



Managing Spoilers in the Democratic Republic of the Congo

Executive Summary

This Policy Brief analyses spoilers in peace efforts in the Democratic Republic of the Congo (DRC) and how to manage them. It posits that managing spoilers in a hybrid conflict requires a comprehensive, tailored, and sensitive approach. Spoilers pose the biggest threat to peace efforts in the DRC and adequate spoiler management is paramount in creating sustainable peace in the volatile country. A correct diagnosis of each spoiler, a clear understanding of the spoilers' tactics, funding, and motivations, and a proper balance between including and excluding certain spoilers are among the steps that peace negotiators in the DRC should take to foster a more sustainable peace.

Introduction

Violence in the eastern provinces of the Democratic Republic of the Congo (DRC) has its roots in ethnic conflict dating back to the colonial era, a phenomenon that was aggravated by President Mobutu Sese Seko, DRC's first post-independence president. The eastern provinces of the Democratic Republic of the Congo, bordering Rwanda, Uganda, Burundi and South Sudan, have seen increased levels of conflict since the influx of Rwandan refugees following the 1994 Rwandan genocide. Part of a vast country straddling the heart of central Africa, the eastern Congo continues to defy efforts at pacification. As the conflict has morphed from a regional war

to a series of tenacious local insurgencies, the civilians who are caught in the middle have paid the highest price. The death toll in the country has topped 5.4 million, while nearly three million people remain displaced and more than one million women and girls have been raped (Council on Foreign Relations [CFR], 2016). Soldiers amount to less than 10 per cent of the deaths.

According to some estimates, between 70 and 120 armed groups are based in the eastern provinces, numbering often just in the hundreds each (Suluhu, 2017; Assessment Capacities Project [ACAPS], 2018). These small but mobile forces survive by terrorizing various local communities such as Bembe, Banyamulenge, and Hunde, and exploiting local resources such as gold, diamonds, copper, and cobalt. Some examples of such forces include the Islamic Allied Democratic Forces (ADF), exiled *génocidaires* from Rwanda united in the *Forces Démocratiques de Libération du Rwanda* (FDLR), and various Mai-Mai (local nationalist armed factions formed by local leaders along ethnic lines) and Nyatura groups (local factions claiming to protect Congolese Hutus from Mai-Mai groups and the Congolese army). The issues of the conflict often are a mix of the following: land disputes, ethnic violence, cattle rustling, access to resources (minerals, timber, fish), taxation rights, revenge and self-protection (from both government forces and



rebel groups), and discontent with government services.

Several peace deals have been reached since 1994, but all have failed to create sustainable peace. The 1999 Lusaka Ceasefire Agreement, the 2002 Pretoria Accord, the 2003 Global and All-Inclusive Agreement and Final Act of Endorsement, and several separate agreements with local armed groups almost all failed to bring peace to the DRC. By late 2001, negotiations in the DRC had more than 350 delegations at the negotiation table, with a decreasing likelihood that major disputes would be resolved (Rogier, 2004). In addition, the DRC conflict is often portrayed as unnegotiable because of its ethnic and highly fragmented character, and because of the role of 'spoilers' who purposefully reject or resist peace efforts because they believe it is against their interests. With so many potential spoilers in eastern DRC, the intricate role of spoilers in peace efforts must be examined.

Key Findings:

Peacemaking is a risky business. Stedman (1997) argues in his seminal work *Spoiler Problems in Peace Processes*, that the greatest risk to sustainable peace comes from spoilers - "leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it" (p. 5). The choice of an appropriate strategy to deal with the spoiler requires a correct

diagnosis of the type of spoiler and thoughtful consideration of constraints posed by other parties in the peace process. Stedman here differentiates between total, limited, and greedy spoilers, and between inside or outside (of the agreement) spoilers. Total spoilers pose the biggest threat to peace agreements. Additionally, Stedman (1997) suggests that adequate spoiler management contains inducement (giving the spoiler what it wants), socialization (changing the spoilers' behaviour), and coercive (punishing the spoilers or reducing its capacity to disrupt the peace) strategies.

Newman and Richmond (2006) note that it is important to gain a clear understanding of the tactics, motivations and funding of spoilers to understand what causes, motivates, and escalates spoiling. Methods and approaches that can be employed to deal with spoils and bring disaffected groups into peace processes need to be carefully constructed. These approaches can include pursuing spoilers with force, accommodating them in the process, leaving spoilers out of the process, or hoping their support base weakens.

Reiter (2015) argues that weak or small rebel groups or factions are often ineffective at challenging the peace agreement. Stronger actors, particularly state security forces, paramilitary groups, or powerful rebel groups left out of the agreement, pose a big threat to peace agreements. "Outside rebel groups are the most frequent type

of termination spoilers, and choose to remain outside of the agreement or have particular goals anathema to a negotiated settlement" (Reiter, 2015, p. 96).

In another study, Reiter (2016) finds through the analysis of 300 civil war peace agreements, that spoiling is fundamentally a bargaining tool that is employed when other tactics to undermine the peace process prove ineffective. His study has important policy implications for those engaged in peace negotiations who want to address the threat from spoilers: practitioners should predict and prevent spoilers and spoiling, target inclusion of potential spoilers, continue negotiation, and use coercion.

Nilsson (2012) observes that civil society actors such as religious organisations, human rights groups and women's groups, can help to convince excluded actors to peace agreements that it is in their interest to refrain from violence. The inclusion of civil society actors can affect the prospect for peace in society because it prevents spoilers from emerging.

Yonekawa (2014) argues that UN peacekeepers in the DRC have failed to protect citizens for a lengthy period because the roles of spoilers, neighbouring states, and their proxies in the conflict have largely been ignored. The main spoilers in this conflict are proxies for neighbouring states, and these spoilers hide behind their highly blurred role and identity to

orchestrate violence in eastern DRC. “The vicious cycle of violence created by spoilers and neighbouring states is likely to continue unless the United Nations develops appropriate preventive and proactive measures (p. 159).”

Blaydes and De Maio (2010) argue that peace process exclusivity is more likely to breed violence than inclusive peace negotiations where all relevant groups have a seat at the bargaining table. If groups feel that their interests are not represented at the negotiation table, spoilers have incentives to act negatively in the wake of a deal. While inclusive agreements are harder to reach, their findings suggest that international organisations that participate in peace processes need to carefully

consider the exclusivity of their agreement. The more exclusive, the less likely sustainable over time, but the easier to accomplish.

Fuamba, Yonekawa, and Seegers (2013) argue that spoilers in a hybrid conflict (such as the one in DRC) come from within and beyond a country’s borders. The practice of inclusivity, in the management of spoilers an often-preferred practice, turned out to be overly complex and ineffective in the DRC because of the hybrid and intense nature of the conflict, and the number of parties involved in the practice of inclusivity. In addition, it is often unclear who the relevant parties to include in peace negotiations are, where they are based, and what they want exactly.

Finally, Auteserre (2007) argues that peacebuilders involved in the DRC should address local violence for two main reasons. First, “the humanitarian cost of local antagonisms that turned violent was staggering. Second, the neglect of local issues could lead only to incomplete and unsustainable peace settlements.” Local intrastate spoilers use manifestations of violence to hamper the peace effort in the DRC. These spoilers’ agendas provide national and regional actors with local allies who are crucial in maintaining military control, continuing resource exploitation, and persecuting political or ethnic enemies. Local spoilers could therefore jeopardise the national and regional reconciliation.

Conclusion

In a highly fragmented and volatile conflict like the DRC, local, national, and international, spoilers play a significant role in the continuation of violence. The main spoilers in this conflict are proxies for neighbouring states and local ‘total’ spoilers that see the continuation of conflict as paramount to their survival. The ADF, FDLR, Lord’s Resistance Army (LRA), and the *Coalition Nationale du Peuple pour la Souveraineté du Congo* (CNPSC) are some examples of local ‘total’ spoilers, while the *Rassemblement Congolais pour la Démocratie* (RCD) is an example of a proxy group backed by a neighbouring state (Rwanda). For proper spoiler management, peace practitioners should correctly diagnose the type of spoiler (total, limited, greedy; inside or outside), gain a clear understanding of tactics, motivations, and funding of the spoilers, find a balance between including and excluding certain spoilers, involve civil society actors in peace negotiations, address local violence dynamics, and design inducement, socialization, and coercive strategies.

Recommendations

To improve the chances for peace and decrease the negative impact of spoilers on that peace, peace negotiators and practitioners in the DRC conflict should:

- Correctly diagnose the type of spoiler (total, limited, greedy; inside or outside) and apply inducement, socialization, and coercive measures accordingly.

- Gain a clear understanding of tactics (guerrilla and hit-and-run attacks), motivations (poverty and grievances), and funding (illegal artisanal mining, trafficking, racketeering, and taxation) of spoilers to understand what causes, motivates, and escalates spoiling.
- Strike a proper balance between including and excluding certain spoilers based on a comprehensive diagnosis of individual spoilers.
- Involve powerful rebel groups such as the ADF, FDLR, and CNPSC in peace negotiations because they pose the biggest threat to peace agreements.
- Actively prevent and preamp spoilers from affecting peace efforts through targeted inclusion of potential spoilers, continuing negotiations, and applying coercive measures.
- Include civil society actors such as Alternative 2016, Union for Democracy and Progress, G7, and *Alternance pour la république*, who might prevent spoilers from emerging.
- Address the spoiling role of proxies from neighbouring states such as Rwanda and Uganda.
- Address and prevent local violence dynamics from being hijacked by national and regional actors for maintaining military control and continuing resource exploitation.
- Design targeted inducement, socialization and coercive spoiler management strategies that address local, regional, national, and international spoilers.

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