition to Mobutu did exist, it had firmly opted for a non-violent strategy.

Since the non-violent opposition to Mobutu showed no inclination for joining the Ugandan/ Rwandan/Congolese Tutsi attacks on government positions, other allies had to be found. These were the circumstances that produced the AFDL (*Alliance des Forces Democratiques pour la Liberation du Congo,*) that was made up of four Congolese revolutionary parties in exile, all of which had almost no following. One of the four initial leaders did, however, have a certain revolutionary legitimacy. He was Laurent Désiré Kabila. The AFDL, therefore, became the main Congolese partner of an invasion by Rwanda and Uganda that was soon joined by Angola and given support by other African states determined to rid the DRC of the Mobutu regime.

The Mobutu regime desperately tried to convince the world that what was happening was simply an invasion, but to little avail. Neither the UN nor the OAU condemned the invaders and the notion that what was happening was largely a revolution against the Mobutu regime gained wide currency. More importantly, Mobutu failed to obtain any serious military support from abroad and the invaders appear to have had the support of not only many African states but also the US. His army retreated on all fronts and in so doing looted, raped, and killed Congolese civilians. This was one reason why the Congolese soon welcomed the AFDL and allowed young men and boys to be recruited into its ranks.

The motivation of Rwanda has already been cited; it was the presence on its borders of UNHCR camps with close to a million Hutu who had been allowed to reestablish their political leadership and military structures. Critically, they continued to attack Rwanda. For Uganda, a similar, but no doubt less pressing, motive existed. The DRC had for some time been used as a rear base by anti-Museveni forces such as the Lord's Resistance Army, the West Nile Bank Front, and the Allied Democratic Forces, some of which were supported by the Sudan Government. By occupying the frontier region in the DRC, Uganda hoped to end this threat. Angola had very much the same motive. UNITA had for years not only been supplied via the DRC but there were UNITA bases in the country.

During the anti-Mobutu alliance's quick march to Kinshasa, Kabila was able to give a very personal imprint to the AFDL. That imprint was profoundly affected by the period during the Cold War when he was a leftist — some thought Maoist — revolutionary. Thus, it soon became clear that he planned to lead a veritable cultural revolution in the Congo and not simply rid the country of Mobutu and the system he had created. Both established political parties and civil society organizations were disdainfully excluded from participation in the decision-making processes. The party — the AFDL — and the state were to overlap.

While liberation from Mobutu gave Kabila and the AFDL some credit and popularity, the ideology that they sought to impose on the Congolese public was very rapidly rejected. The Congolese public wanted a symbiosis between the armed and the non-violent opposition to Mobutu. The long, even if unsuccessful, non-violent struggle which many political and NGO leaders had been involved with, and which had genuine popular support with real roots and organizational structures, led them to expect a role in a post-Mobutu regime. But Kabila had no inclination to share power.

The Kabila regime did, however, accomplish changes that in the eyes of the general public were important and appreciated. Foremost among these was the vast improvement in personal security that resulted from the fact that ordinary citizens were no longer repeatedly held up by unpaid soldiers and policemen. Of course, this was less appreciated by the elites than by the man in the street. Members of the old elite who did not succeed in making deals with the new rulers saw their property confiscated and their personal security in danger.

Creating a new army, loyal to the regime, was an especially daunting task because there were so many different armed groups and because none of them, perhaps with the exception of the “*kadogos*”, the youths recruited during the march to Kinshasa, had any reliable loyalty to Kabila. In addition to these Congolese forces there were Rwandan Tutsi units as well as some Ugandan and Angolan forces as well as instructors invited to train the new army coming from a variety of African states. The Rwandans, especially, held important positions in the new army, the FAC (*Forces Armees Congolaises*).

During the period in question (1997-98), the FAC faced an ongoing military challenge. In the Kivus and along the Ugandan border, two real threats coming from guerrilla organizations continued to exist. First, on the Kivu-Rwanda border there still were Hutu ex-FAR/ Interahamwe bands that continued to attack Rwanda and further north various Ugandan insurrectionist forces were again using the DRC as a base from which to attack Uganda. Second, a Congolese challenge to both the Rwandan presence in the Kivu and to the Kabila regime — the Mai Mai — had gained importance and local support. Mai Mai was a term generically employed to describe different Kivu groups that had armed themselves and were essentially dedicated to expelling non-Kivu forces and people from their territory. They were now essentially dedicated to expelling the Rwandans and the FAC, which was at this time closely allied to the Rwandans. Indeed, the FAC and the Rwandan army organized joint operations against the Mai Mai.

While the victory of the AFDL and its leader Kabila in May 1997 was politically and emotionally a watershed event for Africa, one year later, the foreign states that had been *most* instrumental in putting him in power were frustrated and antagonized by some of his actions. That does not, of course, mean that all of Africa became antagonistic. There was continuing support from Mugabe in Zimbabwe and Nujoma in Namibia and also from Libya and Sudan.

The relations of the Kabila regime with the UN and with Western states were largely dominated by the issue of the UN investigation of the massacres perpetrated against the retreating Hutu during the anti-Mobutu forces' march to Kinshasa. In a variety of ways, Kabila thwarted every attempt to undertake such an investigation and this resulted in a rapid change of attitude — from one which placed great hope in and anticipated support for his regime - to one of estrangement and virtual abandonment. Most projected foreign financial aid — and it was substantial — was linked to allowing the investigation into the massacres to go forward and, as a result of the repeated obstacles placed in the path of its successful execution, the DRC was denied much needed funds.

### **b.     *The Second Congo War***

The period between the First and Second Congo Wars amounted to a failed condominium between Kabila and his foreign sponsors. Kabila acted too independently and is reported again and again to have ignored advice given him. Perhaps a conflict between them was inevitable, since any Congolese president would have sought to legitimize himself with the Congolese public and that would have necessitated distancing himself from foreign, especially militarily present, sponsors. But it must also be said that Kabila provoked both internal and external opposition that was not inevitable.

During June and July 1998 relations between Kabila and the Rwandans had not only seriously deteriorated, but had reached a boiling point. Some of Kabila's collaborators are reported to have concluded that a Rwandan officer was about to assassinate him. In this atmosphere, Tutsi families in Kinshasa began to feel insecure and started to leave. On July 27, the Rwandan mission of cooperation was terminated by the DRC and the Rwandan military was asked to leave immediately. On July 29, they flew back to Kigali. A little over a year earlier they had been received as liberators; now public opinion in Kinshasa vehemently approved of their *de facto* expulsion.

It is not an exaggeration to say that the next twenty days profoundly changed the history of Africa and launched the continent on what some have called the First African World War. A few days after the expulsion of the Rwandan military, a "mutiny" or "rebellion" started in eastern Congo and Rwandan army units crossed the frontier in force to support it. On August 4, a spectacular cross-continent airlift was organized by Rwanda and Uganda in which a plane full of their troops landed at Kitona army base located near the Atlantic Ocean coast close to Angola. Although the airlift and incursion were widely rumored to have had the support of the US, this has never been proven, and this writer does not believe this to be the case. Kitona held some 10–15,000 former FAZ soldiers who were being "re-educated" under very harsh conditions." The Rwandan/Ugandan force of approximately 150 soldiers managed to mobilize these troops in support of an

uprising against Kabila. Within days, they captured a number of towns and most importantly the Inga hydroelectric dam where they were able to cut off electricity supplies to Kinshasa as well as Katanga. In effect, the capital was threatened by a militarily advance from the west. In addition, a firefight began between Congolese Tutsi soldiers in Kinshasa who refuse to be disarmed and other FAC, largely Katangan, soldiers. The Tutsi were heavily outnumbered and routed and most were killed although some manage to escape into the bush west of Kinshasa. At this point, the Kabila regime encouraged an anti-Tutsi pogrom, aimed at civilians as well as soldiers, which ultimately spread to all the territory controlled by Kinshasa. Under imminent threat of defeat, Kabila called on the city's population to arm itself and to defend the capital. There was a real response to this appeal, but it involved many mob killings of suspected infiltrators, Tutsi, mutinous soldiers, and simply unfortunate individuals who looked like Tutsi and found themselves in the wrong place at the wrong time.

In the East, the alliance between the "mutinous" FAC units and the Rwandan and Ugandan armed forces soon controlled most of northeast DRC. Shortly thereafter, a group of Congolese politicians – for a wide variety of reasons, and coming from very different political backgrounds – came together in Goma, to form the RCD – *Rassemblement Congolais pour la Democratie* – which rejected the legitimacy of Kabila's government in Kinshasa and sought to replace it.

But, a momentous decision by Angola changed what seemed to be the inevitable downfall of Kabila. It also transformed much of subsequent Central African history. Unlike its policy in 1996-7 when it belatedly joined Rwanda and Uganda in their invasion of the DRC, this time Angola switched sides and attacked the Rwanda-Uganda-RCD positions in the Lower Congo from its bases in Cabinda. The anti-Kabila forces were surrounded. Some of their troops reached the outskirts of Kinshasa where they were attacked by the population and massacred. The cross continent maneuver had failed, and the Kabila regime had been saved. Angola was soon joined by Zimbabwe that also sent a military expedition to help Kabila.

Whereas the anti-Kabila alliance was restricted to Rwanda, Uganda and to a lesser extent Burundi, the support for the Kinshasa government was very wide. Not only did Angola, Zimbabwe, and Namibia send substantial military contingents, but Sudan and Chad, allegedly with Libyan financial support, also participated militarily. SADC was divided, and to a considerable degree in crisis, because of events in the Congo. President Mugabe invoked the DRC's recent membership as a reason why other members should come to the defense of the Kinshasa government. However, President Mandela sought compromise and a diplomatic solution to the conflict, and the South African government has given strong support to the process that a year later, in 1999, produced the Lusaka Cease Fire Agreement.

On both sides of the conflict, the foreign countries involved, especially those with military forces in the DRC, translated their politico-military power into economic advantages. Thus, Rwanda and Uganda exploited the diamond, gold, coltan deposits in eastern Congo and Angola created a joint venture for petroleum extraction in the Lower

Congo and was involved in the massive diamond trade in Kasai; and Zimbabwe gained considerable control over timber, copper and cobalt extraction in Katanga.

As the conflict progressed, the alliance between Rwanda and Uganda began to fall apart with the result that distinct Rwandan and Ugandan spheres of influence developed. This was one of the reasons why the RCD divided into factions; at first, two – the RCD/Goma and the RCD/*Mouvement de Liberation* (RCD/ML) and later into even more separate movements each controlling separate regions. In addition, Uganda sponsored the creation of yet another rebel movement in northern DRC, the MLC (*Mouvement de Liberation Congolais*).

The most important result of the Second Congo War and its aftermaths on internal Congolese affairs has been the incredibly high loss of life it produced – according to some estimates more than 3 million people have died. This disaster is not the direct result of the opposing armies of the Kinshasa alliance and the anti-Kinshasa alliance fighting each other. It is, overwhelmingly, the result of a guerrilla type war which developed in the east pitting an alliance of Mai Mai, ex-FAR/Interahamwe, FDD, and the Kinshasa regime against the RCD/Rwandan alliance, i.e. the anti-Kinshasa “rebel” movement with its Rwandan backing. This anti-RCD/Rwandan alliance had continual military, material and moral support of Kinshasa even after the signing of the Lusaka Cease-Fire Agreement. In effect, a “Third Congo War” was taking place in eastern DRC. It is, most important to note that in the RCD/Goma controlled areas where no guerrilla activities were undertaken, mainly the area of Kasai Province under its control - little violence and far fewer casualties occurred. To underscore this point a comparison is in order: For every person actually killed in the RCD/Goma controlled area of Kasai, close to the cease-fire line, 90 were killed in the Kivus in the period 1999-2001.

In the period 1998-99, the Second Congo War had created an expensive balance of power in Central Africa. Neither side was able in succeeding months to defeat the other. In addition, much international pressure was exerted in favor of an end to the fighting. These conditions and pressures finally resulted in the signing of the Lusaka Cease-Fire Agreement in 1999. It established a complex road map for peace: The “genius” of the Agreement is to be found in its acceptance by almost all the major actors involved. It includes three principal pillars as the road to peace and reconciliation. First, obtaining the departure of foreign troops on both sides of the conflict. Second, realizing the disarming and reintegration of foreign insurgency militias operating on and from Congolese soil. Third, the establishment of an internal dialogue among all armed and non-armed Congolese actors in order to establish a transitional government leading to reunification, democratic elections and legitimacy.

In order to accomplish this, the Agreement called for a Chapter VII UN Peacekeeping Mission, but the UN Security Council initially only agreed to what has been called a Chapter “six and one half” mission and while establishing this mission – MONUC – it limited it to a few thousand soldiers, clearly inadequate to fulfill the task at hand.

So long as President Laurent Kabila was alive, Kinshasa placed one obstacle after another in the path of the Agreement's fulfillment. This was especially true with regard to the Internal Dialogue that, according to the Agreement, would place all Congolese participants, including the government, on an equal footing.

After President Laurent Kabila was assassinated and replaced by his son Joseph, Kinshasa reversed course and cooperated both with the UN and the "facilitator" of the Internal Dialogue, former Botswana President Masire.

The greatest weakness of the negotiations that led to the Agreement was that it did not include the Mai Mai who had become necessary participants in any successful peace agreement. This led to the greatest anomaly that developed after the Agreement was signed; on the one hand Kinshasa was bound by a cease-fire agreement, but on the other, it supported, morally, politically, militarily, the Mai Mai (allied to the foreign Hutu militia) uprising against the RCD/Goma and its Rwandan backers. However, as the peace process slowly moved forward, the "missing link" i.e. Mai Mai participation was dealt with and Mai Mai representatives did participate in later negotiations and in the Transitional Government which was formed in 2003.

The Lusaka Agreement has achieved great legitimacy. Almost all the developments since its signing refer back to it. The foreign troop departure, the holding of an internal dialogue and the establishment of a transitional government, have all taken place. MONUC's presence has had a positive impact on the political and military developments in the Congo. The only major failure has been the relative lack of progress in dealing with foreign insurgency movements – notably the ex-FAR/Interahamwe - that continues to be the most important cause for ongoing war and violence in eastern Congo.

### ***c. The "Third" Congo War***

The "Third" Congo War" has produced by far the largest number of casualties, has existed for longer than either the First or the Second War and has not really come to an end even after the Transitional Government came into existence in June 2003. Yet, it is noteworthy, if puzzling, how little attention has been given this war until the flurry over the massacres in Bunia in 2003. This "Third" war hardly became an issue at the weeks long meeting of the Internal Dialogue at Sun City. Even when the Kinshasa authorities, as early as 1999, declared the Mai Mai to be an integral part of the FAC and promoted Mai Mai leaders to the rank of general in the FAC, the acts of violence between Mai Mai and the RCD/Goma were never declared cease-fire violations by MONUC. Western powers have also, for the longest time, neglected the politics and the war of eastern DRC. The emphasis of Western diplomatic efforts has been aimed at maintaining good relations with the Kinshasa authorities and working toward the establishment of a transitional government. Western powers, for instance the US, did exert some pressure toward the withdrawal of foreign armies, but did not go so far as to withhold financial loans to some states involved in the conflict, e.g. Rwanda, Zimbabwe, Uganda, etc. At any rate, these activities did not end the violence in Eastern Congo.

The Bunia conflict is only the most extreme example of a far wider arena of violence and conflict with multiple local specificities. Indeed, it is fortunate that the Bunia conflict is almost unique in its fundamental characteristics. Here, two Congolese ethnic groups, the Lendu and Hema, one with a pastoralist and the other a farming tradition, developed mutually genocidal goals and actions. Much could have been done much earlier to mediate the conflict and especially to control external actors, in this case mainly Ugandans, who in effect poured oil on this fire. But, the most important point to be emphasized is that no other Congolese ethnic groups have developed that level of antagonism against each other.

As the situation in Bunia illustrates, the departure of the Ugandan and Rwanda military has sometimes led either to anarchy with increased violence, or to the establishment of armed proxy movements, or both. Western diplomats and MONUC appear to have assumed that once progress was made on establishing a transitional government in Kinshasa, that such a government would be able to establish its authority in the east and stop the violence. Although there is some letup in the amount of violence, up to the present violence has not by any means stopped. Another characteristic of the violence in the eastern DRC is that armed militia groups are increasing in number and decreasing in size. This will make it much more difficult to resolve conflicts.

Throughout the years 1999 to 2003 and alternative Western/MONUC policy could have been pursued. It would have involved extending the concern shown in 1999 in favor of achieving a cease-fire between the main parties to the conflict, to the specific, particularly lethal, conflicts in the east. Such an approach was given some encouragement when the two most important opponents, the Mai Mai and the RCD/Goma indicated a willingness to negotiate.

In the summer of 2001, a high-level UNDP mission report noted that a potential for local cease-fire negotiations between some Mai Mai groups and the RCD/Goma existed and could be pursued.

“In recent months, [Spring/Summer 2001] some attempts have been made both by some Mai Mai units and by the RCD and even the Rwandan authorities to come to an accommodation. Negotiations along these lines have taken place but up to the present have not resulted in any firm agreements. Nevertheless, de facto cease-fires do exist between some Mai Mai units and the Rwandan/RCD forces.”<sup>2</sup>

In March 2002, a UNDP-sponsored conference at the Fletcher School of Law and Diplomacy on “Promoting Human Security in the Democratic Republic of the Congo” made the following recommendation:

“The international community ought to facilitate inclusive local dialogues between civil society organizations, local and traditional authorities,

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<sup>2</sup> “UNDP/Donor Mission to the DRC and the Great Lakes Region”, 6 August – 13 September 2001, ERD/UNDP, p.38].

*representatives of warring groups* [my emphasis], and other legitimate authorities. What [donors] can do is to create flexible mechanisms for providing support to these initiatives. Especially in the Eastern Congo, support for a multitude of such initiatives is urgent and can have pay-offs in terms of conflict prevention and reconstruction.”<sup>3</sup>

It should be noted that this conference brought together about 40 of the most knowledgeable experts on conflict in Africa, including current and former officials from the Department of State, USAID, and the National Security Council, among others. However, neither the UN nor the US Government, nor the EU adopted the above-cited recommendations.

Some private and international NGO initiatives along these lines were undertaken but, without support from MONUC or key players such as the US, progress was extremely slow. During 2003-2004, some local cease-fire negotiations have succeeded. The most important was the agreement between the Mai Mai leader General Padiri and the RCD/Goma.

It is important to note that the particularly lethal situation existing in Ituri is different from the situations in the Kivus. As noted above, a mutually genocidal struggle between the Hema and Lendu ethnic groups developed and rapidly increased in intensity. Cease-fire negotiations were attempted by the early leaders of the RCD/ML in 1999 - 2000, but with little success. The first negotiations that held any serious hope of success took place in the spring of 2001 when, as a result of pressures from Kampala, the entire Ugandan sphere of influence in Eastern Congo was unified under the leadership of Jean-Pierre Bemba, the President of the MLC. This unification involved the areas controlled by the MLC and the RCD/ML (see Political Map) and took the name of *Front de Liberation Congolais* (FLC).

Bemba incorporated the leaders of the RCD/ML in the new movement and then proceeded to undertake several daring initiatives. He gained approval from important Mai Mai groups for integrating their warriors into the FLC army and assigning them the role of frontier guards. He created a joint Hema-Lendu assembly, which was to establish peace between the two ethnic groups. He managed to get the approval of the Catholic Church and Ugandan military representatives for this agreement. However, none of these hopeful developments received the slightest international or US support and the agreement soon collapsed.

Some months later, the RCD/ML, having broken its alliance with the MLC and its incorporation into the FLC, made an alliance with the Kinshasa authorities. The Hema-Lendu conflict deteriorated even further and eventually aroused the interest of the international community. An Ituri Pacification Commission was established with support from the Kinshasa authorities, MONUC, and the main Western embassies in Kinshasa. The Commission's attempts at resolving the Ituri conflict also failed and, in the end, a

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<sup>3</sup> “Promoting Human Security in the Democratic Republic of Congo”, *The Political Dimensions of the On-Going Crisis in the DRC: Policy Recommendations*, Policy Recommendation V, Boston, March 1, 2002

peace enforcement mission with Security Council authorization was established. At the beginning, this mission was a French military operation called “Artemis”, but some months later it was taken over by MONUC.

This complex history clearly suggests that the international community was only willing to support peace initiatives in Eastern DRC when they were in the political interests of the Kinshasa authorities. In Ituri, that was the case after Kinshasa made an alliance with the RCD/ML, but not before. In the Kivus, that did not happen at all.

In the meantime, the humanitarian disaster created by the different conflicts in Eastern DRC and the huge numbers of IDPs that they produced was given serious attention by humanitarian organizations. In Bunai, MONUC created a camp to which lucky civilian escapees could repair. No one knows how many Iturians were killed outside the limited confines of French/MONUC military protection around Bunia. All over Eastern DRC, funds running into the hundreds of million dollars have been spent dealing with the effects of conflict while the donors have refused to undertake any effective programs of conflict reduction or conflict prevention.

#### **4. THE TRANSITIONAL GOVERNMENT**

The present moment is a watershed in DRC political developments because, after six years of conflict involving three wars on its territory, a transitional government has been formed including representatives from all regions of the country and all political and/or military factions.

The new government – up to the present made up of the President, four Vice-Presidents and 62 Ministers and Vice-Ministers - includes representatives of the following groups and factions:

- The faction that controlled the city of Kinshasa and the Kinshasa controlled areas of the DRC - about 40-50% of the country.
- The “political opposition”: This faction is made up of political parties that emerged from the so called “non-violent opposition” (to President Mobutu, Lauren Kabila and Joseph Kabila) which was very active in the last years of the Mobutu regime.
- Civil Society: Much like the political opposition, civil society flourished during the last years of the Mobutu regime. It includes human rights organizations, churches, development NGO’s, etc.
- The *Mouvement de Liberation du Congo* (MLC): This political/military faction controlled about 20% of the country in the north and Northeast. It operated in the Ugandan sphere of influence.
- The *Rassemblement Congolais pour la Democratie/Goma* (RCD/G): The Rwandan backed authority and military power that controlled Eastern DRC about 25% of the country.
- The *Rassemblement Congolais pour la Democratie/Nationale* (RCD/N): This is a relatively small political/military group that operated in Oriental and Ituri

Province, in what has been the Ugandan sphere of influence, and controlled territory around the town of Bafwasende. Recently it has been allied to the MLC.

- The *Rassemblement Congolais pour la Democratie/Mouvement de Liberation* (RCD/ML): This political/military movement is the original breakaway from the RCD. It had several leaders, was headquartered in Bunia, and most recently has been allied to the Kinshasa authorities. At one time it controlled about 15-20% of the DRC territory, but more recently the area in question has been divided by different leaders and warlords.
- The Mai Mai: The Mai Mai are Kivu based militia who fought against the Rwandan occupation and the RCD/Goma. They have not created a centralized organization or structure. There are at least a dozen serious and independent Mai Mai groups with their own leaders operating in the Kivus. In the past, they have been strongly supported by the Kinshasa authorities and were allied to the ex/FAR/Interahamwe as well as the FDD.

Obviously, this government is made up of former enemies who are wary of each other and in a strongly competitive mode. If, despite this, the government holds together, it will be because its members are all committed to a united Congo state. There are no secessionists among them. They will also know that international financial aid is tied to the maintenance of the government and some progress toward effective governance, elections and greater legitimacy. Additional pressure will come from a widespread desire to see an end to the violence that has plagued eastern DRC.

The greatest problems and challenges facing the Transitional Government are the following:

- Integration of armed forces and militia that have been opposing armies up to the present.
- Demobilization of Congolese soldiers and militia who are either surplus or under-qualified.
- Creating structures and methods for reestablishing local governance.
- Writing a new constitution that “fits” the realities of Congolese society.
- During the transitional period, finding a balance between the powers of the President and the Parliament.
- Renegotiating contracts for mineral (or other raw material) exploitation that are grossly unfavorable to DRC interests without discouraging international investments. The contracts in question were signed either by the Kinshasa or the heretofore rebel authorities.
- Re-launching payment of salaries to government employees especially in the provinces.
- Securing international borders.
- Reestablishing public administration and services

Of all of these problems, the integration of the different armies and militia groups is certainly the biggest. The process has hardly begun. Soldiers and militia are, of course,

particularly dangerous because they have guns. The divisions among them are numerous and daunting.

- Between the formal Congolese armies, i.e. the Kinshasa army (FAC), the RCD/Goma army (ANC), the MLC army (ALC), what remains of the RCD/ML army & the RCD/N army.
- Between officers from these different armies who have been brought to Kinshasa and those left behind.
- Between “regular” armies – as above – and militia, especially the different Mai Mai groups which have been allies of the Kinshasa authorities.
- Integration of the different armies and militia will result in far too many soldiers. This in turn will raise the question of demobilization and what to do with the demobilized soldiers and militia.
- Dealing with the divisions between Rwandaphone and other soldiers within the ranks of the ANC. A recent mutiny of the former has highlighted the seriousness of this problem and the subsequent massacre of Congolese Tutsi refugees in Burundi has, once again, illustrated the intensity of the hatred against them.

In addition the Rwandan Hutu militia, the ex-FAR/Interahamwe, are far from having been disarmed and repatriated and this remains a dangerous bone of contention between the DRC and Rwanda.

In sum, the DRC still faces major obstacles before one can state with any assurance that reunification has succeeded, that a new government is in the process of fulfilling the promises of the Lusaka Agreement, and that violence has been controlled.

## **5. PROBLEMS FACING INTEGRATION OF ADMINISTRATIONS**

Second to the problem of integrating military and militia groups, is the difficult tasks of integrating the different administrative establishments that are now theoretically united. First, it is important to recognize how much proliferation of these structures has occurred. When the Lusaka Cease-Fire Agreement was signed in 1999, there were four administrations and armies; the Kinshasa authority's, the RCD/Goma's, the RCD/ML's and the MLC's. In addition, there were Mai Mai areas of control that were not officially recognized. But, as time passed and the Lusaka Agreement's timetable for fulfilling its main provisions was abandoned, internal dissension in some of the above cited politico-military zones resulted in splits that produced new administrations and armies or militia. For instance, a new zone was created around Bafasende in Oriental Province that took the name RCD/N. The RCD/ML split into many factions that were partly responsible for the particularly vicious conflict in Ituri.

The antagonism between Rwanda and Uganda, highlighted by several violent confrontations in Kisangani, had the effect of redrawing the administrative map of the DRC in the northeast of the country. Thus, Ituri, which had been a “district” became a “province” as did the northern part of North Kivu. These changes resulted in the appointment of “Governors” in administrative units that previously had been headed by “District Commissioners”.

Faced with this situation the Transitional Government appears to have decided to revert to the administrative divisions that existed prior to the Second Congo War. For instance, the Governorship of “*le grand nord*” i.e. North North Kivu in Beni, has been terminated as has the Governorship of North Katanga in Kalemie. The former was in the RCD/ML zone and is now part of the old North Kivu with headquarters in Goma that happens also to be the headquarters of the RCD/Goma. North Katanga was part of the zone controlled by the RCD/Goma and is now under the administrative authority of Lubumbashi that had been under the control of the ex-Kinshasa authorities. The initial thrust of these two changes has, according to all appearances, succeeded; the two governors have given up their posts. However, in practice little has changed and the armies or militia linked to these zones have not, up to the present, been successfully merged. Thus, the military operating in “North North Kivu” are still loyal to the head of the RCD/ML in that area, Mbusa Nyamwisi, who has been an ally of the ex-Kinshasa authorities for the past several years. Governor Serafuli in Goma, who is now nominally in charge of North North Kivu has already objected to Kinshasa sending supplies to the Mbusa controlled area, but for the time being at least, he has no power to stop that.

It would seem that the military commanders in these different zones are much less willing than their civilian equivalents to bow to Kinshasa decisions, which would place them under new commanders – who in some cases such as South Kivu – are seen as their recent enemies. This is part of the problem that brought about the recent battle over Bukavu. The local RCD/Goma army was placed under the command of a Kinshasa appointed general who, for whatever reasons, decided to jail some of his subordinates. The problem was that the subordinates had effective control over military units and the general did not!

Yet another type of dual or overlapping control arises from the complex relationship between Mai Mai and the RCD/Goma. Both political/military entities are members of the Transitional Government, but on the ground no visible integration has occurred. That means that in large areas of the Kivus, the hinterland is largely controlled by the Mai Mai while the main road arteries and the towns are controlled by the RCD/Goma.

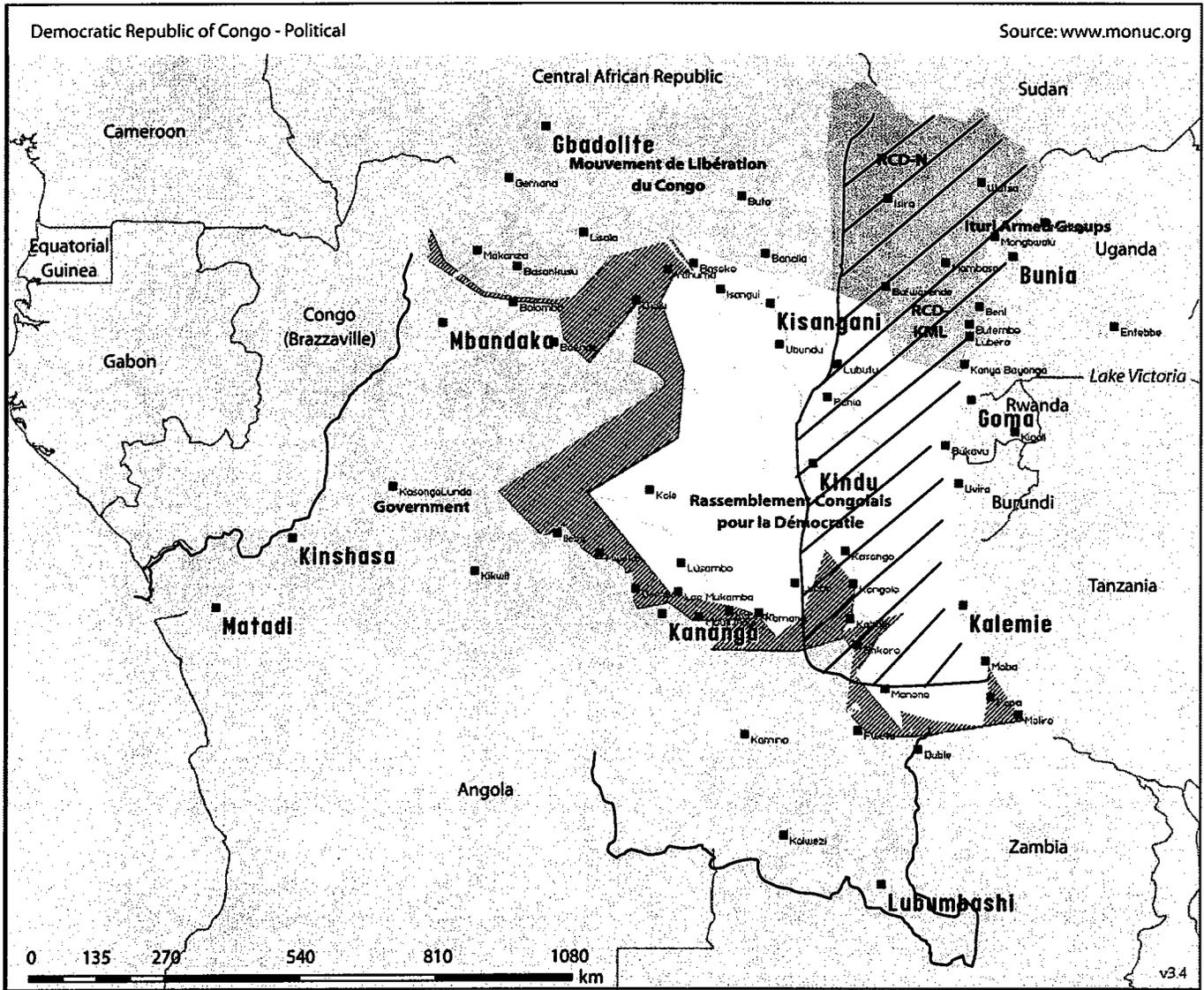
These unresolved problems could pose major obstacles in the path of national and international humanitarian organizations that, in many instances, have to negotiate permits and rights of passage with more than one authority operating in the same geographic zone.

The Transitional Government seems to have followed two very different policies in its attempt to integrate administrative and military structures. In some instances, it has given the imprimatur of legitimacy to existing power structures even when this was seen as a bitter pill. This was certainly the case with the appointment of Governor Serafuli in North Kivu. Many in Kinshasa have characterized him as far too close to the Rwandans and he controls a substantial militia that is personally loyal to him. In other words, he could just as well have been designated as an undesirable warlord. A second approach can be seen in the dismissal of the “Governors” of North North Kivu and North Katanga and the

appointments of the Commanding General of the Tenth Brigade in Bukavu. The local “establishments” were not legitimated in these cases but instead Kinshasa undermined them. Finally, at the very local level such as the interior of the Kivus, no functional attempt at resolving dual authorities has yet been made.

To conclude, the process of reunification in the DRC has begun. It involves hopeful elements such as the will of the Congolese masses and leaders to regain and maintain the unity of their state. The vast majority of the Congolese are profoundly tired to violence and conflict. Yet, the road ahead is still filled with many obstacles and the international community has not always been as understanding or as helpful as it might have been.

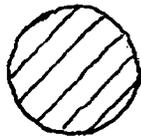
## DRC - Political Map



This map indicates the different political/military zones and divisions that were operative from 1999, after the signing of the Lusaka Cease-fire Agreement, to 2003, when the country was unified under the Transitional Government. The diagonal slashes mark the area in Eastern Congo in which most of the violence and conflict occurred after 1999. It is noted that both the underlying map, produced by MONUC, and the boundaries of the Eastern Area of Violence are rough renderings.

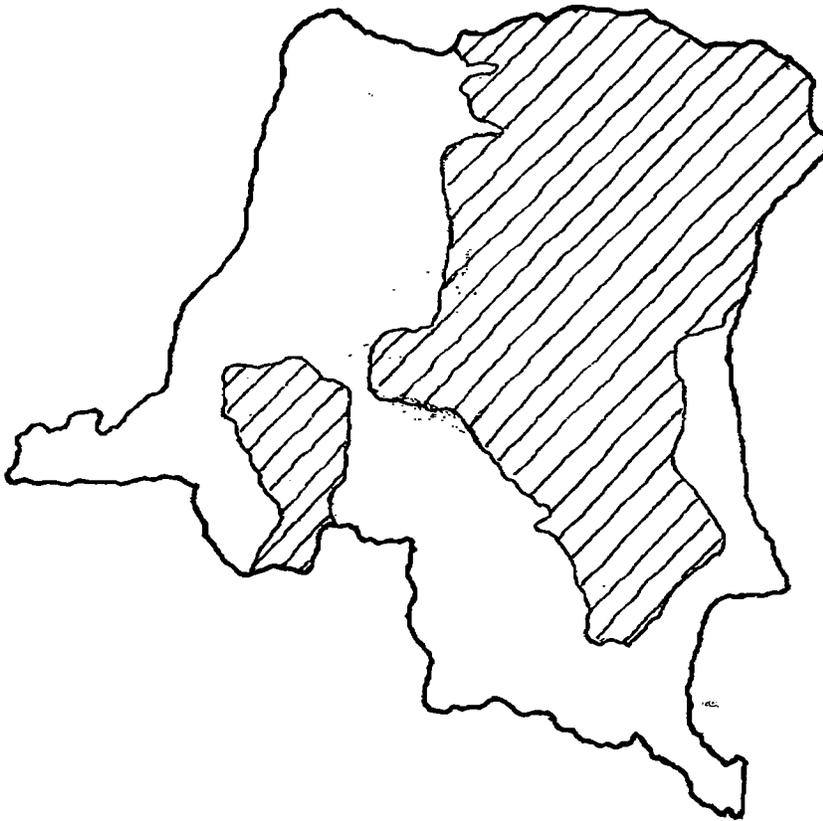
In the period 1998-99, internal displacement mainly occurred along what later became the cease-fire line (shown in violet). After 1999, the majority of IDPs were found in the Eastern Area of Violence.

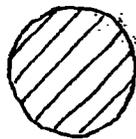




MAY 1960 ELECTION  
MNC/LUMUMBA ALLIES

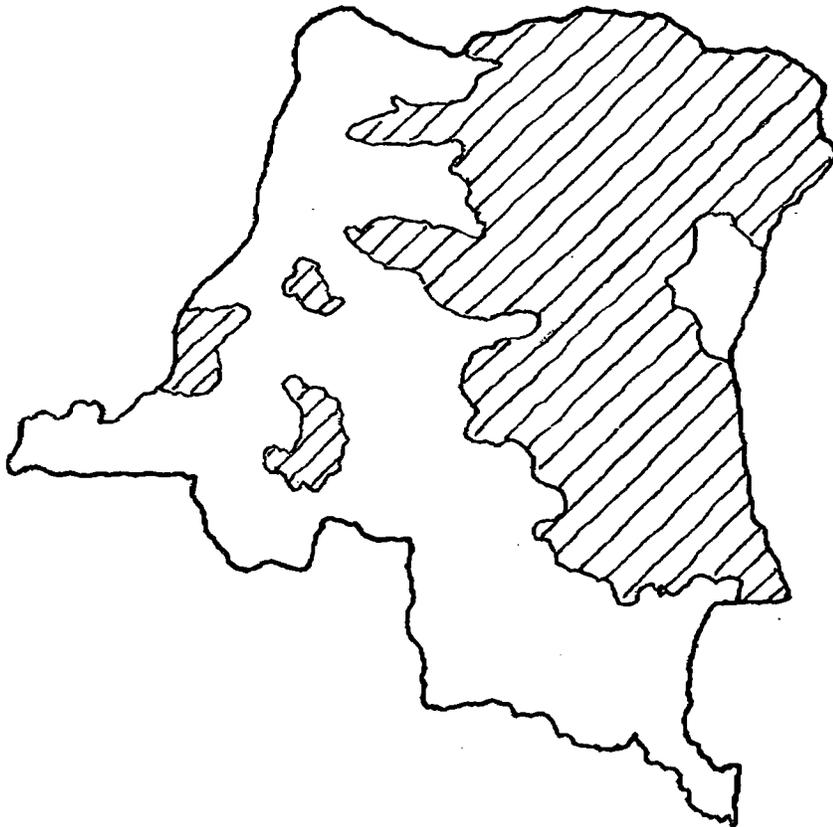
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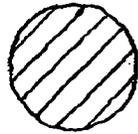




1964  
CML/REBELLION AREAS

B





2000  
APPROX. AREA CONTROLLED BY  
RCD/G, RCD/ML, RCD/N & MLC

C

