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In Congo's Conflict, a Surprising Twist

JASON STEARNS

In January 2009 a radical realignment of alliances occurred in the eastern region of the Democratic Republic of Congo, a shift that could have a far-reaching impact on the conflict there. The Rwandan government arrested Congolese rebel General Laurent Nkunda, whom it had previously supported, and ordered his commanders to begin integrating their soldiers into Congo's army. In return, the Congolese government allowed Rwandan troops into the country to carry out joint operations with its own army against the Democratic Forces for the Liberation of Rwanda (FDLR), a group of Rwandan rebels who had previously been allied with Kinshasa.

These developments surprised many. Regional analysts (including this one) were left with mouths agape as the Congolese government invited its former archenemy to deploy thousands of troops to Congo's Kivus region. Although the joint operations, which officially came to an end in February, did not deliver a fatal blow to the FDLR, they did significantly weaken General Nkunda's militia. They have also produced the seeds of a new political coalition in the eastern Congolese province of North Kivu, on the border with Rwanda.

This new collaboration, however, has its limits. The old enmity and mistrust between the two countries will not disappear overnight. And the military operations have not dealt with the root causes of conflict in North Kivu. The province has been in turmoil for more than 15 years, and the Congolese government has not addressed underlying issues of land tenure and ethnic resentment. Moreover, Nkunda's Congress for the Defense of the People (CNDP) was not just a self-defense force for the Tutsi community. It was also a means for marginalized politicians and businessmen to promote their interests. It remains to be seen whether

the reconfiguration of power in the region will be able to accommodate or suppress these interests.

CITIZENSHIP AND LAND

To evaluate the realignment and its potential benefits and risks, we need to revisit the history of the conflict in eastern Congo. The roots of violence in the Kivus region are complex, with many narrative strands. Two of these strands have to do with communities and elites.

Nkunda used to insist to anyone who would listen that his rebellion was not about him. “If you kill me, there will just be another Nkunda who will spring up,” he told me once.

To an extent, Nkunda had a point. The roots of North Kivu's violence, as he would tirelessly repeat, had not been addressed by a peace deal signed by all major belligerents in 2002. Bringing an end to violence in the province required more than just satisfying the demands of the rebel groups. The province had suffered upheaval since 1993, long before these groups existed; the peace deal had not dealt with this history.

Initially, the conflict revolved around citizenship and land tenure involving the descendants of Rwandan immigrants in North Kivu's Masisi and Walikale territories. Between 1937 and 1960, Belgian colonialists had brought about 175,000 Rwandans from both Hutu and Tutsi communities to work on their ranches and plantations in these territories. Unrest in Rwanda around independence prompted a further 100,000 Rwandan Tutsis between 1959 and 1964 to flee to Congo, where they were settled initially by the United Nations but eventually integrated into local communities. This new group of refugees was more affluent than previous Rwandan immigrants, and came to play an important role in North Kivu's political elite. Although estimates vary, by 1990 over half a million descendants of Rwandan immigrants lived in the province.

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The newcomers constituted a strong lobby that had considerable influence over Mobutu Sese Seko, the longtime dictator of Zaire (Congo's name from 1971 to 1997). Mobutu for his part found the Rwandan expatriates to be useful allies. From 1969 to 1977, Barthelemy Bisengimana, a Rwandan immigrant and the president's influential chief of staff, played an important role in promoting his community's interests. Mobutu adopted a law in 1971 that granted blanket citizenship to all Rwandans (and Burundians) who had been in the Congo since 1960.

Perhaps most important, when Mobutu expropriated all foreign businesses in 1973, it was the Tutsi elite that benefited in North Kivu. In Masisi, 90 percent of all large plantations—almost half of all the land—came to be owned by these immigrants. In the neighboring Walikale territory, one businessman alone, Rwakabuba Shinga, bought 230,000 hectares of land, on which a third of the population lived.

The ascendance of Rwandan immigrants and their offspring helps explain the virulent backlash against them. Mobutu, a diligent student of Machiavelli, had mastered the art of divide-and-rule politics. In 1981, he reversed the 1971 citizenship law, decreeing that citizenship could only be obtained upon individual application and was only available to those who could trace their Congolese ancestry to 1885. In theory, this not only stripped most Rwandan descendants of their citizenship but also expropriated much of their property, since only Congolese could own large concessions. The new law in fact was never fully implemented, but for the “immigrant” Tutsis and Hutus, the legal back-and-forth underlined how tenuous their status was in Congolese society.

It was Mobutu's weakening grip on power and the advent of multiparty democracy that put the match to the powder keg in North Kivu. In 1990, with the end of the cold war, the autocrat declared an end to 25 years of one-party rule and announced elections. The parties that sprang up in North Kivu were mostly ethnic in nature. Many of them were bent on disqualifying the descendants of immigrants from taking part in the new democratic dispensation. In 1993, tensions between the region's communities came to a head, leading to clashes that quickly spread across the contentious highland area, killing over 7,000.

The 1994 genocide in Rwanda added fuel to the flames as a million Hutus streamed across the border into Zaire, including the remnants of the army and militia that had carried out the massacres. They quickly struck up an alliance with Congolese Hutu militias and drove most Tutsi Congolese from their farms and ranches. More than 100,000 Tutsis sought refuge in Rwanda. Many Congolese Tutsi youths—including Nkunda—joined the ranks of the new, Tutsi-dominated Rwandan army and then participated in the Rwanda-led invasion of Congo that in 1997 toppled Mobutu and installed in power Laurent Kabila.

Rwanda's involvement in Mobutu's fall made the Tutsi community, a small minority in North Kivu, into a dominant force in provincial politics. Tutsis were named as governor, heads of security services, and even customary chiefs, which were usually hereditary positions. Nonetheless, the violence in the interior continued, especially when Kabila fell out with his Rwandan allies. In 1998 Rwanda launched a second rebellion, the Congolese

Rally for Democracy (RCD), with its headquarters in Goma, the provincial capital on the northern shore of Lake Kivu, next to the Rwandan city of Gisenyi. North Kivu remained the theater for a proxy war that

pitted Kabila, who backed the FDLR and an array of Congolese local militia, against Rwanda and its RCD allies.

It is difficult to exaggerate the role that fear and indignation play within the Tutsi community, given its minority status and history of discrimination. Every Tutsi has a story of persecution; many have lost family members in the conflict in Congo or, before that, the genocide in Rwanda. And anti-Tutsi sentiment is a deep-rooted feature of Congolese politics. Even during the recent fighting, television talk show hosts in Kinshasa talked about “beating out the snakes that have snuck into our house.” This hatred became all the more pronounced as Tutsis took lead roles in the successive Congo rebellions in 1996 and 1998 that were marked by corruption and ruthless brutality.

However, the ideology of self-defense has often provided a convenient rallying cry for Tutsi politicians and commanders to promote their own interests.

Officials close to the Rwandan government had controlled North Kivu since 1996.

POWER AND RESOURCES

In 2008, I was a member of a United Nations panel investigating support of Congolese rebel groups. In the course of our mandate, we interviewed dozens of former CNDP and FDLR combatants, as well as many government officials, businessmen, and military commanders in the region. It became very clear that when Nkunda insisted he was only protecting his community, he was being disingenuous.

In 2003, as the various rebel groups across the country joined a transitional government in Kinshasa under the terms of the comprehensive peace agreement reached in 2002, Nkunda refused to join the new national army. The reason was not defense of his community. Rather, RCD and Rwandan leaders had contacted him and told him and several other RCD commanders not to join. "They wanted to have a reserve force in North Kivu in case the transition didn't go in their favor," a former high-ranking CNDP leader told me. "The Rwandans were worried that they would lose influence in the Congo if the RCD was emasculated and co-opted in the transitional government."

Together with several discontented RCD politicians, Nkunda formed a group called *Synergie pour la paix et l'harmonie* (Synergy for Peace and Harmony). To my amusement, one former leader told me that the Rwandans had even given them books on management, so they could avoid the corruption and favoritism that characterized the RCD. Rwanda allowed Nkunda to recruit in Congolese refugee camps in Rwanda and, when he launched an attack on the newly formed national army in May 2004, Rwandan troops provided logistical support. A former CNDP colonel, a Tutsi from North Kivu, told me: "Orders and advice came from Rwanda, and when Nkunda fell sick in 2004, he was looked after in Rwandan military hospitals."

The creation of *Synergie* and later the CNDP must be seen in the political and economic context of the province. Officials close to the Rwandan government had controlled North Kivu since the beginning of the Congo war in 1996. As everywhere in Congo, political power went hand in hand with business, as officials cultivated links with entrepreneurs in far-reaching patronage networks. In exchange for tax exemptions and prefer-

ential treatment, businessmen provided loans and bribes to the RCD and the Rwandan government, as well as to individual officials on both sides of the border. Some of the businesses that emerged in Goma appeared to be fronts for Rwandan companies, though their real owners were disguised behind a thick veil of middlemen and paperwork. From 1996 to 2003, this symbiosis among Rwanda, its rebel proxies, and local business persisted.

The 2003 transitional government jeopardized this state of affairs, as President Kabila tried to establish administrative control over the province. Nkunda's emergence thus was tightly linked to an effort to preserve the Rwandan-controlled networks. At stake was cross-border trade at the Goma crossing that was officially worth around \$70 million annually. Given a steady stream of smuggled goods, the real value was probably at least twice as high. One study found that 60 percent of Congo's tin exports were smuggled across the border, with no state taxes paid.

Two factors led to an escalation of tensions and eventually a resumption of war. First, in 2005, Kinshasa tried to drive a wedge in the Hutu-Tutsi alliance that had cemented Nkunda's control of the area around Goma. Kinshasa co-opted the former Hutu governor of the province, Eugene Serufu, who persuaded many of the CNDP's Hutu troops (a majority of the group's footsoldiers) to defect. In order to prop up Nkunda, Rwanda allowed him to recruit demobilized troops from its army as well as regular Rwandan civilians.

The second factor was national and provincial voting that took place in 2006. At the provincial level, the elections produced a victory for parties allied with President Kabila and Mbusa Nyamwisi, a former rebel leader from Beni, a trade hub to the north of Goma. Given the demographics of the province, a majority of the officials elected in North Kivu came from Nyamwisi's Nande community, which makes up over half of the province's population. For the first time in a decade, administrative control of the province was not in the hands of Hutus and Tutsis close to Rwanda.

The conflict in North Kivu has never just been about communal fears and hatreds. The struggles in the province are rooted in histories of greed as well as grievance, histories that have unfolded around a deeply weak state to which parasitic in-

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terest groups have attached themselves. This experience, combined with conflict in Rwanda and between Rwanda and Congo, has fanned the violence in the province.

A PRAGMATIC TURN

Starting in mid-2006, tensions between the CNDP and the Congolese national army degenerated into full-fledged fighting. Peace deals were brokered in January 2007 and January 2008, but they collapsed as both sides seemed intent on solving their differences militarily. This reluctance to negotiate was particularly strong on Kabila's side. He had won the 2006 elections on the promise of stability and was sensitive to accusations that he himself was actually Rwandan.

Determined not to appear weak or pro-Rwandan, Kabila sent thousands of troops to the east. His military commanders, who were reportedly embezzling millions of dollars from operational funds, continually promised that they would put down the rebellion. Their army, however, was disorganized and ill-trained and it suffered from low morale. This led commanders to strike up opportunistic alliances with the FDLR (the Rwandan rebels), which of course further incensed both Rwanda and Nkunda.

In October 2008 Nkunda's forces, backed by the Rwandan army, launched an all-out offensive that took them to the gates of Goma. They trounced the Congolese army, which was supported by UN peacekeepers, and chased the army garrison out of Goma.

The offensive produced panic in Kinshasa. Politicians in the capital, a thousand kilometers to the west, had a tendency not to deal with violence in the Kivus with the urgency it required. But this time Kabila realized that to lose Goma would deal him a potentially devastating blow. He sent envoys to Kigali to negotiate with President Paul Kagame and a flurry of diplomatic activity followed, as delegations flew back and forth between the two capitals. In mid-January 2009, Kabila announced that he had invited Rwandan intelligence officers and their bodyguards to participate in operations against the FDLR. In return, Rwanda had promised to clamp down on Nkunda's rebellion.

The operation involved more than just a few Rwandan intelligence officers. Between 4,000 and 6,000 Rwandan troops entered the country with artillery and trucks. They moved in tight formations along forest paths, avoiding main thoroughfares and urban centers. Their first priority was

not to attack the FDLR but to subdue the CNDP. Although the Rwandan government intended the incursion to deflect criticism over its support of Nkunda, the campaign ended up demonstrating the extent to which Rwanda controlled the rebellion. Shortly before the Rwandan army's entry, Rwandan army chief General James Kabarebe had orchestrated a coup within the rebellion, replacing Nkunda with his chief of staff, General Bosco Taganda. When some commanders close to Nkunda protested, General Kabarebe invited CNDP leaders to Rwanda to brief them: "Back Bosco or face the consequences" was the message, according to a commander who attended the meeting.

Not surprisingly, the commanders toed the line. Nkunda was soon on the run, frantically calling journalists and international mediators, protesting that he had been betrayed by Kigali. Finally, he went to a meeting with Kabarebe in Rwanda and was promptly arrested. As if there were any doubt remaining about who called the shots, General Taganda held a press conference in Goma and, with General Kabarebe sitting behind him, confirmed his control of the CNDP.

Nkunda's arrest was intended to provide President Kabila with the necessary political capital to allow Rwandan troops to carry out the second part of the deal: hunting down the FDLR. Surprisingly, instead of immediately striking at the FDLR high command, the Rwandan troops moved incrementally, pushing the FDLR forces back from their border westward rather than carrying out surgical strikes on their leaders. The Hutu rebels put up little resistance, instead fleeing into the jungle to the west and south while sending their families home so they would not be caught in the crossfire.

The following month of military operations provided Rwanda with some symbolic victories but did not fundamentally weaken the FDLR. Around 650 FDLR soldiers, or about 10 percent of the rebel group's troops, escaped from its control and returned to Rwanda. Some 3,000 Rwandan civilians—FDLR family members and Rwandan refugees—accompanied them. According to Congolese army reports, the joint force from the Rwandan and Congolese national armies killed a further 180 FDLR soldiers. After five weeks of operations, the Rwandan army returned home.

At the same time, tentative moves were made to reconfigure political power in the province. The government appointed a new Tutsi provincial minister and integrated former CNDP cadres

into the local administration. Serufuli, the former North Kivu governor, returned to the province from Kinshasa to mobilize traditional chiefs to back the operations against the FDLR. He also persuaded soldiers from Congolese Hutu militias to join the national army.

BEHIND THE RAPPROCHEMENT

Despite the astonishment it provoked in many observers, the deal with Kigali was an obvious move for President Kabila. Militarily, he was on the ropes. During three years of fighting with the CNDP, his army had failed to score a single major victory. The Congolese government had entered into two separate peace processes with the CNDP, accompanied by countless cease-fires. But the government refused to deal with Nkunda politically, out of fear that this could expose its own weakness and bolster the rebel's legitimacy. In the meantime, Nkunda's own demands steadily grew. It also became clear that there were few security guarantees he would accept, given his fear of arrest for war crimes that his soldiers had committed.

The political context of the moment was also an important factor in the Congo-Rwanda deal. Nkunda's offensive took place as Kabila was preparing for local and eventually national elections. The local elections, originally scheduled for 2008, have been postponed indefinitely; but when they are held, they will constitute a tough test of Kabila's popularity, which has sunk because of his failure to live up to promises of development and because of the violence in the east. And while national elections are not due until 2011, election fever had already gripped the president's advisers at the time the deal was struck. Kabila's 2006 electoral slogan was, "The bearer of eggs doesn't quarrel and doesn't fight," an allusion to his success at presiding over a fragile transitional government while pacifying the country. He will be made to revisit this claim during the 2011 campaign and will want to have something to show for himself. Already, his opponents have contended that "the bearer of eggs has made a huge omelet."

The escalation of violence in 2008 occurred amid a deepening fiscal crisis as well, adding to the president's worries. Plummeting commodity prices are expected to reduce state revenues by 30 percent to 50 percent as prices for oil, diamonds, tin, cop-

per, and cobalt have all dropped precipitously during the global economic downturn. Congo's government had recently spent tens if not hundreds of millions of dollars buying weapons, flying troops and equipment, and paying for logistics for operations in the east. This year it faced unrest from unpaid civil servants and soldiers. Kabila could no longer afford to continue the offensive.

On the other side of the battle lines, Kinshasa's weakness offered an opportunity for Kigali. President Kagame had been asking for years to be allowed into Congo to finish off the FDLR once and for all. While the militia no longer constitutes a strategic threat to the government, its existence has a strong symbolic value in Rwanda's political discourse, in which the aftershocks of the genocide are still strongly felt. All Rwandan politicians set their moral compass with reference to the genocide. Debates in parliament and in the media center around eradicating remaining genocide ideology, how to provide justice for the victims of the genocide, and accusations of French involvement in it. In this climate, the FDLR represents

an heir to the *genocidaires*, even if most of the group's soldiers did not participate in the pogroms.

At the same time, the deal allowed the Rwandan government to defuse allegations that it was foster-

ing insecurity in Congo. Kagame had come under increasing pressure from international diplomats and nongovernmental organizations because of his clandestine support for Nkunda. A *New York Times* article published in early December 2008 quoted several high-ranking sources from within the Rwandan government providing details about systematic support for the CNDP. Several days later, our UN Group of Experts on the Congo published a lengthy report providing evidence of Rwanda's sending troops and equipment to help Nkunda, as well as allowing the CNDP to use Rwanda as a rear base for operations. Citing the report, the Dutch and Swedish governments announced that they would cut direct budgetary aid to Rwanda. Other governments made it clear in private that they might follow suit if Rwanda did not cut Nkunda loose. Rwanda depends on foreign assistance for almost half of its budget and could not afford to antagonize its partners.

Just as important were the implications of these reports for Rwanda's capacity to attract private in-

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vestors. President Kagame has spent much of the time since he was elected traveling around the world, visiting chambers of commerce, and trying to attract investors. He has declared that Rwanda could become the Singapore of Central Africa, a regional trade and service hub with a business-friendly environment. This project relies on the country's progressive policies, but also on the sympathy that many philanthropists have shown because of the genocide—Bill Gates, Bill Clinton, Rick Warren, and Tony Blair have all invested generously in social, health, and infrastructure programs in Rwanda. Bad publicity could hamstring Kagame's economic vision for the country.

AN UNCERTAIN OUTCOME

Many diplomats cheered Congo's and Rwanda's joint operations. The American ambassador to Kinshasa congratulated the two countries, as did the British army's chief of staff during a visit to Kigali. And the conflict in the east does seem at a turning point. The CNDP has been decapitated, and more than 3,500 of its soldiers have been integrated into the national army in such a way that their command and control seems to have been broken up. As a senior intelligence official with the UN Mission in the Democratic Republic of Congo told me: "It will be difficult for someone to snap their fingers and to have all of them go back to the bush."

The FDLR is now disorganized, and it is still possible the Rwandans will succeed in their efforts to provoke the desertion and repatriation of large numbers of combat soldiers. Above all, Kigali and Kinshasa have established a significant détente, which could help solidify peace in eastern Congo. Each government has announced

plans to reopen an embassy in the other country, and praise has replaced biting criticism in the two countries' public statements about the other.

There should be no illusion, however, that the conflict is over. The FDLR remains intact, and it still has more than 5,000 troops. The joint operations have destabilized the rebels, and have deprived them of some of the revenue they relied on to buy weapons and feed their troops. But this has triggered a spate of retaliatory attacks against the local population; at least 100 civilians have been killed since January.

And as we have seen, the conflict in North Kivu is about much more than the FDLR and the CNDP. In eastern Congo, ethnicity, business interests, and political power are woven together like strands on a triple helix. Violence has deep roots in local, national, and regional history. Struggles for power among regional strongmen, entrepreneurs, and ethnic communities have in the past been bloody; it remains to be seen whether the emerging balance of power will be more peaceful. Land conflicts and ethnic resentments persist, and the government has not undertaken any initiatives to lessen these tensions. And in Rwanda there are still at least 40,000 Congolese Tutsi refugees who desperately want to return home.

For now, Rwanda and Congo appear to be playing less antagonistic roles than they have in the past. There are indications that Serufuli and former CNDP cadres will attain greater influence within Congo's government and security services. But it would be foolhardy to believe, as some diplomats and politicians in the region seem to, that a deal between Kigali and Kinshasa will bring an end to battles for power in North Kivu province. ■