



NORTH KIVU, INTO THE QUAGMIRE?

An Overview of the Current Crisis in North Kivu

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Warning

The following report is primarily concerned with recent developments in the province of North Kivu in the extreme east of the Democratic Republic of Congo. Readers should note, however, that the conclusions and recommendations contained in the final section of the report, relate to the broader situation in both North and South Kivu.

International Crisis Group (ICG) field analysts have been monitoring developments in North and South Kivu since April 1998. It was initially intended to release simultaneously at the end of August 1998 two separate reports – one on each province. Given the rapid pace of events in the region in the past two weeks, however, ICG has decided to release the present report immediately. A follow-up report, looking more specifically at events in South Kivu, will be released in the coming weeks.

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The Crisis at a Glance

On 2 August 1998, barely 14 months after the fall of the late Zairian President Mobutu, a new armed movement in the east of the Democratic Republic of Congo announced the beginning of another “war of liberation”, this time against the regime of Laurent Désiré Kabila. The past few weeks have seen the situation slide quickly into violence. Today, liberation looks increasingly unlikely and fears are growing that the crisis will pull the rest of the country and indeed the region into a complex and long-term conflagration at enormous cost in terms of both human lives and long-term social and economic development.

Launched from the eastern province of Kivu, this war differs from the preceding one in three essential respects. First, the various forces that make up the anti-Kinshasa camp share no common agenda, indeed their objectives are often competing. Secondly, the logistical capacities of these forces and their external allies are more limited than was the case in 1996 when Kabila made his push for power. Thirdly, the many guerrilla groups in the east of Congo have been considerably strengthened since 1996 and there is a high level of uncertainty as to whether or not they will support the rebellion or fight to resist it.

Pushed into the forefront, the Banyamulenge, (Congolese Tutsi), are more an instrument of this revolt than initiators. Their participation in the ADFL war has not significantly improved their standing within Congo for several reasons. Their disputed nationality and strained relations with other ethnic groups has contributed to a deep feeling of insecurity. The political ambitions of their leaders remain far from satisfied, while relations with their former Rwandan allies have deteriorated significantly.

Faced with a sense of disappointment and isolation, the Banyamulenge have tried to form contacts with neighbouring ethnic communities. Distrust and mutual fear led to a *rapprochement* with the government of Burundi and the creation of a Banyamulenge political movement – the Federalist Republican Forces – directed against Kabila. For the Burundians the new relationship with the Banyamulenge has a double advantage: it strengthens the security of the main route, which passes through South Kivu, for circumventing the embargo on Burundi, and helps to contain what they see as the ambitions of Rwanda and Uganda to dominate the region.

Kabila’s decision last week that Rwandan soldiers serving with the Congolese army should return home has effectively accelerated the activation of the armed movement. Since the end of 1997, Kabila’s desire to shrug off his former Ugandan and Rwandan sponsors has been received in Kigali and Kampala as a threat to the security and economic interests of those two countries. In this context of reciprocal distrust, each camp has sought to organise a new coalition for itself. These attempts have led to an assortment of alliances between various actors on the Congolese political scene.

On Kabila’s side, the intensification of contacts between Kabila’s forces and different armed groups in the east of the DRC is intended to help reset the military balance in Kinshasa’s favour. These contacts have been mainly with the Mai-Mai, formerly supporters of the AFDL, but also with guerrillas from Rwanda (former Rwandan Armed Forces usually referred to as “ex-FAR”), Uganda (Allied Democratic Forces) and

Burundi (Forces for the Defence of Democracy). In an effort to gain popular support for the government, Kabila has sought to stimulate resentment against the Tutsi.

On the Rwandan-Ugandan side, contacts have been pursued with the Congolese opponents of Kabila, including officers of the Congolese Armed Forces and former Mobutu supporters, with a view to forming a new politico-military movement whose announced objective is to establish a new government in Kinshasa. The hostility of various Congolese players towards Kabila has now been incorporated into the agendas of Kampala and Kigali. For these two governments the destruction of the rear bases of the rebel movement in North Kivu is of prior military and political importance. The multiplication of ADF operations in the south west of Uganda, penetrating as far as the stronghold of President Yoweri Museveni, raises the political stakes for Museveni's government. Likewise, the deteriorating security situation in Rwanda emphasises the need to cut off a particularly bloody guerrilla movement responsible for the 1994 genocide from its support base in North Kivu. In contrast, in South Kivu the weakened ex-FAR guerrilla movement, dispersed and pushed far back from Rwanda's borders, does not present a fundamental security risk for the region.

In addition, control over the exploitation of Kivu's considerable economic potential constitutes a recurrent objective for both Uganda and Rwanda. Since the AFDL war, Kigali and Kampala have seen such control as a means of becoming less dependent on international donors. The mineral resources, mainly gold in North Kivu, could very quickly generate income. And the commercial and cross-border ethnic connections between North Kivu and the west of Uganda give Kampala a natural advantage. However, the deep-rooted decay of Kivu's economy and infrastructure make realising the province's potential far more difficult.

Apart from the lack of economic and transport infrastructures, the lack of local political leaders favouring the Rwandan and Ugandan governments and the anti-Tutsi feelings among a large section of the population are also important brakes on the ambitions of Kigali and Kampala. Indeed, increased hostility towards the two governments could favour the development of precisely the sort of armed groups that Kabila has been looking to for support for several months. Rwandan and Ugandan economic influence in Kivu and a durable improvement in the security of both states depends on a solution to these problems.

The increasing number of players and the uneasy co-existence of their competing agendas are the two underlying characteristics that mark the current breakdown. As events unfold, concern grows that two wars in succession within two years and a systematic recourse to armed force could result in the DRC imploding, producing a large-scale human disaster and a zone of major instability in the heart of Africa.

I. INTRODUCTION

Since the beginning of August 1998 a new war has broken out in North and South Kivu, pitting a diverse coalition of anti-Kabila forces against the Kinshasa regime and its allies. The war in the Kivus has spilled over into neighbouring countries and other regions of The Democratic Republic of Congo (DRC). The security situation is deteriorating so fast that it is difficult to predict what may happen militarily and politically within this region or the consequent fate of its ethnically-diverse inhabitants.

This report examines the current insurrection in North Kivu and provides background on the unfolding events. These factors include: the presence of insurgent groups opposed to the regimes of Rwanda and Uganda, the presence of troops from both Rwanda and Uganda inside North Kivu, domestic political and legal issues pertaining to citizenship and nationality, and the politics of ethnic exclusion practised by the Congolese authorities. The current state of affairs is also complicated by the deteriorating infrastructure and a deep economic crisis. The Kivu crisis threatens to split the entire country and create further fragmentation and chaos.

The current round of military conflict is being waged largely between a section of the Congolese Armed Forces and troops still loyal to President Kabila. The Rwandan Army has been accused by the DRC government of backing the insurrection. The new developments come a week after Rwandan troops were officially ordered to leave DRC territory. The Rwandan troops previously played a key role in the war that ousted the late President Mobutu and brought President Kabila to power in May 1997.

Troops from the mainly Banyamulenge ethnic group were the first to denounce the Kabila regime on local radio in Bukavu and to declare that they were in open rebellion against the Kinshasa-based government. Congolese troops from other areas of the country have now joined the Banyamulenge in the rebellion against Kinshasa. The rebellious troops claim that the Kabila regime has degenerated into a corrupt dictatorship. These troops further accuse the President of practising nepotism and of appointing people from his own ethnic group, the Katangese, and from his own region, Shaba, to all the senior positions in the government. They cite for example, Kabila's last cabinet reshuffle in which he appointed close relatives to key government and army positions, including posts in the President's Office and the Ministry of Internal Affairs.

Despite official denials, Rwandans and Ugandans are said to be involved in the Eastern Congo rebellion. Independent reports indicate that the war in the region is being led by Colonel James Kabare, Army Commander of the Congolese Armed Forces until July 1998 when he was replaced by Célestin Kifwa, a general close to President Kabila and from Katanga. The involvement of Rwanda and Uganda in the current military situation in North Kivu complicates the already fragmented and tense situation that has prevailed in the last year.

The conflict is no longer a local issue but a regional conflict. Rwanda, Uganda and DRC are now nations on the verge of war.

The speed at which the rebellious troops are advancing against Kinshasa can be compared to that of the war beginning in October 1996 that brought Kabila to power on 17 May 1997 and in which Rwandan and ADFL¹ troops captured the first few towns within days of each other. The speed of the current advance by rebel forces fighting President Kabila's troops suggests that this rebellion may also have been planned beforehand.

The present rebellion in North Kivu is a result of the volatile military and political situation prevailing in Kivu for four years. Tensions increased when Rwandan refugees flocked into the area after the 1994 genocide of Tutsi in Rwanda carried out by Habyarimana's regime. As former officers and administrative leaders responsible for the 1994 genocide found shelter among civilian refugees, North Kivu became a military target for the Rwandan forces. After the war that led to President Kabila's presidency, the strategic interests for which the Rwanda regime had fought were not advanced. The ex-FAR² and Interhamwe continued to carry out attacks from North Kivu against Rwanda.

Likewise, Uganda has not benefited from Kabila's victory. Ensuring Uganda's security was a key motivation for Ugandan support to the ADFL in toppling Mobutu. As of November 1997, rebels of the Allied Democratic Forces (ADF)³ have stepped up attacks on Ugandan territory.

Since taking over power in May 1997, Kabila has tried to free himself of the Rwandan and Ugandan influence that put him in power. In the process of consolidating his presidency, he has taken actions that are seen by his neighbours as political mistakes, such as excluding certain Congolese tribes that formed the ADFL alliance, such as the Banyamulenge, and only appointing people from his home area of Katanga.

The falling out of the three former allies - Uganda, DRC and Rwanda - may result in a new geopolitical order in the region: Kabila is reported to be looking for new external alliances with Sudan, Cuba, the Central African Republic, Zimbabwe and Angola, as well as among other internal groups like the former Rwandan Army and the Interhamwe militias, ex-Mobutu generals, the Mai-Mai, ADF rebels and Burundian insurgents, who are hostile to the Rwanda, Uganda and Burundi regimes.

The rebellious Congolese troops are also likely to engage with other non-traditional allies who may include political opponents of Kabila such as Etienne Tshisekedi from the UDPS⁴ political party and former Prime Minister Kengo wa Dondo, former Mobutu officials, the government of Congo-Brazzaville and other ethnic groups within the DRC. All of these entities have a common interest in forming an alliance to isolate and topple Kabila. This heterogeneous confluence of alliances, while itself fragile, makes it difficult for the DRC government to identify and defeat its adversaries.

The war in the border region of Kivu illustrates a pattern in the Great Lakes region, where the support for insurgents provided by host governments not only fuels interstate conflicts but breeds them as well.

¹ Alliance of the Democratic Forces for the Liberation of Congo-Zaire.

² The former Rwandan Armed Forces belonging to Habyarimana's regime until 1994 when they fled to Zaire after the Rwandan genocide. The Interhamwe is a militia force allied to the FAR.

³ Allied Democratic Forces.

⁴ Union pour la Démocratie et le Progrès Social

II. KEY PLAYERS IN NORTH KIVU

The current war in North Kivu is being fought in the context of a very volatile security situation complicated by the presence of various rebel groups and by the ongoing fighting between those groups and the national armies of the Democratic Republic of Congo, Rwanda and Uganda.

A. Insurgent Groups

Several different armed groups have established bases in North Kivu where large tracts of unsettled land and the lack of effective policing in the area provides effective shelter. Most of the region's terrain is hilly and covered with forests and therefore favours observation posts and discrete military training.

Despite their diverse interests, most of the insurgent groups operating in North Kivu claim to have one common objective⁵: to fight the Ugandan and Rwandan regimes that they accuse of planning the establishment of a "Tutsi empire" in the Great Lakes region.

Interviews with security officials in both Rwanda and Uganda indicate that they have information to support their accusations that the insurgent groups operating in North Kivu, such as the Interhamwe militia, the ex-FAR, and the Allied Democratic Forces, are co-ordinating their efforts. These groups are reported to have external support from the same allies, with Sudan often cited as an example.

As they continue to demonstrate, these armed groups have the military capacity to destabilise the governments of the Great Lakes region. In the context of the current war, the key question remains to what extent they will give support to Kabila's forces.

(i) Mai-Mai

The Mai-Mai comprise a significant militia group that has been engaged in a military confrontation with the Kabila government since late 1997.

The Mai-Mai consider themselves "traditional warriors" believing that the use of magic makes them invisible. The name Mai-Mai cuts across various ethnic groups that spread from North to South Kivu. Ethnic groups which are loosely allied with the Mai-Mai include the Banande, Batembo, Banyaga and Hunde. The Mai-Mai movement in the South is only loosely connected with the Mai-Mai in the North and generally carries out separate military operations.

These warriors first came to prominence in the 1960's when they allied with the leftist Mulelist rebellion that tried to topple the then President Mobutu. A large percentage of the Mai-Mai militia are young people between the ages of 11 and 19. Their involvement in the militias is partly the result of the lack of other social and economic opportunities.

⁵ This allegation is based on numerous interviews among the rebel groups conducted during the field investigation.

According to interviews conducted with the members of the Mai-Mai, one of their objectives is to fight the dominance of the Tutsi Banyarwanda who had settled in North Kivu near Masisi and Rutshuru over more than a century. The Mai-Mai have not demonstrated a capacity to organise a guerrilla war and their political and military strategy lacks clearly defined objectives. However, these fighters are able to sow terror on a smaller scale, for example with hit and run attacks on soft targets.

The Mai-Mai have successfully concealed their leadership structure. The Congolese security forces report that Anzuluni Mbebe, the former president of the Zaire National Assembly, is financing the movement; however, he has never claimed leadership.

Members of civil society in North Kivu suggest that various business and political actors in the region deliberately exaggerate the military might of the Mai-Mai in order to keep North Kivu in perpetual chaos. This strategy creates the opportunity for these actors to exploit the region's vast mineral and timber resources.

The Mai-Mai have a common habit of shifting alliances to achieve their parochial interests. In 1996-97, during the war that brought President Laurent Kabila to power, the Mai-Mai fought alongside the Banyamulenge in their attacks against the Interhamwe militias and ex-FAR. Between 10,000 and 25,000 Mai-Mai youth joined the ADFL forces during the war that toppled Mobutu. They nonetheless maintained their separate identity after the war despite an effort to deploy them in other parts of the country.

After Kabila took power on 17 May 1997, the Mai-Mai quickly began to desert the ADFL and return to their bases in North Kivu. Repeated attempts have been made to incorporate them into the Congolese Armed Forces. However, those attempts have failed, mainly because they are used to leading a traditional, more disorderly life and do not like to take orders from any externally organised central authority. It is reported that they became disgruntled with other groups that participated in the war, most significantly Rwandan and Banyamulenge commanders.

Another key issue of the current conflict between the DRC government and rebel troops is on whose side the Mai-Mai might fight. Initial press reports indicate that forces loyal to President Kabila are arming the Mai-Mai to fight the rebel troops.

(ii) Interhamwe / ex-FAR

The Interhamwe militia became infamous for their participation alongside the Rwandan government forces (ex-FAR) in the 1994 genocide in which they killed an estimated 800,000 Tutsi and moderate Hutu. After military defeat in 1994, the ex-FAR and their allied Interhamwe militia took refuge in North Kivu around Goma, Rutshuru and Masisi. Since autumn 1994, the Interhamwe and ex-FAR have carried out cross border raids into Rwanda, where they killed civilians, attacked villages, hospitals and schools, and ambushed vehicles.

After the 1996 Rwandan and ADFL attack on the refugee camps in North Kivu, hundreds of thousands of Rwandan refugees returned to Rwanda. Under the

guise of genuine refugees, many Interhamwe militias and ex-FAR also returned with the strategic plan to launch operations against the Rwandan Patriotic Army and civilian population from within Rwanda. Meanwhile, they have maintained rear bases in the DRC.

An estimated 15,000 armed and trained Interhamwe and ex-FAR are still operating from the Masisi area of North Kivu. According to field interviews, these forces have a training camp near Bibwe. It is alleged that this training camp is attracting a lot of new recruits from Rwanda as well as from other Rwandan refugee camps in Tanzania, Uganda, Congo-Brazzaville and the Central African Republic. A highly trained and equipped core of Interhamwe and ex-FAR are reported to have returned to Rwanda to carry out internal military operations.

The presence of Interhamwe and ex-FAR in North Kivu continues to destabilise the security situation. Having engaged local ethnic groups, the Bahunde, the Nande, the Batembo, and the Mai-Mai, they have mobilised around an anti-Tutsi theme.

Given their experience, ex-FAR senior officers abroad are co-ordinating the efforts of the Rwandan insurgency in matters such as fundraising, arms procurement, and the establishment of diplomatic contacts. Certain senior officers are reported to be living in South Africa, including Colonel Renzaho, Colonel Thaici Gasarabwe, and Lieutenant Colonel Alphonse Nteziryayo. Another ex-FAR officer who is said to be in charge of arms procurement is Colonel Nshirizinugu Amselom.

(iii) Ex-Mobutu generals

There are reports that former Mobutu generals made contacts with the Mai-Mai, Interhamwe and ex-FAR just after Kabila came to power in order to form an alliance against the Democratic Republic of Congo government and its then friendly neighbours, Rwanda and Uganda. Following their exodus from Rwanda after the genocide, the ex-FAR and Interhamwe were given state support to carry out preparations for attacks on Rwanda.

However, with the outbreak of the anti-Kabila rebellion on 2 August, certain former Mobutu generals are said to have been approached the anti-Kabila forces. The names of the three Mobutu generals alleged to be actively seeking to unite opposition forces in the DRC against Kabila are Barimoto, Nzimbi and Mavhe. The generals have created a political movement called the *Rassemblement des Congolais Démocrates* (RCD – Assembly of Congolese Democrats), which is based clandestinely in the Ivory Coast.

If Kabila succeeds in allying with former Mobutu generals, Congolese nationalism is likely to be strengthened and anti-Tutsi feeling to be reinforced.

(iv) Allied Democratic Forces (ADF)

The ADF rebel group has been fighting the Uganda government in the southwest of Uganda, near the border with the DRC. The ADF first gained prominence during the first week of November 1996, when they attacked Kasese district in Uganda and temporarily captured the border towns of Mpondwe and Bwera.

The ADF group is composed of Tabliq Moslem extremists, rebels from the moribund National Army for the Liberation of Uganda and soldiers from the overthrown governments in Rwanda and the former Zaire, now the DRC. The ADF rebels have been fighting since November 1996 to overthrow Museveni, whom they accuse of being a foreigner trying to establish a Tutsi empire in the Great Lakes region. The ADF is led by an illiterate Muslim cleric named Jamil Makulu and is financed by the Salaf Muslim sect, based in Iran and Sudan. The ADF troops are mostly Muslims.

Although for the most part the Ugandan government forces have managed to repulse the ADF attacking from the DRC, parts of Southwestern Uganda have become a battlefield. Hundreds of people have been killed and thousands have been displaced from their homes. ADF rebels have managed to establish an efficient operational network between Uganda and their rear bases in North Kivu. Ugandan government forces claim the ADF operates out of DRC territory. Exploiting the incapacity of the Congolese Armed Forces, the ADF has managed to control areas of North Kivu neighbouring Uganda. Congolese military units are limited to urban areas like Goma, Walikali, Butembo and Beni, thus giving the ADF rebels enough room to establish training bases, hospitals and operational centres.

Most recently, the rebels have increased their attacks in the three districts of Kabarole, Kasese and Bundibugyo in Western Uganda. Most of the attacks have been against camps for the internally displaced, army detachments, schools and dispensaries. In a notable attack against the Kichwamba Technical Institute, 100 students were killed and others were abducted.

B. Government Troops

The military equation in North Kivu has changed dramatically since the split in the Congolese Armed Forces became open. Previously, troops from the DRC, Rwanda and Uganda carried out joint military operations against the various rebel groups hostile to all three governments. The joint military campaigns ceased prior to the outbreak of open hostilities in August 1998.

While the insurgent groups are likely to join forces still loyal to President Kabila, Rwanda and Uganda forces will probably create an alliance with breakaway troops from the DRC forces.

(i) Ugandan Government Troops

Under pressure from increased insurgent activities by the ADF, the Ugandan National Army has shifted bases from Uganda onto the territory of the Democratic Republic of Congo. Ugandan Army Chief of Staff, Brigadier James Kazini, told Ugandan journalists that Ugandan government forces were obliged to establish tactical headquarters within North Kivu in order to dismantle ADF camps if they were to defeat the ADF insurgency quickly. Other than media comments by the Ugandan chief of staff, the presence of the Ugandan army in North Kivu has not been announced officially by the Ugandan government. Ugandan operations inside the DRC have caused more fighting in areas around the border areas of North Kivu.

Congolese authorities in Kinshasa are concerned about the presence of Ugandan troops in North Kivu. Some senior government officials in Kinshasa have called the presence of Ugandan troops in Kivu “an act of external aggression”.

(ii) Rwandan Government Troops

Since coming to power, the Rwandan Patriotic Army (RPA) has maintained a direct interest in the Kivus where over one million refugees fled, including ex-FAR and allied Interhamwe militias, following the 1994 genocide. The RPA made repeated appeals to the international community to demilitarise and dismantle the refugee camps, threatening to launch its own military operation if there was no international intervention.

Although it has made a few sporadic cross-border attacks against Rwandan insurgents, the RPA did not militarily intervene in former Zaire until late 1996. Increased military activity by the Interhamwe militia and elements of the ex-FAR from bases in the Masisi region of North Kivu has prompted a renewed military response from the RPA. The Rwandan military trained Banyamulenge and other ethnic Tutsi inside Rwanda for a future military intervention .

During the outbreak of war in Zaire in 1996, the RPA provided troops and logistical support to forces later identified as the ADFL. This support continued until even after the inauguration of ADFL leader Laurent Kabila as president in May 1997.

Officially, the RPA maintains that it withdrew from Congolese territory, except for a few officers involved in co-operation arrangements. Unofficially, the RPA did not leave Masisi zone in North Kivu until September 1997, after a massive operation against Interhamwe and ex-FAR insurgents. Rwandan troops have been recently re-deployed to areas around Masisi and Walikale in an effort to search out and destroy Interhamwe bases.

The Rwandan presence in Kivu has created bitter resentment among local Congolese ethnic groups. Anti-Tutsi sentiment is on the rise as the RPA continues to carry out operations in North Kivu. Non-Tutsi ethnic groups regard it as an occupation force bent on conquering the Kivus. Local people report of being beaten and tortured by what they call “foreign troops” looking for Interhamwe infiltrators. They say most of the troops speak Swahili and Kinyarwanda. If the mistreatment of civilians continue, most of the local people are likely to side with military forces loyal to Kabila.

On 27 July 1998, while thanking all foreign troops for their assistance during the fight for liberation from the Mobutu regime, the Congolese government called on them to leave the country. Relations have deteriorated since then.

(iii) Congolese Government Troops:

Although the Congolese government troops are normally the only official troops supposed to be operating in North Kivu, they are unable to properly police the hinterland and areas bordering Rwanda and Uganda. As a result, the DRC has

permitted Ugandan military forces to carry out operations and in some cases to conduct joint patrol activities.

Congolese government troops number only 40,000 and are therefore spread thin given the size of the DRC. The formation of the Congolese Army along ethnic and regional lines also interferes with its effectiveness, especially in North Kivu where troops are highly polarised according to ethnicity. The Congolese Armed Forces are in fact not national in character but are instead dominated by rival troops from Kabila's home province of Shaba and by the Banyamulenge with an estimated contingent of 10,000 men.

Internal skirmishes between Katangese and Banyamulenge troops have been largely the result of differences over command. Neither of these ethnic contingents appear willing to take orders from officers other than their own.

The situation in regard to the selection of the troops deployed to North Kivu has also raised tensions. Many of those deployed, for example in Masisi, are young new recruits whose families were previously driven out during various anti-Tutsi pogroms. Some Tutsi Congolese migrated to other areas of Congo while others left the country for Rwanda and Uganda.

Nearly all 10,000 Banyamulenge troops deserted the national army claiming that rival ethnic groups like the Bemba were threatening to kill their families in the east of the country. It was the Banyamulenge troops that were most instrumental in dislodging soldiers loyal to President Kabila from Uvira town.

Former Mobutu troops (*Forces Armées Zairoises* - FAZ), reintegrated into the Congolese Armed Forces and re-deployed in North Kivu, are exacerbating local tension. Most of the local ethnic groups in North Kivu were opposed to the FAZ and supported ADFL troops during the war. Even after political re-education by the new government, FAZ soldiers have yet to outgrow their years of indiscipline and are involved in beatings, looting and the illegal imprisonment of civilians. These acts of indiscipline have further alienated the civilian population from the current Congolese government troops

Another factor severely limiting the efficiency of the Congolese military is the failure to establish a proper mechanism for the payment of salaries. Regular soldiers and junior officers stationed in rural areas in North Kivu are not paid regularly and have resorted to illegal means of earning a living such as smuggling and extortion. The low morale among Congolese government troops weakens their ability to respond to the insurgents' destabilising tactics and their bases in North Kivu.

III. REGIONAL IMPLICATIONS OF THE NORTH KIVU CRISIS

Ideally, the revolution in Congo that toppled Mobutu could have brought peace to Africa's Great Lakes region. Yet in Uganda, Rwanda and Burundi where the revolution was hatched, the violent conflicts continued. While the world's attention has focused on President Kabila's political conduct in Kinshasa, Congo neighbours, notably Uganda, Rwanda and Burundi, suffered an upsurge of fighting and killing. Within less than one year, their hopes have been dashed.

Both Rwanda and part of Eastern Congo remain today under the shadow of Hutu-Tutsi conflict.

(i) Impact on Rwanda

In Rwanda the collapse of the Mobutu regime meant the return of over one million refugees. Although, officially the authorities in Rwanda welcomed them back, they suspect that many then joined Hutu militias.

These rebel gangs have ambushed military vehicles, attacked state institutions such as hospitals, schools and the civilian population. As a result of the large numbers of casualties and the absence of troops stationed in the Congo, the RPA is stretched thin and unable to fully contain internal attacks by rebels, although they claim to have killed many of the militia. To fight the insurgency efficiently and to boost domestic war efforts, the RPA would need all its forces. If RPA troops remain in large numbers in the DRC, they are likely to suffer even more casualties and to be stretched further still.

Increased attacks by militia gangs based in North Kivu have an obvious negative impact on the reconciliation process in Rwanda. For many on both sides, the intensification of local attacks wakens memories of the genocide in 1994. The danger of a repeated genocide is confirmed as the Interhamwe militia carry out selective attacks on Tutsi and moderate Hutu who support the ruling RPA .

There are reports of reprisal attacks on civilians by the Rwandan Patriotic Army as they pursue the rebels. As the civil war rages on in the northwest, near the border with North Kivu, areas of Rwanda are sliding into violent combats.

Since war-affected areas are rich in agriculture and minerals, the conflict has had a devastating negative impact on the country's economy. The Rwandan government has also increased defence expenditure by over 50% for the importation of new military hardware and the remuneration of troops permanently stationed in war zones. This expenditure has stalled development and other projects such as the rehabilitation of health centres, schools and roads, as well as the resettlement of returnees.

Due to the insecurity around Ruhengeri and Gisenyi, the population has abandoned the fields in the rural areas and fled to secure trading centres and towns. This flight has reduced agricultural output and led to increased prices for foodstuffs, which in turn poses food shortages.

The war in Rwanda, which has been seriously influenced by events in North Kivu, has undermined the international donor community's confidence in Rwanda. Donor institutions such as the World Bank and the European Union are concerned about the deteriorating security in Rwanda and have been increasingly reluctant to release funds. Much needed international investment in such sectors as agriculture has not been forthcoming because of fears of insecurity. As a result of the poor relations between many aid agencies and the Rwandan government, these aid agencies have not expended much effort to address the deteriorating security situation.

In turn, the Rwandan government has maintained a negative attitude towards certain western governments and international agencies for their failure to prevent the 1994 genocide. As a result, the Rwandan authorities make it difficult for diplomats and other people concerned to have access to security information on North and Western Rwanda and North Kivu.

Already several thousands of people have been internally displaced in northwestern Rwanda. As the fighting continues, more are likely to become displaced creating the prospect of a major humanitarian crisis.

(ii) Impact on Uganda.

Since 1996, the ADF has become a fact of life in Uganda. The ADF uses tactics similar to those of the rebels in Rwanda, such as making roads impassable by ambushing vehicles and setting fire to such institutions as hospitals and schools.

The increased military activities by the ADF threaten Uganda's image as a rising star in East/Central Africa. With Uganda facing another rebellion in the North, which is supported by the Islamic government of Sudan, the ADF conflict puts Uganda further under siege. Rebel ADF forces have concentrated their attack on districts in Western Uganda where President Yoweri Museveni has received immense political support. The continuation of the war in this area erodes the population's trust in the President's capacity to stop the violent attacks against them.

The war in the west also affects Uganda's foreign exchange earnings, particularly in regard to tourism, which previously accounted for almost 30% of such earnings. The western area is famous for its wild animals and beautiful scenery and is also the home of the largest population of mountain gorillas in the world and were the focus of attraction for many foreign visitors.

IV. THE BREAK UP OF REGIONAL SOLIDARITY

The regional solidarity that helped President Kabila capture power in a period of six months no longer exists. Uganda and Rwanda previously formed the core of the external support that propelled Kabila to power. In exchange, these states expected him at least to ensure that Congo's border areas remained free from rebel insurgents. Now, open conflict has broken out again in North Kivu, but Kabila's former allies during the 1996-1997 military campaign to oust Mobutu are no longer on his side.

The deterioration in the diplomatic relationship between Uganda, Rwanda and the DRC has become obvious in the last few months. In May and June 1998, President Yoweri Museveni of Uganda turned down an invitation to attend two summits in Kinshasa bringing communications between the two former allies to the point of breakdown. President Yoweri Museveni told the Ugandan media that the May 1998 regional security meeting was called at too short notice for most leaders to have time to study the programme. Rwanda's president Pasteur Bizimungu, a former Kabila ally, also cancelled his participation at the security summit in May and the June economic summit.

In a statement broadcast by Congolese radio on 22 May 1998, Economy and Oil Minister Victor Mpoyo also accused unnamed Ugandan officials of exploiting Congolese resources by smuggling valuable minerals and other resources out of the country: "I wanted to meet you to discuss an issue that features abundantly in the news now. In fact, we are astonished because although our head of state, President Laurent Desire Kabila, is a peaceful good person, some of his counterparts in the countries of the Great Lakes region, and particularly in Uganda, have taken on the responsibility - I do not know on what grounds - to slander our head of state abroad in neighbouring countries. We want to put an end to all these shameful acts. The truth is that Uganda with its traffickers has been smuggling our timber, gold and diamonds from the eastern province into Kenya. Those traffickers are even top officials of the Ugandan government." Although Ugandan government officials have not publicly responded to the statement, a senior official reported that Uganda has demanded an explanation from Kinshasa through diplomatic channels.

It is nonetheless true that senior Ugandan government and military officials have mining interests in North Kivu. The mining concessions, which were acquired during the ADFL war in 1996, have not been formalised with Congolese authorities. This has angered some Congolese officials who regard the continued mining activities by Ugandan officials as arrogance on their part.

President Yoweri Museveni has been a strong advocate for the integration of both East and Central Africa into one trading block and for the creation of a single common market; with a potential market of 45 million people, the DRC would fit well into his plans. Since the 1996 outbreak of war in Kivu province, Uganda has experienced a trade boom in gold, coffee and cotton. Gold exports jumped from 1,994 kilos worth \$23m in 1995 to 5,000 kilos worth \$60m in 1996 with a boom reaching \$80m in 1997. Cotton exports rose by 82% and coffee, Uganda's principal export, rose from 28m bags to 44m bags in 1997. Most of the essential commodities sold in North Kivu such as soap, sugar, medicines and mattresses are made in Uganda.

In a recent incident, Colonel James Kabare, the former Tutsi chief of staff of the Congo army, was attacked by Congolese junior officers at his residence in Kinshasa and had to be rescued by a core of RPA troops stationed in Kinshasa. On 14 July Colonel Kabare was replaced by a Congolese general, Célestin Kifwa, in a move interpreted by the RPA as intended to drive them out of the DRC. At that point, it became clear that tensions between the two former allies had escalated to a dangerous point. Two weeks later the DRC president ordered the immediate expulsion of all Rwandan troops from Congolese territory, and on 2 August the current military insurrection began.

This chronology suggests that the expulsion of Rwandan troops acted as a catalyst for the insurrection. It could also be interpreted as a panicked last-minute response by the Kabila regime to fear of a secret plan by Rwandan army leaders to take matters into their own hand. The "*blitzkrieg*" quality of the insurgency across the Kivus has indeed betrayed a level of co-ordination which would not have been likely without Rwandan involvement.

A DRC government statement, broadcast by state television on 8 August, asserted that "the Rwandan Tutsi who have led our army since independence, know our strong and weak points and how to exploit them". Replying to concerns raised by humanitarian workers and human rights organisations over the fate of Tutsi in Kinshasa, the statement declared that "a Tutsi or any other person found to be an accomplice of the invaders will be made to undergo the rigours of national law". It claimed Tutsi were not being arrested simply because they were Tutsi, and "the invader" should be held responsible for the "fate of any victims". By accusing Rwanda and Uganda of planning the revolt and of invading Congolese territory, Kabila raises both nationalistic and ethnic reasons for Congolese to side with him.

Various testimonies confirm the Rwandan military presence in the Kivus. At least 40 Rwandan army trucks have been seen crossing the border into Eastern Congo. When this was pointed out to Rwanda's Foreign Minister Anastase Gasana, he replied that people were free to have their own misguided opinions about a matter which did not concern him, or anyone else in Rwanda's government. Already in January, when an official in Rwanda's Defence Ministry was asked to explain the presence of a large contingent of Rwandan troops in Bukavu, directly across the Rwandan border and now entirely under rebel control, he stated that there were no Rwandan soldiers on Congolese soil.

The testimony of the pilot of an aircraft hijacked to Western DRC at the start of the rebellion is also an indication of Rwandan involvement in the current insurrection. According to Radio France International, Nigerian pilot Raymond Gngang said he was taken by force from Goma to the Kitona military base. Three planes were taken to Kitona carrying Rwandan troops, allegedly including former DRC Army Chief of Staff James Kabare. The pilot said he flew his plane first to Kigali to refuel. After reaching Kitona, he claimed Kabare ordered him to return to Kigali, but he disobeyed and went first to Lagos and then back to Kinshasa.

In an interview with CNN-International on 5 August 1998, Uganda's Minister of Foreign Affairs blamed Kabila for failing to reconcile all the groups that had formed the alliance to overthrow Mobutu. On the same day, Colonel Emanuel Ndahiro, a special assistant to Rwandan Vice-President Paul Kagame, complained that Kabila's failure to establish control over the remote eastern

provinces had played into the hands of Congo-based Hutu rebels seeking to overthrow Rwanda's Tutsi-dominated government and stated that there was evidence that Kabila was giving support to the Interhamwe militia. Hutu extremists, formerly massed in refugee camps around Goma, have found sanctuary in the forests around Bukavu and are fomenting a violent rebellion in Rwanda's northwestern provinces of Gisenyi and Ruhengeri.

With Rwanda accusing President Kabila of providing assistance to the Interhamwe, the country has acquired a possible excuse for military intervention in North Kivu. It is in Rwanda's interest to ensure that the hostile alliance emerging between Kabila and other North Kivu forces is nipped in the bud. While the war is raging, it presents a possibility of the long-term occupation of Kivu by Rwanda. Rwanda's interest in the Kivus is strategic as well as economic: the 475-mile stretch along its western border might provide "an invaluable buffer zone" against Hutu insurgents; it would also give Rwanda access to mining resources that would help the regime sustain the war effort and ensure independence from the donor community; and finally, it would provide precious "living space". The population pressure in Rwanda is among the highest in the world and has often been cited as one of reasons behind the genocide of an estimated 800,000 Tutsi and moderate Hutu in 1994.

A former official in Kabila's rebel army, Pascal Tshipata Mukeba, told the French news agency *Agence France Presse* (AFP) that a few weeks before the start of the war to topple Mobutu, Kabila signed a document in which he agreed to let the Banyamulenge have full control of both North and South Kivu. Rwandan officials were present when the signing took place on 23 October 1996. The AFP report was denied by Kabila's own spokesperson, Dominique Sakombi Inongo, on the same day. An indigenous rebel group that had fought alongside the Banyamulenge and the Rwandans to topple Mobutu declared open war on both of its former allies and broadcast calls over "Radio Patriote" for support against "the Rwandan invasion".

Whether Uganda and Rwanda will play a significant role in Kabila's downfall remains a key question. Despite official denials, Rwanda and Uganda are reported to be involved militarily on the side of forces fighting against Kabila. Rwanda may assume a strong hand in the military side of this struggle, while Uganda is likely to manage the political side of the Congolese insurrection. The Ugandan political role is partly due to the fact that ethnic groups within Uganda, such as the Bamba, Bankojo, Batoro and Bafumbira, are directly related to tribes in the DRC. It is in Uganda's interest to win over these ethnic groups hostile to Kabila in an effort to pacify North Kivu, which is of vital strategic and economic interest to both Uganda and Rwanda.

The regional summit meeting in Victoria Falls, Zimbabwe on 8 August, ended in failure with DRC President Laurent-Desire Kabila unable to reach agreement or compromise with his Rwandan and Ugandan counterparts on who was responsible for the fighting. President Pasteur Bizimungu of Rwanda again denied his country was involved in the rebellion, and demanded that Kabila substantiate the claims. Rwanda insists that the present revolt in no way resembles the events of November 1996, when its troops crossed the border into the former Zaire to help topple Mobutu Sese Seko, one of Africa's oldest dictators. The summit established a four-member committee, made up of representatives of Tanzania, Zimbabwe, Namibia and Zambia, to monitor the conflict and try to secure a cease-fire.

The breakdown in the solidarity between Uganda, Rwanda and the DRC threatens the foundations of political and military stability that Western governments, especially the United States, have been counting on. The breakdown of this alliance mimics events in the greater Horn of Africa where Ethiopia and Eritrea, major allies of the US, are now engaged in a full-scale war, ostensibly over a border dispute.

V. INTERNAL FACTORS OF DESTABILISATION IN NORTH KIVU

A. The issue of citizenship

Nowhere in the DRC has the question of citizenship been as contentious as in the Kivu province. North Kivu has over twenty ethnic groups, each claiming to be more indigenous than the others. Ethnic rivalry has often led to violence and political crises. In 1996 former President Mobutu tried to use ethnic groups such as the Bahunde, Banadi and Hunde against the Tutsi in an effort to force them out of the Masisi and Rutshuru area. In turn, local Tutsi allied with the Banyamulenge and the RPA in an attempt to topple the Mobutu regime. Unless the ethnic animosities of the region are settled and a common solution is accepted, ethnic tensions will continue to plague North Kivu.

Prior to the massive influx of mainly Hutu refugees into Kivu in 1994, half of the 4.2 million people of North Kivu were of the Banyarwanda tribe, 70% of them ethnically Hutu. In Masisi and Rutshuru, Banyarwanda (both Hutu and Tutsi) constituted the majority, outnumbering other tribes by three to one. Despite their numerical strength, the customary power in North Kivu remained in the hands of minority tribes such as the Hunde, who controlled the allocation of land.

The Banyarwanda of North Kivu previously resided within Rwanda until this territory was transferred to Congo after the 1885 Berlin Conference. At the Berlin Conference the colonial powers in Africa, notably Belgium, Great Britain and Germany, created boundaries that define the territorial borders of modern Africa. Before this Conference, the Bufumbira area in Southwest Uganda, Idjwi, Goma, Rutshuru and Masisi were occupied by Rwandans and directly controlled by the Rwandan monarchy.

The colonial border demarcations created problems because they were artificially drawn across cultures, languages and ethnic habitations. Kinyarwanda speakers have lived for centuries in what is now called the DRC. However, the colonial boundaries inspired a false sense of nationalism among non-Kinyarwanda-speaking ethnic groups in the Kivu region. The entire Kinyarwanda-speaking community, both Hutu and Tutsi, was discriminated against despite attempts by either the Tutsi or the Hutu to make alliances with other local groups.

For example, the 1987 municipal elections in most parts of North Kivu had to be abandoned when violence erupted after local authorities refused the participation of Kinyarwanda speakers in the elections. The authorities claimed that such people were foreigners. In 1991 similar protests by Kinyarwanda speakers occurred when the local authorities attempted to update the electoral roll and focused on the identification of foreigners. Smaller ethnic groups in North Kivu, such as the Bahunde and Banyanga have feared the numerical strength of the Banyarwanda, particularly the prospect that they could determine the outcome of any democratic elections that might be held.

The ethnic equation dramatically changed with the influx of over 1 million, mainly Hutu, refugees. For over two years refugees settled in camps, towns and villages among relatives in North Kivu. Militant elements among the refugees,

especially the Interhamwe militia, contributed to spreading the ideology of Tutsi hatred among both the Hutu Banyarwanda in Congo and other local Congolese ethnic groups. In 1995 there were renewed attacks against the Tutsi Banyarwanda in North Kivu around Masisi and Rutshuru. Their cattle, homes and personal property were looted and many fled as refugees to Rwanda and Uganda. The international community then became alarmed at the ethnic cleansing in Kivu.

The ethnic divisions in North Kivu, based both on fear and on competition over meagre resources, and further complicated by the political, military and ethnic problems of neighbouring states, are the most significant factors in the destabilisation of Kivu.

B. Democratisation and Role of Civil Society

The ADFL war that overthrew Mobutu began in Kivu in October 1996, when Banyamulenge youth took up arms to defend their families and property. The Banyamulenge came under attack when the Mobutu government declared them stateless. Other ethnic groups and fighters, such as the Banyamulenge's traditional enemies, the Mai-Mai, joined them in their fight against Mobutu's forces. These troops were initially backed by Rwanda, Burundi and Uganda who all had strategic reasons for entering the fray. The rebellion took just seven months before the then little-known Kabila took up the reins of power in Kinshasa.

Since the war was launched and Kabila took power, opinion has been swinging back and forth among the international community, the political class of former Zaire and local civil society as to whether to give the ADFL regime the benefit of the doubt or whether, as is widely feared, a new repressive dictatorship has been emerging.

North Kivu has long been regarded as the "mother" of civil society in the former Zaire. This civil society includes development NGOs, businessmen, students and religious organisations. There is a growing impatience among them, in North Kivu's trading centres in particular, with the slow process of democratisation in the country. The Kivus suffered immense destruction and human loss during the war.

Given its enormous resources and distance from the capital, Kinshasa, North Kivu has developed a unique system of political organisation and a culture of tolerance.

In 1991, when Mobutu's army went on rampage and looted property in what has become known as the "pillage", civil society in North Kivu organised itself to protect the civilian population. This included finding ways to continue to pay the salaries of civil servants by conducting fund-raising activities among the population.

Civil society in North Kivu actively participated in the 1995 National Conference, which was formed to debate democratisation in the country. Despite numerous attempts by Mobutu to undermine its work, the National Conference managed to produce a draft constitution creating a federalist structure for the country and a policy for implementing an electoral process. The efforts of the National

Conference, including the constitution, have been scrapped by the Kabila regime.

Kabila has also politically excluded prominent people from North Kivu creating fears that this region's influence was gradually being marginalised. The North Kivu political class cites the example of the appointment of Gaetan Kakudji, a relative of President Kabila and former governor of Shaba, to the key post of Minister of State for Internal Affairs as a sign of nepotism.

The political class in North Kivu is agitating for a new political leadership that would exclude both Laurent Kabila and previous Mobutu opponents such as Etienne Tshisekedi who lacks credibility among the population.

VI. STATE OF THE ECONOMY AND THE INFRASTRUCTURE

The current state of both the economy and the infrastructure also ensure that North Kivu remains in a precarious and volatile situation. With the worsening security situation, almost all attempts at economic recovery and the reconstruction of infrastructure are at a stand-still.

The steady migration to urban areas which has been starving the rural areas of manpower is now on the increase. Most civil servants, including teachers, health-care workers, artisans, agriculture extension workers and traders are moving into towns like Beni, Butembo and Goma. This migration is mainly the result of the insecurity in the countryside.

The lack of resources to pay salaries for civil servants in the social sector has paralysed the delivery of much needed services. Education is very expensive because school teachers are paid by contributions from parents. As a result, in rural areas most families are reducing the number of children they send to school, forcing the youngest among the lower classes to stay home so that those students already in higher classes can complete their studies. Teachers' salaries, which are paid irregularly, range from \$12 to \$18 a month.

For the past 20 years, health centres such as dispensaries and clinics have operated on a self-financing basis with health workers paid from fees charged to the poorest of patients. The physical condition of the health centres has deteriorated, with roofs and walls collapsing in many structures.

Transport infrastructure such as roads and railway lines are almost non-existent making contact with other regions extremely difficult for North Kivu. It may take at least two weeks to travel from Goma town to other regions of the country.

The poor condition of the infrastructure directly effects the prices of essential commodities such as salt, soap, sugar and medicine. As transportation to areas in the hinterland is expensive, traders are compelled to increase the prices of essential commodities to the rural areas where the population already has reduced purchasing power through the lack of regular household incomes.

Donors and development agencies such as the European Union and the World Bank have stressed the need to start the reconstruction of roads and bridges in the rural areas that are hard hit by poor communications.

Re-opening the roads would arrest the migration from rural to urban areas that has been having a negative impact on the economy. A feasibility study for rehabilitating the road between Beni, a commercial town on the border with Uganda, and Kisangani on the Congo river should be followed up. The reopening of this highway would provide a direct connection between the Indian and Atlantic Oceans. President Yoweri Museveni of Uganda has been calling for funding for this road to connect with the already developed road network on the Ugandan side. This could open up the DRC as a vast market for manufactured products from Uganda, Kenya and Tanzania.

Coffee, which is a major commercial crop in North Kivu, has been hit by a coffee wilt, a disease that threatens to wipe out many plantations. As a result of the insecurity, experts from the International Coffee Organisation are reluctant to travel to Kivu and advise farmers on dealing with this disease in contrast to Uganda where it has been brought under control. Because of the lack of a proper marketing system in North Kivu, coffee is regularly smuggled to Uganda and Rwanda where it is sold cheaply.

The mining industry in North Kivu, which is rich in minerals such as gold, diamond and traces of oil, has also been affected by the insecurity and the lack of a proper mining policy. Gold mined in North Kivu provides almost no direct benefit to the local people. Instead it is smuggled to Uganda and Kenya where organised dealers have been established to buy North Kivu gold.

In the past, gold dealers from the East African countries of Uganda and Kenya bought gold directly from the towns of Goma, Beni and Butembo. Now, gold is brought instead to Kampala and Nairobi at the expense of the Congolese economy. However, the insecurity has affected the gold trade. Dealers are constantly attacked and looted by various bandits groups based in North Kivu, which results in an increase in the price of gold sold in Kampala and Nairobi.

Despite statements by the DRC government that revenue from custom collections has increased due to anti-corruption measures, there is no proper tax policy compared to neighbouring countries such as Uganda, Kenya, Rwanda and Tanzania. The World Bank and other donor agencies have provided technical assistance in these countries to set up revenue authorities, which are proving efficient in streamlining tax collection policies and thus put revenue collection on a sustainable basis.

VII. RECOMMENDATIONS

The North Kivu time bomb has finally exploded into a full scale war.

North Kivu cannot be viewed as an isolated case within the DRC. The political and economic situation throughout the DRC has deteriorated. Kivu's development and security is therefore also dependent on the international community's involvement in the political stability and economic well-being of the entire country.

The situation in North Kivu has ceased to be a local issue and has now become an international crisis.

ICG makes the following recommendations:

1. The international community should condemn the continued use of North Kivu as a rear base by internationally recognised criminal groups such as the Interhamwe militias that participated in the 1994 Rwanda genocide.
2. The international community should prevail on the authorities and troops in control of Kivu to grant access to diplomats, independent observers, international humanitarian agencies and the media in order to limit the temptation towards deliberate violations of human rights .
3. The international community should immediately start looking at options for a negotiated settlement if an end to the war is not in sight. For example, prominent personalities should be identified to act as mediators.
4. The International community should assist local non-governmental organisations in their efforts to provide much-needed social services such as education and health care both during and after the conflict. If donors continue to hesitate to commit much-needed funds, then social sector facilities such as hospitals and schools will completely crumble. The withering away of the social sector could lead to a humanitarian disaster.
5. The United Nations Commission of Inquiry to investigate arms trafficking in the Great Lakes region (UNICOI) should focus its efforts on investigating arms transfers to the various rebel groups and insurgent movements based in North Kivu. The Republic of South Africa, Sudan and Eastern European countries such as Romania, Bulgaria and the Ukraine have been cited as arms suppliers to rebel groups in North Kivu.
6. After the conflict, the international community should support projects aimed at linking North Kivu with other fairly stable countries in East Africa. These would include the Beni-Kisangani highway to link the Atlantic and Indian Oceans.