

## ASSESSING THE STABILITY PACT FOR THE GREAT LAKES REGION

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There is growing scepticism about the viability of the Peace, Security, Good Governance, Economic Development and Regional Integration Stability Pact (henceforth referred to as the Stability Pact) for the Great Lakes Region (GLR). The Stability Pact, due to come into force in June 2005<sup>1</sup>, has been organised and supported by the United Nations (UN) and the Africa Union (AU) ever since the genocide in Rwanda between April and June 1994 shocked the world. However, there is increasing evidence that key actors in the GLR are reluctant to embrace the pact and have even embarked upon undisguised efforts aimed at undermining the process even before it is launched. This commentary hopes to draw attention to some of the flaws associated with the Pact's structure and process so that corrective action maybe taken to keep the Pact intact and on course.

The concept of a stability pact has been around for a while. It is a mechanism that generates comparative security advantages and fosters stability in areas where regimes are weak and communities are traditionally at loggerheads. The idea of a Pact is based on two pillars: first, the decisive abandonment of military force as an instrument of policy; and second, embracing new values that lead to economic development and the social upliftment of cooperating communities. Perhaps the best example of a previously conflict-ridden

area now at peace is Western Europe. The start of change in the area was driven by the United States in 1945 after initially missing the chance to do so in 1919. Following the success of the initiative, the European Union has become the anchor around which several pacts have recently been established. These include agreements between Greece and Turkey; Central and Eastern Europe [Bulgaria, the Czech Republic, Slovenia, Hungary, Poland and Romania] and the Baltic States [Estonia, Latvia and Lithuania] and the Balkans arrangement with the Caucasus area [Southern Caucasus, Armenia, Azerbaijan and Georgia].

A summarised description of a region faced with security problems suitable for a stability pact includes the following:

- a) The weak state syndrome: states are unable to impose themselves throughout their geographic territory and lack the ability to govern, levy and collect taxes;
- b) Nations faced with conventional and unconventional threats to security and stability;
- c) The sharing of (escalating) national and regional security and defence problems that are presented by geo-strategic realities; and
- d) A political desire for (eventual) regional integration based on converging economic and social disparities as well as polarisation. The past and current conflicts, and their

impact on the GLR, make the area suitable for the introduction of a stability pact. The UN and the AU should be commended for coming up with this idea. However, the current initiative has some problems: external players have made serious policy formulation flaws; important local actors are resisting taking 'ownership' of the process; and there are serious structural and procedural deficiencies in the timetable leading to the official launch in June 2005.

A brief review of the nature of the conflict system and its impact on the GLR will provide the necessary background to understanding these problems. First, the longest-running conflict that has weakened central authority in the GLR can be traced to Uganda in 1986 when Yoweri Museveni (head of the National Resistance Army) marched into Kampala and took power. The Lord's Resistance Army has since contested Museveni's political control with the result that over 1.2 million refugees have taken refuge in the North and flowed into Sudan. Secondly, the eruption of ethnic conflict and genocide in Rwanda and Burundi also laid the basis for a complex regional conflict system that has proved immune to several peace agreements. The ethnic-based Tutsi and Hutu struggle in Rwanda, especially between April and June 1994, culminated in the loss of over 800 000 lives. Meanwhile, in Burundi, the same conflict system triggered civil strife that has so far claimed 300 000 lives, displaced millions and resulted in millions of refugees living in neighbouring states. The final events took place in Zaire (now the DRC) in 1996 when armed groups, with the assistance of neighbouring states Uganda and Rwanda, removed President Mobutu Sese Seko from power. His departure unleashed forces that contributed to the conflict that has since claimed an estimated 3.2 million lives.

In the two decades since Museveni's 1986 march into Kampala, the various conflicts in the GLR have become enmeshed. The result is a disheartening mess of unhappy consequences: individuals exploit natural resources illegally which helps to finance the wars; civil wars in one state are fought on neighbouring state territory creating casualties and displacing millions; people fleeing war-zones have, in

turn, become refugees in neighbouring states. The cycle is destructive and difficult to break. Of the 9.5 million refugees on the African continent, 73.7% live in the GLR. This mobile community of refugees generates regional and cross-border instability which threatens to destabilize the countries that host them. In this arc of conflict, the capital cities of Uganda, Rwanda, Burundi and the DRC stand out as islands of control. The intense political and military competition means that most governments pay little attention to long-term national development or regional integration and rely almost solely on military means to stay in power. This continues despite the signing of several peace agreements in Rwanda, Burundi, the DRC and even in Uganda. The region has now become well-known for paying little attention to peace treaties.

In fact, a total of eight peace treaties have been agreed to but so far all have failed to bring stability though some still serve as important frameworks. In July 1999 the Lusaka Ceasefire Agreement was signed by parties to the DRC conflict and was followed by the 2000 Arusha Agreement on Burundi. Following non-compliance with the provisions of the Lusaka Agreement, several more pacts were reached: the Pretoria Agreement of July 2002, the Luanda Agreement of September 2002, the Declaration in Principle on Neighbourliness and Cooperation (the parties were Burundi, the DRC, Rwanda and Uganda) signed in Washington in September 2003 followed by a reaffirmation of the same (again in Washington) in July 2004. The agreements in all the countries also responded to numerous UN Security Council and AU Resolutions calling for the peaceful resolution of conflicts.

It was against this background that the UN, working through the AU, suggested the introduction of a stability pact as a long-term solution. The UN's suggestion was clearly expressed in the preamble to the First Heads of State and Government Summit communiqué issued after the Dar es Salaam meeting in November 2004. Implementation of the pact was designed to cover two phases: consultation and implementation. The first stage of inclusive consultation was to take place

within states, during which time the governments would engage with parliamentarians, non-governmental organisations, youth and women's groups and other civil society groups. The first stage would then culminate in the building of a national consensus about becoming an integral member of the Pact. The second phase (implementation) would begin once new institutions had been created that would manage the process after its formal launch. Stated differently, the two phases represent a clear distinction between "philosophical buy-in" and "establishing the institutions". The institutions would, in future, take on the responsibility of analysing conflict conditions and coming up with alternative options informed by the principles of the Stability Pact.

Two events that occurred in the three months between November 2004 and January 2005 signalled that the Stability Pact was already under serious threat even before its formal inauguration barely four months away.

The first event was Rwanda's threat to invade the eastern DRC issued on 26 November. The purpose of the invasion was stated as, 'flushing out former (Hutu) Rwanda Armed Forces – known as ex-FAR and *Interahamwe* rebels.' The announcement was made a week after to the draft Stability Pact document had been initially signed (20 November) in Dar es Salaam in the presence of UN Secretary-General, Kofi Annan and the AU Chairperson, Nigerian President, Olesugun Obasanjo. However, an important section of the draft, Section V, para. 82, provided for the Stability Pact to "take effect immediately."

Stated differently, from 20 November 2004, a new structure was supposed to have been inaugurated as part of the implementation of the Stability Pact protocol. That structure was the International Regional Committee (IRC) – made up of Ministers of Foreign Affairs, Defence and Security drawn from the signatories and supported by two well-known experts. The IRC's mandate is to investigate allegations of violations and to come up with options on all matters of strategic security significance. Rwanda, instead of threatening to invade the eastern DRC, should have addressed their concerns to the IRC. On the other hand, Article 24

of the Stability Pact also obligates member states to "deny use of their territory by armed groups that intend to carry out acts of aggression or subversion against other member states." This placed the onus on the DRC government to reign in the rebels present in its territory that threatened the security of a member state, Rwanda. However, instead of acting through the IRC and allowing the Stability Pact to begin its first task, countries continued taking unilateral action. As the spokesperson for the special representative for the UN Secretary-General on the Great Lakes region, Ambassador Ibrahim Fall, was to lament, the continued sidetracking of the provisions of the Stability Pact 'was a great shame.' This event was also a demonstration that states in the GLR still need to make the conceptual leap toward accepting the conflict management principles that embody the vision of the Stability Pact.

The second event occurred during the recent 23<sup>rd</sup> Meeting of the AU Peace and Security Council held in Libreville, Gabon on 10 January 2005 at which the security situation in the eastern DR Congo again received attention. In the communiqué, while reaffirming its support to the Stability Pact, the AU also called for the deployment of troops in order to pacify the volatile area using military means. This decision reveals the AU's realistic acknowledgment of the limitations of the Stability Pact initiative. But, on the other hand, the AU, while paying lip service to its association with the process, also appears not to have full confidence in the Stability Pact. As a joint partner in the motivation for the Stability Pact, the AU is therefore not playing an honest broker role and needs to realise how its ambivalence could weaken the Pact once it comes into force.

### Structural and procedural difficulties

In addition to the two events described above, there are also structural and procedural difficulties associated with the Stability Pact, as presently conceived, that need to be highlighted.

The first difficulty relates to the structure of the security and economic framework of the Stability Pact. The framework appears to have

studiously avoided linking itself with any similar local structures already in existence and is therefore unlikely to be well-received by local communities.

Operating almost within and adjacent to the GLR is the Southern African Development Community (SADC), the regional organisation responsible for peace and security. SADC not only represents one of the five AU Regional Economic and Security Communities (RECs) but it has also taken the initiative by setting in place a Mutual Defence Pact. The politico-military arrangement is directly supported by the regional brigade elements drawn from member states. The elements have also tested their integration during joint regional exercises over the past ten years. Furthermore, three members of SADC (Angola, Namibia and Zimbabwe) intervened in the crisis in the DRC in July 1998 and through this action, facilitated the entry into the peace process of the AU's Joint Military Commission (JMC) and the UN's Mission in the Congo (MONUC). SADC troops have inherent operational level advantages in the areas of language, geography, ethnic identities and short operating distances or lines of communications over any body of troops that may be deployed to support the Stability Pact from further afield. Unfortunately, they also have the obvious disadvantage of having been belligerent parties during the fighting. Despite all these local/regional advantages, SADC has not been formally approached to become part of the stability framework. If we take the role of the North Atlantic Treaty Organisation's (NATO) in facilitating the stability of Europe after 1945 as a comparative example of a successful Pact, then the GLR Stability Pact to be launched in June will have a lot of work to do to recreate new military structures to enforce compliance amongst some recalcitrant actors and spoilers.

At the signing ceremony in Dar es Salaam, nine of the 18 countries (50% of those signing the document either as core countries or witnesses) were from SADC, yet each had been invited as individual countries. The point to note is that, for those arguing in favour of the

GLR Stability Pact, ignoring the role that SADC can play as an integral part of the stability framework, is to deny the use of an important building block that has the potential to quickly consolidate the new initiative.

A second flaw in the structure is that elements of the Stability Pact have not been 'infused' into the various peace treaties agreed to in the GLR during the period 1999 to 2004. Of the eight agreements, the majority of which focus on the DRC, none refer to the Pact or to its principles in any way. Yet available UN documents claim that the Stability Pact process has been under way since the world became aware of the genocide in Rwanda in 1994. This diplomatic omission needs to be acknowledged for what it is: a claim that cannot be substantiated and therefore likely to damage the credibility of the process in future.

There is also the case of existing organisations not wishing to join up with countries perceived as having unstable regimes. In this instance, the East African Community (EAC), comprising Uganda, Tanzania and Kenya, has recently agreed to a far-reaching customs and currency harmonization protocol aimed at fostering federation and integration. They specifically excluded neighbouring states such as Rwanda, Burundi and the DRC. Representatives from these countries attended the inauguration ceremony of the EAC, demonstrating their desire to join, but were accorded observer status only. Once again, the EAC is an important link missing from the Stability Pact.

A final difficulty relates to procedures that need to be followed during the preparatory phase. First, the core countries needed to be identified. A haggling process ensued between the international community and some of the most affected countries in the GLR. Apparently some of these states threatened not to participate in the process if certain geographically contiguous countries were included. Concessions were made, resulting in the exclusion of some obvious candidates from the core category, but in the end eight countries emerged as 'core countries': Angola, Burundi, DRC, Tanzania, Rwanda, Uganda, Kenya and Zambia.

## Lessons learned

Are there any lessons to be drawn from the process that selected the final eight? It was clear at the time that parties to the conflict were suspicious of each other but proponents of the Pact tried to paper over the obvious mistrust. However, less than two years later, the membership has changed considerably as can be seen by the enlarged gathering of 18 countries. The preponderance of SADC countries at the ceremony may reflect a partial attempt by the organisers to woo that regional body without making a formal invitation. It is not clear why the organisers might do that.

Yet another procedural conundrum is the requirement that each of the participating countries preside over an inclusive consultation process that embraces non-governmental sectors as well as civil society actors before the formal launch. The objective of this requirement is to emphasise the adoption of peaceful conflict resolution that listens to the concerns and policy advice of civil society. Introducing the stability pact is predicated on states abandoning the use of military force as an instrument of policy and seeking negotiated solutions and pacts as the alternative. To this end, part of the activities during 2004 in the core countries included national consultations and regional gatherings of civil society, youth and women's organisations together with government representatives. The consultative process has only been successful in certain parts.

When the regional consultative process reached Kinshasa during late 2004, governments flexed their muscles and barred NGO representatives from attending what were now referred to as 'state meetings'. There had also been clashes earlier between NGOs and civil society representatives from the DRC and Rwanda. Representatives had been involved in physical brawls and punch-ups at the meeting in Kigali demonstrating the intense national feeling still prevalent in the two countries. There were also attempts by governments to influence the composition of national NGOs and their presentations. Many were transformed rather suddenly and it became evident that some had become quasi-government

entities still masquerading as civil society. The net effect was to highlight the governments' unwillingness to reform and transform in an inclusive way. They effectively undermined the building of national and regional consensus within and outside governments. At the end of these gatherings, the civil society meeting delegates described what they wanted their political leadership to concentrate on and emphasised the principles of peaceful co-existence and economic development.

Yet another factor that bedevilled the preparatory stage was the new governments' lack of consultation. States that had previously been excluded from the talks during the initial selection process joined the talks abruptly and without having undertaken the required internal consultative exercise. The process thus had to absorb governments without inclusive representatives from civil society and NGOs. Many of them were naturally unprepared for these demands of inclusion and consultation. When one considers the intentions of the interim preparatory stage and reflects on the traditional differences between states in the GLR, it is safe to say that little has been done to transform these societies so that they are prepared to implement the Stability Pact.

When parties were called upon to sign up to the Stability Pact in November 2004 (the draft document), Section V, Article 82 provided for "its coming into effect immediately," ushering in the philosophy of "peaceful resolution of conflict." In practice, there is minimal evidence of any change in attitude since the signing. The initialling ceremony also (in theory) marked the birth of key implementation structures of the International Regional Committee (IRC). The IRC is made up of the Ministers of Foreign Affairs, Defence and Security drawn from the core countries who are to be "assisted by two well-known persons." The IRC mandate is to identify strategic, national and regional threats and to come up with options that support the objectives of the Stability Pact.

Rwanda's threat on 26 November to invade the Eastern Congo, however, shows that the Stability Pact initiative had already been circumvented before the IRC had a chance to

begin its work. Frustrated at the turn of events, UN officials called (anonymously) for key donors such as the US and Britain to intervene and force recalcitrant regimes to toe the line. However, while the UN officials recognized that some governments would continue to use military force as a policy instrument, they appeared to have ignored major weaknesses that they had suggested should be included in the Stability Pact initiative. Taken as a whole, there are still serious questions to be asked of the concept, the stakeholders' interests and the viability of the GLR Stability Pact.

The conflict system in the GLR has become a complex matrix of actors and alliances, phases and timetables. But the consequences of conflict are as unmistakably clear as the conflict is complex. The Great Lakes Region boasts the highest number of internally displaced peoples, refugees and deaths presided over by severely weakened regimes who are unable to deliver basic services and security. While this article agrees with the notion that a broad-based Stability Pact should be set up in the Great Lakes Region, there is still doubt about the usefulness of the Pact mechanism as it is presently structured. If the Pact proceeds in its current form, then it raises the question of whether the Pact is between states or between communities. Getting communities 'in sync' for the Stability Pact is critical because a common foundation is needed before a common vision and interests can be

articulated. Without a common vision and common interest, the different actors and governments can (and will) continue to pursue different agendas characterised by antagonism and narrow, sectional interests. We also need to ask whether it is possible to bring harmony to the deep ethnic divisions that exist between the Tutsis and Hutus in the GLR. Can these traditional rivals overcome their differences to work towards a common destiny where they live side by side? The Canadian Lieutenant General, Mr Romeo Dallaire, who was present during the massacres in Rwanda alludes in his book, *Shaking Hands with the Devil*, that the hatred between Tutsi and Hutus is deep and possibly irreconcilable given the absence of social building blocks in that society. However, the alternative to the Stability Pact is equally repellent: continued conflict, more casualties, more internally displaced people and refugees. This makes it all the more important that all concerned should put in extra efforts to make the concept and principles of the Pact a reality.

## Notes

- 1 See the *International Conference on Peace, Security, Democracy and Development in the Great Lakes Region, Statement of Principles, 1<sup>st</sup> Heads of States and Government Summit, Dar es Salaam, 20 November 2004, Draft Declaration on the Consolidation of Security, Stability and Development in the GLR.*