



The Recent Fighting in Eastern Congo and Its Implications for Peace

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COVER PHOTO

In this photo taken Wednesday, July 17, 2013, a Congolese family fleeing fighting carry their belongings as they walk along a road near the eastern city of Goma, Congo. Government forces continued their slow advance Wednesday in a fourth day of fighting against M23 rebels. The M23 rebels, who seized Goma last November but eventually withdrew, now seem to be heavily outgunned by the army, which pounded their positions with helicopters, tanks and artillery.

AP PHOTO/ALAIN WANDIMOYI

On Sunday, July 14, 2013, fighting between the Congolese army and the M23 rebel group resumed on the outskirts of Goma in eastern Congo, with each side blaming the other for initiating the hostilities. Following earlier skirmishes in May 2013,¹ the fighting is now the heaviest it has been since M23 temporarily occupied Goma last November. Alarmed by the escalation, the United Nations' peacekeeping mission, the U.N. Organization Stabilization Mission in the Democratic Republic of the Congo, or MONUSCO, put all of its agencies on high alert.²

Visiting the front lines during the first three days, the Enough Project witnessed many rounds of intermittent artillery fire north of Kanyaruchinya, a few kilometers north of Goma.³ With frequent lulls, the warring parties traded mortar fire late into July 16. A shell fell as close as 100 meters from Goma's airport, and at least 1,000 people escaped the fighting in Goma and found temporary shelter in neighboring Uganda, according to the United Nations.⁴ After a respite the following morning, the fighting resumed in the afternoon, taking its first reported toll on a local news crew. A driver was wounded by an incoming mortar attack, and an accompanying local journalist lost consciousness.⁵

The challenges of reporting in times of conflict are manifold. Rumors spread like wildfire in Goma⁶ and on the Internet,⁷ making it increasingly difficult to discern facts. On July 15, for instance, Congolese government spokesperson Lambert Mende boasted that the army managed to kill 120 M23 rebels while accruing as few as 10 casualties.⁸ On the following day the army presented two dead corpses and a wounded man to the Enough Project, arguing that they were M23 fighters. The army could not, however, substantiate its claims. Later, on July 24, 10 days into the fighting, M23 claimed it had killed more than 400 soldiers of the Congolese army.⁹ Surprisingly, international news outlets cited both estimates without much second-guessing, despite the lack of independent verification.

On July 17, following news of reported mistreatment of M23 detainees and desecration of the corpses of M23 combatants by the Congolese army,¹⁰ U.N. Secretary-General Ban Ki-moon issued a statement, urging the army to abide by international law and investigate the allegations.¹¹ The Congolese army reacted promptly and suspended Lt. Solomo

Bangala. Angered by the decision, Goma residents took to the streets in protest, calling for the reinstatement of the lieutenant and the release of other implicated soldiers.¹² The demonstration was also sparked by pervasive rumors that MONUSCO is hindering the Congolese army in its fight against the M23 rebels.¹³ In subsequent clashes, the national police used tear gas and fired warning shots to disperse the crowd.

Meanwhile, the fighting continued into its second week. On Monday, July 22, three shells hit neighborhoods in Goma,¹⁴ and on Wednesday, July 24, MONUSCO reported the displacement of 5,000 people,¹⁵ blaming M23 for the initiation of the fighting. The group strongly denies the allegation and blames the army in turn.

Speaking to soldiers one-on-one, the Enough Project discovered high morale among the combatants. Some even seemed thirsty to fight. Indeed, both the rhetoric and the actions of the army reflected a growing determination to confront the rebel movement on the battlefield. In an interview with the Enough Project, army spokesman Col. Olivier Hamuli said it was the army's "objective to destroy M23."¹⁶ On another occasion, he proclaimed, "We are going to chase the enemy very far from Goma so that they will not have a chance to recapture the town."¹⁷ As if to underscore his remarks, the army employed helicopters to attack M23 in the town of Kibati, 17 kilometers north of Goma, on July 16 and bombed parts of its military base in Rumangabo, 45 kilometers north of Goma, on July 24. Government spokesperson Mende later argued that "[w]e targeted the headquarters of M23, where [rebel] elements were meeting with the Rwandese Defense Forces to plan and to launch an attack against our troops, and we destroyed their depot of ammunitions."¹⁸

Following the bombing, rumors abounded as to whether—and if so, how many—civilians were killed and/or wounded during the attack on Rumangabo. On July 25 the U.N.-sponsored Radio Okapi station reported the deaths of three civilians and the wounding of another three,¹⁹ while the army denied any civilian deaths.²⁰ A day later, on July 26, M23 argued that the bombing killed as many as 15 people, seriously wounding 28 others.²¹ With independent verification very hard to come by, the U.N. Office for the Coordination of Humanitarian Affairs, or OCHA, reported on July 26 that six wounded were reportedly brought to the general hospital in Rutshuru.²²

Fighting while talking

Amid the fighting, talks between the Government of the Democratic Republic of the Congo and the M23 rebels have stalled in neighboring Uganda. Over the course of the last seven months, the warring parties have employed militaristic bluster, as well as traded fierce accusations of foul play as a means of furthering narrow political agendas. Despite the submission of a new proposal on July 8,²³ the parties remain far from agreement on issues such as amnesty and the reintegration of M23 fighters and officers, as

well as the location of their deployment if they are to be integrated into the Congolese army. The resumption of fighting on July 14 suggests that the Congolese government is likely trying to influence its bargaining position at the talks through military gains on the battlefield. Just a week before the latest fighting, the Enough Project spelled out a set of benchmarks for the talks, particularly on accountability for war criminals.²⁴

Long before the resumption of fighting, the talks in Kampala, the capital of Uganda, have had a bleak future, as they are narrow and not inclusive of civil society. But while the fighting has led to an unofficial suspension of the talks, both parties have an interest in keeping the talks alive for a set of different reasons, however crippled the dialogue may be at this time. While military actions can influence the negotiating room at the talks, Congo is not interested in unilaterally withdrawing from an initiative supported by some in the international community, and that likely gives Rwanda, an alleged supporter of M23, room to negotiate.²⁵ But, after engaging M23 on the battlefield and presenting the rebels as puppets of foreign aggressors, President Joseph Kabila—already in a politically weak position following rigged elections in 2011²⁶—will have a hard time selling a political compromise to a war-weary populace largely opposed to the rebel group.²⁷

M23, on the other hand, holds on to the talks in order to present the rebel movement as a grievance-driven group eager to discuss political reforms with Kinshasa, the capital of the Democratic Republic of the Congo, and prevent a confrontation with the forthcoming U.N. intervention brigade. Yet the M23 leadership lacks a clear political strategy to reinvigorate the dialogue at this point. On August 4, 2013, the movement went as far as threatening to retake Goma if Kinshasa does not come back to the negotiation table.²⁸ In the near future, both parties will likely remain at loggerheads until something changes either on the ground or among the leaders' attitudes.

What does the army want to do?

During the period from July 14 to 26, the fighting has gradually moved away from Goma and into M23-held territory. It remains unclear, however, whether the army intends to defeat M23 once and for all. In its confrontations with M23 in November 2012, the army suffered from a weak chain of command and lack of orders, which—among other factors—helped M23 capture Goma. Some army commanders lament again that Kinshasa is slow in issuing orders. What explains Kinshasa's perceived hesitation?

Confronting M23 comes with a measure of risks and thus mandates a cautious approach. Despite the army's increased strength, it is still within the realm of possibility that M23 could embarrass the army on the battlefield. M23 has lost a lot of its strength,²⁹ but according to a recent report by Human Rights Watch, "the Rwandan military is still directly supporting the M23."³⁰ Just a day after the publication of the report, the allegations were echoed by U.S. State Department Spokeswoman Jen Psaki, who called upon

Rwanda to “immediately end any support for the M23” and “withdraw military personnel” from eastern Congo.³¹ Cognizant to prevent a further escalation, Kinshasa is clearly interested in preventing a direct confrontation with Rwanda.

Moreover, it remains a possibility that Kinshasa is trying to influence M23 to find a consensus at the negotiating table. If the army could manage to hurt M23 just badly enough—short of a military defeat—the movement might be willing to make concessions in Kampala and provide the least politically damaging exit strategy for Rwanda, a country wary of its international reputation. Uganda, on the other hand, could present itself as a successful mediator to the crisis after it was accused last year of supporting M23.³²

Where is the United Nations in all of this?

While the United Nations clarified that its mission was prepared to use “lethal force” to protect civilians, its peacekeeping mission only provided logistical support to Congo’s army.³³ Despite initial rumors to the contrary, the United Nations has not partaken militarily in the latest fighting.³⁴ The recent escalation, however, takes place against a growing militarization of the peacekeeping mission, which later may join the army in fighting M23. Following Security Council Resolution 2098, the United Nations mandated a 3,000-man intervention brigade to “carry out targeted offensive operations” against armed groups.³⁵ Lt. Gen. Carlos Alberto dos Santos Cruz, MONUSCO’s new U.N. force commander, has repeatedly underscored his intent to fulfill the sweeping mandate, and as of August 1 MONUSCO has aimed to enforce a security zone in Goma and Sake.³⁶

With the bulk of the brigade already in the country and patrolling in and around Goma, operations are scheduled for early September.³⁷ Its effectiveness remains to be seen, however. In recent months the Norwegian Refugee Council,³⁸ a coalition of 19 humanitarian organizations,³⁹ the International Peace Institute,⁴⁰ the International Crisis Group,⁴¹ Doctors Without Borders,⁴² individual analysts,⁴³ Refugees International,⁴⁴ and Oxfam International⁴⁵ have expressed concerns about the brigade’s potential humanitarian fallout and or its efficacy at large.

What does the fighting mean for the U.N.-brokered peace accord?

Active, open conflict creates a wide range of problems for the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, or U.N. PSCF.⁴⁶ When fighting becomes sustained, Kinshasa has an excuse to delay the envisaged reform package, including security sector reform, decentralization, and justice reform. Moreover, the fighting risks sparking a further regionalization of the conflict. The recent accusations by Rwanda that elements of the U.N. Foreign Intervention Brigade are colluding with its longstanding enemy, the Democratic Forces for the Liberation of

Rwanda, or FDLR,⁴⁷ as well as the joint Congo-U.N. military operations shelling Rwandan soil,⁴⁸ could complicate Rwandan involvement in regional cooperation and the U.N. PSCF. As highlighted in other recent Enough Project reports, it will be critical to have a more coordinated, comprehensive peace process to address the root causes of the conflict. Another behind-the-door deal among elites will be just another recipe for failure, likely brewing new dissent and stoking a wholesale resurgence of violence.⁴⁹

Endnotes

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Intervention Brigade Commander Brigadier General James MWAKILOBWA Speaks to Press," July 31, 2013, available at <http://monusco.unmissions.org/Default.aspx?tabid=10662&ctl=Details&mid=14594&ItemID=20029&language=en-US>.

- 48 Republic of Rwanda, "Rwanda Protests Provocative Cross-Border Bombing from DRC," Press release, July 15, 2013, available at <http://www.gov.rw/RWANDA-PROTESTS-PROVOCATIVE-CROSS-BORDER-BOMBING-FROM-DRC?lang=en>.
- 49 For more, see Fidel Bafilemba, Sasha Lezhnev, and John Prendergast, "Mary Robinson's Next Steps to Help End Congo's Deadly War" (Washington: Enough Project, 2013), available at <http://www.enoughproject.org/reports/mary-robinsons-next-steps-help-end-congos-deadly-war>. Aaron Hall, "Field Dispatch: The Need for a Single Peace Process in Africa's Great Lakes Region" (Washington: Enough Project, 2013), available at <http://enoughproject.org/reports/field-dispatch-need-single-peace-process-africas-great-lakes-region>.

Enough is a project of the Center for American Progress to end genocide and crimes against humanity. Founded in 2007, Enough focuses on the crises in Sudan, South Sudan, eastern Congo, and areas affected by the Lord's Resistance Army. Enough conducts intensive field research, develops practical policies to address these crises, and shares sensible tools to empower citizens and groups working for change. To learn more about Enough and what you can do to help, go to www.enoughproject.org.

