

CHAPTER 4

DRC: ON THE ROAD TO DISARMAMENT

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“No quick or easy solutions are available. The damage to Congo has simply been too extensive, the killing too vast, the many decades of past misgovernment too destructive. But the world must not abandon the Congolese people. Their agony challenges our humanity.”¹

The Democratic Republic of the Congo (DRC) has been seen as a problem to be solved for far too long, rather than a country offering a set of interests and values to the world. This is not surprising for a country at the threshold of disintegration. Africa and the rest of the world face the daunting task of finding a lasting solution to the problems haunting this vast African country. This chapter gives an account of restructuring efforts, centring on disarmament as a component of the process of DDR (disarmament, demobilization and reintegration) in the DRC. It concludes by proposing some of the elements that may add value to stabilization in the country.

The conflict

The 1990s was a period of tremendous turbulence in the Great Lakes region, where a convulsion of tragedies and misfortunes befell the states of the region. First was the genocide in Rwanda, triggered off by the killing of Juvenal Habyarimana and Cyprien Ntaryamira, presidents of Rwanda and Burundi respectively on 6 April 1994, when Habyarimana’s plane was shot down near Kigali Airport, allegedly by extremists suspecting that the presidents were considering to implement the Arusha Peace Accords. Habyarimana’s remains were taken to Zaire under Joseph Désiré Mobutu’s orders and installed in a mausoleum.

Then followed the overthrow of Mobutu on 16 May 1997 following a rebel assault on Kinshasa, led by Laurent Kabila and involving alliances of neighbouring countries and armed rebel groups. The tragedies of the decade culminated in the assassination of Laurent Kabila by one of his bodyguards at the presidential palace in Kinshasa, in January 2001, followed by the immediate swearing in of his son Joseph Kabila, as the new president.

Where then, does the future of the DRC lie?

The above instabilities heightened animosity among armed insurgent groups, setting up a thriving environment for arms trafficking; weapons that continue to be used against civilians. As long as the weapons remain in circulation, peace and stability cannot be guaranteed. However the relative calm in the Great Lakes region in the aftermath of the tragedies noted above may be attributed to the repercussions of several major events unfolding in the DRC, Rwanda and Burundi.

First was the establishment in July 2003 of an all-inclusive government in Kinshasa after the Inter-Congolese Dialogue (ICD) concluded in April 2003 in Sun City, South Africa. Another major event was the successful conclusion of both presidential and general elections in Rwanda. The successful eighteen-month transition period from Pierre Buyoya (Tutsi) to Domitien Ndayizeye, a Hutu in Burundi is another peace building cornerstone. These events are slowly shaping the political drama by triggering off certain developments in the region.

There are several positive implications from these developments. First, the negative forces in the DRC, particularly from Rwanda and Burundi who initially were reluctant to return to their countries due to uncertainty surrounding the elections in Rwanda or suspension of presidential transition in Burundi were now surer of some security. Secondly, the various Congolese armed rebel groups belonging to the newly appointed vice presidents are now more willing to disarm and integrate fully into the new coalition government. These factors have accelerated further the receptiveness to peace and disarmament in the DRC.

DDR and DDRRR in the DRC

The disarmament, demobilization and reintegration (DDR) process generally targets local armed groups and militias: the Congolese combatants, in the case of the DRC. Disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) targets foreign forces, also called negative forces in the DRC.

The disarmament of Congolese combatants is one of the fundamental elements of the Lusaka Ceasefire Agreement and it was put under MONUC's mandate by the United Nations Security Council in resolution 1493 of July 2003. However, the Congolese DDR process is still at its infancy and struggling

to overcome several obstacles. These include the lack of government structures in eastern Congo, the lack of a unified, integrated national army to complement the unified command structure at the top of the government, the unstable socio-economic situation in the Kivus which is not conducive to reintegration of former combatants and the lack of an established, formal DDR programme.² A failure to disarm combatants, especially in the east, could lead to renewed military conflict with new and serious regional implications.

DDRRR of non-Congolese combatants also remains a key objective of MONUC. MONUC estimates that there are 15,000 to 20,000 foreign combatants in eastern Congo, with up to 30,000 dependants. The majority of them belong to the *Force Démocratique de Libération du Rwanda* (FDLR), while the rest are Ugandan and Burundi forces.³

The need to safeguard peace and security between the DRC and its neighbours, and to prevent a resumption of cross-border attacks on DRC territory was a major objective of the Lusaka Ceasefire Agreement that also included the withdrawal of all foreign governmental forces. Article III of paragraph 11 of the Lusaka Agreement stipulates that the United Nations Security Council, acting under Chapter VII of the Charter, should be requested to constitute, facilitate and deploy a peacekeeping force in the DRC to track down all armed groups. The armed groups were listed in the annex of the Agreement as

“...forces other than Government forces, RCD and MLC that are not signatories to this Agreement. They include ex-FAR (Rwanda), Allied Democratic Forces (Uganda) (ADF), Lord’s Resistance Army (Uganda) (LRA), UNRF II, National Army for the Liberation of Uganda (Uganda) (NALU), Interahamwe militias (Rwanda), Former Ugandan National Army (Uganda) (FUNA), Forces for the Defence of Democracy (Burundi) (FDD), West Nile Bank Front (Uganda) (WNBFF), UNITA (Angola) and any other forces.”⁴

Article III of the Lusaka Agreement also states in paragraph 22 that there should be a mechanism for disarming militias and armed groups, including the genocidal forces. In that context, all parties committed themselves to locating, identifying, disarming and assembling all members of armed groups in the DRC. The countries of origin of the armed groups committed themselves to taking all necessary measures to facilitate their repatriation. These measures include the granting of amnesty, in countries where such a measure is deemed beneficial. It should not, however, apply in the case of individuals suspected of the crime of genocide. The parties assumed full

responsibility for ensuring that the armed groups operating alongside their troops or on the territory under their control complied with the processes leading to the dismantling of the groups.

Chapter 7 of the annex to the Agreement concerns the Joint Military Commission (JMC), which was supposed to work out mechanisms for disarming armed groups, and to verify their disarmament and quartering, as well as verifying the disarmament of all Congolese civilians in illegal possession of arms. In accordance with paragraph 11b of Article III of the Lusaka Agreement, the JMC was charged with the responsibility for carrying out peacekeeping operations until the deployment of the United Nations peacekeeping force.

In formulating MONUC's mandate, the UN Security Council adhered closely to the aspects of the Lusaka Ceasefire Agreement, conforming to the provisions on disengagement and withdrawal of foreign forces, while responsibility for the civilian political aspects of the Agreement were entrusted to a neutral facilitator, Sir Ketumile Masire.⁵

The mandate of MONUC in respect of DDRRR differed significantly from the approach adopted by the Lusaka signatories. The main difference in approach was that Lusaka envisaged forcible disarmament, whereas the UN Security Council resolved that MONUC undertake only voluntary disarmament during the DDRRR programme.

According to MONUC's head of DDRRR, there are several advantages to the process being voluntary and not forcible. Firstly is that it would be difficult, if not impossible, to identify troop-contributing countries willing to contribute contingents to be deployed in eastern DRC for the forcible disarmament of groups accused of genocide and other serious crimes against humanity, at least in sufficient numbers and with a sufficiently robust mandate. The result would be that such an operation might last for years and could entail heavy casualties, as well as an extremely heavy logistical and supply burden on local infrastructure. Another reason is the complexity of the armed groups in the region, which makes the situation difficult to predict and sensitive to any changes in balance. These factors make a purely military solution almost impossible.⁶

The DRC government has yet to design and implement the disarmament process for the local (Congolese) forces. How soon this will start depends on how quickly the newly instituted, all-inclusive government can move in establishing its various organs. Before disarmament can start the government

must first establish the size and composition of the national army. A challenging factor is that the Inter-Congolese Dialogue (ICD), which led to the All-Inclusive Agreement addresses the political power sharing structure but does not exhaustively address the issue of integration of the army. On formation of the national army, the Agreement simply mentions that at the end of the ICD, there shall be a mechanism for the formation of a national, restructured and integrated army, including the forces of the Congolese Parties who are signatories to the Agreement, on the basis of negotiations between the Government of the Democratic Republic of Congo and the RCD and MLC. This is according to paragraph 20 of the principles in the Lusaka Ceasefire Agreement.⁷ The All-Inclusive Agreement further states that in the interest of peace, unity and national reconciliation, the National Army must include RCD-ML, RCD-N and the Mayi-Mayi according to the modalities to be defined by the political institutions of the transition government resulting from the ICD.

In an effort to foster the formulation of a DDR programme by the DRC government for Congolese forces, the Multi-Country Demobilization and Reintegration Programme (MDRP) multi-donor/agency mission visited the DRC in February 2003 with the objective of assisting the government in fine-tuning coordination and collaboration arrangements in line with the mandates and expectations of various partners, and reviewing the approach and process in order to initiate the preparation of a national disarmament, demobilization and reintegration (DDR) programme, taking into account the All-Inclusive Agreement signed in Pretoria on 16 December 2002.

In its report on DDR, the MDRP noted that the situation of irregular forces in the Congo is complex, since new factions constantly emerge, with shifting alliances and diffuse authority. The MDRP mission recognized that formal DDR processes would not be appropriate to such irregular forces, but rather greater emphasis should be placed on parallel activities of community recovery, which have already started in the areas under government control and are expanding to the rest of the country. This is being accompanied by the social reintegration of armed groups and individuals, and with civilian small arms collection programmes. It is aimed at addressing one of the root causes of Mayi Mayi mobilization.⁸

The MDRP mission expressed concern that a formal DDR programme targeting groups that are non-signatory to the Lusaka Ceasefire Agreement could lead to the creation of additional groups attempting to benefit from resources earmarked for ex-combatants. It was recognized that the MDRP

– with its focus on demobilization – would only be a contributor to the overall problem of conflict resolution and recovery in the DRC, particularly the east. Many other players including MONUC, humanitarian agencies, conflict transformation organizations, local service providers and local authorities are expected to be involved, once the government sets up the formal DDR programme.⁹

National security forces

It is therefore incumbent upon the transitional government to spell out the size of the national army the DRC needs, the ratio of forces to be enlisted into the national army from each of the groups named, ranks and other qualifications of individual soldiers among other requirements. Once the plan has been drawn up the government will, based on an established size of the army, remobilize the disarmed ex-combatants and recruit them into the new army, based on set criteria. The new government also needs to select and train an integrated national police force that will contribute to the safety of the transition coordinators and institutions (such as the electoral commission, when established).

The issue of the composition of the national army is delicate and must be dealt with cautiously in Africa's third-largest nation, where everyone remains hopeful that the transitional government marks a major step toward the end of the conflict that has killed an estimated 3.3 million people.¹⁰ This is especially important when bearing in mind the fragility among the constitutive officials of the all-inclusive government, namely the four vice presidents of whom two (Jean-Pierre Bemba of the Uganda-backed Congolese Liberation Movement and Azarias Ruberwa of the Rwanda-allied Congolese Rally for Democracy) are rebel leaders. The other two are the unarmed political opposition representative Arthur Z'ahidi Ngoma, and a longtime Kabila ally and former Foreign Minister, Abdoulaye Yerodia Ndombasi.

Mistrust among the new government partners cannot be ruled out. Each of the role players in the ICD would wish to be seen by their followers to be carrying home a fair share of the cake, especially in the composition of the national army. The issue of the remnants of negative forces will also be thorny. When Laurent Kabila, with the support of the governments of Rwanda and Uganda defeated Mobutu, the two countries wanted a free hand to pursue Hutu militias in the Congo, but Kabila was reluctant to grant them access, hence triggering the war in 1998. The rebels backed by Uganda and Rwanda

seized the mineral rich eastern part of the country, an area that had been virtually without government control for years. While a large number of the foreign troops have already withdrawn, they continue to arm and fund several rebel groups in the east. This is particularly true of the Hema and Lendu tribes in Ituri and the Kivus, a situation that has turned the conflict into a proxy war for the purpose of exploitation of resources.¹¹

Africa's largest copper belt runs from Zambia, through Angola into the DRC's Katanga province, containing one-third of the world's cobalt and one tenth of the world's copper reserves.¹² The DRC holds about eighty per cent of the world's reserves of colombite-tantalite (coltan), which, when refined into metallic tantalum, provides a key component (the glowing substance) of capacitors, cell phones, laptops, pagers and other wide range of electronic machines, which was in high demand at the time of the conflict. According to the International Human Rights Law Group report, the DRC is ranked among the world's largest producers of industrial diamonds (in the Kasais and Oriental province), with large gold deposits in the northeast (Kilomoto mines in Ituri and Kamiturga-Mobale mines in South Kivu), fronting DRC/Uganda, Rwanda and Burundi borders.¹³

The UN Security Council report of the *Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo* published in October 2003 details the vicious cycle involving arms, resources and conflict in the DRC.¹⁴ The report underscores that the flow of arms, exploitation and the continuation of the conflict are inextricably linked because each of the three elements thrives on the other two. Without the wealth generated by illegal exploitation of natural resources arms cannot be bought, hence the conflict, which almost always involves grave human rights violations and large-scale population displacement, cannot be perpetuated. Without arms, the ability to continue the conflict, thereby creating the conditions for illegal exploitation of resources, cannot be sustained. Therefore breaking the vicious cycle is key to ending both the conflict and the illegal exploitation of natural resources.

The report emphasizes the need to stem, and if possible halt, the flow of illegal arms to the DRC, acknowledging that that is the weakest element in the cycle, besides being an area where the international community can play an effective role. Cognizant of this fact, the UN Security Council, in its resolution 1493 of July 2003 imposed an arms embargo on Ituri and the Kivus. However, the UN still lacks a mechanism for monitoring and evaluating this embargo.

Elements of a successful DDR framework

A successful DDR programme, particularly of Congolese armed groups, remains the genesis of sustained peace in Central Africa. The ultimate success of this strategy is intimately linked to the development of political institutions and the formation of the national army and police that will inhibit re-emergence of armed groups. How can this be achieved effectively? This is the question that the Kabila coalition government is facing and one that is bound to stretch into time. Without effective disarmament, the other components of DDR will remain elusive to attain even after breaking the cycle of conflict.

The disarmament, demobilization and reintegration of former combatants must be seen in the wider political context of conflict resolution and as part of an integral national strategy encompassing economic development, security sector reform, justice and reconciliation initiatives. Planning for DDR should therefore start well in advance of the actual implementation. According to the International Peace Academy (IPA), making DDR part of the overall recovery strategy serves to acknowledge the importance of the task and the fact that many of the challenges to the implementation of DDR programmes have ramifications for the broader recovery process.¹⁵ Lasting success depends on the extent to which former warring parties and individuals believe that their physical and economic security is maintained even after relinquishing their arms and abandoning what for many was not just an activity but also a way of life.

The UN also recommends that the entire process from disarmament to the social and economic reintegration of ex-fighters should be planned and prepared well in advance. Early planning must include definition of the respective roles and mandates of the different humanitarian and peacekeeping actors involved at each stage. The resource requirements should also be specified from the beginning in order to allow for efficient resource mobilization from the internal and external sources.¹⁶ This should be worked out in close collaboration among the parties themselves, the international organizations and donor agencies and governments.

Many years after armed conflicts end, weapons continue to kill vulnerable people. The International Committee of the Red Cross and the Red Crescent (ICRC) estimates that several months after the formal secession of hostilities, weapons-related casualties remain at high levels, unless peace agreements incorporate strong disarmament and weapons destruction measures. Otherwise weapons remain available to promote criminal, communal and family violence.¹⁷ For example, the ICRC recorded that the number of people

treated for firearms-related injuries in western Cambodia were 147 weapons injuries per 100,000 people just prior to the signing the peace accord in 1991. During the transitional period under the control of the UN, the figure was 71 per 100,000. Five months after the UN had left, without fully disarming the population, the figure had risen to 163 per 100,000 people.¹⁸

Status quo of disarmament in the DRC

The basic distinction between MONUC II (sometimes referred to as the new MONUC) and the former MONUC lies in their mandates. When it was deployed in 1999, MONUC operated under a Chapter VI mandate, which meant that the peacekeepers' role was limited to keeping peace without using force other than for self-defence. However, MONUC had an additional element of Chapter VII, that called for protection of the UN and the JMC personnel, its facilities, installations and equipment; and to ensure the freedom and security of its personnel, while protecting civilians under imminent threat of physical violence. It is due to these additions from Chapter VII that the mandate was often referred to as a "Chapter Six and a half" mandate.

When, with an initial force of 5,000 troops, MONUC failed to respond effectively in deterring the atrocities committed in Bunia in May 2003 (when Lendu and Hema militias clashed for the control of Bunia), the UN Security Council established an Interim Emergency Multinational Force (IEMF) composed of French troops, that was deployed quickly to Bunia, until 1 September 2003, when it was replaced by a stronger MONUC force.

The new MONUC came into existence on 28 July 2003, when the UN Security Council unanimously adopted Resolution 1493, increasing MONUC's authorized strength from 8,700 to 10,800 troops and providing it with a stronger mandate under Chapter VII of the UN Charter, which meant protecting UN personnel, facilities, installations and equipment, protecting civilians and humanitarian staff under imminent threat of physical attacks, ensuring the security and freedom of movement of UN personnel engaged in observer/verification missions as well as DDRRR, and improvement of general security conditions conducive for humanitarian assistance. It also gives MONUC the mandate to disarm Congolese combatants. The resolution also calls on the new MONUC, in coordination with other UN agencies, donors and NGOs to support the DRC in holding free and democratic elections across the country, after the two-year transition period.

While underscoring the significance of the new MONUC mandate, an official of MONUC regretted that the international community did not make the suitable decisions and commitments early enough, “we wasted three years. We have now nothing to do with the previous MONUC. It was the wrong mission.”¹⁹ On a similar note, a military commander in Bukavu commented that Chapter VII means “we can use stronger force to achieve our goals. We can intervene if there are massacres, we can protect the civilian population; if we are informed of a potential attack we can deploy to that area...It is more flexible than Chapter VI.”²⁰

In order to foster the structuring of a DDR programme, the DRC transitional government, together with MDRP partners and donors agreed in April 2003 to put in place an interim DDR strategy with the aim of attaining two major objectives:

- To define an operational framework that would ensure closeness between the formal DDR and spontaneous disarmament of armed militias, and
- Structure preparatory activities aimed at supporting the transitional government in establishing a national DDR programme.

The DDR Technical Group involving MDRP, MONUC and UNICEF was initiated, under the coordination of the UN Development Programme (UNDP). The Technical Group, in the interim operational framework for spontaneous disarmament of armed groups²¹ is envisaged to achieve three major functions, namely a) voluntary disarmament in which they receive ex-combatants as they avail themselves spontaneously, register them then take custody of the arms and/or ammunitions for disposal, b) immediate assistance which entails all activities aimed at resettling the individuals in their communities of preference, and c) community reintegration, involving provision of socio-economic benefits that assist the individual to start making a living as a civilian.

The interim operational framework states in paragraph 7.1.4 that once an individual or an armed group voluntarily presents themselves for disarmament, MONUC registers the details of the subject on a data index form (*fiche de situation*) and sends them immediately to the government's national committee for planning and coordination, CTPC (*Comité Technique de Planification et Coordination*) which, through a rapid response mechanism, MRR (*Mécanisme de Réponse Rapide*) operated by UNDP effects the necessary preparatory measures to immediately offer the necessary support geared at reintegrating the individual into the community. In the case of child

soldiers, MONUC transfers them to UNICEF's child protection section, which interviews and evaluates them before initiating the reintegration programme.

Categories of combatants to be disarmed

Lasting peace in the DRC largely depends on a successful DDR process. Such a programme calls for a strong civil-military planning section within the interim DRC government that will spearhead the activities, while providing a structure and focus for the effort, particularly in voluntary disarmament.

The new MONUC mandate points out that disarmament of the armed groups in eastern Congo is one of the key elements of bringing stability to the country. The mandate focuses on disarmament of local armed groups within the DRC, such as ex-FAR and Interahamwe soldiers and family members who escaped from Rwanda in the aftermath of the 1994 genocide.

There are three categories of combatants that need to be disarmed, demobilized and reintegrated in the DRC. The first group comprises those combatants who stand very little chance of being included in the unified national Congolese army when it becomes operational. According to BUNADER,²² there are six sub-categories of vulnerable groups, namely child soldiers, retired and aged ex-combatants, chronically ill ex-combatants, the permanently handicapped/mutilated ex-soldiers and the widows and orphans. According to MONUC, all ex-combatants who will be left out after the reconstitution of the national army will be solely a responsibility of the government of the DRC.

The second group involves groups such as the Mayi-Mayi, whose number keeps fluctuating. During the field trip in preparation for this monograph, the government official in charge of DDR expressed concern at these fluctuations, observing that at the inauguration of the current transitional government, the figures given for the Mayi-Mayi militias were far much less than those given later for the purpose of DDR. The latter figures, of about 42,000 were meant to indicate that the Mayi-Mayi should be a major stakeholder in the new government, hence the need for a bigger stake in both the DDR process and in the constitution of the new national army.

The third group entails the armed groups in Ituri, who, after their fifth consultative committee meeting (*Comité de Concertation des Groupes Armés*) held under the aegis of the new MONUC on 10 October 2003, "agreed" on 23 October 2003 to be the deadline for providing technical information regarding their numbers and locations for cantonment.²³

The primary Ituri militias are the *Union des Patriotes Congolais* (UPC) who said they were ready to provide MONUC with the necessary information, *Parti pour l'Unité et la Sauvegarde de l'intégrité du Congo* (PUSIC) who reported that they are still collating the information, *Front des Nationalistes Intégrationnistes* (FNI) who requested MONUC for logistical support to facilitate its movement to different sites where its members are located. The other two militias are *Forces Populaires pour la Démocratie du Congo* (FPDC) and *Forces Armées du Peuple Congolais* (FAPC).²⁴ The MONUC interim spokesman also observed that the local authorities of the *Rassemblement Congolais pour la Démocratie-Kisangani/Mouvement de Libération* (RCD-K/ML), a former rebel group now party to the national transitional government also confirmed their willingness to hand over their weapons for destruction.

The enhanced interest in disarmament in Ituri may be attributed, among other factors, to the arrival in the middle of October 2003 of the first phase of deployment of MONUC's Ituri Brigade in the outskirts of Bunia, which intends to deploy throughout Ituri, and the expectations arising from meetings held in the mid August, involving 29 representatives of various rival militia groups and the new government, aimed at including the armed groups in a peace and reconciliation process which, according to Thomas Lubanga of UPC, Jerome Bakonde of FAPC and Floribert Ngabu of FNI may lead to their troops being integrated into the national army. Enhanced public awareness campaigns by MONUC on DDR through its radio channel, Radio Okapi, which covers the whole of the Congolese territory helps to sensitize the public and the rebels about MONUC's intentions and puts them in contact with Kinshasa.²⁴

In the midst of the negotiations, on 15 September, under "Operation Bunia Without Arms," MONUC begun to rid Bunia of all weapons by carrying out house-to-house searches, leading to a confiscation, on 16 September, of a stockpile of arms and ammunition from the headquarters of UPC, triggering violent demonstrations, with accusations of MONUC firing at protesters.²⁵ MONUC released the detainees who agreed to hand in their weapons. On 6 October, soon after "Operation Bunia Without Arms," ethnic Lendu attacked ethnic Hema village of Katchele, north of Bunia, killing 65 Congolese civilians.

The reluctance by the militias and rebel forces to disarm voluntarily (besides pledging to do so) may be due to insincerity, suspicion and lack of transparency among the numerous armed groups (the looming danger of some armed groups disarming when others do not), coupled with the uncertainty of their being incorporated into the national army after disarming.

In a related scenario, the International Committee to Accompany the Transition in the DRC (*Comité International d'Accompagnement de la Transition*), known by its French acronym CIAT, and which comprises ambassadors accredited to the DRC, met in October under the presidency of William Swing, the United Nations Secretary-General's Special Representative (SRSG) to the DRC, and cited several issues that are constraining the operations of the transitional government.

These include delays in the implementation of a national government administration; the formation of a unified national army; the absence of a national disarmament, demobilization and reintegration programme; and the continued presence of foreign armed elements on DRC national territory.²⁶

In the statement CIAT urged the transitional government to:

“appoint ‘without delay’ provincial governments and administrative staff; dispatch military commanders to their posts, with a view to forming a united national army and the drafting of laws on national defence; put in place a national coordination body responsible for DDR; and to identify means of accelerating the DDRRR of foreign armed elements, in collaboration with MONUC, and neighbouring countries.”²⁷

Dissemination of military commanders across the country will help strengthen the government control especially in the east, while a national coordination body in charge of DDR would solve the risks that may emanate due to the *ad hoc*/spontaneous disarmament currently being conducted by MONUC in Ituri, where cases have been reported of combatants presenting themselves for disarmament only to catch MONUC unawares due to lack of government structures to take charge of the whole process of DDR. According to MONUC the DRC government should possess the DDR process.²⁸ So it is a wait-and-see situation as the government puts its house in order.

CIAT emphasized the point that the success of the electoral process (if elections are to successfully take place in the next two years) depends equally on the implementation of a domestic government programme that will respond to the urgent needs of the people, as well as the installation of a legal framework that would guarantee financial transparency in electoral preparations, including the publication of assets of political parties, their sources of revenue and expenses, and their personal wealth and taxes paid.

The operations of MONUC even under the new mandate may not be smooth sailing. A case in point is the incident that took place in October 2003 when the government was reported to have blocked MONUC from inquiring into the crash landing of a cargo plane believed to have been transporting illegal arms to groups in South Kivu Province in the east of the country.²⁹

The plane was reported to have crashed at Kamina military base, in central Katanga Province of south-eastern DRC. It was reported that a heavy guard of Congolese soldiers prevented MONUC military observers from visiting the scene of the crash, in addition to arresting the Congolese officer who was accompanying them. This occurrence poses a challenge to the new MONUC mandate that obliges all parties to conflict in the DRC to provide full and unhindered access to MONUC to allow it to carry out its mandate. It heightens tension among the warring factions in the country, while deepening suspicion with neighbouring countries hence jeopardizing recent diplomatic efforts to enhance peace between the DRC and her neighbours, recalling that on 31 October 2003 renewed fighting was reported between Mayi-Mayi militias and a Rwandan rebel group in South Kivu Province in the east, resulting in the displacement of thousands of civilians, with undetermined number of wounded and dead, according to reports by MONUC and the UN Office for the Coordination of Humanitarian Affairs (OCHA).³⁰ Rwanda has repeatedly accused the Kinshasa government of supporting Rwandan rebel groups operating on eastern Congo, while Kinshasa in the recent diplomatic talks aimed at improving the two country's relations has recently given its assurances to Kigali that it would root out Rwandan Hutu rebels in eastern Congo in a bid to normalize relations between the two countries.³¹

Conclusion

The big question is whether the two-year transition period is long enough for the transitional government to prepare the Congolese parties for democratic and all-inclusive elections.

The possibility of peace until elections in 2005 largely depends on containment of ethnic violence through a comprehensive DDR programme, which has yet to start. Much also depends on relations between the DRC and her neighbours (primarily Uganda and Rwanda). Still, even in the event of a successful transition period, economic problems are likely to persist due to exploitation of the country's mineral wealth.

The UN Security Council should use its powers to impose sanctions and embargoes on countries fanning war or forces that may block implementation of the transitional government in the DRC. Embargoes and sanctions can change the dynamics of war, since availability translates into insecurity and armed violence, while reduced availability enhances human security.

The Security Council should also urge all parties in the DRC to support CIAT in monitoring the entire process until election time. The continuing violence and insecurity in the east can threaten the overall peace in Kinshasa, and so progress needs to be made on various fronts, with support from the international community.

The Kinshasa government should clearly identify its security needs in the short and long term, move quickly to form and deploy the national army in order to spearhead the disarmament and demobilization of armed groups and child soldiers; while remaining fully committed to the entire DDR process by gathering and collating information on the whereabouts of armed groups around the country.

It has been observed that the incipient peace in the DRC is due to two tenuous grips: one being the hope that several rival groups who fought a bloody and vicious war against each other can now work for a common goal; the other is the UN peacekeeping efforts in the volatile areas of the east, notably Ituri province.³² There are chances that violence may erupt again when the peacekeeping troops leave in 2004 at the end of their mandate, if it is not renewed.

Another threat to be addressed is that of DRC ex-combatants and/or deserters who are leaving in neighbouring countries, particularly in the Republic of Congo (RoC), where an estimated 6,300 former FAZ/FAC ex-combatants are reportedly residing. A tripartite agreement is already in place, ready to be incorporated in the national DDR plan.³³ It is being coordinated by UNDP and the International Organization for Migration. Similar repatriation opportunities should be extended to DRC ex-combatants in all the neighbouring countries, in order to avert possible insurgencies in future.

Notes

1. "Doing It Right in Congo," *New York Times*, June 25, 2003.
2. R Emeric, "MONUC and challenges of peace implementation in the Democratic Republic of the Congo," report on ISS International Workshop, Pretoria, 17-19 September 2003.
3. *Ibid*, p.8.
4. Lusaka Ceasefire Agreement at <http://www.state.gov/t/pm/rls/othr/rd/1999/22634.htm>.
5. P Swarbrick, "DDRRR: Political dynamics and linkages," Address to the ISS International Experts Workshop, Pretoria, 17-19 September 2003.
6. Interview with the DDRRR Coordinator in the DRC, in Kinshasa, 26 October 2003.
7. Paragraph 20 of the Lusaka Ceasefire Agreement, *op. cit*.
8. *First Consolidated Report of the Multi-Country Demobilization and Reintegration Programme in the Democratic Republic of the Congo, Mission Report*, 10-15 February, 2003, p. 6.
9. *Ibid*.
10. Interview with the Director General of Labor Optimus, an NGO based in Kinshasa, on October 18, 2003.
11. "Lawyers Committee Calls for International Action to Address Crisis in Ituri Province in the Congo," *Media Alert*, 28 May 2003, www.lchr.org/media/2003_alerts.
12. J Shattuck et al., "Ending Congo's NIGHTMARE-What the US Can do to Promote Peace in Central Africa," a report by the International Human Rights Law Group, October 2003.
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22. Bureau National de Démobilisation et de Réinsertion (BUNADER) is a department in the Ministry of Defense and Human Rights of the DRC, that is concerned with demobilization and reintegration of vulnerable groups within the armed combatants. Between 2001 and 2003 BUNADER conducted pilot projects on demobilization and reintegration of vulnerable groups in several parts of the country. For details see Projet DRC/00/M01/BR, *Programme de Démobilisation et de Réinsertion des groupes vulnérables en RDC: Leçons apprises dans la phase préparatoire, mai 2003*.
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24. See MONUC, "Deadline Extended for Ituri Militias On Cantonment Details," dated 24 October 2003 (<http://www.monuc.org/news.aspx>).
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