

PEACEKEEPING IN THE CONGO, 1999-2001: SUCCESS OR FAILURE?

A Monograph

by

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ABSTRACT

PEACEKEEPING IN THE CONGO, 1999-2001: SUCCESS OR FAILURE?

by MAJ Kyle D. Henson, Army, 36 pages.

The Second Congo War caused an estimated 5.4 million war-related deaths. The conflict was a complex mixture of ethnic violence and economic exploitation that in many ways still continues today. The belligerent nations attempted to establish a peace process. The United Nations (UN) Security Council authorized the United Nations Mission to the Congo (MONUC) in 1999 to assist in the peace process. The results of the mission have been unimpressive and have failed to stop the fighting in the Democratic Republic of the Congo (DRC). Recently, the UN authorized another UN Intervention Force with a new mandate to disarm rebel groups inside the DRC. The question is whether the new mandate will be any more successful than those of the past? Assessing the prospects of the UN intervention force essentially requires determining why the previous MONUC efforts failed and whether the new mission will change the factors that led to failure.

To determine why MONUC was not able to stop the fighting in the DRC required analysis of three different aspects of the conflict: the social and economic circumstances of the conflict, the ceasefire and peace enforcement agreements, and the application of peace operation fundamentals. The social and economic circumstances surrounding the conflict created obstacles to efforts to stop the fighting, and increased the incentive for some nations to continue the conflict. The frameworks of the Lusaka Cease Fire Agreement and the Security Council resolutions that mandated the MONUC mission did not provide the appropriate authority to put a stop to the fighting. Additionally, the mandates and legal frameworks did not address some of the fundamental issues related to disarmament, demilitarization, and reintegration and peace operations that enable a peacekeeping force to succeed.

Regional political rivalries, ethnic violence, ungoverned armed rebel groups, and lucrative economic incentives all worked together to prevent the end of the conflict in the DRC. The insufficient mandates and resources prevented MONUC from stopping the fighting in the DRC. The inability of MONUC to actively disarm the armed rebel groups enabled the conflict to continue. Now that the UN force has been authorized to use force to disarm the rebels, the prospects for ending the fighting are better than ever before.

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INTRODUCTION

In 1994, the revolution in Rwanda set off a series of events that sparked more than a decade of violence in Zaire, now the Democratic Republic of the Congo (DRC). Conflict between the Tutsi minority and the Hutu majority in Rwanda spread across the entire region. In the spring of 1994, Rwandan Hutus began a genocidal campaign against the Tutsi within Rwanda. During the period of genocide, the Hutu killed 800,000 Tutsi. In June 1994, the Tutsi rebel movement known as the Rwandan Patriotic Front (RPF), led by Robert Kagame, overthrew the Hutu government in Rwanda. Thousands of Hutu fled into eastern Zaire. The ethnic violence followed them. The influx of refugees and the associated violence exceeded the government of Zaire's ability to protect the ethnic Tutsi living in Zaire. In response to the continued assaults upon ethnic Tutsi in Zaire, the Rwandan and Ugandan Governments decided to remove the President of Zaire, Mobutu Sese Seko, and to replace the Mobutu regime with one that would protect the Tutsi minorities inside Zaire.¹ Thus, the First Congo War began in 1996.

To prosecute the war, the leaders of Rwanda and Uganda chose Laurent Kabila, the leader of the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL). Kabila had been picked by then Rwandan Vice President Kagame and Ugandan President Museveni to lead the rebellion. The AFDL was primarily composed of ethnic Tutsi militia members and military officers from Zaire. The force was heavily supported by Rwandan and Ugandan militaries. On 29 May 1997, the AFDL captured Kinshasa. President Mobutu had fled the country two weeks earlier. Laurent Kabila and the AFDL seized the government and renamed the country the Democratic Republic of the Congo. The DRC began its existence with numerous militia groups and foreign militaries operating within its borders. By the fall of 1997, inter-ethnic violence had resumed in the DRC. The Rwandan Patriotic Army, a Hutu militia, continued to

¹Jason K. Stearns, *Dancing in the Glory of Monsters: The Collapse of the Congo and the Great War of Africa* (New York: Public Affairs, 2011), 8.

attack Tutsi villagers living inside the DRC. In response to the continued attacks against the Tutsi living in the DRC and the Kabila government's inability to stop the violence, Rwandan and Ugandan armies invaded the DRC for the second time in two years.² The Second Congo War had begun.

The Second Congo War caused an estimated 5.4 million war related deaths. As the war escalated, seven nations became actively involved in the conflagration. The first United Nations (UN) led intervention to stop the fighting occurred less than a year after the war began. The UN intervention was an effort to support the Lusaka Ceasefire Agreement. This effort, known as the United Nations Mission to the Congo (MONUC), consisted of a small contingent of observers charged with assisting in the ceasefire process. Later, a second larger UN mission was authorized but not deployed in 2000. Neither mission actually stopped the violence. The belligerents continued to survive and fracture into new and more capable militia groups that threatened peace in the DRC and among its neighbors. Despite the previous failures to disarm rebel militias and stop the fighting, the UN has, now, authorized another mission and has authorized a UN intervention brigade to assist in the disarmament of rebel militias inside the DRC.³ The question is why has MONUC failed to stop the fighting in the DRC and what do those failures indicate are key factors that will determine the success of the new UN mission and others like it elsewhere in Africa.

Determining why MONUC mission failed in the DRC required addressing two interrelated questions. First, to understand the current obstacles to achieving peace it was necessary to determine the conditions at the outset the Second Congo War. One important aspect

²Filip Reyntjens, *The Great African War: Congo and Regional Geopolitics, 1996-2006* (Cambridge: Cambridge University Press, 2009), 293.

³United Nations, Security Council, Department of Public Information, 'Intervention Brigade' Authorized as Security Council Grants Mandate Renewal for United Nations Mission in Democratic Republic of Congo, March 28, 2013, <http://www.un.org/News/Press/docs/2013/sc10964.doc.htm> (accessed August 22, 2013).

of those conditions are the perspectives of the belligerents and the perspective of the international community and the United Nations. The examination of the perspectives of the parties revealed the motives of each nation, its claims and justifications for actions during the conflict and peace process. Identifying the national motives at the outset of the war was important because it revealed objectives not addressed by the peace efforts and, in many cases, those objectives became obstacles to implementing the accords.

The second question was, what was the legal and political framework that established and guided the responsibilities and actions of the MONUC force? The legal and political framework reveals both the authorities and responsibilities of MONUC and the degree of commitment of the UN and the MONUC participants to achieving the mission's stated goals. Analysis of the belligerents and the international community's perspectives on the conflict, and the agreements and mandates authorizing the MONUC force made it possible to infer why MONUC was not successful in ending the fighting in the DRC.

To understand the complex circumstances surrounding the conflict in the DRC, it was also necessary to identify the critical social and economic factors that motivated each belligerent nation. The social and economic factors illuminated the motives of the respective participants and revealed how their respective positions complicated the conflict and the peace process. Each African nation involved in the process had its own claims and justifications for participating in the conflict. The social and economic environment surrounding the peace process created a situation that made conflict more lucrative than peace. An analysis of the key factors that motivated each nation creates a better understanding of the hidden dynamics that created the Lusaka Cease Fire Agreement, and the domestic and regional politics that affected MONUC at each stage of its mission in the peace process. However, the analysis of the social and economic environment surrounding the conflict does not explain why MONUC failed, but identifies the significant strategic and operational environmental problems that MONUC faced in the DRC.

An analysis of the Lusaka Cease Fire Agreement and the Security Council resolutions that authorized MONUC revealed the complicated nature of peace operations in the DRC, but did not explain why the peacekeeping force failed to stop the fighting. To understand the evidence and explain why MONUC was not able to accomplish its mission, it was necessary develop a means to assess the actual circumstances of the conflict, agreements, and mandates. The United States Institute of Peace (USIP)'s Peacemaker's toolkit and the Fundamentals of Peace Operations provide the means to analyze the agreements and mandates and also to judge the actions taken by the parties during MONUC mission. Peacemaker's toolkit provides a framework for more effective conflict resolution. The framework contains two critical concepts that are extremely useful in understanding why MONUC was not able to stop the fighting.⁴ There is a concept for assessing the fighting forces, and another for linking disarmament, demobilization, and reintegration (DDR) to other aspects of the peace process. Using these theories as tools for analysis led to the realization that MONUC was provided neither the necessary mandates nor the resources required to fulfill the mission mandate in the context of the Second Congo War.

SOCIAL AND ECONOMIC CIRCUMSTANCES OF THE BELLIGERENTS

Six nations were significantly involved in the Second Congo War. The Peacemaker's toolkit recommends that a proper assessment of the fighting forces can help create the potential for more effective resolution of a conflict. The assessment includes understanding the strategic objectives of the parties to the conflict, the identification of the key armed groups to the conflict, and an understanding of the evolution of the conflict.⁵ Following these criteria as a basis for analysis reveals how each nation involved in the conflict had different motives that drove their behavior and influenced their desire to continue the fighting or to participate in the peace process.

⁴Kelvin Ong, *Managing Fighting Forces: DDR in Peace Processes* (Washington, DC: United States Institute of Peace, 2012), 6-9.

⁵*Ibid.*, 17-20.

The incredible complexity of the situation in the DRC and other conflicts around the globe forced the international community to weigh its options for military intervention in the Congo against equally violent situations elsewhere in the world, which meant that often the parties sought to achieve peace for the least cost.



Figure 1. Democratic Republic of the Congo

Source: Africa Political Map, CIA World Fact Book, PDF file, <https://www.cia.gov/library/publications/the-world-factbook/docs/refmaps.html> (accessed March 28, 2014).

The international community had participated in thirteen UN and four African led peacekeeping missions in Africa in the ten years prior to 1999. The continent had seen several protracted civil wars and political unrest in Somalia, Rwanda, Sierra Leone, Ethiopia, and Angola to mention a few. The latter half of the 1990's had also seen significant peacekeeping operations in the former Republic of Yugoslavia. The international community was not successful in every peacekeeping attempt. UNOSOM II's failure in Somalia was a serious blow to peacekeeping advocates, especially in the United States. The ongoing peacekeeping operations in Bosnia and

Kosovo had the world's attention in the late 1990's. Most of the permanent members of the UN Security Council were active participants in the peacekeeping efforts in the Balkans. Following the violence in Rwanda, 1993-1994, and the US experience in Somalia in 1993, there was not an appetite for involvement in another expensive and difficult civil war in Africa. The lack of involvement by outsiders left African leaders to their own devices to try to establish peace. Without a powerful mediator, such as the UN, to force the belligerents in the Second Congo War to find a path to peace, the leaders of each nation could continue to seek and exploit tactical and economic advantages to support their own respective interests.

South Africa played an influential role in the Lusaka ceasefire agreement and the effort to bring an end to the Second Congo War. President Nelson Mandela was the chairman of the South African Development Community (SADC) in the summer of 1998 when the war broke out in the DRC. President Mandela attempted to use his influence to bring peace to the region. On 3 September 1998, after high-level SADC meetings, President Mandela announced the community's support for the military interventions by its member states in the DRC conflict. President Mandela and his successor, President Thabo Mbeki, continued to promote peace efforts in the DRC until the achievement of the Lusaka Ceasefire Agreement in 1999. Among the participants in the peace process, South Africa had the least to lose. South African forces were not actively involved in the fighting and the nation was still recovering from the years of Apartheid. The conflict in central and southern Africa made economic progress challenging for every nation. South African leaders felt that if the peace process was successful then South Africa could return to its role as a leader in the region promoting and benefiting from the economic growth and stability.⁶

⁶Jakkie Cilliers and Mark Malan, "Peacekeeping in the DRC; MONUC and the Road to Peace," Monograph 66 (Institute for Security Studies, Africa, October 1, 2001), 8, <http://www.issafrica.org/publications/monographs/monograph-66-peacekeeping-in-the-drc.-monuc-and-the-road-to-peace-jakkie-cilliers-and-mark-malan> (accessed August 22, 2013).

Zimbabwe's President Robert Mugabe was the revolutionary leader who had successfully led the overthrow of the colonial Rhodesian government in 1980 and who also sought to establish himself as a regional leader through involvement in the DRC. Zimbabwe played an important role in the conflict in the DRC after August 1998. Mugabe was a supporter of the Laurent Kabila government in Kinshasa. On 16 August 1998, members of the SADC agreed to send military forces to assist the defense forces in the DRC. Zimbabwe supported the DRC with military forces and materiel. The Zimbabwe defense industries provided arms and munitions. The arms trade was very lucrative. The Zimbabwean mining company, Ridgepoint, took over management of Gecamines, the DRC's state mining company. Ridgepoint received a 37.5% share of the profits from mining in the DRC. Zimbabwean business interests also received considerable other incentives involving joint mining ventures and access to the DRC's lucrative diamond and gold exchange.⁷ Zimbabwe also received a timber-logging contract that was estimated to bring profits of \$300 million. The war and the peace process provided significant prospects for financial gain for President Mugabe and Zimbabwe.⁸

For decades, the Mobutu regime had given the National Union for the Total Independence of Angola (UNITA), an Angolan rebel group, a safe haven inside the territory of the DRC. UNITA used the safe haven to train and prepare for war against the Angolan government. The protracted conflict with UNITA had created a long history of Angolan military involvement inside the DRC. Because Mobutu had permitted UNITA to operate inside the DRC the Angolan government was hostile toward the Mobutu regime and chose to participate in the overthrow of Mobutu. After Mobutu's departure Angola also provided approximately 2500 soldiers in support of the Kabila government. The continued conflict in the DRC complicated the

⁷International Crisis Group, Scramble for the Congo; Anatomy of an Ugly War, report no. 26, December 20, 2000, 60-62, <http://www.crisisgroup.org/en/regions/africa/central-africa/dr-congo/026-scramble-for-the-congo-anatomy-of-an-ugly-war.aspx> (accessed April 8, 2014).

⁸Stearns, "Dancing in the Glory," 291.

internal situation inside Angola. Continued conflict on the Angolan borders created the potential continued safe havens for UNITA to launch operations against Angolan interests. Angola had to address the direct threats posed by UNITA from the DRC. A second reason why Angola participated in the conflict was Angolan President Jose Eduardo Dos Santos opposition to a Rwandan controlled government in power in Kinshasa. Nevertheless, he was preoccupied with the rebel conflict inside the Angolan borders. Angola needed peace to restrict and control the conflict inside its own borders.⁹

Uganda's role in the conflict in the DRC has been well documented. Uganda was one of the original aggressors in the First and Second Congo Wars. Ugandan military involvement was considered necessary by the Ugandan government to protect the domestic population from attacks by rebel groups who operated in the ungoverned areas of the eastern DRC and their continued involvement in the conflicts became a matter of economic opportunity. Ugandan President Museveni had worked with Rwandan leader Robert Kagame to overthrow the genocidal Hutu government in Rwanda in 1994. President Museveni again worked with Kagame to launch the First Congo War in 1996. That war brought the overthrow of Mobutu in Zaire and his replacement by Laurent Kabila. The Rwandan and Ugandan leaders supported Kabila with expectations that he would help protect their interests in the eastern DRC.¹⁰

The Ugandan Peoples Defense Force (UPDF) remained in the DRC after Mobutu's overthrow. The Ugandan forces remained to maintain security while the Kabila government established its authority. In the summer of 1998, the Kabila government was still struggling to control the Hutu and other violent rebel groups in the eastern DRC. The violence had the potential to spill over into Uganda and the potential refugee problem would have been significant. President Museveni again joined Rwanda in an effort to oust President Kabila. The Hutu rebel

⁹Cilliers and Malan, "Peacekeeping in the DRC," 9.

¹⁰Stearns, "Dancing in the Glory," 223-225.

groups in the Eastern DRC continued their attacks against Tutsi and other peoples in the region. There were two major anti-Ugandan rebel groups operating in the region, the Allied Democratic Front and the Lord's Resistance Army. These groups used the eastern DRC as a base of operations for attacks into Uganda. When the Ugandan President addressed the country's Parliament in May 2000, he explained that Ugandan involvement in the DRC sought to eliminate these rebel groups who operated inside the DRC. President Museveni used the UPDF to conduct operations in the DRC and to help secure the control of profitable areas of the DRC.¹¹

Uganda had another motive for continuing the conflict in the DRC: financial profit. Ugandan forces controlled a significant portion of the DRC's Equatorial Province after the invasion in 1998. Uganda had access to the profitable diamond and gold mines inside the DRC. Unsurprisingly, Ugandan gold exports significantly exceeded Ugandan domestic production by up to 1100% in 1999. The difference in Ugandan gold production and Ugandan gold exports may have brought Uganda an additional \$110 million to \$200 million each year that it remained involved in the DRC. The tremendously lucrative commercial opportunities, as well as legitimate security interests, kept Uganda involved in the conflict in the DRC.¹²

Uganda was not the only aggressor or party who profited from the Second Congo War. The Rwandan government had several legitimate reasons for attempting to create stability inside the eastern DRC. Rwanda, the primary aggressor in the Second Congo War, justified its 1998 invasion as necessary to counter rebel groups that threatened Rwandan security interests.¹³ The continuing conflict between the ethnic Hutu and Tutsi in the region constituted a threat to Rwandan security. Following the overthrow of the Rwandan Hutu government responsible for the 1994 genocide, as many as 800,000 Hutu fled into the Eastern DRC. The dramatic influx of Hutu destabilized many of the populated areas in the Eastern DRC. The Hutu formed into rebel groups.

¹¹International Crisis Group, "Scramble for the Congo," 30.

¹²Cilliers and Malan, "Peacekeeping in the DRC," 9.

¹³Ibid., 6.

The largest rebel group was known as Interamahwe. Interamahwe attacked Tutsi living in the Eastern DRC. Interamahwe used the ill governed territory of the eastern DRC as a sanctuary from which to attack Rwandan interests. Interamahwe and similar Hutu rebel groups continued to conduct attacks against Tutsi in the eastern DRC, and had the capability to attack into Rwanda itself. These armed Hutu groups created a situation that forced the Rwandan authorities to take action. These armed groups were the genesis of the Second Congo War, and were subsequently excluded from peace negotiations. Thus, these groups were allowed to continue terrorizing the eastern DRC which effectively continued the war.¹⁴

The Rwandan government had expected President Kabila to eliminate the rebel safe havens and control the Hutu rebel groups in eastern DRC. However, despite Kabila's victory over Mobutu, the violence against the Tutsi population continued. Thus, in August 1998, the Rwandan government, its ally Uganda, and Tutsi militia groups in the eastern Congo rebelled. The goal was to overthrow President Kabila.¹⁵ Although Rwanda had legitimate security concerns that seemingly justify starting both Congo Wars, the war was also extremely profitable for Rwanda. It is estimated that Rwanda profited around \$250 million a year during the conflict, a significant amount for a small African nation. The Rwandan national budget for an entire year during conflict was \$380 million. During the ceasefire agreement period, 1998 to 2000, the price for the mineral Coltan reached new highs in world markets. Coltan is a key production component of cell phone internal parts and mechanisms. Coltan exports earned Rwanda over \$150 million in 2000. Rwanda had significant financial reasons to continue the war and control mining areas in the DRC. The war also provided Rwanda the opportunity to eliminate the Hutu rebel groups, and to channel the export of the DRC's tremendously valuable mineral wealth through Rwanda.¹⁶

¹⁴International Crisis Group, "Scramble for the Congo," 11-12.

¹⁵Stearns, "Dancing in the Glory," 205-206.

¹⁶Jeroen Cuvelier and Tim Raeymaekers, Supporting the War Economy in the DRC: European Companies and the Coltan Trade, report, January 2002, 19-24, <http://www.ipisresearch.be/>

A brief history of the DRC helps explain its role in the conflict and its role in the Lusaka Ceasefire process. Laurent Kabila became president of a country in ruin. President Mobutu, Kabila's predecessor, spent decades playing internal population groups against each other. This was Mobutu's technique to ensure the loyalty of his friends and to prevent his enemies from uniting against him. Additionally, President Mobutu pursued a policy of supporting his neighbors' enemies. He allowed opposition and rebel groups to use the vast areas of Zaire as safe havens. At the time Kabila took power, at least ten armed rebel groups were based in Zaire. The groups varied in size, but the total number of fighters in the groups was estimated to be up to 90,000. The rebel groups were able to use the lawless sanctuary of Zaire to attack their respective enemies in Angola, Uganda, Burundi, and Rwanda. President Mobutu had also depleted the nation's bank accounts.¹⁷ Consequently, the country with arguably the greatest reserve of natural resources in Africa was broke.

Despite the sad state of affairs, President Kabila soon alienated his previous benefactors, Rwanda and Uganda. President Kabila also alienated many of the Tutsi fighters in the AFDL who had won the war that toppled President Mobutu. President Kabila did not have many options. When the Second Congo War began, President Kabila was forced to agree to lucrative deals with Zimbabwe, Angola and other countries to gain the help he needed to fight against the invading Rwandan and Ugandan forces. When the lucrative financial arrangements dried up, Kabila's allies were no longer willing to continue the conflict and began to seek opportunities for peace. This phenomenon would effectively force Kabila to participate in the peace process, although he was not committed to peace. Kabila used a series of stalemates and ineffective negotiations to buy more time to find ways to defeat his enemies.¹⁸

publications_detail.php?id=197&lang=en (accessed August 22, 2013).

¹⁷Stearns, "Dancing in the Glory," 50-51.

¹⁸Filip Reyntjens, "Briefing: The Second Congo War: More Than A Remake," *African Affairs* 98,

President Kabila did not initially support the various SADC attempts to negotiate peace. President Kabila preferred to negotiate agreements with each party individually. This tactic permitted him to negotiate from a perceived position of power in each situation. He was able to reach an early, albeit unsuccessful, agreement with Uganda via this method. By the summer of 1999, the allied forces' commitment to the DRC had begun to weaken. The forces from Zimbabwe and Angola had been crucial to DRC battlefield successes. Quite possibly that the only reason President Kabila participated in Lusaka peace discussions was the threat by his allies that they would remove their forces from the conflict. President Kabila absolutely depended on this external support to continue the war.¹⁹

The Congolese Rally for Democracy (RCD) was a major rebel group fighting against the Kabila government. The RCD was composed of primarily Tutsi militia fighters. Many RCD members had fought with President Kabila when he overthrew President Mobutu. The threat of violence from the Hutu Rwandan Patriotic Army forces in the eastern DRC became a unifying element for the RCD. The RCD was a coalition of different groups united to overthrow the Kabila government. Ernest Wamba dia Wamba, the leader of the RCD, was an intellectual chosen by Rwandan leader Kagame.²⁰ Rwanda wanted to reset the government in Kinshasa just as it had a few years prior and in the process establish greater control over the Rwandan areas of interest in the eastern DRC.²¹

The RCD was a proxy force for the Rwandans. Unfortunately for the Rwandan's the RCD split into several factions during the conflict and did not speak as one voice during the peace negotiations which complicated the peace process. The RCD worked closely with the Rwandan army, but by early 1999, factions in Goma had allied themselves with Uganda. The

no. 391 (April 01, 1999): 247-249.

¹⁹Cilliers and Malan, "Peacekeeping in the DRC," 12-13.

²⁰Stearns, "Dancing in the Glory," 207-210.

²¹Ibid., 201-205.

different factions had similar interests in defeating the Hutu rebel groups. Even though the factions had similar interests, they were not closely united. Thus, internally the factions struggled to maintain cohesion while never reaching a consensus on peace terms during the negotiations. This situation complicated the peace process. Each faction wanted a separate voice during the peace negotiations and made different demands to benefit their interests. Unlike the AFDL, the Tutsi's in the RCD were largely Congolese. Congolese nature of the RCD made the resolution of the conflict more challenging because their common ethnic interests with Rwanda did not coincide with their political interests.²²

Another major rebel movement in the Second Congo War was the Movement for the Liberation of the Congo (MLC). The leader of the MLC, Jean-Pierre Bemba, was the son of a prominent member of the Mobutu regime, a member of a wealthy family, and educated in Europe. Bemba started his rebellion in the Equatorial Province of the DRC in 1998. The province is a vast area that had been occupied by tribes who were loyal to Mobutu during his reign. The success of the MLC can be partly explained by the fact that Bemba was seen as a Congolese leader by the Congolese people in a war in which so many foreigners were fighting.²³

The MLC was popular amongst the Congolese people, particularly in Equatorial Province, because the movement was seen as a homegrown native led effort, and not a rebel group pursuing the interests of a foreign government. In addition to popular support, the MLC had the support of the Ugandan army, which supported both Bemba and the MLC combat operations. In early 1999, the MLC with UPDF support was able to gain control of the Equatorial Province. MLC success gave the Second Congo War a true civil war dynamic. President Museveni was able to use the MLC as a proxy force and create the perception that Uganda was not a blatant antagonist in the conflict. MLC success gave the Ugandan president greater freedom

²²Reyntjens, "Briefing: The Second Congo War," 241-250.

²³Stearns, "Dancing in the Glory," 222-226.

to achieve his interests. The MLC was strong enough to hold terrain and conduct independent operations. This growth enabled the UPDF to focus their efforts against the LRA and other rebel groups in areas away from the front lines. President Museveni agreed to an early peace agreement with President Kabila in April 1999. The parties agreed upon the withdrawals of foreign military like the UPDF, Chadian, and Libyan forces from the DRC. The Chadian and Libyan forces were strategically insignificant but the agreement allowed Uganda to appear reasonable and nonaggressive. In reality the MLC was more than capable of continuing the war alone as Uganda's proxy. The MLC played a major role in the conflict and became a major factor in the peace process.²⁴

As a result of the long histories of conflict and new found financial gains, each nation and group involved in the war and peace process had its own claims and justifications for participating in the conflict. The social and economic factors surrounding the peace process created a situation that made conflict more lucrative than peace. Awareness of the key factors that motivated each nation creates a better understanding of the hidden dynamics that created the Lusaka Cease Fire Agreement, and the domestic and regional political dynamics, which affected MONUC in the peace process. Each combatant had different reasons for entering the conflict. Rwanda and Uganda were motivated by the security threat from Hutu militias inside the DRC. Their interests in regional security motivated Angola and others. Zimbabwe entered into the conflict in an attempt to improve its role as a regional leader. As the conflict continued, some of the parties invested more and those investments became increasingly lucrative, which drove a desire to continue the conflict. Rwanda and Uganda were able to pursue a conflict outside of their borders and control significant natural resources in the occupied territory. Neither nation had a real security or economic reason to pursue peace. Angola and Zimbabwe both received significant

²⁴Gérard Prunier, "Rebel Movements and Proxy Warfare: Uganda, Sudan and the Congo (1986-99)," *African Affairs* 103, no. 412 (July 01, 2004): 381.

financial rewards from supporting the DRC during the conflict. Financial gain motivated each combatant to continue the conflict and that created strategic and operational environmental problems for MONUC in the DRC.

THE LEGAL AND POLITICAL FRAMEWORK

A review in detail of the Lusaka Ceasefire Agreement and the UN Security Council Resolutions authorizing the peace keeping efforts in the DRC reveal some basic misunderstandings between the belligerents and the UN Security Council. An analysis of the language in the documents requesting a UN peacekeeping force and the UN resolutions shows that the involved parties held very different expectations for the UN peacekeeping force in the DRC. An examination of the documents in chronological order, starting with the ceasefire agreement through the deployment of the second phase of MONUC's operations in the summer of 2001 reveals how MONUC was created and what it was formally intended to achieve. In contrast to the documents, the critical events, their circumstances, and the actions taken by the involved parties expose the misunderstandings between the parties and complications that affected MONUC's ability to conduct peacekeeping operations. Additionally, the difference between the formal resolutions and subsequent events and actions suggest an explanation for MONUC's failure.

The Lusaka Ceasefire Agreement outlines the role of the joint military commission, the peacekeeping and peace enforcement mandate and the mission to recreate the DRC army. Each of these topics was addressed in a different level of detail in separate chapters of the agreement. A comparison of each chapter of the agreement with the mandates given to MONUC make it possible to understand why the actual mission did not fit with the overall scope of the situation that MONUC would face once deployed in the DRC.

Chapter Seven of the Lusaka agreement outlines the roles and responsibilities of the Joint Military Commission (JMC). The JMC was intended to be the body that oversaw the cease fire

until an international element could assume the responsibility. Chapter Seven stated that the JMC would consist of two delegates from each party involved in the ceasefire agreement and would be led by a neutral party appointed by the organization of African Union. The mandate of the Joint Military Commission was to:

- a. establish the location of Units at the time of the Cease-fire.
- b. facilitate liaison between the Parties for the purpose of the Cease-fire.
- c. assist in the disengagement of forces and the investigation of any ceasefire violations.
- d. verify all information, data and activities relating to military forces of the Parties;
- e. verify the disengagement of the military forces of the Parties where they are in direct contact;
- f. work out mechanisms for disarming armed groups;
- g. verify the disarmament and quartering of all armed groups;
- h. and verify the disarmament of all Congolese civilians who are illegally armed
- i. monitor and verify orderly withdrawal of all foreign Forces.²⁵

The JMC or similar type of organization is used to help oversee and regulate peacekeeping operations. It is usually composed of members of the combatant parties and helps to ensure each parties' cooperation with the peacekeeping force by monitoring the activities of each party involved. The JMC, in this case, was established to be a monitoring and coordinating element. However, coordination and monitoring in a peacekeeping operation requires consent and agreement by the combatant parties involved to the desired monitoring. The DRC is a huge expanse with active armed conflict on several fronts that are hundreds of miles apart. This creates a challenge that cannot easily be overcome by a small group of unarmed observers. The rough jungle terrain, lack of transportation infrastructure, and sheer distances involved in the DRC presents a requirement for a large force and the aviation assets to transport them. The drafters of Chapter Seven did not develop the details of the JMC concept sufficiently and this fact would quickly become another challenge to the peace process.

²⁵United Nations, Security Council, S/1999/815, Lusaka Ceasefire Agreement (New York, 1999), 18-19.

The Lusaka Ceasefire Agreement directed the creation of the JMC within seven days of the approval of the ceasefire. The JMC was intended to start operations immediately and to continue until an international observer group mobilized and deployed. The JMC timeline was based upon the expectation that the observer group would be on the ground and conducting operations within thirty days of the signing of the ceasefire. The language of the agreement suggests the drafters of the agreement anticipated a quick and significant response by the UN to assist in the resolution of the war. However, that would not be the case.

Chapter Seven of the agreement left the JMC members to determine the details about the workings of the commission. The reality was that the JMC was not established on time. The belligerent parties could not agree on a neutral chairman. President Kabila would not agree to anyone being in charge of overseeing peace in his country other than himself. There was also a dispute over which RCD faction would be represented on the commission. Additionally, there were logistical problems related to moving an assorted group of observers about the country. The combatant parties also could not agree on who would fund the commission. Eventually, the JMC began conducting operations with a chairman from Zambia and both RCD factions represented. The result was that the JMC was delayed and ineffective until MONUC members set up operations.²⁶

Chapter Eight of the Lusaka agreement defined the United Nations peacekeeping mandate. The first paragraph explained the previous collaboration between the UN and the OAU. The agreement stated that those organizations will provide the appropriate force to ensure the implementation of the agreement. The second paragraph described the tasks the parties accepted with regards to peacekeeping. The tasks were clearly defined and were to be conducted in coordination with the JMC with the concurrence of the combatants. It appears that the parties to the agreement were under the impression that the UN and the OAU were prepared to support the

²⁶Cilliers and Malan, "Peacekeeping in the DRC," 16-17.

peacekeeping efforts. The mandate of the UN force shall include peacekeeping and peace enforcement operations. Paragraph 8.2.1 Peacekeeping stated:

- a. Work with the JMC/OAU in the implementation of this Agreement;
- b. Observe and monitor the cessation of hostilities;
- c. Investigate violations of the Ceasefire Agreement and take necessary measures to ensure compliance;
- d. Supervise disengagement of forces of the Parties as stipulated in chapter 2 of this Annex;
- e. Supervise the re-deployment of forces of the Parties to Defensive Positions in conflict zones in accordance with Chapter 11 of this Agreement;
- f. Provide and maintain humanitarian assistance to and protect displaced persons, refugees and other affected persons;
- g. Keep the Parties to the Ceasefire Agreement informed of its peace-keeping operations;
- h. Collect weapons from civilians and ensure that the weapons so collected are properly accounted for and adequately secured;
- i. In collaboration with JMC/OAU, schedule and supervise the withdrawal of all foreign forces;
- j. Verify all information, data and activities relating to military forces of the Parties.²⁷

The Peace Enforcement paragraph, presented a more aggressive list of tasks. Paragraph 8.2.2 contained the following tasks:

- a. Tracking down and disarming Armed Groups;
- b. Screening mass killers, perpetrators of crimes against humanity and other war criminals;
- c. Handing over "genocidaires" to the International Crimes Tribunal for Rwanda;
- d. Working out such measures (persuasive or coercive) as are appropriate for the attainment of the objectives of disarming, assembling, repatriation and reintegration into society of members of the Armed Groups.²⁸

The Peacekeeping and Peace Enforcement paragraphs on Chapter Eight of the Cease Fire Agreement appear to provide two separate sets of tasks to a peacekeeping force. The tasks seem to be clear in their intent and language, but represent a very complicated process for implementation by a military force. The peacekeeping task and the peace enforcement tasks represent almost polar opposite ends of a continuum for the implementation force. Further

²⁷United Nations, "Lusaka Cease Fire Agreement," 20.

²⁸Ibid., 21.

reading of the Lusaka agreement clarifies the designated target audiences for each set of tasks. The peacekeeping tasks applied to the combatants involved in the agreement, and the peace enforcement tasks applied to the Armed Groups who are specifically named in a later chapter of the agreement. Even with the later attempt to identify the Armed Groups, the designated tasks presents enormous challenges to an implementation force like MONUC.

The Peace Enforcement tasks suggest the need for offensive operations. It is not possible for MONUC to perform the peacekeeping tasks if the peace enforcement tasks are still undone. For example, MONUC could not supervise the disengagement of forces until the armed groups had been tracked down. Disarming civilians would be very difficult if armed groups were still operating within the country. Several powerful armed groups not party to the ceasefire such as the Interahamwe and the Lords Resistance Army (LRA) were still operating in the eastern DRC. These rebel groups were responsible to some extent for Rwandan and Ugandan involvement in the conflict. It appears the parties involved in the Lusaka agreement and the JMC thought the UN force would perform the peace enforcement tasks. However, the agreement can be read to mean the parties to the agreement would contribute forces to perform those tasks under the supervision of the JMC. The question becomes whether the mandate from the UN Security Council charged MONUC with the peace enforcement duties.²⁹

In general, tasks associated with peace enforcement require the identifying, locating, and the likely use of force to compel armed groups to cooperate in some manner with an ongoing peace process. These tasks are very complicated and, in general, difficult to accomplish. In the case of the Second Congo War with all its interrelated animosities and economic interests, an implementation force would be required to target certain armed groups with offensive operations, while allowing other armed groups like the RCD and MLC to continue their arguably illicit

²⁹United Nations, Security Council, Secretary General, Report of the Secretary General on the United Nations Preliminary Deployment in the Democratic Republic of the Congo (New York, 1999), 3-4.

activities. The armies of Uganda and Rwanda, with the help of the RCD and MLC, were not able to eliminate or disarm the designated armed groups after years of open conflict. It difficult to determine how a force, such as MONUC, would be able to succeed where others had not. MONUC was not established with the authority to conduct peace enforcement and which left the force without the ability to address a significant source of conflict in the DRC.

Chapter Nine of the Lusaka Agreement discusses the disarmament of armed groups. The armed groups were specifically named in the agreement. The Agreement designated the ex-FAR, Interahamwe, and the LRA as armed groups. This disarmament agreement does not include rebel forces that agreed to the Lusaka ceasefire. Other parts of the ceasefire agreement state that each party to the agreement will disengage and withdraw their forces voluntarily. Chapter Nine specifically targets the rebel groups. The intent of Chapter Nine was for UN peace enforcement forces mandated in Chapter Eight to target these armed groups. Chapter Nine also states that the parties to the agreement will create conditions conducive to the attainment of the disarmament goals. Chapter Nine does not prevent Rwanda or Uganda from continuing combat operations against the designated armed groups via proxy forces inside the DRC.³⁰ The accomplishment of Chapter Nine tasks requires a force capable of locating and physically disarming rebel groups. The rebel groups totaled approximately 10,000-armed men, spread out over thousands of miles of jungle. The parties to the Lusaka agreement intended for the United Nations force to assume the peace enforcement mission inside the DRC.³¹

The issue of the armed groups and peace enforcement found in Chapter Nine represented the Lusaka Agreement's strength and weakness. The strength was the acknowledgement that the Interahamwe and other rebel groups were a real source of the conflict. The acknowledgement indicates that some of the parties to the agreement may have actually desired an end to the

³⁰United Nations, "Lusaka Cease Fire Agreement," 21-22.

³¹Cilliers and Malan, "Peacekeeping in the DRC," 18-19.

conflict. It also indicates that the combatants had a good understanding of the dynamics of the conflict. The weakness lies in an apparent lack of desire to include all the parties, specifically those named as armed groups in Chapter Ten, to participate in the ceasefire agreement. The recognition of a source to the conflict, but a refusal to allow all parties to participate in ending the conflict created a situation that allowed conflict to continue in spite of a ceasefire agreement.

Chapter Ten of the Lusaka agreement discusses the formation of a national army in the DRC. The ceasefire agreement calls for the formation of a new army in the DRC composed of the current DRC forces, the forces of the RCD, and the MLC. The formation of the army would be negotiated as part of the future Inter-Congolese Dialogue (ICD) between the three groups.³² The technique of integrating rebel fighting forces into a national force is considered a positive and effective method. The integration of the rebel forces provides the former combatants with a greater stake in the success of the ceasefire and peace process. The integration of the fighting forces can create opportunities to normalize and control a force's actions. Integration can increase accountability and security of the military forces while the political process continues to establish better mechanisms of governance in a country.³³ The DRC, the RCD, and the MLC agreed to work together through the political process to accomplish this goal. These three groups represent the largest number of combatants inside the DRC. The Lusaka agreement does not call for the disarmament of the RCD and MLC. These two groups were destined to become part of the DRC national army.³⁴

The concept for Disarmament, Demobilization, and Reintegration (DDR) in the Lusaka Agreements lies within Chapters Eight and Ten. The signatories to the ceasefire agreement had developed a plan to disarm, withdraw their forces, and forcibly disarm other groups, but they left out one important aspect of the peace process. The Lusaka Agreement is only a ceasefire

³²United Nations, "Lusaka Cease Fire Agreement," 21-22.

³³Ong "Managing Fighting Forces," 40-43.

³⁴Cilliers and Malan, "Peacekeeping in the DRC," 14.

agreement. It is not a peace agreement. The Peacemaker's toolkit lays out the importance of linking the DDR process to the ceasefire arrangements and to the greater political arrangements that are a peace agreement. Parties to a conflict, regardless whether they are an established nation state or an armed rebel group will not give up their ability to fight without confidence in their safety. Ceasefire arrangements can be temporary or long term. They do not normally resolve the grievances that brought parties into a conflict. A ceasefire is not a peace agreement, but it is a part of the process. The parties to the Lusaka agreement seemed to rely too heavily on a ceasefire being the answer to their problems. The complex web of security and economic interests in the conflict were not going to be resolved by a ceasefire agreement alone.³⁵

To review the key points of Chapters Seven through Ten of the Lusaka Agreement, all the parties involved agreed to a ceasefire. It was agreed that the JMC would be established to monitor the ceasefire. It was agreed by all belligerents involved that the United Nations would provide a force capable of monitoring the peace and locating armed groups operating in the DRC. The armed groups were listed by name and were not a party to the agreement. Finally it was agreed that the two largest rebel groups, the RCD and the MLC, would not be forced to disarm and would eventually become part of the national army of the DRC. All the signatories agreed to stop fighting and approved a mandate for a UN force to conduct combat operations, if necessary, to accomplish the disarmament of thousands of rebels across the DRC.

A UN representative attended the Lusaka conference. In mid July 1999, the Secretary-General presented a plan to the Security Council. The plan laid out a proposed concept for the UN to support Chapters Seven to Ten of the Lusaka Agreement. The mandate for a peace enforcement found in Chapter Eight of the Lusaka ceasefire agreement was not presented to Security Council. The Secretary-General presented a three-phase plan to assist in the implementation of the ceasefire agreement. Phase One consisted of the deployment of unarmed

³⁵Ong "Managing Fighting Forces," 47-53.

military liaison officers (MLO) to the region. Phase Two was the deployment to the DRC of an additional 500 military observers. The third phase was the deployment of a much larger peacekeeping force.³⁶ On 6 August 1999, the UN Security Council approved the deployment of ninety MLOs to the capitals of the nations involved in the conflict for a three-month time period. According to United Nations Security Council Resolution (UNSCR) 1258 the MLOs were:

- To establish contacts and maintain liaison with the JMC and all parties to the Agreement;
- To assist the JMC and the parties in developing modalities for the Implementation of the Agreement;
- To provide technical assistance, as requested to the JMC;
- To provide information to the Secretary-General regarding the situation on the ground, and to assist in refining a concept of operations for a possible further role of the United Nations in the Implementation of the Agreement once it is signed by all parties; and
- To secure from the parties guarantees of cooperation and assurances of security for the possible deployment in-country of military observers;³⁷

The UNSCR 1258 was effectively the first phase of the Secretary-General's plan and created MONUC. However, the scope of the mandate was very limited. The MLOs assisted the JMC and provided security assessments to enable future increases in MONUC force deployments into the region. The MLOs' ability to accomplish their liaison mission was restricted by their ability to move inside the DRC. The security situation was deteriorating as the fighting continued. The MONUC force was not able to effectively liaise with the combatants or to move about the country to monitor the ceasefire. It was apparent to the MONUC forces and everyone else that the war continued in many areas of the DRC.³⁸

In November 1999, UNSCR 1279 extended the MONUC mandate another ninety days into March of 2000. The extension was requested because MONUC forces were unable to

³⁶United Nations, "Preliminary Deployment in the DRC," 2-5.

³⁷United Nations, Security Council, Resolution 1258 (New York, 1999), 2-3.

³⁸United Nations, Security Council, Secretary General, Report of the Secretary General on the United Nations Organization Mission to the Democratic Republic of the Congo (New York, 2000), 18.

accomplish MONOC's mission. The mandate was extended, but the mission did not change.

UNSCR 1279 authorized no additional resources with which to perform the tasks, only additional time. MONOC's primary purpose remained liaison and reporting.

By January 2000, it was evident that MONUC did not have the resources or the capacity to help end the fighting. The Secretary-General requested a second extension for MONUC. The Secretary-General had changed the second phase of the original MONUC concept from 500 observers to 5500 observers and peacekeepers. The new request also included substantial fixed and rotary wing aviation assets. The increased force request was intended to improve MONUC's ability to liaise and report. The Secretary-General stressed to the Security Council that the UN troops, "would not serve as an interposition force; nor would they be expected to extract military observers or civilian personnel by force. They would not have the capacity to protect civilian personnel from armed attack."³⁹ In the request for the new Phase Two of MONUC, the size of the force would increase considerably but the mandate only changed slightly. MONUC's mandate was extended to permit observers to defend themselves and civilians under imminent threat. MONUC would still rely on the willingness of the combatants to guarantee their security in the areas of conflict. MONUC was not asked to enforce peace in the DRC.⁴⁰

In January of 2000, six months after the Lusaka Ceasefire Agreement was signed, the UN estimated that approximately 20,000 Rwandan and 10,000 Ugandan troops were still present in the DRC. Supporting the DRC government, the UN estimated were approximately 12,000 Zimbabwean, 7000 Angolan, and 2000 Namibian troops inside the DRC as well. Thus, after six months of the agreement over 50,000 foreign troops were still present inside the DRC. This number did not include the estimated 10,000 other armed rebels who were also still operating inside the DRC. The ceasefire agreement was not enough to end the conflict. Delay tactics, the

³⁹Ibid.. 12-13.

⁴⁰Cilliers and Malan, "Peacekeeping in the DRC," 16.

misrepresentation of troops strengths, and other methods were used to maintain the hard earned gains of the conflict. These types of steps are not uncommon during peace processes, and reveal that although the combatants had agreed to a ceasefire, peace had not been reached. Further steps were necessary before the combatants would be willing to withdraw and disarm inside the DRC.⁴¹

On 24 January 2000, African leaders made several pleas for help to the United Nations Security Council. Representatives from the DRC, Mozambique, Zimbabwe, Uganda, Rwanda, and Namibia requested a full-fledged UN peacekeeping mission with Chapter 7 authority to enforce the peace in the DRC. The nations who had agreed to the Lusaka ceasefire had expected the UN to play a role in enforcing the peace. The leaders from each nation tried to convince the Security Council that UN participation in peace enforcement was critical for ending the conflict in the DRC. The Security Council clearly did not hold a similar assessment of the situation.⁴²

On 25 February 2000, the Security Council approved UNSCR 1291. The resolution granted MONUC the authority to protect themselves and civilians under imminent threat of physical violence. However, the Security Council did not authorize the deployment of the increased number in MONUC forces. Deployment would not be authorized until the development of a legitimate disengagement plan for the forces involved in the fighting inside the DRC. The Security Council's position had not changed. It did not authorize any type of peace enforcement role, and further indicated that the MONUC force was in the DRC to monitor and liaise to ensure the ceasefire was in effect. Despite the requests from the African leaders, MONUC was not authorized to take the actions necessary to stop the fighting in the DRC.⁴³

On 9 April 2000, in response to UNSCR 1291, the parties to the Lusaka Agreement developed and approved a disengagement plan, known as the Kampala Agreement. The

⁴¹Ong "Managing Fighting Forces," 43-47.

⁴²United Nations, "Seven African Heads of State Address Security Council in Day Long Meeting on Democratic Republic of Congo," news release, New York, 2000.

⁴³United Nations, Security Council, Resolution 1291 (New York, 2000), 2.

agreement called for a cessation of hostilities. Both sides agreed to disengage from the front lines to establish a security corridor between the fighting forces. The concept envisioned that each side would pull their forces back 15 kilometer from their current frontline positions. The withdrawal of forces would create a 30 kilometer corridor between the combatants. The space would enable each side to start redeploying their respective forces. Each combatant agreed to occupy the new positions for ninety days. The ninety-day period was intended to provide time and space for a UN force to deploy into the buffer zone between the two sides.⁴⁴ The parties to the Lusaka agreement intended to begin creating the buffer zone on 14 April. This new agreement was intended to meet the requirements of the UNSCR 1291. The combatants in the DRC felt that this agreement was a valid disengagement plan and that it would meet the requirements for the next phase in MONUC deployment.⁴⁵

The Security Council saw the situation differently. The Security Council had authorized MONUC to deploy a larger force with the specific purpose of increasing the assistance to the JMC. The larger forces' mission remained monitoring the original ceasefire agreement and conducting liaison between the combatant sides. UNSCR 1291 did provide the armed MONUC military forces with the ability to protect themselves and civilians in imminent danger. The Security Council had not authorized MONUC to act as a physical barrier between the two warring sides. In fact, the Secretary General specifically stated that MONUC would not be used as an interposition force in the DRC.⁴⁶ MONUC was not resourced or equipped to fulfill such a mission and it clearly did not have the mandate to enforce the peace between the combatants.

MONUC members and those in the UN Department of Peacekeeping saw the disengagement plan as an opportunity to advance towards peace. MONUC was almost six months

⁴⁴United Nations, Security Council, Secretary General, Fifth Report of the Secretary General on the United Nations Organization Mission in the Democratic Republic of Congo (New York: United Nations, 2000), 16.

⁴⁵Cilliers and Malan, "Peacekeeping in the DRC," 17.

⁴⁶United Nations, "Report on Mission to DRC," 18.

into existence and still was not free to move about the DRC. The disengagement plan concept would place MONUC elements inside the war zone. The members of the Security Council did not see the disengagement plan as sufficient justification to deploy more forces into the DRC.⁴⁷

In December of 2000, the Kampala Agreement was readdressed by the participating nations. None of the parties to the agreement had pulled their forces back. Eight months after the agreement nothing had changed. This delay demonstrated the continued lack of commitment to the ceasefire and the greater peace process. MONUC's original observer force continued to conduct liaison and make attempts to monitor the ceasefire. MONUC elements had developed the ability to move observer elements closer to the frontlines and key battle areas.⁴⁸ The increased access enabled the observers to confirm that the ceasefire was not being honored and, in fact, the war continued over a year after the Lusaka Ceasefire had been signed.

The progress of the Lusaka Ceasefire agreement, the greater peace process, and the mission of MONUC were all tied closely together. The Lusaka Ceasefire agreement mandated the establishment of the Inter-Congolese Dialogue (ICD). The ICD was intended to be the continuation of the peace process that started with the ceasefire. The ICD was created to start negotiations between the Congolese belligerents: the Kabila led government forces of the DRC, the RCD, and the MLC. At Lusaka, the parties agreed to a negotiations process that included the three belligerents, political opposition groups, and representatives of civil society in the DRC. The dialogue would establish a transitional government that shared power amongst the groups. The dialogue process would organize national elections and the integration of the national army. A neutral facilitator was to be appointed to oversee the process. As with other parts of the Lusaka

⁴⁷Cilliers and Malan, "Peacekeeping in the DRC," 17-18.

⁴⁸Ibid., 18.

agreement, the ICD did not work out as originally planned. The difficulties and challenges of the ceasefire were interconnected with the challenges of the ICD.⁴⁹

The Lusaka agreement established dates and timelines for the ICD process. The dates and milestones were not met. The difficulties in reaching a political solution to the conflict had a direct effect on the ability of MONUC to accomplish its mission and on the Security Council's desire to authorize a greater commitment to the process. Kabila effectively used his position to delay the ICD process for over a year. The first step in delaying the ICD was to obstruct the selection of a neutral facilitator. He was accused of obstructing the participation of political opposition groups. The DRC did not provide the representatives of the opposition and civil society with the necessary travel documents to attend the ICD meetings. In effect, Kabila systematically delayed the process throughout his time in office. It was evident that Kabila had no intention of participating in the process he had agreed to in Lusaka.⁵⁰

The nonexistent ceasefire and peace process made MONUC's mission very complicated. The MLOs were slowed by government obstruction. The other combatant forces were not any more helpful. It was not to the advantage of any side in the conflict to have ceasefire violations monitored by international observers. The continued lack of commitment to peace manifested itself in decisions made by the UN Security Council. The failure to commit more observers to the conflict in UNSCR 1294 is apparently the result of international observations of the delay tactics and lack of commitment to peace by the belligerents. The challenge for MONUC was that it remained an active observer force in a combat zone that was supposed to be in a state of ceasefire, but was not. MONUC was like a small child that was supposed to referee a professional football game without a yellow flag, whistle, or rulebook. This situation changed dramatically in January 2001.

⁴⁹Emeric Rogier, "The Inter-Congolese Dialogue: A Critical Overview," *Challenges of Peace Implementation. The UN Missions in the Democratic Republic of the Congo*, December 1, 2003, 25-27.

⁵⁰United Nations, "Fifth report of the Secretary General," 4.

President Laurent Kabila was assassinated by one of his bodyguards on 16 January 2001. Since, there was no plan for succession to power in the DRC, President Kabila's inner circle designated his son, Joseph, as his successor. Joseph Kabila became president of the DRC on 26th of January 2001.⁵¹ The change in leadership changed the calculus for the ceasefire and the peace process. Less than a month after taking office, Joseph Kabila announced his intention to cooperate in the ICD process and with UN observer forces. The change of position of the DRC government by the new Kabila placed the light of blame on other opponents of the peace process like the RCD and Rwanda.⁵²

The removal of a major obstacle to peace led to a reinvigoration of the ICD process. Although, reinvigoration may not be the best characterization of the process, the ICD met regularly and conducted no less than six summits with the intent to achieving the goals of the original Lusaka agreement. Each summit meeting had challenges of some fashion that either derailed the process or resulted an agreement that the parties did not honor. The process was no less complicated than it had been under Laurent Kabila. Agreements were made without the key parties present or involved in the decisions. There is evidence of delaying tactics by all parties involved in the process.⁵³ Even though a major obstacle to peace, Laurent Kabila, had been removed from the process, progress was still slow.

The most controversial part of the ICD negotiations was determining who would disarm the armed rebel groups still operating in the eastern DRC. The same armed groups who were listed in Chapter Nine of the Lusaka agreement were the same armed groups who threatened the

⁵¹Filip Reyntjens, "Briefing: The Democratic Republic of Congo, from Kabila to Kabila," *African Affairs* 100, no. 399 (April 1, 2001): 313-315.

⁵²*Ibid.*, 316-317.

⁵³Rogier, "The Inter-Congolese Dialogue," 33-34.

peace in the DRC, Rwanda, and Uganda. Two and a half years after the Lusaka agreement, the worst of the armed rebel groups continued to operate in the eastern DRC.⁵⁴

In December of 2002, the ICD participants reached the Global and All Inclusive Agreement (GAIA). The parties agreed to a power-sharing arrangement in the government and a process for elections. The technical details were agreed upon in April 2003. The UN Special Envoy and a Canadian Army General assisted in the development of the details of the integration process for the national army. The details included a new mission for an international peacekeeping force. MONUC would assume responsibility of protecting the transitional governmental institutions inside the DRC and provide security in Kinshasa. This was a mission that the UN would finally accept.⁵⁵ Even with the GAIA, there was no plan to deal with the armed rebel groups inside the DRC.

The analysis of the legal and political framework that requested and then established MONUC reveals that both the belligerents and the UN did not agree upon or have a common understanding about the purpose of the peacekeeping force. The UN authorized MONUC to conduct liaison and reporting, and resourced the force to accomplish those tasks. The belligerents requested that the UN provide a peacekeeping force to conduct liaison and reporting, but more importantly, to enforce the peace on the armed rebel groups operating in the eastern DRC. The confusion among the parties to the conflict about the nature and purpose of the peacekeeping force appears to contribute to the explanation why MONUC was not able to help stop the fighting in the DRC, but it does not explain everything.

FUNDAMENTALS OF PEACE OPERATIONS

An examination of the fundamentals of peace operations found in Joint Publication 3-07.3 Peace Operations shed further light onto why MONUC was not able to stop the fighting in

⁵⁴Ibid., 33-34.

⁵⁵Ibid., 37.

the DRC. US military doctrine states that “before peacekeeping operations can begin, a credible truce or ceasefire is in effect, and the parties to the dispute must consent to the operation.”⁵⁶ In August 1999 there was no credible ceasefire agreement being honored. There was heavy fighting in the Equatorial Province in December 1999 between government forces and rebel groups. In January of 2000, leaders of the nations participating in the conflict made a plea to the UN Security Council for assistance to stop the fighting. The belligerent nations admitted that a real disengagement plan did not exist inside the DRC. The belligerents developed the Kampala Plan in the spring of 2000 to demonstrate their commitments to peace. However by December of 2000, none of the parties to the Kampala Agreement had taken any action to implement the plan. It appears that the UN expected the belligerents to make good on their commitments to peace before the UN would take further steps to help find a peaceful solution to the conflict. The Secretary-General concluded as much in his statements to the Security Council in January of 2000. “The signatories bear a crucial responsibility for ensuring the implementation of the ceasefire agreement.”⁵⁷

In the absence of a credible ceasefire agreement, the situation was further complicated by the fact that the armed rebel groups, like the Interahamwe, continued to wage open war in the eastern DRC. These rebel groups had no interest in a ceasefire and after several years of open conflict were only growing stronger. None of the national armies fighting in the conflict had been able to defeat them. These armed rebel groups were one of the original causes of the Second Congo War and that problem had not been resolved. The Lusaka agreement even granted Rwanda and Uganda the right to continue operations against the rebel groups, despite the ceasefire. Thus, a ceasefire did not exist inside the DRC between 1999 and 2001. The fact that a ceasefire did not exist meant that all MONUC could do was liaise and monitor the status of the fighting in the

⁵⁶JP 3-07.3 *Peace Operations* (Washington DC: The Joint Staff, 1 August 2012), II-1.

⁵⁷United Nations, “Report on Mission to DRC,” 15.

DRC. Although it seems counterintuitive, a peacekeeping force, like MONUC, was technically accomplishing its mission, but not stopping the fighting.⁵⁸

The second premise upon which peacekeeping operations are based is that the parties in the conflict consent to end hostilities. The parties to a conflict must approve the role and presence of a peacekeeping force. The Fundamentals of Peace Operations are a collection of general principles that hold true in most types of peace operations.

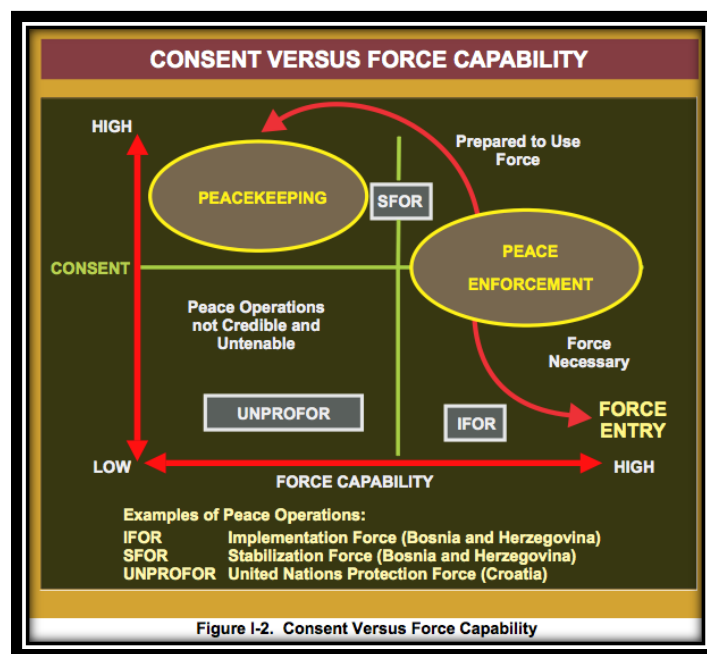


Figure 3. Consent versus Force Capability

Source: JP 3-07.3 Peace Operations (Washington DC: The Joint Staff, 1 August 2012), I-2.

Consent is the first requirement and all other peacekeeping principles depend on that consent. The level of consent varies in any situation and directly determines the type of peace operation that will be necessary and the potential size and capacity of the peacekeeping force.⁵⁹

⁵⁸United Nations, “Fifth report of the Secretary General,” 13.

⁵⁹JP 3-07.3, I-2.

MONUC, when originally established, had only 90 observers. The force was later increased to 500 in 2000. As previously discussed, there was open war between the belligerent armies and rebel forces. Although consent may have been expressed at the national levels, it was not clear at the tactical level. If the UN was committed to peace in the DRC, it was clear that the MONUC force between 90 and 500 strong was not going to be able to effectively monitor and liaise much less even contemplate any greater role in stopping the conflict. The lack of consent and, thus, commitment to the peace process was clearly evident during the period from 1999 to 2001. The failure of the peace process to establishment an actual peace agreement that included all of the combatants made the potential for MONUC stop the fighting was almost impossible. The ceasefire was not a disarmament or peace agreement, and it stopped any fighting. The ceasefire was an opportunity for the belligerent parties to ask for help. The request for an international force to disarm the selected rebel groups while allowing other rebel groups to continue to violate the ceasefire was not a feasible option. The ICD process eventually developed an agreement, but again left out the disarming of rebel groups. None of these developments increased the prospects for successfully stopping the fighting. The peace process in the DRC required the inclusion of all the combatants and until that occurred there would be no peace.

There was no real ceasefire and no real consent on the ground in the conflict. MONUC was only capable of monitoring the conflict. There is no indication during this time that the UN wanted to take on the peace enforcement role of disarming the armed rebel groups or enforcing a peace. The forces necessary to accomplish such a task would be considerable and probably not available. During the same time frame 1999 to 2001, NATO was conducting peace enforcement operations in Kosovo with a force of approximately 50,000 soldiers after a seventy-seven day air campaign.⁶⁰ Kosovo is roughly one-twentieth of the size of the DRC. It is difficult to determine

⁶⁰NATO & Kosovo: Historical Overview, July 15, 1999, <http://www.nato.int/kosovo/history.htm> (accessed March 17, 2014).

how many peacekeepers would be necessary to accomplish such a mission in the DRC. The Secretary General knew that to be effective any peacekeeping operation in the DRC would have to be very large, very expensive and highly complex.⁶¹ The high cost and difficulty of trying to make peace in the DRC provides another reason to explain why the UN chose to place the onus of peace on the belligerents. MONUC was not equipped, manned or authorized to stop the fighting in the DRC.

CONCLUSION

The Lusaka Ceasefire Agreement was signed in 1999. However, despite the long-standing presence of MONUC, there still was no peace in 2014, and rebel groups still had not been disarmed. Now that the UN force has been authorized to use force to disarm the rebels, the prospects for ending the fighting are better than ever before. Each African nation had its own legitimate justifications for entering into the conflict. However, the war and the peace process became a very lucrative social and economic opportunity for each nation. Rwanda and Uganda gained the most through the conflict. Each nation was able to improve its security situation by conducting military operations against its enemies inside the DRC. In the process, Rwanda and Uganda gained control of incredibly profitable natural resources in the occupied territory inside the eastern DRC. Angola and Zimbabwe gained financial benefit through their support of the DRC during the conflict. However, when the profits began to disappear, so did the nations' desire to continue in the conflict. The conflict evolved in a manner where the original causes were overcome by the economic benefits each participant gained from continued participation in the fighting. The DRC, itself, was the exception to this phenomenon. The DRC had to pay its neighbors for help, while its opponents took control of the most valuable resources in the eastern

⁶¹United Nations, "Preliminary Deployment in the DRC," 6.

DRC. The social and economic circumstances of the Second Congo War presented obstacles to any attempt to end the fighting in the DRC.

The Lusaka Cease Fire Agreement and the Security Council resolutions reveal the complicated nature of peace operations in the DRC. The Security Council resolutions did not authorize MONUC to conduct peace enforcement operations to end the fighting in the DRC. The most basic fundamental of Peace Operations, consent, and the conduct of DDR were not present and the absence of consent hindered MONUC's ability to accomplish the most basic peacekeeping missions. MONUC was able to overcome some of these initial difficulties, but the disarmament of the armed rebel groups was a challenge that could not be overcome under the UN mandates during the period 1999 to 2001.

The issue of disarming the armed rebel groups inside the eastern DRC was the point of divergence between the Security Council and signatories to the Lusaka Agreement. The armed rebel groups were not included in the peace process. The Security Council was not willing, at the time, to commit a military force with the necessary capability to disarm the rebel groups, which would have been a major step towards ending the fighting. As a result, MONUC appears to have been unsuccessful, but, in reality, the force was not provided the necessary mandate or the resources to stop the fighting inside the DRC. The Security Council created MONUC, and the force was relatively successful at accomplishing its assigned mission. The burden of failure to stop the fighting in the DRC between 1999 and 2001 was not with MONUC, but with the Security Council, which failed to apply the necessary force to the circumstances, and the belligerent nations themselves, who refused to end their involvement in the conflict.

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