Ongoing Humanitarian Crisis and Peace Process in
The Democratic Republic of the Congo

Alexandra Cojocaru[*]

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Congo Wars, Congo's peace process, humanitarian crisis, refugees, conflict resolution, peace operations**.**

Abstract

The Democratic Republic of the Congo (DRC) has experienced a cycle of violence over time, which has taken the form of interethnic competition, and civil wars and has become one of the worst humanitarian crises.

Faced with an extremely violent peace process, especially in the eastern part of the country, sustainability and peacebuilding have been key points in the intervention plans proposed by international organizations. The peace process has made positive progress in halting regional hostilities, but the humanitarian crisis is far from being over, the United Nations Office for the Coordination of Humanitarian Affairs estimates that 27 million people will need humanitarian aid in 2022. DRC continues to face overlapping crises, extreme poverty, famine, poor governance, corruption, violence in the eastern part of the country, sexual abuse, and blatant human rights violations.

In addition to the strategies proposed by international actors (for example, South Africa, the Southern African Development Community - SADC, the African Union, the United

[*] PhD Student at University of Bucharest.

Nations, and the European Union), mainly having a regional approach, actions must start at a micro-level, a local intervention aimed at ending ethnic rivalries. Despite the efforts of international actors, the local approach has not yet been effectively implemented.

Starting from the demographic and socio-economic context of the DRC, we propose an analysis of the evolution of the Congolese state, focusing on the conflict situation in the late 1990s, the unfolding of conflicts, and how African states and the international community have tried to restore peace. How effective the proposed strategies have been, what are the current issues and why are there no significant results in stabilizing the internal situation of the Congolese state?

Demographic and socio-economic profile

The structural problems of the Democratic Republic of the Congo are inexorably linked to the demographic, economic, and political profile of Central Africa. It is necessary an inquiry about these peculiarities, to understand why DR Congo is considered a war-torn country.

The Democratic Republic of the Congo covers an area of about 2 million km2, making it the third-largest state in Africa. At the demographic level, we speak of a total population of over 94 million, according to the latest statistics provided by *Worldometer*, for the first half of 2022.[1] An essential aspect in understanding the Congolese conflicts is the ethnic composition, there is an impressive ethnic juxtaposition of about 250 ethnic communities, which speak almost 700 different languages and dialects.[2]

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[1] "DR Congo Population", Worldometer, https://www.worldometers.info/world-population/democratic-republic-of-the-congo-population/.
[2] *Ibidem.*

One of the structural causes that contributed to perpetual violence was the illicit sale of natural resources, the mineral deposits being the main economic resource of the country, which also explains the endemic corruption of the Congolese state. On the territory of the DRC, we notice the existence of a great variety of natural resources, among copper, cobalt, zinc, manganese, coal, silver, uranium and platinum. In the Kivu Lake area, there are vast reserves of methane and nitrogen natural gas. There are deposits of precious iron ore and diamonds in the southern part of the Congo, while the central regions are rich in industrial diamonds. The limestone deposits that appear throughout the country are considered to be among the richest in Africa.[3]

Congo's forests cover more than half of the country and are among the largest in Africa. Rivers, lakes, swamps and the ocean provide vast reserves of fish. It is estimated that the country's hydroelectric resources account for about one-eighth of global capacity and perhaps half of Africa's potential capacity. Thermal energy can be derived from forests, coal and oil fields.[4]

Despite a rich supply of mineral deposits and a huge potential for hydroelectric capacity, this state is fundamentally underdeveloped, with only 500 km of paved roads. The level of underdevelopment of the DRC is also indicated by the quality of life of the majority of the population; people live on the edge of

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[3] Global Witness, *Same Old Story. A background study on natural resources in the Democratic Republic of Congo*, Washington DC, Global Witness Publishing Inc., 2004.
[4] Bernd Michael Wiese, Ntsomo Payanzo and Others, "Democratic Republic of the Congo", *Encyclopedia Britannica*, September 11, 2020,
https://www.britannica.com/place/Democratic-Republic-of-the-Congo.

subsistence, with a GDP per capita of $ 580 in 2019, according to data provided by the World Bank.[5]

The Democratic Republic of the Congo is a semi-presidential republic since its independence in 1960, but the president's power has varied from one regime to another, which has been the main source of instability and bad governance.

RDC's structural problems

The instability of the RDC and, implicitly, the regional endemic instability, cannot be understood without a closer look at how the decolonization process was carried out and how the new independent states were organized.

After independence in June 1960, the Congolese state faced its first violent outbursts. On the one hand, the decolonization was not carried out in optimal parameters, because it never ensured the transition to national and stable leadership. Before the process of decolonization, the majority of the population did not have access to education, and the profitable economic sectors were monopolized by the colonizing state, meaning that the transition to an independent state could not be done sustainably. Given the fact that there was no local educated elite, the capacity of running effectively the state's economy was almost non-existent.[6]

Trying to manage the whole territory coherently way was an ambitious goal, without much chance of success. That is why, in the early 1960s, there was a

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[5] "GDP per capita (current US$) - Congo, Dem. Rep.", *World Bank National Accounts Data*, 2019, https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=CD.

[6] Kris Berwouts, *Congo's Violent Peace. Conflict and Struggle Since the Great African War*, London, Zed Books, 2017, p. 9.

succession of several governments that deepened the state's instability and created favorable conditions for the secessionist wars, which ended in 1965 with the coup led by Mobutu Sese Seko. Mobutu's regime lasted for 32 years, until 1997.

The African political leadership in recent decades has been marked by presidentialism and clientelism. By using state resources for personal gain and concentrating power in the hands of a small decision-making group, the leader secured unlimited, uncontrolled power, free from any form of opposition. Although there was a separation of powers in the state, it was a purely symbolic act, in which democratic institutions had a formal existence. Rather, public institutions were seen as tools that could facilitate the enrichment of the Congolese political elite.

Poor governance has been one of the main problems facing the Congo since its independence, with the result taking the form of a crisis of state legitimacy. After 1965, with Mobutu's dictatorship, the Congolese society was severely affected by violent political repression, flagrant human rights violations, and state resources were not used for the economic development of the DRC, but for the leader's personal interests and those close to the regime.[7]

Although Mobutu's government lacked the essence of democracy, the leadership of the DRC was backed by Western powers, as it was a regional counterweight to a possible spread of Marxism on the African continent. Western

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[7] "Ending the Deadlock: Towards a New Vision of Peace in Eastern DRC", *International Alert*, 2012, p. 16.

support (the United States, France and Belgium) has also had economic motivations in the form of concessions on mineral resources in the eastern DRC.[8]

The alternative to African socialism took the form of a large-scale campaign, a process known as Zairianisation. The new Congolese state involved a different name for the state, for the cities and for the local structures. Thus, to assert its regional authenticity, Mobutu changed the name of the state to Zaire in 1971. The Zairianisation process had multiple consequences for the Congolese state, the greatest impact being felt in the economic sphere; most of the businesses owned by westerners was expropriated and placed in the hands of those close to the regime, without any specific training.[9]

In the second period of his regime, Mobutu suffered a serious loss of legitimacy, instability spread to all sectors of public life, the national and regional opposition being one of the main reasons for its overthrow in the First Congo War.[10]

The rich natural resources of the DRC have been an important factor in fueling conflicts, as warring factions have competed to control the illegal flow of resources from the DRC to international markets. The result was a collapsed state and, above all, a suffering population.

The dynamics of regional conflicts and, implicitly, of civil conflicts in the Congo can be understood in the light of the combative situation with a strong identity character. Throughout the twentieth century, micro-level rivalries over land, resources, and power have progressively produced a series of fractures at

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[8] Kris Berwouts, *op.cit.*, p. 11.
[9] *Ibidem*, p. 12.
[10] David Renton, David Seddon, Leo Zeilig, *The Congo. Plunder & Resistance*, London, Zed Books, 2007, pp. 126-127.

both the local and national levels. The local level of rivalries is an essential element in our analysis, because it was found that most violent outbursts are small, located only in a few villages or communities, being led by local leaders.[11]

With the Zairianisation process initiated by Mobutu, the identity problem in the eastern Congolese state (especially the provinces of North Kivu, South Kivu, and Ituri) intensified, creating favorable conditions for polarization between indigenous and non-indigenous Congolese, those with Rwandan origins.[12] Prior to Zairianisation, interethnic tensions were resolved through the kinship system, migrants of Rwandan origin were thus introduced into the local community, through marriage to members of the local population. After 1973, the state privatized the lands previously administered by the local communities, which led to the disappearance of the traditional system. Local leaders have become land traders, facilitating the involvement of migrants in the land purchase process.

Without the need for Rwandan migrants to be accepted into the community through the kinship system, a new level of interethnic tensions has been reached. The possibility of buying land disadvantaged the young Congolese peasants, who, due to lack of resources, could not buy land. The nationalization process has increased the frustrations of the latter and created a new class of marginalized people.[13]

Therefore, in the view of the Congolese peasants, the classification between indigenous and non-indigenous (the non-indigenous population was

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[11] Kris Berwouts, *op.cit.*, pp. 41-42.

[12] Filip Reyntjens, *The Great African War. Congo and Regional Geopolitics, 1996–2006*, New York, Cambridge University Press, 2009, pp. 13-14.

[13] "Ending the Deadlock: Towards a New Vision of Peace in Eastern DRC", *International Alert*, 2012, p.20; Kris Berwouts, *op.cit.*, p. 20.

known as "Banyarwanda") became legitimate. The identity approach of Mobutu's regime contributed to a crisis of citizenship, with indigenous communities challenging the nationality of Rwandan Congolese.[14] On the other hand, the members of Banyarwanda had distrusted of the regime. Thus, since the 1990s, new political parties have been created along ethnic lines, and politicians, wanting to gain popular support, have further exacerbated tensions based on identity criteria. Moreover, before the elections, it was conducted a census of all citizens, a process in which the Rwandan Congolese were ignored.

The Rwandan civil war (1990-1994) also fueled local antagonisms and expanded the division within the Banyarwanda community. Some Congolese Tutsis funded the rebel Rwandan Patriotic Front (RPF), and thousands of young Congolese Tutsis crossed the border into Uganda to join the RPF's war effort. On the other hand, Congolese Hutus perceived the Rwandan Patriotic Front as a threat to their very existence, which is why they enlisted in the Rwandan army, led by President Habyarimana. Thus, the Hutus intensified their resentment towards the Tutsis, and the rivalry between indigenous and non-indigenous Congolese worsened, with Rwandan-born Congolese being considered foreigners in terms of political loyalty to a foreign state, Rwanda.[15]

The struggle for power and endemic violence of the 1990s. Civil wars in the Democratic Republic of the Congo

In the 1990s, Africa experienced a climax of violence, culminating with the civil wars in Liberia, Sierra Leone, Somalia, and the Central African region.

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[14] *Ibidem*, pp. 16-18.
[15] Filip Reyntjens, *op.cit.*, p. 6.

The end of the Cold War also had a fundamental impact on the dynamics of the DRC in the 1990s. Mobutu was a product of the Cold War, the new geopolitical realities were no longer in line with his dictatorial regime, and the Congolese state was facing problems on all levels (the legitimacy crisis of Mobutu's regime, growing popular dissatisfaction, and ethnic polarization).

On April 4, 1994, the President of Rwanda, Juvenal Habyarimana, was killed after his plane was shot down. The event sparked subsequent genocidal actions, killing about 800,000 Tutsis, a genocide that ended with the Rwandan Patriotic Front taking power in July 1994.[16] Although there was a relative stabilization of the internal situation in Rwanda, the violence has been exported to the Congolese neighbor, a territory where ethnic rivalries between Hutus and Tutsis have previously been problematic.[17] One of the first consequences of the Rwandan genocide took the form of the mass migration of ethnic Hutus to the eastern provinces of the DRC. The exodus of two million Hutu ethnics (many former members of the Rwandan Armed Forces involved in the genocide) has exacerbated instability in Kivu provinces.[18] Refugees reorganized into armed groups and militias, forcing people in eastern Congo to submit to their authority. The actions of the Hutu rebels, supported by Mobutu's regime, were mainly directed against the new regime in Kigali, which provided another reason for the Rwandan government to support the change of regime in Kinshasa. Given the collaboration between Mobutu and the Rwandan forces involved in the genocide, as well as Mobutu's lack of national and international popularity, there was

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[16] Gérard Prunier, *Africa's world war: Congo, the Rwandan genocide, and the making of a continental catastrophe*, New York, Oxford University Press, 2008, p. 5.

[17] Filip Reyntjens, *op.cit.*, pp. 42-44.

[18] Séverine Autesserre, *The Trouble with the Congo. Local Violence and the Failure of International Peacebuilding*, New York, Cambridge University Press, 2010, p. 47.

almost a nonexistent opposition to the violation of Congo's sovereignty shown by the neighboring countries.[19]

First Congo War marked the end of Mobutu's regime. The war broke out in October 1996 with the intervention of the Alliance of Democratic Forces for the Liberation of Congo (AFDL) - an alliance between the governments of Uganda and Rwanda, a collaboration that gave a local note by appointing Laurent-Désiré Kabila as the alliance's leader. A politician with insignificant activity on the Congolese political scene, an opponent of Mobutu, without consistent military support, Kabila was a strategic choice of the two states, as he could turn into a puppet leader, easy to manipulate.[20]

The stated goal of the alliance was the total destruction of Hutu refugee camps.[21] The refugee camps' dismantling was mainly aimed at neutralizing the rebel armed forces, but in reality, these actions took the form of massacres against Hutus (in 2005, three mass graves were discovered in the eastern region of DRC).[22] The rebels took major cities without much resistance, but the turning point was the occupation of Kisangani, an important diamond center. The coup ended on May 20, 1997, and Kabila was sworn in as president of Zaire.

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[19] Herbert Weiss, "War and Peace in the Democratic Republic of the Congo", Current African Issues, No.22, 2000, p. 3.

[20] Erik Kennes, "A Road not Taken? The Biography of Laurent Kabila (1939–2001)", in Klaas van Walraven (ed.), *The Individual in African History. The Importance of Biography in African Historical Studies*, Leiden, Brill, 2020, p. 288.

[21] Gérard Prunier, *op.cit.*, pp. 143-146.

[22] The Office of the High Commissioner for Human Rights, "Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003", 2010,
https://www.ohchr.org/Documents/Countries/CD/DRC_MAPPING_REPORT_FINAL_EN.pdf.

Kabila's regime has largely retained many features of Mobutu's regime. Political activities were banned, parliament was dissolved, there was no state budget, and laws were issued by presidential decrees. Kabila, like his predecessor, encouraged favoritism and nepotism. Therefore, the internal dynamics of the state remained approximately the same. However, there was a change in the way Kabila related to his former war allies. Pressure, especially from Rwanda, through continued interference in the affairs of the Congolese state, led Kabila to demand that Rwandan and Ugandan forces leave the DRC, which was the trigger for the Second Congo War.[23]

On August 2, 1998, the war has broken out in Congo, with Uganda and Rwanda starting a new military campaign in Congo, this time against the former ally, Kabila, with the help of rebel militias in the northeast Congo, one of the country's richest natural resources areas.[24]

The most daring operation in the conflict was Kitona, which began on August 4, 1998. Rwandan and Ugandan forces tried to quickly conquer the Congolese capital through an insurrection in the western part of the country. Throughout the month, they conquered strategic points near the capital, such as the port of Matadi and the Inga hydroelectric plant, which supplied electric power to Kinshasa.

On the verge of success due to the intervention of troops from Zimbabwe and Angola, the operation failed, which led to the fall of the Western DRC front. However, until August 17, 1998, RCD (the Congolese Rally for Democracy) rebels

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[23] Séverine Autesserre, *op.cit.*, p. 48.
[24] The Office of the High Commissioner for Human Rights, *op. cit.*, pp. 154-155.

in eastern Congo conquered the cities of Kivu province: Goma, Bukavu, and Uvira, areas rich in tin, columbite-tantalite, and gold.[25]

A key point in the conflict was the meeting in Harare, the capital of Zimbabwe, on August 19, 1998. Here, the member states of the South African Development Community (SADC) have decided to become militarily involved in the conflict, backing Kabila. This decision was due both to the Community's defensive treaty and to the opportunities to acquire DR Congo's resources.[26]

Even though the conflict in the DRC turned into a regional war, with heavily military-backed countries alongside Kabila, in September 1998, RCD rebels occupied Watsa and Moba and advanced to the Congo's capital. In the previously conquered territories, in the jungles of northeastern Congo, grisly clashes were taking place between ethnic Tutsis, who formed much of the RCD, and local militias (mainly formed of the remnants of Interahamwe, the Hutu extremist organization which actively participated in the Rwandan genocide).[27]

In October 1998, the province of Maniema was controlled by RCD rebels and so both the North and South Kivu areas came under Rwandan-Ugandan occupation.[28] After November 1998, following the conquests of the resource-rich areas of the Congo, especially those with diamonds, the first dissensions arose between Rwanda and Uganda. Along these lines, a new rebel group was created, Uganda's satellite. The Movement for the Liberation of the Congo (MLC) was led by Jean-Pierre Bemba, the son of a former close friend of the Mobutu regime,

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[25] Filip Reyntjens, *op. cit*, pp. 196-197.

[26] "DRC: Zimbabwe says SADC to back Kabila", *The New Humanitarian*, 19 August 1998, https://reliefweb.int/report/democratic-republic-congo/drc-zimbabwe-says-sadc-back-kabila.

[27] Thomas Turner, *The Congo Wars: conflict, mith & reality,* Zed Books, 2007, p. 199.

[28] *Ibidem*, p. 200.

who had become rich because of Congo's exploitation of natural resources. MLC controlled areas in northern Congo, based in Gbadolite.[29]

On April 5, 1999, tensions between pro-Rwandan and pro-Ugandan groups within the RCD escalated due to the desire of certain factions in the RCD to control the diamond-rich areas on their own. The Ugandan RCD troops broke away from the rest of the rebel group and moved its headquarters to Kisangani, giving birth to RCD-K. The Rwandan faction kept its center in the city of Goma. With this event, armed clashes broke out between the two factions for the conquest of the diamond-rich area, the city of Kisangani.[30]

The nonviolent way. Negotiations and peace agreements (1999-2003)

Civil society organizations campaigned for a political dialogue long before the initiation of the actual Inter-Congolese dialogue. At the end of the Second Congo War, which many organizations saw as a threat to the integrity of the DRC, a series of meetings were held in Kinshasa, Antwerp, Montreal, and Durban, to bring all actors to the negotiation table. Kabila's regime strongly opposed these initiatives, which it sought to boycott, for example, by preventing internal opposition from participating or by arresting participants on their return from these events.

Therefore, Kabila blocked the attempts to find a negotiated solution to the military conflict. This attitude was inspired by a single consideration: the acceptance of demands for power-sharing made by the opposition forces and rebel groups would have been a major threat to his political position. As we will

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[29] The Office of the High Commissioner for Human Rights, *op. cit.*, p. 153.
[30] Denis Tull, *The Reconfiguration of Political Order in Africa: A Case Study of North Kivu (DR Congo)*, Hamburg African Studies, Institute of African Affairs, 2005, p. 131.

see in the evolution of the events of the late 1990s, only after Laurent Kabila's death and the coming to power of his son, the negotiated transition was implemented.[31] In 2003, Joseph Kabila founded The People's Party for Reconstruction and Democracy (PPRD), sending the message that his administration refrained from his father's practices.[32]

The initiation of the peace process would not have been possible without the involvement of a considerable number of external actors. International organizations have set up a discussion forum, through which they have tried to bring together all paramilitary factions and all regional actors at the negotiating table. Since 1998, it has been seen the involvement of external facilitators, who have played an active role in the peace process: the South African Development Community (SADC), the Organization of African Unity (OAU), the United Nations (UN), South Africa, Libya, USA, Belgium. The interests of the actors who preferred the nonviolent way were diverse and complex, either they were guided by personal motivations, or there was a real interest in building peace.

The decision of SADC states' involvement in the Second Congo War, on Kabila's part, was a difficult decision that has not met the consensus. SADC has become the main player in a negotiated solution and South Africa has taken a clear leadership role. The day after Zimbabwe, Namibia and Angola decided to intervene on Kabila's behalf under the guise of SADC, Nelson Mandela said: "Our attitude is clear. We would not worsen the position by sending in a military force. We are committed to peace."[33]

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[31] Kris Berwouts, *op.cit.*, p. 25.

[32] *Ibidem*, p. 48.

[33] "DRC: Zimbabwe says SADC to back Kabila", *The New Humanitarian*, 19 August 1998, https://reliefweb.int/report/democratic-republic-congo/drc-zimbabwe-says-sadc-back-kabila.

Although there were disagreements within SADC over the position the organization should have taken, the South African Development Community was the first entity to launch the idea of a negotiated peace. At a summit in September 1998 at Victoria Falls, a statement was issued by representatives of the states involved in the war (Rwanda, Uganda, Zimbabwe, Angola, DRC, Namibia), along with Zambia and the OAU Secretary-General. Following the communiqué, the foreign interference in the internal activity of the Congolese state was denounced (paradoxically condemned by Rwanda and Uganda, which denied the presence of their troops in the DRC). Although the Victoria Falls Summit first launched the idea of a negotiated solution, it was a false start to the negotiations, an example of deceitful pseudo-diplomacy, according to Gérard Prunier.[34]

Assuming the mediator's role during the negotiations was perceived as an opportunity to gain regional leverage. Libyan President Muammar Abu Minyar al-Gaddafi used this opportunity to shape his image as an African leader, not as a leader of the Arab world. He called himself the "coordinator of the Peace Process in the Great Lakes", which was held in Sirte on September 30, 1998. The ongoing dialogue led to a second summit on April 18, 1999. The peace agreement between Uganda, DRC, Eritrea, and Chad, under Gaddafi's coordination, had no chance of success, as the other actors involved in the civil war were not included in the process, being the main reason for negotiations' failure at that time.[35]

Another event aimed at ending hostilities and creating a stable regional framework was the 20th Franco-African Summit, organized in November 1998 in

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[34] Gérard Prunier, *op.cit.*, p. 203.
[35] Filip Reyntjens, *op.cit.*, pp. 245-246.

Paris. Concluded with the Louvre Agreement, the summit did not have notable results, key players such as rebel groups and Rwanda did not participate in the talks.

In June 1999, Zambian President Frederick Chiluba took the initiative to bring the countries involved in the Congo war and the RCD and MLC rebel movements to the negotiating table, along with representatives of the United Nations, OAU, and SADC. The Zambian president was considered a neutral regional actor, which is why he took on this mediation mission.[36] On July 10, an agreement was signed in Lusaka. The signatories were the leaders of six countries involved in the conflict: Angola, DRC, Namibia, Rwanda, Uganda, and Zimbabwe, with the agreement being assisted by Zambia, the OAU, the UN, and SADC. The parties agreed to cease hostilities in the DRC within twenty-four hours after signing the agreement. After four months, all foreign armies were to leave Congo and be replaced by a UN force. Two months later, Kinshasa and the rebels were to join the military and plan a transition to a democratic government.[37] The agreement was promising for building regional peace, but there was a recurring issue in the peace negotiations - the non-compliance of rebel groups with the nonviolent efforts.

Although the results of the agreement have only cursory achieved the objectives of the parties, some structural issues have been addressed, thus overcoming concerns about the cessation of hostilities. First of all, the aim was to normalize the situation in the eastern region of the DRC, regulate the illegal exploitation of natural resources, and control armed groups in the east, and arms

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[36] Kris Berwouts, *op.cit.*, p.23.

[37] Lusaka Agreement (1999), *United Nations Peace Peacemaker*,
https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_030402_SunCityAgreement.pdf.

trafficking. Another key aspect of the Lusaka Agreement was accepting the intervention's legitimacy of neighboring states, Rwanda and Uganda, recognizing the DRC's inability to maintain security on its eastern borders. The diplomatic victory allowed the recognition of the claims of the armed groups financed by these two states, RCD - Rwanda, and MLC - Uganda.[38] The international intervention was to take the form of a UN peacekeeping force, deployed within 120 days of the conclusion of the agreement. Its mandate included peacekeeping and peacemaking operations.[39] Even before the RCD signed the Lusaka Agreement, the UN Security Council authorized, on August 6, 1999 "the deployment of up to 90 UN military liaison personnel, together with the necessary civilian, political, humanitarian and administrative staff", the first reconnaissance mission starting in September.[40]

The former President of Botswana, Ketumile Masire, was subsequently appointed as a mediator in December 1999.[41] Until Laurent Kabila's death, no considerable progress had been made in building peace, the armed conflict continued, and reconciliation was far from reality.

On January 16, 2001, President Kabila was shot in his palace by one of his bodyguards, which made Laurent Kabila's eldest son, Joseph Kabila, the new leader of DRC. His arrival eased a deep political stalemate. In this regard, his statements after he took power are significant, he insisted on "restoring peace and strengthening national communion", the relaunch of the Lusaka Agreement.

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[38] Filip Reyntjens, *op.cit.*, p.249.
[39] Augusta Muchai, "Arms Proliferation and the Congo War", John F. Clark (ed.), *The African stakes of the Congo War*, New York, Palgrave Macmillan, 2002, p. 192.
[40] United Nations Security Council, "Resolution 1258", 6 August 1999, *United Nations*, https://digitallibrary.un.org/record/277529.
[41] Tatiana Carayannis, "The challenge of building sustainable peace in the DRC", *Henry Dunant Centre for Humanitarian Dialogue*, July 2009, pp. 8-9.

He recanted his father's political discourse, stating the following priorities of the Congolese state: returning to democracy, organizing Inter-Congolese dialogue, and economic liberalization.[42]

Joseph Kabila announced his intention to cooperate with Masire, which created the opportunity for the initiation of the Inter-Congolese Dialogue in February 2002. From the very beginning, the peace process was marked by escalating tensions, as not all opposition parties were included, which drew criticism from the MLC and the unarmed opposition.

On April 19, 2002, an agreement was reached between the government, Bemba's MLC and most opposition parties, representatives of civil society and Mai Mai, RCD-Goma, and UDPS (Union pour la Démocratie et le Progrès Social) - the historical party, led by Mobutu's rival, Etienne Tshisekedi.

On July 30, 2002, the DRC and Rwanda signed the Pretoria Agreement which stated the withdrawal of Rwandan troops from the DR Congo territory and the disarmament of Rwandan Hutu rebels operating in the DRC. The agreement largely covered the points set out in the Lusaka Agreement but accelerated the withdrawal of foreign forces from the DRC.[43] This was followed by a similar document, signed on September 6 between the DRC and Uganda, known as the Luanda Agreement.[44]

The withdrawal of foreign troops, especially Rwandan troops, occurred without much incident, which was unexpected taking into consideration the

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[42] Filip Reyntjens, *op.cit.*, pp. 252-254.

[43] Pretoria Agreement (2002), *United Nations Peace Peacemaker*, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_021216_Global%20and%20Inclusive%20Agreement%20on%20Transition%20in%20DRC.pdf.

[44] Luanda Agreement (2002), *United Nations Peace Peacemaker*, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD%20UG_020906_Luanda%20Agreement.pdf.

previous opposition and attempts to delay the withdrawal. International pressure was growing on the Rwandan political leadership; Rwanda was perceived as a spoiler of war, which is why it faced international isolation. Therefore, Rwanda had to show that it did not intend to obstruct the peace process.

At the end of 2002, a consensus was reached between the RDC, rebel groups and the political opposition, agreeing on the formation of a transitional national government. In 2003, the states involved in the peace process resumed talks at the Sun City meeting to address the remaining issues.[45] With the final act, the second Congo war officially ended.[46]

The agreements reached between 1999 and 2003 were key points in the evolution of the peace process, addressing key issues for the reunification of the country. The official end of the war did not mean halting the hostilities in the eastern part of the DRC, where, after 2003, there was a worsening sexual violence situation, especially against women, and extended massacres of ethnic groups. The massacres in the eastern region have prompted the international community to deploy multinational emergency forces to the DRC. Being an EU-led operation, Operation Artemis has been launched under The Common Security and Defence Policy (CSDP).

In 2006, the EU conducted a second military mission, EUFOR. His mandate was to assist the Congolese police and army, as well as to the UN (MONUC) mission to democratize and make the electoral process more

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[45]   Sun   City   Final   Act   (2003),   *United   Nations   Peace   Peacemaker*, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_030402_SunCityAgreement.pdf.
[46] Kris Berwouts, *op.cit.*, pp. 47-48.

transparent.[47] Its role was to secure Kinshasa Airport, to protect civilians under imminent threat of physical violence, and carry out evacuation operations.[48]

A violent peace. How viable is the peace process?

The transitional government was marked by multiple challenges, with two important processes being observed. First, there is the return of multinational companies to the DRC, with the gold and oil exploitation, especially in the northeastern part of the country. The second aspect was the incorporation of a significant number of rebel commanders into the Congolese army, the FARDC (Armed Forces of the Democratic Republic of the Congo), many of whom participated in the atrocities and massacres during the war.

With the end of peace agreements, there was a threatening violence escalation, especially in the eastern Congo. In order to counterbalance this dynamic, MONUC's intervention increased considerably during the transition years, with the military force reaching a force of 11,500 soldiers. MONUC was one of the mainstays of the peace process, with UN peacekeeping and peacemaking forces fighting the structural instability in the eastern DRC, but aroused the almost unilateral animosity of groups in the area.[49]

This widespread aversion against MONUC has led to the actual absence of the mission on the ground. Many times, the mission was missing when the violence took place. Another element that contributed to MONUC's negative image in the region was caused by cases of deviant behavior and criminal actions

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[47] United Nations Security Council, "Resolution 1736", 22 December 2006, *United Nations*, https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/680/56/PDF/N0668056.pdf?OpenElement
[48] Filip Reyntjens, *op.cit.*, pp. 272-273.
[49] *Ibidem*, p. 49; Augusta Muchai, *op. cit.*, p. 192.

made by UN soldiers (sexual violence or involvement in natural resources-related illicit trade).[50]

According to data provided by the UN (Conduct in UN Field Missions), between 2007 and April 2022, 1,183 complaints were registered against MONUC/MONUSCO staff regarding sexual exploitation and abuse. In more than half of the cases, the aggressors were part of the military staff of the UN mission. In terms of their nationality, most MONUC/MONUSCO soldiers accused of sexual exploitation and civilian abuse came from Cameron, South Africa, Gabon, the DRC, Morocco, Burundi, and Tanzania.[51]

The lasting violence has been aggravated by the integration of various rebel groups and militias into the Congolese army. Hostilities took the form of local clashes between the FARDC and the RCD-Goma faction, hostilities in which hundreds of civilians were killed in 2003 alone – the year when the war ended. Widespread violence in the eastern DRC has created new dimensions of the culture of fear.[52] Due to the particularly high rates of sexual violence caused by armed men, rape was perceived as a weapon or a war tactic used by various belligerents to destroy the social and psychological pillars of local communities and put an end to all forms of local resistance. Violence, massacres, and sexual abuse of civilians have had and continue to have a corrosive effect on social

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[50] Marco Odello, "Tackling Criminal Acts in Peacekeeping Operations: The Accountability of Peacekeepers", *Journal of Conflict & Security Law*, Vol. 15 No. 2, 2010, pp. 350-351.
[51] The data can be consulted on UN website, *Conduct in UN Field Missions*, https://conduct.unmissions.org/sea-data-introduction.
[52] Chris Dolan, "'War is not yet over. Community Perceptions of Sexual Violence and its Underpinnings in Eastern DRC", *International Alert*, 2010, pp. 20-23.

cohesion, directly attacking the most fundamental aspect of community life: the traditional kinship system.[53]

Widespread violence in the East displaced 200,000 people in the villages and towns where they lived in 2004, hoping to find shelter in the forests of North and South Kivu provinces. Following the conclusion of the peace agreements, armed groups of ethnic Rwandans refused to return to Rwanda, preferring to settle in the provinces of Kivu. Ituri province in northeastern Congo continued to witness ongoing conflict.

In May 2005, the National Assembly adopted a new constitution, accepted by the former rebel groups, and the national elections were postponed until early 2006. Therefore, efforts to achieve peace and democratization have had a positive trajectory with legislative and local elections in 2006, which is, in fact, the final moment of the transition. But the end of the transition did not mean achieving inter-Congolese reconciliation but left unresolved several issues, which have continued until now.

One of the problems that the Congolese state still faces and that hinders the internal coherence of the state remains the problem of militias and rebel groups.[54] Some Mai-Mai groups continued to resist disarmament and integration into the national army. The activity of Rwandan Hutu fighters in the FDLR (The Democratic Forces for the Liberation of Rwanda) in Kivu provinces has had a negative impact on relations between Kinshasa and Kigali and has been a major security issue for civilians.[55] The return of thousands of the Congolese refugees

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[53] "Ending the Deadlock…", p. 24.
[54] "Congo: bringing peace to North Kivu", *International Crisis Group*, Africa Report No. 133, 2007, pp. 2-4.
[55] "Ending the Deadlock…", p. 27.

fleeing to neighboring countries has also been problematic, acting as a catalyst for tensions between communities, especially in connection with land disputes.

In January 2008, the Congolese government signed a peace agreement in Goma with 22 armed groups, all sides agreeing to an immediate ceasefire, the withdrawal of forces from front positions, and the obligation to respect human rights. Following the signing, the Congolese government set up a peace program called the Amani Program, which coordinated peace efforts in eastern Congo. The agreement made no significant progress, and violence continued in the eastern provinces.[56]

Following the 2006 elections, there have been multiple attempts to integrate rebel groups into the Congolese army, but as it has been seen earlier, this process has shown fundamental shortcomings, which has exacerbated the spiral of violence in the East. The integration of rebel groups has not meant a reduction in their numbers, with more than 130 active groups in eastern DRC.[57]

Regarding the efforts of the UN peacekeeping mission, in 2010, MONUC was transformed into MONUSCO (the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo), to mark a new phase of the mission in the DRC, the main objectives being:

"(i) the completion of the ongoing military operations in the Kivus and Orientale Province, resulting in minimizing the threat of armed groups and restoring stability in sensitive areas,

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[56] "DEMOCRATIC REPUBLIC OF CONGO: NORTH KIVU: NO END TO WAR ON WOMEN AND CHILDREN", *Amnesty International*, 2008, p. 4.
[57] Claude Iguma Wakenge, Koen Vlassenroot, "Do Local Agreements Forge Peace? The Case of Eastern DRC", *Congo Research Briefs*, Issue 5, 2020, p. 1.

(ii) an improved capacity of the Government of the Democratic Republic of the Congo to effectively protect the population through the establishment of sustainable security forces to progressively take over MONUSCO's security role,

(iii) the consolidation of State authority throughout the territory, through the deployment of the Congolese civil administration, in particular the police, territorial administration, and rule of law institutions in areas freed from armed groups."[58]

However, the escalation of violence reached new heights in 2012, the main cause being the activity of the M-23 rebel movement. International efforts to restore peace and stability have been renewed, with peace talks initiated by SADC, and the International Brigade has been set up to neutralize several armed groups in the eastern provinces.[59] In 2013, *the Framework Agreement for Peace, Security, and Cooperation* was signed, with the signatories of the ICGLR (International Conference on the Great Lakes Region) African Union, SADC, and the United Nations. The agreement called for ending the foreign support to armed groups and encouraging a comprehensive reform of the Congolese institutions, a reform aimed primarily at the national army, police, and the judiciary.[60]

In the coming years, there was a deteriorating situation in the eastern provinces of the DRC. In 2016, at least 42 mass graves were discovered in

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[58] UN Security Council, "Resolution 1925", 28 May 2010, *United Nations*, https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1925(2010).
[59] Jordi Calvo Rufanges; Josep Maria Royo Aspa, *op.cit.*, p. 8.
[60] Valerie Arnould, Koen Vlassenroot, "EU Policies in the Democratic Republic of Congo: Try and Fail?", *Security in Transition*, 2016, pp. 7-8.

Kansai,[61] which has shown that interethnic reconciliation is a goal that has not yet become a reality.

Political tensions have risen since the end of President Joseph Kabila's 11-year term in 2016, making him the first democratically elected Congolese leader since independence. However, the end of Kabila's term did not mean a transfer of power to another leader, as Joseph Kabila refused to step down. Amid growing pressure, vocal opposition, and increasingly violent protests, Kabila withdrew in January 2019, followed at the leadership of the Congolese state by Félix Tshisekedi, the son of former Zaire Prime Minister Étienne Tshisekedi.

The political change of 2019 did not solve the structural problems of the DR Congo but proved to be an extension of the former ruling administrations. The fragile and apparent democracy suffered another blow with the introduction of the "congolité" law on July 8, 2021, which aimed to restrict the right to run for the presidency only for Congolese citizens with two Congolese parents. [62] Given the ethnic mosaic in Congo, this deeply discriminatory legislative measure only sharpens identity competition, weakens the foundations of democracy, but also secures Tshisekedi's leadership from potential opponents.

The regional situation in the east continues to be extremely fragile, in 2019 being reported a rampant rate of violent incidents, especially in the provinces of North and South Kivu, Ituri and Tanganyika. According to statistics provided by *Kivu Security Tracker* for the regions of North Kivu, South Kivu and Ituri, during

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[61] "DRC: Zeid calls for international investigation into massive human rights violations in Kasais", *The Office of the High Commissioner for Human Rights*, June 9, 2017, https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21714&LangID=E.
[62] "Congo bill to limit presidential eligibility prompts backlash", Reuters, July 9, 2021, https://www.reuters.com/world/africa/congo-bill-limit-presidential-eligibility-prompts-backlash-2021-07-09/.

Tshisekedi's term as president, from January 2019 until April 2022, there were 6299 violent incidents and 13,714 casualties.[63] Comparing statistical evidence from the last few years, recent information provided by *Kivu Security Tracker* indicates an increase in violence and abuses in eastern Congo compared to previous years.

The last two years have created new humanitarian challenges. According to the *2022 Humanitarian Response Plan*, approximately 27 million people in the Democratic Republic of the Congo need humanitarian assistance in 2022.[64] The number of displaced people is close to 5.6 million, the highest number on the African continent, as a direct result of violent incidents against the civilian population. In the current context of flagrant violations of humanitarian law, the pandemic context has accelerated and aggravated the economic situation. Rising inflation and low incomes have decreased the access to basic resources.[65]

As noted by UN Deputy High Commissioner for Human Rights Nada Al-Nashif in her presentation on the current situation in Congo on March 29, 2022, there were some positive developments regarding the "implementation of transitional justice mechanisms throughout the DRC", but the situation is far from being resolved. Human rights violations, widespread violence in the eastern part of the DRC, millions of civilians fleeing the affected areas, and underdeveloped infrastructure are some of the structural issues that need to be addressed to create internal stabilization.

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[63] The data can be consulted on the *Kivu Security Tracker* website, https://kivusecurity.org/.

[64] United Nations Office for the Coordination of Humanitarian Affairs, *République Démocratique du Congo Plan de Réponse Humanitaire 2022,* 2022, p. 5.

[65] „Humanitarian Crisis Analysis 2021 - Democratic Republic of Congo", *Sida,* December 2020, https://cdn.sida.se/app/uploads/2020/08/04090651/HCA-DRC-Crisis-2021.pdf.

Conclusion

The provinces of the eastern DRC continue to be a battleground between various rebel groups and militias, and widespread violence remains an immediate danger. As for the civilians affected by the fighting, more than 80% of them considered in 2014 that the standard of living was the same or worse than during the wars.[66]

The peace process in the DRC has made positive progress in stopping regional hostilities, but the international community is facing one of the deepest humanitarian crises today. Although during the Congolese transition, while international mediators managed to impose agreements at both regional and national levels, they failed to establish one at the sub-national level, at the local level.

Micro-rivalries in villages, cities, and provinces have not been fully understood by international actors, as these rivalries play a key role in supporting local, national, and regional violence after the official end of the conflict.

Moreover, analyzing the violent incidents of recent years, violence was the product of local actions, small groups that use tactics specific to an armed conflict, to achieve their goals (whether we are talking about the exploitation of resources or inter-community power struggle).

Another issue that should be on the international agenda for peace is the prospect of democratic governance. One year away from the 2023 presidential elections, it is essential to reform the legal system, which continues to be the

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[66] Malokele Nanivazo, "Multidimensional Poverty in the Democratic Republic of Congo", *United Nations University World Institute for Development Economics Research*, 2014, https://www.wider.unu.edu/publication/multidimensional-poverty-democratic-republic-congo.

victim of endemic corruption. Achieving positive results requires a political commitment to improving governance through increased economic transparency, fair taxation, decentralization, and local elections. This means abandoning illegal practices, clientelism, and widespread corruption that have profoundly marked Congolese political dynamics since independence.

The current crisis in Congo is a perfect example of the need for local intervention to treat the eastern part of the DRC as an ongoing area of conflict, destabilized and characterized by widespread violence. The mediation process ignored some of the most important actors in achieving genuine reconciliation, namely local authorities and civil society representatives. A broad dialogue between the parties involved and the relevant authorities influencing the local political dynamics underlying the land disputes in question becomes imperative. The peace process will not advance considerably, until a local consensus is reached at the level of local land management, especially concerning the return of refugees and displaced people.

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