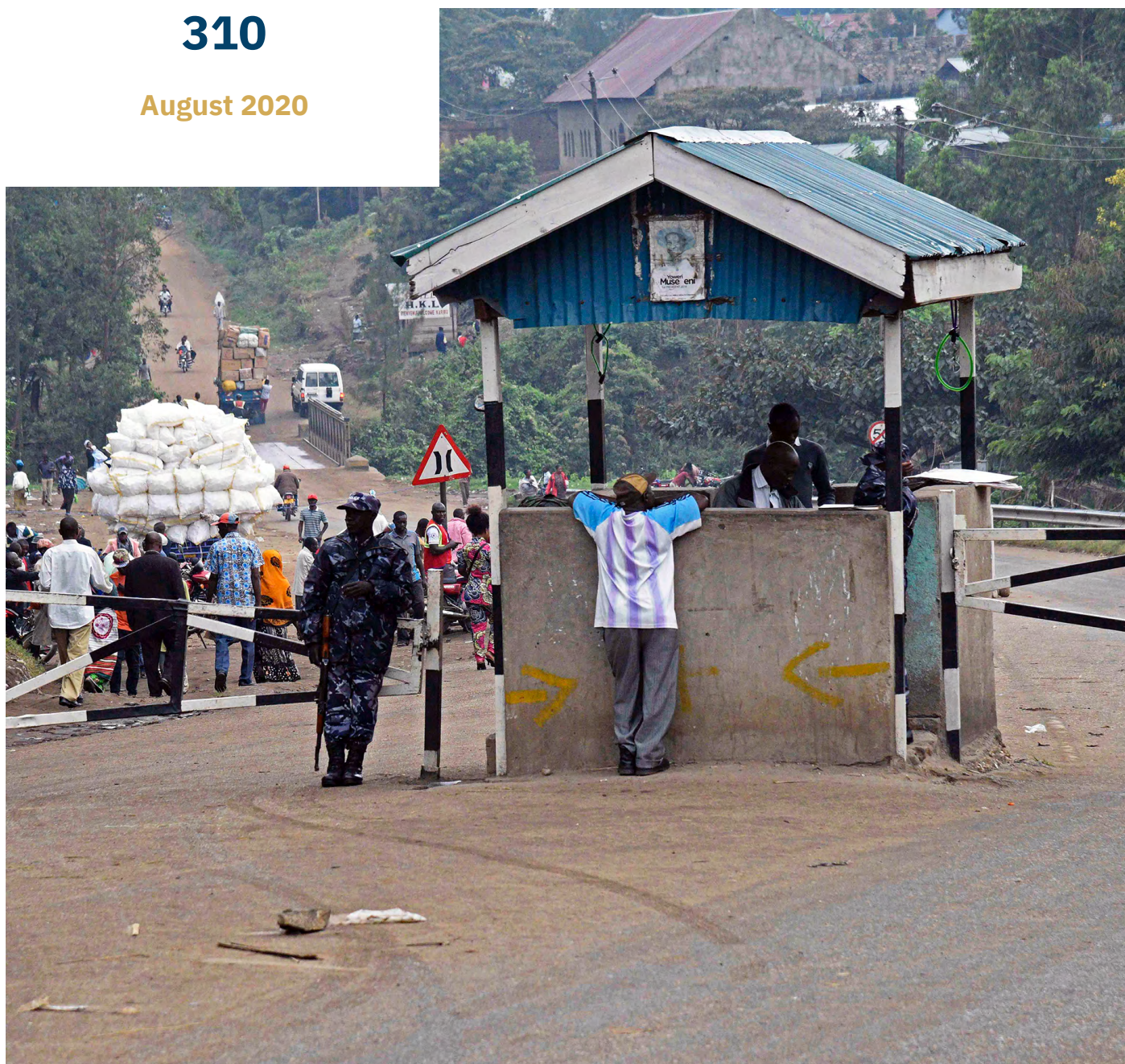


Occasional Paper

310

August 2020



Peace in the Great Lakes Region: Time for a Regional Approach

STEPHANIE WOLTERS

African perspectives
Global insights

Abstract

The countries of the Great Lakes region face the possibility of rising regional tensions which could lead to renewed violence. Relations between Uganda and Rwanda are at a historical low, and the heightened tensions between Rwanda and Burundi are entering a sixth year. At the same time, the change in leadership in the DRC, and an apparent commitment by President Félix Tshisekedi to address chronic instability and violence in the eastern DRC provide an opportunity to reinvigorate regional relations in a positive manner. Although still too early to tell, the recent leadership change in Burundi may also provide an opening to re-engage with the government to bring an end to the political crisis and years of isolation.

In order to effectively address instability in the DRC and rising political tensions in the wider Great Lakes region, a strong, regionally rooted political process is necessary to address violence, instability and the business of illegal resource exploitation in the region.

This paper looks at the status quo, particularly the interests that have driven and sustained instability in the region and the eastern DRC in particular. It argues that a new high-level regional political process is necessary in order to end decades of violence and prevent an escalation arising from growing tensions between key countries. A key element of such a peace process must be a reframing of the conflict narrative of the past 30 years, which has persistently placed governance failures in the DRC at the centre of the conversation, without recognising and addressing the reality that governance failures in other countries are equally significant drivers of instability and violence.

While rising tensions between Rwanda and Uganda and Rwanda and Burundi create even greater urgency for a political dialogue, the change in leadership in the DRC provides an opportunity for a positive shift in regional dynamics. Although controversial in the way he came to power, the Tshisekedi presidency provides the possibility to initiate fundamental change in how the country is governed, and to gradually transform key national institutions, especially if it is supported and encouraged by the international community. The international community is engaged and eager to support the Tshisekedi presidency on domestic matters, provided it is able to demonstrate real commitment to change.

A key element of this is stabilising the eastern DRC. Much of that work – ongoing for over two decades – must be done by Congolese actors, notably the many local armed groups. But the region will always remain volatile and hostile for its own population if it is home to a revolving number of anti-Ugandan, anti-Rwandan and anti-Burundian rebel groups seeking to overthrow their respective governments. Likewise, there can be no stability in the eastern DRC if its substantial natural resources continue to be extracted and traded illegally, and continue to attract armed groups, and individuals willing to operate and act illegally. Such illicit activities will continue to drive and fuel conflict rather than promote regional economic growth.

Rwanda, Uganda and Burundi must take responsibility and cannot continue to blame their own security problems only on the DRC's inability to govern its territory effectively. All three of these countries are heavily involved in the smuggling and processing of Congolese minerals such as gold, tungsten, tin and tantalum. Additional key drivers of insecurity are the policies and actions of the Rwandan, Ugandan and Burundian governments whose repressive tactics and intolerance of critics and political opponents drive their political opposition into exile – often to the DRC.

International actors wishing to nurse a positive outcome from the controversial 2018 election in the DRC should support not just Tshisekedi's domestic efforts, but extend this support to initiating a fundamental shift in regional thinking – a process which will strengthen Tshisekedi as president of the DRC and lead to positive peace and security outcomes for the whole Great Lakes region. This will mean taking bold action and demanding better governance not just from the DRC government, but from the Rwandan, Ugandan and Burundian governments too.

To this end, this paper will also explore existing peace and security arrangements in the Great Lakes region, including SADC and the International Conference on the Great Lakes Region as well as the AU, UN and the Peace, Security and Cooperation Framework, with the aim of identifying those structures which could most effectively accompany and support a regional political dialogue.

Introduction

The countries of the Great Lakes region face the possibility of rising regional tensions which could lead to renewed violence. Relations between Uganda and Rwanda are at a historical low, and the heightened tensions between Rwanda and Burundi are entering a sixth year. At the same time, the change in leadership in the Democratic Republic of Congo (DRC), and an apparent commitment by President Félix Tshisekedi to address chronic instability and violence in the eastern DRC provide an opportunity to reinvigorate regional relations in a positive manner. Although still too early to tell, the recent leadership change in Burundi may also provide an opening to reengage with the government to bring an end to the political crisis and years of isolation.

In order to effectively address instability in the DRC and rising political tensions in the wider Great Lakes region, a strong, regionally rooted political process is necessary.

To effectively address instability in the DRC and rising political tensions in the wider Great Lakes region, a strong, regionally rooted political process is necessary

This paper looks at the status quo, particularly the interests that have driven and sustained instability in the region and the eastern DRC in particular. It argues that a new high-level regional political process is necessary in order to end decades of violence and prevent an escalation arising from growing tensions between key countries. A key element of such a peace process must be a reframing of the conflict narrative of the past 30 years, which has persistently placed governance failures in the DRC at the centre of the conversation, without recognising and addressing the reality that governance failures in other countries are equally significant drivers of instability and violence.

While rising tensions between Rwanda and Uganda and Rwanda and Burundi create even greater urgency for a political dialogue, the change in leadership in the DRC provides an opportunity for a positive shift in regional dynamics

While rising tensions between Rwanda and Uganda and Rwanda and Burundi create even greater urgency for a political dialogue, the change in leadership in the DRC provides an

opportunity for a positive shift in regional dynamics. Although controversial in the way he came to power, the Tshisekedi presidency provides the possibility to initiate fundamental change to how the country is governed, and to gradually transform key national institutions, especially if it is supported and encouraged by the international community.¹ The international community is engaged and eager to support the Tshisekedi presidency on domestic matters, provided it is able to demonstrate real commitment to change.

A key element of this is stabilising the eastern DRC. Much of that work – ongoing for over two decades – must be done by Congolese actors, notably the many local armed groups. But the region will always remain volatile and hostile for its own population if it is home to a revolving number of anti-Ugandan, anti-Rwandan and anti-Burundian rebel groups seeking to overthrow their respective governments. Likewise, there can be no stability in the eastern DRC if its substantial natural resources continue to be extracted and traded illegally, and continue to attract armed groups, and individuals willing to operate and act illegally. Such illicit activities will continue to drive and fuel conflict rather than promote regional economic growth.

Additional key drivers of insecurity are the policies and actions of the Rwandan, Ugandan and Burundian governments whose repressive tactics and intolerance of critics and political opponents drive their political opposition into exile – often to the DRC

Rwanda, Uganda and Burundi must take responsibility and cannot continue to blame their own security problems only on the DRC's inability to govern its territory effectively. All three of these countries are heavily involved in the smuggling and processing of Congolese minerals such as gold, tungsten, tin and tantalum (3T). Additional key drivers of insecurity are the policies and actions of the Rwandan, Ugandan and Burundian governments whose repressive tactics and intolerance of critics and political opponents drive their political opposition into exile – often to the DRC.

International actors wishing to nurse a positive outcome from the controversial 2018 election in the DRC should support not just Tshisekedi's domestic efforts, but extend this support to initiating a fundamental shift in regional thinking – a process which will strengthen Tshisekedi as president of the DRC and lead to positive peace and security outcomes for the whole Great Lakes region. This will mean taking bold action and demanding better governance not just from the DRC government, but from the Rwandan, Ugandan and Burundian governments too.

¹ Stephanie Wolters, *Opportunities and Challenges in the DRC*, Central Africa Report 15 (Pretoria: Institute for Security Studies, 2019).

International actors wishing to nurse a positive outcome from the controversial 2018 election in the DRC should support not just Tshisekedi's domestic efforts, but extend this support to initiating a fundamental shift in regional thinking

To this end, this paper will also explore existing peace and security arrangements in the Great Lakes region, including SADC and the International Conference on the Great Lakes Region (ICGLR) as well as the AU, UN and the Peace, Security and Cooperation Framework (PSC-F) with the aim of identifying those structures which could most effectively accompany and support a regional political dialogue.

Background

Since taking office in January 2019 as President of the DRC, Tshisekedi has focused considerable attention on establishing good relations with his neighbours in Central Africa and the Great Lakes region. His particular emphasis during this time has been on building stronger relations with Rwanda and Uganda.² These countries are key to the stability of the DRC and the wider Great Lakes region. And not least because of the size of the DRC – it is the second largest country in Africa – the country's internal situation has a significant impact on peace and stability in Rwanda and Uganda.

Both Rwanda and Uganda have, over the past two decades, played substantial roles in the DRC, such as supporting the government of President Laurent Kabila in Kinshasa after helping him come to power in 1997, but since 1998 they have been fundamentally at odds with and often actively destabilising the Congolese government by supporting proxy rebel groups aimed at overthrowing it.

After the end of the war in the DRC in 2003, the main regionally-supported rebel groups – the Rwandan-backed Rassemblement Congolais pour la Democratie (RCD) and the Ugandan-backed Mouvement pour la Liberation du Congo (MLC) – agreed to a peace deal and joined the government, integrating their troops into the Forces Armées de la Republique Democratique du Congo (FARDC, the Congolese army).

However, by that time, while security-driven patterns of regional interference persisted, secondary drivers of violence and armed conflict, especially economic, had already developed. Over the course of the following decades, these would become more and

² Tshisekedi has also cultivated good relations with Angola, a relationship which will be explored in future papers.

more complex, and the layers of interests – political, security and economic – increasingly inter-twined and entrenched. Most notable among these is the development by Uganda, Rwanda and the DRC’s political and military elites of substantial economic interests in the poorly-governed areas of the eastern DRC.

The following description is from the 2002 final report of the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the DRC. The dynamics it describes are just as accurate today as they were nearly two decades ago:³

The regional conflict that drew the armies of seven African States into the Democratic Republic of the Congo has diminished in intensity, but the overlapping micro-conflicts that it provoked continue. These conflicts are fought over minerals, farm produce, land and even tax revenues. Criminal groups linked to the armies of Rwanda, Uganda and Zimbabwe and the Government of the Democratic Republic of the Congo have benefited from the microconflicts... They have built up a self-financing war economy centred on mineral exploitation.

This paper does not intend to develop a full analysis of these interests, which have been well-researched and documented over the years by a number of researchers as well as the UN Group of Experts on the DRC. However, as the paper aims to provide an analysis of the opportunities and obstacles towards peace in the wider region, some analysis of the regional interests driving instability in the Great Lakes region – with a particular emphasis on the core Great Lakes countries of Uganda, Rwanda and the DRC (and to a lesser extent Burundi) – an understanding of past and current drivers is an essential starting point.

Such an analysis is also important, because a key question is whether or not the Tshisekedi government’s approach to the region is based on a sound assessment of the entrenched dynamics and interests which have defined the relationship between the DRC and its neighbours and, more specifically, between the DRC’s ruling elite and the ruling elites in Rwanda and Uganda.

Following the 2018 elections in the DRC, former President Joseph Kabila’s political platform, the Front Commun for the Congo (FCC), holds the majority in the national and provincial parliament. As a result of this majority, the FCC also designated most government ministers and the prime minister, leaving Tshisekedi a very limited range of executive powers.

Regional and international relations are, however, an area in which Tshisekedi has greater autonomy and can set policy and strategy relatively independently. The space offered by the regional arena appears to hold significant lure for Tshisekedi, who has emphasised regional relations since coming into office through his frequent interactions with his regional counterparts. The danger is that his reading of the regional landscape may not

³ UN Security Council, S/2002/1146, Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo, (16 October 2002), 5.

be as comprehensive and open-eyed as it needs to be in order for him to effectively shift dynamics in the interest of the DRC as a country.

Equally important is the question of whether or not these interests and the structures, relationships and processes that underpin and feed them, have fundamentally changed since President Joseph Kabila left office in 2019.

Why now?

A key reason to engage constructively and robustly with the situation now is that the international community is generally of the view that it should support the Tshisekedi government and help it to succeed – domestically and regionally. This support is directed at encouraging and supporting Tshisekedi to make fundamental changes to the nature and direction of governance in the Congo. Controversial as his election was,⁴ today Tshisekedi enjoys a level of credibility and legitimacy with the Congolese population which his predecessor did not – and which some other governments in the region also lack.

Stabilising the eastern DRC was one of Tshisekedi's key campaign promises. Since taking office, he has focused substantial attention on the east, increasing military operations against the Democratic Forces for the Liberation of Rwanda (FDLR) and the Allied Democratic Forces (ADF) in particular. This willingness alone is not going to be sufficient to resolve the complex problems in the eastern DRC. However, these are good first steps and an obvious priority.

The impetus for the analysis in this paper is that the change in leadership in the DRC and the engagement of the international community to support the new Congolese government, can and should be leveraged into an opportunity for real change in the region on a number of levels. Other significant regional dynamics which provide opportunities are the recent leadership change in Burundi, and elections in Uganda in 2021. Equally, there are threats and lingering hostilities which need to be redressed, notably the conflict between Ugandan President Yoweri Museveni and Rwandan President Paul Kagame, and the poor relationship between Rwanda and Burundi.

What should and can change focus?

First is how Great Lakes countries relate to one another, and how the DRC is perceived and 'treated' by its neighbours. Since the end of the Mobutu era in 1997, instability in the Great Lakes has largely been treated as a symptom of systemic governance failures in the DRC.

4 The 2018 presidential election in the DRC was marred by corruption. The Catholic Church conducted an extensive parallel counting process which indicated that the actual winner was opposition candidate Martin Fayulu and not Felix Tshisekedi. This was further substantiated by credible leaked data from the Commission Electorale Nationale Independante (CENI). It is widely understood that Tshisekedi came to power as a result of a political deal struck between his political alliance and that of the outgoing President Joseph Kabila and not as a result of a credible electoral process.

The narrative of instability and violence in the Great Lakes region over the last 25 years has been almost exclusively focused on how governance failures in the DRC – ranging from the absence of functional state structures and institutions to a corrupt and predatory national army in the DRC, especially in the eastern DRC – have created fertile ground for armed groups of all identities and compositions to take root there, to find sustenance, and to create useful, opportunistic alliances.

The leadership change in the DRC is an opportunity to initiate a substantial regional political conversation at the highest levels of government which addresses the drivers of conflict across the region – and not just those emanating from the DRC. These include illicit economic interests and attempts to undermine regional governments as well as opaque military operations in response to often-legitimate security threats. This political dialogue – and the substantial changes which it must drive across governments in the region – is a fundamental element of long-term stability and economic development in the Great Lakes region. Transnational security interests and threats that require a military response must be handled in a transparent manner and have political backing from all concerned governments. No one country's security interests can be allowed to dominate another's.

Second, and going hand in hand with the wider, regionally-focused conversation, is a change to how the international community interacts with, interprets and behaves towards individual Great Lakes countries. The partial analysis of the drivers of conflict across the core countries of the Great Lakes region has failed to take into equal consideration that the policies and actions of undemocratic governments in other countries in the region are also integral parts of the conflict system. A narrow focus on stability of regimes rather than on the development of sustainable democratic institutions and open political environments has dominated the approach to Uganda and Rwanda in particular, which both emerged from their own periods of war in the early-to-mid 1990s.

The partial analysis of the drivers of conflict across the core countries of the Great Lakes region has failed to take into equal consideration that the policies and actions of undemocratic governments in other countries in the region are also integral parts of the conflict system

This narrative has become the foreign policy of many international players such as the US, France, the UK, the EU and others. This has not only created a dangerous double standard when it comes to how these countries interact with these governments, but it has also failed to prevent the perpetuation of the cycle of violence in the Great Lakes region.

An open, transparent and rigorous political dialogue at the regional level can only lead to real change if the international community shifts its behaviour. The argument that

violations of human rights and democratic freedoms by some governments must be tolerated in the interests of regional stability are weak and threadbare.

An open, transparent and rigorous political dialogue at the regional level can only lead to real change if the international community shifts its behaviour. The argument that violations of human rights and democratic freedoms by some governments must be tolerated in the interests of regional stability are weak and threadbare

Uganda and Rwanda are often cited as stable regimes by countries such as the US, and Rwanda in particular has cultivated and enjoyed the image of competence, excellence and stability. However, both countries have played a significant destabilising role in the DRC over the last 30 years, as successive incidents of Rwandan and Ugandan interference in the DRC's internal matters show. This ranges from support given to the Alliance des forces democratique pour la liberation (AFDL) in 1996, the Rwandan-backed Rassemblement democratique du Congo (RCD) and the Ugandan-backed Mouvement pour la Liberation du Congo (MLC) from 1998-2003, and the Conseil National pour la defence du peuple (CNDP) which emerged in 2004 and its later incarnation, the M23.

Insofar as the DRC has had a foreign policy in the last 25 years, it has been largely reactive or defensive, generally in response to an acute threat or crisis, and overly focused on security aspects

Third, there is an opportunity for the DRC to articulate and take control of its own foreign policy, to decide what its economic and geopolitical interests are, and to pursue those incrementally. Insofar as the DRC has had a foreign policy in the last 25 years, it has been largely reactive or defensive, generally in response to an acute threat or crisis, and overly focused on security aspects. It has also been dominated by its three eastern neighbours with whom it has had difficulties. But the DRC borders nine different nations and has managed to remain at peace with six of them, even while some of these neighbours, notably the Central African Republic (CAR) and South Sudan, have and continue to, experience war and instability.

Regional relations

Key factors driving regional interference in the DRC / underpinning regional instability

Legitimate security concerns

Rwanda, Uganda and Burundi have, at different times over the last 30 years, had legitimate security concerns related both to the presence of armed groups hostile to them in the eastern DRC and to the Congolese government's active support for those armed groups. This dynamic has dominated geopolitics in the region since the 1994 Rwandan genocide, the regionally-orchestrated and internationally-backed overthrow of Mobutu in 1996-1997, the subsequent war between the DRC – with the backing of its SADC allies Namibia, Angola and Zimbabwe – and Rwanda, Uganda and their Congolese proxies between 1998-2003, and the period since the 'official' end of the war.

Following the falling-out between Laurent Kabila and his Ugandan and Rwandan allies in 1998, he turned for military support to the Interahamwe, the Rwandan Hutu militia responsible for the 1994 Rwandan genocide.⁵ Between 1998 and 2006, the Congolese government worked closely with the Interahamwe, amplifying a legitimate security concern for Rwanda, but also allowing it to establish a pretext for its ongoing military interventions in the Congo.

Formal military cooperation between Kinshasa and the FDLR ended in 2002 but continued clandestinely for many more years.⁶ Today the FDLR are still present on Congolese soil although they have been severely weakened by successive military operations beginning with Umoja Wetu in 2009 and continuing today with Operation Sukola II. In late 2019, the FDLR and its splinter groups suffered several severe setbacks, with the killing of FDLR leader Sylvestre Mudacumura in September and Juvenal Musabimana in November and the arrest of other leaders in Goma.⁷ Rwanda continues to use the presence of the FDLR in the eastern DRC as a justification for authorised and unauthorised, formal and informal incursions into the DRC.

While its security concerns were at times justified, the pretext has also served to hide other motivations for ongoing interference in the eastern DRC over the last two decades. Global Witness describes the dynamic:⁸

5 Initially known as the Armees pour la liberation du Rwanda (ALIR). In 2000 ALIR merged with other Hutu groups based in the DRC and became part of the newly-formed FDLR.

6 Francois Grignon, 'Les FDLR doivent désarmer', *Le Soir*, <https://www.crisisgroup.org/fr/africa/central-africa/rwanda/les-fdlr-doivent-desarmer>; and Christoph Vogel, 'General Mudacumura: The death of a most-wanted', *Kivu Security Tracker*, <https://blog.kivusecurity.org/tag/umoja-wetu/>.

7 International Crisis Group, 'Averting Proxy Wars in the Eastern DRC and the Great Lakes', *Crisis Group Africa Briefing*, No 150 (Nairobi/Brussels, 2020), 9.

8 Global Witness, 'Natural Resource Exploitation and Human Rights in the Democratic Republic of Congo: 1993 – 2003' (Briefing Paper, Global Witness, London, 2009), 9.

The Rwandan and Ugandan armies' pretext of security concerns acted as a cover for large-scale looting – a form of “military commercialism”, with “entrepreneurial profit” considerations as a key consideration in the deployment of national armies. Even after they withdrew from the DRC, both armies continued profiting through their proxies. These included the various rebel groups they had backed; businessmen with whom they maintained close links; and companies, some of which they had set up for this very purpose. For example, the Panel of Experts noted that even though the withdrawal of Ugandan troops had given the impression that the exploitation activities have been reduced, they are in fact continuing [...] UPDF have thus been able to pull out their troops, while leaving behind structures that permit military officers and associates, including rebel leaders, to continue profiting. It also described tactics deployed by the Rwandan Patriotic Army (RPA) which had prepared for withdrawal by putting in place economic control mechanisms that do not rely on [its] explicit presence.

More recently, new anti-Rwandan armed groups have emerged. Since 2017 the Rwandan National Congress (RNC), an armed group led by a former ally of President Paul Kagame, General Faustin Kayumba Nyamwasa, has been based in the Hauts Plateaux of South Kivu province. To date, it is not clear how many combatants the group may have or where it gets its support, but there is growing evidence of at least cooperation between the FDLR and the RNC.⁹ Rwanda accuses both Uganda and Burundi of supporting the RNC. Since 2019 it has conducted several covert operations against the RNC in the eastern DRC territory, apparently with the agreement of the Congolese government.

Substantial economic interests in natural resources

The patterns of illegal exploitation of Congolese minerals and its links to armed activities were first explored comprehensively in the 2002-2003 Final Report of the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo.¹⁰ Since then, bi-annual reports from subsequent UN Group of Experts on the DRC Arms Embargo have documented how Rwanda, Uganda, Burundi and other countries maintain substantial interests in the illicit and illegal exploitation of Congolese minerals and other resources. According to Global Witness:¹¹

This process has enriched many of Rwanda's political and military elite: This solid economic base provided the Rwandan government with a certain stability and confidence. Since that time, Rwanda's economy has developed significantly, and it is perceived, at the international level, as an increasingly stable country. Yet Rwanda's relative stability was, and still is, inextricably intertwined with the continuing chaos and human suffering in eastern DRC.

9 International Crisis Group, “Averting Proxy Wars”, 3.

10 UN Security Council, S/2002/1146.

11 Global Witness, *Natural Resource Exploitation*, 19.

Nearly twenty years later, the UN Group of Experts continues to document widespread smuggling of Congolese natural resources involving regional businesspeople, politicians, military officials and armed groups.

A network of civilian and military actors from the DRC, Rwanda, Uganda and Burundi are involved in these activities and benefit substantially from them. There exists now a regional mafia of armed actors, politicians, businesspeople and military leaders who cooperate along different axes and benefit financially from the substantial illicit trade in minerals and other goods

Smuggling routes out of the DRC for gold, tin, tungsten, tantalum, cobalt and other valuable minerals go through Kigali, Bujumbura and Kampala, draining revenue from the DRC's coffers. Armed groups are heavily involved in illegal mining, deriving substantial revenue from these activities. Overlaying the armed groups is a network of civilian and military actors from the DRC, Rwanda, Uganda and Burundi who are involved in these activities and benefit substantially from them. There exists now a regional mafia of armed actors, politicians, businesspeople and military leaders who cooperate along different axes and benefit financially from the substantial illicit trade in minerals and other goods. These interests supersede ethnicity and nationality, driven as they are by the profit-motive.

According to the most recent UN Group of Experts report from June 2020:¹²

The Group found that Congolese gold, the mining and sale of which benefited armed groups and criminal networks, was traded regionally, including to gold refineries in the Great Lakes region... The Group analysed gold production and trade data for Burundi, Rwanda, Uganda and the United Republic of Tanzania on the basis of the frequency and volume of gold smuggling from the Democratic Republic of the Congo into regional trading and transit hubs and beyond... The Group estimated, using information published by the Ugandan authorities, that over 95 per cent of gold exports from Uganda were of non-Ugandan origin for 2019. Rwanda did not publicly report its gold production statistics. Public statistics for 2019 for Burundi were not available, although in 2018 the country reported 598 kg of gold production and exports of 2,000 kg.

Easy access to natural resources and their revenues is a key driving factor behind Rwanda and Uganda's ongoing involvement in the eastern DRC, three decades after they first became involved, allegedly to secure their own security interests. National and international

¹² UN Security Council, "Final Report of the UN Panel of Experts on the Democratic Republic of Congo", 19.

armed groups are heavily involved in the illegal exploitation of natural resources, with some groups fighting largely for the purpose of enriching themselves, while others use the revenue derived from mineral exploitation to support their armed struggle.

Track and tracing and certification initiatives have generally been flouted or circumvented by buyers and sellers despite international and regional efforts and initiatives. 'The OECD and the UN Security Council have called on participants in mineral supply chains from the Great Lakes region to conduct due diligence on their supply chains, and to mitigate the risk that the trade is benefiting armed groups and/or the armed forces.'¹³

Track and tracing efforts aim to identify the source of minerals, tagging them where they are mined, either electronically or manually. Such systems are used by a number of actors in the DRC and by governments in the region and are intended to help processing entities identify where minerals come from. Such efforts are credited with reducing the amount of 3T that is smuggled and has also made it harder for armed groups and the Congolese army to profit from the trade.

A similar system exists for gold. However, as it is implemented on the ground by agents of various government mining services in the DRC, Burundi and Rwanda, and 'is as reliable as the agents are. The UN Group of Experts and many others have shown the shortcomings of the system, and companies really wanting to mitigate their own conflict risk need to supplement the ITRI Tin Supply Chain Initiative (ITSCI) system with their own due diligence. Few, if any, do.'¹⁴

The ICGLR developed its own Regional Certification Mechanism (RCM) which became operational in 2011. The idea was that regional countries could and should take control of certification rather than private industry. 'However, the ICGLR has no capacity to implement it and it has relied on donor funding to finance its activities. ICGLR gold certificates issued by the DRC government appear in most instances to be fraudulent and have zero credibility with buyers.'¹⁵

Given that Rwanda, Burundi and Uganda all benefit substantially from the smuggling and processing of Congolese gold, it is highly unlikely that they will voluntarily commit to a regional certification scheme that would substantially reduce their access to these resources. Addressing these dynamics therefore needs to be a fundamental element of the political process.

Congolese spoilers

There are many Congolese players involved in the illegal exploitation of resources in the eastern DRC and in the activities of the various local and regional armed groups. The system

13 Gregory Mthembu-Salter (Director of Phuzumoya Consulting and former member of the Group of Experts on the DRC), interview by Stephanie Wolters, 8 July 2020.

14 Mthembu-Salter, interview.

15 Mthembu-Salter, interview.

of economic exploitation and armed violence could not thrive as it has without the cooperation and participation of key Congolese players. The cast of characters ranges from local civilian actors such as provincial governors, to high-ranking politicians, businesspeople and senior military officials such as the late Delphin Kahimbi or General Gabriel Amisi (aka Tango Fort). The network is extensive and deeply-entrenched, and it plays a substantial role in national, and local politics and power dynamics. Profits from these activities also support national politicians and have been a pivotal element in the civil and military patronage network that is a central source of Joseph Kabila's political and military power even after the 2018 elections.

The system of economic exploitation and armed violence could not thrive as it has without the cooperation and participation of key Congolese players. The cast of characters ranges from local civilian actors such as provincial governors, to high-ranking politicians, businesspeople and senior military officials such as the late Delphin Kahimbi or General Gabriel Amisi (aka Tango Fort)

'More broadly, Congo's senior public officials from all sides of the political divide have been accused of abusing their office for personal enrichment, often with or enabled by foreign companies and jurisdictions.'¹⁶

As a result, the gradual dismantling of such networks as a by-product of a successful regional political process will have an inevitable impact on the interests of powerful players in Kinshasa, potentially diminishing their ability to continue to wield power. This means that within the DRC there is a powerful group of spoilers – many of them with regional links – whose interests lie in sabotaging any efforts Tshisekedi might make to permanently change the dynamics in the eastern DRC. This will always be the case, whether those efforts are made now or at a later stage.

Exporting domestic challenges

While it is certainly true that the eastern DRC has been a convenient and accommodating territory for the development of armed groups, the element that is less frequently considered is that Uganda, Rwanda and Burundi are substantial drivers of the cycle of violence, effectively exporting the internal political struggles that they suppress at a domestic level to the eastern DRC.

¹⁶ Global Witness, 'Senior Congolese Army Officer Receiving Major Slice of Gold Production from Mining Company with Consent of Court,' press release, October 31, 2017, <https://www.globalwitness.org/en/press-releases/senior-congolese-army-officer-receiving-major-slice-gold-production-mining-company-consent-court/>.

In Rwanda these failures are most acute. The Rwandan government makes it all but impossible to exist as a peaceful, meaningful opposition political player inside Rwanda. With a few notable exceptions, most Rwandan political opponents are outside the country, while those who remain in Rwanda are the target of harassment, intimidation, imprisonment and assassination. The exclusion from effective politics of opposition voices, repressive tactics employed against government critics, including assassination,¹⁷ the dominance of the ruling Rwandan Patriotic Front (RPF), and the Rwandan government's refusal to engage in talks with any of the armed opposition¹⁸ has driven many political players to consider that political change in Rwanda can only be achieved through armed struggle and regime change in Kigali. The obvious base to use for such a struggle is the neighbouring DRC.

Political repression and intolerance of opposition and critical voices have become the reality in Burundi over the last decade. However, Burundi's positioning in the regional and international landscape has been somewhat different. Its transition from civil war to stability only started in 2002, with the signing of the Arusha peace agreement that was supposed to pave the way for peaceful co-existence between the Hutu majority and Tutsi minority by embedding ethnic quotas in all government institutions, from the army through to parliament. At least until 2011, Burundi was perceived to be on the right path, consolidating institutions and establishing a functional political environment tolerant of political differences. The country's third election in 2015, and then President Pierre Nkurunziza's controversial decision to stand for a third mandate was met with widespread opposition. A coup attempt led by General Godefroid Nyombare, the country's former army chief, was foiled. Drastic political repression followed, driving most civil society actors and journalists into exile.

During this time new armed groups emerged, some accused of being backed by Rwanda. Revolution pour un etat de droit (RED-Tabara), reputedly led by veteran opposition and civil society leader Alexis Sinduhije, is one group based in South Kivu that the Burundian government says is receiving Rwandan state support.¹⁹ Nyombare and several other former senior military officials also formed an armed group around the same time. First called the Forces Republicaine du Burundi (Forebu), it became the Forces populaires du Burundi (FPB) in 2017. UN Group of Experts reports from that year document the presence of the two groups in North and South Kivu.

17 In January 2014, Patrick Kareyega, a former Rwandan intelligence chief who had fled into exile was found murdered in his hotel in South Africa. General Faustin Kayumba Nyamwasa, a former head of the Rwandan police escaped several assassination attempts in 2010 and lives under state protection in South Africa.

18 Over the years there have been several attempts to bring the FDLR and the Rwandan government together for talks aimed at ending the FDLR presence in the eastern DRC. The Rwandan government's position on this is that talks are unnecessary, that there is nothing to negotiate with the FDLR. Since the late 1990s, Rwanda has had a national disarmament, demobilisation and reintegration (DDR) programme under which FDLR combatants who are not among those wanted for crimes against humanity, have been able to return voluntarily to Rwanda, without facing punishment. Under this programme, close to 15,000 combatants and their dependents had returned home by mid-2020.

19 International Crisis Group, "Averting Proxy Wars", 5-6; and Michelle Nichols and Louis Charbonneau, 'Burundi rebels say trained by Rwandan military - UN experts', *Reuters*, February 4, 2016, [Reuters.com/article/us-burundi-rwanda-un/exclusive-burundi-rebels-say-trained-by-rwandan-military-u-n-experts-idUSKCN0VDO4K](https://www.reuters.com/article/us-burundi-rwanda-un/exclusive-burundi-rebels-say-trained-by-rwandan-military-u-n-experts-idUSKCN0VDO4K).

The dynamic with Uganda is somewhat different, in that there haven't been any rebel groups operating in the DRC which represent a real security threat to the Ugandan government since before Mobutu was overthrown. While the ADF are a Ugandan rebel group which has been operating in the eastern DRC since the 1990s, it currently represents a very minor threat to the Ugandan government's existence. On the other hand, the ADF military campaign in the Grand Nord has killed many thousands of Congolese citizens since its resurgence in 2014. Successive military operations by the FARDC, UN Stabilisation Mission in the Congo (MONUSCO) and the Force Intervention Brigade (FIB)²⁰ have failed to bring an end to the violence.

But while Uganda's involvement in the DRC is driven less by a restrictive political environment that forces its political opponents into exile, its governance failures nonetheless drive its long-history of opaque and sinister involvement in the DRC. President Yoweri Museveni's need to find ways in which to shore up his political patronage network and the greed of the civilian and military elite have driven three decades of lucrative illicit economic activities in the DRC. In order to maintain its access to the wealth of the DRC, the Ugandan authorities have fomented rebellions, for example the 1999 - 2006 Ituri war between Hema and Lendu in which Uganda stoked and supported both sides. While there were elements of geo-political competition involved, a substantial driver of the violence was to create the conditions for it to loot the north-eastern DRC's gold, diamond and other mineral wealth. The Final Report of the UN Panel of Experts analyses:²¹

The Uganda People's Defence Forces [UPDF] continue to provoke ethnic conflict, as in the past, clearly cognizant that the unrest in Ituri will require the continuing presence of a minimum of UPDF personnel. The Panel has evidence that high-ranking UPDF officers have taken steps to train local militia to serve as a paramilitary force, directly and discreetly under UPDF command, which will be capable of performing the same functions as UPDF. There will be little change in the control that Ugandans now exercise over trade flows and economic resources. As UPDF continue to arm local groups, only less conspicuously than before, the departure of Ugandan armed forces is unlikely to alter economic activities by those powerful individuals in the north-eastern Democratic Republic of the Congo.

Despite its destabilising role in the DRC, over the last decades Uganda has successfully built an image as a constructive, stable and cooperative partner in an otherwise bad neighbourhood which includes South Sudan, CAR, the DRC, Burundi, and Somalia.²² Its contribution to the AU-led peacekeeping force in Somalia - the African Union Mission in Somalia (AMISOM) - is an important factor in this image, as is the role Uganda has played in

20 Created in 2013, the FIB is composed of troops from South Africa, Malawi and Tanzania under the auspices of SADC. It operates under the mandate and command of MONUSCO but is intended to play a more offensive role than MONUSCO peacekeepers, notably in neutralising local and international armed groups operating in the eastern DRC.

21 UN Security Council, S/2002/1146, 5.

22 Elizabeth Murray, Berouk Mesfin and Stephanie Wolters, *Weak Ugandan Democracy, Strong Regional Influence*, report (Washington, DC: US Institute of Peace and Institute for Security Studies, 2016).

pre-and-post-independence South Sudan. For the US, Uganda has also been an important player in the fight against the spread of Islamic terrorism in the East African region, while Uganda's ability to tackle the HIV/AIDS pandemic early on is also often cited as a positive achievement. This is a key reason that despite increasing concern over deteriorating political conditions in Uganda, countries like the US continue to interact with Uganda as a constructive player in the region.²³ This reputation as a stabilising player has, to a great extent, allowed Uganda to dodge criticism and sanction for its three-decade-long history of destabilising interference in the DRC and the wider Great Lakes region and the stifling of opposition at home.

Tension, competition and cooperation in the Great Lakes region

In more recent years, rivalries and competition as well as security concerns between governments in the region have led them to support armed groups hostile to other governments in the region, providing them with financial, military and logistical lifelines they might not otherwise have access to. This latter dynamic has played out disproportionately on Congolese territory.

Rwanda-Burundi relations have been strained for many years. The ethnic balance in both countries is roughly similar, but while post-independence Rwandan governments were mostly Hutu-led until 1994, most governments in Burundi were Tutsi-led. In both countries, these dynamics gave rise to cycles of violence and ultimately to ethnically-based rebel movements and civil war. Both countries have long hosted one another's refugee communities, and there are important relations between the elites of both ethnic groups across national lines.

Post-genocide, Rwanda's Tutsi minority has led the country, while in Burundi the inverse dynamic has manifested since the signing of the Arusha peace accords in 2002, with the ruling party coming from the Hutu majority. This has undoubtedly influenced the leaders' perceptions of their own national security and that of their regimes. Although cooperative in public, distrust and fear have always lurked in the background. The 2015 crisis has exacerbated these tensions: senior Burundian government officials made derogatory comments along ethnic lines, attacking the Tutsi community, Tutsi military leaders have been side-lined in the army, and the stage-managed national dialogue led to the dilution of those elements of the Arusha accords that guaranteed ethnic balance in Burundi, a move which favours the Hutu majority.

On the other hand, Rwanda is host to many of Burundi's most vocal critics, as civil society actors, journalists and opposition politicians – many of whom are Tutsi – have fled into exile there since 2015. There have also been substantiated reports that Rwanda was allowing Burundian armed groups to recruit in refugee camps in Rwanda.²⁴ The Burundian government has accused Rwanda of actively supporting its armed opposition, notably the

²³ Based on author's interactions with US State Department officials in a previous capacity, September 2017 and June 2019.

²⁴ Nichols and Charbonneau, "Burundi rebels".

RED-Tabara movement, while Rwanda has, more recently, accused Burundi of supporting the RNC and the P5 coalition of opposition parties²⁵ of which the RNC is a member.

Competition lies at the heart of the deteriorating relationship between Uganda and Rwanda, who have long vied for leadership in the region, and actively fought over access to resources in the eastern DRC.²⁶ Over the last two years the relationship has reached a new low-point, with Rwanda accusing Uganda of supporting the RNC, and Uganda accusing Rwanda of supporting the ADF and of infiltrating its security services²⁷ and pursuing anti-Rwandan dissidents illegally on its territory.

Tshisekedi is involved, with Angola, in the process of attempting to reconcile the two presidents. Some concrete progress has been made including limited prisoner swaps. Uganda also agreed at the most recent Quadripartite summit in Gatuna, Uganda, in February 2020, that it would investigate Rwandan claims that it was supporting anti-Rwandan rebels and take remedial action if the claims were confirmed.²⁸ However, while Uganda appears willing to make concessions to Rwanda on its allegations, notably by allowing an investigation into a military camp which is allegedly the base for the RNC, regional diplomats say that Rwanda is not equally committed to moving forward in the process.²⁹

In addition to leading to a possible escalation of violence in the region, the tensions between the two countries have further undermined the East African Community's (EAC) ability and willingness to act cohesively on the resolution of the Burundi crisis.³⁰ Uganda and Burundi are now on one side, while Rwanda is on the other. As a result, Museveni was reportedly reluctant to pressure Nkurunziza to resolve the political crisis. This has played itself out in the mediation process, which Museveni headed in his capacity as EAC chair (which has now passed to Rwanda) but which was led by former Tanzanian President Benjamin Mkapa. Although several reports from Mkapa to the EAC make it clear that the failure of the talks should be put down to the Burundian government's unwillingness to sit down with those players it accused of being in the armed opposition, Museveni did not choose to exert pressure on the Nkurunziza regime to attend the talks. Nor did other countries in the EAC.

25 The P5 is made up of the RNC, the Amahoro People's Congress, the Forces démocratiques unifiées-Inkingi, the People's Defense Pact and the Social Party Imberakuri.

26 Ugandan and Rwandan troops clashed on several occasions in the Congolese city of Kisangani in the period August 1999 – June 2000. Hostility and tension between Rwanda and Uganda persisted long beyond these violent clashes that killed over 1,000 Congolese civilians.

27 In June 2018 Kale Kahiyura, the Ugandan Chief of Police and close Museveni ally, was arrested and charged with aiding Rwanda in illegally rendering Rwandan dissidents based in Uganda.

28 UN Security Council, S/2020/27217-18.

29 Telephonic interviews with diplomats in the region by Stephanie Wolters, April 2020.

30 This is not the only factor at play. Others include that the EAC is one of several regional economic communities (RECs) that is generally more focused on economic integration than on peace and security issues, and that within several RECs there is still a reluctance to criticize the internal matters of a member state. In addition, the attempted coup in 2015 against Nkurunziza fractured whatever unity there was on how to handle the political crisis and its aftermath.

Other geopolitical factors/players

On its western borders there are key players such as Angola, that shares a 2 000 km border with the DRC and has played a substantial role since helping to overthrow Mobutu in 1997. The end of the Mobutu era also meant an end to decades of Zairean support for the ruling MPLA's political and military opponent, Unita, which had been part of the African network of Cold War allies. The DRC and Angola have been strong allies since then, and Angola has intervened militarily to help the Congolese government on several occasions: for example during the post-electoral violence between Kabila and troops loyal to former rebel leader and rival presidential candidate Jean-Pierre Bemba in 2006. However, the relationship is often tense and imbalanced, notably over the expulsion of Congolese refugees from Angola and vice versa, and over who holds the exploration rights to offshore oil and gas deposits in the Atlantic. Angola also played a substantial role in pressuring Kabila not to stand for a third term and to hold elections in 2018. Influence in and over the DRC has also been the main source of the cool relationship between Angola and Rwanda for most of the last twenty years. Although relations between the two have warmed over the last year, the rivalry over who has influence in Kinshasa continues to dominate the relationship.

Congolese foreign policy under Tshisekedi

The first key question then is whether or not the assessment of the role played by regional regimes' economic interests in the DRC is understood and shared by the Congolese presidency. The second question is whether Tshisekedi will simply take over the arrangements left over from the Kabila era and give Kagame the same wide margin of manoeuvre he has enjoyed for numerous years when it comes to pursuing armed groups in the eastern DRC. Alternatively, will Tshisekedi impose a new dimension into the relationship – and therefore into the regional dynamic – by insisting on greater transparency in Rwandan military operations and on a political process that can drive wider regional efforts at peace and stabilisation? While the latter is the only way to bring sustainable peace to the region, it involves the significant risks of threatening the status quo and the key interests of both Kagame and Kabila.

Tshisekedi has made substantial and welcome efforts to engage diplomatically on a bilateral level with key countries, frequently traveling to meet with the presidents of Uganda, Rwanda and Angola, and demonstrating a clear understanding of how significant relationships with these countries are for the DRC. He has also attempted to create an image of himself as a regional broker of peace, launching, with Angola, the Quadripartite summit process aimed at reconciling Uganda and Rwanda.

But Tshisekedi has also mooted the idea of creating a regional military force and allowing Rwandan, Ugandan and Burundian troops to pursue anti-government rebel groups on Congolese territory. This initiative has the support of some regional players like Rwanda, but has been stymied by Uganda and Burundi who are wary that Rwanda may use it as

a means to attack their countries.³¹ Such a force is a bad idea – given the regional powers’ substantial economic and other interests in the DRC, it cannot be considered neutral by anyone. In addition, past Rwandan and Ugandan military operations have led to significant collateral damage, notably civilian casualties on the Congolese side – for which both Rwanda and Uganda have displayed a high tolerance. In addition, after 25 years of near-constant Rwandan interference and destabilisation, the Congolese population remains hostile to the mere suggestion of Rwandan involvement in the eastern DRC or elsewhere. Tshisekedi must heed this but not pander to the ethnic hostility shown towards Congolese Tutsi and the Banyamulenge community.

For the moment Tshisekedi has established some level of a working relationship with Kagame, the dynamics of which appear to closely resemble the one between Kagame and Kabila. That relationship was built on the servicing of evolving interlinked economic and security interests, usually pursued in an opaque and unaccountable manner – and which allowed Kagame a growing influence through the integration of Rwandan loyalists into the Congolese security forces, notably the FARDC. Often Kabila was forced into accepting this arrangement as a means of appeasing Kagame during acute crises.

Since the end of the war in 2002, there have been several waves of official integration of rebel troops loyal to Rwanda into the FARDC. This started formally with the integration from 2003 of RCD troops and continued with the 2006 ‘mixage’ process which saw troops from the Conseil National de la defense du peuple (CNDP) led by Laurent Nkunda being partially integrated into the Congolese army, and was followed by subsequent ‘waves’ of integration of M23 rebel troops, including in 2009.

The result of this was the creation of a status quo of mutually-assured interests on an economic and security level benefitting both the Congolese and the Rwandan political and military elites.³² These interests persist today and it is precisely these networks that Tshisekedi’s efforts to end the cycle of violence in the eastern DRC could destabilise and eventually disrupt.

That the same Rwandan interests are determining the nature of the relationship in this new era is lent substantial credence by the fact that Tshisekedi has allowed Rwandan troops to operate on Congolese territory since mid-2019.³³ Although rumoured since June 2019, concrete evidence of the presence of Rwandan troops in the eastern DRC was initially patchy and difficult to substantiate.³⁴ However, over the course of the first half of 2020, the extent and nature of the Rwandan army’s actions in the eastern DRC became clearer,

31 Interviews with diplomats, Kinshasa, March 2020; and International Crisis Group, “Averting Proxy Wars”.

32 Jason Stearns, Judith Verweijen, and Maria Eriksson Baaz, *The National Army and armed groups in the eastern Congo – Untangling the Gordian Knot of insecurity* (London: Rift Valley Institute, Usalama Project, 2013).

33 Sonia Rolley, ‘Militaires Rwandais en RDC (1/2): Kigali mene-t-elle une guerre secrete’, *Radio France Internationale*, April 23, 2020, <http://www.rfi.fr/fr/afrique/20200422-militaires-rwandais-en-rdc-kigali-m%C3%A8-t-elle-une-guerre-secr%C3%A8te-12>; and Sonia Rolley, ‘Militaires Rwandais en RDC: quelles preuves (2/2)’, *Radio France Internationale*, April 24, 2020, <http://www.rfi.fr/fr/afrique/20200423-militaires-rwandais-en-rdc-queelles-preuves-22>.

34 Interviews with civil society leaders and analysts by Stephanie Wolters, Johannesburg and Kinshasa, 2019-2020.

with numerous sources starting to document its presence. According to Congolese civil society groups, the Congo Research Group, reports from Radio France Internationale, and interviews conducted by the author, Rwandan special forces soldiers have been actively pursuing Rwandan anti-government rebel groups in North and South Kivu from mid-2019.³⁵

In September and November 2019, several high-profile members of the FDLR were killed, officially in attacks by the Congolese army, but more likely by Rwandan special forces.³⁶ Several other leaders and senior members of the RNC were also killed in similar circumstances. On 26 April 2020, Kagame formally denied the allegations, saying that there were no Rwandan troops on Congolese soil.³⁷ Tshisekedi has also publicly denied the presence of Rwandan troops.

Such covert military operations alone would be merely the latest manifestation of the truncated analysis of what is driving instability in the region. Left unaccompanied by a political process, a military approach alone fails to address Kagame's wider interests, or to anticipate how these interests may be changed and could be harnessed in the interest of regional stability. For example, does Kagame really want to eliminate, once and for all, any armed groups in the eastern DRC that represent a threat to the Rwandan regime? More likely is that the Rwandan government is genuinely concerned about the activities of the RNC and the P5 and their potential to develop into a real threat to Rwanda, which the FDLR no longer are.

Military operations alone will not, however, resolve the longer-standing issues that are driving conflict, but simply defer the political process and dialogue which must be part of a process aimed at fostering long-term peace and stability. It would also put the DRC on the back foot, perpetuating old patterns and power relations between Great Lakes countries – again making it a passive rather than an active player in matters pertaining to its own security and that of its citizens.

Regional peace initiatives

In the years since the end of the Congo war in 2002, the DRC's neighbours have continued to play a destabilising role in the country. Armed violence in the DRC is, of course, not solely driven by regionally-backed or regional armed groups, but as long as they remain a presence in the DRC, there cannot be stability. Although none of the local or regional rebel groups active during this time have come close to overthrowing the government in Kinshasa, they have destroyed much of the socio-economic fabric of the eastern DRC,

35 The main targets of their actions have been the main anti-Rwandan rebel groups such as the FDLR, the Conseil National pour le renouveau et la democratie (CNRD), the Rassemblement pour l'unité et la democratie (RUD), both of which are splinter groups of the FDLR, and the RNC, a group led by Kagame's former close ally, General Kayumba Nyamwasa.

36 Rolley, "Militaires Rwandais".

37 Romain Gras, 'Kagame Denies Rwandan Military Presence in eastern DRC', *The Africa Report*, April 30, 2020. <https://www.theafricareport.com/27107/kagame-denies-rwandan-military-presence-in-eastern-drc/>.

triggered countless local insurgencies, created further incentives for instability, displaced millions of people, and destroyed their livelihoods in the process. The cycle of violence has also cost the Congolese government and the international community many billions of dollars that might otherwise have been spent on rebuilding the Congolese state.

Despite all of this – and despite the fact that the DRC’s neighbours were actively undermining the work of Mission des Nations Unis au Congo (MONUC) which would become MONUSCO,³⁸ as well as the EU and many other international donors and actors, it was not until 2012, when the M23 captured control of Goma that the international community would put real pressure on Rwanda for its role in supporting the M23. At that point even the US, one of Rwanda’s staunchest allies, repeatedly criticised the Rwandan government’s support to the M23, and cancelled \$200,000 in military aid.³⁹ Delayed as this response was, it marked a watershed moment: since then there have been no large-scale Rwandan-backed rebel groups operating in the eastern DRC.

The 2012-2013, M23 resurgence also sparked action from regional actors such as the AU, the ICGLR and SADC. SADC, of which the DRC is the only Great Lakes member state, took a very strong stance against the M23 from the start. This reflected SADC views that the security of one of its member states was being threatened by an external aggression.

The ICGLR, which includes all four core Great Lakes countries, was also involved.

Then under a Ugandan Presidency, the ICGLR proposed a ‘neutral’ military force composed of troops from the region – including the Congolese army and the M23’s Ugandan and Rwandan backers. However, this was dropped, as these countries were themselves too closely engaged in the conflict and could not be considered neutral. The ICGLR then spearheaded peace talks between the DRC and the rebels, known as the Kampala talks, which dragged on through the end of 2013 and into January 2014.

In the interim, SADC took up the idea of a military force to counter the insurgency. Tanzania, Malawi and South Africa ultimately formed the FIB. SADC had wanted the force to come under the AU, but for financial reasons the FIB ultimately became part of MONUSCO.

The geopolitics of the region also play themselves out in the different regional economic communities and regional mechanisms that are involved in the Great Lakes. Geopolitically, the deployment of a ‘Southern African’ force into the Great Lakes irked the ICGLR and its core member states, drawing a line between the ICGLR and Rwanda, Uganda and Burundi on one side, and South Africa, Angola, Tanzania, the DRC and SADC on the other.

38 MONUC was established by UN Security Council Resolution 1279 in July 1999. It was renamed MONUSCO following UN Security Council Resolution 1925 of 28 May, 2010 to reflect the post-conflict stabilization role of the mission.

39 Joe Bavier, ‘US cuts military aid to Rwanda over Congo rebel support’, *Reuters*, July 21, 2012, <https://www.reuters.com/article/uk-congo-rwanda-usa-idUKBRE86K0AU20120721>; and Lesley Wroughton, ‘US tells Rwanda to stop support for M23 rebels in Congo’, *Reuters*, July 23, 2013, <https://www.reuters.com/article/us-congo-democratic-un/u-s-tells-rwanda-to-stop-support-for-m23-rebels-in-congo-idUSBRE96M10P20130723>.

In addition, and for the first time in close to 20 years of regional conflict in and around the DRC, the M23 crisis prompted the AU and the UN, supported by the ICGLR and SADC, to initiate a regional peace process. This culminated in the signing of the Peace, Security and Cooperation Framework (PSC-F) in Addis Ababa in February 2013.

Regional bodies⁴⁰

The Peace Security and Cooperation Framework

The PSC-F was signed by the core Great Lakes countries – Uganda, Rwanda, Burundi and the DRC – and seven other countries⁴¹ just months after the M23 rebel group briefly took control of Goma. The UN, AU, SADC and the ICGLR are guarantors of the PSC-F (the 11+4).

Its main aim is to stabilise regional relations and commit signatory countries to refrain from interfering in neighbouring countries and from supporting rebel groups hostile to other countries. In addition, it commits the DRC to undertake a host of domestic reforms including security sector reform, decentralisation and improved governance.

The PSC-F has, over the last seven years, been a useful forum to keep dialogue at a regional level going. The Office of the UN Special Envoy to the Great Lakes region (UNSEGL) acts as the secretariat for the PSC-F, convening meetings of the PSC-F's technical support committee several times a year, and it holds a meeting of the Regional Oversight Mechanism (ROM) at Heads of State level once a year. As such, it has kept a conversation moving on key issues related to the PSC-F itself and to peace and security issues in the region. It has been a forum for addressing issues such as disarmament, demobilisation and reintegration (DDR), border security, and information and intelligence sharing (building on mechanisms established by the ICGLR). Without this forum, it is likely that many questions and issues would have remained unaddressed or could potentially have led to escalations in tensions and violence.

However, the PSC-F is only as strong as the commitment of its signatories: it cannot impose itself on countries who lack the political will to make changes necessary to end the cycle of instability in the region. As a result, it has not been able to make substantive progress on addressing the drivers of instability in the region. Signatory countries have paid lip service to the PSC-F over the past seven years, but tangible cooperation on security-related issues remains at a minimum. The peace agreement itself has an in-built focus on the DRC's governance challenges to the exclusion of those of other countries – allowing countries like Rwanda, Uganda and Burundi to consider their internal situations as not part of the conflict dynamic.

40 This list includes only bodies concerned with peace and security issues and excludes the Communauté Economique des Pays des Grands Lacs (CEPGL) which is composed of Rwanda, Burundi and the DRC.

41 South Sudan, South Africa, Tanzania, Angola, Zambia, the CAR, and the Republic of Congo.

Commitments of the countries of the region under the PSC-F for the DRC & the region:

- Not to interfere in the internal affairs of neighbouring countries;
- To neither tolerate nor provide assistance or support of any kind to armed groups;
- To respect the sovereignty and territorial integrity of neighbouring countries;
- To strengthen regional cooperation including deepening economic integration with special consideration for the exploitation of natural resources;
- To respect the legitimate concerns and interests of the neighbouring countries, in particular regarding security matters;
- To neither harbour nor provide protection of any kind to persons accused of war crimes, crimes against humanity, acts of genocide or crimes of aggression, or persons falling under the UN sanctions regime; and
- To facilitate the administration of justice through judicial cooperation within the region.

Commitments of the Government of the DRC under the PSC-F for the DRC & the region:

- To continue and deepen security sector reform, particularly with respect to the army and police;
- To consolidate State authority, particularly in eastern DRC, including to prevent armed groups from destabilising neighbouring countries;
- To make progress with regard to decentralisation;
- To further economic development, including with respect to the expansion of infrastructure and basic social service delivery;
- To further structural reform of government institutions, including financial reform; and
- To further the agenda of reconciliation, tolerance and democratisation.

Commitments of the international community:

- The UN Security Council would remain seized on the importance of supporting the long-term stability of the DRC and the Great Lakes region;
- A renewed commitment by bilateral partners to remain engaged in supporting the DRC and the region, including with appropriate means to ensure long-term sustainability, and to support the implementation of the protocols and priority projects of the Pact on Security, Stability and Development in the Great Lakes region;

- A renewed commitment to work towards the revitalisation of CEPGL and support the implementation of its economic development and regional integration agenda;
- A strategic review of MONUSCO that aims to strengthen and support the [DRC] Government to enable it to address security challenges and extend State authority; and
- Appointment of a UN Special Envoy to support efforts to reach durable solutions in a multi-track plan that allows convergence of all initiatives in progress.

Nonetheless, the agreement has the potential to be a constructive forum to drive discussions on the key peace and security issues in the region right now, and to work in tandem with a higher-level mediation. The primary reason to reposition the PSC-F as a forum for high-level political discussions between heads of state is that the 2013 accord already provides a comprehensive roadmap for regional peace, with all countries committing themselves to refraining from destabilising neighbouring states in whatever manner. In addition, it is a body that is a familiar forum, where actors from the region from various levels and sectors of government are accustomed to meeting with one another to discuss peace and security issues of a regional nature. Despite its shortcomings, and its relatively slow pace, it has kept regional discussions going for the last seven years, which no other regional mechanism – notably the ICGLR – or Regional Economic Community (REC) has been able to do.

The PSC-F agreement already provides a comprehensive roadmap for how to address instability in the region. In addition, its neutrality and its inclusivity – it includes essential countries such as Angola, South Africa and Tanzania – as well as the fact that it is already connected to the key regional, continental and international actors in peace and security through its guarantors, make it a suitable existing structure to support a regional peace process.

In the last several years, the PSC-F has succeeded in getting signatory countries to cooperate more closely on key issues such as information and intelligence sharing. This has been a significant step and is a trend that the PSC-F and its secretariat have and should continue to encourage. The Enhanced Joint Verification Mechanism (EJVM) was established in 2013 by the ICGLR and is a key element of cross-border security arrangements under the PSC-F. However, implementation is patchy and uneven, meaning that some areas are jointly-patrolled and surveilled while others are not.

The role of the joint intelligence fusion centre – also originally established by the ICGLR – was bolstered in June 2019 when the intelligence chiefs of Rwanda, Uganda, the DRC and Burundi held their first meeting in Kinshasa with substantive discussions on how to improve information sharing.

At the same time, however, major challenges remain: the signatory countries have not made progress on their commitment to develop a joint security strategy to neutralise and disarm the armed groups in the region, nor have they established effective joint bilateral commissions to address cross border issues between member states.

Yet there is recognition at the level of the UN Special Envoy to the Great Lakes, Huang Xia, that the current moment is an opportunity:⁴²

The momentum for progress generated by the new leadership in the Democratic Republic of the Congo more than a year ago continues to hold promises for the country and the region. With the steadfast support of the international community, these countries can embark on a path towards lasting peace, stability and development... The positive developments witnessed during the reporting period remind us that political will is paramount in the pursuit and maintenance of peace and security in the Great Lakes region. I urge the Security Council and other international partners to continue to assist the leaders of the region in seizing present opportunities and in taking decisive steps to overcome long-standing challenges.

The UN Secretary general António Guterres is also engaged in exploring new approaches to conflict resolution in the Great Lakes and has ordered the elaboration of a new approach to how the UN addresses conflict management in the Great Lakes:⁴³

I have asked my Special Envoy to develop, in close consultation with stakeholders and relevant partners, a peace and security strategy for the Great Lakes region. Its objective is to review United Nations support for conflict prevention and peacebuilding in the region. I urge the signatories and guarantors of the Peace, Security and Cooperation Framework and all other partners to support my Special Envoy and his Office in the formulation of the strategy.

This call for a new regional strategy for UN involvement in the Great Lakes is a real opportunity to put fundamental issues at the centre of the regional conversation on drivers of instability in the Great Lakes, and to build a new political process aimed at addressing and redressing these long-standing issues. It is essential that the elaboration of the new strategy be used to engage regional governments in difficult dialogues about their role in the instability, and to get their buy-in to a more profound analysis of how instability in the region can and must be tackled.

42 UN Security Council, *S/2020/272 Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region*, Report of the Secretary General, 3 April, 2020. (New York: 3 April, 2020), 15-16.

43 UN Security Council, *Implementation of the Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region*, (New York:2019), 17.

The ICGLR

The ICGLR was formed in 2006 as a mechanism to support peace in the Great Lakes region. It regroups all the Great Lakes countries and was essentially formed as a forum to promote stability across the region:⁴⁴

The first Executive Secretary of the ICGLR, Mrs Liberata Mulamula (2006–2011) tried to establish the ICGLR as an African Regional Organisation recognised by the AU but the decision was already made at that time that no more RECs and Regional Mechanisms should be created. The ICGLR was allowed to join the AU as an observer, supported by a MoU between the both organisations, but not as a decision making body. One interviewee noted that ‘the ICGLR was created as a conference facility to address the conflicts in the East of the DRC, in particular, but it has outgrown and developed into an organisation which, de facto, behaves like a Regional Mechanism – a function which it could not really fulfil so far.

Over the years, the ICGLR has driven some valuable initiatives such as its EJVM, which has the mandate to investigate security dynamics and incidents along the borders of member states. The EJVM has been an important element in the implementation of the principles of the PSC-F. It is a positive model for regional security cooperation which should and could be strengthened further.

However, the ICGLR’s positions on regional peace and security have, over the last seven years, to a great extent been influenced and driven by the member state that holds the rotating presidency,⁴⁵ and it is sometimes considered a forum lacking in neutrality. In addition, in recent years it has also been substantially weakened by budget cuts, leaving it functionally weakened and today with little more than a secretariat. Like other regional organisations, it has also been unable to establish itself as a functional supranational body able to impose decisions on regional peace and security in the Great Lakes region. This is problematic for a number of reasons, not least because it means that the one body which does regroup all core Great Lakes countries, is unable to act as a viable forum for important political discussions on peace and security issues.

44 Volker Hauk, *Understanding the International Conference on the Great Lakes Region, More than a Conference Platform?* European Centre for Development Policy Management (Brussels: March 2017), 7.

45 When Uganda held the rotating chairmanship of the ICGLR from 2009 to 2013, its management of peace and security issues in the region was largely oriented in favour of Rwanda and Uganda in particular. For example, it took the lead on a political dialogue between the M23 rebels and the DRC government. It also proposed, and was supported by Rwanda, that the ICGLR form a ‘neutral’ military force to intervene in the eastern DRC at the height of the M23 crisis. This proposal was rejected on the grounds that none of the neighbouring states were actually neutral in the conflict in the eastern DRC and the idea of an African military force to stabilize the eastern DRC was ultimately taken up by SADC. It would eventually become the UN-led and -financed FIB, composed of SADC members states Tanzania, South Africa and Malawi. Together with the FARDC and other MONUSCO troops, the FIB defeated the M23 militarily in November 2013 before the Kampala process could be completed. When Angola subsequently took over the rotating presidency of the ICGLR at the end of 2013, the political orientation of that body shifted and became more closely aligned with the interests of the DRC government, and SADC more generally. Several joint SADC-ICGLR summits were held under Angola’s chairmanship, which ended in December 2017.

SADC

SADC on the other hand does not include Rwanda, Uganda or Burundi, and is an REC that is focused on Southern Africa more so than on the Great Lakes. It has a history, since the 1998–2002 Congo war, of intervening on the side of the DRC and is not an interlocutor that is generally accepted by Rwanda and Uganda within the Great Lakes framework. While the ICGLR and SADC briefly worked closely together between 2014–2018, even holding joint summits on the DRC – this was during the Angolan presidency of the ICGLR, a period in which Angola, also a SADC member state, imposed greater cooperation between the two organisations, which was largely in favour of the DRC’s political agenda.

It is however important that SADC, as a co-signatory to the PSC-F, and the body that constituted the FIB, plays a supporting role in any regional political process. This is particularly important as, along with the DRC, South Africa and Angola are SADC member states. Angola has always been a significant player in the DRC. Its relationship with Rwanda has historically been defined by its rivalry over influence in Kinshasa.⁴⁶

The EAC

When Tshisekedi first took office, he announced his intention to bring the DRC into the EAC, the REC that currently has Uganda, Rwanda, Burundi, Tanzania, South Sudan and Kenya as member states. This has been publicly supported by Kagame, who currently holds the rotating presidency of the EAC. There are several reasons that Kagame would have made such an offer: firstly, to indicate support for Tshisekedi, and to further strengthen their alliance, and secondly, because if the DRC joins the EAC, this would shift the venue for Great Lakes peace and security discussions into a forum that Kagame has more influence and control over, and would likely side-line SADC as a player in the region. Both motivations are driven more by Rwanda’s bilateral interests than those of the larger EAC.

Despite occasional differences, the EAC is one of the continent’s most functional RECs, especially on economic matters, where it has made substantial progress. Economically, it makes sense for the DRC to be part of the EAC given trade between the eastern part of the country and Rwanda, Uganda, Burundi and even Tanzania, and developing infrastructure projects in East Africa will also benefit the eastern DRC in the long-term. EAC membership for the DRC could be especially helpful when it comes to trying to bring greater transparency and regulation into the illegal mining sector and into other smuggling and illicit trading activities in that region.

However, as its handling of the Burundi crisis has shown, member states are highly divided on how to address peace and security issues. This would likely be the case even more so when it comes to issues related to the DRC, as Uganda and Burundi would form one bloc, and Rwanda and possibly Tanzania another. For the moment, there has been no

46 Philipp Roessler and Harry Verhoeven, *Why Comrades Go to War, Liberation Politics and the Outbreak of Africa’s Deadliest Conflict* (London: Hurst and Co, 2016), 222–228.

concrete movement on this issue, but given the likely motivations to let the DRC join, and the current geopolitical reality of EAC politics, this cannot currently be considered a viable, neutral forum to resolve Great Lakes peace and security issues.

Conclusion

In order to end decades of violence and prevent an escalation of growing tensions between key countries in the Great Lakes region, a new high-level regional peace process is necessary. It should be underpinned by a new regional conflict analysis and conflict actor mapping exercise which determines where there are incentives and disincentives for peace and stability in the region. This should drive a high-level dialogue between heads of state on a key set of issues.

Such an initiative must be accompanied by shifts in international foreign policy towards the region as a whole and towards its core countries. Existing structures such as the UNSEGL's office and the existing network of international special envoys as well as the international contact group can and should support such a high-level mediation effort which ideally will be led by an AU-nominated mediator.

Recommendations

To the AU

- Engage with the presidents of the DRC, Uganda, Rwanda and Burundi about regional peace and security dynamics and the need for a regional political process to address rising tensions, domestic drivers of violence, illegal economic activities, and governance issues at national level.
- Nominate a former head of state to lead and mediate this process.
- Ensure that the issue of regional peace is regularly on the agenda of the AU Peace and Security Council.

To SADC and the ICGLR

- Work together on resolving peace and security issues in the Great Lakes region.
- Aim to openly discuss political differences between member states and the two organisations on approaches to peace and security in the Great Lakes region.
- Aim to harmonise and build on synergies between existing initiatives – SADC's FIB and the ICGLR's EJVM and JIFC – in support of regional peace and stability.

To the Office of the UNSEGL

- Act as the functional home for the regionally-driven political process.
- Integrate a regional roadmap for peace into the PSC-F.
- Act as support to the AU mediator.
- Align the PSC-F with new additional regional priorities.
- Assist with the elaboration of new strategies to effectively manage natural resources in the region, in line with the existing mandate of promoting regional economic development.
- Continue to act as convener of PSC-F meetings and progress reports.

To the International Community

- Individual countries should elaborate regional strategies on peace and security issues in the wider Great Lakes region.
- Bilateral special envoys should engage with and support a regional political process under the lead of the African mediator.
- The International Contact Group on the Great Lakes, which includes Angola and South Africa, should be repurposed to support such a process.
- The international community should support the region in elaborating and adhering to a new management system for the exploitation and tracking of Congolese natural resources.

To the UN Security Council

- Place the regional situation in the Great Lakes region on the agenda of the UN Security Council.
- Mandate the Group of Experts or a new group to investigate allegations of Ugandan, Rwandan, Burundian and Congolese support to rebel groups in the region.
- Impose sanctions on anyone involved in the illicit mineral trade in the region.

To the government of the DRC

- Formulate clear foreign policy objectives for interactions with neighbouring Great Lakes states.
- Establish a special regional diplomacy cell at the presidential level that can support a political process.

- Support legislative reform that can constructively support and encourage the formalisation of mining activities in the eastern DRC.
- Actively pursue legal avenues against Congolese actors involved in the illegal exploitation of Congolese minerals.

To the governments of the DRC, Rwanda, Uganda and Burundi

- Acknowledge that the status quo that has prevailed in the Great Lakes region is detrimental to their own security and that the current situation is no longer sustainable.
- Engage in and drive a regional political process that recognises the sovereignty and rights of all Great Lakes countries.
- Cooperate to turn the illicit economy in the eastern DRC into a formal economy that links regional countries and benefits all.

Author

Stephanie Wolters

is a Senior Research Fellow at SAIIA. Stephanie has been working in the Great Lakes region for over 20 years. Her research focuses on political and conflict dynamics in the Great Lakes region, foreign policy within the Great Lakes and Southern Africa, and elites and political change. She is also the Research and Editorial Director of Okapi Consulting, an international organisation working to end violent conflict through media and research projects in conflict zones.

Acknowledgement

SAIIA would like to thank the Swedish International Development Cooperation Agency (SIDA) and Okapi Consulting for their generous support of this work. The author would also like to thank Hans Hoebeke for his useful comments and suggestions.



About SAIIA

SAIIA is an independent, non-government think tank whose key strategic objectives are to make effective input into public policy, and to encourage wider and more informed debate on international affairs, with particular emphasis on African issues and concerns.

SAIIA's occasional papers present topical, incisive analyses, offering a variety of perspectives on key policy issues in Africa and beyond.

Cover image

A Ugandan police officer stands guard at the Mpondwe check point at the border with the DRC. Countries in Africa's Great Lakes region launched an intelligence nerve centre in Uganda on February 18, 2017 to better coordinate the fight against a rebel group responsible for massacres in neighbouring DRC. The centre in Kasese, Uganda, will be manned by eight security experts from Uganda, DRC, Tanzania and Kenya, with an unspecified number of staff working under them (Isaac Kasamani/AFP via Getty Images)

All rights reserved. Copyright is vested in the South African Institute of International Affairs and the authors, and no part may be reproduced in whole or in part without the express permission, in writing, of the publisher.



Jan Smuts House, East Campus, University of the Witwatersrand
PO Box 31596, Braamfontein 2017, Johannesburg, South Africa
Tel +27 (0)11 339-2021 · Fax +27 (0)11 339-2154
www.saiia.org.za · info@saiia.org.za