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A Broadened Peace Process Is Needed in Congo

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Editor's note: This paper is the first in a three part series on the process, leverage, and substance necessary to create a path towards a viable peace in eastern Congo and the surrounding region. This paper will explore the process issues related to broadening existing peace talks, particularly factors that must be considered while establishing an effective mediation team and framework to address the ongoing conflict in eastern Congo. The subsequent papers will address the regional and international leverage necessary to move a broader peace process forward, as well as the substantive issues that must be resolved to achieve lasting peace in the Great Lakes Region.

Introduction

The lack of a credible, effective, internationally mandated and leveraged peace process addressing the escalating war in Congo is becoming a major reason for that war's continuation. The closed-door International Conference on the Great Lakes Region, or ICGLR, summit between heads of state from Congo, Rwanda, and Uganda- without the involvement of political parties, civil society elements, and armed groups representing the diverse voices of eastern Congo- resembles all of the failed deals that came before it through similar processes. A deal between just the biggest guns is unlikely to address the root causes of the conflict in the eastern Congo. Instead, the declaration issued by the heads of state summit at Kampala, Uganda represents another short-term security agreement that ensures that Congolese President Kabila remains in power while international pressure is removed from Presidents Kagame and Museveni of Rwanda and Uganda, respectively.

A credible peace process focused on resolving the systemic drivers of conflict in the region, and one that is consciously and definitively designed to break the cycle of violence and regional intervention that characterizes the status quo in eastern Congo is necessary. The process – like other successful African peace initiatives–must be led by a senior United Nations, or U.N., Special Envoy with the stature and experience necessary to manage such a complex environment and would be similar to the role former South African President Thabo Mbeki played in negotiations between Sudan and South Sudan. This broader process must be jointly mediated by the U.N., and African Union, or A.U., in order to defuse

the mutual regional mistrust that perpetuates the conflict. In order to have sufficient international leverage and support, the United States, United Kingdom, and the European Union, or E.U., should appoint special envoys to support the process.

International and regional stakeholders must be more directly engaged in supporting a process that strikes the delicate balance of both constructive and coercive leverage to provide the necessary incentives and pressures for compromise between the conflicting parties. Further, multiple benchmarks addressing short term and long term issues must be established with clear mechanisms for justice and accountability.

For its part, the U.S. needs to step up its efforts in support of a credible peace initiative. To that end, the Obama administration should appoint a senior Presidential Special Envoy to guide its overall efforts in support of peace in the Great Lakes. In this context, an envoy can provide critical mediation support to a joint U.N. and A.U. and help coordinate international leverage in support of the process. Gayle Smith of the National Security Council, former State Department official Witney Schneidman, and former Governor and U.N. Ambassador Bill Richardson are examples of individuals that might be considered.

The current conflict in eastern Congo has revealed new evidence of support for the M23 rebel group from the governments of Rwanda and Uganda, as well as confirmation of continued mismanagement and ineffectiveness in the governance and security sectors of Congo. However, the causes and dynamics of the long-standing conflict are unchanged. The political, security, and economic drivers of this conflict have led to repeated outbreaks of fighting since 1996. The acronyms of the armed groups might change with each outbreak, but the causes and results are the same. If the cycle of foreign intervention in eastern Congo is not broken, there is no chance for eastern Congo to find peace.

Background

Violence in the eastern Congo has escalated in 2012 with the rise of the insurgent M23 rebel group and is once again crippling the region. Earlier this year, the U.N. Group of Experts, or GoE, interim report on Congo set out evidence that the government of Rwanda is providing military, economic and political support to the insurgency. The recently released end of year GoE report corroborates those findings and determined that the government of Uganda is also helping the M23 in the form of military assistance, fundraising, and political advice. This information has since been verified by regional and international civil society groups and NGOs, including the Enough Project and Human Rights Watch. In the case of Rwanda, the evidence of support to the M23 has also been acknowledged by much of the international community. Both Rwanda and Uganda vehemently deny the claims. Meanwhile, the Democratic Forces for the Liberation of Rwanda, or FDLR, and other Mai Mai eastern Congo militia groups continue attacks against civilians and are regrouping in the security vacuum.

The M23 movement has now taken control of a large swathe of Congo's North Kivu Province and is attempting to extend its reach throughout the region into South Kivu as well. Due to violent clashes with government forces, pillaging of communities, intimidation, and extortion, the insurgency has displaced roughly 690,000 people since April 2012. The M23 movement has bolstered already existing parallel administrative and military structures in the region. It has created an increasingly sophisticated public relations apparatus that is having some effect in the region and in the media. M23 continues to amass territory, while pushing for direct talks with Kabila's government. Both on the ground and in the press, the movement seems to grow stronger every day.

The government of Congo has consistently demonstrated an inability to deal with the growing threat on its eastern borders. The administration of President Joseph Kabila has now been forced into talks with M23. Despite this tactical shift, Kabila's government appears to continue to believe the situation can be dealt with by strengthening its military force in the east and building regional alliances to counter the actions of Rwanda and Uganda. Neither approach will create peace. Since the late 1990s the Congolese army has been consistently weaker than the Rwandan army and Rwandan-backed insurgents. This is why the government of Congo incorporated the Rwandan-backed Congrès National Pour la Défense du Peuple (CNDP) into the Congolese army in 2008. The latest fighting between the Congolese Army, or FARDC, and the M23 has again demonstrated the weakness of the Congolese military. Further, Kabila has yet to garner any meaningful regional alliances to counter the political, economic, and military pressure exerted on Congo by Rwanda and Uganda. The lack of credibility, leadership, and effective governance has left Congo with a very weak hand and leaves it open to continued exploitation and manipulation by external and internal enemies.

As Rwanda and Uganda continue to deny involvement in Congo's conflict, and the government of Congo fails to demonstrate that it can extend its control in the east, options for resolution seem slim. Now is the time for the appointment of a mediator with the stature to deal with the complex history and strong personalities of the region's leaders.

The human toll exacted on families and communities from decades of conflict in this region must be understood and acknowledged. The end of conflict in eastern Congo will significantly improve their lives and the resulting opportunity for economic development could finally set the region on a path to stability and prosperity.

Responses and opportunities

Regional and international actors have begun to take steps to mitigate the crisis in eastern Congo. The U.S. and other western governments have suspended some military aid to Rwanda and are reviewing commitments to assistance though other bilateral and multilateral military and budgetary support mechanisms as a means to pressure Rwanda to cease support to M23.

The ICGLR, an 11 member intergovernmental regional body, has attempted to facilitate a dialogue between Congo and Rwanda. However, this process has failed to identify political entry points for solutions, as Rwanda has held that the problem was uniquely Congolese, and continues to put forth recommendations based solely on military solutions that had little material support in the region. Further, the ICGLR process continues to be undermined by the leadership of Uganda, currently the rotating chair of the organization, as questions have surfaced about the credibility of that country's leadership in the process in the wake of the recent U.N. GoE report.

In September 2012, the United Nations held a special high level meeting on the crisis in the Great Lakes on the sidelines of the General Assembly that was chaired by Secretary General Ban Ki-moon and attended by both heads of state from Congo and Rwanda. This meeting resulted in the U.N. recommending the exploration of joint U.N and A.U. initiative to address the conflict in eastern Congo. The African Union has recently appointed a new Special Representative to the Region, former head of the A.U. mission to Somalia, Boubacar Gaoussou Diarra, of Mali.

In light of the spike in international engagement in the region, the current situation presents a new opportunity to bring conflicting parties and stakeholders together to embark on a broader process that seeks to address the roots of conflict in the region. Given the long history of violence and mistrust among the core states it is difficult to see a solution reached through only regional mechanisms such as the ICGLR, particularly while Uganda holds the rotating chair. Therefore, regional efforts to resolve this conflict must be coupled with international efforts from a joint U.N. and A.U. initiative that can draw conflicting parties to the negotiating table in good faith and sustain a process that addresses both the short term and long term issues that perpetuate the cycle of conflict in eastern Congo.

A candidate who's up for the job

In a region so shaped by the personas of its leaders—some of whom have been in power for decades—finding the right person and process to engage reluctant parties is critical. One path towards a viable process might be to create a mediating mechanism, spearheaded by both the newly appointed U.N. Envoy and the existing A.U. envoy. Another idea might be to create a panel similar to the A.U. High Implementation Panel, or AUHIP, on Sudan, currently working to facilitate negotiations relating to South Sudan's independence from Sudan in July 2011 over oil, security, citizenship, assets, and their common border.

However, the first and arguably most important step is to find an individual who has the trust and relationships with the key leaders in the region. This U.N. envoy must have the skills and stature to bring these parties to the table and move them toward a durable agreement. He or she should have a deep understanding of the regional history and dynamics in play, and the time and ability to direct a process that in all likelihood could take years

to oversee. The envoy would do well to work closely with the stakeholders in the region, including the ICGLR and Southern African Development Community, or SADC.

Short term and long term objectives

The current dynamics of conflict will require any process that emerges to have both immediate and long term objectives. The short-term objective should be to achieve an immediate cessation of hostilities. This process should be led by a joint U.N. and A.U. mediation team mandated to seek agreement from the governments of Rwanda, Congo, and Uganda. The long-term objective of the process should be to address the systemic drivers of conflict in eastern Congo and should also be chaired by the U.N. and A.U. mediation team, and supported by local and international stakeholders as well. This process should involve a series of talks between representatives from Congo, Rwanda, and Uganda, as well as civil society leaders, women, and local stakeholders on the ground in eastern Congo. These talks should also include regional and international partners committed to working with Congo to build the political, security, and economic capacity and strengthen its communities.

For the process to work, Rwanda and Uganda must cut off support to the M23 insurgency and assist in ensuring that group ceases to operate in eastern Congo. They must also assist in efforts to create accountability for those actors linked to the M23 who have committed war crimes, such as M23 senior commander Bosco Ntaganda, who is wanted by the International Criminal Court for war crimes, as well as for those who have acted in violation of a U.N. arms embargo on Congo. They must also clearly demonstrate a willingness to discuss regional cooperation on a number of political, security, and economic issues.

Congo, for its part, must demonstrate a willingness and ability to address the issues that have led to the corruption, mismanagement, and lack of state authority that has plagued the country for decades, contributing to the widespread instability that exists today. Further, it must assure its neighbors that the insurgent movements within its borders that pose continued threats to regional stability, such as FDLR, will be suppressed and no longer supported by Congolese state structures. These steps will require a more robust strategy to deal with the FDLR security threat, as well as long-term solutions and commitments to assure regional and international partners that the Congolese state is able to be a partner for peace.

The establishment of a process that can achieve both of these objectives is daunting. Addressing the systemic problems that caused the failure of the Congolese state in eastern Congo, as well as the meddling by its neighbors in the region, will take courage and vision from the region's leaders. The peace processes must ensure that there are incentives and mutual benefit for cooperation for all parties and an acknowledgement that all sides have legitimate grievances. However, there must also be accountability for those spoilers who would seek to undermine progress.

Overcoming the largest obstacle

Currently, the conflict in eastern Congo threatens to escalate significantly. Therefore, the most difficult obstacle that exists in mitigating the conflict is getting the relevant parties to the table. Since the beginning of its insurgency, M23 has sought legitimacy, and as the U.N. continues to expand sanctions on the movement's leadership it will become increasingly difficult for anyone to envision talks between M23 and Congo as being key to a solution. Whether or not the government of Rwanda admits to supporting M23, it nevertheless has the ability to assist in dismantling the movement. Therefore, assuring Rwanda's engagement is the first challenge to moving forward in the short-term. Without the right individual to guide the process, it will fail. Without the right structure for meetings and dialogue, the process will fail. It is imperative that the United Nations, African Union and other international partners examine closely the appropriate set of mechanisms for constructive and coercive leverage as well as the substantive issues necessary for both short and long term process. A comprehensive and coordinated approach to support both international and regional processes will be essential.

The recent history of conflict in this region has proven that there is no military solution available to achieve peace in eastern Congo. Congo cannot defeat Rwandan-backed forces militarily because Rwanda presumably will not allow M23 to be vanquished. The world presumably will not allow Rwanda and Uganda to conquer and control eastern Congo. Military force alone, even if the Congolese forces were effective, cannot neutralize the myriad rebel militias that exist in eastern Congo. The countries of the region must learn to cooperate; and as the populations of both Rwanda and eastern Congo increasingly share cultural, economic, and security interests, they must establish a mutually just and beneficial co-existence that is seen as equitable on both sides of the border.

One of the most important factors will be the international mediation process mandated with ending the war. How the process is structured and the identity of the mediator who will lead it will determine whether there is a chance for lasting peace. Significant decisions await the international community. A more active international role will ruffle regional feathers and have no guarantee of success. But without such a robust effort, there can be no chance at achieving a lasting peace.