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The African Great Lakes Region: An End to Conflict?

Since the early 1990s the African Great Lakes region – defined here as the Democratic Republic of Congo (DRC), Burundi, Rwanda, Uganda and Tanzania – has been convulsed by genocide, civil wars, inter-state conflict and flawed democratic transitions.

With UN-sponsored peace processes underway in DRC and Burundi and projects of state and societal reconstruction apparently advancing in Rwanda and Uganda, there are hopes that the epoch of violence and exploitation in the African Great Lakes region is finally drawing to an end.

This Research Paper offers an assessment of how well founded these hopes are. The next step on the road to regional peace and stability is the second round of the presidential election in the DRC, which takes place on 29 October 2006. Much rests on a peaceful and legitimate outcome.

Jon Lunn

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Summary of main points

Since the early 1990s the African Great Lakes region – defined here as the Democratic Republic of Congo (DRC), Burundi, Rwanda, Uganda and Tanzania – has been convulsed by interlocking civil wars, inter-state conflict and flawed democratic transitions.¹ Many millions of lives across the region have been lost or blighted as a result of violence and displacement. Of the countries in the region, only Tanzania has managed to avoid such catastrophe, although it has been heavily affected by the strain of hosting hundreds of thousands of refugees. However, with UN-sponsored peace processes underway in DRC and Burundi and projects of state and societal reconstruction apparently advancing in Rwanda and Uganda, cautious hope is being expressed that this epoch of violence and exploitation in the Great Lakes region is finally drawing to an end. The British Government has expended much time and resources in supporting efforts to stabilise the Great Lakes region over the last decade. Indicative of this are claims that it is now the largest bilateral donor to the DRC, a country with which the UK has comparatively weak historical ties.

In the DRC, a second round of presidential elections takes place on 29 October 2006. Joseph-Désiré Kabila, who has been President of the Transitional Government since 2003, is the favourite to win but his main opponent, Jean-Pierre Bemba, has not given up hope. The result, which would usher in the end of the DRC's post-conflict transition, is expected on 12 November. There are fears that the loser may not accept the outcome. Whoever wins faces massive challenges. Armed groups continue to operate, particularly in the East. Tens of thousands of ex-combatants await demobilisation and reintegration. There remains much to do in terms of security sector reform. Corruption and the misuse of the country's natural resources are still rife.

Burundi's post-conflict transition ended in 2005 with the decisive victory in elections of the former armed group, the CNDD-FDD. President Jean-Pierre Nkurunziza sits at the apex of elaborate power-sharing arrangements that it is hoped will end conflict between the Hutu majority and the Tutsi minority. However, two factions of the (National Forces for Liberation) FNL have yet to be incorporated into the new political dispensation, although hopes that they will be during 2007 have recently risen. But the new Government lacks capacity and has been showing authoritarian tendencies over the last six months. Tens of thousands of refugees have yet to return from Tanzania. Burundi's peace remains fragile.

Rwanda has made significant progress towards recovering from the catastrophic genocide of 1994. Led by the Rwandan Patriotic Front (RPF), the strategy for ending conflict between the Hutu majority and the Tutsi minority has been to de-legitimise the overt political expression of ethnicity, rather than institutionalising power-sharing arrangements as in Burundi. Flawed Presidential elections in 2003 brought Paul Kagame to power – the first Tutsi ever to hold the office. Pursuit of the *génocidaires* and economic interests has led to Rwanda playing a major role in the Eastern DRC. Critics claim that the Government is increasingly

¹ G. Nzongola-Ntalaja, *The Congo from Leopold to Kabila* (London, 2003), p. 215-16. The countries included in the designation 'Great Lakes' varies greatly from context to context. Nzongola-Ntalaja argues that while geographically the region could be considered also to include Kenya, Zambia, Malawi and Mozambique, the five countries covered by this Research Paper represent a political "core"

authoritarian. Some go so far as to assert that Hutu hegemony has merely been replaced by Tutsi overlordship.

In Uganda, President Yoweri Museveni has gradually brought a series of insurgencies in the North, East and West to an end since seizing power in 1986. Security and economic interests also drew Uganda into the affairs of Eastern DRC. But in the North continuing conflict between the Government and the LRA has inflicted a massive toll in civilian lives. Now, however, peace talks are under way. A system of 'no-party' democracy gave way in 2005 to multi-partyism. This did not prevent Museveni from being re-elected for a third term in February 2006, the Constitution having been changed to make it possible. In recent years, the shine has come off Museveni's previously glowing international reputation.

Tanzania can plausibly be viewed as the region's greatest 'success story'. It is alone in having successfully removed ethnicity as a major force in politics. The one blot on Tanzania's record is Zanzibar, where there has been a political crisis for over a decade and a series of elections that many observers believe have been rigged against the opposition. The new President, Jakaya Kikwete, has undertaken to address the political crisis. Tanzania has been unable to insulate itself entirely from the troubles elsewhere in the region, hosting hundreds of thousands of refugees. Unsurprisingly, it has been heavily involved in peace initiatives across the region. But peace in Burundi and the DRC holds out the hope that they will be returning home in the near future.

The conflicts of the last decade across the African Great Lakes region must be understood in the context of longer-term dynamics of ethnic conflict and state formation. In doing so, it is particularly important to study patterns of intervention in each other's affairs by the states of the region and the role of natural resources in fuelling conflict. Three factors have been identified by analysts as key contributors to conflict in the region: ethnicity, state failure and greed. Peace-building strategies have increasingly sought to address both political and economic issues and to incorporate regional and international dimensions.

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I Democratic Republic of Congo

A. Background and History²

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| The population of the Democratic Republic of Congo (DRC) is estimated at around 55 million. |
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| After Sudan, it is the largest country in Sub-Saharan Africa. It is made up of many ethnic groups. The largest amongst them are the Kongo, Kwangu-Kwilu, Mongo, Bwaka, Luba and Zande. The country is no less diverse linguistically. |
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| The DRC is richly endowed with natural resources, including diamonds, which are its most valuable export. Other valuable mineral assets include gold, copper, cobalt, cassiterite and coltan. It also has enormous timber resources. |
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| An estimated 4 million Congolese have died as a result of conflict over the last decade. |
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During the 15th century, the Kongo kingdom emerged in Central Africa as a major state based on agriculture and long-distance trade. It was ultimately defeated and dissolved by the Portuguese in the late 16th century. The mid 19th century saw the emergence of a state in what is today Katanga, called Garenganze. By the late 19th century Africa became the focus of competition between European powers for territory. Competition between Britain and Belgium over the Congo was resolved in 1885 at the Congress of Berlin, leading to the declaration in May of the Congo Free State, with King Leopold of Belgium as its monarch. Over the following 23 years, his personal rule was characterised by a combination of violence, economic exploitation and prolonged episodes of resistance by traditional Congolese leaders. An estimated 10 million people died during this period.

In 1908, Congo Free State became the Belgian Congo, as a more conventional form of colonial rule was established. The economy continued to be structured around rubber and mineral exports. In 1925 Belgium combined the Congo with its other territories of Ruanda-Urundi to create a single administrative entity known as Congo Belge et Ruanda-Urundi.³ It was split up into its component parts again in 1945. By this time, anti-colonial resistance was becoming more urban-based. Belgian initiatives to introduce policies of 'assimilation', whereby the educated African minority could attain the status of honorary European, failed to suppress growing calls for political independence. In 1958, Patrice Lumumba and other nationalists established the Congolese National Movement and led agitations for an immediate end to colonial rule. In January 1959, a popular uprising broke out in Kinshasa.

As the likelihood of independence grew, internal divisions and conflicts – often exacerbated by outside interests – intensified. Following national elections in May 1960 the radical Patrice Lumumba became Prime Minister of an independent Congo. Within

² This section of the Paper draws upon the chronology provided by Nzongola-Ntalaja (pp. 265-78) and the *Europa World Year Book 2006* (London, 2006), pp. 1304-1309

³ Ruanda and Urundi were the colonial names for Rwanda and Burundi

weeks a mutiny within the army created a pretext for Belgian military intervention. Belgium sponsored the establishment of a secessionist government in the province of Katanga under Moïse Tshombe. A separatist rebellion also broke out in South Kasai. Lumumba called for UN assistance to protect the country. In September 1960 Lumumba was dismissed as Prime Minister and placed under house arrest by President Kasavubu. However, Parliament refused to recognise his dismissal, prompting a coup by army chief of staff Joseph-Désiré Mobutu. Mobutu did not himself take power. In January 1961, now in the hands of the secessionist government in Katanga, Lumumba and two other politicians were executed by an execution squad made up of Belgian and Congolese forces.⁴ With UN military assistance, secessionist forces were defeated in South Kasai and Katanga by early 1963. Within 18 months, Moïse Tshombe had agreed to become Prime Minister of the Congo. Following the departure of UN troops in June 1964, radical or Lumbumbist armed insurgencies in both the west and the east were defeated with strong US and Belgian military assistance. In May 1965 national elections were successfully held in which Tshombe was returned to power. This promise of peace and stability was destroyed in November 1965 when Mobutu staged his second coup. This time he did take power and was to rule until 1997.

Mobutu turned the Congo into his own fiefdom between 1965 and 1997. The nationalisation of land and mineral rights in 1966 turned the country into his own personal treasury. The nationalisation of small and medium businesses followed later. He was a loyal US ally during the Cold War. The writ of the state failed to operate in many parts of the country. Political opposition was violently suppressed – for example, a revival of Katangan separatism was put down during the Shaba wars in 1977 and 1978, with French and Belgian support. In 1970 he established a one-party system of rule. In 1971 he renamed the country ‘Zaire’. In 1981, a law was passed depriving Tutsis in Eastern Zaire of their citizenship. With the ‘second wind of change’ blowing across sub-Saharan Africa in the late 1980s, following the end of the Cold War, Mobutu reluctantly agreed to an end to one-party rule in 1990 and the convening of a Sovereign National Conference (SNC) to decide the future of the country. At the head of the popular democratic movement was Etienne Tshisekedi, leader of the Union for Democracy and Social Progress (UDPS). His relationship and that of the SNC with Mobutu was always turbulent. The SNC elected Tshisekedi Prime Minister in August 1992. In November Mobutu unconstitutionally dismissed his Government and ordered the SNC to close down. Between 1992 and 1994, amidst growing internal chaos, negotiations took place between Mobutu and his allies and those linked with the popular democratic movement. A process for pushing ahead with democratic transition was agreed in early 1994. However, the spill-over effects of the Rwandan genocide were ultimately to render this agreement irrelevant.

B. Dynamics of Conflict and Peace, 1994-2005⁵

As a result of the Rwandan genocide, over one million Hutu refugees fled into Eastern Zaire. Amongst them were the remnants of the former Rwandan army and the extremist

⁴ L. de Witte, *The Assassination of Lumumba* (London, 2001)

⁵ This section of the Paper also draws upon the chronology provided by Nzongola-Ntalaja (pp. 265-78) and the *Europa World Year Book 2006* (London, 2006), pp. 1304-1309

Hutu militia group, the *Interahamwe*. While this imposed a grave burden upon the administration and people, it did not at first appear to pose a major threat to the Mobutu regime itself. However, relations between Rwanda, its (then) close ally Uganda, and Zaire quickly deteriorated as the former accused the latter of displaying pro-Hutu sympathies and failing to prevent exiled Hutu groups from preparing to mount a counter-offensive against the new Tutsi-dominated Government in Kigali. As preparations advanced within Zaire towards the holding of national elections during 1996, Rwandan troops crossed into the East and forcibly dismantled the Hutu refugee camps in North and South Kivu, pursuing those they claimed had been linked to armed groups within the camps. The UN has accused Rwanda of systematically massacring many refugees in the course of these military operations.⁶

At the same time, with Rwandan and Ugandan support, Laurent-Désiré Kabila formed the Alliance of Democratic Forces for the Liberation of Congo (AFDL) with the aim of overthrowing Mobutu. Kabila had a long and, until then, undistinguished track-record as an insurgent against Mobutu. The AFDL advanced across Zaire rapidly and seized Kinshasa in May 1997. Kabila declared himself President and changed the country's name to the Democratic Republic of Congo (DRC).

But Rwanda and Uganda's alliance with Kabila was to prove extremely short-lived. Kabila sought to reduce the power of his Rwandan sponsors. By July 1998 Rwanda and Uganda had decided that he too must be removed. As a result, Rwanda and Uganda sent troops back across the border into the East and, working with Congolese allies, initiated new rebellions. The two countries also had the implicit support of Burundi. Kabila was saved only by the speedy intervention of Angola, Zimbabwe, and Namibia, which sent troops into the country to support his government. There have been claims that the 'invasion' by Rwanda and Uganda had the tacit support of some western powers.⁷ Those countries that intervened on the side of the Kabila Government, particularly Zimbabwe, were rewarded with a cut of the DRC's diamond wealth.

Two main rebel groups emerged: the Congolese Assembly for Democracy (RCD) and the Movement for the Liberation of Congo (MLC). The MLC, led by Jean-Pierre Bemba, was initially formed as a proxy for Uganda but also had close ties with members of the old Mobutu regime. The RCD was Rwanda's surrogate, drawing support from the Kinyarwanda-speaking population of the East. The DRC Government had its own supporters in the Mai-Mai militia, which collaborated with former *interahamwe* in fighting the rebel groups. By the end of 1998 Rwanda and Uganda were themselves falling out over their attitude to the DRC. The RCD began to split into factions, which aligned themselves with either Rwanda or Uganda.

In July 1999 the Lusaka Agreement was signed by all the states parties to the conflict in the DRC. It provided for the withdrawal of all foreign armies from the DRC, the disarmament of *interahamwe* forces in the DRC, the establishment of an inter-Congolese

⁶ UN Security Council, Report of the Investigative Team Charged with Investigating Serious Violations of Human Rights and International Humanitarian Law in the Democratic Republic of Congo, S/1998/581, 29 June 1998. Available at:

<http://daccessdds.un.org/doc/UNDOC/GEN/N98/177/22/IMG/N9817722.pdf?OpenElement>

⁷ Nzongola-Ntalaja, *The Congo from Leopold to Kabila*, pp. 232-5

dialogue under the auspices of the Organisation of African Unity (OAU) and the creation of a UN Mission in Congo (MONUC). The MLC and one of the RCD factions, RCD-Goma, also endorsed the agreement. But the Lusaka Agreement was initially a dead letter. During 1999 and 2000, as internationally-sponsored peace efforts gathered momentum, the Rwandan and Ugandan armies clashed on Congolese soil as they competed for territory and resources. Rival factions of the RCD also began fighting each other. The *interahamwe* joined with other anti-RPF Hutu groups still in Eastern DRC in 2000 to form the Democratic Forces for the Liberation of Rwanda (FDLR). For several years it was closely aligned with the DRC Government. In June 2000 the UN Security Council passed Resolution 1304, which designated Rwanda and Uganda as aggressors in the DRC and called for their immediate withdrawal.

Meanwhile, Kabila was pushing ahead with a tightly-controlled 'democratic transition' designed, Mobutu-like, to perpetuate his power. However, on 16 January 2001, he was assassinated by one of his bodyguards. A DRC Government report later accused Uganda, Rwanda and its Congolese allies of being behind the murder. Within 24 hours a dynastic succession had been engineered. 29 year-old Joseph Kabila was chosen by his father's entourage as the new interim Head of State. The emergence of Joseph Kabila was accompanied by a more accommodating negotiating position. In March 2001 to withdraw from positions of military engagement and support the full implementation of the Lusaka Agreement. The first MONUC forces arrived at the end of the month.

In April 2001 a UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo issued a report accusing Rwanda and Uganda of systematically doing so. In May 2001 Joseph Kabila lifted all restrictions on political activity – an essential precondition for establishing the inter-Congolese Dialogue. Namibia withdrew its troops from the DRC, but progress towards the withdrawal of all foreign forces was held up by Rwandan demands that the DRC Government fulfil the provision in the Lusaka Agreement that the *interahamwe* be shut down and its leaders arrested. With South Africa, the OAU and the UN strongly backing it, the inter-Congolese Dialogue ultimately produced agreement in April 2002 between the Government and the MLC to establish a government of national unity which would oversee the drafting of a new Constitution. In July 2002 there was a major breakthrough when Rwanda signed a further agreement that reinforced the provisions of the Lusaka Agreement on the *interahamwe* and the withdrawal of foreign forces. This was followed by an agreement in September between the DRC and Uganda to normalise relations. By mid 2003 all foreign forces had officially left the DRC.

In October 2002 a further report by the UN Panel of Experts implicated six government ministers and a number of senior officials in the illicit exploitation of DRC's mineral resources, leading to a reshuffle by Kabila. However, the Panel's call for an international embargo on mineral exports from Rwanda, Uganda and Burundi, which had dramatically increased, was ignored. The DRC joined the Kimberley Process, an international diamond certification scheme, in January 2003.⁸

⁸ For more details, see Part I.C

A further power-sharing agreement was signed in December 2002 that brought most of the existing armed groups and opposition parties into government. However, armed activity by those outside the power-sharing agreement escalated in parts of the East. Armed factions continued to proliferate there as militias representing the Lendu and Hima (a Tutsi clan) clashed in the Ituri area. Ugandan troops remained in the North East. Rwanda threatened to send troops back in if they did not withdraw. When they did in May 2003 Hima militiamen seized the town of Bunia from MONUC, killing many civilians in the process. MONUC was supplemented for a period by a European Union (EU) Interim Emergency Multinational Force in an attempt to restore order.⁹ Eventually this force was absorbed by an enlarged MONUC.

In April 2003, at Sun City in South Africa, the composition of a Transitional Government was finally settled and agreement reached to integrate all rebel factions into an integrated national army. Under a '1+4 formula', the Transitional Government involved the appointment of four Vice-Presidents under President Kabila, thereby ensuring the representation of the main armed Congolese parties to the conflict. The parties declared the conflict in the DRC formally over. The new Transitional Government was promulgated in June 2003.

In July 2003 the new International Criminal Court (ICC) announced that, at the request of the DRC Government, it was launching investigations into alleged war crimes and crimes against humanity committed in the Ituri area. In October 2003 the UN Panel of Experts named some 85 companies as having been involved in the illicit exploitation of DRC's mineral resources. In March 2004 the UN passed Security Council Resolution 1533 (2004), which provided for the imposition of sanctions against individuals deemed to be obstructing the peace process.¹⁰

In May 2004, the Lendu and Hima militias signed a peace agreement. However, almost immediately dissident elements of RCD-Goma returned to violence, briefly seizing Bukavu from the Government before eventually fleeing into exile in Rwanda, where they were disarmed. In June 2004 a coup attempt by elements within the Presidential Guard was foiled. In August 2004 a massacre of Banyamulenge refugees in Burundi by a Burundian Hutu rebel faction led to RCD-Goma pulling out of the Transitional Government for a period. In December 2004 there were renewed claims that Rwandan troops were in the DRC. Dissident army units also rebelled in North Kivu, allegedly with Rwandan encouragement.

In January 2005 presidential and parliamentary elections scheduled for June were postponed due to continued instability in the East and delays in agreeing a new Constitution. A new Constitution was finally agreed in May 2005. In November 2005 an amnesty for political crimes committed between 1996 and 2003 was declared. The new Constitution was approved overwhelmingly in a referendum in December 2005. The Constitution creates 15 additional provinces (up from 11) and provides for significant

⁹ See House of Commons Library Standard Note SN/IA/2193, 22 June 2003, *Interim Emergency Multinational Force in the Democratic Republic of Congo*

¹⁰ For the latest list of those subject to sanctions, see: http://www.un.org/Docs/sc/committees/DRC/1533_list.pdf (last updated 18 August 2006)

self-government at that level. Presidents can serve two four-year terms. It grants citizenship to members of all ethnic groups resident in the country since 1960.

C. The 2006 Elections and Future Prospects

Elections had originally been rescheduled for 29 April 2006, with the transition due to end by 30 June. Much of the fighting in the East since the beginning of the year has been between the new armed forces, former units of the Mai-Mai militias and RCD elements. All are nominally part of the new integrated army. A new electoral law was approved in February and elections put back to 18 June in order to allow for the completion of preparations. In May elections were again postponed, this time to 30 July.¹¹ In April the UN Security Council mandated the European Union (EU) to provide a force (EUFOR) of up to 2000 personnel to support MONUC during the campaign. Led by Germany, its numbers have reached 1,400. Nearly half of its personnel have been based in the capital, Kinshasa.¹² MONUC has reached a size of 17,000.¹³

During the election campaign up to 30 July there were periodic outbreaks of violence, but nothing on a large-scale. For example, on 17 July up to seven people died at an election rally near Rutshuru in Kivu Province after gunmen fired into the crowd.¹⁴ In general, rebel factions and militias, while still active, allowed the campaign to proceed in the East. Attempts at disarmament by the Congolese army continued over the electoral period. A few days before the vote, three rebel militias still operating in Ituri, now grouped together in the Congolese Revolutionary Movement, agreed not to obstruct the poll and in due course integrate into the national army.¹⁵ Other militias remained outside the peace process. There were incidents of violations of the regulations for the media during the campaign. Six stations were forced off the air by the Independent Media Authority, a body that is regulating the media during the election period, for 72 hours for failing to display balance and impartiality.

One of the main weaknesses of the election was the absence from it of the veteran politician Etienne Tshisekedi and his UDPS, which was potentially Kabila's most formidable opponent. He originally declared that he would boycott the polls but in January 2006 changed his mind. However, millions of his supporters in UDPS heartland areas like Kinshasa, the two Kasais and Katanga, following his initial lead, had failed to register to vote. The Independent Electoral Commission, reportedly supported by the US and EU, refused his request that the registration centres be re-opened.¹⁶ The UDPS

¹¹ For a fuller discussion of the build-up to the elections, see International Crisis Group (ICG), *Congo's Elections: Making or Breaking the Peace*, Africa Report No. 108, 27 April 2006. Available at: <http://www.crisisgroup.org/home/index.cfm?id=1164&1=1>

¹² "The vote that nobody wins", *Africa Confidential*, 23 June 2006; for a fuller discussion of EUFOR, including its mandate, see House of Commons Library Research Paper 06/32, 8 June 2006, *European Security and Defence Policy: Developments since 2003*, pp. 58-60. Two of its drone aircraft have crashed in Kinshasa, one in July after it was shot down, leading to civilian casualties. See: "Drone crashed in DR Congo capital", *BBC News Online*, 3 October 2006

¹³ Its initial deployment in 2001 had been at a strength of some 5,500

¹⁴ "Deaths at DR Congo election rally", *BBC News Online*, 21 July 2006

¹⁵ "DR Congo militias lay down arms", *BBC News Online*, 28 July 2006

¹⁶ "Two elections, one country", *Africa Confidential*, 4 August 2006; M. Wrong, "Congo on the edge". Available from the website of the All Party Parliamentary Group on the Great Lakes and Genocide Prevention on 1 September 2006 at: <http://www.appggreatlakes.org>

subsequently reverted to its original position of boycotting the elections. The Catholic Church, an important force in the country, has also been ambivalent about the credibility of the electoral process. Both the UDPS and the Church have argued that, under the peace agreement, the Transitional Government became illegitimate as from 30 June 2006, when the transition was originally expected to end.¹⁷

Election day passed off predominantly peacefully. The result of the Presidential election was announced on 20 August. The three most successful candidates were as follows: Joseph Kabila 44.8%; Jean-Pierre Bemba 20%; the 83-year old Lumumbaist Antoine Gizenga 13%.

Kabila, who stood as an independent at the head of the Alliance for a Presidential Majority (AMP), performed strongly in the East, where his support was high amongst the non-Tutsi majority there. Bemba, who stood as the candidate of the Rally of Congolese Nationalists (RENACO), won most of the vote in the Lingala-speaking West of the country. Other candidates, including Azerias Ruberwa of RCD-Goma, performed poorly. Kabila's victory was insufficient to prevent a run-off between himself and Bemba. Although this was originally due to take place 15 days after the announcement of the first round result, logistical problems led to that figure being revised to 50 days, making the date for the run-off 29 October 2006. Provincial elections were scheduled for the same day.

There were incidents of fraud during the elections, including in Kinshasa, and a fair degree of chaos in some vote collection and tallying centres, but the international community judged that they were insufficiently serious to affect the overall result.¹⁸ Kabila appears to have persuaded Gizenga to back him for the second round. Bemba, for his part, began courting Etienne Tshisekedi and the UDPS. His efforts to persuade Tshisekedi to back him for the second round to date have been unsuccessful.¹⁹ Bemba suffered another setback as election day drew near when one of the sons of former President Mobutu threw his weight behind Kabila.

In Kinshasa, where opponents of Kabila have alleged that he is of Rwandan ancestry, Bemba won 50% of the vote, with Kabila garnering 20%.²⁰ Hours before the result was announced clashes broke out in Kinshasa between supporters of Kabila and Bemba in which at least 23 people died. MONUC and western diplomats brokered a ceasefire and a wider deal between the two sides to establish a Joint Commission to investigate the causes of the unrest and to establish ground-rules for the second round.²¹ There were

¹⁷ "The vote that nobody wins", *Africa Confidential*, 23 June 2006

¹⁸ "Arrests delay Congo poll results", *BBC News Online*, 5 September 2006

¹⁹ For the UN view of the electoral process during July and August, see: *Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo*, S/2006/759, 21 September 2006, p. 2. Available at:

<http://daccessdds.un.org/doc/UNDOC/GEN/N06/526/61/PDF/N0652661.pdf?OpenElement>

²⁰ "Two elections, one country", *Africa Confidential*, 4 August 2006; "Counting the casualties after Kinshasa battle", *IRINnews.org*, 25 August 2006. Available at:

<http://www.irinnews.org/print.asp?ReportID=55280>

²¹ "Kabila, Bemba's aides agree to probe unrest", *IRINnews.org*, 29 August 2006. Available at:

<http://www.irinnews.org/print.asp?ReportID=55324>

further clashes in mid September.²² Tensions remained high. Media outlets aligned with the two candidates continued to contribute to the tense security situation.²³ MONUC, EUFOR and the Congolese police began joint patrols on 2 October to try and enforce a ban on weapons in Kinshasa during the election period agreed by Kabila and Bemba. Both men have promised that their supporters will vote peacefully on 29 October.

However, the International Crisis Group (ICG) has expressed particular concern that no measures have been agreed to regulate the private guards of the two candidates, who are not part of the army's regular command structure.²⁴ On 2 October it stated that the policy priorities were to:

secure Kinshasa by obtaining Bemba and Kabila's agreement to limit their personal guards, allow EUFOR and MONUC observers access to their military installations and confine all other Congolese troops in the country to barracks during the second round; as well as by deploying more EUFOR troops to the capital from the reserve in Gabon, with clear authority to use force to prevent violence, and extending the EUFOR troops deployment to the end of the electoral cycle in 2007;

promote a climate of constructive criticism by strengthening the High Media Authority, having the ministry of justice attach judicial police to it so it can act quickly to suspend media guilty of hate speech and ensuring that state television and radio cover the political parties and candidates equally; and

fix the electoral process by addressing the first round weaknesses through timely publication of voter and polling centre lists, coordinating election monitor deployment and carefully planning collection and protection of ballots.²⁵

The results of the elections to the 500-seat National Assembly, which took over a month to be finalised, were announced on 12 September. They were as follows:

People's Party for Reconstruction and Democracy (PPRD): 111 seats
Movement for the Liberation of Congo (MLC): 64 seats
The Party of Unified Lumumbaists (PALU): 34
The Rally for Congolese Democracy (RCD): 15²⁶

The PPRD is Kabila's party. Following the election, it is the largest party in the AMP. PALU is Gizenga's party. 150 seats went to independents and the remainder of seats to

²² "Angry protests over DR Congo fire", *BBC News Online*, 19 September 2006

²³ "Media fanning election violence", *East African*, 26 September 2006. Available at: <http://allafrica.com/stories/printable/200609260044.html>

²⁴ There has been at least arms shipment of military equipment and related materials to the Government side about which the UN was not informed or given the opportunity to verify. This is in violation of UN Resolution 1533 (2004). *Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo*, S/2006/759, 21 September 2006, p. 11

²⁵ ICG, *Securing Congo's Elections: Lessons from the Kinshasa Showdown*, Africa Briefing No. 42, 2 October 2006.

Available at:

http://www.crisisgroup.org/library/documents/africa/central_africa/b042_securing_congos_elections.pdf

²⁶ "Parliamentary poll results out, no party gains majority", *IRINnews.org*, 12 September 2006. Available at: <http://www.irinnews.org/pring.asp?ReportID=55479>. For all of the election results, see: <http://www.cei-rdc.cd/clcr/index.html> and <http://www.cei-rdc.cd/legislative/index.html>

a kaleidoscope of small ethnically and regionally-based parties.²⁷ The main parties have inevitably looked in these directions to boost their position as the jockeying gets under way over forming a post-transition government. Nonetheless, there were understandable fears on the part of analysts, post-election, of a dangerous political stalemate. The current Transitional Government will remain in place until at least the end of 2006. There are also fears that many present office-holders will loot state resources before the time comes for them to depart.²⁸ In late September the AMP claimed that it had achieved a majority in the new Parliament because 300 MPs, including those who are members of Gizenga's PALU, had pledged their allegiance to it. There are reports that Kabila is even seeking to bring the RCD (which is essentially RCD-Goma) into the ruling coalition.²⁹

A major risk to peace will come from those who have boycotted or lost out through the electoral process. As stated above, the UDPS is bitter about its exclusion from the process. It still has the power to promote serious street protests in places like Kinshasa, Mbuji-Mayi and Kananga, as it did in 2005 after the transitional period was extended.³⁰ Three of the four current transitional Vice-Presidents could view themselves as losers. Of the armed parties to the conflict, the various factions of the RCD – including the largest, RCD-Goma, which is led by one of the four current Vice-Presidents, Azarias Ruberwa – were the biggest losers in the elections. Their support originally came from the Kinyarwanda-speaking minorities in North Kivu Province and South Kivu Province, where they are also known as the Banyamulenge. But in recent years the various factions of the RCD have become increasingly unpopular in the East. Their leaders have extensive business interests to protect. Disaffected groups of this kind do not need a particularly large political constituency to access arms and return to wreaking havoc.

There are also still numerous small militias in the East that have not been brought into the peace process. Tutsi dissident and former RCD-Goma leader, General Laurent Nkunda, who is based in North Kivu, was reported in September to be accusing Kabila of planning to provoke a Tutsi-Hutu war in the East. Neighbouring Rwanda could decide to intervene directly again in DRC should the Kinyarwanda in the East appear 'under threat'. However, relations between Kabila and the Rwandan Government have improved in recent years. In the same month in Ituri there were further clashes between the new army, the Armed Forces of the DRC (FARDC), and one of the militias still outside the peace process, the Ituri Patriotic Resistance Front, led by Cobra Matata.³¹

Africa Confidential has warned of a rising ethnic nationalism in the DRC around ideas of *Congolité*, often stirred up by Bemba and the UDPS. It claims that this chauvinism could become the unifying force for an anti-Kabila alliance. As things stand, it would not be difficult for Bemba quickly to reconstitute his fighting forces.³² For his part, Kabila

²⁷ "Parliamentary poll results out, no party gains majority", *IRINnews.org*, 12 September 2006

²⁸ "The vote nobody wins", *Africa Confidential*, 23 June 2006

²⁹ "Two elections, one country", *Africa Confidential*, 4 August 2006

³⁰ "Looking into the abyss", *Africa Confidential*, 3 March 2006

³¹ "One of us cannot be wrong", *Africa Confidential*, 22 September 2006; "Deaths in eastern DR Congo attack", *BBC News Online*, 2 October 2006

³² "Two elections, one country", *Africa Confidential*, 4 August 2006

reshuffled his cabinet in early October 2006, replacing some civilians with military officers. Some Congolese have criticised this as a step towards militarising politics.³³

Michaela Wrong, writing prior to the July elections, has raised another concern about the medium- to long-term prospects for peace in the DRC. She worries that the international community has made a mistake in backing Joseph Kabila so strongly. She quotes Thomas Nziratimana, Vice-Governor of South Kivu Province:

History is repeating itself. The international community is backing Kabila, although there's nothing there, just as it built up and backed the young Mobutu. Its all a question of perception, but a sense that Kabila is unstoppable has been created.³⁴

Another challenge will be ensuring that the integration of the various armed factions into the FARDC, which began in early 2005, is deepened and consolidated.³⁵ This process remains incomplete and raises questions about how effectively the FARDC can be a guarantor of peace in the post-election period.³⁶ At June 2006 only three out of the 18 planned integrated brigades had reportedly been properly trained by Belgian, South African and Angolan trainers.³⁷ The Brigades in North Kivu owe more loyalty to the local governor than to the central authorities.³⁸ In Ituri two former militia commanders were made Colonels in the FARDC before their forces had even disbanded.³⁹ It has often been reported that senior officers simply steal the pay owed to rank-and-file soldiers.⁴⁰

In Ituri, the Kivus and Katanga, armed groups – including foreign combatants still operating there – continue to resist integration or disarmament. Much of Katanga remains under the control of various Mai-Mai groups.⁴¹ Although it has no mandate for offensive operations, MONUC has been engaged in joint operations with the FARDC against these groups. In October 2005 regional countries asked MONUC to play a greater role in disarming non-Congolese armed groups operating within the DRC, including through the use of force where necessary. The FARDC does the close quarter

³³ "Cabinet reshuffles an attempt to entrench Kabila's power, critics say", *IRINnews.org*, 13 October 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55939>

³⁴ M. Wrong, "Congo on the Edge". Available from the website of the All Party Parliamentary Group on the Great Lakes and Genocide Prevention on 1 September 2006 at: <http://www.appggreatlakes.org>

³⁵ For detailed background on security sector reform issues, see ICG, *Security Sector Reform in the Congo*, Africa Report No. 104, 13 February 2006. Available at: <http://www.crisisgroup.org/home/index.cfm?id=1164&1=1>

³⁶ The UK All Party Group on the Great Lakes and Genocide Prevention has called for a more co-ordinated and effective international programme of training and capacity building for FARDC, with either or both MONUC and EUSEC (the EU's security sector reform team) in charge. See *Between war and peace. Democratic Republic of Congo field visit report, June 2006*. Available at: <http://www.appggreatlakes.org>

The EU also has a police training and capacity building team in the DRC, EUPOL

³⁷ "The vote that nobody wins", *Africa Confidential*, 23 June 2006

³⁸ International Crisis Group, *Security Sector Reform in the Congo*, 13 February 2006, p. 14

³⁹ "Two militia leaders appointed army colonels", *IRINnews.org*, 13 October 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55907>

⁴⁰ "Follow the money", *Africa Confidential*, 4 November 2005

⁴¹ For fuller details about the range of armed groups that have been operating across DRC in recent years, see *Twenty-first report of the Secretary-General on the UN Mission in the Democratic Republic of Congo*, S/2006/390, 13 June 2006. Available at: <http://daccessdds.un.org/doc/UNDOC/GEN/N06/386/72/PDF/N0638672.pdf?OpenElement>

fighting. This has not been without controversy, given the performance of the FARDC and the fact that these operations have at points led to large numbers of civilians being internally displaced.⁴² In May 2006 the UN Secretary-General estimated that the number of foreign combatants in Eastern DRC was between 8,000 and 9,000, with most belonging to the Democratic Forces for the Liberation of Rwanda (FDLR). There have also been efforts to disrupt the economic activities of foreign armed groups.⁴³

Over the past year, the process of refugee return to the DRC has gradually gathered pace, although a significant number are waiting to see how the current electoral process turns out before returning. 21,787 refugees had returned to DRC from Tanzania during 2006 by the end of August – the majority of them to South Kivu. According to the UNHCR, 150,000 Congolese were still in Tanzania at the end of June, with 60,000 in Zambia and 49,000 in the Republic of Congo.⁴⁴ Assisting the returnees in resettlement will be a major challenge, as will mediating between them and those who may have taken over their land and property in their absence.

In addition to the phenomenon of foreign armed groups, there are also approximately 80,000 refugees in the East from other countries in the Great Lakes region, over half of them Rwandan. Very few of them are under the wing of the UNHCR. This could complicate future efforts to support their voluntary return.⁴⁵

Massive as the challenge posed by the number of refugees is, it is dwarfed by the scale of internal displacement. There are an estimated 3.5 million Internally Displaced Persons (IDPs) in the DRC.⁴⁶

Equally, those who are disarmed, demobilised and reintegrated into society must be given some assistance and hope for a better life or they may return to fighting. In the UN Secretary-General's report of 13 June 2006, he wrote:

Disgruntled ex-combatants who have not received their reintegration assistance present a further threat to security and stability in the coming months. Serious shortcomings in the management of CONADER [the National Commission for Disarmament, Demobilisation and Reintegration], including the alleged misappropriation of funds, continue to hinder the effective implementation of the disarmament, demobilisation and reintegration programme. Thousands of armed

⁴² *Report of the Secretary-General pursuant to paragraphs 10 and 14 of Security Council Resolution 1649 (2005)*, S/2006/310, 22 May 2006

⁴³ *Report of the Secretary-General pursuant to paragraphs 10 and 14 of Security Council Resolution 1649 (2005)*, S/2006/310, 22 May 2006. Available at:

<http://daccessdds.un.org/doc/UNDOC/GEN/N06/352/03/PDF/N0635203.pdf?OpenElement>

It should be noted (para 31) that the FDLR and ADF also have a significant number of Congolese members

⁴⁴ "Repatriation of Congolese refugees in Tanzania under way again", *IRINnews.org*, 30 August 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55338>

⁴⁵ UNHCR, *Global Report 2005*, pp. 123-8. Available at:

<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=PUBL&id=4492675a0&page=home>

⁴⁶ Foreign and Commonwealth Office, Country Profile, last reviewed 26 June 2006.

Available at:

<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365&a=KCountryProfile&aid=1020281605460>

men across the country await late payments in orientation centres, where living conditions are very poor. Because of accumulated delays in implementing the disarmament, demobilisation and reintegration process, the UNDP rapid response mechanism advanced \$2.1 million for assistance to the 20,000 dependants living close to orientation and transit centres.⁴⁷

CONADER is supported by the World Bank's Multicountry Demobilisation and Reintegration Programme. By September 2006 more than 76,000 were reported to have been demobilised, leaving 85,000 who have yet to go through the Programme.⁴⁸

An essential precondition for consolidating peace and pushing ahead with reconstruction is a restoration of central government control over mineral resources, including the diamond sector. However, central government has long been as much part of the problem as the solution. In its 2002 report, the UN Panel of Experts reported that \$3 billion of the state's mineral assets in areas controlled by the Government had disappeared into private bank accounts.⁴⁹ Since 2003 the DRC has participated in the Kimberley Process, an international diamond certification scheme designed to end the trade in 'conflict diamonds'. However, a July 2006 report by Global Witness argues that, while this has "led to a significant increase in official diamond exports [...] the DRC still lacks a strong set of internal controls to ensure that it can track all diamonds from the mine to the point of export. Diamonds are still being smuggled out of the country, and diamonds from neighbouring countries are being smuggled in."⁵⁰

DRC has a large artisanal diamond mining sector. This makes the task of regulation highly complex. Global Witness describes the parastatal mining company, MIBA, as being "in disarray [...] millions of dollars have been lost due to corruption, fraud and theft." A 2005 independent audit report on MIBA has still not been published. A series of parliamentary and official investigations into the diamond business in DRC initiated in recent years have so far produced few results, including the May 2005 report by parliamentarian Christophe Lutundula on war contracts signed between 1996 and 2003. Financed by the World Bank, his conclusions have so far been largely ignored. France, Belgium and the US, along with many of the private western companies involved in the diamond industry, are allegedly not particularly keen that Lutundula's efforts lead to action.⁵¹ Global Witness adds that measures proposed in 2004 following a Kimberley Process Review Visit have not been implemented.⁵² All economic reform measures have been on hold during the run-up to the elections. The organisation calls for the post-transition Government to take urgent steps to improve the situation and more effectively ensure that revenues from diamond exports are ploughed into development initiatives

⁴⁷ *Report of the Secretary-General pursuant to paragraphs 10 and 14 of Security Council Resolution 1649 (2005)*, S/2006/310, 22 May 2006, para. 50

⁴⁸ "The vote that nobody wins", *Africa Confidential*, 23 June 2006; *Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo*, S/2006/759, 21 September 2006, p. 12

⁴⁹ "A shortage of sparkle", *Africa Confidential*, 14 April 2006

⁵⁰ Global Witness, *Reforming the DRC Diamond Sector*, June 2006, p. 1

⁵¹ "A shortage of sparkle", *Africa Confidential*, 14 April 2006

⁵² *Ibid*

that benefit the people. It also calls on neighbouring diamond-producing countries to co-operate more fully on anti-smuggling and tax harmonisation.⁵³

There is also controversy about World Bank-backed plans to develop the DRC's 60 million hectares of potentially productive forests. The DRC Forest Code, based on a similar Code operating in Cameroon, became law in 2002.⁵⁴ Fears have been expressed that the legal and institutional regime for regulating forestry is still too weak and that communities living in the forest may be further impoverished, rather than uplifted, by expanded economic activity.⁵⁵

Following the issuing of a warrant for his arrest in January 2006, in March Thomas Lubanga Dyilo, a former Ituri militia leader, was handed over to the ICC by the DRC authorities.⁵⁶ However, other militia leaders in custody are reported to have been released by the Congolese authorities.⁵⁷ It remains to be seen what impact the ICC's investigations will have on developments in DRC.

Another urgent humanitarian and human rights challenge will be the demobilisation and reintegration of child soldiers. According to recent reports, there are still 11,000 children in the hands of armed groups or unaccounted for in the DRC.⁵⁸

Rwanda has pledged to restore full diplomatic relations with the DRC once the elections are over. But the DRC's relations with its neighbours remain fragile. For example, Uganda has recently been critical of the Transitional Government for allowing its territory to become the rear-base of the Lord's Resistance Army (LRA) (see below).

There are many imponderables when weighing up the DRC's future. Even when the Presidential election is over, provincial and local elections will still be to come in 2007. Corruption and theft by state officials, politicians and soldiers (with the alleged collusion of several western companies) remains endemic. The Ethics and Anti-Corruption Commission, established during the DRC's transitional period, has so far been ineffective. Apparently healthy GDP growth figures in recent years disguise the fact that life for most Congolese is a grim struggle for survival, with no support from the Government whatsoever. Average incomes are among the lowest in the world at around \$120 per capita per year.⁵⁹ Another imponderable is the impact of the likely reduction in size by 50% of MONUC over the coming year. It costs \$1 billion and absorbs personnel that are desperately needed for peace-keeping elsewhere in the world.⁶⁰ Yet any

⁵³ Global Witness, *Reforming the DRC Diamond Sector*, June 2006, pp. 4-5

⁵⁴ For the full text (in French) of the Forest Code, see:
[http://www.rainforestfoundationuk.org/files/forest%20loi011_2002\[1\].pdf](http://www.rainforestfoundationuk.org/files/forest%20loi011_2002[1].pdf)

⁵⁵ The Rainforest Foundation, *New Threats to the Forests and Forest Peoples of the DRC*, Briefing Paper, February 2004. Available at:
http://www.fern.org/pubs/briefs/DRC_RF.pdf#search=%22DRC%20%2B%20%22Forest%20Code%22%22

⁵⁶ For a copy of the ICC's arrest warrant, see <http://www.icc-cpi.int/cases/RDC.html>

⁵⁷ *Twenty-first report of the Secretary-General*, 13 June 2006, para. 54

⁵⁸ "DR Congo children 'still armed'", *BBC News Online*, 13 October 2006

⁵⁹ DFID, *Country Profile* at 31 August 2006. Available at:
<http://www.dfid.gov.uk/countries/africa/congo.asp>

⁶⁰ "The vote that nobody wins", *Africa Confidential*, 23 June 2006

reduction in size would diminish its already partial effectiveness. Most independent observers do not believe, while hoping that the peace process continues to advance, that there is much likelihood of political stability in the near future. Indeed, they fear that there is a significant risk that levels of violent conflict will rise rather than fall over the coming year.⁶¹ The task of stitching DRC together as one country has barely begun.

D. The Role of the International Community

Since 2003 international support for political aspects of the DRC's transition process has been led by the International Committee to Assist the Transition (CIAT), which is composed of the permanent members of the UN Security Council plus Canada, Belgium, the EU, the African Union (AU), South Africa, Gabon, Angola and Zambia. Discussions have begun about maintaining CIAT in a revised form after the transition is over.

The UN, EU and other donors are contributing \$422 million to the elections. MONUC, which now comprises 17,000 personnel, is the biggest UN force in the world and costs \$1.2 billion a year.⁶²

In the run up to the first round of Presidential elections, MONUC facilitated the establishment of an International Committee of Eminent Persons to support the electoral process. This four-person Committee is chaired by the former President of Mozambique, Joachim Chissano.⁶³

The UN is working with the World Bank and European Commission to establish a 'Governance Compact' for the DRC, which will be presented to the new Government for its consideration.⁶⁴

A regime of UN sanctions and restrictive measures remains in force with regard to the DRC. UN Security Council Resolution 1493 (2003) imposed an arms embargo. UN Security Council Resolution 1533 (2004) provided for the freezing of funds and assets by Member States of individuals deemed to be obstructing the peace process and established a Committee to identify those who are doing so. UN Security Council Resolution 1596 (2005) placed restrictions on the movement of such individuals. It also went on to name individuals whose funds and assets should be frozen by member states.⁶⁵

The UN has a Special Representative to the DRC, Ibrahima Fall. Proposals from the Secretary-General for the post-election role of MONUC are due to be published after the second round of the Presidential election has taken place. He has already stated that crucial areas will be the extension of state authority, reform of the security sector,

⁶¹ "Guterres warns of huge risk for conflict again in DRC, *UNHCR News*, 27 February 2006

⁶² M. Wrong, "Congo on the edge"

⁶³ *Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo*, S/2006/759, 21 September 2006, p. 2

⁶⁴ *Ibid*, p. 18

⁶⁵ United Nations, *List of Individuals and entities subject to resolution 1596 (2005)*. Available at: <http://www.un.org/Docs/sc/committees/DRCTemplate.htm>

protection and promotion of human rights and improved provision of security.⁶⁶ Some analysts are counselling against an overly rapid run-down of MONUC, pointing to the example of Sierra Leone, where a long-term commitment throughout a fragile transition from war to peace has apparently borne fruit.

The humanitarian crisis in DRC remains acute. The 2006 UN Appeal for the DRC remains underfunded. By June only 14% of the \$682 million needed had been pledged by donors.⁶⁷ The DRC is also a beneficiary of the Consolidated Appeal for the Great Lakes region as a whole. The total requirement for the 2006 Great Lakes appeal is US\$153,546,211. Contributions to the appeal at 23 June 2006 stood at approximately \$80 million, or 52% of the requirement.⁶⁸ The new UN Central Emergency Response Fund (CERF) had allocated \$17 million to humanitarian work in the DRC by June 2006.⁶⁹

In the run-up to the elections, the IMF decided not to pay the final tranche of money due under the DRC's Poverty Reduction and Growth Facility. This was due to the Government's lack of commitment to economic reform. However, it has said that it will review the situation with regard to the final tranche and then seek to negotiate a new deal with the Government once the elections are over. This would involve more debt relief and low-interest loans. DRC has received \$830 million from this facility to date. \$40 million is still outstanding.⁷⁰

The DRC inherited \$15 billion in foreign debt from Mobutu's Zaire in 1997. The IMF and World Bank have pledged that most of this will be gradually written off. The IMF has stated that it hopes that the DRC will reach the completion point under the enhanced Heavily Indebted Poor Countries (HIPC) initiative and qualify for debt relief in the second half of 2007, with total debt relief amounting to more than \$7 billion in net present value terms.⁷¹

Some Western officials have reportedly tried to persuade the Transitional Government to accept a restrictive arrangement comparable to Liberia's Government and Economic Management Assistance Programme. Under such an arrangement, foreign officials would monitor payments for all major commissions and procurements. This idea has been met with resistance.⁷²

The EU has played an important role in the DRC. As discussed earlier, in 2003, when the province of Ituri in the East of the DRC was plunged into chaos and anarchy, the EU deployed Operation Artemis, the first ever European Security and Defence Policy (ESDP) mission outside Europe, to the city of Bunia. The determined military effort by

⁶⁶ *Twenty-first report of the Secretary-General*, 13 June 2006, para 85

⁶⁷ *Ibid*, para 80

⁶⁸ Consolidated Appeal for the Great Lakes 2006, Mid-Year Review at 18 July 2006. Available at: <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7984&Page=1383>

⁶⁹ HC Deb 12 June 2006 c49WS. The Department for International Development (DFID) is the largest single contributor to the CERF

⁷⁰ "A shortage of sparkle", *Africa Confidential*, 14 April 2006

⁷¹ IMF, *Paper on the Staff Monitored Program for the Democratic Republic of Congo*, Country Report No. 06/259, July 2006. Available at: <http://www.imf.org/external/pubs/cat/longres.cfm?sk=19444.0>

⁷² "Follow the money", *Africa Confidential*, 4 November 2005

the EU stabilised the situation until MONUC was able to take control of the area.⁷³ The EU has also sent EUFOR to assist in the electoral process and is meeting an estimated 80% of the costs of that process.⁷⁴ An EU arms embargo remains in force. The funds and assets of a number of individuals deemed to be obstructing the peace process remain frozen. Their right to enter the EU has also been restricted.⁷⁵

The EU also has its own Special Envoy to the Great Lakes region, Aldo Ajello (in post since 1998). In 2005 the EU established a security sector reform team, EUSEC, one of whose tasks is to try and prevent embezzlement through abuse of the army payments system. However, embezzlement remains common.⁷⁶ There have been calls for both it and its counterpart for the police, EUPOL, to be strengthened and given a mandate to co-ordinate international initiatives in this sphere.⁷⁷ Finally, the European Commission Humanitarian Aid Office (ECHO) has been a major contributor in terms of humanitarian aid to the DRC over the last decade. It allocated €38 million to the DRC from the 2006 EU general budget for humanitarian aid.⁷⁸ By October 2006 this amount had increased to €45 million.⁷⁹

According to the Department for International Development (DFID), the British Government provided £40 million towards reconstruction in 2004-5 and 2005-6. This is in addition to contributions of around £70 million through the European Commission, the UN and the World Bank.⁸⁰ Expenditure included £5 million to improve the living conditions of soldiers in the newly integrated brigades of the FARDC and £35.9 million in assistance to the Independent Electoral Commission. DFID expenditure in the DRC is set to rise to a maximum of £62 million in 2006-7 and \$70 million in 2007-8. £60 million will be spent during 2006-7 on emergency needs.⁸¹

The UK's All Party Parliamentary Group on the Great Lakes Region has alleged that the British Government has failed to take effective steps pursuant to the work of the UN Panel of Experts.⁸² In its initial report, the Panel alleged that four British companies were in violation of the OECD Guidelines for Multinational Enterprises. In its final report in 2003, the Panel referred these companies to the British Government for investigation as

⁷³ EU, *Presidency Statement to the UN on the Great Lakes*, 27 January 2006. Available at: http://www.europa-eu-un.org/articles/en/article_5612_en.htm

⁷⁴ *Ibid*

⁷⁵ The EU has had sanctions and restrictive measures in force since October 2002. See European Commission, *Sanctions or Restrictive Measures in Force* at August 2006. Available at: http://ec.europa.eu/comm/external_relations/cfsp/sanctions/measures.htm

⁷⁶ "The vote that nobody wins", *Africa Confidential*, 23 June 2006

⁷⁷ All Party Parliamentary Group on the Great Lakes and Genocide Prevention, *Between war and peace. Democratic Republic of Congo field visit report, June 2006*, p. 17

⁷⁸ *ECHO Decisions 2006*. Available at: http://ec.europa.eu/echo/information/decisions/2006_en.htm. No funds have yet been allocated to the DRC under the European Commission's European Development Fund

⁷⁹ "DRC: Commission provides a further €5 million in humanitarian aid to vulnerable people", *European Commission Press Release*, IP/06/1306, 4 October 2006. Available at: <http://europa.eu.int/rapid/pressReleasesAction.do?reference=IP/06/1306&format=HTML>

⁸⁰ Foreign and Commonwealth Office, *Country Profile* at 26 June 2006.

⁸¹ DFID, *Country Profile* at 31 August 2006. Available at: <http://www.dfid.gov.uk/countries/africa/congo.asp>

⁸² All Party Parliamentary Group on the Great Lakes and Genocide Prevention, *The OECD Guidelines and the DRC*, January 2005
Available at: http://appggreatlakes.org/component/option.com_docman/task.cat_view/gid.15/Itemid.32/

“unresolved cases”. The British Government has complained that the UN Panel process has been poorly handled in a number of important respects, including its failure to solicit responses from the companies concerned ahead of the publication of the initial report.⁸³

⁸³ *Government Response to the All Party Parliamentary Group on the Great Lakes Region Report on the OECD Guidelines for Multinational Enterprises and the Democratic Republic of Congo* (July 2005). The four companies in question are De Beers, Avient, Oryx Natural Resources and DAS Air Cargo. Available at: http://appggreatlakes.org/component/option.com_frontpage/Itemid,1/

II Burundi

A. Background and History⁸⁴

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|---|
| The population of Burundi today is estimated at 7-8 million. |
| The modern economy has been heavily dependent upon coffee exports. |
| A small country, it suffers from high population density. The population is made up of 85% Hutu, 14% Tutsi and 1% Twa (the original inhabitants of the area). |
| Scholars have noted their linguistic and cultural homogeneity and the degree to which they lived side by side and often intermarried. |
| Most Hutus are peasants who cultivate the soil. They are believed to have moved into the area during the 1300s. |
| Most Tutsis, who are believed to have arrived during the 1400s, are pastoralists. ⁸⁵ |

Power in pre-colonial Burundi was organised around the institution of Kingship. While this position was traditionally occupied by a Tutsi, the aristocracy contained both Tutsis and Hutus. During the second half of the 19th century, the political power of the King weakened considerably, to the point where the Kingdom of Burundi became increasingly fragmented. However, conflicts were rarely based solely upon ethnicity but were rooted as strongly in discontent about the oppressiveness of the ruling elite.⁸⁶ The colonial conquest of Burundi (originally known as Urundi) and its incorporation into German East Africa took place in the context of a debilitating famine and ecological crisis. Burundi was taken over by Belgium in 1916 following Germany's defeat in the First World War. As part of Ruanda-Urundi it was administered with League of Nations (and later UN) approval by Belgium until its independence in July 1962 as a separate state. Both Germany and Belgium sought to consolidate their rule through alliance with the King and the aristocracy, but did not hesitate to replace independently-minded chiefs of the latter with more docile replacements. Administrative rationalisation under the Belgians particularly affected Hutu chiefdoms. Ethnic sentiments undoubtedly hardened during the colonial period. Many European officials and missionaries believed that the 'racially superior' Tutsi were relatively recent 'invaders from the north', a myth that Hutu extremists in both Burundi and Rwanda were to draw upon subsequently.⁸⁷

Despite Belgian opposition, the first free national elections in September 1961 were won by the Union for National Progress (UPRONA), a Tutsi-led party headed by the Prince Louis Rwagasore, the son of King Mwambutsa. However, the popular Rwagasore was assassinated in October by supporters of a rival Tutsi party. Some allege Belgian complicity in the killing and view it as a key moment in the defeat of efforts to construct a viable multi-ethnic politics in a post-colonial Burundi.⁸⁸ Following independence and in response to the Rwandan revolution next door (1959-62, see below), which brought the majority Hutu to power there, ethnic polarisation increased dramatically in Burundi,

⁸⁴ This section of the Paper draws upon the *Europa World Year Book 2006* (London, 2006), pp. 983-9

⁸⁵ G. Prunier, *The Rwanda Crisis. History of a Genocide* (London, 1998), p. 5

⁸⁶ R. Lemarchand, *Burundi. Ethnic Conflict and Genocide* (Cambridge, 1996), pp. 36-9

⁸⁷ *Ibid*, pp. 40-51

⁸⁸ *Ibid*, pp. 53-5

particularly in the capital, Bujumbura, and other towns. UPRONA became a much more Tutsi-dominated party and the legitimacy of the monarchy came into question amongst both Hutu intellectuals and radical Tutsis, including in the army, who came to view it as an inadequate vehicle for defending Tutsi interests in an increasingly hostile climate. Tutsi refugees from Rwanda urged their Burundian counterparts to do what they could to restore Tutsi fortunes in Rwanda. In January 1965 the Hutu Prime Minister of Burundi, Pierre Ngendandumwe, was assassinated by a Tutsi refugee from Rwanda. New elections produced a Hutu majority in the National Assembly but, following the intervention of the King, the post of Prime Minister was offered to a Tutsi, Leopold Biha. This led Hutu officers to stage an unsuccessful coup in October, killing Biha, which provoked the mass execution of the Hutu elite and a Tutsi monopoly over power for two decades.⁸⁹ In 1966 the monarchy was abolished and a Republic declared, led by President Michel Micombero. Burundi had had its own Revolution.

In 1972 a violent Hutu-based insurgency in an area of the country where there had been long-standing tensions over the replacement of Hutu chiefs by Tutsis during the colonial period in turn triggered large-scale retaliatory massacres of Hutu by the army.⁹⁰ Lemarchand unapologetically calls it a genocide, finding its roots as much in competition between different parts of the Tutsi elite for control over the state as in Hutu-Tutsi enmity.⁹¹ More radical Tutsis regularly invoked the 'Hutu threat' as a way of criticising the moderation of their Tutsi rivals and mobilising against them. At least 100,000 Hutus were killed and 150,000 Hutu refugees fled, mainly to Tanzania. Later, new Hutu armed groups were to be born in the camps. Lemarchand writes that the post-1966 Republic should be understood as "a kind of republican kingship, a neopatrimonial polity built around a loosely knit assemblage of personal, kinship and ethnoregional ties".⁹² A one-party state was declared in 1974. In 1976 an internal power struggle within UPRONA led to a coup by Lt-Col. Jean-Baptiste Bagaza, overthrowing his cousin, Michel Micombero. The coup gave birth to the Second Republic. Using the language of 'national unity', Bagaza sought to "integrate, to solidify and rationalize Tutsi hegemony."⁹³ Ethnic discrimination was entrenched even as all reference to ethnicity was outlawed. The church was targeted for harassment due to its alleged pro-Hutu sympathies. Bagaza's rule lasted eleven years until 1987, when – as a result of further factional struggles – he in turn was toppled in a coup by Major Pierre Buyoya. The Third Republic was inaugurated. There was a further major outbreak of ethnic violence in 1988. Many thousands of Hutu were again killed by the Tutsi-dominated army.

The 'second wind of change' that blew across Africa with the end of the cold war forced Burundi's Tutsi-dominated leadership to end the one-party system and move towards a system of power-sharing. In March 1992 a new Constitution was approved by referendum. In the following month, 15 Hutus were appointed Ministers in the new Government. Presidential elections were held in June 1993 and produced a victory for the Front for Democracy in Burundi (FRODEBU) and its allies, led by Melchior Ndadaye, a Hutu. Buyoya came a distant second. FRODEBU also won elections to the National

⁸⁹ Lemarchand, *Burundi. Ethnic Conflict and Genocide*, pp. 58-75

⁹⁰ *Ibid*, pp. 89-105

⁹¹ *Ibid*, pp. 76-7

⁹² *Ibid*, p. 77

⁹³ *Ibid*, p. 107

Assembly. Ndadaye became President in July. A Tutsi, Sylvie Kinigi, was appointed Prime Minister.

B. The Dynamics of Conflict and Peace: 1993-2005

The brave new dawn of democracy in Burundi lasted a mere three months. In October 1993 members of the armed forces, which was still Tutsi-dominated, overthrew the new President. Ndadaye and some of his supporters were subsequently killed by the rebels. There was renewed ethnic violence and hundreds of thousands of Burundians were displaced by fighting. However, the rebellion quickly collapsed. The Government called for the international community to provide protection for its members. A small Organisation of African Unity contingent was deployed, after many delays and protests from opposition parties, in February 1995.

In January 1994, following the passage of an amendment to the Constitution, FRODEBU's Cyprien Ntaryamira was elected the new President by the National Assembly, despite an UPRONA boycott. A member of UPRONA, Anatole Kanyenkiko, was appointed Prime Minister in February. On 6 April 1994 Ntaryamira perished when the aircraft of Rwandan President Juvenal Habyarimana, in which he was travelling, was shot down in a rocket attack over Kigali. The Speaker of the National Assembly Sylvestre Ntibantunganya, the leader of FRODEBU, was elected the new President by a representative commission in September 1994, having held the position on an interim basis since April. In the same month, a power-sharing agreement was reached by FRODEBU and UPRONA. In February 1995 Antoine Nduwayo, also of UPRONA, became Prime Minister.

Burundi avoided the explosion that followed the death of Habyarimana in Rwanda but beyond Parliament, armed Hutu and Tutsi extremist factions were mobilising against the power-sharing arrangements. The Hutu Force for the Defence of Democracy (FDD), the armed wing of the National Council for the Defence of Democracy (CNDD), and the Tanzania-based Party for the Liberation of the Hutu People (PALIPEHUTU) organised tens of thousands into armed militias. At least 200,000 Rwandan Hutu refugees had also fled into Burundi after the victory in Rwanda of the Tutsi-dominated Rwandan Patriotic Front (RPF).

During 1995 and early 1996 violence escalated. In December 1995 the UN Secretary-General called for international military intervention to address the crisis. However, the Government of Burundi opposed such a call. The US and EU ultimately suspended aid to the Government. France suspended military co-operation. But in June 1996 the Government came out in favour of an international military presence. This provoked major protests against the Government and in late July there was another military coup. It ended power-sharing and brought back to power Pierre Buyoya and UPRONA. Neighbouring countries imposed sanctions almost immediately, isolating Burundi economically. Buyoya attempted to start peace talks with the CNDD and reopened Parliament, but this was not enough to end the sanctions. 1997-99 were years of political stalemate while violence continued. Hundreds of thousands of Burundians were forced to relocate to 'regroupment camps' by the Government, ostensibly for their own safety. Hutu militias escalated attacks around the capital Bujumbura. There was a series of Inter-Burundian peace talks sponsored by the Regional Peace Initiative in Burundi. The talks were mediated by former President Nyerere of Tanzania and held in Arusha, but

little progress was made. Regional sanctions were suspended in January 1999, to encourage peace efforts, but they failed to do so. The CNDD split in 1998, with the larger faction known henceforth as the CNDD-FDD. Neither it nor PALIPEHUTU, which had given birth to its own armed wing, known as the National Forces for Liberation (FNL), were involved in the peace talks at this point.

In October 1999 Julius Nyerere died. In December Nelson Mandela was appointed the new mediator for the peace negotiations by regional Heads of State. By mid 2000 his efforts had begun to bear fruit. In August 2000 a peace agreement, known as the Arusha Accord, was signed by the Government, the National Assembly, and a range of Hutu and Tutsi groups. It provided for the establishment of a Transitional Government for three years, the creation for the first time of a genuinely mixed army and a return to political power-sharing. However, neither the CNDD-FDD, which had won over a significant number of disillusioned FRODEBU supporters, nor the FNL were party to the agreement. Both increased the intensity of their military operations in early 2001. Buyoya again sought talks with CNDD-FDD. His willingness to do so nearly resulted in his overthrow. A coup attempt was defeated in April 2001. Meanwhile, negotiations to flesh out the Arusha Accord produced further agreement in July 2001 on the nature of the transitional leadership. A new multi-party Transitional Government according Hutu and Tutsi ethnic groups balanced representation was established in November 2001. It was agreed that Buyoya would remain President for 18 months before handing over to the leader of FRODEBU, who by this time was Domitien Ndayizeye. South African troops began arriving in Bujumbura as part of a proposed 700-member regional contingent to support the Transitional Government.

Diplomatic efforts during 2002, now under the principal mediation of South Africa's Deputy President, Jacob Zuma, focused on trying to achieve a ceasefire by bringing the armed groups into the peace process. These efforts were further complicated by the fissiparous nature of these groups. The CNDD-FDD split into two factions in late 2001. The FNL did so in August 2002. In October 2002 the moderate (but much smaller) CNDD-FDD (led by Jean-Bosco Ndayikengurukiye) and FNL (led by Alain Mugabarabona) factions agreed a ceasefire. Both factions joined the transitional Government in mid 2003 and undertook to transform themselves into political parties. The much larger CNDD-FDD faction led by Jean-Pierre Nkurunziza finally agreed to a ceasefire in December 2002, although it failed to come properly into effect until October 2003, when final agreement was reached on the terms of power-sharing. The Nkurunziza faction was allocated four ministerial portfolios and 40% of the army officer posts. Its soldiers were to be integrated into the national armed forces. A comprehensive peace agreement between it and the Transitional Government was finally signed in November 2003. Nkurunziza was appointed Minister of State for Good Governance and State Inspection.

In April 2003 Ndayizeye took up the role of President, as agreed in the Arusha Accord. In the same month, the first members of the AU Mission in Burundi (AMIB), set up to support the peace process and help create the conditions for a UN force to take over, arrived in Bujumbura. It was ultimately to number 3,335 armed personnel. However, the remaining FNL faction led by Agathon Rwasa continued to mount attacks on government forces. There was a major offensive on Bujumbura by the FNL in July 2003. As violence continued, in March 2004 the AU called for the replacement of AMIB by UN peace-keeping troops. In May the UN Security Council authorised such a force despite the

absence of a ceasefire, calling it the UN Mission in Burundi (ONUB). It was due to have a maximum strength of 5,650 military personnel. Meanwhile, inter-party negotiations to agree a new Constitution took place in South Africa. Discussions on power-sharing produced a draft accord in July 2004 based on a 60% Hutu/40% Tutsi formula. However, Tutsi parties, including UPRONA, refused to accept it.

In September 2004 Burundi ratified the Rome Statute, thereby rendering those allegedly responsible for civilian massacres during the course of the conflict in Burundi liable to be indicted by the International Criminal Court (ICC). National Assembly elections, originally scheduled to take place under the Arusha Accord in October 2004, were postponed until April 2005. As negotiations on the new Constitution stalled, the planned referendum for November 2004 also had to be postponed.

The new Constitution was at last agreed in November 2004, entrenching the 60/40 power-sharing arrangement that had been on the table for some time.⁹⁴ It also provides for a Hutu and a Tutsi Vice-President. 30% of the Government must be women. The Ministries of Defence and Public Order, given their sensitivity, cannot both be held by Hutus under the Constitution.⁹⁵ The referendum finally took place in February 2005 and was endorsed by 92% of the votes cast on a turn-out of 88%. A timetable for elections was subsequently agreed: local government elections in June 2005; National Assembly and Senate elections in July; Presidential elections in August.

The 2005 elections produced a decisive victory across all fronts for the Nkurunziza faction of the CNDD-FDD:

- 3,225 seats were contested at local government level. The CNDD-FDD won 1,781, FRODEBU 822 and UPRONA 260 seats;
- 100 National Assembly seats were contested. The CNDD-FDD won 59 seats, FRODEBU 25 and UPRONA 10. Other seats were nominated on the basis of the 60/40 principle. Two representatives were allocated three seats;
- 34 Senate seats were contested. The CNDD-FDD won 30 seats, FRODEBU four seats. Other seats were nominated on the same basis as for the National Assembly. Two representatives were allocated three seats.

What was the explanation of the CNDD-FDD's decisive victories at the polls, which left the previously dominant Hutu party, FRODEBU, eclipsed? It looked like a vindication of turning to the gun. Some suspected that significant numbers who voted for it may have been intimidated into doing so. Others argued that, unlike FRODEBU, CNDD-FDD was not yet tainted by allegations of prior abuse of power and corruption.⁹⁶

⁹⁴ The Upper House, the Senate, is to be elected on a 50/50 basis. A strictly proportional arrangement in line with demography would have put the ratio for both Houses of Parliament at 85/14

⁹⁵ Analysts call these arrangements 'consociational democracy' – that is, a dispensation that combines majority rule with minority protection, which is enforced through over-representation, quota systems and powers of veto

⁹⁶ "Under new management", *Africa Confidential*, 24 June 2005

Under the new Constitution, the President is indirectly elected jointly by the National Assembly and the Senate. On 19 August 2005, having secured over 80% of the votes cast, Nkurunziza was elected President. He formed a 20-member Government on 30 August. Ministers were selected from the ranks of the CNDD-FDD and FRODEBU on the basis of the 60/40 principle. 30% of the new Ministers were women.⁹⁷

C. Recent Developments and Future Prospects

The establishment of the new Government raised hopes that Burundi's civil war, in which over 300,000 have died since 1993, was at last over. However, there remained one armed group outside the new dispensation. The chief priority of the new Government was to end the Rwasa faction's insurgency, without which a genuinely comprehensive end to violence could not be achieved. The FNL has reportedly been provided with arms over the years by, amongst others, elements within the DRC Transitional Government.⁹⁸ After the FNL refused an offer to attend peace talks in September 2005, the Government stepped up its military activities against it, particularly in the provinces of Bujumbura Rural and Bubanza, where it is based. This caused widespread internal displacement of civilians. In December 2005, under increasing pressure, the Rwasa faction itself split. A small group led by Jean-Bosco Sindaigaya announced that it was willing to enter into unconditional talks. In March 2006 Rwasa also agreed to join the talks, leading to the sidelining of talks with Sindaigaya. After some initial reluctance, the Government agreed to talks in Dar-es-Salaam with Rwasa.

In June 2006, after further South African and AU mediation, the Government and Rwasa signed an Agreement of Principles towards Lasting Peace, Security and Stability in Burundi. Both parties agreed to continue working together to achieve a ceasefire and a comprehensive peace agreement that is consistent with the new Constitution. Negotiations continued in Dar es Salaam, although so too did attacks by Rwasa's fighters on civilians. The main sticking point was the Rwasa's demand that the army be once again reconstituted so that it better reflected the country's ethnic balance. The Government argued that it already adequately reflected that balance.⁹⁹ In July the Government struck a significant blow against the Rwasa faction when three of its senior commanders were captured. On 7 September 2006, a ceasefire agreement was signed. The agreement included provision for the disarmament of the Rwasa's estimated 3,000 fighters. The fighters from the Rwasa faction were either to be integrated into the national army or be demobilised by 7 October.¹⁰⁰ Reports suggest that this process has not been going smoothly. Negotiations towards a comprehensive peace agreement between the parties have meanwhile continued. South African officials, who are still playing an important mediating role, have said that negotiations with Sindaigaya, who controls an estimated 400 fighters, will take place after his faction has signed a

⁹⁷ For a fuller discussion of the election process, see ICG, *Elections in Burundi. A Radical Shake-up of the Political Landscape*, Africa Briefing No. 31, 25 August 2005.

Available at: <http://www.crisisgroup.org/home/index.cfm?id=1164&1=1>

⁹⁸ "Tough talking", *Africa Confidential*, 9 June 2006

⁹⁹ "Rebels attacks civilians as ceasefire talks continue", *IRINnews.org*, 21 July 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=54693>

¹⁰⁰ "Burundi rebels to lay down arms", *BBC News Online*, 11 September 2006

ceasefire.¹⁰¹ On 11 October, after many delays, the Joint Verification and Monitoring Mechanism, which is supposed to oversee the implementation of the ceasefire agreement, was established. However, a representative of the Rwasia faction failed to attend its inauguration.¹⁰²

The new Government remains fragile and inexperienced.¹⁰³ However, political opposition to it is extremely weak. This is a potentially dangerous combination. A divided and demoralised FRODEBU withdrew from the Government in March 2006. There have also been divisions within the CNDD-FDD. In August 2006 the Government claimed that it had foiled a coup and assassination attempt against President Nkurunziza. This led to a wave of arrests of opposition figures, including former President Ndayizeye. Many are suspicious of these claims.¹⁰⁴ In early September 2006 Vice-President Alice Nzomukunda resigned in protest at continuing human rights abuses and corruption by Government officials. Opposition parties are highly suspicious of the Government. In his most recent report on Burundi, the UN Secretary-General expressed his concern about the Government's approach towards the opposition and the media.¹⁰⁵

The Government has successfully got legislation through Parliament to establish a National Commission for Land and Property and two laws that provide for the privatisation of public enterprises and public services.¹⁰⁶ The Government has also announced free maternity care in public hospitals, free health care for all children under five and a 15% increase in civil society salaries. How much of this will happen in practice remains open to question. There are already reports that such pledges are proving difficult to implement due to lack of infrastructure or human resources.¹⁰⁷ The Government remains almost entirely dependent upon external financing for its operations.¹⁰⁸

There has also been a rise in criminality during 2006 involving the rebels, ex-combatants and the national army and police.¹⁰⁹ The judicial system is extremely fragile. Efforts to tackle small arms proliferation amongst the civilian population have begun but are still in their early stages. A symptom of the fragile state of Burundi's peace process is the slow rate of return of refugees from neighbouring countries. 50,000 were expected to return to

¹⁰¹ "FNL fighters assemble but continue to tax civilians", *IRINnews.org*, 5 October 2006. Available at:

<http://www.irinnews.org/print.asp?ReportID=55640>

¹⁰² "Joint truce verification mechanism launched", *IRINnews.org*, 13 October 2006. Available at:

<http://www.irinnews.org/print.asp?ReportID=55909>

¹⁰³ Some analysts argue that the composition of the new Government is in some ways not in accordance with the provisions of the Constitution. See F. Reyntjens, "Burundi: A peaceful transition after a decade of war?", *African Affairs*, Vol. 103, No. 410, January 2004, p. 130

¹⁰⁴ "Dubious coup", *Africa Confidential*, 8 September 2006

¹⁰⁵ *Seventh Report of the Secretary-General on the United Nations Operation in Burundi*, S/2006/429, 21 June 2006, para 75. Available at:

<http://daccessdds.un.org/doc/UNDOC/GEN/N06/396/26/PDF/N0639626.pdf?OpenElement>

¹⁰⁶ Access to land, particularly as refugees return, could be an explosive issue in a country where there is high demographic pressure

¹⁰⁷ "Burundi gripped by a tide of totalitarianism", *Great Lakes Echoes*, No. 24, September 2006

Available at: www.eurac-network.org

¹⁰⁸ *Seventh Report of the Secretary-General on the United Nations Operation in Burundi*, S/2006/429, 21 June 2006, paras 4-9, 33, 48

¹⁰⁹ *Ibid*, para 15

Burundi from Tanzania, but only 5,000 or so did so during the first half of 2006. 2.2 million Burundians required humanitarian assistance during the period March-June 2006. An estimated 68 per cent of the population is food insecure. There has been famine in the north of the country.¹¹⁰

There have been complaints that the Burundian peace process has failed to deliver justice to victims of the conflict. The Arusha Accords contained no provisions for the prosecution of those alleged to have committed human rights abuses in the course of the civil war. To at least partially address these concerns, in June 2005 the Government agreed to a UN proposal that a Truth and Reconciliation Commission (TRC) be established to investigate human rights abuses committed in the course of the conflict from 1993 to November 2003. A separate Special Tribunal will try those with the greatest responsibility for such abuses. The Government is due to respond to more detailed UN proposals for establishing the two bodies.¹¹¹ The response amongst Burundian civil society to the TRC has been mixed. Some fear it could destabilise the peace; others that it will not go far enough in terms of combating impunity.¹¹²

Perhaps the greatest cause for hope, if we assume that negotiations with the Rwaswa and Sindigaya factions of the FNL are ultimately successful (still a big assumption), is that most Burundians appear to have little appetite for further war. Tutsi-Hutu relations are, overall, reasonably good. 30% of the CNDD-FDD's parliamentarians are Tutsi. The party has also sought to build alliances with some of the smaller Tutsi political parties. Crucially, the role of the army has changed significantly. It has been largely successfully restructured and appears to have little appetite any more for intervening in politics.¹¹³ Many civil society groups are playing a constructive, non-partisan role. For now at least, the international community is there in significant numbers in the form of ONUB. Much will depend on: whether the Government can help bring about economic recovery (the economy shrunk by one-third between 1993 and 2005);¹¹⁴ whether regional initiatives to build confidence and trust amongst Rwanda, Burundi, DRC and Uganda are successful; and, finally, whether politicians will resist the temptation to revert to ethnically exclusive strategies of political mobilisation during future moments of crisis.

D. The Role of the International Community

South Africa's role as a mediator, working with regional leaders, in the Burundian peace process has been vital. It played a leading role in the Regional Peace Initiative for Burundi. Adopting a high-risk strategy, Nelson Mandela reportedly forced the hand of very reluctant Tutsi parties at the time of the adoption of the 2000 Arusha Accord. When later Tutsi leaders wanted to delay key constitutional proposals and the electoral

¹¹⁰ *Seventh Report of the Secretary-General on the United Nations Operation in Burundi*, S/2006/429, 21 June 2006, paras 30-32, 42-3, 46

¹¹¹ *Ibid*, para 40

¹¹² "Burundi: A question of justice", *BBC News Online*, 11 September 2005

¹¹³ F. Reyntjens, "Burundi: A peaceful transition after a decade of war?", *African Affairs*, Vol. 103, No. 410, January 2004, p. 120, 124

¹¹⁴ "Under new management", *Africa Confidential*, 24 June 2005; the IMF produced a detailed analysis of Burundi's economic situation in a report published in August 2006. It is available at: <http://www.imf.org/external/pubs/ft/scr/2006/cr06307.pdf>

process, once again they were prevailed upon not to do so. Mandela's personal charisma was crucial in kick-starting the peace process after Nyerere's mediation efforts had run into the ground. Zuma sustained South Africa's involvement once Mandela stood down. South Africa's willingness to put troops on the ground while violence continued helped to generate momentum towards peace.¹¹⁵ South Africa remains heavily involved in current negotiations to end the FNL insurgency.

The wider international community, while allowing the region to take the lead, provided financial and political support for its efforts and ultimately agreed to turn the AU force into a UN one. The major international stakeholders in Burundi also established a Follow-up Commission after the agreement of the Arusha Accord in 2000.

In June 2006 the UN Security Council agreed to extend the mandate of ONUB for a further six months. However, the plan is to wind down its operations by the end of 2006. Its military strength on the ground in mid-June was 3,516, down from its maximum strength of 5,000. Once ONUB has ceased to exist, the UN presence will be restructured and reinforced through the creation of the UN Integrated Office in Burundi from 1 January 2007 (to be known as BINUB). Its priority areas will be: peace consolidation and democratic governance; security sector reform and civilian disarmament; human rights, judicial sector reform and transitional justice; information and communications; and reconstruction and development.¹¹⁶

ONUB has played an important role in supporting the peace process. It has chaired the bi-monthly meetings of the 19-member Burundi Partners' Forum, which is comprised of representatives of the Government and key donors. The Human Rights Section of ONUB, along with other UN agencies, monitors human rights violations and supports Government initiatives to improve the situation.

ONUB has also facilitated recent meetings between Burundi and Rwanda to address issues of security co-operation, the return of refugees and land disputes along the common border.¹¹⁷ One of the most sensitive land disputes between the two countries is at Sabernawa.

No UN or EU sanctions were ever imposed against Burundi. An economic embargo was imposed by African states during 1996-98. Many deem it to have been highly ineffective.¹¹⁸

The mid-year review of the UN's Humanitarian Appeal for 2006 for Burundi has a revised requirement of \$123,012,389. A total of \$30,729,677, which represents approximately

¹¹⁵ For a fuller discussion of South Africa's role, see K.A Bentley and R. Southall, *An African Peace Process: Mandela, South Africa and Burundi* (Cape Town, 2005)

¹¹⁶ *Seventh Report of the Secretary-General on the United Nations Operation in Burundi*, S/2006/429, 21 June 2006, paras 1, 57-8, 62

¹¹⁷ *Ibid*, paras 12-13. On land disputes, see: "Tension increase in ongoing land dispute", *IRINnews.org*, 31 January 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=51442>

¹¹⁸ See E. Hoskins and S. Nutt, *The Humanitarian Impacts of Economic Sanctions on Burundi*, Occasional Paper No. 29, Brown University, 1997. Available at: <http://www.watsoninstitute.org/pub/OP29.pdf>

25% of the requested funds, had been committed at 18 July 2006, leaving unmet requirements of \$92,282,712.¹¹⁹ Burundi is also a beneficiary of the UN's Consolidated Appeal for the Great Lakes region. The total requirement for the 2006 Great Lakes appeal is US\$153,546,211. Contributions to the appeal at 23 June 2006 stood at approximately \$80 million, or 52% of the requirement.¹²⁰ The new UN Central Emergency Response Fund (CERF) has allocated \$2 million towards Burundi.¹²¹

According to *Africa Confidential*, donors are already increasingly unhappy about the new Government's record on corruption. The World Bank is reportedly insisting on an audit of the sale of the presidential aircraft, which was overseen by the President of the CNDD-FDD, Hussein Radjabu, before it hands over \$70 million in budgetary assistance. There have been claims that leading politicians have siphoned off funds from the Société Sucrière de Mosso, one of Burundi's biggest sources of exports and foreign exchange.¹²²

The Government hoped to reach its completion point for the Enhanced Highly Indebted Poor Countries (HIPC) debt relief initiative in September 2006, when it submitted a final version of its Poverty Reduction Strategy Paper to the World Bank and IMF. At this point Burundi will also become eligible for the 100% multilateral debt relief agreed at the G8 Summit in July 2005. A Round Table Donors Conference, at which funds will be raised to implement Burundi's Poverty Reduction Strategy, is due to be held by early 2007.¹²³

The European Commission Humanitarian Aid Office (ECHO) has been a major contributor to humanitarian efforts in Burundi over the last decade. It has allocated €17 million to Burundi from the 2006 EU general budget.¹²⁴

The Department for International Development (DFID) has committed £10m to Burundi for financial year 2006/2007 and £10m for financial year 2007/2008. The main areas of assistance over the next two years will be:

- supporting primary education;
- supporting improved health access and management;
- supporting programmes of good governance;
- supporting programmes to tackle HIV and provide assistance to orphans and vulnerable children;
- immediate humanitarian response.¹²⁵

¹¹⁹ UN OCHA, *Consolidated Appeal for Burundi 2006*. Available at:

See: <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7980&Page=1379>

¹²⁰ UN OCHA, *Consolidated Appeal for the Great Lakes 2006, Mid-Year Review at 18 July 2006*. Available at:

<http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7984&Page=1383>

¹²¹ HC Deb 12 June 2006 c49WS

¹²² "Dubious coup", *Africa Confidential*, 8 September 2006

¹²³ *Seventh Report of the Secretary-General on the United Nations Operation in Burundi*, S/2006/429, 21 June 2006, paras 47-8

¹²⁴ *ECHO Decisions 2006*. Available at: http://ec.europa.eu/echo/information/decisions/2006_en.htm

¹²⁵ DFID, *Country Profile* at 25 July 2006. Available at: <http://www.dfid.gov.uk/countries/africa/burundi.asp>

III Rwanda

A. Background and History¹²⁶

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| The population of Rwanda was estimated at 9 million in 2004. It has been estimated that the country lost 35-40% of its population to death or displacement during the 1994 genocide, with up to 1 million being killed. |
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| Like Burundi, the ethnic make-up is approximately 85% Hutu, 14% Tutsi and 1% Twa. It also has a high population density. |
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| Until relatively recently, the economy has been heavily dependent on coffee exports. |
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As in Burundi, power in pre-colonial Rwanda was organised around the institution of Kingship. This position was traditionally occupied by a Tutsi, although the aristocracy included some Hutu chiefs.¹²⁷ However, unlike Burundi, during the 19th century and early 20th century under colonial rule, the political power of the King was strengthened considerably, to the point where Rwanda became a more homogenous and centralised political entity. In the process, the elite became more narrowly Tutsi in character.¹²⁸

As was the case with Burundi, the colonial conquest of Rwanda (originally known as Ruanda) and its incorporation into German East Africa took place in the context of a debilitating famine and ecological crisis. Rwanda was taken over by Belgium in 1916 following Germany's defeat in the First World War. As part of Ruanda-Urundi it was administered with League of Nations (and later UN) approval by Belgium until its independence in 1962 as a separate state. Both Germany and Belgium, convinced of the 'superiority' of the Tutsi, sought to consolidate their rule through alliance with the King and the aristocracy, but did not hesitate to replace chiefs if they displayed too much independence. Over time, administrative rationalisation under the Belgians decimated the ranks of Hutu chiefs. Colonial land ownership and forced labour arrangements (known as *ubuhake*) discriminated heavily against the Hutu.¹²⁹

There has been much scholarly debate about whether pre-colonial Rwanda was more rigidly ethnically divided than pre-colonial Burundi. Prunier questions this view, but he does accept that this was an accurate characterisation by the time of independence. However, he points out that most Tutsis were as poor as the Hutu peasantry. He also describes how some European priests within the Catholic Church became increasingly sympathetic to ideas of uplifting the downtrodden Hutu majority from the 1930s onwards.¹³⁰ As the prospect of political independence drew nearer in the late 1950s, ethnically exclusive parties were formed. Tensions burst into violence earlier than they did in Burundi and produced a dramatically different political outcome. Following an attack on a Hutu political activist in Kigali, false rumours spread that he had been killed. This triggered a violent Hutu response that soon escalated into a full-scale 'democratic

¹²⁶ This section of the Paper draws upon the *Europa World Year Book 2006* (London, 2006), pp. 3696-3703

¹²⁷ Prunier, *The Rwandan Crisis*, p. 12

¹²⁸ *Ibid*, pp. 18-22, 26-30

¹²⁹ Lemarchand, *Burundi*, pp. 40-51

¹³⁰ Prunier, *The Rwandan Crisis*, pp. 42-46

revolution’, although it is better described as an “ethnic transfer of power”.¹³¹ By its end, with their erstwhile Belgian allies abandoning them to their fate, Tutsi hegemony in Rwanda had been shattered. In 1961 the monarchy was abolished and a Republic established. Independence was achieved in July 1962.

During the rest of the 1960s, the political scene was dominated by President Gregoire Kayibanda, a Hutu intellectual with close links to the Church, and the Democratic Republican Movement (MDR), also known as the Party of the Movement and for the Emancipation of the Hutu People (PARMEHUTU). Kayibanda built a highly socially conservative, tightly controlled political system based on ethnic quotas. The first decade of independence was also characterised by regular outbreaks of ethnic violence, some of them large-scale. Armed attacks by exiled Tutsi groups based in Uganda that Hutus called *Inyenzi* (cockroaches) began in 1960.¹³² A major offensive in 1963 was beaten back. In its aftermath, all the Tutsi politicians not in exile were massacred. An estimated 20,000 Tutsis died. Hundreds of thousands of Tutsis fled into exile in Burundi, Uganda, Tanzania and Zaire, creating a large diaspora. In 1972, partly reacting to Tutsi persecution of Hutus in neighbouring Burundi, a campaign of Hutu persecution of Tutsis in Rwanda created another wave of Tutsi emigration. But it was not until the 1980s that Tutsis abroad were to begin mobilising again to return home.

Growing political and regional factionalism within the Hutu elite led to Major-General Juvenal Habyarimana, a northerner, seizing power in a bloodless coup. He constructed an orderly and conservative one-party state based on the rule of the Revolutionary National Movement for Development (MRND), which all Rwandans were compelled to belong to. Politics was forbidden and all efforts were marshalled towards development – with some success until the late 1980s, by which time falling coffee and tin prices were beginning to have a serious impact.¹³³ Tutsis were effectively non-citizens during this period. However, levels of ethnic violence did reduce.

With the arrival of the ‘second wind of change’, in 1990 Habyirama joined the ranks of African dictators who suddenly declared their conversion to multi-party democracy. By this time economic crisis had also triggered renewed factionalism within the Hutu elite over access to power and resources. Shrinking social expenditure had hit the Hutu and Tutsi peasantries hard. Overpopulation on the land and growing food insecurity compounded matters further.¹³⁴

In addition, exiled Tutsis based in Uganda were now mobilising for another attempt to return to Rwanda by force. Faced with the hostility of the Obote regime in the early 1980s, they had increasingly closely aligned themselves with Yoweri Museveni’s National Resistance Army (NRA). But many could never feel safe in Uganda again. In 1987 the Tutsi-dominated Rwandese Patriotic Front (RPF) was established with the aim of ensuring the return of exiles to Rwanda, by force if necessary. The RPF launched its war against the Habyarimana regime in October 1990.

¹³¹ Prunier, *The Rwandan Crisis*, p. 50

¹³² *Ibid*, p. 54

¹³³ *Ibid*, pp. 76-79. Prunier also argues (p.84): “the political stability of the regime followed almost exactly the curve of these prices.”

¹³⁴ *Ibid*, pp. 84-90

B. Genocide and Reconstruction, 1990-2003¹³⁵

The RPF 'invasion', as the Rwandan Government called it, was at first repulsed. The Rwandese army benefited from the arrival of French (and, briefly, Belgian) troops to support the Government, along with arms supplies, and rapidly grew in size. However, it remained relatively cohesive and disciplined. The attack gave the Habyarimana regime an opportunity to try and recreate 'national unity'. Meanwhile, the RPF gradually regrouped. Military operations by the military wing of the RPF, the Rwandan People's Army (RPA), triggered several further massacres of Tutsi civilians.

The advent of multi-partyism produced a range of parties opposed to the MRND (now known as the MRNDD – the last D being for Democracy), including the radical racist Hutu supremacist party, the Coalition for the Defence of the Republic (CDR), which accused Habyarimana of selling out to the Tutsis. The MDR was also revived. However, in March 1992 agreement was reached on establishing a coalition government that would seek to open negotiations with the RPF. In July 1992 a ceasefire was agreed. It looked as if the Rwandan crisis might be over. In August 1993, after over a year of negotiations and a brief resumption of violence in February, the Arusha Accord was signed. A Transitional Government was agreed which would include the RPF. Habyarimana was to remain as President until elections scheduled for late 1995 were held. The Accord triggered the arrival of the UN Assistance Mission to Rwanda (UNAMIR) and the withdrawal of French troops from Kigali. However, there were long delays in forming the Transitional Government as parties argued about its composition. A stable government had still not been formed when President Habyarimana was assassinated on 6 April 1994 when the aircraft he was returning in from a regional summit in Tanzania was shot down.¹³⁶ Triggered by retributive violence by the Presidential Guard, within hours Hutu extremists had launched the Rwandan genocide. Unofficial militias linked to the MRNDD and CDR, known as the *Interahamwe*, played a crucial organising role in the genocide. The army also took part in massacres. The church largely looked on as it happened.

A new interim President, the Parliamentary Speaker, Theodore Sindikubwabo, was elected to replace Habyarimana and a new Government appointed. However, the RPF rejected these moves and by mid 1994 had resumed military operations, now led by Paul Kagame. In late April the UN Security Council resolved to all but pull UNAMIR out of the country. However, on 16 May, once the scale of the humanitarian and human rights crisis had become clearer, it reversed its decision and increased its size. An arms embargo was also imposed. But countries were slow to respond to calls for troops. In response, the UN agreed to France providing troops pending the arrival of UN forces despite vehement RPF objections ('Operation Turquoise'). They arrived in late June, by

¹³⁵ This section of the Paper also draws upon the *Europa World Year Book 2006* (London, 2006), pp. 3696-3703

¹³⁶ March 2000 Canadian press reports claimed that a UN investigation had found that the RPF had deliberately shot down the aircraft. The RPF denied the claim. Similar claims following an official investigation in France in 2004 were also refuted. President Kagame in turn accused France of supporting Hutu militias during the 1994 genocide. *Europa World Year Book 2006*, p. 3702

which time the RPF was rapidly advancing upon Kigali. Over 1 million Rwandans, the vast majority Hutu, fled into Eastern Zaire as it did so. By the end of the month, evidence was emerging that as many as 500,000 Tutsis might have been killed as a result of attacks by Hutu militias and soldiers. A UN Commission of Inquiry was established to look into allegations of genocide. Accusations were soon being made that the international community had not done enough to prevent the genocide in Rwanda.

On 19 July 1994 a new Government of National Unity was established. A new President, the Hutu Pasteur Bizimungu, was inaugurated as President. A moderate member of the MDR, Austin Twagiramungu (also Hutu), was appointed Prime Minister, but the RPF was the dominant force in the new dispensation. It promised to honour the transitional power-sharing arrangements provided for in the Arusha Accord, but over an extended period and with certain amendments. The political participation of parties implicated in the alleged genocide was prohibited. Identity cards bearing details about a person's ethnic origin were banned. In May 1995 a new transitional Constitution was adopted. With massive support from international donors, the Transitional Government began the process of social and economic reconstruction.

The Government's main preoccupation during the first five years of its life was survival. In 1997 and 1998 the army conducted operations within Rwanda against alleged Hutu insurgents in which thousands of unarmed civilians were also killed.¹³⁷ From 1999 onwards it adopted strategies of moving rural populations into regroupment camps or creating new communities through programmes of forced 'villagisation'.¹³⁸ It also felt threatened by the Hutu refugee populations in Eastern Zaire, most of which had not taken up offers to return home. Several camps had fallen under the effective control of the *Interahamwe*. The Rwandan Government sought to neutralise that threat through military operations in Eastern Zaire and through the sponsorship of proxy armed groups. In a number of cases during 1996-7, refugee camps were forcibly closed and their inhabitants driven home. There have been allegations that many refugees were massacred by the RPA. Rwanda also became a major player in the exploitation of Zaire/DRC's mineral resources and fell out with its former ally, Museveni's Uganda, over these issues (see Part IB above for details). Relations between the two countries only significantly improved after 2002, following British mediation. In 2000 surviving *interahamwe* in DRC joined together with a number of other exiled anti-RPF groups to form the Democratic Forces for the Liberation of Rwanda (FDLR).

The UN arms embargo was lifted in August 1995 to allow the Government to equip itself to repel Hutu militia attacks from neighbouring countries. UNAMIR left in 1996. Domestically, the new regime arrested many thousands of people accused of participating in the genocide. The first trials began in 1997 and 23 people were executed for their crimes in April 1998. Over 100,000 suspects remained in severely overcrowded prisons. In 2000 legislation introducing a traditional system of justice, known as *Gacaca* (on the grass) was passed, allowing all but the most serious genocide crimes to be dealt with by community-level systems of justice. *Gacaca* trials began in November 2002. In June 1995 the International Criminal Tribunal for Rwanda (ICTR) had been inaugurated.

¹³⁷ Amnesty International, *Rwanda: Ending the Silence*, London, 25 September 1997

¹³⁸ Human Rights Watch, *Uprooting the Rural Poor in Rwanda*, New York and London, May 2001

Based in Arusha, Tanzania, its early operations were severely disrupted by the conflict in eastern Zaire and administrative problems. It reached its first verdict in September 1998. By this time the Government had tried several thousand suspects. Thousands of others were released for lack of evidence. Relations between the Government and the ICTR were sometimes tense. One issue that complicated relations was the ICTR's opposition to the death penalty, which Rwanda retains.¹³⁹ Another was its decision to investigate RPF members for their alleged participation in massacres of Hutus in 1994. The ICTR's rate of trials and convictions increased significantly during 2002 and 2003. By the end of that year it had convicted 17 and acquitted three people.

In July 1999 the Transitional Government was replaced by a new four-year Government of National Unity. Splits within the Government, including the RPF, were by this time intensifying. In February 2000 the then Prime Minister, Pierre Celestin Rwigyema of the MDR, who was under investigation for alleged abuses of power, resigned.¹⁴⁰ In March 2000, President Bizimungu also resigned, protesting about the composition of the new Government and the increasing 'Tutsi-sation' of political power in Rwanda. He claimed that, outside the Cabinet, where a number of Hutus remained Ministers, Tutsis were increasingly monopolising positions of power and responsibility. He subsequently sought to establish a political party but in 2002 he was arrested and charged with threatening state security. In April 2000 Vice-President and Minister of Defence Paul Kagame was elected the new President by the National Assembly and Government. He was the first Tutsi President of Rwanda since independence.

During 2001-2, the Government took steps to weaken the independent media and tighten the regulation of civil society. In April 2003, to mark the end of the nine-year transitional period, a new Constitution was adopted by the National Assembly. It was endorsed by a public referendum and came into force in June. It banned political associations based on ethnicity or regional affiliations. The MDR was amongst those parties that were dissolved on this basis. Presidential elections were scheduled for 25 August 2003 and legislative elections for late September. In the Presidential election, Paul Kagame won an overwhelming victory, gaining 95.1% of the vote. His main opponent, former Prime Minister Twagiramungu, standing as an independent following the dissolution of the MDR, complained of fraud. EU monitors noted irregularities in the poll. In the legislative elections, the RPF and its allies won 73.8% of the votes, securing 40 seats out of 80. The next biggest parties were the Social Democratic Party (PSD), with seven seats, and the Liberal Party (PL) with six. Both are close to the RPF.

C. Recent Developments and Future Prospects

Since the 2003 elections, the political scene has been relatively stable. However, political dissent that questions the leading role of the RPF continues to be dealt with forcefully. In June 2004 former President Bizimungu was sentenced to 15 years in prison for

¹³⁹ The RPF has recently suggested it will pass a law abolishing use of the death penalty. "Ruling party to vote on abolishing death penalty", *IRINnews.org*, 13 October 2006
Available at: <http://www.irinnews.org/print.asp?ReportID=55929>

¹⁴⁰ He had replaced Twagiramungu in 1995

corruption, inciting disorder and criminal association. He was acquitted of endangering state security. An appeal was rejected by the Supreme Court in February 2006.

During 2006 there has been a reorganisation of regional and local government. Eleven regions have been merged into five. 106 communes were reduced to 30 ahead of elections in March. *Africa Confidential* has claimed that this is part of a process of further centralising political power in Kigali.¹⁴¹ The Government and donors argue that this rationalisation paves the way for a more effective programme of political and economic decentralisation.

In September 2006, a Rwandan government official involved with the *gacaca* process indicated that at least 55,000 people convicted through it of taking part in the genocide would probably be sentenced to community service instead of prison. 700,000 suspects have reportedly been investigated and tried through the *gacaca* process since it was established in 2001. The final phase – trying to reintegrate them into society – began in September 2006. Rwanda has a huge prison population.¹⁴²

Relations with the ICTR, which nearly broke down in mid 2006 when it emerged that members of its staff were suspected of participating in the genocide, were stabilised when the ICTR promised in September to dismiss those staff and improve its system of security checks.¹⁴³ The ICTR is due to finish its trials by 2008. At the end of September 2006 the ICTR had completed 29 cases and had 27 trials still under way.¹⁴⁴

In March 2005, under increasingly concerted regional and international pressure, the President of the FDLR, which comprises the bulk of the surviving Hutu resistance in Eastern DRC, Ignace Murwanashyaka, announced that it would denounce the Rwandan genocide and end the fighting. However, the process of disarmament, demobilisation and reintegration of FDLR has been subject to regular disruption since then due to divisions within the FDLR (it has broken into rival factions) and military activities by other armed groups in the area. But the military capacity of the FDLR appears to have been severely weakened. Ignace Murwanashyaka has been in German custody since April 2006. In May the Government published a list of FDLR leaders accused of serious crimes – in part to reassure the rank-and-file that they could return without fear of judicial punishment.¹⁴⁵

With the important exception of its role in Zaire/DRC, the position of the vast majority of the donor community is that, led by the RPF, Rwanda has staged a remarkable recovery since the catastrophic events of 1990-94. Their arguments run along the following lines: Although it is still heavily dependent upon foreign aid, its economy has grown at an average of 7.7% per annum between 1995 and 2004. It has successfully negotiated a

¹⁴¹ "Electoral expectations", *Africa Confidential*, 6 January 2006

¹⁴² "Community service for tens of thousands of génocidaires", *IRINnews.org*, 21 September 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55661>

¹⁴³ "UN court, Kigali resolve differences", *IRINnews.org*, 20 September 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55638>

¹⁴⁴ "UN prosecutor says most wanted genocide suspect in Kenya, prosecutor says", *IRINnews.org*, 15 September 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55580>

¹⁴⁵ *Report of the Secretary-General pursuant to paragraphs 10 and 14 of Security Council Resolution 1649 (2005)*, S/2006/310, 22 May 2006

prolonged transition to a political order in which ethnicity and violence no longer play a central role. It has dealt effectively, despite the challenges and difficulties, with the many thousands of people detained on suspicion of participation or complicity in the genocide. It has co-operated with the ICTR, despite periodic differences of opinion. So overall, Rwanda has taken major strides towards peace with justice.

There are more sceptical voices outside the donor community. A veteran analyst of the Great Lakes region, the Belgian academic Filip Reyntjens, wrote in 2004:

There is a striking continuity from the pre-genocide to the post-genocide regime in Rwanda. Indeed, the manner in which power is exercised by the RPF echoes that of the days of single-party rule in several respects. A small inner circle of RPF leaders takes the important decisions, while the Cabinet is left with the daily routine of managing the state apparatus. Under both Habyarimana and Kagame, a clientilistic network referred to as the *akazu* accumulates wealth and privileges. Both have manipulated ethnicity, the former by scapegoating and eventually exterminating the Tutsi, the latter by discriminating against the Hutu under the guise of ethnic amnesia [...] Continuity is visible not just in the exercise of power, but also in the nature of the state. An ancient state tradition plays an undeniable role here: a mere two years after the extreme human and material destruction of 1994, the state had been rebuilt. Rwanda was again administered from top to bottom, territorial, military and security structures were in place, the judicial system was re-established, tax revenues were collected and spent. The regime was able in a short time to establish total control over state and society. This control was seen in the maintenance of an efficient army, able to operate inside and far beyond the national borders; the establishment of 're-education', 'solidarity' and 'regroupment' camps; the villagization policy (known as the '*imidugu*' policy); tense relations of distrust with the UN and NGOs; and the establishment of an important intelligence capacity [...] While many other African countries tend towards state collapse, the Rwandan state has reaffirmed itself vigorously.¹⁴⁶

For Reyntjens, the problem is that this reaffirmation is in practice based on a restoration of Tutsi hegemony. He goes on to reflect on the stance of the international community, arguing that it is faced with a "grave dilemma":

By indulging in wishful thinking, the international community is taking an enormous risk and assuming a grave responsibility. While it is understandable that the 'genocide credit' and the logic of 'good guys and bad guys' should have inspired a particular understanding of a regime born out of the genocide, this complacent attitude has incrementally, step by step, contributed to a situation that may well be irreversible and that contains seeds for massive new violence in the medium or long run. Indeed, on the one hand, now that it is ostensibly legitimized by elections, the Rwandan regime will be even less inclined to engage in any form of dialogue with the opposition at home and abroad. On the other hand, most Rwandans, who are excluded and know full well that they have been robbed

¹⁴⁶ F. Reyntjens, "Rwanda, Ten years on: From genocide to dictatorship", *African Affairs*, Vol. 103, No. 411, April 2004, pp. 208-9. He also claims that the Tutsi elite today is mainly drawn from networks "based on a shared past in certain refugee camps in Uganda" (pp. 188-9). The full text of the article is available at: <http://www.burundirealite.org/burundi/files/rentjens.pdf#search=%22%22International%20Panel%20of%20Eminent%20Persons%20to%20Investigate%20the%201994%20Genocide%20in%20Rwanda%22%22>

of their civil and political rights, are frustrated, angry and even more desperate [...] For someone like the present author, who warned against massive violence during the years leading up to 1994, it is frustrating to wonder whether, in two, five or ten years from now, the international community, again after the facts, will have to explain why Rwanda has descended into hell once more.¹⁴⁷

D. The Role of the International Community

Since 1994 the failure of the international community to prevent the genocide has been acknowledged. A UN commission of inquiry accepted this conclusion in December 1999, leading Secretary-General Kofi Annan to issue a personal apology. The establishment of the ICTR in 1995 reflected recognition by the international community that genocide had indeed occurred.

The Rwandan Government has been particularly critical of the roles of Belgium and France in the events leading to the genocide. It cut diplomatic ties with France between 1994 and 2002. A Rwandan tribunal is currently examining France's role in the genocide. It could lead the Rwandan Government to file a suit against France at the International Court of Justice.¹⁴⁸ There has been considerable debate within France about whether it should accept some responsibility. A previous parliamentary enquiry exonerated the government of the time. However, a French military tribunal is currently investigating allegations that French forces failed to prevent attacks on Tutsis by Hutu militias.¹⁴⁹ The RPF has pursued a foreign policy for Rwanda that is much more strongly oriented towards the Anglophone world than in the past. Relations with the UK have been particularly close since Labour came to power in 1997.

An arms embargo was imposed on Rwanda by the UN in May 1994 under UN Security Council Resolution 918 (1994). In August 1995, the embargo was modified by Resolution 1011 (1995) so that it henceforth applied only to non-governmental forces. A Sanctions Committee, first established under UN Security Council Resolution 918 (1994), remains in place to monitor violations of the arms embargo.¹⁵⁰

Rwanda is a beneficiary of the UN's Consolidated Appeal for the Great Lakes region. The total requirement for the 2006 Great Lakes appeal is US\$153,546,211. Contributions to the appeal at 23 June 2006 stood at approximately \$80 million, or 52% of the requirement.¹⁵¹

¹⁴⁷ F. Reyntjens, "Rwanda, Ten years on: From genocide to dictatorship", *African Affairs*, Vol. 103, No. 411, April 2004, p. 210. By 'genocide credit' he means the way in which, in his view, the genocide became "a source of legitimacy astutely exploited to escape condemnation... allowing the RPF to acquire and maintain victim status and, as a perceived form of compensation, to enjoy complete immunity" (p. 199)

¹⁴⁸ "France accused on Rwanda killings", *BBC News Online*, 24 October 2006

¹⁴⁹ *Europa World Yearbook 2006*, p. 3702

¹⁵⁰ The Security Council also established a broader Commission of Inquiry to research and monitor arms flows to Rwandan rebels in Zaire. The March 2006 report by the Sanctions Committee can be found at: <http://daccessdds.un.org/doc/UNDOC/GEN/N06/271/40/PDF/N0627140.pdf?OpenElement>

¹⁵¹ UN OCHA, *Consolidated Appeal for the Great Lakes 2006, Mid-Year Review at 18 July 2006*. Available at: <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7984&Page=1383>

Rwanda has been viewed as a strong economic performer by donors, including the IMF and World Bank, over the last decade. It reached its completion point for the enhanced Highly Indebted Poor Countries (HIPC) Initiative in April 2005. Total debt relief under the enhanced HIPC Initiative from all of Rwanda's creditors was estimated at the time at US\$1.4 billion in nominal terms.¹⁵² It was one of the African countries named following the G8 Summit in Gleneagles, Scotland, as eligible for 100 per cent relief on its multilateral debts.¹⁵³

The European Commission Humanitarian Aid Office (ECHO) was a major contributor of humanitarian aid to Rwanda in the years following the 1994 genocide. However, it no longer allocates funds to Rwanda.¹⁵⁴

The following extract from the Department for International Development (DFID) website sets out its current programme for Rwanda:

The UK's development partnership with the Government of Rwanda focuses on poverty reduction and the achievement of the Millennium Development Goals, as well as the promotion of peace and stability in the Great Lakes region. Over the past 10 years, the UK has provided Rwanda with £200 million of development assistance, which has helped to fund Rwanda's remarkable recovery. DFID is currently Rwanda's main bilateral partner with an annual programme of £46 million in 2005/06, two-thirds of which is provided as budget support which we believe is the most effective way of funding the priorities set out in the Government of Rwanda's poverty reduction strategy.

In order to ensure that this funding has the best possible impact on the poor, we also provide targeted support for capacity building, with a focus on:

- strategic planning and budgeting processes;
- civil service reform;
- strengthening statistical capacity.

DFID has also provided substantial support in key areas, including:

- education, helping to introduce fee-free primary education;
- land reform;
- agriculture and rural livelihoods.

The development partnership between the governments of the UK and Rwanda is underpinned by a Memorandum of Understanding (MoU). A new Memorandum of Understanding was signed on 13 February 2006. This replaces the previous MoU Originally signed in 1999.

The MoU provides a framework for cooperation between the two governments. Subject to Rwanda honouring its commitments, the UK will provide at least £460 million in development assistance over the next 10 years. The MoU sets out shared commitments as well as the commitments each government has made to the other. It provides a clear basis for discussion and dialogue, and for assessing

¹⁵² <http://www.imf.org/external/np/sec/pr/2005/pr0584.htm>

¹⁵³ See the World Bank's website for the Multilateral Debt Relief Initiative at: <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTDEBTDEPT/0,,contentMDK:20634753~menuPK:64166739~pagePK:64166689~piPK:64166646~theSitePK:469043,00.html>

¹⁵⁴ *ECHO Decisions 2006*. Available at: http://ec.europa.eu/echo/information/decisions/2006_en.htm

the progress of the development partnership. By providing predictable, long-term assistance under the new MoU, the UK will help Rwanda to build on the progress made so far.¹⁵⁵

Concerns have been expressed that British aid to Rwanda may have in the past gone towards financing the activities of armed groups in eastern DRC. Responding to such allegations in 2004, the British Government stated that it has seen no evidence that this has been the case. Other European countries – for example, Sweden and the Republic of Ireland – have been less categorical in their refutation of such claims and have reduced their aid to Rwanda partly on these grounds.¹⁵⁶

¹⁵⁵ DFID, *Country Profile* at 3 August 2006. Available at:

<http://www.dfid.gov.uk/countries/africa/rwanda.asp>

¹⁵⁶ “Are their guns paid for by British aid?”, *Independent*, 11 August 2004. Available at: <http://www.globalpolicy.org/security/issues/congo/2004/0811gunsaid.htm>

IV Uganda

A. Background and History¹⁵⁷

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| The 2002 census produced a figure for the population of Uganda of 24.7 million people. The largest ethnic group in Uganda is the Baganda, at over 4 million. Eight other ethnic groups number over 1 million. |
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| The economy, which was traditionally dependent on coffee exports, is much less so today but is still heavily reliant upon agriculture. |
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| While part of the Great Lakes region politically, it is the west of the country that is part of the geographical region. |
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Pre-colonial Uganda comprised five Kingdoms: Buganda, Bunyoro, Toro, Ankole and Bugosa. During the second half of the 19th century Britain became increasingly influential in the area, culminating in the establishment of Protectorates over these Kingdoms during the 1890s. Like the Belgians in Congo, Burundi and Rwanda, British colonial authority was based on a system of indirect rule, in which the various Kings and the aristocracy (or chiefs) played a crucial role in maintaining order, with the Bugandan King first amongst equals. By the 1950s, as prospects for independence grew, nationalist politicians wrestled with how best to address this federated historical legacy. The Democratic Party (DP) advocated a unitary state. The Uganda People's Congress (UPC) favoured a federal solution and was supported in this by the Baganda, through its *Lukiiko* (legislature). The *Lukiiko* eventually formed a party of its own, the Kabaka Yekka (KY).

The independence Constitution agreed with the British provided for a federation of four regions – Buganda, Ankole, Bunyoro and Toro. Elections for the National Assembly in April 1962 gave a majority to the UPC/KY coalition. Independence came in October 1962. The governing coalition was led by Dr Milton Obote, a member of the Langi ethnic group. Reflecting the anti-monarchical trend across the Great Lakes region at independence, in 1963 Uganda became a Republic, with the King of Buganda, Mutesa II, as non-executive President.

The UPC/KY coalition soon came under strain. The UPC itself split into conservative, radical and centrist camps. In February 1966, faced by a parliamentary enquiry into his role in alleged gold-smuggling, Obote led a pre-emptive coup in which the President was deposed, the Constitution suspended and all power transferred to himself. He swiftly dismantled Uganda's federal structure and established an executive Presidency. Faced by opposition from Buganda, he sent in troops, forcing the King into exile. In September 1967 a new Constitution was issued that established a unitary Republic and abolished traditional rulers and legislatures. National elections were scheduled for 1971.

Obote's rule grew increasingly repressive. He was ultimately undone when he fell out with the army. In January 1971, General Idi Amin, the commander of the army, seized power. He promised a return to civilian rule within five years. He ruled by decree and

¹⁵⁷ This section of the Paper draws upon the *Europa Regional Survey 2006 for Sub-Saharan Africa* (London, 2006), pp. 1238-9

sanctioned massacres of his opponents, particularly those of the Langi and Acholi ethnic groups. In August 1972 he embarked on a programme of expelling Asians from the country, despite international condemnation. Virtually all Western aid ceased. Relations with Tanzania deteriorated sharply after exiled military officers, including a young Yoweri Museveni, launched an unsuccessful attempt to overthrow Amin in September 1972. The mid 1970s were years of chaos and economic crisis. There were further attacks on the Langi and Acholi populations during 1976-7. In October 1978 Amin embarked on an unsuccessful invasion of Tanzania, following a territorial dispute. This provoked a retaliatory invasion by Tanzania in January 1979 that, with the assistance of the Uganda National Liberation Army (UNLA), quickly brought Amin's rule to an end.

A Provisional Government took over in April 1979, headed by Dr Yusuf Lule as President, with the UNLA becoming the national army. But Ugandan politics remained chronically unstable. He was soon replaced. His successor also did not last long. In May 1980 a military commission took over that included Museveni as Vice-Chair. It oversaw preparations for elections in December 1980. These were won by the UPC and Obote, although his opponents claimed that there had been gross electoral malpractice. Museveni, who had stood unsuccessfully as the candidate for the Uganda Patriotic Movement, returned to the bush to organise an armed rebellion, working with former President Lule to create the National Resistance Movement/Army (NRM/A). Its heartlands were the Centre and West of the country. Amin supporters established the Uganda National Rescue Front. A group called the Uganda Freedom Movement also took up arms.

In July 1985 Obote was again overthrown by an Acholi-led military coup. General Tito Okello became head of a Military Council. All armed groups except the NRM/A eventually accepted positions on the Council. However, the UNLA suffered a succession of reverses and by the end of 1985, the NRM/A controlled much of the south of the country. When peace negotiations broke down in December, Museveni launched a final push for the capital, Kampala. In January 1986, Kampala was taken. Museveni became President and formed the National Resistance Council (NRC) from across the political spectrum.

B. Conflict and Reconstruction under Museveni, 1986-2005¹⁵⁸

One of Museveni's first acts was to ban the activities of political parties. Elections were postponed for at least three years. A system of resistance committees was established at local and district level. However, armed opposition to the new Government rapidly surfaced, initially predominantly in the North and East of the country. Remnants of the UNLA refused to surrender. Supporters of Obote, now in exile in Zambia, formed the Uganda People's Democratic Movement (UPDM). Peace was agreed with part of the UPDM in June 1987, but a faction continued to resist until 1990. In the north, Alice Lakwena and her Holy Spirit Movement (HSM) led a major rebellion during 1986-7, but it was quickly defeated.

¹⁵⁸ This section of the Paper draws upon the *Europa Regional Survey 2006 for Sub-Saharan Africa* (London, 2006), pp. 1239-44

Surviving members of the HSM), including Alice Lakwena's nephew, Joseph Kony, subsequently regrouped as the Lord's Resistance Army (LRA). In 1991 the NRA launched major operations against rebel fragments still active in the North and East. Human rights groups persistently accused the Government of serious human rights violations in its treatment of both insurgents and civilians during the early 1990s. In 1994 three rebel groups agreed to lay down their arms, leaving only the LRA and one other small group still active in the North and East. A low-intensity war continued in the North throughout the rest of the decade, with the LRA committing gross human rights violations against civilians. The army (now called the Ugandan People's Defence Force [UPDF]) was also guilty of violations. The LRA became notorious for its forced recruitment of child soldiers. Critics accused Museveni of deliberately prolonging the conflict to punish the Acholi people in general, who had strongly backed the Okello regime that he overthrew in 1986. Museveni repudiated this view, blaming the LRA for the underdevelopment and misery of the North.¹⁵⁹

President Museveni has periodically offered amnesties to all rebels who were prepared to lay down their arms, including to the LRA. An Amnesty Law was passed in December 1999. In the same month Uganda and Sudan, which had long stood accused of supporting the LRA through its rear-bases in southern Sudan, agreed to co-operate in the disbandment of terrorist groups like the LRA. Sudan had long accused Uganda of providing support to the Sudan People's Liberation Army (SPLA), which was fighting for independence in southern Sudan. The LRA resisted these efforts, moving most of its fighters back into northern Uganda. Levels of violence in the North intensified.

During the mid 1990s, as the DRC collapsed, several insurgent groups also became active in the West – for example, the Allied Democratic Front (ADF), which comprised a mix of Ugandan Islamists and former soldiers of the UNLA, assisted by Rwandan Hutu militiamen and ex-soldiers from Zaire. This was a major factor behind the sending of Ugandan troops into Eastern Zaire in 1996. The threat from the ADF became less serious after 1999.

In 1989, the NRC approved the extension of the Government's term of office until 1995. In March 1990 the ban on party political activity was also extended until then, entrenching Uganda's 'no-party system'. Constituent Assembly elections were held on this basis in March 1994, which the NRM won decisively. A new Constitution was promulgated in October 1995, providing for a referendum in 2000 on whether to return to a multi-party political system. 'No-party' Presidential and legislative elections in May and June 1996 also produced big victories for Museveni and the NRM.

Museveni also urged Asians expelled by Amin to return and reclaim their assets. In July 1993 legislation was passed providing for the restoration of Uganda's traditional rulers, although purely on a ceremonial basis. All five pre-colonial kingdoms had been restored by 1996.

¹⁵⁹ See International Crisis Group (ICG), *Northern Uganda: Understanding and Solving the Conflict*, Africa Report No. 77, 14 April 2004. Available at: <http://www.crisisgroup.org/home/index.cfm?id=2588&l=1>

The national referendum on the non-party system in June 2000 produced a 90% vote in favour of retaining it. The Supreme Court declared the referendum null-and-void on constitutional grounds in August but Parliament (as the NRC was by now called) passed a law reversing this decision. In March 2001 presidential elections Museveni faced his first significant political challenger in his former physician Dr Kiiza Besigye. Museveni won 69.3% of the vote to Besigye's 27.8%. Besigye and his supporters claimed serious malpractice but the election received the approval of international monitors. A number of bombings after the elections were linked by Museveni to Besigye, who was barred from leaving the country while under suspicion. However, he was able to flee into exile.

Now into his second and final term under the Constitution, supporters of Museveni began to push for a constitutional amendment that would allow him to stand for a third term. His previously warm relationship with the international community, which had first been placed under strain by Uganda's involvement in DRC from 1996 onwards, began to cool significantly as harassment of the political opposition and media increased, allegations emerged of the routine use of torture by the security forces, and evidence of corruption mounted. There was also growing criticism of the Government's apparent reluctance to seek an end to the conflict in the North. In 2004 military expenditure increased by 12.5%. In August 2004, with the UPC and DP floundering, opponents of Museveni established the Forum for Democratic Change (FDC). Kizza Besigye, while still abroad, became its leader. When the Constitutional Court ruled in late 2004 that legislation preventing opposition parties from fighting elections should be overturned, the Government reluctantly agreed in February 2005 to hold a further referendum on the issue in June but added a proposal to remove the two-term limit. This was in defiance of international donors such as the UK. In late July 2005, the referendum produced overwhelming assent for both propositions on a turn-out of 47%. Opposition parties had called for a boycott of the referendum because it included a proposal to end the two-term limit.

C. Recent Developments and Future Prospects

Kizza Besigye returned to the country in October 2005. Although he was still facing a range of criminal charges, including rape, treason and terrorism, donor pressure forced Museveni to allow him to contest the elections at the head of the FDC. The presidential and parliamentary elections held in February 2006, while an improvement on previous elections, were judged by the EU to be below international standards.¹⁶⁰ Voting divided along regional lines. Museveni swept the West and Central regions. Voters in the North voted overwhelmingly for the FDC. The East was the only region where the contest was close.

- The results of the presidential election were as follows:

| | |
|------------------------|-----|
| Yoweri Museveni (NRM): | 59% |
| Kizza Besigye (FDC): | 37% |
| Other candidates: | 4% |

¹⁶⁰ EU Observation Mission Press Release, 17 July 2006. Available at: [http://www.deluga.cec.eu.int/en/whatsnew/Final_version_of_report\[1\].pdf](http://www.deluga.cec.eu.int/en/whatsnew/Final_version_of_report[1].pdf)

- In Parliament the NRM won 236 seats. The FDC won 40 seats. The DP and UPC were comprehensively eclipsed in both elections.

Claiming that it had been cheated of victory, the FDC alleged massive fraud and announced that it would challenge the verdict in the courts. Threats to take to the streets were averted through donor pressure. According to one authoritative source:

The polls may have been free and fair but the context was not. Deliberate failure to separate state and party allowed NRM officials to treat state coffers as a piggy-bank for their campaign. Besigye's frequent court appearances, and media bias, hampered his campaign [...] The EU's Van den Berg stated that 'the Constitution [amended last year] failed to provide the basis for a fair multiparty election'. The US Chargé d'Affaires, William Fitzgerald, was unusually outspoken in regretting 'that this election did not occur on a more level playing field'.¹⁶¹

In April the Supreme Court upheld Museveni's victory but broadly agreed that the electoral process had been flawed. South Africa, Botswana and the EU have each sought to mediate between the two sides to stabilise the political situation. So far reconciliation has proven impossible.¹⁶² The composition of Museveni's 69-member cabinet is heavily biased towards his home areas in the West of the country and Buganda. There is little northern representation.¹⁶³

Despite his achievements since 1986 in reviving the economy, donors have become increasingly reluctant to continue bankrolling Museveni unless there is serious action against rising corruption and greater progress towards peace in the North. In July 2006, the UK withdrew \$36 million in direct budgetary support for the second time in two years, diverting it to humanitarian expenditure in the North. Uganda is due to host the Commonwealth Heads of Government Meeting in November 2007.¹⁶⁴

Museveni's plummeting international reputation following the February 2006 elections – and the donor response – may in part explain why he has in recent months modified his commitment to a military solution to the conflict with the LRA in the north. Since July 2006 a new peace process between the Ugandan Government and the LRA has got under way, brokered by the fledgling Government of Southern Sudan (GOSS). There are cautious hopes that it will finally bring the devastating conflict to an end.

Recent developments have had a long and complex gestation. In November 2003 a group of deputies from the North and East of Uganda walked out of Parliament and threatened not to return until the security situation had improved. There had been mounting discontent for some time as attacks continued and many civilians were forced into camps for internally displaced persons (IDPs). There were at least 1.5 million IDPs by 2004. At around the same time, international concern was finally coalescing into action. The UN Security Council passed its first resolution on northern Uganda in April

¹⁶¹ "Museveni wins, at a price", *Africa Confidential*, 3 March 2006

¹⁶² *Africa Research Bulletin*, March 2006, p. 16575 and April 2006, pp. 1511-2

¹⁶³ "Old faces", *Africa Confidential*, 9 June 2006

¹⁶⁴ ICG, *Peace in Northern Uganda?*, Africa Briefing No. 41, 13 September 2006, pp. 11-12. Available at: <http://www.crisisgroup.org/home/index.cfm?!=1&id=4374>

2004, condemning the LRA but calling for a political solution. In the same month, President Museveni offered direct peace talks with the LRA. When there was no reply, he escalated military operations against it by the UPDF. Donors responded by pressurising him to make greater efforts to start negotiations. However, in July 2004 the ICC separately opened investigations into war crimes committed by the LRA since 2002, when the Court was established. During 2005 this led to calls from Ugandan civil society not to issue arrest warrants for LRA leaders lest that deter them from entering into peace negotiations. An overture from the LRA in November 2004, in which it said that it was willing to enter talks, led to a brief ceasefire. However, it ultimately foundered when the LRA proved unwilling to do so.

2005 saw continuing violence on the ground and a political stalemate. Under increased military pressure, in September 2005 much of the LRA relocated to the North East corner of the DRC in Garamba National Park and Southern Sudan. MONUC, stretched to the limit in supporting the peace process in the DRC, did not engage the LRA, except on one occasion in January 2006 when eight peace-keepers were killed in a skirmish. Further pressure on the LRA came in October 2005, when the International Criminal Court (ICC) issued indictments against five of its leaders: Joseph Kony, Vincent Otti, Okot Odhiambo, Dominic Ongwen and Raska Lukwiya.¹⁶⁵

In early 2006 the GOSS, with Vice-President Riek Machar leading the effort, attempted to get negotiations started. Controversially offering cash and food to the LRA as enticements, his endeavours eventually produced agreement from both the Government of Uganda and the LRA to begin talks on 14 July 2006 in Juba, Southern Sudan. Statements in early July by the Ugandan Government that it was willing to offer an amnesty for all LRA leaders as part of a peace agreement and would not hand them over to the ICC, while heavily criticised by supporters of the ICC, helped to smooth matters.¹⁶⁶ Until this point, the Government had been a strong supporter of the indictments.¹⁶⁷ Initially tense negotiations looked close to collapse after the 12 August killing of LRA leader Raska Lukwiya. Museveni said he would give the talks until 12 September to show signs of progress, after which point military operations would be scaled-up dramatically, including potentially in DRC. On 26 August 2006 a Cessation of Hostilities Agreement was signed in Juba, part of which was a pledge by the LRA to relocate all its forces to two designated assembly areas in Southern Sudan. The first fighters arrived at these assembly areas in early September.¹⁶⁸ However, the deadline for the arrival of all LRA fighters, originally set for by the Agreement for 19 September, had to be extended after many of them had failed to assemble as agreed. The LRA claimed that the Ugandan army had placed some of its own personnel in one of the assembly areas, Owiny Ki-Bul. The Cessation of Hostilities monitoring team has declared that both sides had violated the Agreement. Despite this, a third round of peace talks began in late September. In early October the Ugandan army announced that it had resumed military operations against LRA fighters that had not yet gathered in the assembly areas. But it

¹⁶⁵ For the full text of the arrest warrants, see <http://www.icc-cpi.int/cases/UGD.html>

¹⁶⁶ Uganda is a State Party to the Rome Statute and has an obligation to co-operate fully with the Court

¹⁶⁷ In April 2006 legislation was passed to exclude specific leaders from Amnesty provisions. However, it appears that this exclusion is not yet in force because Parliament has not approved a list setting out who is covered. ICG, *Peace in Northern Uganda?*, Africa Briefing No. 41, 13 September 2006, p. 10

¹⁶⁸ *Ibid*, pp. 1, 5

stressed that this did not mean that the Government was withdrawing from the peace process.¹⁶⁹ As talks continued during mid-October, 38 civilians were killed in southern Sudan and a senior Ugandan army officer was also killed. The LRA did not admit responsibility for either operation but accused the Ugandan army of firing on its forces as they made their way towards one of the assembly areas.¹⁷⁰ The fragility of the peace process was further underscored when a visit to the talks by President Museveni ended in mutual recriminations rather than gestures of reconciliation.¹⁷¹

The parties have agreed that there should be five-stages to the negotiating process. The next stage is to move towards a comprehensive settlement. Stage Three will address reconciliation and accountability. Stage four will lead to a formal ceasefire. Stage Five will complete disarmament, demobilisation and reintegration (DDR).¹⁷²

According to the International Crisis Group (ICG), there are a number of potential obstacles to success: the degree to which the LRA delegation in Juba is in tune with the leadership in the bush, which remains nervous that the entire process is simply a trap;¹⁷³ whether the Government is sufficiently committed to a political solution; how to deal with the insistence of LRA leaders that the five ICC indictments are withdrawn; and whether the GOSS is capable of sustaining its mediating efforts throughout a long, drawn out negotiating process.¹⁷⁴ Causes for optimism lie in the apparent willingness of the Government to discuss the root causes of the conflict in the north, which the LRA has argued lie in the political and economic marginalisation of the Acholi, and the agreement of the parties to allow key civil society interests to play an observation and confidence-building role at the talks, including the Paramount Chief of the Acholi, Rwot David Acana II.¹⁷⁵ The LRA has indicated that it would like to see a return to a federal system of government in Uganda.¹⁷⁶

There are divergent views about whether the LRA is a spent force militarily. This is certainly the view of the Ugandan Government, which believes that a combination of its military operations and the progressive reduction in support to it since 2002 from forces

¹⁶⁹ "Uganda army resumes rebel patrols", *BBC News Online*, 4 October 2006

¹⁷⁰ "Government says LRA killed army officer, demands action", *IRINnews.org*, 18 October 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55994>

¹⁷¹ "Museveni meets Ugandan LRA rebels", *BBC News Online*, 21 October 2006

¹⁷² ICG, *Peace in Northern Uganda?*, Africa Briefing No. 41, 13 September 2006, p. 2

¹⁷³ *Ibid*, p. 4. The UN Mission in Sudan (UNMIS) has promised not to arrest LRA leaders who come to Juba. The SPLA has undertaken to protect LRA fighters in the two assembly areas. However, the full encampment of LRA forces in the two assembly areas would leave them highly vulnerable should the peace process break down.

¹⁷⁴ The ICG calls for the AU and UN to provide assistance to the GOSS. On the question of the ICC indictments, it explores whether the Security Council could suspend the indictments on an annual basis on condition that the LRA leaders co-operate fully with a peace agreement that included provision for some form of domestically-based accountability, whether a Truth and Reconciliation Commission or traditional mechanisms. It also suggests that the "least worst option" might be that those indicted are offered asylum in a country that has not signed the Rome Statute. Sudan has not done so. *Ibid*, pp.1-2, 14-18

¹⁷⁵ Analysts do not go so far as to attribute a coherent political programme to the LRA, but it does appear to have developed over the years a set of rather general political objectives. *Ibid*, pp. 3, 7, 10

¹⁷⁶ "Rebels propose federalist solution at Juba talks", *IRINnews.org*, 13 October 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55906>

close to the traditional Sudanese political establishment has debilitated it. Others believe that it still has over 2,000 fighters at its disposal and remains a “serious force”.¹⁷⁷

If peace does come to the north, there will be a massive task of recovery and reconstruction to undertake. The Government launched the Northern Uganda Reconstruction Programme in 1992. It is now into its second phase. However, its impact has been severely limited by continuing conflict.¹⁷⁸ The mere hope of peace has reportedly been enough in recent months to persuade up to 300,000 people to leave IDP camps in northern Uganda and return home.¹⁷⁹ A crucial component of reconstruction efforts will be the disarmament, demobilisation and reintegration process of child soldiers. The LRA was estimated in 2004 to have abducted 20,000 children in the course of its insurgency. The Ugandan authorities have also used child soldiers.¹⁸⁰

A small number of commentators, including the former UN Under Secretary-General and Special Representative for Children and Armed Conflict, Olara Otunnu (himself an Acholi), argue that, grave as the crimes of the LRA are in the north, even more serious are those of the Ugandan Government. In an article entitled “The Secret Genocide”, he writes:

[...] under the cover of war against these outlaws, an entire society, the Acholi people, has been moved to concentration camps and is being systematically destroyed – physically, culturally and economically [...] 95% of the Acholi population now resides in these camps. In January 2006, World Vision Uganda reported that 1,000 children are dying each week in the region, one of the worst mortality rates in the world. More recent estimates indicate that number may have climbed to 1,500 deaths a week. In March, a survey by a consortium of nongovernmental organisations reported that the death rates in the concentration camps are three times those of Darfur.¹⁸¹

D. The Role of the International Community

In early 2006 the Uganda Core Group, which is the co-ordinating body of Uganda’s major donors, and the UN persuaded the Government to establish a joint monitoring committee that would work towards solving the conflict in the north.¹⁸²

Uganda has been viewed overall as a strong economic performer over the last decade by donors, including the IMF and the World Bank. It reached its completion point for the

¹⁷⁷ ICG, *Peace in Northern Uganda?*, Africa Briefing No. 41, 13 September 2006, p. 9

¹⁷⁸ For further information, see: Government of the Republic of Uganda, “Post-Conflict Reconstruction: The Case of Northern Uganda”, *Discussion Paper 7 (Draft)*, April 2003. Available at: <http://siteresources.worldbank.org/UGANDAEXTN/Resources/CG2003.pdf#search=%22%22Reconstruction%20Programme%22%20%2B%20%22northern%20Uganda%22%22>

¹⁷⁹ “Large numbers head home in Uganda”, *BBC News Online*, 19 October 2006

¹⁸⁰ Coalition to Stop the Use of Child Soldiers, *Global Report 2004*
Available at: http://www.child-soldiers.org/document_get.php?id=801

¹⁸¹ O. Otunnu, “The secret genocide”, *Foreign Policy*, July/August 2006

¹⁸² *Report of the Secretary-General pursuant to paragraphs 10 and 14 of Security Council Resolution 1649 (2005)*, S/2006/310, 22 May 2006

Enhanced Highly Indebted Poor Countries (HIPC) Initiative in 2000.¹⁸³ It was one of the African countries named following the G8 Summit in Gleneagles, Scotland, as eligible for 100 per cent relief on its multilateral debts.¹⁸⁴

The UN is calling for donations to the value of £262,501,275 in its Consolidated Appeal for Uganda for 2006.¹⁸⁵ Uganda is also a beneficiary of the UN's Consolidated Appeal for the Great Lakes region as a whole. The total requirement for the 2006 Great Lakes appeal is US\$153,546,211. Contributions to the appeal at 23 June 2006 stood at approximately \$80 million, or 52% of the requirement.¹⁸⁶

The Department for International Development (DFID) has set out its current programme of assistance to Uganda on its website:

DFID supports the Government of Uganda to implement its Poverty Eradication Action Plan (PEAP). The 2004 PEAP sets out the country's ambitions of eradicating mass poverty and of becoming a middle income country in the next twenty years. It argues for a shift of policy focus from recovery to sustainable growth and structural transformation. The PEAP presents specific policies and measures to achieve its objectives, grouped under five pillars:

- Economic management
- Enhancing competitiveness
- Security, conflict resolution and disaster management
- Governance
- Human resource development

The current PEAP stretches over from 2004/05 to 2007/08.

A new joint strategy for development assistance to Uganda has been agreed by seven of the country's main development partners and more may sign up. The Uganda Joint Assistance Strategy (UJAS) sets out how we will work more effectively together to support the government to implement the PEAP.

DFID and the World Bank have led the process in collaboration with the African Development Bank, Germany, the Netherlands, Norway and Sweden. The Secretary of State for International Development agreed the UJAS as DFID's medium term strategy for Uganda on 13 January 2006.

DFID's bilateral aid to Uganda has risen from £50 million in 2002/03 to £70 million in 2006/07. In 2004/05 and 2005/06 we provided £35 million in the form of budget support, which we see as the most effective way to support the Government of Uganda to deliver the PEAP. In 2006/07 we have decided to maintain budget support at £35 million.

This amount is less than previously planned because of concerns about governance, public administration expenditures and some of the Government's new budget plans. The intended increase in budget support will instead be spent

¹⁸³ IMF, *Staff Assessment of Qualification for the Multilateral Debt Relief Initiative*, 8 December 2005. Available at: <http://www.imf.org/external/np/pp/eng/2005/uganda.pdf>

¹⁸⁴ See the World Bank's website for the Multilateral Debt Relief Initiative at: <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTDEBTDEPT/0,,contentMDK:20634753~menuPK:64166739~pagePK:64166689~piPK:64166646~theSitePK:469043,00.html>

¹⁸⁵ UN OCHA, *Revised Consolidated Appeal*, 4 May 2006. Available at: <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7990&Page=1373>

¹⁸⁶ UN OCHA, *Consolidated Appeal for the Great Lakes 2006, Mid-Year Review at 18 July 2006*. Available at: <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7984&Page=1383>

in other ways to help the poorest people in Uganda, in particular to help address the continuing major humanitarian needs in northern Uganda.

DFID maintains a substantial humanitarian assistance programme and support for conflict resolution in northern Uganda. We also maintain project activities where budget support is not the most effective or appropriate delivery mechanism. This includes support for public service reform, public financial management, anticorruption institutions and improved revenue mobilisation. We also finance projects in health, HIV/AIDS, water and sanitation and decentralisation [...]

[...] The UK has made a decision on the future composition of the aid to Uganda, with £35m to be provided as budget support in 2006/07. The overall aid programme will remain at £70 million in each of the next two years.

Following the decision in December 2005 to cut £15m of budget support, DFID has decided not to make any more cuts in the 2005/06 Ugandan financial year. The £5m that was withheld until after the elections has been released. International observers concluded that, notwithstanding shortcomings, voting was generally well administered, transparent and competitive.¹⁸⁷

The decision taken in December 2005 to cut the level of budget support for 2006-7 was made as a result of concerns over:

- The government's commitment to the independence of the judiciary, freedom of the press and freedom of association following the events surrounding the arrest and trial of the leader of the Forum for Democratic Change, Kizza Besigye;
- Delays in the government's own road map for the political transition;
- The continuation of state financing for the ruling party in a new era of multi-party politics; and
- A significant overrun on public administration expenditure.¹⁸⁸

Other western donors also cut levels of aid in late 2005.¹⁸⁹

In October 2006 the British Government agreed to provide £250,000 to the Juba Initiative Fund, which has been set up to help pay for the costs of mediation efforts in support of the current peace talks between the Ugandan Government and the LRA.¹⁹⁰

The European Commission's European Development Fund provides currently €363 million per annum to the Ugandan Government, €117 million of which can be used for unforeseen circumstances, including emergency assistance.¹⁹¹

¹⁸⁷ DFID, *Country Profile* at 1 September 2006

Available at: <http://www.dfid.gov.uk/countries/africa/uganda.asp>

¹⁸⁸ "UK cuts direct budget support to Uganda by £15m, withholds further £5m", DFID Press Release, 20 December 2005. Available at: <http://www.dfid.gov.uk/news/files/pressreleases/uganda-reduction.asp>

¹⁸⁹ In 2003, the UK cut aid in response to excessive military spending by the Ugandan Government

¹⁹⁰ HC Deb 17 October 2006 c51-2WS

¹⁹¹ European Commission, *Country Overview* at 8 September 2006. Available at:

http://ec.europa.eu/comm/development/body/country/country_home_en.cfm?cid=ug&lng=en&status=new

Since 2004 the Commission has provided more than €51.6 million in humanitarian aid to Uganda, most of it to assist the internally displaced in northern Uganda. This figure includes €4 million that was announced in late September 2006.¹⁹²

Regarding the status of ICC warrants against the five LRA leaders now that peace talks are under way, the British Government is urging all parties “to fulfil their commitments to the ICC”.¹⁹³

¹⁹² “Commission provides additional €4 million in aid to displaced people in northern Uganda”, *European Commission Press Release*, 29 September 2006. Available at: <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/06/1289&format=HTML&aged=0&language=EN&guiLanguage=en>

¹⁹³ HC Deb 10 October 2006 c669W

V Tanzania

A. Background and History¹⁹⁴

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| In 2002 Tanzania had a population of 34.5 million, approximately 1 million of which lived on the autonomous islands of Zanzibar. There is a sizeable minority of people of Arab origin on Zanzibar. |
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| There are over 120 ethnic groups in Tanzania. The largest are the Sukuma and Nyamwezi. However, none exceeds 10% of the population. |
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| Tanzania has significant mineral resources but the economy remains dependent upon agriculture. |
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| As with Uganda, while part of the Great Lakes region politically, it is the west of Tanzania that is really part of the geographical region. |
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In the 17th century and much of the 18th century, Zanzibar was part of the Sultanate of Oman. It had extensive coastal possessions. Its economy was organised around mercantile trade and slavery, which reached as far as the eastern Congo and Buganda. The remainder of what is mainland Tanzania today was subject to the authority of small-scale chiefdoms. Zanzibar became independent from Oman in 1856, by which time European influence in the area was also on the rise. Mainland Tanzania, still called Tanganyika by many Tanzanians, became a German Protectorate in 1885. Zanzibar became a British Protectorate in 1890. Following the defeat of Germany in the First World War, Tanganyika was placed under British control under a League of Nations mandate. In 1946, it became subject to UN trusteeship under British control.

Tanganyika achieved full independence in December 1961. Its first Prime Minister was Julius Nyerere, leader of the Tanganyika African National Union (TANU). In 1962 he was elected President. Zanzibar became an independent Sultanate again in December 1963. However, in January 1964, the Sultan was overthrown by the Afro-Shirazi Party (ASP), which represented most of the African majority on the islands. In April 1964 an Act of Union between Tanganyika and Zanzibar was signed, creating the United Republic of Tanzania, in which Zanzibar retained extensive autonomy, including a separate Presidency.

A one-party state was established in 1965, although the ASP remained a separate party until 1977, when it and TANU merged to form Chama Cha Mapinduzi (CCM). From the mid 1960s to the late 1980s Tanzania espoused an ideology of African socialism which emphasised self-reliance. Tanzania was famous for its programme of rural collectivisation, known as *ujamaa*. By the mid 1980s there was growing concern about Tanzania's economic situation and growing corruption. Separatist sentiments also increased on Zanzibar. In 1985 Nyerere stood down as President. He was replaced by Ali Hassan Mwinyi. Mwinyi launched an economic reform and anti-corruption programme that ended Tanzania's socialist experiment. In 1992 multi-partyism was re-introduced, with the proviso that all parties should command support across the entire country,

¹⁹⁴ This section of the Paper draws upon the *Europa Regional Survey 2006 for Sub-Saharan Africa* (London, 2006), pp. 1181-7

including Zanzibar, and should have no ethnic, religious or racial affiliations. In October 1995 multi-party Presidential and Parliamentary elections were held. The CCM's Benjamin Mkapa became the new President of Tanzania. The CCM won handsomely on the mainland, but its victory was bitterly contested on Zanzibar by the Civic United Front (CUF), the main opposition party. Formed in 1992, the CUF campaigned on a platform of greater autonomy for Zanzibar. The elections triggered a political crisis on Zanzibar, accompanied by periodic outbreaks of mass protest and official harassment of critics of the CCM Government, which remains unresolved to this day. The crisis is not simply a reflection of historical African-Arab divisions. It also reflects tensions between: the larger island of Unjuga and the smaller island of Pemba; those who support or oppose the Union of Tanzanian mainland and Zanzibar; muslims and non-muslims; and between the Government and those who argue that Tanzania's overall democratic transition is being held back by events on the islands.

At the 2000 elections, the pattern of results was very similar to those in 1995. The Commonwealth and other observers heavily criticised the conduct of the elections on Zanzibar. 31 CUF supporters were killed by police during demonstrations on Zanzibar in January 2001. A peace accord between the CCM and the CUF was signed in October 2001 which was supposed to lead the way to free and fair elections on the islands in 2005. While some reforms were implemented, slow progress on others led to deteriorating relations by 2003. During 2004 the peace accord collapsed and levels of violence again increased in the run up to the October 2005 elections.

Politics was a much more tranquil matter on the mainland over the same period. CCM's largely unchallenged ascendancy allowed it to push ahead with its economic reform programme. Tanzania's peace and stability has led to the country becoming a donor favourite. In 2004 real economic growth was 6.7%. Average annual price inflation stood at 4.1% for 2004-5. Debt relief progressively reduced the value of Tanzania's debt, to the point where in 2002 its designation could be changed to 'less indebted' by the World Bank. While high levels of poverty, rapid population growth and the continued sluggish performance of the agricultural sector were all causes for donor concern, Tanzania could plausibly be viewed as the biggest 'success story' of the five Great Lakes countries featured in this Paper.

B. Developments since 2005 and Future Prospects

The 2005 elections had many echoes of those in 2000 and 1995. Across the country as a whole, the CCM won easily in December 2005, ushering in a smooth transition from President Benjamin Mkapa to the new President, Jakaya Kikwete.¹⁹⁵ Kikwete won 80.2% of the vote. His nearest rival, the CUF's Ibrahim Lipumba won 11.6% of the vote. In parliamentary elections, the CCM won 206 seats out of 233. The CUF won 19, with three other parties winning a few seats here and there.

The elections passed off without controversy on the mainland. Kikwete campaigned on a programme of promoting employment, poverty reduction and clean government. Having privatised most of its parastatals over the past decade, the private sector is viewed as

¹⁹⁵ Elections were delayed from October following the death of one of the presidential candidates

the main engine of development. Parliament approved 52-year old Edward Lowassa, formerly the Minister of Water and Livestock Development, as the new Prime Minister.¹⁹⁶ A new cabinet was appointed in January 2006. It is a mixture of new faces and veterans, with an increase in the number of women ministers and deputy ministers. A rising star is the new foreign minister, Dr Asha Rose Mtengeti Migiro, a former law lecturer. Some tip her to be the first female president in East Africa. Also prominent is Zakia Meghji, the new Minister of Finance. However, analysts have long expressed concern that Tanzania's cabinet is too large. Kikwete has done nothing to remedy that.¹⁹⁷ Nonetheless, commentators judge that Kikwete and Lowassa have made a purposeful start.¹⁹⁸

A source of tension within the CCM was resolved in late June 2006. Former Union President Benjamin Mkapa had retained the post of Chairperson of the party. He has now stood down and been replaced by Kikwete.¹⁹⁹ Kikwete has cleared out many Mkapa allies from the cabinet, but he remains influential. The two have not got on in the past. In 1995 Tanzania's founder Mwalimu Julius Nyerere backed Mkapa for the Presidency despite the fact that Kikwete had won the nomination within the party.²⁰⁰ There is certainly more internal dissent today within the CCM. In April 2006 the High Court ruled that provisions in law permitting 'election gifts' (ie monetary inducements, known as *takrima*) were unconstitutional.²⁰¹ The Government has not yet appealed. In June 2006 the Government signed an agreement that means that it will be subject to 'peer review' under the AU's African Peer Review Mechanism.²⁰²

However, the picture was very different in Zanzibar's elections, held in October 2005. They were again marked by violence and allegations of widespread irregularities.²⁰³ According to one authoritative source, the CCM's victory was engineered by a task force within the CCM-Zanzibar's central committee known as the 'Special Committee for Ensuring that Karume returns to Power'.²⁰⁴ However, this time around the Commonwealth focused on the positive in its election observation report, commenting:

The judgement as to whether the process taken as a whole was 'credible' is...difficult to make, because there is a mixed picture. Eventually there was a reasonably reliable register, and a satisfactory polling day and count. But the Zanzibar media was biased towards the ruling party and the collation process, in our view, was not sufficiently transparent. The overwhelming presence of the security forces was also of concern to us...the building of a democracy is more than a single election: it is a process which takes place over time. We are confident that the people of Zanzibar and its leaders are reading the signs of the times and will succeed in consolidating their democratic achievements in the

¹⁹⁶ *Africa Research Bulletin*, December 2005, p. 16460-1

¹⁹⁷ *Ibid*, January 2006, p. 16494-5

¹⁹⁸ "Zero tolerance, so far", *Africa Confidential*, 7 July 2006

¹⁹⁹ "Kikwete relieved as former President stands down", *BBC News Online*, 2 July 2006

²⁰⁰ *Ibid*

²⁰¹ "Tanzania outlaws election gifts", *BBC Monitoring International*, 25 April 2006

²⁰² "Tanzania signs AU governance review accord", *Xinhua News Agency*, 10 June 2006

²⁰³ "Violence erupts on streets in Zanzibar elections", *Financial Times*, 31 October 2005

²⁰⁴ *Ibid*, November 2005, p. 16425

years to come...The election held on 30 October represents a significant improvement on previous elections.²⁰⁵

The *Economist* took a slightly more jaundiced view:

The ruling party tampered with the results in both the presidential and the parliamentary election when Zanzibar voted last October, perhaps foiling an opposition win there. Cynical foreign diplomats in Dar es Salaam who held their peace then lest they should annoy CCM and perhaps encourage violence, may feel vindicated.²⁰⁶

Amani Abeid Karume (son of the first President of Zanzibar following Union in 1964, assassinated while still in office in 1972) of the CCM retained the Presidency of Zanzibar, having won for the first time in 2000. CCM was declared the winner in the parliamentary vote by 30 seats to 19. Street protests by CUF supporters were met with force by the police. The CUF has refused to accept the CCM's victory and has again claimed fraud, calling for a re-run under UN auspices. Karume was announced as having won 53.2% against 46.1% for the CUF candidate, Seif Sharif Hamad.

The CUF has not recognised the new Government but is attending Parliament. International donors prevailed upon the CUF in the immediate aftermath not to engage in threatened 'Ukraine-style' mass protests against the election results. However, it may not be able to rein in its supporters indefinitely. A significant slice of its membership recalls that the international community urged restraint upon the CUF after 2000 with promises that next time around the rules of the game would be different. Notwithstanding the verdict of the Commonwealth, many supporters feel cheated again. Over the last year a new secessionist political movement has emerged on Zanzibar. Its strength is difficult to gauge and so far its tactics have been peaceful. In October 2006 its legal challenge to the 1964 Act of Union was dismissed by the High Court of Zanzibar.²⁰⁷

President Kikwete has announced that resolving Zanzibar's long-running political conflict will be a top priority for him. He said, when taking office in December 2005: "We cannot run away from this historically determined polarisation. We must now confront it. Human beings do not have to be prisoners of their history."²⁰⁸ In March 2006 the Union Government asked the Human Rights Commission to investigate CUF claims of human rights abuses by the security forces during the elections. The Zanzibar Government has so far refused to co-operate.²⁰⁹

HIV/AIDS imposes heavy strains on the Tanzanian economy and society, but its impact has been less acute than in Uganda. According to UNAIDS, 1.4 million people were living with HIV in Tanzania in 2005 (6.5% of adults). The epidemic appears to be

²⁰⁵ *Report of the Commonwealth Election Observation Mission to Zanzibar, October 2005*, pp. 49-52. Available at: www.thecommonwealth.org

²⁰⁶ "Only one surprise in the Tanzanian elections", *Economist*, 7 January 2006. *Africa Confidential* ("Armed and dangerous", 4 November 2005) concurred with claims that the vote had again been rigged

²⁰⁷ "Court dismisses claim that union with Zanzibar is illegal", *IRINnews.org*, 4 October 2006. Available at: <http://www.irinnews.org/print.asp?ReportID=55825>

²⁰⁸ "Canadian envoy predicts end of Isles political turmoil", *The Guardian* (Tanzania), 26 May 2006

²⁰⁹ "Zero tolerance, so far", *Africa Confidential*, 7 July 2006

relatively stable. However, prevalence has increased markedly in older age groups, reaching 13% among women aged 30-34 years.²¹⁰

Tanzania is viewed as a responsible partner in international and regional affairs. With the exception of its disputes with Uganda during the Amin period (see above), it has had few serious differences with its neighbours. It hosts the International Criminal Tribunal for Rwanda, which is based in Arusha. In January 2006 it joined the new UN Peacebuilding Commission.²¹¹

Goren Hyden, writing in 1999, made the following assessment of Tanzania's democratic transition:

In Tanzania, the transition to democracy is the result primarily of the persuasive powers of Julius Nyerere and of the gradual institutionalization of new values within the ruling elite. To be sure, other factors have played a part, but in Tanzania the international community, rather than the local civil society or political opposition, has reinforced the momentum of change from the top.²¹²

Since Hyden wrote this in 1999, Tanzania's democratisation process has overall advanced further. The mainland remains largely insulated from the continuing turmoil on Zanzibar. The media and civil society have grown in relative strength and depth, although it is questionable how far that can be said of opposition political parties. There may be more pressure than there was 'from below' for democratisation, but it is still largely a top-down process. Corruption is a significant problem in Tanzania but it is less pervasive than in other parts of the Great Lakes region, where the state has less cohesion or legitimacy. Tanzania's relative political and economic success over the last decade has even led some commentators to ask whether a genuinely "developmental state" may be emerging there – one of only a few in sub-Saharan Africa.²¹³

While most commentators understandably subscribe to the 'glass more than half full' view of Tanzania, there are those who argue that by doing so they gloss over the 'dark side' of Tanzania in terms of its record on human rights and democratisation: Zanzibar. The Union Government has always been highly sensitive about international criticism over Zanzibar, asserting that it cannot intervene too forcefully due to the latter's autonomous status under the Constitution. While there is truth in this – Zanzibar politicians of all stripes are not above threatening to leave the Union when disputes arise with the mainland – it is also at times a useful alibi. On the other hand, some observers argue that it would be unfair to allow the problems affecting 1 million people on Zanzibar to override the progress being made on governance and poverty reduction on the mainland.²¹⁴

²¹⁰ UNAIDS, *Fact Sheet 06 on Sub-Saharan Africa*. Available at:

http://data.unaids.org/pub/GlobalReport/2006/200605-FS_SubSaharanAfrica_en.pdf

²¹¹ "Tanzania, Denmark to join UN peacebuilding panel", *Agence France Presse*, 13 January 2006

²¹² G. Hyden, "Top-down democratisation in Tanzania", *Journal of Democracy* 10, 4 (1999), pp. 142-155

²¹³ M. Lockwood, *The State they're In: An Agenda for International Action on Poverty in Africa* (ITDG, 2005), pp. 104-8

²¹⁴ A phenomenon not discussed here is political Islam in Tanzania, which has been on the rise in recent years. For an interesting discussion of the issue, see F. Becker, "Rural Islamism during the 'war on terror': A Tanzanian Case Study", *African Affairs*, Vol. 105, No. 421, October 2006

Critics suggest that the CCM, whether by design or accident, has played the donor community rather successfully on Zanzibar over the last decade. Since 1995, there has been a rather distinctive 'political cycle' on Zanzibar (although it is not unknown elsewhere in sub-Saharan Africa). The cycle begins after disputed elections with CCM undertakings to address the root causes of the conflict. These lead to some reforms, usually more limited than originally anticipated, which donors support while urging restraint upon the CUF. As the election draws near, the CCM's gloves come off and the CUF is again defeated – at which point, the cycle begins again.

Zanzibar's political conflict over the past decade has so far perhaps been neither serious nor important enough to warrant a shift in the positive view across the international community of the CCM's leadership in Tanzania. President Kikwete's statements since taking office that resolving political conflict on Zanzibar is a priority for him may indeed lead to serious action to break the 'political cycle' described above, but the precedents are not particularly encouraging.

C. Hosting its Neighbours

Tanzania's achievements since 1990 have been secured despite the heavy burden it has borne in hosting refugees from the DRC and Burundi.

The Office of the High Commissioner for Refugees (UNHCR) estimates that Tanzania had about 550,000 refugees within its borders in 2005. This placed it fourth in terms of the league table of countries hosting the most refugees and amounted to over 20% of the total for sub-Saharan Africa. At the end of 2005 there were 394,000 refugees from Burundi, of whom 195,000 are UNHCR assisted. There were 150,000 refugees from the DRC, all of whom are UNHCR assisted.²¹⁵

Most of the refugees have been living in camps in north-west Tanzania along the Tanzania-Burundi border, a poor and relatively neglected part of the country. Levels of voluntary return until recently have been relatively low.²¹⁶

Inevitably such a large refugee population can impose strains on the goodwill of the authorities and neighbouring communities (particularly in times of drought – as is the case currently). The following extract from the UNHCR's 2006 *State of the World's Refugees* report discusses Tanzania's experience of hosting its neighbours:

The majority of the refugees in Tanzania are Burundians and Congolese. As Africa's leading refugee-hosting country, Tanzania is a key actor in the global refugee regime. Since independence, it has received refugees from more than nine countries and was widely praised for its hospitality to refugees who, until the emergencies of the 1990s were hosted under a rural-settlement approach that served as a model across the continent. However, under the political and material

²¹⁵ UNHCR, *Global Report 2005*, pp. 140-5. Available at: <http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=PUBL&id=4492678b0&page=home>

²¹⁶ See, for example, UNHCR, *Global Trends 2005*, p. 101. Available at: <http://www.unhcr.org/cgi-bin/texis/vtx/statistics/opendoc.pdf?tbl=STATISTICS&id=4486ceb12>

pressures arising from these emergencies, the settlement approach was replaced by a camp-centred and repatriation-focused model that continues today. More than a decade later, the political, economic and operational/organizational legacies of this period continue to weigh heavily on all aspects of refugee policy in Tanzania.

Instability in the programmes recurs despite the absence of large-scale and rapid refugee inflows. Continued movement of refugees both in and out of the country combines with a highly fluctuating capacity and/or willingness of both the host country and international actors to respond to the simultaneous challenges of new arrivals and the longer term presence of refugees. The Government of Tanzania believes that concerted efforts to find a solution to the refugee problem should focus on addressing the reasons that have led to displacement. To this end, it is supporting peace efforts in the Democratic Republic of Congo (DRC) and Burundi. These efforts culminated in the signing of the Arusha Peace Accord of 2002; this formed the basis of the Transition Government in Burundi and paved the way for the repatriation of Burundian refugees, albeit on a limited scale. Political changes within Tanzania, most notably decentralization and greater liberalization, add to a situation in which political, humanitarian and economic imperatives are frequently seen as conflicting.

Security policies and improved regional relations

Increasing tension between Burundi and Tanzania in the early years of the decade was significantly eased by a number of diplomatic initiatives, including a mission by the UN Executive Committee on Humanitarian Affairs to Tanzania and the establishment in 1999 of the so-called 'security package'. This programme funds special Tanzanian police and up to three UN field safety advisers to strengthen law and order, improve the safety of refugees and local communities and maintain the civilian and humanitarian character of the camps. Independently, the Tanzanian military increased its presence along the border. Another innovation, based upon experience in Latin America, sought to involve refugee representatives in the Burundi peace negotiations, but this met with limited success.

While the most pressing concerns related to international security could therefore be tempered, new issues emerged. These included difficulties arising from a growing 'securitization' of refugee issues in Tanzania, where policy is perceived almost exclusively through the lens of crime and law enforcement. The government's reaction to security incidents has been to tighten restrictions on the movement and economic activity of refugees. The programme has also struggled with the issues of sexual exploitation and sexual and gender-based violence. The security package is ultimately a temporary measure that cannot replace the important role of the police, judiciary and immigration authorities in ensuring the security and effective protection of refugees at the district level.

Basic needs and minimum standards

In the past, the long-standing nature of the refugee programme in Tanzania made it a place in which new, innovative methods could be explored. More recently, however, continued budget cuts and repeated breaks in the supply of food have fostered a sense of instability. Although refugees continue to have a fair level of access to primary education, healthcare, water and sanitation, there has been a shortage of food and some non-food items. This, coupled with restrictions on refugee movement, lack of sufficient farmland and employment opportunities has meant that basic operational challenges persist and very little movement away from the immediate post-emergency phase has been possible. Within the framework of the Strengthening Protection Capacity Project, of which Tanzania is one of the four pilot countries, the government has agreed to consultations on the feasibility of introducing share-cropping and/or agro-forestry to increase refugee self-reliance.

To help deal with this situation, donor coordination has been re-energized. Donors now participate in the annual WFP-UNHCR joint assessment mission. Similarly, a grouping of national and local NGOs has strengthened its efforts to achieve mutually beneficial solutions for both the refugee and local populations as well as meet the concerns of the government. Recently, the group funded and publicized a study of the refugee impact on the country.

Policy change and continuity

Although Tanzania is a supporter of the Agenda for Protection, it has also campaigned for a revision of the 1951 UN Refugee Convention, whereby 'safe havens' in the countries of origin can replace the need for asylum. In 2003, the government issued its first-ever national refugee policy. This provides for asylum seekers to be admitted to the country for one year, within which time arrangements should be made to take them back to established safe zones in the countries of origin. The policy makes local integration very difficult.

Tanzania's legislative and policy framework concerning refugees is not fully consistent with the provisions of the 1951 Refugee Convention. They provide only for temporary asylum, restrict refugee movement and do not allow for judicial review when asylum applications are rejected. The government has indicated that it is in the process of reviewing the policies. In a bid to improve refugee reception and status-determination procedures and avoid *refoulement*, in 2005 the government established ad hoc committees to interview new arrivals from Burundi and the DRC. Rejected cases were to be referred to the National Eligibility Committee, which conducts refugee-status determination. But implementation varies from district to district, and concerns have arisen about the continuing validity of *prima facie* refugee status in the country.

Refugees are often portrayed as a burden to Tanzania. The government frequently says there has been no tangible benefit from hosting them, only a drain of its limited resources. In the government's view the differences in the quality of refugee protection in the country are provoked by a failure of global burden sharing and insufficient efforts to address the root causes of displacement.²¹⁷

As already discussed, Tanzania has played a significant role in supporting the peace process in Burundi. Most recently, in June 2006 it hosted talks between the Burundi Government and the Rwasia faction of the last remaining rebel group, the FNL – talks which now appear to have led to a ceasefire.²¹⁸ This could pave the way for increased levels of voluntary return by Burundian refugees. It is hoped that 50,000 will return during 2006, with repatriation completed by 2009.²¹⁹

D. The Role of the International Community

Tanzania has been viewed overall by the IMF and the World Bank as a good economic performer over the last decade. It achieved its completion point for the Enhanced Highly Indebted Poor Countries (HIPC) Initiative in 2001.²²⁰ It was one of the African countries,

²¹⁷ UNHCR, *State of the World's Refugees 2006*. Available at:

<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.htm?tbl=PUBL&id=4444d3c8b&page=publ>

²¹⁸ "Burundian president and rebels in Tanzania for ceasefire deal", *Agence France Presse*, 17 June 2006

²¹⁹ "Focus on refugees as UNHCR, EU Commissioners visit", *IRINnews.org*, 16 June 2006; "Burundi planning 'massive' repatriation of refugees from Tanzania", *BBC Monitoring Africa*, 22 March 2006

²²⁰ IMF, *Staff Assessment of Qualification for the Multilateral Debt Relief Initiative*, 8 December 2005. Available at: <http://www.imf.org/external/np/pp/eng/2005/tanzania.pdf>

following the G8 Summit in Gleneagles, Scotland, named as eligible for 100 per cent relief on its multilateral debts.²²¹

Some commentators claim that the international community has failed to give enough attention to the problem of Zanzibar when assessing the economic and political performance of Tanzania as a whole.

In the immediate aftermath of the October 2005 elections on Zanzibar, the then Foreign Secretary, Jack Straw, said:

Representatives from the British High Commission followed the electoral process closely. It was the broad assessment of international observer groups that the electoral process was a marked improvement on past polls, and was generally administered in an efficient manner. Nevertheless, there were instances, particularly on Unguja, where there were irregularities and a lack of transparency. A number of observer groups have called for a thorough investigation of these anomalies. The UK and European Union support this call. We have conveyed these views to the Governments of Zanzibar and the United Republic of Tanzania. My hon. Friend the former Foreign and Commonwealth Office Minister for Africa (Chris Mullin), went to Zanzibar to observe the election as a Special Envoy of the Foreign and Commonwealth Office. He met Chama Cha Mapinduzi Presidential candidate Kikwete on 1 November and discussed the importance of addressing the deeply polarised nature of Zanzibari politics.²²²

The Secretary of State for International Development, Hilary Benn, said in January 2006 that he was “encouraged by [...] the recent presidential and the parliamentary elections in Tanzania.”²²³

The Department for International Development (DFID) sets out its current programme of assistance to Tanzania on its website:

DFID supports the Government of Tanzania in the implementation of its poverty reduction strategy. Our assistance to Tanzania has risen from £80 million in 2003/04 to £110 million for 2005/06, with about 70% going to general budget support. Budget support to Tanzania for 2006/7, will be £90 million. We combine general budget support, which we see as the most effective way to support the Government, with a targeted programme of technical and financial assistance that supports:

- Further development and embedding of poverty reduction processes;
- Increased and sustained economic growth, focusing on growth which is equitable and in which the poor can participate;
- Effective and accountable government.

The Government of Tanzania and the donor community have made significant progress over the last few years to line up donor support behind Tanzanian priorities. DFID has been active in this work and has put substantial resources

²²¹ See the World Bank's website for the Multilateral Debt Relief Initiative at: <http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTDEBTDEPT/0,,contentMDK:20634753~menuPK:64166739~pagePK:64166689~piPK:64166646~theSitePK:469043,00.html>

²²² 15 November 2005 c1189-90W

²²³ HC Deb 25 January 2006 c2136-7W

into getting the donor community to work in harmony with the Tanzanian government systems and procedures. The establishment of the Poverty Reduction Budget Support has also been strongly supported by DFID.

We are now working alongside the Government of Tanzania and other development partners to develop a Joint Assistance Strategy to make aid more effective and to make sure its goals, processes and procedures are in line with the Paris Declaration on aid effectiveness.

DFID also works with civil society to enable it to participate in the poverty reduction policy dialogue, hold the Government to account, and allow the extremely vulnerable to participate in development processes.²²⁴

The Joint Assistance Strategy became operational on 1 July 2006.²²⁵ DFID is currently consulting on a draft 2006-9 Country Assistance Plan.

The European Commission's (EC) European Development Fund provides €355 million in aid to Tanzania annually. The EU as a whole (EC plus member states) provides about €500 million in aid annually. The European Commission Humanitarian Aid Office (ECHO) also provides substantial amounts of humanitarian aid to Tanzania, primarily to help meet the needs of its refugee population.²²⁶ ECHO has allocated €11.5 million from the EU general budget for this purpose.²²⁷

Finally, again primarily in the context of the refugee populations within its borders, Tanzania is a beneficiary of the UN's Consolidated Appeal for the Great Lakes region. The total requirement for the 2006 Great Lakes appeal is US\$153,546,211. Contributions to the appeal at 23 June 2006 stood at approximately \$80 million, or 52% of the requirement.²²⁸

²²⁴ DFID, *Country Profile* at 6 July 2006

Available at: <http://www.dfid.gov.uk/countries/africa/tanzania.asp>

²²⁵ For an interesting DFID consultation document on Tanzania's economic and political performance, see its *JAST Part II, Joint Country Analysis - Draft*, 23 June 2006. Available at:

<http://www.dfid.gov.uk/consultations/tjca.pdf>

²²⁶ European Commission, *Country Overview* at 8 September 2006

Available at:

http://ec.europa.eu/comm/development/body/country/country_home_en.cfm?cid=tz&lng=en&status=new

²²⁷ *ECHO Decisions 2006*. Available at: http://ec.europa.eu/echo/information/decisions/2006_en.htm

²²⁸ UN OCHA, *Consolidated Appeal for the Great Lakes 2006, Mid-Year Review at 18 July 2006*. Available at:

<http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7984&Page=1383>

VI Overview: Key Factors Contributing to Conflict in the Region

There has been extensive public and academic debate about the primary causes of conflict in the African Great Lakes region. Three major causal factors have been identified: tribalism (ethnicity is the preferred term amongst most analysts), state failure and greed.

A. Ethnicity

There is no question that ethnicity has been an important factor in generating conflict in the Great Lakes region.

However, ethnicity must be understood in a historical and political context. For example, Hutu and Tutsi identities are in no way 'primordial'. These identities hardened under colonial rule and became virtually the sole basis for political action in Burundi and Rwanda after the colonial era ended. Ethnicity has also undoubtedly played a major role in Uganda and DRC in causing conflict. Yet in Tanzania it has been a much less significant factor.

This should lead us to ask: under what conditions has ethnicity promoted conflict in the Great Lakes region? Ethnicity has promoted conflict when: a) it has become the exclusive way by which ordinary people define themselves; b) elites have deliberately deployed it as a vehicle for violent political mobilisation; c) the political and economic resources being competed for have become increasingly scarce and the 'rules of the game' shift towards 'winner takes all'.

Based on these criteria, the immediate origins of the inter-state *regional conflict* in the Great Lakes between 1996 and 2002 are to be found in events in Rwanda, from where hundreds of thousands of Hutus were expelled following the 1994 genocide, many of them *Interahamwe*, leading in 1996 to the Rwandan/Ugandan invasion of Eastern Zaire.

Ethnicity is never a factor by itself; it combines with other impulses and interests. Writing about the civil war in the DRC, one African commentator claims:

It has its roots in the structures of power, power relations and power struggles in the neighbouring states – Burundi, Rwanda, and Uganda. However, the invasion was facilitated by the vacuum created by the collapsing DRC state, the nature of the ADFL, the ethnic composition in the Kivu provinces, the conflictual/competitive relations among the ethnic groups, and the opportunistic nature of some segments of the Congolese intellectuals and political elite.²²⁹

²²⁹ T. Lumumba-Kasongo, "International interventionism, democracy and peace-building in the Great Lakes of Africa: A regional perspective to the challenges", *African and Asian Studies*, Vol. 4, Nos 1-2, 2005, p. 24

Some analysts argue that ethnicity becomes particularly dangerous when linked to a political ideology of hatred. In Burundi and Rwanda (but some might argue also in DRC and Uganda, to a certain extent) this 'ethnicism', despite the fact that it had few linguistic or cultural underpinnings, became a form of racism that could justify genocide. While drawing upon material interests, such an ideology ultimately transcends them in moments of crisis:

In the last resort, we can say that Tutsi and Hutu have killed each other more to upbraid a certain vision they have of themselves, of the others and of their place in the world than because of material interests. This is what makes the killing so relentless. Material interests can always be negotiated, ideas cannot and they often tend to be pursued to their logical conclusions, however, terrible.²³⁰

Finally, it is important to bear in mind Lemarchand's and Prunier's descriptions of how explosions of ethnic violence against the subordinate ethnic group in Burundi and Rwanda have often been partly generated by *intra-ethnic tensions* within the ruling elite about which faction, as the true bearer of the best interests of the dominant ethnic group, should hold power. Burundi in 1972 and Rwanda in 1994 appear to illustrate their point.

B. State Failure

Regional dimensions to conflict in the Great Lakes region are certainly not new. For example, the initial flight of Tutsi refugees from Rwanda to Uganda, from amongst whom emerged the founders of the RPF, occurred at the time of Rwanda's independence. But their intensity and scope has reached an unprecedented scale over the past decade, making the challenge of ending conflict in the region even greater.

Many observers partly attribute this to problems of state failure in the region. In doing so, they often blame the colonial powers for creating countries with artificial boundaries.

However, the label 'state failure' can obscure the fact that not everybody suffers to the same extent in such conditions of crisis. Indeed, parts of the elite may well benefit in such conditions of 'durable disorder' (see also Part VI.C).²³¹

Secondly, the label can give the false impression that the Great Lakes region has been a region of chronic and 'timeless' state failure since independence. Tanzania has never experienced state failure, although Zanzibar has placed the Union under occasional strain. Rwanda and Burundi had relatively effective states during the first three decades of independence, albeit ones based on the structural exclusion of one ethnic group. The DRC and Uganda have both experienced long-term state failure – but not at the same time. DRC experienced its worst collapse (1996-2003) at a time when Uganda was making significant progress towards recovery. Uganda's full-blown collapse took place between 1981-86.

²³⁰ Prunier, *The Rwandan Crisis*, p. 40

²³¹ P. Chabal and J-P. Daloz, *Africa Works. Disorder as Political Instrument* (London, 1999)

For these reasons, it might be better to talk in terms of the long-term problems of state formation in the Great Lakes region, which have produced moments of 'state crisis', rather than about state failure.²³²

Given this, it can be argued that a crucial factor in the regionalisation of conflict across the Great Lakes region was the *complex interaction of state crisis and attempted reconstruction* in Burundi, Rwanda, DRC and Uganda during the period 1990-1996. Rwandan exiles in Uganda helped Museveni seize power and begin a long process of state reconstruction. But in doing so they realised that their long-term future was not secure there. They turned their attention to returning to Rwanda by force, with Museveni's assistance. As donors supported moves to introduce ethnic power-sharing, Burundi slipped into political crisis and civil war. Rwanda experienced state-sponsored genocide. The rapid re-establishment of state authority in Rwanda under the RPF after the genocide led to military operations in eastern Zaire/DRC against the *génocidaires*, allied with Uganda, tipping the DRC into complete state collapse. It was only after 1999, with growing support from the international community – including key African countries – that the states of the Great Lakes region began slowly to develop more co-operative and collective approaches to security and reconstruction.

C. Greed

Over the past decade this has become an increasingly popular conceptual tool for understanding conflict in sub-Saharan Africa. It stands in contrast to the more traditional approach of understanding conflict in terms of the *grievances* of actors.²³³ Struggling to find any coherent political programme amidst the plethora of state-supported or non-state armed groups involved in the conflicts of the Great Lakes region and West Africa (eg Sierra Leone, Liberia) and horrified by the level of human rights abuses against civilians inflicted by many of these groups, commentators noted the degree to which their military operations appeared designed to secure control over valuable economic resources. Rather than these resources constituting economic means to political ends, it has been argued that these means have become the end. At the same time, these armed groups are increasingly able to forge links with international economic actors, operating legally or illegally, so expanding opportunities for rapid accumulation. In such circumstances, it is positively to the advantage of armed groups if the state is weak or in a state of collapse as it allows them to act with impunity. It also obviates the need to build extensive domestic constituencies of support.

The Great Lakes region provides ample evidence to back up the importance of greed in fuelling and sustaining regional conflict since 1996. There has also been debate about how far greed should be considered a *root cause* of regional conflict. Those who do subscribe to greed as a root cause, which includes many African intellectuals and civil society activists, tend to place their emphasis on the DRC. Some go so far as to place the regional conflict of the past decade in a broader context – that of western

²³² For a fuller discussion of the issues involved in understanding failing and effective states, see House of Commons Library Standard Note SN/IA/4110, 18 July 2006, *International Development White Paper 2006: Failing and Effective States*

²³³ For example, see M. Berdal and D.M. Malone, *Greed and Grievance: Economic Agendas in Civil Wars* (Boulder and London, 2000)

interference in the internal affairs of the DRC since independence, working in tandem with corporate interests and motivated primarily by a desire to monopolise and control the country's natural wealth.²³⁴ But other commentators argue that there is a danger in overselling greed as a causal factor in promoting conflict. They claim that it can lead to simplistic and ahistorical analyses that fail to address the complex interaction of political, social and economic factors, particularly at local level.²³⁵

D. Secondary Factors

If the above three factors can be viewed as the primary contributors to conflict in the Great Lakes region, a number of other factors have been identified that could be viewed as secondary factors. They include:

- The role of diasporas, or the cycle of forced exile and forcible return. The role of refugee camps as a site of (often coercive) mobilisation has been much debated by analysts and policy-makers;
- The 'unintended consequences' of economic and political liberalisation measures from the 1980s onwards, which often weakened economies and produced democratisation programmes that spiralled out of control;
- The tendency for internal power struggles within ethnically-based elites to be 'resolved' through increased violence against ethnically-excluded groups in society;
- The failure of the international community to adopt a coherent *regional* peace-making strategy until 1999.

There is one final factor that has been comparatively under-researched but whose impact should not be under-estimated: disease. It is now generally accepted that epidemics or pandemics can have a devastating impact upon the social fabric, so increasing vulnerability to conflict. At the same time, conflict creates environments in which diseases flourish, with little prospect of effective prevention or treatment.²³⁶ As Eric Joyce, Chair of the UK All Party Parliamentary Group on the Great Lakes and Genocide Prevention has stated, the figure often given of 4 million deaths in the DRC over the last decade is taken from epidemiological surveys.²³⁷ A recent survey by *The Lancet* claims that about 1,200 people a day are dying as a result of conflict in the DRC, the vast majority of them from indirect causes such as lack of healthcare and malnutrition.²³⁸ Disease can also hinder post-conflict reconstruction efforts. Writing about HIV/AIDS, one commentator argues that it can "reverse the 'normal' processes of [...] economic development and the establishment of functioning states."²³⁹

²³⁴ G. Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History*, pp. 2-10

²³⁵ See, for example, K. Vlassenroot and T. Raeymaekers, "The politics of rebellion and intervention in Ituri: The emergence of a new political complex?", *African Affairs*, Vol. 103, No. 412, July 2004, pp. 385-7

²³⁶ For example, the impact of HIV on civilian populations lies in the high rates of sexual interaction between military and civilian populations, whether through commercial sex, or in rape as a weapon of war, and in the extreme vulnerability of displaced and refugee populations to HIV infection

²³⁷ HC Deb 19 April 2006 c106WH

²³⁸ "Mortality in the Democratic Republic of Congo", *The Lancet*, Vol. 367, 7 January 2006, p. 49

²³⁹ A. de Waal, "How will HIV/AIDS transform African governance?", *African Affairs*, Vol. 102, No. 406, January 2003, p. 23

A 2003 report by Save the Children UK on HIV/AIDS in the Great Lakes region commented that the response to the epidemic up to that point had been “slow and unco-ordinated”.²⁴⁰ On a more hopeful note, UNAIDS reports that there has been a 25% or more decline in the prevalence of HIV/AIDS between 2001 and 2005 in Burundi and Uganda.²⁴¹ The DRC, Burundi and Rwanda were within the 1-5% band in terms of numbers of people infected with HIV in 2005. Uganda and Tanzania were within the 5-15% band.²⁴²

²⁴⁰ Save the Children UK, *HIV/AIDS and Conflict. Research in Burundi, Rwanda and Eastern DRC*, January 2003 [draft]. Available at:

<http://home.tiscali.nl/xp115801/Report22January2003.pdf>

²⁴¹ UNAIDS, *Global Report 2006*, p. 67. Available at:

http://data.unaids.org/pub/GlobalReport/2006/2006_GR_CH03_en.pdf

²⁴² The highest band, 15-34%, applies across all of southern Africa, with the exception of Malawi. UNAIDS, *Global Map of HIV Infection 2005*. Available at:

http://data.unaids.org/pub/GlobalReport/2006/2006GR-PrevalenceMap_en.pdf

VII Conclusion

A. Constructing Durable Domestic Political Settlements

Many are hoping that 2006 is the year in which the final pieces in the jigsaw of peace, democracy and development in the African Great Lakes region fall into place. With the conclusion of the presidential election in the DRC, all five states in the region will have (more or less) democratically-elected governments. There has been a major reduction in the number and capacity of armed insurgent groups still operating in the region. It is hoped that this reduction will be followed by a complete end to fighting during 2007 in the DRC, Burundi and Uganda.

Few expect the Great Lakes to be a region of 'model liberal democracies' in the short- to medium-term. Antonio Guterres, the Executive Director of the UNHCR, said in early 2006 of the DRC: "The elections are not the end of the transition process. They are the beginning of a real transition towards a democratic and prosperous Congo."²⁴³

What is it realistic to hope for in the Great Lakes region in the short- to medium-term? For example, is it possible that the other four states in the region might become more like Tanzania, the one state that has avoided large-scale ethnic conflict, state crisis and violent competition over natural resources?

To answer this question it is perhaps worth looking in more depth at Tanzania's 'recipe for success'. Goran Hyden, with 30 years of experience as a Tanzania-watcher, provided the following commentary in 1999:

Tanzania is especially intriguing as a case study of democratization because it is one of the few countries in sub-Saharan Africa that have erased tribalism and ethnicity as a factor in politics. Of course, people often elect representatives from their own communities, but appeals to tribal or ethnic values do not work in Tanzanian politics. Candidates have to use other grounds to demonstrate why voters should prefer them over their opponents. This outstanding achievement in national integration has been achieved as a result of a careful strategy, the primary component of which has been the spread of Kiswahili as the national language. Nyerere, who gave this matter the highest priority through education and various cultural policies, deserves much of the credit for this. Perhaps equally important, however, has been the emphasis on consensual decision making, social harmony, and civic peace. The fact that the country had only one political party for more than 30 years after independence helped to institutionalize these values, even if it was often done at the expense of other values, including those associated with liberal democracy. In the 1990s, the latter gradually emerged to occupy a more prominent position, side by side with the old hegemonic values. Political culture in Tanzania today is characterized by frequent tradeoffs between these values; none reigns supreme. Liberal democratic values may be compromised if they are seen to threaten social harmony or civic peace. This is not surprising, given the fragility of civic peace in neighboring countries like

²⁴³ "Looking into the abyss", *Africa Confidential*, 3 March 2006

Burundi, Kenya, Rwanda, and Uganda, not to mention the Congo-Kinshasa. Because of the relative strength of the new democratic dispensation, however, such compromises are made in the full knowledge that they carry definite political costs, especially to Tanzania's relationship with the international community. Today violations of liberal and democratic values are less frequent and much less serious than in earlier periods [...] This "creeping democratization" will be sustained as long as the international community continues to take an interest in it and uses its "carrots" and "sticks" prudently to nudge the process along [...]

[...] Although the Tanzanian experience may not be replicable in other African countries, two lessons seem to stand out. The first is that as long as neopatrimonialism²⁴⁴ prevails, a democratic transition can take place only if the ruling elite can be induced to go along in an incremental manner without feeling threatened by the incipient changes. The second lesson is that the liberal values inherent in a democratic transition must accommodate other competing values in societies without a liberal tradition. As the experience of Tanzania suggests, civic peace and social harmony are especially important in culturally plural societies and may constitute prerequisites for a successful regime transition. The challenge in African countries, therefore, is to wed liberal values to others in ways that provide for a "homespun" process of democratization.²⁴⁵

Writing in 2005, Tim Kelsall has analysed Tanzania's political trajectory in the following terms:

The advent of structural adjustment and multiparty politics appears to have encouraged the rapid construction of a political veranda, as indigenous elites, in a liberalised climate, throw up structures on which to pursue their interests. Meanwhile, the increasing numbers of donors advising on civil service reform and the proliferation of governmental and non-governmental benefactors seeking NGOs to fund, has begun the building of an ersatz, air-conditioned civil society. Together, these trends amount not to the displacement of patrimonial politics by civil politics, nor to the triumph of good government over misrule. Rather, both types of politics are advancing simultaneously, re-politicising, in the process a previously bureaucratised political sphere.²⁴⁶

However, Kelsall concludes that ultimately "this co-habitation of the liberal and the patrimonial is unlikely to remain stable, for the simple reason that the donors are vigorously promoting the former... the future character of Tanzanian public life remains difficult to predict."²⁴⁷

As Hyden says, there are indeed many differences between Tanzania and the other countries of the Great Lakes region. Nonetheless it can be argued that each country will have to find its own version of the 'cohabitation of the liberal and patrimonial' if violence

²⁴⁴ Neopatrimonialism here refers to a political and economic system that largely operates through patron-client relationships – this in contrast to an impersonal, meritocratic system of liberal governance. Some scholars simply use the term 'patrimonialism' to describe this phenomenon

²⁴⁵ G. Hyden, "Top-down democratisation in Tanzania", *Journal of Democracy* 10, 4 (1999), pp. 142-155

²⁴⁶ T. Kelsall, "Shop windows and smoke-filled rooms: governance and the re-politicisation of Tanzania", *Journal of Modern African Studies*, 40, 4, 2002, p. 598. The bureaucratised political sphere is a reference to the one-party state period, when the acceptable parameters of politics were heavily restricted

²⁴⁷ *Ibid*, p. 615

is not to resume. For example, Burundi has explicitly institutionalised ethnicity through power-sharing in order to end violence. Only time will tell if this approach works better than Rwanda's over the past decade, which has been (at least, officially) to de-legitimise all forms of political expression based on ethnicity.

As Kelsall suggests, this co-habitation will not be a 'steady state'. Standing still could increase the danger of 'rolling backwards'. At the same time, pushing ahead too rapidly could produce 'shocks' that fragile political systems are unable to absorb, potentially propelling countries back into violence. Managing processes of change is notoriously difficult to do. Raw politics and/or greed often ensure as much.

In the longer-term, the challenge will be to construct durable "political settlements" in each of the countries of the region. A durable political settlement is one where there is a relatively stable balance of power within society which offers those actors committed to state-building and development the space and opportunity to do so. Minimum preconditions for this are improved security and more effective and legitimate public institutions.²⁴⁸ More maximal preconditions would include progressively addressing the deeper structures that have produced violence and illegitimate institutions in the past – for example, poverty and social exclusion. By this definition only Tanzania (with the exception of Zanzibar) has made much progress towards constructing a durable political settlement today. Rwanda and Uganda have at times appeared to be moving in the right direction but are still a long way off. Burundi and, above all, DRC have far to travel.

B. Promoting Viable Regional and International Frameworks for Peace and Development

The international community has a major role to play in helping the countries of the African Great Lakes region make a new start. There has been a marked shift in recent years towards an integrated regional strategy that reflects the fact that conflicts in the Great Lakes have become inextricably linked.

The international community has supported the establishment of an International Conference on the Great Lakes Region.²⁴⁹ The first Summit of Heads of State and Government of the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region, was held in Dar-es-Salaam in December 2004. At this conference, the Dar-es-Salaam Declaration was agreed.²⁵⁰ In the Declaration, participating Heads of State and Government agreed to "transform the Great Lakes Region into a space of sustainable peace and security" by building co-operation on peace and security, democracy and good governance, economic development and regional integration, and humanitarian and social issues.²⁵¹

²⁴⁸ M. Khan, "State failure in weak states: A critique of new institutionalist explanations" in J. Harris, J. Hunter and C. Lewis (eds) *The New Institutional Economics and Third World Development* (London and New York, 1997)

²⁴⁹ Its website can be found at: <http://www.icglr.org/index.asp>

²⁵⁰ The full text of the Dar es Salaam Declaration is available at: <http://www.reliefweb.int/library/documents/2004/au-gen-20nov.pdf>

²⁵¹ Dar es Salaam Declaration, paras 14 and 16

It is proposed that a Security, Stability and Development Pact be agreed by the countries of the Great Lakes region. However, the second Summit scheduled for December 2005 was postponed at the request of the DRC, which asked that it be held only once its transition process had been completed.

The Pact is due to comprise the Dar-es-Salaam Declaration and other documents reflecting programmes of action, protocols and projects that are currently being undertaken in the context of the International Conference. These include a draft protocol on non-aggression and mutual defence in the Great Lakes Region. A series of projects on joint security management, including the disarmament of armed groups and curbing small arms proliferation have also been prioritised.²⁵² Other regional initiatives are set to focus on: democracy and good governance; economic development and regional integration; and humanitarian and social issues.²⁵³

There has been controversy about which countries should be included within the International Conference. Ultimately, its membership was expanded to include 11 core countries and a number of co-opted members. Whether such a broad-based organisation with an enormously ambitious agenda will produce much by way of concrete results remains open to question. The postponement of the second Summit has meant a loss of momentum in the process.²⁵⁴ Levels of trust between the Governments of DRC, Burundi, Rwanda and Uganda, while improving, remain fragile.

In addition, the Group of Friends of the Great Lakes Region, an organisation of partners of the countries of Great Lakes, has also been established. It comprises 28 countries, mainly from the OECD, but also includes three African countries (Gabon, Nigeria and South Africa) and 10 international organisations. It is co-chaired by Canada and the Netherlands.

The Tripartite Plus Joint Commission was established in 2004 and comprises DRC, Burundi, Rwanda and Uganda. It meets regularly. It is facilitated by the US Department of State, with the AU, EU, MONUC and ONUB as observers. While its main focus is trans-border threats to security, it is intended more broadly as a confidence-building mechanism that promotes dialogue amongst its members.²⁵⁵ It is not meant to be a permanent body. The original idea was that the Commission should finish its work in

²⁵² For an interesting report on arms flows, see the UK All Party Parliamentary Group's report, *Arms Flows in Eastern DR Congo*, December 2004. Available at:

http://appggreatlakes.org/component/option,com_docman/task,cat_view/gid,27/dir,DESC/order,name/limit,5/limitstart,5/

²⁵³ *Report of the Secretary-General on the preparations for the International Conference on the Great Lakes Region*, S/2006/46, 25 January 2006. Available at:

<http://daccessdds.un.org/doc/UNDOC/GEN/N06/215/91/PDF/N0621591.pdf?OpenElement>

²⁵⁴ *Report of the Secretary-General on the preparations for the International Conference on the Great Lakes Region*, S/2006/46, 25 January 2006

²⁵⁵ Great Lakes Policy Forum, *Report of Meeting on the Tripartite Plus Commission*, 15 June 2006. Available at:

http://www.sfcg.org/Documents/GLPF/glpfjune_2006.pdf#search=%22%22Tripartite%20Plus%20Commission%22%20%2B%20established%22

2006, but its life has been extended into 2007.²⁵⁶ It has also encouraged the formation of bilateral commissions between members. Such a commission exists between Burundi and Rwanda. Some have questioned the effectiveness of the Tripartite Plus Joint Commission. Others have pointed to the absence of civil society participation in its work.²⁵⁷

There is also a Multi-country Demobilisation and Reintegration Programme for the greater Great Lakes region, administered by the World Bank.²⁵⁸ The Programme addresses the issue of child soldiers, who have been heavily involved in all the conflicts of the region. Current support through the Programme amounts to \$84 million for Burundi, \$61 million for Rwanda, \$4 million for Uganda and \$238 million for the DRC. The amount available to Uganda would undoubtedly increase if current peace talks bear fruit.²⁵⁹

\$20 million has been provided by the World Bank and other funders in support of the Great Lakes Initiative on HIV/AIDS Support Project (GLIA). The GLIA will be running between 2005 and 2009. Its aim is to add value to national efforts, and support interventions for mobile groups including refugees, internally displaced people and returnees. It has provided seed capital for the formation of a regional implementing institution, wholly owned by its member states. UNHCR is an implementing partner for HIV activities catering to refugee camps within the Great Lakes region. The GLIA countries are Burundi, Democratic Republic of Congo, Kenya, Rwanda, Tanzania and Uganda.²⁶⁰

The UN has been an important player in supporting an integrated regional strategy for the Great Lakes region. The Secretary-General has long had a Special Representative for the Great Lakes Region. Currently it is Ibrahim Fall, who has an office in Nairobi. There has also been increased co-operation between MONUC and ONUB over the last few years. The UN has a Consolidated Appeal for the Great Lakes above and beyond its country Appeals for the DRC, Burundi and Uganda. The total requirement for the 2006 Great Lakes appeal is US\$153,546,211. Contributions to the appeal at 23 June 2006 stood at approximately \$80 million, or 52% of the requirement.²⁶¹

The ICC, an independent body under international law, has also provided another context through which the regional dimensions of the conflict have been addressed. As discussed earlier, it has been active in relation to both the DRC and Northern Uganda,

²⁵⁶ "African Great Lakes countries work to improve security in the region", *US Department of State Press Release*, 8 November 2005. Available at: <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-6HYSM4?OpenDocument>

²⁵⁷ Great Lakes Policy Forum, *Report of Meeting on the Tripartite Plus Commission*, 15 June 2006

²⁵⁸ See its website at: <http://www.mdrp.org/index.htm>

²⁵⁹ *Report of the Secretary-General on the preparations for the International Conference on the Great Lakes Region*, S/2006/46, 25 January 2006. para. 38

²⁶⁰ For further details see:

<http://web.worldbank.org/external/projects/main?pagePK=64283627&piPK=64290415&theSitePK=40941&menuPK=228424&Projectid=P080413>

²⁶¹ UN OCHA, *Consolidated Appeal for the Great Lakes 2006, Mid-Year Review at 18 July 2006*. Available at: <http://ochaonline.un.org/humanitarianappeal/webpage.asp?MenuID=7984&Page=1383>

where the potential dilemmas inherent in balancing the imperatives of peace and justice have at times come into sharp relief.²⁶²

In December 2004, the EU decided to define the principles of a regional approach to the Great Lakes countries of the DRC, Burundi and Rwanda.²⁶³ This process is still apparently underway.²⁶⁴ Individual western countries have also developed strategies and programmes that are consciously regional in character. Sweden has done so.²⁶⁵ So too, it seems, has Holland.²⁶⁶ The British Government is planning to produce a regional strategy paper after the second round of the presidential election has taken place.²⁶⁷

The AU has had its own Special Envoy to the Great Lakes region since 2003, Mamadou Bah. He shares an office in Nairobi with his UN counterpart, the Special Representative. The AU has been heavily involved in peace efforts across the region and, with the UN, was a lead sponsor of the International Conference (see above).

There is also co-operation across the region on the issue of preventing the proliferation of small arms and light weapons. Here the framework of reference is the 2000 Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, which was signed, *inter alia*, by the DRC, Burundi, Rwanda, Uganda and Tanzania.²⁶⁸

²⁶² See Parts I.C and IV.C of this Research Paper

²⁶³ European Council Document 15922/1/04, 13-14 December 2004. Available at: http://ue.eu.int/cms_Data/docs/pressData/en/gena/83084.pdf. See also: http://ec.europa.eu/comm/development/body/csp_rsp/print/r8_rsp_fr.pdf

²⁶⁴ The European Commission Humanitarian Aid Office has allocated €1 million to the Great Lakes region, in addition to its much larger country-based allocations to the DRC, Burundi, Uganda and Tanzania. *ECHO Decisions 2006*.

Available at: http://ec.europa.eu/echo/information/decisions/2006_en.htm

²⁶⁵ *Strategy for Swedish Support to the African Great Lakes Region, November 2004-2008*. Available at: <http://www.sweden.gov.se/content/1/c6/04/14/50/51ee663b.pdf#search=%22DFID%20%2B%20%22Great%20Lakes%22%20%2B%20strategy%22>. Sweden defines the region as comprising the DRC, Burundi and Rwanda.

See also: SIDA, *A Strategic Conflict Analysis for the Great Lakes Region*, Stockholm, March 2004. Available at:

<http://www.africastudies.gu.se/publications/conflict.pdf#search=%22DFID%20%2B%20%22Great%20Lakes%22%20%2B%20strategy%22>. This report includes country studies of Kenya, Uganda and Tanzania

²⁶⁶ P. Uvin and A. Bourque, *Operationalising the Dutch Great Lakes Strategy*, May 2004. Available at: <http://fletcher.tufts.edu/faculty/uvuin/reports/NLRegionalStrategy.pdf#search=%22DFID%20%2B%20%22Great%20Lakes%22%20%2B%20strategy%22>. The Dutch regional strategy appears to be based on a 2003 'Concept Note'.

²⁶⁷ Email from Nick Bates, Head of the Regional Issues Unit in the Africa Equatorial Department, DFID, 20 October 2006. See also the report by the All Party Parliamentary Group on the Great Lakes and Genocide Prevention, *Creating a Regional Policy for the Great Lakes, Africa*, July 2004. Available at: <http://www.appggreatlakes.org>

²⁶⁸ The full text of the Nairobi Declaration is available at: <http://www.smallarmsnet.org/docs/saaf04.pdf#search=%22%22Nairobi%20Declaration%22%20%2B%202000%22>

For an update on progress made in implementing the Declaration as at March 2006, see:

<http://www.saferworld.org.uk/images/pubdocs/Progress%206%20Eng%20P6.pdf#search=%22%22Nairobi%20Declaration%22%20%2B%202006%22>

“Home grown” economic initiatives could also play a part in stabilising the Great Lakes region, although given their overlapping mandates and often weak past performance, it might be wise not to invest too much hope in them in the short- to medium-term.

Burundi, the DRC, Rwanda and Uganda are all members of the Common Market for Eastern and Southern Africa (COMESA). The DRC, Burundi and Rwanda are members of the Economic Community of Central African States (CEEAC).²⁶⁹ The Economic Community of the Great Lakes Region, of which Burundi, Rwanda and the DRC are members, has been moribund but aspirations remain to revive it. Uganda is a member of the much more effective Intergovernmental Authority on Development (IGAD), which covers the Horn of Africa. Uganda and Tanzania, along with Kenya, are members of the East African Community (EAC), which was revived in 2001. Burundi and Rwanda are due to join in the near future. Finally, Tanzania is a member of the Southern African Development Community (SADC), which also includes Zambia, Zimbabwe, Angola and Namibia, all of whom have a legitimate interest in the future of the Great Lakes region.

There is a range of international initiatives on natural resources. While strongly focused on the DRC, they reflect awareness that ending their pivotal role in fuelling and sustaining conflict across the region requires regimes that embrace all the actors involved in the trade, whether at the local, national, regional or global level. This has been accompanied by recognition that the problem is one of both supply and demand. The work of the UN Panel of Experts on the illegal exploitation of the DRC natural resources and of civil society has been crucial in both respects. The DRC has also signed up to the UK Government-led multi-country Extractives Industry Transparency Initiative.²⁷⁰ The OECD Guidelines for Multinational Enterprises operate in the DRC.²⁷¹ Since 2003 the DRC has also participated in the Kimberley Process.²⁷²

Since 2004 the OECD and other donors have supported an Initiative for Central Africa (INICA). It is a ‘people to people’ based network of individuals and organisations from both civil society and government that share a commitment to promoting the reconstruction and development of the region, with a particular focus on cross-border initiatives. Since June 2006 it has been operating as a programme within the UN Economic Commission for Africa.²⁷³

International and local NGOs have been amongst the most vocal advocates of co-ordinated regional and international approaches to promoting peace and development in the Great Lakes region. The European Network for Central Africa (EURAC), focusing on the DRC, Burundi and Rwanda, has been calling for an EU regional strategy for some time. In 2004 it produced a paper setting out its position which was endorsed by a wide range of European NGOs, including the UK All Party Group on the Great Lakes and

²⁶⁹ For more information, visit its website at: <http://www.ceeac-eccas.org/>

²⁷⁰ For more information about the EITI, see: <http://www.eitransparency.org/>

²⁷¹ For more information about the OECD Guidelines, see: http://www.oecd.org/document/43/0,2340,en_2649_34889_2074731_1_1_1_1,00.html

²⁷² For more information visit the website of the Kimberley Process at: <http://www.kimberleyprocess.com:8080/site/>

²⁷³ For more details, see: <http://www.inica.org/>

Genocide Prevention.²⁷⁴ The All Party Group produced its own paper on the subject a month later, calling upon the British Government to push for an EU regional strategy.²⁷⁵ In December 2005, responding to the EU's decision in December 2004 to define the principles of a regional strategy, EURAC published a report proposing a benchmarks approach to future EU development co-operation with the DRC, Burundi and Rwanda.²⁷⁶

Efforts to promote regional and international frameworks for peace and development in the African Great Lakes region are creating an increasingly elaborate 'architecture' of institutional arrangements. This architecture stands in stark contrast to the extremely limited capacities of the individual states that comprise the region. In combination with the fragile diplomatic relations that still exist between the states of the region, this mismatch could threaten the viability and effectiveness of such institutional arrangements.

²⁷⁴ European Network for Central Africa, *Think regionally, act practically. An EU regional approach for the Great Lakes, Africa*, Brussels, June 2004. Available at: <http://www.eurac-network.org>

²⁷⁵ All Party Parliamentary Group on the Great Lakes and Genocide Prevention, *Creating a Regional Policy for the Great Lakes, Africa*, July 2004

²⁷⁶ European Network for Central Africa, *Benchmarking for regional peace. European cooperation and political dialogue with Central Africa*, Brussels, December 2005. Available at: <http://www.eurac-network.org>

Further Reading

1. Books

T. Allen, *Trial Justice. The International Criminal Court and the Lord's Resistance Army* (London, 2006)

R. Lemarchand, *Burundi. Ethnic Conflict and Genocide* (Cambridge, 1996)

G. Nzongola-Ntalaja, *The Congo from Leopold to Kabila* (London, 2003)

G. Prunier, *The Rwanda Crisis. History of a Genocide* (London, 1998)

2. Articles and Reports

Amnesty International, *Children at War, Creating Hope for the Future*, AFR62/017/2006, 11 October 2006

Available at: <http://web.amnesty.org/library/Index/ENGAFR620172006>

P. Daley, "Challenges to Peace: Conflict Resolution in the Great Lakes Region of Africa", *Third World Quarterly*, Vol. 27, No. 2, 2006

International Panel of Eminent Persons to Investigate the 1994 Genocide in Rwanda and the Surrounding Events, *Rwanda: The Preventable Genocide*, Addis Ababa, 29 May 2000

Z. Marriage, "Defining Morality: DFID and the Great Lakes", *Third World Quarterly*, Vol. 27, No. 3, 2006

M. Nest, "Ambitions, profits and loss: Zimbabwean economic involvement in the Democratic Republic of Congo", *African Affairs*, Vol. 100, No. 400, July 2001

D. Peterson, "Burundi: A Beacon for Central Africa", *Journal of Democracy*, Vol. 71, No. 1, 2006.

Available at: http://muse.jhu.edu/journals/journal_of_democracy/v017/17.1peterson.html

B. Rawlence, "Briefing: The Zanzibar election", *African Affairs*, Vol. 104, No 416, July 2005

F. Reyntjens, "Burundi: A peaceful transition after a decade of war?", *African Affairs*, Vol. 105, No. 418, January 2006

F. Reyntjens, "The Privatisation and Criminalisation of Public Space in the Geopolitics of the Great Lakes Region", *Journal of Modern African Studies*, Vol. 43, No. 4, 2005

D. Tull and A. Mehler, "The hidden costs of power-sharing: Reproducing insurgent violence in Africa", *African Affairs*, Vol. 104, No. 416, July 2005

UN Security Council, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo*, S/2002/357, 12 April 2001. Available at:

<http://www.globalpolicy.org/security/natres/diamonds/2001/0412report.pdf>

UN Security Council, *Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of Congo*, S/2003/1027, 23 October 2003. Available at:

http://www.globalpolicy.org/security/natres/diamonds/2003/1023expert_panel.pdf

(S/2002/1146, 16 October 2002 was a controversial earlier version of the *Final Report*)

UN Security Council, Report of the Investigative Team Charged with Investigating Serious Violations of Human Rights and International Humanitarian Law in the Democratic Republic of Congo, S/1998/581, 29 June 1998. Available at:

<http://daccessdds.un.org/doc/UNDOC/GEN/N98/177/22/IMG/N9817722.pdf?OpenElement>

A. de Waal, "How will HIV/AIDS transform African governance?", *African Affairs*, Vol. 102, No. 406, January 2003

3. Web Sources

Website of the All Party Parliamentary Group on the Great Lakes and Genocide Prevention

http://appggreatlakes.org/component/option,com_frontpage/Itemid,1/

Documents on the DRC compiled by the Global Policy Forum

<http://www.globalpolicy.org/security/issues/kongidx.htm>

IRINnews.org latest news from the Great Lakes and Central Africa

http://www.irinnews.org/frontpage.asp?SelectRegion=Great_Lakes

Human Rights Watch documents on the Great Lakes region

http://www.hrw.org/doc?t=great_lakes_africa&document_limit=20,20

Newsletters and reports by the European Network for Central Africa

<http://www.eurac-network.org>

International Crisis Group reports on Central Africa

<http://www.crisisgroup.org/home/index.cfm?id=1164&1=1>

Map of the Great Lakes Region²⁷⁷

CONGO (DEMOCRATIC REPUBLIC)



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²⁷⁷ Source: MOD