



Department of Justice, Peace and Human Development Office of International Justice and Peace

Background on the Democratic Republic of the Congo February 2009

"Using war to resolve conflicts between inhabitants is futile and must be absolutely condemned as it represents total contempt for human life and can never be justified."

- Memorandum from the National Episcopal Conference of Congo (CENCO), January 2008

BACKGROUND

Violence continues to plague the eastern provinces of the Democratic Republic of Congo (DRC). The fighting, which has caused up to 5 million deaths since 1994, is the most recent chapter in what observers have called "the world's deadliest conflict since World War II." In 2008 the conflict caused about 45,000 deaths every month (mainly from disease as the health care system collapsed and displaced people had little or no access to doctors or medicine). The fighting has newly displaced about 250,000 people as the October 2008 ceasefire faltered. The incidence of systematic rape by armed groups is reportedly the worst in the world today. Many human rights groups consider the violence done in Eastern Congo as crimes against humanity or war crimes. The International Criminal Court has arrested and is preparing to try three people suspected of such crimes.

Despite the violence and suffering, the DRC made two important strides towards building peace. First, the successful election of President Joseph Kabila in 2006 completed a long and difficult process of establishing a duly elected government. Second, the January 2008 Goma agreement gave some hope for peace in Eastern Congo because it was signed by President Kabila and all the largest militia groups, including Laurent Nkunda's National Congress for the Defense of the People (CNDP), the Democratic Forces for the Liberation of Rwanda (FDLR, a rebel group of Hutu extremists involved in the 1994 Rwanda genocide who have fled to Eastern Congo), and the Mai Mai, community based militias with shifting allegiances. The UN Secretary General, the UN Security Council, the international community and many in the DRC welcomed the agreement. The agreement held out the promise of large scale funding for rehabilitation and governance activities, an immediate cessation of hostilities, the disengagement and disarming of troops and militia, and the creation of a buffer zone secured by the UN Mission to Congo (MONUC) force of 17,000 soldiers. However, the parties to the agreement continued and intensified the fighting which led to massive displacement of people and great suffering.

The FDLR remained in Eastern Congo and continued to cause havoc; they had no incentive to return to Rwanda and face trial for the crimes they allegedly committed. The program to disarm the militia has been crippled by insufficient funding from the international community and a lack of political will to implement the UN's Chapter VII mandate to take action to "restore international peace and security." Underlying the continued fighting is the rampant illegal exploitation of natural resources. This fuels the conflict by financing the various militias and allowing them to divide the country into small areas of influence. The FDLR escalated their attacks in the fall of 2008 until Nkunda declared a unilateral ceasefire at the end of October. Most recently, the Rwandan army, working with the DRC army, sent 4,000 troops into Congo. They purportedly arrested Laurent Nkunda in January 2009 and attacked FDLR positions. As a result, a number of FDLR militia have voluntarily disarmed and are preparing to return to Rwanda.

The Catholic Church is a major institution in the DRC. Fifty-five percent of DRC's 60 million people are Catholic, making it the largest Catholic population in Africa. In the absence of functioning government structures, the Catholic Church, along with other churches, has for decades provided most of the basic services such as health care and education for the Congolese people. The Church also played an important role in providing non-partisan civic education – supported by CRS and other Caritas agencies – in all 47 dioceses across the country for the

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referendum on the new constitution, as well as the two rounds of presidential elections. The Church also trained election monitors to help ensure free and fair elections.

In October and November 2008 the Conference of Congolese Bishops issued two public statements and sent a delegation to the U.S. to carry their messages to policy makers. In these statements, the Bishops say the fighting stems from the desire to access and control the DRC's vast mineral wealth and its illegal exploitation and export through neighboring countries. They decry the inability of the elected DRC government to establish itself and provide a disciplined army that protects its people. They call on the international community to increase assistance to those who suffer from the violence and to assure a strong pacification and stabilization force capable of halting the fighting in the East. This force must protect the territorial integrity of the DRC and end the "Balkanization" of the country by militia forces. The Bishops point to the need to resolve the root causes of the conflict and to build reconciliation among the people who have suffered. The Bishops appealed to all, but especially to those in leadership positions, to address the problems of poverty, work with the international community to repatriate foreign armed groups, fight corruption, support civil society and ensure that the country benefits from its many natural resources.

In response to the worsening situation in Eastern Congo, the UN Security Council voted to expand the MONUC forces by another 3,000 troops, bringing the largest UN peacekeeping force in the world to a total of 20,000.

USCCB POSITION

Congo is at a real crossroads in its history. The government of the DRC has not taken advantage of the promise offered by a successful election and the Goma agreement to increase its services to the people and to harness the DRC's natural resources for the common good. It should work with the international community and the MONUC force in Eastern Congo to build on the ceasefire and Goma agreement in order to promote a just and sustainable peace. Achieving these goals will require active support from the United States and the international community.

ACTION REQUESTED

- 1) The Administration should increase levels of foreign aid to the DRC, including funding for MONUC.
- 2) The United States, other international donors and MONUC should work with the DRC and Rwanda to resolve, in a peaceful way, the problem of the FDLR in Eastern Congo. In particular the U.S. should maintain high-level consistent and persistent diplomatic attention and pressure on all parties to the conflict. In promoting the renewal of MONUC's mandate, the USG should ensure that the peacekeeping force has the resources, authority and leadership commensurate with the tasks of protecting civilian populations and supporting the provision of humanitarian assistance.
- 3) The U.S. and international partners should work with the Congolese Government to build a professional and disciplined national armed force committed to the respect of human rights of all people.
- 4) Within the terms of the Goma agreement, the U.S. should encourage MONUC to work with the militias to promote disarmament, demobilization and reintegration into their communities of origin.
- 5) The U.S. and the international community should commit to long term development assistance to allow the DRC to address the root causes of conflict in Eastern Congo.
- 6) The U.S. and the international community should support the DRC in establishing a legal framework for the mining of natural resources that assures that a fair share of the benefits go to local communities.
- 7) The U.S. should work to strengthen Congolese democratic institutions to be transparent and accountable by:
 - Working with other donors to press the DRC Government to enact legislation implementing an effective and accountable decentralization program and establishing an independent judiciary; and
 - Working with the DRC Government to ensure that civil society groups can fully participate in working for a better future for the people of the DRC.

For further information: Visit <http://www.usccb.org/sdwp/international/callafrica/drc.shtml> or contact *Stephen R. Hilbert*, Office of International Justice and Peace, USCCB, 202-541-3196 (phone), 541-3339 (fax), shilbert@usccb.org

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