

# Great Lakes Policy Forum

## July 11, 2002

At this month's forum we heard from Ambassador Kikaya bin Karubi, Minister of Communications, Information and Technology of the Democratic Republic of Congo, on his government's proposals for building peace in the DRC; and Dr. Suliman Baldo, Senior Researcher for the Africa Division of Human Rights Watch, who just returned from a research mission in Eastern Congo.

Steps toward ending the war in the DRC began with the 1999 Lusaka Ceasefire Agreement, signed by the Congolese government, the MLC and RCD (its major military opposition), other armed and unarmed political opposition groups, and the governments of neighboring countries involved in the war. At the recent Inter-Congolese Dialogue (ICD) meetings in Sun City, South Africa, representatives from the DRC government, military groups, political parties, and civil society groups met to continue this process. After seven weeks of negotiation, an agreement was reached that included a plan for sharing power in a transitional government and the formation of a new partnership between signatories known as the Camp de la Patrie/Alliance for the Protection of the ICD. According to the Sun City agreement, all signing parties will be represented in the transitional government, with current DRC President Joseph Kabila retaining his post, and MLC leader Jean-Pierre Bemba serving as Prime Minister. The RCD-Goma was offered a leadership role in the transitional parliament during negotiations, but ultimately refused to sign the Sun City agreement.

The definition of Congolese citizenship was a major point of disagreement that kept the RCD-Goma from accepting the terms of the ICD. The ICD agreement grants full citizenship, including political participation and land ownership rights, to those who have lived in the DRC since 1960 and their descendants. This excludes those who have migrated from Rwanda since 1960, who are the RCD-Goma's major source of support within the DRC. The RCD-Goma's main backer is the Rwandan government. Until recent years, the RCD-Goma also enjoyed support from the Banyamulenge, or Congolese Tutsi, who are now allied with the Congolese government and committed to the ICD agreement.

**RCD-Goma leadership wants to restart the ICD negotiations and work toward a new agreement on this and other points. The DRC government wishes to move on to other steps in the peace process, working with the terms laid out in Sun City. Its current priority is the disarmament, demobilization, repatriation, resettlement, and reinsertion of soldiers into Congolese society (DDRRR). However, it plans to continue negotiating with the RCD-Goma and other reluctant groups in hopes of bringing them into the existing ICD agreement. President Kabila is also presently engaged in direct talks with Rwandan President Paul Kagame regarding unresolved issues between the two states.**

**The Congolese government views foreign troops in the DRC, particularly Rwandan ones, as hostile, uninvited groups that constitute an obstacle to the goals of peace and democratic elections. Others grant some degree of legitimacy to these forces, which have controlled large parts of the country for years. Many consider the DRC to be divided in three, with the Kinshasa government controlling the Western part of the country, Rwanda and RCD-Goma controlling the East, and Uganda and the MLC controlling the Northeast. The Sun City agreement provided for withdrawal of foreign troops from DRC territory and the establishment of a security curtain along its borders. However the timeframe for withdrawal has not been defined, and it is still unclear where the personnel for this security curtain would come from.**

The Kinshasa government has welcomed international assistance with the task of establishing peace, including the UN Monitoring Operation in the Congo (MONUC), and the U.S.-sponsored Rewards for Justice program aimed at searching for Rwandan genocidaires; and it continues to request additional troops and investigations. The international community appears unwilling to expand its involvement, citing the MONUC mission as sufficient. MONUC was established to aid in the implementation of the Lusaka ceasefire and has been in place since 1999, but its efficacy has been questioned. The operation has not put forces in hot areas such as the High Plateaus of the Eastern Congo, where fighting continues between the RCD-Goma and Banyamulenge groups. MONUC has also failed to act decisively in areas where it has established a presence, as evinced by recent events in the city of Kisangani.

On May 14, 2002, a group of police officers and RCD-Goma dissidents staged a mutiny in that city, taking over a local radio station and broadcasting a political message against the presence of Rwandans in the region. The mutiny was quickly put down by the RCD-Goma's military forces, which subsequently set out to arrest and execute police and soldiers suspected of involvement. In addition to these extrajudicial executions, the soldiers launched violent attacks in one of the city's districts, targeting civilians at random over the next two days.

There is evidence that at least one hundred people were killed between May 14th and 16th. MONUC forces present in the area are believed to have witnessed the violence without attempting to intervene. Though MONUC operates under a strictly limited mandate, it is charged with protection of the civilian population, which means it would have been obligated to intervene in the massacre. The lack of action by MONUC contributes to a culture of impunity in the region that provides a background for continuing violence. A similar massacre took place in Kisangani in 2000 and though there was talk of reparations and prosecution, no action has been taken to hold the perpetrators accountable.

There is also a question of the Rwandan government's responsibility for this massacre. Because Rwanda is viewed by many as an occupying force in the Eastern Congo, and because it is tied so closely to the RCD-Goma, it has been argued that the Kigali government should be held responsible for RCD-Goma abuses under international law. The Congolese government has already moved to hold Rwanda responsible for some of the destruction of the current war; one case brought by the DRC government against Rwanda was recently rejected by the International Court of Justice in The Hague, which concluded that the specific charges fell outside its jurisdiction.

It seems clear that continued progress toward a political solution for the DRC will depend on effective monitoring and enforcement of existing agreements as well as continued efforts to bring dissenting groups into concurrence. There is hope that the *forces vives*, or civil society groups, can aid in both of these areas. The country's civil society has remained vibrant despite the limitations of the war, and the Catholic Church is a well-established and highly influential institution. In 2001, a symposium (SIPA) brought together a variety of religious and civil groups to call for peace in the DRC. The conference drew a large crowd and the attention of military and political leadership. The inclusion of civil society groups in the Inter-Congolese Dialogue shows that their influence and capacity for action continues to grow, and that decisions about governance will be affected by a wider variety of Congolese voices. However, it is known that civic action is severely restricted in RCD-controlled areas, and that the rights of participation and protest must be carefully protected throughout the Congo. Allowing the *forces vives* to expand and express their views is another key aspect in building peace and democracy in the DRC, a goal that country's current government has committed to working for.