

**GREAT LAKES POLICY FORUM  
MEETING NOTES  
APRIL 11, 2002**

At this month's Forum we heard from Dr. Faïda Mitifu, Ambassador to the United States from the Democratic Republic of Congo (DRC) Professor Herbert Weiss, Emeritus Professor of Political Science at CUNY, and Susan Collin Marks, Executive Vice-President of Search for Common Ground on the Inter-Congolese Dialogue, obstacles to peace and the way forward.

**The Inter-Congolese Dialogue**

The government of the DRC envisioned the ICD as a process to create a mechanism to help belligerents reach an agreement, to enable all parties to work collectively during the transition period, and to ultimately produce peace and security in the country.

The Kinshasa government was willing to share power by going to Lusaka. Before the ICD, a series of meetings took place under UN auspices in Abuja and Geneva to help the government and rebels reach an agreement that would ease dialogue in Sun City. This was intended to be merely a general agreement over agenda items and presentation, but just before the February 25<sup>th</sup> opening of the ICD, the Mouvement pour la libération du Congo (MLC), which had at that time a common strategy with RCD, raised the first obstacle - issue of representation for delegates to the ICD

The government came to the conclusion that it was crucial to compromise in order to avoid a deadlock before the talks even opened. However, a second obstacle arose when the Rassemblement congolais pour la démocratie (RCD) attacked Moliro. This temporary crisis was resolved by UN Resolution 1399, and the dialogue continued only to be stalled again once the issue of government positions and institutions constituted the third deadlock.

For the rebels, the dialogue entailed creating a new government and all its institutions, from scratch. Since the international community already recognized the government, delegates from Kinshasa held an opposing view stating that the position of the presidency was not open for negotiation. The government did however see the need to open doors to all possible parties – rebels, nonviolent opposition, armed opposition and civil society in order to ensure inclusivity and sustainability of the process. Maintaining that peace and security for its people top its agenda, the government stated its willingness to share power with the armed and unarmed opposition and civil society. It proposed the creation of the position of Prime Minister to be filled by the opposition and to be supported by 4 vice ministers from the opposition. Rebel groups rejected the government's proposal, insisting that President Kabila give up his position

This last deadlock is what led President Mbeki of South Africa to design a new proposal, which would leave President Kabila as president of the transition but create a new structure that would include all other participants. Among others, the structure included a President, state council (led by the President and including the Prime Minister, rebel

groups, etc), a cabinet of national reconciliation (headed by the Prime Minister), judiciary and other independent commissions such as an electoral commission.

The government expressed its willingness to discuss the South African proposal, which was unfortunately rejected outright by rebels. The government went to Sun City to negotiate in good faith and make compromises for the sake of peace but despite feeling that they were not met halfway by their brothers, they remain hopeful. Since the ICD has been formally extended for one more week, the government looks forward to reaching an agreement within this timeframe.

### **Obstacles to the Inter-Congolese Dialogue: Ongoing Violence in the Kivus**

An event has occurred in the last two months that has received very little public attention – the war between the Banyamulenge militia and RCD units posted in high plateau of South Kivu. This current struggle is particularly poignant since it in effect, pits one part of the Congolese Tutsi community against the other.

#### *History/review*

The Banyamulenge, who are probably the oldest part of the Congolese Tutsi community, live in a homogeneous fashion in the high plateau of South Kivu near Fizi. Since the Mobutu regime they have been subject to great pressures especially regarding the issue of their Congolese citizenship, which was, at one point, denied to them.

In 1995/6 local and national politicians threatened them with expulsion. Ultimately this led to an attack on their part and the Rwandan army against FAZ and Hutu UNHCR camps in South Kivu. The Banyamulenge community began to support a new Congolese revolutionary organization called the AFDL. Many of the Banyamulenge joined the AFDL army both as soldiers and leaders, resulting in all of Congolese Tutsi being seen as identical to Rwandan Tutsi.

The Rwandans soon became quite unpopular in the DRC and this resulted in President Kabila's father ultimately expelling them in the summer of 1998. Although still subject to much debate, it is said that the Rwandans suggested that the Banyamulenge soldiers who were part of the new Congolese army, leave with them. These soldiers refused however, arguing that they were Congolese citizens.

After the Angolan government switched to supporting the government in Kinshasa, Kabila launched a vicious pogrom against all Tutsi. At least half of the soldiers in question were massacred, and on the civilian side a pogrom of ethnic cleansing, killing and imprisonment took place against all Tutsi in all the major centers under Kinshasa's control. However, at the same time in the East, Rwanda and Uganda gained control and many units of the Congolese army mutinied against Kinshasa, joining the Ugandan/Rwandan forces in what later became the RCD-Goma.

Before the summer of 1998, there were substantial differences between the Congolese Tutsi and the Rwandans and within the Congolese Tutsi and Banyamulenge community. The primary goal of the Banyamulenge, and in general the Congolese Tutsis, was what it

had always been – to be accepted as Congolese, as citizens, and to be accepted by their neighbors. That is what they had hoped to achieve by backing the revolutionary part of the AFDL and Kabila. But in effect, the result was to push them further away from that goal and further than had ever been in the history of their struggle since at this point they were not distinguished by other Congolese from their Rwandan and Burundian cousins.

Therefore, after the 1998 pogrom, two tendencies emerged. The first, adopted by some of the best-known leaders of the RCD such as Ruberwa, was association with Rwanda as protector. The second tendency was rejection of association with Rwanda on the premise that Rwandan interests were not the same as those of the Banyamulenge. This second tendency found relatively strong support in the High Plateau region - the stage for the current struggles. This group believed that their goals should be achieving acceptance by the Congolese and especially by the different ethnic groups and militarized units in the Kivus..

The High Plateau is a homogenous Banyamulenge community, relatively unprotected by the RCD with no Rwandan troop presence, and historically speaking, constantly under attack by the Mai- Mai, ALIR (Interhamwe-ExFar) and the FDD. As a result they created their own militia or self-protection units and tried to find a modus vivendi with certain neighboring groups, particularly the Mai- Mai, since the blood debt with the Interhamwe-Ex-FAR obviated any such move.

The institutional expression of the second tendency was an NGO - political party called the Forces Republicaines Federalistes (FRF). The FRF criticized the Rwandan invasion and their continued military presence in the Congo. More importantly they rejected their argument that Rwandan presence in the DRC was in part to protect them and rejected all proposals that the community should emigrate to Rwanda. Instead this group of Congolese Tutsi called for negotiations among Kivutians and most importantly repeatedly sought to enter negotiations with the Mai Mai. Their attempt by in large failed, and caused great anger from the Rwandans and the RCD while got no closer to acceptance by fellow Kivutians.

### *The Current Crisis*

The current crisis is one in which it appears that a local High Plateau development moved the FRF agenda forward much more than the FRF was able to accomplish itself. A commander for both the RCD forces in the High Plateau and also the Banyamulenge self-defense units by the name of Masuznu, did manage to create a degree of cooperation with the Mai Mai (Bembe in particular) who surrounded the High Plateau. His position within the RCD is very ambiguous since he was an RCD officer, but was in effect in refuge among his own people on the High Plateau and leading whatever Banyamulenge soldiers the RCD had left, as well as locally recruited militia.

Two months ago, the RCD and Rwanda declared him a deserter who was cooperating with Kinshasa. RCD troops were sent to the High Plateau in large numbers to capture him and shut down his operation. There was 3-day battle in which many of RCD Banyamulenge deserted and joined Masunzu. Although the RCD were the first to capture

the one operative airstrip, Masunzu was able to defeat them and the RCD withdrew. The Rwandan army – the APR –then sent substantial units to the High Plateau moving up from 3 different directions, recaptured the Munembwe airport and are now in hot pursuit of Masunzu and his soldiers.

Currently the Banyamulenge are now in greater cohesion because the FRF are backing Masunzu, Masunzu represents the FRF position, and substantial numbers of Banyamulenge RCD soldiers have deserted and joined Masunzu. However, there is a very serious mobilization of military and diplomatic force against this new development. For example, although FRF representatives have been in Burundi for a while, they have recently all been jailed.

What the Banyamulenge are despairingly calling for is some observation. MONUC does not have anyone posted in the High Plateau and thus the Banyamulenge are calling for MONUC representation and observation. The Kinshasa delegation to the UN has also asked the Security Council to demand that MONUC send such observers but there has been no follow-up from the Security Council.

#### *What is the problem here?*

Analytically speaking the problem is primarily that there are many Mayi Mayi groups, which operate relatively independently and without a central command. Most of the Mayi Mayi units have long-standing cooperation and coordination with the Interhamwe Ex-FAR and the FDD in the far south. Both the RCD and Rwanda view this alliance with great caution since Mayi Mayi cooperation with Congolese Tutsi, poses two great problems. The first problem is it increases the military potential of an alliance that has successfully resisted Rwandan RCD rule in Eastern Congo and the second is that it undermines the legitimacy of the Rwandan presence in the Congo, since the Congolese Tutsi are effectively fighting them.

It may therefore be in Rwanda's interest to see the Congolese Tutsi population accepted by its neighbors in the Kivus and DRC in general. But such an acceptance is not likely to develop so long as those Tutsi are seen as simply an extension of Rwandan power and interest. However, it is unfortunate that under present conditions, few think in long-term propositions.

As Kinshasa continues to support the Mayi Mayi ALIR forces, the Mayi Mayi – Banyamulenge relationship can be seen as dangerous from the Rwandan and by extension RCD's perspective. Ultimately, in this part of the world, "the friends of my enemy are my enemy."

#### **The Way Forward after the ICD**

Peace is a process, not an event. A 52-day event will not bring peace, however it may start a peace process. Despite the dialogue having been set in somewhat challenging surroundings, it should be heartening to know that the delegates took the dialogue seriously in both their attendance and their commitment. Furthermore, the leadership of the religious community was present (both the Church of Christ and Muslim community)

there were a number of church, NGO's and civil society representatives who came and lived in Sun City for its entire duration in support of the dialogue.

Many felt that some resolution absolutely must be reached at Sun City since the international community is rapidly losing interest and patience for Congo. The two biggest issues facing the leadership as they go through this process of peace are leadership and trust. The big issues of nationality, the army etc, are not as difficult to deal with as the mistrust that exists between people. Thus, there is a step that each of the Congolese leaders needs to take in order to become true leaders. Leaders are people who serve a people, a country instead of personal ambition or a specific segment of society. Leadership of a country is about that country.

There needs to be a new diplomacy that will create and support the kind of leaders that can lead Congo into future and leaders that can find ways to build bridges in places where only deep mistrust and fear exist. The US government and international community, neighboring countries and civil society can help build this trust and lend momentum to this process.

This is the time for Congo to make its decision to move forward. There will be no better time. There needs to be reassurance for all the parties that they will be recognized for all their ability to come to an agreement in Sun City. There needs to be recognition from the international community of all the people who give up something, which is ultimately the crucial element in this peace process. The international community and other governments can provide incentives for the various groups so that they are willing to compromise in order to benefit the whole.

#### What Next?

Although there will most likely be an agreement at Sun City, it may be less than we hoped for. The international community should accept an agreement that establishes enough of an infrastructure to go back to Congo and then support the next phase of the process.

An appropriate next phase would include all the people and groups of Congo at the national, regional and local level in order to deal with differences and mistrust and to forge a successful transition. The leaders should continue the discussions that were started at Sun City. Regional leaders should feed into these discussions in order to make them their own and local people can voice local issues to be included also. A South African type of framework like this allows the people of a divided country to take ownership of a new Congo.

In Africa, it has become evident that when negotiations and agreements are carried out at only the top level, it does not work. Therefore, this is an opportunity for Congo not only to make a new future for itself, but to pave the way in how to come out of a war successfully in Africa, and to show that they can do it differently, inclusively, and successfully, to benefit, the country, the region and the continent.