

Discussion Notes, Part One

International commitment to peace in the DRC

Resolution 1493 and MONUC's 'new' mandate

Ambassador Swing emphasised that the international community had never been more determined to support the ongoing peace process in the Democratic Republic of Congo. The recent UN Resolution 1493, *which increased the military strength to 10,800 and authorized MONUC to use all necessary means to fulfil its mandate in Ituri and North and South Kivu*¹, presented a "strong statement" on the part of the international community, confirming MONUC's status as the largest and most comprehensive UN Peace Operation in the world.² Provided with sufficient authority and adequate capacity to make a real difference to the peace process, MONUC will take up the new responsibilities given by the Security Council: "we are pleased with the resources given."

Although it might appear far too little when comparing troop strengths in the DRC with, for example, Sierra Leone or Kosovo, the current deployment suffices for MONUC's objectives: "if there is a need for additional troops, we will request more. For now we work well with what we have." In response to a journalist's question, Ambassador Swing recalled that the issue of continued interference by Uganda and Rwanda was dealt with in the new mandate as defined in the resolution: on military level, enforcing the arms embargo will have to be a core task for MONUC in order to prevent neighbouring countries from supplying weapons to Congolese militias. On the political level, the UN Security Council called for a normalisation of bilateral relations between Kinshasa, Kampala and Kigali. Both governments were urged to reopen their embassies in Kinshasa as a confidence building measure and the UN now expects Uganda and Rwanda to "play their part in achieving this".

Having returned from a visit to Europe, Ambassador Swing also stressed that the European Union has clearly augmented its efforts to support the multilateral engagement in the DRC, pledging \$305 million of financial support to MONUC over the next three years and some \$5 million for the Civilian Police Section in particular. In addition, European diplomats are increasingly concerned with the situation in the DRC and as a result, EU delegations have become frequent visitors to the war-torn country. In this regard, the Belgian ambassador to South Africa reconfirmed the "strong commitment" from

within the European Union. However, this “clear display of interest” will have to translate into concrete programmes in the near future.

Nevertheless, the ongoing crisis in Ituri provinces remains the most urgent problem to be addressed. Ambassador Swing affirmed that despite the continued fighting in the east, “there is a common understanding that the war is over”. The transitional government has taken a proactive stand on the matter and recently invited armed groups to Kinshasa in order to settle existing differences. President Kabila as well as Ambassador Swing met with the local leaders on a one-to-one basis and some of them even stayed in the capital for further negotiations afterwards. However, the question remains how to accommodate those groups into the existing agreements without encouraging others to take up arms. In this light, the new Chapter VII mandate enables MONUC to act in a decisive manner on the ground. In order to do so, the UN mission works with integrated civilian/military teams to air patrol in Ituri and enforces the rule of law as well as it possibly can. Concentrating its military presence to the crucial Kindu-Bunia-Uvira triangle, the new revised MONUC concept of operations redirects most resources towards the east. [In contrast to earlier planning, the MONUC location in Kisangani will merely remain a logistical hub.] Apart from a strong presence, however, it is also important for MONUC to engage with the local population, beyond the provision of local employment and the valuable Quick-Impact Programmes (QIP’s). According to Ambassador Swing, “this is crucial if we want this to be a fully Congolese process.”

The International Committee to Accompany the Transition (CIAT)³

Since the start of the transition period, the CIAT committee has become a valuable institution, determined to ensure a functional interim government. While it was originally set up to deal with the creation of a unified army and the security sector in general, it continues to meet under the chairmanship of Ambassador Swing on a weekly basis if deemed necessary. The transitional government appreciates the CIAT as an honest broker in order to mediate between the various interests within DRC’s new leadership. Ambassador Ngombane did not share some of the participants’ concerns about a Western bias within the diplomatic initiative, emphasising instead its complementary work for a successful transition. Ambassador Swing added that MONUC’s transitional government support unit maintained close ties with CIAT in order to streamline political activities. While there is no doubt that CIAT must be strengthened in order to secure its important work, Ambassador Ngombane reminded the participants that “Africans need to play a significant role in the

peace process". South Africa, as the only African country within CIAT, wants to ensure that the interim government paves the way for sustainable peace in the DRC, an effort which needs to build on African expertise and experience. In this regard, the African Union can play a key role during the transition. Furthermore, South Africa stands ready to engage with the transitional government to identify areas of support. As resources are "not unlimited" for the African National Congress (ANC) government however, South Africa's involvement may continue on a coordination level, focussing on the facilitation of how to implement the agreement.

South African Engagement in the DRC

The Third Party Verification Mechanism (TPVM)

Since the outbreak of the second rebellion, South Africa has been, diplomatically, actively involved in the DRC and will continue to be so. In pursuit of a lasting solution, Pretoria decided in August 2002 to create the Third Party Verification Mechanism (TPVM) in order to deal with the armed militias not willing to leave the DRC. South Africa is still convinced that MONUC's voluntary mandate is not enough to guarantee stability in the eastern DRC. Consequently, Pretoria wanted the TPVM to be a "trigger mechanism for the peace process". Tracking down the extremist leadership of foreign armed groups was then expected to serve as a "catalyst" for MONUC's voluntary DDRRR programme.

However, in the words of Ambassador Ngombane, the TPVM neither had the mandate nor the capacity to take over from MONUC. The underlying assumption was that several complementary interventions would encourage the armed groups to return to a political, non-violent struggle. Participants agreed that the TPVM had indeed allowed for a productive dialogue between the belligerents and also played a crucial role in lobbying the Kabila government to expel the FDLR⁴ leadership from Kinshasa in September 2002.

Nevertheless, considering the new situation in 2003 Ambassador Swing argued that the TPVM should be faded out. In response, Ambassador Ngombane admitted that the TPVM might not be the ideal "conceptual framework" to deal with such issues, but emphasised that it would be sending a "wrong signal" if the mechanism was to be stopped now. Instead, South Africa was determined to continue improving the performance of the TPVM, "elaborating on possible avenues to support the peace process". Ambassador Ngombane stressed that the DDRRR would have to remain the sole responsibility of MONUC. Still the question of what to do with the fighters unwilling to give up their weapons remains. He added, "We have to acknowledge that if

the DDRRR process remains voluntary only, armed groups will stay in the forests forever. We will have to find a way to deal with this issue, even though it might not be the TPVM.”

Some 1250 South African troops make up the bulk of MONUC’s Task Force 1 and have been deployed in the Maniema and Kivu provinces since April 2003. Ambassador Swing acknowledged the highly professional performance of the South African contingent [and could not confirm allegations to the contrary.] On the diplomatic front, however, South Africa’s involvement might need to be reviewed: the South African-inspired Third Party Verification Mechanism (TPVM)⁵ might not be the most appropriate institution to face the new challenges of the transitional period. The same accounts for the Joint Military Committee (JMC), a provision of the 1999 Lusaka Agreement. Having arrived at the “Kinshasa Phase” with the Government of National Unity (GNU) in place, Ambassador Swing underscored that “there are signs that we now face new challenges” and the Lusaka and Pretoria provisions could therefore be considered obsolete. Rather, the Kinshasa phase required a decisive and constructive facilitation on the part of the international community. In October, the UN Assembly is due to discuss the DRC in detail “in order to take a stand on this”.

The DRC in transition

The National-Local Divide

Although workshop participants emphasised the positive significance of the transitional government, the dangers of an overly centralised power structure in Kinshasa, orchestrating from the capital what should be a national effort, were noted. While the international community continues to focus on developments in Kinshasa, provincial and local concerns are largely left at the margins of the political debate. Participants wondered whether local and provincial structures would have adequate capacity to organise satisfactory voting procedures in the rural areas in time for national elections in two years.

François Grignon considered that, for the international community, the transitional government has been *the* top priority. The international community now has the obligation to hold the transitional government accountable in order to ensure good governance. As regards the elections, the Congolese leadership will have to work hard in order to build confidence among the population, even though it may take more than two years for elections to occur. In the long-term however, devolution and concurrent accountability processes must reach local actors. In resource-rich provinces like Katanga or the Kasai, local stakeholders are keen to have as much autonomy as possible. According to

Grignon, many of them are already pushing for a federal formula to ensure they have a say in the management of their regions. "From what I hear, they want it in the short term. And I am not talking of 20 years. I am talking five years maximum." In this context, MONUC's political facilitation was the key to a lasting solution, "otherwise fire might be lit again very quickly." From a government point of view, there will have to be a satisfactory way to generate resources from the private sector at local level.

Transitional Justice

Ambassador Mpoko agreed that the composition of the transitional government remained far from ideal. NGO participants at the workshop were concerned with the implicit impunity for war criminals. In particular, the issue was raised of former RCD-Goma military commander Tango 4^e being in charge of the new army, despite his alleged responsibility for grave human rights violations. Ambassador Mpoko underlined, however, that the integration of criminal elements might be the price to be paid for the sake of the peace process. Alternatively, such powerful players may quickly turn into potential spoilers when denied any chance to partake in a power sharing deal. In order to ensure real justice in the long run, the DRC will have to establish a national juridical system before putting anyone before trial. "Until then, the political process has to continue." Ambassador Mpoko was optimistic that a due process would follow and be investigated properly by the new Congolese authorities.

Elections

The transitional constitution gives the government a maximum of three years to hold elections. Ambassador Mpoko warned that already three months into the transition, there are voices within the government who call for an extension of the interim period for up to five years. Given the highly undemocratic representation within the interim government, the elections need to take place as soon as possible. Ambassador Mpoko added: "the people who are in power now have no mandate from the population, instead they acquired their positions through a political process [in Sun City]." For the political momentum to continue, it would be dangerous to allow the extension of the transitional period as in the DRC, Mobutu's yearlong excuses for postponement of elections are still fresh in people's minds. Even though Ambassador Mpoko admitted that this entailed the risk of premature local government structures at the time elections were held, he emphasised that "there is an urgent need for restructuring the political landscape."

In order to hold the first elections since the 1960's, the transitional government relies on financial contributions from several bilateral donors, including the European Union, the International Monetary Fund and the United Nations. In addition, civil society organisations (both operating from outside or within the DRC) should be in close contact with the transitional government in order to prepare the population for the elections. The key task will be that of educating the Congolese electorate about the democratic process. Ambassador Mpoko dismissed participants' fears of *the return of the Mobutuists*: "we will have to build on the democratic strength of the population, which means that all Congolese people will have to be part of the peace process." For a successful democratic transition, the Congolese must decide for themselves whom they trust and whom to elect.

National Economic Recovery

It was expressed by the majority of participants that DRC's immense wealth will have to be shared. For the transitional government, however, the dilemma is to ensure revenues at the national level without overruling the provincial authorities. In other words, the country will have to establish some form of federal structure in order to guarantee the balanced sharing of resources. In the DRC, the mining sector remains the key industry in this regard, which has always been the greatest source of state income. [However, the minister for mining has recently been under criticism for his ignorance of the Sun City resolutions.] Representative of the mining sector, the most prominent example is the former Mobutu parastatal Gecamines in the Katanga province. As Ambassador Mpoko pointed out, Gecamines remains the only major revenue source for the Congolese state. However, the entire public infrastructure in the province has been built, paid for and run by the mining company: "it is a state system of its own." The challenge now is to integrate the schools, hospitals, etc, into the public state system. Given the ruinous state of other sectors, the mining ministry will have to play a key role in order to regulate revenue collection. In response to a participants' question, Ambassador Mpoko confirmed that priority should be given to national guidelines in order to prevent competition between the different ministries.

Transforming the War Economy

After decades of war in the east, the Congolese have come to rely on a flourishing economy based on the extraction and trade of diamonds, gold and coltan. Even though the Kivus' market for the latter collapsed in 2001, coltan prices might recover in the near future. François Grignon explained that it was

no longer worthwhile for the RCD-Goma to transport coltan out of the country. However, Rwanda might be tempted to increase its engagement if economic prospects resurface. In the Ituri province, even the rather small-scale mining activities had sufficient capacity to make military involvement an attractive option for foreign powers. In this area, Uganda still has a “strong influence in daily events”. Consequently, the transitional government will have to create and enforce a regulatory system as soon as possible in order to discourage illegal exploitation of natural resources. If the government is unable to do so, “the incentives to fight for territories in the east in order to make money are going to be higher than the cost” and the prospects for a successful transition would quickly crumble, François Grignon added.

The Congolese media

As the state of the public and private media is rather poor, a more diverse media sector will eventually free Radio Okapi from being the only national radio station. As Jerome Ngongo pointed out, a well-organised state structure must be established in order to support the development of a responsible Congolese media. The parliament is due to vote whether the Ministry of Information would have to hand over some of its responsibility to the *l'Authorité Media* (High Authority for the Media). Even though there was some reluctance within the Ministry of Information to relinquish its authority, such a decision would pave the way for the coordination of crucial issues such as the training of journalists and infrastructural improvements.

For the time being, Jerome Ngongo made it clear that Radio Okapi was determined to play an important role in the unification of the country. In terms of capacity building, several participants expressed their concern about the integration of local stations and Okapi's future prospects, once international funding for the radio ceases. In response, Jerome Ngongo underscored that Okapi had started to work closely with community radios and their umbrella organisation, ARCCO, in co-producing special reports for certain areas on specific issues like health. However, the question remained how to ensure Okapi's continuation. Participants agreed that Okapi's tremendous achievements need to be sustained, even after MONUC eventually leaves the country.

Radio Okapi's national coverage is not sufficient. Even though Okapi is by far the largest radio network in the country, many parts of the country are still unable to listen to the radio station. Hans Romkema regretted that 80% of the population of the critical Kivu provinces could only receive international radio stations, and did not benefit from the national focus of Radio Okapi. Jerome Ngongo explained that, due to technical problems, Radio Okapi presently had only one out of three short wave transmitters working, and suffered from slow

UN procedures to have the other two repaired. As short wave technology provides far wider reach than FM transmitters, Okapi relies on these devices in order to specifically target the east of the country.

Apart from technical considerations, Okapi also continues to follow a needs-driven deployment strategy. As Jerome Ngongo explained, Okapi has concentrated on regions where information is most urgently needed, with the focus in the east being on Goma, Bukavu, Butembo, Kindu, Kalemie. Uvira would be the next location to be established.

The issue of Okapi deciding to close down its local programme in Gbadolite, downsizing the Okapi broadcast capacity in the area to a relay station was raised by participant, who wondered why Okapi would not continue its work in the capital of the Equator province. Jerome Ngongo reiterated that Gbadolite had been a special case from the beginning. Off the main battlefield, it had never been a priority target for Radio Okapi. However, MONUC decided to leave a team in Gbadolite in order to keep abreast of political developments. The north-western town had always been the only Okapi location in MLC controlled territory. With a government of national unity in place, it became possible to shift priorities.

With the closing of the Inter-Congolese dialogue and the formation of the transitional government, there will have to be a new programming concept in order to cover a wider range of topics. The upcoming elections will have to become a major part of Okapi's coverage, and there is clear need for more educational broadcasts in order to foster public understanding of on-going complex political changes. In addition, programmes will include humanitarian issues, as Okapi has already done in cooperation with OCHA.⁸ However, the overall aim of Okapi remains unchanged: the facilitation of the peace process, in particular the reconciliatory effort and the unification of the country.

The regional dimension

Uganda

The representative of the Ugandan High Commission, Mrs. Rose Mukasa, attempted to clarify the alleged reasons for her country's involvement in the DRC. According to Rose Mukasa, there had been "an ugly twist" in presenting Uganda's motivation to promote regional cooperation. She made clear that President Museveni was a keen supporter of the East African Community and received substantial backing from many other countries for this effort. In regard to the Congolese economy, Uganda had not invaded Ituri in order to create a market for Ugandan products. As the Congolese infrastructure did not allow for goods and services to reach or come from Kinshasa, the Ugandan

market with its access to Kenya's Mombasa port had always been the "natural choice" for the Congolese population. Quoting Francois Grignon, Rose Mukasa further emphasised that East and Central Africa had to come to a "win-win" situation for all the parties involved. As President Museveni was fully committed to regional cooperation, she wanted to make sure that this was "not taken out of context".

Rwanda

When considering the regional aspect of the DRC conflict, Rwanda again comes to the centre of attention. The Kigali regime has successfully positioned itself at the heart of the discussion, forcing any lasting solution to take into account Kigali's political interests. Jerome Ngongo reiterated the need for Rwanda to face its democratic challenges if the Congo was to get a fruitful cooperation with its tiny neighbour. Having sidelined the political opposition through oppressive voting procedures, President Kagame was on his way to consolidate his unquestioned authority. Looking at the Inter-Congolese Dialogue and the resulting national structure in the DRC, Jerome Ngongo suggested to try a similar recipe for the Rwandan system, through a possible all-inclusive Lusaka agreement for Rwanda. Jean-Marie Gasana agreed on the need to reform the political structure in Rwanda, supporting the "political opening" of the authoritarian state system. Less than two months after the presidential elections however, it was too early to judge whether Paul Kagame would implement the announced opening towards both the Hutu and Tutsi opposition. In addition, the Rwandan authorities would have to find a solution with the DRC for Rwandan combatants who were not willing to return to Rwanda. For the time being however, Jean-Marie Gasana stressed that priority should first be given to the Congolese state: "we need to secure, support and prepare the elections [in the DRC]."

The Need for Regional Stability

Recent developments in the DRC highlight the need to deal with the regional dimension of the conflict. For example, it should not be forgotten that there are still Burundian FDD rebels who need to leave the DRC. Despite limited resources (the MONUC liaison office in Burundi is the smallest UN office in the area), MONUC is currently trying to repatriate some 50 Burundian ex-combatants back to Bujumbura. However, as MONUC's Head of DDRRR programme, Peter Swarbrick, pointed out, there still is no satisfactory mechanism in Burundi in order to guarantee the safety of the former rebels and to coordinate their reintegration into society. In search of adequate solutions for these

challenges, Ambassador Swing expressed his confidence that UN Special Envoy Ibrahima Fall and his effort to hold an international conference on Peace and Security in the Great Lakes Region will certainly be a valuable step towards the stabilisation of the region.

Too Early for a Great Lakes Region Conference?

Under the auspices of the UN Special Envoy, Ibrahima Fall, preparations for the International Conference on Peace and Security in the Great Lakes Region have finally begun. Even though the agenda remains rather vague as of late 2003, François Grignon stressed that “a rough agenda has been agreed upon”. While specific issues will have to be discussed before the start of the “political chess play”, the main challenges remain: the agenda and the choice of participants. As Ambassador Ngombane pointed out, there was an enormous discrepancy in terms of objectives, capacities and expectations between the different countries. Some of the participating states, like Kenya, will aim to guarantee increased market access and economic benefits for their businesses.

For the time being, however, François Grignon underscored the importance of improving bilateral relations between two of the core countries in the region: the DRC and Rwanda. The security issue will have to be addressed in tandem with regulations to prevent further illegal exploitation of natural resources. Shuttle diplomacy and close bilateral consultations are needed before a discussion of peace and security is attempted by all neighbouring countries. In other words, the Great Lakes region conference will depend on a constructive attitude by the two nations. On top of that, François Grignon emphasised that regional power players like South Africa and Angola would have to be taken into account, as well as the international community and bilateral donor countries. Participants agreed that even though a promising initiative, it might be too early for the Great Lakes Region Conference to be held, as the conflict-torn Central African nations were likely not to benefit from multilateral negotiations. In addition, Ambassador Ngombane wondered who was going to coordinate the different stakes in the run-up to the conference: “If objectives at that level are so diverse, whose task is it to reconcile them?” While this question is still to be answered, the preparations for the conference are already well under way: the train has already left the station.

Notes

1. UN Resolution 1493, S/RES/1493, 28 July 2003.
2. Although UNAMSIL has more than 12,000 troops deployed, the 2003/2004 budget for MONUC is far higher due to its immense logistical

requirements – not least, the massive requirement for air transport of personnel and goods in support of deployments.

3. The '*Comité Internationale pour l'Appui à la Transition (CIAT)*' is composed of representatives of the five permanent members of the United Nations Security Council; MONUC; plus South Africa and former colonial power Belgium.
4. Forces for the Democratic Liberation of Rwanda (*Forces démocratiques de libération du Rwanda*)
5. The TPVM is a joint secretariat of South Africa and MONUC based in Kinshasa, created in August 2002 in order to verify the implementation of the Pretoria Agreement between the DRC government and Rwanda.
6. Commander Jean-Claude Kifwa, also known as Tango-Tango or Tango 4, is accused of being responsible for various massacres among the Congolese population, in particular during the Kisangani clashes during 2000.
7. His Excellency, G.M. Mpoko, is the Democratic Republic of the Congo's Ambassador to the Republic of South Africa.
8. Office for the Co-ordination of Humanitarian Affairs.