

**United States Holocaust Memorial Museum
Academy for Genocide Prevention
Monitoring Roundtable: Great Lakes**

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What are the likely security implications after the elections in Congo?

According to the peace accord signed between the rebel groups and President Joseph Kabila in 2002 in Sun City, South Africa, all armed factions were to integrate into a unified national army before the elections.

However, less than three months before the Congolese go to the polls, the integration is yet to materialize. Congo's transitional government finds itself with an unpaid, under-trained, under-equipped, and disorganized army with a weak central command. Even though they wear the same army uniform, these troops (former militias) have maintained parallel structures and commands, often disregarding instructions from the general army headquarters in Kinshasa. They pledge allegiance and loyalty to, and take their orders directly from, their leaders in the transitional government. Without an army, the government can neither protect its citizens nor defend Congo's territorial integrity.

This situation is a reflection of the greatest weakness of the Sun City accord – all “carrots” and no “sticks.” All positions in the transitional government went either to former belligerents (including the Kabila camp) or their proxies. Overnight the warlords became government officials.

Most of these leaders are guilty of war crimes, human rights violations and corruption. Not a single one has been prosecuted. The end of the transition will bring about the possibility for prosecution, which they do not welcome. As a result these former warlords, who have little chance to win in the elections, have no incentive to give up their militias. Neither are they interested in a successful transition.

Unless they are prosecuted or otherwise kept in “check” after the elections, these warlords are more likely to resume the conflict as leverage to remain in the political system.

With 17,000 troops and a US \$1 billion yearly budget, the United Nations Mission in Congo runs the world's most expensive peacekeeping operation. Yet in parts of the country where rape and violence are the daily lot of hopeless civilians, the mission has, in fact, become the symbol of impunity. UN troops and their leaders lack the will to apply their Chapter VII mandate and use force against militias to protect civilians.

MONUC's yearly budget is too high a price for an observation mission, which does little to return long-term stability and security in the region. But even if MONUC were not wasteful and ineffective, a UN peacekeeping mission is not a good long-term replacement for a competent and professional national army and police.

The Congolese have witnessed unspeakable crimes and unimaginable atrocities. The architects and participants of the war must be held accountable. Congo alone does not have the resources to establish a tribunal to address the crimes. As with Rwanda and Burundi, the transition to democracy requires a means to establish and maintain a sense of justice among the people. A

tribunal would facilitate reconciliation not only in Congo, but in the Great Lakes region as a whole. As history has shown, impunity only fuels hatred and instability. Without a tribunal, the survivors will take justice into their own hands and the conflict will never end.

1. What are the key conflict drivers?

The lack of a unified professional army and police force is the primary conflict driver. The security vacuum has created the right conditions for a continuation of the war, especially after the elections when some of the former rebel leaders will no longer have access to power and immunity.

However, the struggle for control over natural resources and mineral wealth is at the core of the conflict. Groups with access to mineral-rich areas generate large sum of revenue through illegal exploitation and trade of resources.

Ironically, Rwanda and Uganda, the two neighbors that would most benefit from peace in Congo, continue to fuel the conflict through their logistical support of militias. This support comes in the form of arms transfers, financial assistance, military advising, military training, or safe harbor to those who flee the Congolese national government.

These actions violate the United Nations embargo on the flow of arms into Congo. With this proliferation of arms, the already-crippled Congolese government is unable to secure its borders with Rwanda and Uganda. Both Rwanda and Uganda have used border insecurity as a pretext to invade Congo.

Incidentally, a 2003 UN Panel of Experts on the Illegal Exploitation of Natural Resources accused both Rwanda and Uganda of prolonging the civil war so that they could siphon off Congo's wealth with the help of Western corporations.

2. What are the road signs that things are getting better or worse?

- A successful integration of the military/police – following by a real demobilization process
- End of climate of impunity – at local, national and international levels
- Restoration of the justice system – pay magistrates and judges to combat corruption
- Creation of a state of law: prosecute war criminals, cancel illegal contracts (Lutundula report)
- Enforcement of Chapter VII mandate (MONUC)
- Campaign against ethnic political mobilization

3. Areas of engagement/Recommendations

- Make the establishment/integration/training of the national army and police an urgency
- Extend MONUC's term and ensure UN troops enforce Chapter VII until Congolese army is fully capable to meet its mission
- Make the restoration of the rule of law a priority

- Implement an integrated foreign policy that considers the Great Lakes region as a whole
- Hold Rwanda and Uganda responsible for their actions – exert the appropriate pressure
- Enforce UN arms embargo – Punish violators, make an example of a few.
- Repatriate/Solve the FDLR impasse
- Establish a special tribunal to prosecute war crimes
- Review and set up a transparent mining contract bidding system