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The project to end genocide and crimes against humanity

Clouds over Congo's Progress

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Following the military defeat of the M23 rebel group in eastern Congo in November 2013 and the unprecedented desire of several other armed groups to surrender in subsequent weeks, “The region is going through a period of renewed turbulence,” United Nations Special Envoy Mary Robinson said on January 13, 2014.¹ During his current visit to the Great Lakes region, U.S. Special Envoy Russ Feingold should work to re-energize the U.N. Force Intervention Brigade. He can also help renew efforts with Congolese and regional leaders to address key security issues, including the strategy to contain the Democratic Forces for the Liberation of Rwanda, or FDLR rebel group and the development of a new disarmament plan, and the next stage of the regional peace process.²

A series of security crises

Eastern Congo has faced heightened security challenges over the past month, with new attacks by Ugandan-linked rebels, a coup threat, the death of one of its leading army commanders, a renewed recruitment drive by M23 rebels, and new security worries over Rwandan rebels. On Christmas Day 2013, the ADF-NALU rebel group attacked the town of Kamango, leaving more than 50 people dead.³ Over the course of 2013, the group became increasingly active, sharply expanding kidnapping campaigns and attacking U.N. peacekeepers and towns north of formerly M23-controlled territory.⁴

As 2013 drew to a close, on December 30, people pledging loyalty to Joseph Mukungubila Mutombo, a pastor who unsuccessfully ran for president in 2006, attacked the state radio and television station and the international airport in Kinshasa in an apparent attempt to oust President Joseph Kabila.⁵ Parallel to the events unfolding in Kinshasa, dissidents launched attacks in the provincial capitals of Kindu and Lubumbashi. More than 100 people died in ensuing confrontations with the Congolese army, which later regained the upper hand. While Kabila survived, but the attacks highlighted security vulnerabilities.

Three days later, on January 2, unidentified men assassinated Congolese army Col. Mamadou Ndala. As he was instrumental in the defeat of M23, many Congolese people celebrated Mamadou as a prominent hero and reacted angrily to the murder, which threatens the cohesion of an already weak and ill-fragmented army.⁶ While investigations are still ongoing, his former bodyguard states that the attack was been an inside job of army officer rivals.⁷ With the start of government military operations against the ADF-NALU on January 17, and the Democratic Forces for the Liberation of Rwanda, or FDLR, and other armed groups posing challenges, the Congolese army cannot afford internal power struggles to derail military activities.

In other news, another prominent Congolese armed group, Mai-Mai Sheka, attacked the town of Pinga in Walikale territory, North Kivu, on January 13, leaving at least three people dead and displacing 1,000.⁸ In November 2013, the group had vacated its strategic stronghold and agreed to surrender 140 of his men in the face of growing pressure from the U.N. Force Intervention Brigade and after peace talks with the Congolese government stalled.⁹ The January attack puts a damper on the earlier partial disarmament, which gave renewed hope to finding a solution in this conflict-ridden part of North Kivu.

On the same day, the chief of the U.N. peacekeeping mission in Congo Martin Kobler, noted with concern that “there are credible reports that the military recruitment of the M23 did not cease [...] and of emerging M23 activities in Ituri in northeastern Congo.”¹⁰ In its report leaked in early January, the U.N. Group of Experts on Congo asserted that it had “credible information that sanctioned M23 leaders are moving freely in Uganda and that M23 continued to recruit in Rwanda.”¹¹ Both countries adamantly deny the accusations.

Following the defeat of M23 in early November, approximately 1,500 former M23 combatants fled to Rwanda and Uganda.¹² While the Government of Congo and M23 signed declarations ending their armed struggle in December, both sides have yet to implement their part of the agreement, one that leaves unresolved questions about the fate of M23’s leadership, amnesty, disarmament and vetted reintegration.¹³

At a time when it is essential to secure political buy-in from Rwanda, Rwanda and the head of MONUSCO are both expressing serious concerns that one of its main security worries, the FDLR, is not being seriously addressed. Following the demise of M23, the U.N. had identified its brigade’s next target, the FDLR, a rebel group led in part by commanders implicated in the 1994 genocide in Rwanda. The new focus may have been in part the result of political overtures toward Rwanda for ending its support to M23, which was instrumental in the latter’s defeat. However, on January 15, Rwandan Foreign Minister Louise Mushikiwabo publicly scolded the U.N. peacekeepers: “We had a meeting with the head of MONUSCO, and we showed our displeasure that what was said was not done... We shall not allow the problem of FDLR to continue without being handled.”¹⁴ For the last few weeks, we have been waiting for something to be done but nothing has so far been done.” Martin Kobler expressed frustrations about the Congolese army not focusing enough on the FDLR during his presentation to the U.N. Security Council earlier this month, despite his extended diplomacy with Rwanda. In an announcement that will likely harden Rwanda’s frustration, Congolese army spokesperson Lt.-Col. Olivier Hamuli said that the army is prioritizing ADF-NALU over the FDLR.¹⁵

While ADF-NALU is becoming a serious threat, addressing the FDLR is arguably more important for peace in the region. MONUSCO’s dilemma is that it normally follows the Congolese army’s lead, so when Congo prioritizes ADF-NALU, the UN must do so as well, which creates the political difficulties with Rwanda and undermines the credibility of previous pledges by the UN to prioritize military operations against the FDLR. The brigade theoretically has a mandate to conduct

independent operations, as its mandate states that it “can carry out targeted offensive operations... either unilaterally or jointly with the [Congolese army].”¹⁶ In this case, the FDLR is truly a centerpiece to unlocking progress in eastern Congo, as many other armed groups have sprung up in reaction to it, and it is a major security concern for the entire region. MONUSCO and the Brigade should urgently develop a more comprehensive strategy regarding the FDLR, including working with Rwanda to secure intelligence on the group, as was started but not fully implemented in late 2013. That would help reassure Rwanda that addressing the FDLR will be a key priority. Rwanda must also not underestimate the emerging crisis caused by ADF-NALU, which is also a major concern to Uganda.

The need for decisive action

The new challenges are excellent opportunities for the senior U.S. and U.N. special envoys, Feingold and Robinson, to exercise leadership. Specifically, Feingold can help defuse the crisis by supporting the implementation of the Peace, Security and Cooperation Framework for Democratic Republic of Congo and the Region signed in February 2013 to guide the peace process.¹⁷

Feingold can do three specific things:

First, he can help MONUSCO and its Force Intervention Brigade develop and prioritize its plan to deal with the FDLR, a major regional security threat, with as much support from the Congolese government as it can give. Second, he and Mary Robinson can help regional countries open a mediated dialogue to discuss their respective security and economic interests. As part of this dialogue, he should call for the swift implementation of the Nairobi declarations, urge Rwanda and Uganda to prevent the recruitment of ex-M23 troops, and help accelerate the extradition of former M23 combatants.

Third, he should urge MONUSCO and the Government of Congo to agree as soon as possible to put in place a new disarmament, demobilization, and reintegration plan for Congolese armed groups. Currently, the two sides are arguing over details of the plan, but meanwhile there are no options or incentives available to Congolese fighters who lay down their arms, which creates larger security risks.

The region has too long been a theater of war to lose the momentum that existed in 2013 for positive change. New vitality must be injected into the search for peace. Special Envoy Feingold’s role will be key in reenergizing the process.

¹ Timo Mueller and Fidel Bafilemba, “Policy Alert: Rebels Surrendering in Eastern Congo - Time for Feingold and Robinson to Act,” The Enough Project, December 18, 2013, available at <https://www.enoughproject.org/blogs/rebels-surrendering-eastern-congo-time-feingold-and-robinson-act>.

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² Department of State, "Special Envoy Feingold's Travel to Africa", January 13, 2014, available at <http://www.state.gov/r/pa/prs/ps/2014/01/219627.htm>.

³ Pete Jones, "Rebel group attack kills 40 in eastern Congo," Reuters, December 26, 2013, available at <http://www.reuters.com/article/2013/12/26/us-congo-democratic-rebels-idUSBRE9BP0AW20131226>.

⁴ Michelle Nichols, "U.N. task force looking into one of next Congo targets: Islamist ADF," Reuters, November 22, 2013, available at <http://www.reuters.com/article/2013/11/22/us-congo-democratic-adf-idUSBRE9AL16920131122>.

⁵ Al Jazeera, "DR Congo army regains control of capital," January 1, 2014, available at <http://www.aljazeera.com/news/africa/2013/12/congolese-army-regains-control-capital-201312301132596774.html>.

⁶ Daniel Magnowski and Kamlesh Bhuckory, "Congolese Army Says Colonel Mamadou N'Dala Killed in Ambush," Bloomberg News, January 2, 2014, available at <http://www.bloomberg.com/news/2014-01-02/congolese-army-says-colonel-mamadou-n-dala-killed-in-ambush.html>.

⁷ Juakali Kambale, "Was Mamadou Ndala's death a conspiracy?" *Africa Review*, January 7, 2014, available at <http://www.africareview.com/News/Was-Col-Mamadou-Ndala-death-a-conspiracy/-/979180/2137714/-/wbh8cnz/-/index.html>

⁸ United Nations Stabilization Mission in the DR Congo, "Congo-Kinshasa: Head of Monusco, Martin Kobler, Strongly Condemns Attack By Mayi Mayi Cheka in Pinga", January 14, 2014, available at <http://allafrica.com/stories/201401150807.html>.

⁹ Agence France-Presse, "RDC: une milice accusée de tueries et viols massifs rend les armes (Kobler)" November 29, 2013, available at <http://reliefweb.int/report/democratic-republic-congo/rdc-une-milice-accus-e-de-tueries-et-viols-massifs-rend-les-armes>.

¹⁰ Edith M. Lederer, "UN says Congo's defeated M23 rebels active again," Associated Press, January 13, 2014, available at http://hosted.ap.org/dynamic/stories/U/UN_UN_CONGO?SITE=AP&SECTION=HOME&TEMPLATE=DEFAULT&CTIME=2014-01-13-17-57-55.

¹¹ Group of Experts on the Democratic Republic of the Congo, December 12, 2013, available at http://africanarguments.org/wp-content/uploads/2014/01/FINAL-REPORT-GoE_DRC.pdf.

¹² Michelle Nichols, "Rwanda asks for U.N. report on Congo sanctions to be dismissed," January 17, 2014, available at <http://www.reuters.com/article/2014/01/17/us-congo-democratic-un-rwanda-idUSBREA0G1JF20140117>.

¹³ Declarations of Armed Struggle, The Enough Project, available at <https://docs.google.com/a/enoughproject.org/file/d/0B-dzsOjZzgDMGNPcmlRMkc0WG8/edit>.

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¹⁴ Ostine Arinaitwe Gashugi, "Rwanda demands action on FDLR," January 15, 2014, available at <http://focus.rw/wp/2014/01/rwanda-demands-action-on-fdlr/>.

¹⁵ Agence France Presse, "U.S. Urges U.N. Force to Go after Rwandan Rebels in DR Congo," Naharnet Newsdesk, January 18, 2014, available at <http://www.naharnet.com/stories/en/114510-u-s-urges-u-n-force-to-go-after-rwandan-rebels-in-dr-congo>.

¹⁶ U.N. Security Council Resolution 2098 (2013). March 28, 2013. Available at <http://www.un.org/en/sc/documents/resolutions/2013.shtml>

¹⁷ Office of the Special Envoy of the Secretary –General for the Great Lakes Region of Africa, "A FRAMEWORK OF HOPE: The Peace, Security and Cooperation Framework for the Democratic Republic of Congo and the Region", February 24, 2013, Available at <http://www.un.org/en/sc/documents/resolutions/2013.shtml>