



SARAH ZINGIS WIMBERENOUGH PROJECT

Rwanda's Long Shadow

U.S.-Rwandan Relations and
a Path Forward in Eastern Congo

By Aaron Hall

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enough

The project to end genocide and crimes against humanity

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COVER: Families fled their homes around Masisi as fighting escalated between Congolese forces and Bosco Ntaganda loyalists. The walking IDPs had been in Sake town, 27km west of Goma, but had to flee again towards Mugunga near Goma and to Goma fearing fighting as it got closer to Sake. (Sarah Zingg Wimmer/Enough Project)

Introduction

Evidence continues to mount that the government of Rwanda has been harboring, supporting, and arming war criminals and mutineers, including Bosco Ntaganda, in neighboring eastern Congo. Former rebels from the Rwanda-linked National Congress for the Defense of the People, or CNDP, and an affiliated offshoot group called the M23 movement are currently in open rebellion against the government in Kinshasa and fighting the Congolese national army, or FARDC. Further, recent documents leaked by the United Nations Mission to Congo, or MONUSCO, as well as several interviews conducted by Human Rights Watch and corroborated by the Enough Project field team are pointing to the government of Rwanda forcibly recruiting men and boys into the Rwandan army, or RDF, sending them to fight as rebels for M23 in eastern Congo, and summarily executing them if they prove too weak or try to escape.¹

Additionally, as part of its annual reporting process, the U.N. Group of Experts on Congo conducted an investigation into the allegations of Rwandan support to the M23 rebellion in Congo. In the process of briefing U.N. Security Council member states as part of the group's interim report process, the results of this investigation were shared. Several U.N. diplomats as well as NGOs have confirmed that the investigation uncovered evidence of direct Rwandan involvement in the rebellion. Several sources also indicated that this group is best suited to continue investigation into the matter through the remainder of this year.

To what extent is the Rwandan government supporting and fomenting rebellion and conflict in eastern Congo? Is this being done with the support or tacit understanding of the Kagame regime in Kigali? Or has President Kagame lost control of his state security apparatus? What interests does Rwanda have in Congo that keep Kigali so deeply engaged? What knowledge do the U.S. government and partners have of Rwandan involvement in exacerbating conflict in eastern Congo, and what is the nature of their continued military and economic support to Rwanda? The recurring human rights and humanitarian nightmare in eastern Congo demands that these questions be addressed — and as a precondition for support to any further U.S. initiatives in the region, these

questions can no longer be dismissed or discussed with equivocation. They must be answered publicly and concretely by U.S. policymakers.

Failure to address the looming question of Rwandan involvement in eastern Congo necessarily prevents any durable or sustainable solutions from taking shape in the most critical sectors needed for peace in Congo. Additionally, if these continued allegations are conclusively proven true, it means that beyond the brazen breach of Congolese national sovereignty, Rwanda is also in violation of several international laws and agreements, including a U.N. arms embargo on Congo, the crime of aggression through fomenting conflict in a neighboring country, pillaging of natural resources, and the forced recruitment of child soldiers.

Given the implications of Rwandan involvement in the conflict, the international community should immediately take steps to respond to these allegations. If necessary, they must also reassess the nature of their policies and relationships with Rwanda to ensure that, by extension, they are not willingly complicit in supporting these violations of international law. As documented below there is substantial available evidence linking destabilizing elements in eastern Congo to the government of Rwanda. Those donor governments that continue to provide support to the government of Rwanda must hold Kigali to account for its involvement in destabilizing activities in Congo. At this point, a strategy of diplomatic see-no-evil, hear-no-evil is irresponsible, hypocritical, and ultimately destructive.

To that end, the government of the United States should immediately take the following steps:

1. Ensure that the recent investigation conducted by the U.N. Group of Experts on Congo is published and leveraged as a step toward ending external intervention in eastern Congo. Further, push the Security Council to provide additional resources for the Group to continue the investigation in the lead-up to the release of the 2012 annual report.
2. Based on the accumulated evidence, begin a formal policy review with a specific focus on the overall U.S. military and developmental aid policy. Send a clear signal that intervention in eastern Congo is not acceptable. Base such action on Section 105 of the Democratic Republic of Congo Relief, Security, and Democracy Promotion Act of 2006, which includes provisions for eliminating aid to countries if the Secretary of State “determines that the government of a foreign country is taking actions to destabilize the Democratic Republic of the Congo.”²
3. Partner with the government of Congo and the United Nations to develop a more aggressive strategy to dismantle the Rwandan Hutu militia, the FDLR, thus removing Rwanda’s main stated reason for its continued interest in eastern Congo.

Congo and Rwanda: A Troubled History

The relationship between Congo and Rwanda has been marked by distrust — and at times open conflict — since the Rwandan genocide in 1994. Broadly, on the Rwandan side, political leaders and influential citizens believe that Congo has been a safe haven for forces wishing to overthrow the ruling regime in Kigali, including the rebel Hutu-based FDLR, which includes some of those responsible for planning and carrying out the 1994 genocide against ethnic Tutsi and moderate Hutu populations in Rwanda. They are leery of the government of Congo's ability to contain or dismantle those groups considered a threat to Rwanda, and at the same time are concerned about what a professionalized and efficient Congolese military on its border would mean for continued Rwandan interests in and access to eastern Congo.

On the Congo side, key government and civil society figures believe that since the Rwandan-backed insurgency that led to the ascension of Laurent Kabila as president in 1996, Rwanda has manipulated Congolese politics and security to protect and expand its interests in eastern Congo, particularly control over the FARDC and continued natural resource exploitation. They see Rwanda as a destabilizing force bent on carving out a Rwandaphone, ethnic Tutsi enclave in eastern Congo with unfettered access to Congolese land and resources.

The people of both countries have suffered unthinkable abuses driven by ethnic conflict, survivalist policies of despotic regimes, rapacious natural resource exploitation, and global geopolitics. Throughout this period the lines between Rwanda and the conflict in eastern Congo have blurred. From state-level diplomatic relationships to the day-to-day interactions of citizens in Congo and Rwanda — representing a mixture of ethnic and tribal affiliations from both nations — the relationships, needs, and interests of many in the region are intrinsically intertwined. However, they are also threatened. Issues over land tenure, resource extraction, minority rights and citizenship, and rival ethnic militias in Congo continue genocide-era proxy wars that fuel distrust and insecurity in both nations. This dynamic is complex and has hindered peace and growth from taking root in the region for decades.

Often these dynamics are swept under the rug by the international community, which chooses to see them as too complex or too sensitive to address openly when engaging with the region. However, recent events in eastern Congo now require that the U.S. government, together with its international donor partners, tackle this issue head-on or risk the failure of policies in the region that could substantially set back progress on peace-building and development.

A Pattern of Involvement

This is not the first time the government of Rwanda has been accused of playing a destabilizing role in the ongoing conflict in eastern Congo. Since the African “world wars” of the late 1990s, the government of Rwanda has been linked on numerous occasions to exacerbating conflict in Congo for both politics and profit.

The U.N. Group of Experts on Congo is the most credible multilateral investigatory body focused on the ongoing crises in the region. Starting in 2004, a series of reports from this group has shown repeated instances of Rwandan involvement in destabilizing and exacerbating conflict and human rights abuses in eastern Congo.

These reports show that the government of Rwanda and the Rwandan military have provided support to rebel groups fighting the Congolese government and perpetrating horrific human rights abuses against Congolese civilians. Further, the reports demonstrated that Kigali sustained and profited from substantial illegal exploitation of Congolese natural resources, in particular the conflict minerals of tin, tantalum, tungsten, and gold. Support to Rwandan-linked rebel groups and the presence of Rwandan troops in Congo were used as means to extract and smuggle resources into Rwanda for official Rwandan export. See annex 1 for further information.

It is clear that Rwanda will continue to negatively intervene in Congolese affairs to protect its own interests if action is not taken to dissuade Kigali from doing so. If the U.S. government and other donor nations do not push for change, there is no reason to believe the Rwandan state would veer off its current course, which it believes can be carried out without repercussion. One of the largest threats from continued inaction is the specter of return to a full-blown war between Congo and Rwanda. Recent tensions between the two states have increased, as troops have been concentrated on both sides of the Congo/Rwanda border since the M23 rebellion began. A return to war would be catastrophic for local communities, and the humanitarian toll would be massive.

Implications for the U.S. Government

For the U.S., interests in the Great Lakes region are at a critical period. The U.S. has a long history of diplomatic, economic, and military relations with the region. However, years of instability, injustice, and American unwillingness to address destructive political calculations in both Kigali and Kinshasa are causing a backlash on the ground, and a large part of that backlash is manifesting itself in anti-American sentiment. Congolese citizens from Kinshasa to Goma see the U.S. government as being responsible for installing the regimes in Congo and Rwanda that have been at the root of continued conflict and human rights abuses. Further, while hopeful and supportive of positive reforms in the minerals sector being driven by the U.S. Congress and NGOs,

many Congolese in the East are losing patience with the pace of reform, realizing delays are putting at risk a return to substantial mineral exports from the region. The most egregious example is the continual delay of the SEC regulations tied to Dodd-Frank Section 1502 that many international transporters, processors, and buyers are waiting on before re-engaging with the region.

The U.S. government has invested billions of taxpayer dollars in the Great Lakes Region of Africa. From support to MONUSCO, to military and economic development aid to Rwanda, to a slew of education, health, and humanitarian response efforts in Congo, U.S. taxpayer investment in this region is massive. Despite this sizeable flow of money, since 2009 the U.S. government has watched the Rwandan-linked CNDP hijack the military and political apparatus in eastern Congo. At the same time, conflict and sexual violence driven by the exploitation of conflict minerals in the region has skyrocketed and humanitarian conditions have plummeted as millions of Congolese and Rwandans have been internally displaced or become refugees.

No comprehensive strategy for peace and development in eastern Congo can succeed without addressing the shadowy role Rwanda continues to play in the region's economy and political system. It is a fool's errand to continue to pump huge resources into peace-keeping and humanitarian aid without addressing the causes of the ongoing crisis.

Certainly there is no single cause of conflict in eastern Congo. The crisis is complex, involving a range of issues that are economic, political, and socio-cultural. But there is a tremendous difference between internal conflict and an international war: An internal conflict over access to resources, political representation, and provision of basic services would require a response from international stakeholders focused on cease-fires, political and social reconciliation, and democratic transformation. But in this case, an international war merits a different set of tools, starting with addressing the government of a neighboring country providing covert support to armed groups in Congo. Reconciliation in this case would not take place between disenfranchised communities and the government in Kinshasa. It would take place in a transparent manner between the leaders of both Rwanda and Kinshasa with the inclusion of combatants and community leaders from both sides.

It is time for the U.S., other donors, and the U.N. Security Council to define this conflict and to begin more seriously addressing the causes of ongoing crisis in Congo, of which one of the main causes is continuing Rwandan destabilization of its neighbor.

Annex 1

The following are examples of U.N. Group of Experts-documented cases of Rwandan involvement in eastern Congo since 2004:

2004³

- Discovered that Rwanda was in violation of the sanctions regime the U.N. Security Council first imposed on all foreign and Congolese armed groups and militias operating in the territory of North and South Kivu and Ituri, and on groups not party to the Global and All-Inclusive Agreement in the Democratic Republic of the Congo (DRC) on July 28, 2003.
- Violations included direct and indirect support for rebel leaders of the CNDP, including Laurent Nkunda, during their armed military operations against the FARDC.
- Certain individuals and businesses in Bukavu were spared from attack on Rwandan orders.
- Documented forced recruitment by Rwandan military of young boys into rebel forces in Congo.
- Rebel leader Nkunda was allowed by the Rwandan military to recruit from refugee camps within Rwanda.
- The Group of Experts concluded that the FDLR presence in that area and its limited cross-border incursions did not justify the level of Rwandan troop deployment inside DRC in 2004.

2005⁴

- The report acknowledged that repeated incursions by Rwanda have had grave consequences for the security situation in eastern Congo.
- Recommended that mineral resources imported into Rwanda be more strictly regulated since dissident members of the FARDC and other militias connected to Rwanda were benefitting from the profits and using those profits to perpetuate conflict.

2008⁵

- Official-level rapprochement between Congo and Rwanda whereby the main agreement incorporated the Rwandan-backed CNDP into the Congolese Army.
- Based on research and interviews with CNDP combatants, the report indicated that a CNDP recruitment network was being run in Rwanda.
- Indicated that RDF officers were playing an active role within the CNDP as trainers

and advisers.

- Stated that the testimonies of the individuals interviewed corresponded with what other CNDP deserters and human rights NGOs had documented.
- Provided further evidence of the CNDP exploiting Congolese natural resources, including conflict minerals, for profit.

2009⁶

- Stated that the RDF and CNDP are working together to clear civilian territory and lay the groundwork for CNDP control through the FARDC/RDF/U.N. joint operation, Umoja Wetu, created to combat the FDLR.
- Documented that Rwandan-linked CNDP units of the FARDC, subsumed into the 2009 Congo-Rwanda rapprochement, were in sole control of eastern Congo's largest cassiterite mine at Bisie in Walikale territory of Congo's North Kivu province.
- The Group estimated that the CNDP military commanders at Bisie earned up to \$60,000 per annum from illegal taxes, based on industry estimates of an average of 500 tons per month of production from Bisie.
- Listed international buyers of materials from these mines with direct connections to ventures set up by the Rwandan military.

2010⁷

- Documented that after integration into the FARDC, the Rwandan-linked CNDP under the command of indicted war criminal Bosco Ntaganda continued to run a parallel chain of command from the Congolese state that included separate taxes and administrative structures.
- Documented that these CNDP units within the FARDC used units and militia loyal to CNDP to control resource extraction and profit as well as grow and maintain cattle herds for CNDP commanders through land seizure and intimidation.
- Documented collusion in minerals trafficking between the supposed enemies CNDP and FDLR.
- 2011⁸ Documented the massive mineral smuggling ring put in place by Bosco Ntaganda. Documented sizeable land confiscations by members of the Rwandan linked-CNDP in Masisi, Kalehe, Rutshuru. The land, garnered for senior commanders and their cattle, was taken without compensation from local communities in those areas.
- Documented CNDP and ex-CNDP officers now subsumed into the FARDC, including Bosco Ntaganda, going back and forth to Rwanda to meet with Rwandan military officials.

Endnotes

- 1 Human Rights Watch. *DR Congo: Rwanda Should Stop Aiding War Crimes Suspect*. June 2010. Accessed at www.hrw.org/news/2012/06/03/dr-congo-rwanda-should-stop-aiding-war-crimes-suspect-0
- 2 GovTrack.us. Democratic Republic of Congo Relief, Security, and Democracy Promotion Act of 2006. Accessed at <http://www.govtrack.us/congress/bills/109/s2125>
- 3 United Nations Group of Experts on the Democratic Republic of Congo. Report to the Chairman of the Security Council. 2004. Accessed at http://www.un.org/ga/search/view_doc.asp?symbol=S/2004/551
- 4 United Nations Group of Experts on the Democratic Republic of Congo. Report to the Chairman of the Security Council. 2005. Accessed at http://www.un.org/ga/search/view_doc.asp?symbol=S/2005/30
- 5 United Nations Group of Experts on the Democratic Republic of Congo. Report to the Chairman of the Security Council. 2008. Accessed at http://www.un.org/ga/search/view_doc.asp?symbol=S/2008/773
- 6 United Nations Group of Experts on the Democratic Republic of Congo. Report to the Chairman of the Security Council. 2009. Accessed at http://www.un.org/ga/search/view_doc.asp?symbol=S/2009/603
- 7 United Nations Group of Experts on the Democratic Republic of Congo. Report to the Chairman of the Security Council. 2010. http://www.un.org/ga/search/view_doc.asp?symbol=S/2010/596
- 8 United Nations Group of Experts on the Democratic Republic of Congo. Report to the Chairman of the Security Council. 2011. http://www.un.org/ga/search/view_doc.asp?symbol=S/2011/738

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.

