



**Policy Department**

**THE DEMOCRATIC REPUBLIC OF THE CONGO  
and its relations with the European Union**

**NOTE**

**Abstract:**

The note is an update of a previous note of 31 July 2003 and dwells on more recent developments in the eastern regions of the DRC, notably the continued fighting and human rights abuses in the Ituri, Maniema and the Kivus regions. It describes the EU intervention codenamed 'Artemis' and mentions Rwanda's military intervention at the end of 2004. The note mentions the government reshuffle in January 2005 and the government's most recent announcement concerning the possible delay in holding legislative elections.

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## CONTENT

	<b>Page</b>
<b>I. Basic data</b>	4
<b>II. Historical Background</b>	4
<b>III. Current Political Situation and Outlook</b>	5
<b>IV. Pretoria II Accord: The Transition Government</b>	8
<b>V. The conflicts in eastern DRC</b>	11
<b>VI. Ongoing problems in today's DRC</b>	14
<b>VII. Economic Policy and Outlook</b>	15
<b>VIII. Relations with the European Union</b>	17

**Annexes** : see separate document

## **I. Basic data**

### ***The Democratic Republic of the Congo***

*Area:* 2.345.410 square km

*Population:* 53.2 (2003)

*Ethnic groups:* Over 200 African ethnic groups. Largest tribes: Mongo, Luba, Kongo (all Bantu) and the Mangbetu-Azande (Hamitic)

*Religions:* Roman Catholic (50%), Protestant (20%), Kimbanguist (10%), Muslim (10%) and other (10%)

*Languages:* French (official), Lingala (a lingua franca trade language), Kingwana, Kikongo and Tshiluba.

*Literacy Rate:* 77% of total population

*Birth Rate:* 45.1 births / 1.000 inhabitants (2002)

*Death Rate:* 17.7 deaths / 1.000 inhabitants (2002)

*Infant Mortality:* 99,88 deaths / 1.000 live births (2001 est.)

*Government type:* transitional government of national unity (July 2003)

*Independence:* 30 June 1960 (from Belgium)

*Constitution:* 24 June 1967, transitional constitution as of 1998 still not ratified by a national referendum

*Head of state:* President Joseph Kabila (since 26 January 2001)

*Head of Government:* President Joseph Kabila (since 26 January 2001)

*Capital:* Kinshasa

## **II. Historical Background**

The Democratic Republic of the Congo is situated in central Africa, bordered by the Republic of the Congo (Congo Brazzaville), the Central African Republic, Sudan, Uganda, Rwanda, Burundi, Tanzania, Zambia and Angola.

The country, formerly known as the Belgian Congo, gained independence from Belgium in June 1960, with Joseph Kasavubu as president and Patrice Lumumba as Prime Minister. In November 1965, Joseph Desiré Mobutu, who was army chief, seized power in a bloodless coup. Mobutu changed the country's name to Zaire and took the new name of Mobutu Sese Seko. Domestic criticism was suppressed, much of the economy was nationalised and religious instruction in schools barred. In 1966 he set up a single party, the Popular Revolutionary Movement, as part of a highly centralised political system.

Opposition to Mobutu was stepped up in 1990 and he announced the end of a one-party rule in April. He was, however, alarmed by the response, and suppressed student demonstrations with violence that left more than 100 dead.

The genocide in Rwanda in 1994 and the arrival of masses of refugees, including thousands of members of the Interahamwe, responsible for the massacres, created significant tension in the east of the country. Many members of the FAR (Forces Armées Rwandaises) as well as members of the former Rwandan government also fled to Zaire, bringing money, arms and equipment with them. Mobutu gave up power on 16 May 1997 and left the country as rebel forces of the Alliance of Democratic Forces for the Liberation of Congo-Zaire, led by Laurent Kabila, entered Kinshasa after a seven-month rebellion. Kabila declared himself president on

17 May 1997 and changed the country's name to the Democratic Republic of the Congo. Enthusiasm over Mobutu's downfall faded as Kabila's own autocratic style emerged, and it became clear he had no plan for reconstructing the country. He prevented UN human rights investigations into the alleged massacres of Hutu refugees and continued to depend on foreign troops to tackle disputes along the DRC borders, rather than establish a strong national army.

Laurent Kabila was killed by one of his bodyguards in January 2001. His son Joseph Kabila was nominated president. This renewed hopes for the restoration of peace, and the initiation of economic recovery in the Democratic Republic of the Congo.

The nomination of Joseph Kabila was well received internationally, but not by everybody in Kinshasa. Many feared that Ugandan- and Rwandan-backed rebel movements that did not recognise Joseph Kabila would attack Kinshasa, profiting from the general confusion surrounding the death of Laurent Kabila and the nomination of a new president.

### **III. Current Political Situation and Outlook**

#### The Civil War

The Democratic Republic of the Congo has been in a state of civil war since 1998, a year characterised by worsening relations between DRC and certain of its neighbours. The war started in August 1998 when Laurent Kabila issued a decree expelling Rwandan troops from the country. As a consequence, ethnic Tutsi Congolese forces mutinied against Kabila's rule and began advancing toward Kinshasa. Although they were repulsed, the movement grew, attracting opposition politicians, former Mobutu supporters, and alienated military leaders formerly allied with Kabila. Kabila accused Uganda and Rwanda of backing the rebels.

In the civil war that followed, elements of the armed forces of Burundi, Rwanda, and Uganda operated inside the Democratic Republic of the Congo in support of the rebels, whereas elements of the armed forces of Angola, Chad, Namibia and Zimbabwe supported the Government of the Democratic Republic of the Congo. Rwanda became involved for reasons related to security regarding both Hutu rebels and the former FAR (Forces Armées Rwandaises) as a threat. Uganda became involved in the conflict to protect its territory from rebel forces that had been using the DRC as a springboard for attacks.

The forces supporting the DRC government all had different motives for taking part: Zimbabwe for lucrative business interests (the diamond industry) in the DRC. The government of Zimbabwe saw the Congo as a new frontier where to find the resources it needed to rebuild its economy. According to some sources, Namibia might have had a stake in the DRC mining industry. Angola's participation had to do with the strategic importance of DRC as a refuge for UNITA rebels and the fact that UNITA diamonds used to transit through Mobutu's Zaire. Chad's involvement in the DRC conflict was declared as being linked to "solidarity with the francophone family". Sudan, on the other hand, saw involvement as a way of countering the activities of its enemy, Uganda, but also as a means to control rebel forces in South Sudan.

The different rebel groups control more than half of the territory of the DRC, mostly in the eastern and northern parts of the country. Part of them has a political party structure. The armed rebel groups operating inside the DRC include:

<b>Group</b>	<b>Information</b>
Mouvement pour la Libération du Congo (MLC)	The MLC is probably the most important rebel group in the DRC. Its leader, Jean-Pierre Bemba, entered into a power-sharing agreement with the DRC government.
Rassemblement Congolais pour la Démocratie (RCD)	In May 1999 RCD split into RCD-Goma, supported by Rwanda, and RCD-ML (RCD - Mouvement de Libération), supported by Uganda. A third RCD-group (RCD–National-Batwasenda) enjoys the support of Uganda.
Interahamwe militia	Consists of ethnic Hutus, mostly from Rwanda, fighting the Tutsi-dominated Government of Rwanda
Mai Mai	Loose association of traditional Congolese local defence forces, fighting the influx of Rwandan immigrants. There are several Mayi Mayi-groups, without any homogeneity between them.
Members of the former Rwandan Armed Forces (FAR)	Hutu soldiers believed to be responsible for the 1994 genocide of Tutsis in Rwanda, fighting the Government of Rwanda
Alliance of Democratic Forces (ADF)	Consists of Ugandan expatriates and is generally supported by the Government of Sudan, fighting the Government of Uganda
Several groups of Hutus from Burundi	Fight the Tutsi-dominated Government of Burundi

Alliances between supporters and proxies do, however, change over time, both within and across the DRC borders. Rwanda and Uganda, for instance, were initially the allies of Kabila, helping him to overthrow the Mobutu government in 1997.

More than 3 million people are estimated to have died in the Congo's complex four-year civil war, which has involved nine foreign armies and numerous rebel groups often fighting among themselves. Violence, starvation and disease have killed many civilians.

### The Lusaka Peace Process

In an effort to end the war, the heads of six governments involved (Angola, DRC, Namibia, Rwanda, Uganda, and Zimbabwe) signed a cease-fire agreement on 10 July 1999 ('Lusaka Peace Agreement'). In August of the same year the leaders of the two main Congolese rebel groups (Congolese Rally for Democracy (RCD) and the Movement for Liberation of Congo (MLC)) also signed the pact.

Under the agreement, a regional multinational force would be composed of troops from belligerent and possibly non-belligerent countries, and would be controlled by a regional Joint Military Commission (JMC) consisting of belligerent nations. The JMC would also be responsible for working out mechanisms for the tracking, disarming and documenting of all armed groups in the DRC, especially those forces identified with the 1994 Rwandan genocide. Under the Lusaka agreement, the UN would also deploy an “appropriate” force to ensure the implementation of the agreement and the provision of humanitarian assistance.

However, implementation of the accord was delayed, due in part to inflexibility on the part of Kabila's government. The signing of two peace agreements with Rwanda in August 2002 and Uganda in September 2002 have given the Lusaka Peace Agreement new momentum. In March 2003 the DRC was prepared to allow an international force into the capital and other major towns until a new army was established.

### The Inter-Congolese Dialogue (ICD)

A partial agreement was reached on 19 April 2002 between Jean-Pierre Bemba's MLC and the government of Joseph Kabila. The government of the DRC agreed to a power-sharing arrangement with Ugandan-supported rebels. The Rwandan government and the RCD-Goma rebels refused to sign the agreement, reiterating their demands for the establishment of a federalist government. The Kabila government and the MLC actually concluded the accord by default, due to the inflexibility of the RCD-Goma on the question of power sharing in Kinshasa.

### The Pretoria Accord

On 30 July 2002 Rwanda and the DRC signed the so-called Pretoria Accord. Under the agreement, Rwanda was to withdraw its troops, consisting of approximately 30,000 to 40,000 soldiers, within 90 days. The DRC government, on the other hand, committed itself to dealing with Rwanda's main security concern by co-operating with the UN in disarming the Rwandan Hutu rebels, the Interahamwe, responsible for the 1994 massacres.

There were, however, serious obstacles to implementing the agreement. The 90-day timeframe was felt to be too short. Furthermore, many feared that Rwanda would claim that it did not have to withdraw its troops from the DRC until the Interahamwe were disarmed. In addition, the rebels virtually risked facing genocide charges should they return to Rwanda. The exploitation of resources in the area is another incentive to remain there. Many felt that the UN Mission in Congo (MONUC) should participate in the disarmament process as the Pretoria accord envisages. The UN has not, however, been very pleased with the agreement, which commits it to a process that it is not prepared for or believes to be workable.

In September 2002 almost against all odds, Rwanda started withdrawing its troops from certain parts of the DRC. There is, however, widespread evidence that Rwanda retains troops covertly in the area and is furthering its own interests through various rebel groups. So far the international community has put little pressure on Rwanda over this. But pressure is growing on the DRC to disarm the Interahamwe and other groups that threaten Rwandan security as agreed to under the Pretoria Accord of July 2002.

### The Luanda Accord

Relations between DRC and Uganda improved as both sides reached agreement on sharing influence - and resource revenue - in areas nominally controlled by Uganda in eastern DRC. On 6 September 2002 the DRC signed a cease-fire agreement with Uganda ('Luanda Accord') committing the Ugandan military forces to withdrawing from Congolese territory.

However, several ethnic groups, notably the Hema (pastoralists, identify with the Tutsi), have called for the continued presence of the Ugandan forces, for security reasons. With the Ugandans gone, they fear clashes with ethnic Ngiti and Lendu (agriculturalists, think of

themselves as kin to the Hutu) militias over leadership in the region, which is rich in minerals and timber.

Nevertheless, tensions were rising in Ituri province in north-eastern DRC since late 2002. Ugandan forces numbering 2000 remained in and around the town of Bunia for some time, which was the scene of increased fighting throughout February and March 2003. Ugandan forces and the Rwandan-backed UPC (Union des Patriotes Congolais) led by Thomas Lubanga, have been fighting over control of the strategic town of Bunia.

#### **IV. Pretoria II Accord: The Transition Government**

South Africa has played a key mediating role in the peace negotiations between the different parties in the Inter-Congolose Dialogue (ICD).

Agreement was reached in Pretoria on 17 December 2002 by the parties to the ICD on the establishment of a transitional power-sharing government. It was set up in June 2003 and is headed by Joseph Kabila as president along with 4 vice-presidents (collectively termed "the presidency"). The Presidency is the executive body with the main responsibility of managing the government. General elections are to be held within two years, i.e. in June 2005 in accordance with the Pretoria Accord.

The final session of the Inter-Congolose Dialogue to ratify the Pretoria Accord on the basis of a *Global and All-Inclusive Agreement for the Transition in the DRC* and the *Transitional Constitution* was held in Sun City, South Africa, on 1 and 2 April 2003. The first meeting of the follow-up committee focused on the formal acceptance of the representatives of the various parties. With the exception of the unarmed opposition, all parties were represented and their candidates were unanimously accepted. The political opposition was absent because it could not agree on who to send.

The nomination of the four vice-presidents gave rise to long and heated controversies, mainly over Mr. Ndombasi, a highly divisive politician. The RCD-Goma, in particular, has protested against Mr Ndombasi's nomination, because of his provocative anti-Tutsi statements for which he was indicted for inciting racial hatred by a court in Belgium.

The Transitional Government is composed of:

**President:** Joseph Kabila. President Kabila is responsible for promulgating laws and nominating (and revoking) ministers and army officers. The four vice-presidents (nominated from among the rebel movement, current government, unarmed opposition and civil society groups) are responsible for co-ordinating their commissions as well as implementing decisions taken by the cabinet.

#### **4 vice-presidents:**

- Mr Abdoulaye Yerodia Ndombasi (former Government)
- Mr Azarias Ruberwa (RCD-Goma)
- Jean-Pierre Bemba (MLC)
- Arthur Zahidi Ngoma (political opposition and civil society)

**Prime Minister:** A new post of prime minister as head of the government is established.

**Cabinet:** 36 Ministerial posts with 25 deputy ministers: The main components are the groups party to the Pretoria Accord, namely the five armed rebel movements, the current government, unarmed opposition and civil society groups.

### Government reshuffle

On 3 January 2005 President Kabila dismissed 11 ministers which marks the most significant change since the transitional government was set up in June 2003. Six ministers (under suspension since November 2004) have been accused of embezzling millions of dollars in a report by a parliamentary commission set up to audit government ministries. The Defence minister and the minister responsible for Economy were dismissed after falling out with the leadership of the Rwandan-backed former rebel group (RCD-Goma). The dismissed ministers have been replaced with former DRCongolese government members or the various armed or political opposition groups to maintain the balance of power. However, the transitional government is deeply divided and was criticized by a European Foreign Minister claiming in October 2004 that there was 'no real government in DRC'.

A 500-member transitional **National Assembly** has been appointed (not elected) in July 2003 drawn from those groups party to the Pretoria Accord. The legislature's main task is the settlement of several contentious transition interests, including a legal framework for the electoral process, the question of nationality and that of decentralisation.

### Possible delay of elections

On 7 January 2005, the elections chief Malu Malu announced that new elections, initially due in June 2005 might take place in October (two six-month delays are allowed). This announcement was followed by heavy protests in Kinshasa. There are indeed major obstacles to holding elections in June: the creation of a constitution applicable following the transitional period, a law concerning a referendum for the constitution and an electoral law are still not in place. The head of the electoral commission emphasised that the commission was doing all it could to keep the process on track. Another major obstacle is that the government has still not succeeded in establishing its authority over all the DRC 's territory, particularly in eastern DRC, where the fighting continues. The opposition is considering the reasons alleged by the government as a pretext for staying in power by simply extending the transitional period. Some government members have threatened to leave the government. South Africa's president Mr Thabo Mbeki is holding negotiations with president Kabila's office and, separately, with the four vice-presidents.

### The main **Political Parties** are:

- Parti du peuple pour la reconstruction et la démocratie (PPRD) representing Mr Kabila's supporters
- Mouvement pour la libération du Congo (MLC), being the country's second biggest rebel group, Ugandan-backed
- Rassemblement congolais pour la démocratie-Goma (RCD-G), being the core of the rebellion
- Alliance des Forces démocratiques pour la libération du Congo (AFDL), a coalition of four parties
- Rassemblement congolais pour la démocratie-Kisangani/Mouvement de libération (RCD-ML), Ugandan-backed



- Rassemblement congolais pour la démocratie-National (RCD-N), a breakaway faction of RCD-ML, Ugandan-backed
- Union pour la démocratie et le progrès social (UDPS), a prominent opposition party

**National Senate** (120 members): delegates have been nominated in the same way as the National Assembly by civil society groups, (*inter alia*, human rights, religious and ethnic groups). The Senate is charged with elaborating a new constitution.

- ◆ In March 2004, more than six months after the start of transition, the five pro-democracy institutions were still not operational, mostly because of the delay in adopting laws for their establishment.:
- ◆
- ◆ Independent Electoral Commission
- ◆ Media Regulating Body
- ◆ Truth and Reconciliation Commission
- ◆ National Human Rights Watchdog
- ◆ Anti-Corruption Commission

On 6 March 2003, agreement was reached on a draft transitional constitution (applicable during the transitional, pre-election period) and a draft programme to establish a new national army. The agreement on the military accord foresees deployment of a neutral foreign military force for the training of a restructured and reformed army. Belgium, France and the United Kingdom offered their support.

#### Relations with other neighbouring countries

Angola, Namibia and Zimbabwe have withdrawn their troops from the DRC. Zimbabwe had invested approximately US \$ 100 billion in the DRC civil war and was eventually engaged in negotiations to recover the money.

#### Relations with International Donors

The international community is backing the current peace efforts and is providing assistance to support reconstruction. Progress in transition is being met by rising financial support, especially from France, Belgium, USA, the World Bank and the IMF. At the Donor Conference in Paris in December 2002, US\$2.5 billion was agreed for post-war reconstruction. In 2004 total external aid amounted to US\$1.094 billion .

#### MONUC

Concerned about the instability of the Great Lakes region, the UN has become engaged in the search for peace and stability. In 2000, at the demand of several African presidents, the Security Council sent some 5.000 (mostly African) troops and 500 (unarmed) military observers to the region. On 28 July 2003, following the heavy fighting in Bunia, where several hundred people died, the Security Council decided to expand the existing UN Mission in RDC to 10,800 and to give its peacekeepers the authority to use "all necessary means, including military force to protect UN personnel, facilities and equipment as well as civilians and humanitarian workers "under imminent threat of physical violence".

MONUC, in co-operation with the Joint Military Commission established under the Lusaka Peace Agreement, initially had the mandate to monitor the implementation of the cease-fire

agreement, to supervise the disengagement of forces, to work with the parties to obtain the release of all prisoners of war and to facilitate humanitarian assistance.

## **V. The conflicts in eastern DRC**

### - Ituri region

The extremely troubled Ituri region in eastern Congo has been the scene of escalating atrocities and massacres. The confluence of ethnic strife between Hema and Lendu militias, manipulated by outside forces, resource competition which has fuelled the fighting, has added to the complexity of the conflict.

On 6 March 2003 fighting erupted between Ugandan-backed FIPI (Front pour l'intégration et la pacification de l'Ituri, led by Kawa Mandro, a traditional Hema leader) troops and the UPC, involving the use of heavy weapons and resulting in dozens of civilian deaths. FIPI had gained control of **Bunia**.

Uganda was accused of manipulating the conflict to justify its continued presence in the area. Mediated by MONUC, the Ituri pacification committee was elected in mid-April; at the same time, the Congolese government began work on re-establishing its administrative and military authority in the region, eventually dispatching 5,000 policemen to Bunia to maintain security after the withdrawal of UPDF troops.

Uganda eventually withdrew its troops from Bunia in early May 2003. Within days of the Ugandan withdrawal, heavy fighting between rival ethnic groups, mainly Hema and Lendu broke out in the town. UN forces were quickly overwhelmed, as they were underresourced in terms of the commitment of troops and the weakness of their mandate. Fighting escalated and about 500 civilians were killed. A ceasefire agreement and a plan to demilitarise the city were reached in a meeting convened by the Tanzanian president, Benjamin Mkapa.

### Intervention of an EU force independent of NATO

In response to an appeal to the UN Security Council from the UN secretary-general, Kofi Annan, France offered in late May 2003 to send in an interim force to stabilise the situation in Ituri. On 30 May 2003 the Security Council passed Resolution 1484 authorising the development of a multinational, French-led European Union force, codenamed "Artemis", which was composed of 1,400 troops, half of them from France with contributions from Belgium, Germany, the UK and Sweden. South Africa, Pakistan and Nigeria are also participating in the force. It was the first time that the EU deployed such a peacekeeping force outside Europe. The multilateral force operated separately from MONUC, under the direct authority of the UN secretary-general, and had a Chapter Seven peacekeeping mandate, allowing it to intervene to protect civilians.

The demobilisation of the six armed militia groups operating in the Ituri district is slow and hampered by the skirmishes between the factions. Armed groups continue to perpetrate human rights abuses against the civilian population.

- Maniema region

In May 2003, an estimated 3,000 RCD-Goma troops swept south from Kindu, the capital of Maniema province, to capture the town of Shabunda. The campaign which lasted for several weeks displaced many thousands of people, towns were systematically looted, and civilians killed or raped by troops from all parties.

- the Kivu regions

There is increasing ethnic tension and, more widely, a deteriorating security situation in eastern DRC mainly in the Kivus, where serious war crimes were committed in the second half of 2004. The security problem of the Banyamulenge population (a sub-group of Tutsi living in South Kivu since precolonial times) remains unresolved because of the presence of Hutu extremists on DRC territory. The failure to bring about the restructuring of the Congolese army and to disarm the Rwandan Interahamwe Hutu militia reflects the parties' unwillingness to give up their own military power in favour of a strong government and also reflects the ethnic and political divisions within the army. This situation has been giving rise to violence in the eastern provinces where the security of the Banyamulenge is threatened by Interahamwe forces present even within the Congolese army's ranks. Their presence in eastern DRC and cross-border 'activities' is (at least) a pretext for Rwanda to redeploy its troops in DRC to fight these Hutu forces. Hutu leaders, on the other hand, maintain they will not return home until the Rwandan government agrees to a political dialogue involving all political groupings. Rwanda has rejected this demand. A key bargain remains the withdrawal of Rwandan forces in exchange for disarming the FDLR.

On 1 October 2004 the Security Council approved the reinforcement of its 10,800-strong mission in the DRC (MONUC) by an additional 5,900 men. MONUC's mandate will provisionally end in March 2005. The UN forces' presence, however, is not welcome to the local population because of its apparent inefficiency to cope with incidents like the **Bukavu** takeover. In October 2004 the Congolese government armed forces (FARDC) announced that they were launching operations to disarm foreign armed groups operating in the DRC (targeting Interahamwe and other Hutu groups). MONUC has agreed to provide support but would refrain from becoming involved in forcibly disarming combatants to avoid harm to the local population. Because of this non-coercive approach, Rwanda's president Kagame, in November 2004, may have warned the UN he would deal with the Interahamwe if the UN forces did not disarm them effectively. The Security Council and the UN mission in DRC warned Rwanda immediately not to interfere in the internal affairs of the DRC. By late November 2004 the FARDC had still not disarmed any combatants. FARDC and MONUC are only carrying out joint patrols in the area.

It is noteworthy that the Hutu representatives (grouped together in the Forces démocratiques pour la libération du Rwanda (FDLR)) expressed confidence that they can prevail militarily over the FARDC. The latter avoid any serious confrontation which eventually might result in its defeat. FDLR's victory would justify Rwanda's assertion that the FARDC's incompetence is a security threat for Rwanda and might give rise to a redeployment of Rwandan troops in eastern DRC. By early December there were indeed increasing reports of Rwandan troops having crossed the border into eastern DRC and having attacked villages. On the other hand there is widespread suspicion of Rwanda drawing political advantage of the 1994 genocide to cross the border with armed forces and to exploit Congolese natural resources. Furthermore, there is evidence of Rwanda having violated a UN-imposed regional arms embargo.

Relations between the military regions of North Kivu and South Kivu have been very tense for some time. The military commander of North Kivu, general Obedi, maintains that troops from South Kivu are a threat to the Banyamulengue in eastern DRC. Dissident soldiers loyal to a former RCD-G commander, general Nkunda, apparently supported by soldiers of North Kivu, briefly captured **Bukavu**, the capital of South Kivu in June 2004. Serious war crimes including arbitrary killings and rape were committed at this occasion. The commander of South Kivu, Mbuza Mabe from the government faction, retreated at Nkunda's arrival and proceeded to loot a nearby town. In October the two commanders agreed to respect the boundaries of their military zones. The military command tried to address the chaotic situation in eastern DRC. The government itself vigorously condemned the capture of Bukavu but despite the increasing ethnic tension and the deteriorating security situation it has not played an active part in seeking to resolve the problem which affects the whole region.

An additional destabilising and worrying factor is the deteriorating relationship between the RCD-G and the presidential camp, as was demonstrated in August 2004, when Azarias Ruberwa, one of the four vice-presidents, leader of the RCD-G party, accused Mr Kabila of planning and executing the massacre of 160 Congolese refugees at the Gatumba camp. Mr Ruberwa temporarily withdrew from the transition process and only returned to the government following Mr Thabo Mbeki's intervention. Despite the RCD-G leader's legitimate concerns over the failure to integrate the army he remained isolated on his return and the transition government may have lost an important participant.

On 13 August 2004, 160 Congolese refugees (mostly Banyamulengue) were shot or burned to death in the **Gatumba** transit camp managed by the UNHCR by combatants which Human Rights Watch, on the basis of witnesses' reports, concludes being the Burundian Hutu rebel group 'Forces nationales de libération' who had themselves claimed responsibility for the attack. This version was confirmed by a MONUC report of mid-October. According to other sources, the attacks were executed by the DRC government army with the help of the Interahamwe. The controversy about the assailants reflects once more the tendency to use ethnic tensions for political advantage and increases the risk of a generalised ethnic conflict.

In mid-November 2004 the UN arms embargo was violated repeatedly by civilian authorities in North Kivu, a disturbing development, as tensions between the Banyamulengue and other ethnic communities in the area are spreading further.

#### Preconditions for an end of the conflicts

The restructuring of the army and the disarmament of Interahamwe are considered to be decisive for the country's unity and progress towards democratisation (elected government). It should be mentioned that before Mr Kabila's arrival in Kisangani in mid-October 2004, local military forces had been disarmed and replaced by the president's special guard.

As far as the ethnic question is concerned, the National Assembly, in mid-November 2004, passed a new law on nationality which addresses the controversial question of nationality for the Banyamulengue community and confers to all Congolese Tutsi full citizenship.

## **VI. Ongoing Problems in Today's DRC**

### Human Rights

All parties to the conflict are guilty of serious human rights abuses. Attacks against civilians and ethnic killings continue to be perpetrated by both government and rebel forces, as the UN Commission on Human Rights' report of 10 March 2004 confirmed. Belligerents are preventing humanitarian aid workers from crossing their zones of control. There are also reports of arbitrary detentions, unfair trials by military courts, rape, torture, cannibalism and extrajudicial executions. Many people have "disappeared." Most such offences remain unpunished. 3.4 million people are displaced internally or have fled to neighbouring countries. Violence and instability have claimed the lives of three million people in the last five years. The UN peace-keeping mission to eastern Congo has not brought stability to the region despite its progress in the disarmament and demobilisation of foreign combatants.

According to the UN Special Rapporteur, the deep-seated causes of the conflict, economic in nature, must be addressed and the flow of illegal arms must be halted (UN report of 10 March 2004). Unless the army, the police and justice personnel are properly paid, the civilian population will continue to live in insecurity. The creation of a fully integrated army loyal to a unified government as well as the rehabilitation of the justice system are prerequisites for the realisation of a satisfactory human rights situation.

The impunity of perpetrators of war crimes is a major obstacle to the promotion of human rights and the human rights situation is a threat to the peace process. Some of the abuses constitute international crimes against humanity. Sexual violence against the vulnerable groups such as women and girls is being used as a tool of warfare alongside the recruitment of child soldiers and forced labour of women and children.

Another vulnerable group are the poor: following the destruction of the agricultural infrastructure during the war, 17 million people are suffering from malnutrition.

In mid-April 2003 reports emerged of a massacre of civilians from the Lendu ethnic group in the locality of Drodro. 800 people were killed. MONUC troops were repeatedly attacked. In mid-May two of MONUC's military observers were murdered.

On 15 January 2004 a large group of persons was killed at Dgegu. Clashes between Mai-Mai militiamen and a Rwandan rebel group in South Kivu displaced more than 2000 people. Interahamwe groups are frequently involved in attacks. 'Makabe' Mai-Mai terrorised Haut-Katanga from March 2002 to September 2003 and displaced more than 100 000 people.

Numerous non-governmental organisations, including human rights groups, operate despite intimidation and arrest. Opposition supporters, journalists, and human rights workers are routinely arrested and harassed, and public demonstrations are forbidden. Freedom of expression and freedom of assembly are sharply limited by decree. Statutes provide for freedom of the press, but the government continues to sharply restrict the work of journalists.

### Political Rights and Civil Liberties

The people of the Democratic Republic of Congo have never been permitted to choose or change their government through democratic means. The president rules by decree and there are no elected representatives in the entire country. A decree provides for the independence of

the judiciary, but in practice it is subject to corruption and manipulation. The president may dismiss magistrates. Courts are ineffective in protecting constitutional rights, and security forces and government officials often take the law into their own hands.

### Refugees

Ever since 1994 the Democratic Republic of the Congo has been affected by a massive inflow of refugees from the fighting in Rwanda and Burundi. In 1994 over one million refugees fled into Zaire to escape the fighting between the Hutus and the Tutsis. Clashes between the rebels and DRC government forces in October 1996 caused 875.000 of these refugees to return to Rwanda in late 1996 and early 1997. Hundreds of thousands of these disappeared on the way and are assumed to have been killed by Zairian forces.

In March of 2004 the war had led to more than 3,4 million persons being uprooted, of which about 1,8 million were internally displaced. Most of the refugees from the Democratic Republic of Congo have fled to Tanzania, the Republic of Congo, Zambia, Rwanda, Central African Republic, Angola and Uganda. About 8.000 persons applied for asylum in Europe during 2000. According to the UNHCR, the DRC itself hosts some 330.000 refugees from Angola, Sudan, Rwanda, Burundi, Uganda and Republic of Congo. The return of displaced persons is often hampered by security problems and precarious living conditions.

### HIV / AIDS

HIV / AIDS represents one of the main health problems in the Democratic Republic of the Congo. As a result, life expectancy is lower, infant mortality and death rates higher, than would otherwise be expected. AIDS also has a considerable impact on population and growth rates, and the distribution of population by age and sex.

At the end of 2003 the number of people with AIDS was estimated at more than 1.3 million. In some regions, the HIV-positive rate is estimated at between 17 and 24 percent. According to the WHO, a recent study of patients in Bukavu, in eastern DRC, found 32% of adult men, 54% of adult women and 26,5% of children to be HIV-positive. Public health authorities have estimated that there are about 173.000 new HIV cases each year in the Democratic Republic of the Congo.

According to the country's National AIDS Control Programme, the country has an estimated 930.000 orphans of whom at least one parent has died of AIDS. As a consequence, there has been an increase in the number of street children in the country's urban areas.

The national AIDS control programme continues its campaign of informing people about HIV transmission and the consequences of their sexual behaviour. However, although aware of the risks, many Congolese are reluctant to change their behaviour.

## **VII. Economic Policy and Outlook**

Given the situation of the country, there is a high degree of uncertainty about the economic data. In 2003 the World Bank estimated DRC's GDP at US \$ 5.67 billions, equivalent to approximately US\$ 106.7 per capita. The GDP annual growth in 2003 was 5.6%. The assumption of growth for 2004 is 7.3%. Agriculture & forestry (57%), Services (24%), Mining (10%) and Manufacturing (9%) were the main contributors to the GDP. The gap

between exports (US\$ 1,43 bn) and imports (US\$ 1,8 bn) is steadily increasing as from 2001. The current account balance is negative (- US\$152 million in 2002).

The economy of the Democratic Republic of the Congo has declined drastically since the mid-1980s. Since the start of the civil war and the rebellions in the east of the country, national output and government revenue have been reduced and the external debt has kept increasing. External debt-service started only in 2002 (total external debt: US\$ 9,159 bn per 2003). The war has also intensified problems such as corruption, hyperinflation and lack of openness in government economic policy and financial operations. As a result, many foreign investors have fled the DRC. Since the early 1990s much of the economy has been in a state of collapse. Economic reform measures were introduced in 1997. The introduction of a new currency, the Congolese franc was not enough to revive the economy, however. After the outbreak of the civil war in 1998, the new currency was repeatedly devalued, and inflation increased rapidly until 2001 (357%). In 2003 inflation could be reduced to 12.3%.

The Democratic Republic of the Congo is a country with vast potential wealth, mineral resources being the mainstay of the economy. Mining is centred in Katanga province. Commodities include copper, cobalt, zinc, manganese, uranium, cassiterite, coal, gold, silver and, particularly important, Coltan. Diamonds are mined in Kasai. There are also major deposits of petroleum offshore near the mouth of the Congo River.

Although only 3% of the nation's land area is arable, a substantial part of the labour force is engaged in subsistence farming. The principal food crops are cassava, yams, maize, groundnuts, plantains and pulses. Rubber, coffee, cotton, tea, sugarcane and palm products are produced commercially, mostly for export. Output does not, however, meet the domestic demand and the DRC has become dependent on food imports. About 75% of the Democratic Republic of the Congo is covered with forest and considerable amounts of ebony and teak are produced annually. Evidence points to massive illegal logging, harming wildlife and causing severe forest degradation.

Kinshasa and Lubumbashi are the most important industrial centres. Manufacturing includes processed copper, zinc and cassiterite; refined petroleum; basic consumer goods such as processed food, beverages, clothing and footwear; and cement.

The country's export earnings come almost entirely from sales of primary products, which are vulnerable to sudden changes in world prices. Since 1994 diamonds have become the country's leading export. Petroleum also accounts for an important portion of export earnings. Other important exports include cobalt, copper, coffee, palm products and rubber. The leading imports are consumer goods, machinery, transport equipment and foodstuffs. The country's principal export partners are the Benelux countries, the United States, South Africa, Finland and Italy, whereas the main import partners are South Africa, the Benelux countries, Nigeria, Kenya and China.

Despite political uncertainty, the economic policy outlook in the Democratic Republic of the Congo has continued to improve, owing to the government's commitment to macro-economic stabilisation. This has contributed to increased confidence in government policy among international donors, including the IMF and World Bank, who are now strongly engaged with the DRC. International donors have agreed to support the establishment of a World Bank administered multi-donor Trust Fund to complement the DRC'S efforts in servicing the multilateral debt.

In June 2002 the IMF approved a three-year US\$ 750 billions PRGF (Poverty Reduction and Growth Facility) for the DRC. This is the DRC's first formal assistance from the Fund for over a decade. The PRGF continues to remain on track despite low levels of "pro-poor" spending and increasing predation by the 'elite'. The IMF's 4th review of the government's performance covering the period Oct. 2003 - March 2004 has been largely satisfactory. Under the agreed programme the government is to focus on further macroeconomic stabilisation, establishing the basis for recovery and increase social spending, particularly on health and education. Essential infrastructure and inefficient state institutions will have to be rehabilitated. The country's absorption capacity, however, is low and the logistic problems, given its size, are enormous. The reform of the civil-service, tackling corruption, establishing state administration in former rebel-held areas and improving fiscal management will be additional tasks for the government. Fiscal revenue was expected to reach 9.2% of GDP in 2004 (5.9% in 2001). Although recent legislative and other policy changes affecting governance and the business climate are encouraging (liberalisation of the domestic business environment), in the areas for example of investment, mining, forestry, and public enterprise reform, these remain to be implemented effectively. The IMF and World Bank are also preparing to offer the DRC access to the HIPC debt relief programme.

During 2004 the total disbursements by the donor community amounted to US\$1.094 bn. For 2005 the volume of external aid will be about US\$1.3 bn. The support for the electoral process will be US\$ 167 million (total cost 287 million). In 2004 the World Bank approved a Post Conflict Economy Recovery Credit of US\$ 200 million.

In November 2004, the government presented a new economic plan to Paris Club donors ('minimum partnership programme for transition and recovery', 'PMPTR' with a cost of US\$ 7 bn over three years) which outlines priority spending and action in 16 areas and which was well received by the donors who pledged US\$ 5.7bn for the period 2005-2007.

The DRC is one of the world's most debt-laden countries, though to date it has not received any relief under the HIPC initiative as a result of prolonged instability in the country. In May 2002, the IMF and World Bank prepared a preliminary paper, which addressed the question of whether the DRC is eligible for relief under the enhanced HIPC initiative. According to this report, the ratio of the country's debt in net present value (NPV) terms to its exports stood at 730% at the end of 2001, almost five times the HIPC sustainability threshold of 150%. Bank and Fund staff also expressed satisfaction over the government's recent economic reforms. The report assumed that the country could reach decision point in January 2003. Completion point might be reached in 2006.

Even after applying traditional debt relief measures, however, the debts of the DRC would still be unsustainable. It will also be a challenge for the government to divide resources more evenly between citizens and regions so that not only certain parts of the country would benefit.

### **VIII. Relations with the European Union**

Since 1996 the European Union is represented in the Great Lakes region by its special envoy, Mr. Aldo Ajello. Mr. Ajello has called for a solution that would guarantee the long-term security of the Democratic Republic of the Congo and its neighbours. He has also encouraged dialogue between all the Congolese political factions, and their participation in the transitional process.



The European Union supports efforts to reach peace and stability in the Great Lakes region. (See Presidential declarations annexed). In a declaration of 4 June 2004 on the situation in Bukavu the EU calls for an immediate end to the hostilities and for a cooperation with MONUC.

The European Parliament also follows the situation in the Democratic Republic of the Congo closely. In a resolution (2003/0223) adopted on 15 May 2003, regarding the situation in Ituri, it called for the permanent withdrawal of foreign militias and troops.

In a resolution (2003/0334) adopted on 3 July 2003 on trafficking in children and child soldiers, it called on the Commission to draw up a strategy for combating poverty in order to combat trafficking in children.

In a resolution (2004/0113) adopted on the 16 December 2004 on the situation in DRC, the Parliament condemned the unilateral military action by Rwanda and called for the immediate withdrawal of its troops from the DRC.

### Development Co-operation

The Community's cooperation with the DRC dates back to the Yaoundé Convention. Since 1990 the EU has allocated EUR 402 million to the DRC for emergency aid, food aid, cofinancing with NGOs and rehabilitation programmes. As a result the EU is currently the country's foremost international donor. However, political events since 1990 and armed conflicts in 1996-97 and in 1998-1999 led to the suspension of on-going projects.

In May 1997, following the seizure of power by President Kabila's Forces Démocratiques de Libération du Congo (AFDL), the EU gradually resumed co-operation with the DRC. This is dependent on recognised progress in the fields of human rights, democratisation and establishment of law and order.

Under the 6<sup>th</sup>-8<sup>th</sup> EDFs (worth approximately EUR 202,45 millions), priority has been given to projects related to rehabilitation, infrastructure, agriculture, health care and strengthening the judicial system. The 8<sup>th</sup> EDF in particular focused on poverty reduction, socio-economic reintegration and institutional support.

EUR 205 million have been allocated under the 9<sup>th</sup> EDF (signed in September 2003). It contains budgetary support (EUR 106 million), a health programme (EUR 50 million), support for capacity building and the civil society (EUR 15 million). According to the mid-term review, additional funds of the amount of EUR 270 million will be allocated in the event the transition process makes good progress. Furthermore, the Commission supports the training of an integrated police force (EUR 5 million) and contributes to the financing of the electoral process (EUR 80 million) and its security (EUR 9 million). Additional budgetary funds support human rights issues (EUR 5,5 million). NGO's activities are financed with EUR 8,5 million and food aid for EUR 4,7 million.

### Humanitarian Aid

The DRC programme has been one of ECHO's biggest programmes in recent years owing to the huge need in the country. In the field of humanitarian aid, priority is being given to health and nutrition. In January 2003, EUR 35 million in humanitarian aid was adopted for the

DRC. The total commitments for ECHO's Global Plan for 2004 was EUR 45 million. For 2005 an envelope of EUR 38 million is envisaged.

Reaching those in need of humanitarian aid has, however, been difficult. Most are located in the Ituri / Djugu area and in a triangle formed by the strategically important towns of Beni, Kindu and Kalemie. Access to these areas, controlled by the Mai Mai and Burundian and Rwandan Hutu guerrillas, is very limited.

The humanitarian crisis in the DRC is among the most desperate in the world. After the collapse of its social infrastructure and years of mismanagement and the withdrawal of development cooperation, almost the entire Congolese population is considered to be vulnerable to some degree. For two years ECHO has been more or less alone in providing humanitarian assistance to the Congolese population.

## Map of the Democratic Republic of the Congo



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