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**FAILURE RATHER THAN SUCCESS? CONFLICT MANAGEMENT AND
RESOLUTION IN THE DEMOCRATIC
REPUBLIC OF CONGO 1996-1999**

**A thesis submitted in partial fulfilment of
the requirements for the degree of**

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by

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ABSTRACT

History has proven time and time again that conflict is an inevitable aspect of any given society. The seemingly long-standing nature of conflicts in Africa has been changing over time and these conflicts have been either inter-state or intra-state. However, sometimes intra-state wars have escalated into regional conflicts. These scenarios can be seen in the Great Lakes region of Africa where you have the civil war of 1996-7 and the rebellion, which began in 1998 in the Democratic Republic of Congo (DRC).

In the DRC there have been at least four stages of conflict. The first is against the Belgians and secondly, the civil strife of the early 1960s. Third, is the civil strife against Mobutu and fourthly, currently against Kabila. The expanding nature of conflict is characterised by power struggles, politicisation of ethnicity, and the impact of external forces.

It is noted that the expanding nature of conflict calls for a change in the methods of conflict management and resolution. Initially conflicts were resolved through military intervention, but with the complexity of African wars it has become apparent that peaceful methods are more prudent. With reference to Africa it can be assumed that conflicts need to be increasingly resolved through political means, such as the use of the diplomatic process. The conflict in Chad between 1968 and 1984 is a good example in which military intervention was used but failed, giving way to mediation and negotiation through the use of diplomacy. Both the DRC and Chadian conflicts are similar because they witnessed the influence of external forces (neighbouring countries and non-African states such as France and the US) and African states attempting to find solutions to their own problems.

The conflict in the DRC provides a unique example for the changing nature of intra-state conflict in Africa. Thus, the study aims to trace the characteristics of conflict in the DRC and attempts made at conflict management and resolution. The study uses the period between 1996 and 1999 because it highlights this change in the nature and character of conflict.

DEDICATIONS

I would like to dedicate this thesis to the three most important women in my life. My mother Nancy Munyae, my sister Margaret Wavinya and my wife Margaret Wambua, for whom I have worked hard to show that there is a better tomorrow.

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TABLE OF CONTENTS

List of Acronyms.....9

CHAPTER ONE

1. Introduction.....10

1.0 Introduction..... 10

1.1 Manifestation of African conflict..... 14

1.2 Definition of Conflict..... 16

1.3 Relevant theories of conflict..... 17

1.4 Character of Conflict.....20

1.5 Conflict management and Resolution..... 24

1.6 Conclusion..... 28

CHAPTER TWO

2. Conceptual Framework.....31

2.0 Introduction..... 31

2.1 Forms of Conflict Management.....35

2.2 Conflict Management And The
Diplomatic Process.....36

2.3 Conflict Analysis..... 40

2.4 Methods of Conflict Management
And Resolution.....43

2.5 Mechanisms of Conflict Management..... 48

2.6 Conclusion..... 53

CHAPTER THREE

3. Congo Crisis in Perspective: 1996-1999.....56

3.0 Introduction..... 56

3.1 Country Profile of the Congo..... 59

3.2 Historical Context to the Conflict in the DRC.....57

3.3 Analysis of the Conflict..... 65

3.4 Conclusion..... 79

CHAPTER FOUR

4. Attempts at Conflict Management: Diplomatic Initiatives

<i>In the DRC Conflict of 1996 and 1998.....</i>	82
4.0 Introduction.....	82
4.1 Diplomatic Initiatives in 1996-1997.....	84
4.2 Diplomatic Initiatives from 1998-1999.....	97
4.3 Conclusion.....	108

CHAPTER FIVE

5. Conclusions and Recommendations.....

5.0 Summary.....	115
5.1 Findings.....	118
5.2 Recommendations.....	115

APPENDICES.....

BIBLIOGRAPHY.....

List of Acronyms

AFDL	Alliance des Forces Democratique pour la Liberation du Congo-Kinshasa
APLA	Angola Peoples Liberation Army
CNDD	National Council for the Defence of the Democracy
CNS	Conference Nationale Souveraine
DRC	Democratic Republic of Congo
ECOMOG	Economic Community Cease-fire Monitoring Group
FAR	Forces Armes du Rwanda
FDD	Forces for the Defence of Democracy
ICJ	International Court of Justice
IFIs	International Financial Institutions
IGOs	Inter-Governmental Organizations
IRIN	Integrated Regional Information Network
JMC	Joint Military Commission
MCPMR	Mechanism for Conflict Prevention, Management and Resolution
MLC	Movement de Liberation Congolais
MLO	Military Liaison Officer
MNC	Multi-National Corporation
MNF	Multinational Force
NGOs	Non-Governmental Organizations
OAU	Organization of African Unity
RCD	Rassemblement Congolais pour la Democratie
RPF	Rwanda Patriotic Front
SA	South Africa
SADC	Southern Development Community
UDPS	Unio pour la Democratie et le Progres Social
UN	United Nations
UNITA	Uniao Nacional a Independencia Total de Angola
US	United States

CHAPTER ONE

1. Introduction

1.0 Introduction

Conflict has always been a part of life in any given society as evidenced by the wars and disputes that have erupted throughout human history. These conflicts have been either inter-state or intra-state; sometimes civil wars have escalated into regional conflicts. The latter is true in the Great Lakes region of Africa, where you have the civil wars of 1996-7 and 1998 in the Democratic Republic of Congo (DRC) escalating into a regional conflict.

The universality of conflict was well captured by Clausewitz, as cited by Zartman (1989:3), when he said “war is a mere continuation of policy by other means.” By the same token, one should acknowledge the fact that every war has a solution. In fact, Bloomfield and Moulton (1997:55) quote Archibald MacLeish as pointing out that “since war begins in the minds of men, it is in the minds of men that the defence of peace must be constructed.” This contention goes on further to argue that conflict can be solved through political means via compromise as suggested by Kole in his quotation of Kamal Mohamed Ahmed, when he observes that “political conflicts can be adjusted by compromise.” (Kole, 1993:31).

With reference to Africa it can be assumed that conflicts can be resolved through political means. However, such an assumption needs to look at Africa’s problems from as wide a perspective as possible so as to create a suitable framework for analysing the continent’s

conflicts. This makes it possible to formulate feasible short-term and long-term solutions through the use of political means as used in the diplomatic process (*see chapter two*).

This assumption is based on the view that the seemingly long-standing nature of conflicts in Africa is not static and has been changing over time. In pre-colonial days people in Africa used to fight against one another mainly to acquire land, livestock or even to capture people to work as slaves. With the advent of colonialism, conflicts began to emerge as liberation struggles to free the African people from the colonial yoke. In the post-independence era, conflicts in Africa shift from liberation struggles against the oppressors (imperialists) to liberation struggles against totalitarian and autocratic rule by despots. Such was the case in the DRC, which has seen conflict over a long period of time. There have been at least four stages of conflict. The first is against the Belgians and secondly, the civil strife of the early 1960s. Third, is the civil strife against Mobutu and fourthly, currently against Kabila. In essence, we are referring to the changing nature of intra-state conflicts.

This study aims to trace the characteristics of conflict, the dimensions of conflict and attempts made at conflict management and resolution using the DRC in the period 1996-1999 as a case study. From this an attempt is made to draw lessons from the practice of conflict management in Africa. In particular, in applying the theory of conflict management and resolution to the peace initiatives that have been carried out, it is hoped we will be able to assess the failure or success of the peace initiatives in light of the theory. By examining the flaws between theory and practice, the intention is to be able to make recommendations that can help resolve the conflict.

The conflict in the DRC provides a unique example for discussing the changing nature of intra-state conflict in Africa. Whilst, the state has experienced various types of conflicts since the pre-colonial period, the current conflict brings into question the classification of intra-state versus inter-state conflict. This is because both the conflicts of 1996-7 and the one after it began as civil wars but later escalated into a regional conflict thereby making it difficult to distinguish between civil and regional conflict. It is therefore, assumed that the expanding nature of conflicts in Africa calls for a change of approach to the settlement of conflict. It is clear that military intervention as a solution is being displaced by the need to resolve conflict (often at an early stage) by political means. In the DRC, military intervention was used in suppressing the secessionist movements of Katanga in 1964 and the Shaba invasion of 1977 while in the post-1996 conflict the engagement of diplomatic processes is the only solution to bring about a peaceful political settlement.

When looking at the sources of conflict in Africa, these normally include a high degree of authoritarian government and incidence of ethnic competition (as is the case in the DRC). This is the reason why there is the emergence of often ethnically based resistance movements seeking access to scarce resources and equality of recognition from the state. At an intra-national level, conflict management requires implementation of policies that reduce perception of structural constraints to access of power and resources on the part of the ethnic group, sub-nation or region, so as to ensure that they do not adopt violent means to get government recognition of their needs (Zartman, 1991:301). Here the nature and extent of the conflict becomes important for: (a) determining of the extent of intervention in the conflict; (b) the type of intervention the contending power groups or factions are prepared to accept during hostilities; (c) the motive for intervention; (d) the mode of intervention; and (e) the consequences or outcomes of the intervention (Ekwe-Ekwe, 1990: 1).

The conflict in the DRC has a multi-faceted dimension that include the lack of a democratic system of government and the politicization of ethnicity (presented by the Banyamlenge and their quest for recognition by the DRC), the geopolitical-strategic and security interests of its neighbors, and foreign investors. The conflict involves a multiplicity of actors that are either state or non-state, including Intergovernmental Organizations (IGOs), Non-Governmental Organizations (NOGs) and regional organizations. On the other hand, Uganda, Rwanda and Burundi are directly supporting the rebels that began the conflict whilst on the other hand Zimbabwe, Angola and Namibia are supporting the incumbent government of Kabila. Intergovernmental and regional organizations involved in the conflict include the United Nations (UN), the Organization of African Unity (OAU) and the Southern Africa Development Community (SADC). Other state and non-state actors are involved indirectly in the conflict for the sake of protecting their interests in the DRC, such as mineral interests for South Africa (SA) and US mining companies, bases for the Uniao Nacional a Independencia Total de Angola (UNITA) rebels in the southern region of the country, and insecurity along the eastern borders with Rwanda.

Since 1996 preventative measures have been tried and failed, so methods of managing the conflict have been adopted, but without much success. Disputes began with formal protests, but when this failed those involved resorted to the use of military options. In 1996, the diplomatic moves towards a cease-fire or the demands for negotiations between the different sides were forestalled and thwarted by military advances (Braeckman, 1997). Those involved in the process of negotiations felt that the conflict could not be solved through peaceful means. The rebels did not engage in any meaningful dialogue because they were under the impression that they would become victorious in their military initiatives. The same applies

during the current phase of the crisis where a cease-fire is not being observed because both sides of the conflict are for a variety of reasons assuming that they will win the war. Therefore, it appears that attempts to resolve the conflict through multilateral mediation and negotiation such as the Lusaka Peace Accord (a form of multilateral mediation through summitry) are ineffectual. This is an indication of failure by both diplomacy and conventional conflict management methods.

In order to understand conflict management and resolution initiatives in Africa, and specifically in the DRC, one needs to comprehend how contemporary conflicts manifest themselves in Africa. This shall be done by defining conflict and looking at relevant theories that help us understand the underlying factors, which determine the form of conflict and its occurrence. However, before defining conflict we would like to briefly discuss how conflict manifests itself in Africa so as to find a suitable definition applicable to this case study.

1.1 Manifestation of African Conflict

Intra-state conflict is clearly defined as conventional wars, guerilla insurgencies and political party opposition based on ideological differences. This is evidenced by the theories that have been used to explain the nature of conflict and in essence one can see that it manifests itself either in civil unrest (or civil disobedience), or direct combat. At the inter-state level, conflict manifests itself through insurgencies, direct combat, and breaking of international (bilateral or multilateral) agreements resulting in tensions.

Besides the protracted pro-revolutionary conflict in South Africa between 1980 and 1990, 18 fully-fledged civil wars have been fought in Africa (Gurr, 1991:103). Nearly a third of all overt military interventions between 1960 and 1982 (55 out of 171) were targeted at African countries (Ekwe-Ekwe, 1990:10). Of the 81 interventions on the inter-state side, were by African states while 16 were by former colonial powers. At the intra-state level there were 11 genocides and politicides in Africa between 1960 and the late 1980s compared to 24 elsewhere in the world. At the beginning of 1990 more than 2.5% of all Africans were refugees, most of who were fleeing from political violence (*ibid.*). Other catastrophic conflicts have occurred in Africa since 1990, and include the 1994 genocide in Rwanda, the ongoing Angolan civil war, the Sudanese civil war and the disintegration of the Somali state.

1.1.1 African Types of Conflict

According to Gurr, conflict in Africa takes various forms that range from class conflict (due to the struggle for scarce resources) to power struggles (Gurr, 1991: 156). Due to scarcity of resources, each group or community must fight to defend its share of diminishing resources against increasing challenges from other groups. Another cause of conflict in Africa is the predominance of autocratic rule that is institutionally weak. The threat to autocratic and self-serving rulers has arisen when ambitious members of the elite feel that their opportunities are threatened by discrimination based on communal or class origins, as evidenced by the Ethiopian revolution of 1974 (Gurr, 1991: 161). As such, this can be referred to as the ethnicisation of politics.

Most conflicts in Africa are between groups. Inter-group conflicts usually involve mobilization of people based on overlapping identities: ethnicity and class, class and

political association, ethnicity and political association and sometimes a combination of all three (Gurr, 1991: 168). Political association is often the main element of group conflict because we find that demonstrations by workers, rioting ethnic minorities and secessionist movements typically emerge from mobilization by leaders who make selective political appeals to communal and class groups and use the organizational tactics of modern political movements. In essence, conflicts that are commonly based on communal identification are generally directed towards other groups in the form of riotous clashes or in extreme cases mass slaughter such as seen in the Rwanda genocide of 1994. It should also be noted that these conflicts can transcend borders, such as the Ugandan and Rwandan “invasion” of the DRC in pursuit of Interahamwe, ex-FAR (Rwanda Armed Forces) and Ugandan rebels.

It can conclusively be asserted that the conflict in the DRC is typical of a situation where the ethnicisation of politics resulted in the eruption of conflict and has spread to engulf a whole region. Its origin is in the denial of citizenship to the Congolese Tutsis. Apart from the ethno-political perspective of the conflict, there are also the economic and foreign interference perspectives. However, the conflict in the DRC is essentially intra-state in origin although it transcended the country’s boundaries.

1.2 Definition of Conflict

No standard theory of conflict is universally accepted. However, Lewis A. Coker’s definition is most relevant to this study. He defines conflict as “The struggle over values and claims to scarce status, power and resources in which the aim of the opponent is to neutralize, injure or eliminate their rivals” (Dougherty and Pfaltzgraff, 1981:182). This definition can be applied to the forms of conflict that have become common in Africa since

independence. The types of conflict include guerrilla insurgencies in Southern Sudan, Muslim fundamentalist based conflicts in Algeria and the anti-government rebellion taking place in the DRC. It can be assumed that the above mentioned forms of conflict, which are common in Africa, are political in nature because their ultimate objective is to change or capture the political structure. Within the struggle for power is also incorporated the competition for scarce economic resources, as evidenced by the DRC conflict.

1.3 Relevant Theories of Conflict

The study has identified three theories of conflict that can help explain the nature and causal factors of the conflict in the DRC. In an article written by Gurr (1991:173), "Theories of Violence and Political Revolution in the Third World," two theories are given which are relevant to African conflicts, and specifically the DRC one. These are the structural and political process theories. The study also deems the socio-psychological theories articulated by Kim Shin Yong (1992) as being relevant.

1.3.1 Structural Theories

Structural theories assume that the causal emphasis is placed on tensions created by patterns of social reaction. Some of these emphasize the disruption of relations between value systems and environment, and make distinctions such as dysfunction and disequilibria (Gurr, 1991: 177). Scholars such as Galtung define "structural violence" as the avoidable deaths caused by social structures of society (Nicholson, 1992: 18). The contradiction of most educated Africans' desire for high status positions amidst a limited number of such positions is a good example of widespread dysfunction. Other structuralist theories such as those of Marxists, attribute conflict and violence most fundamentally to inequalities in the

distribution of scarce economic resources and to the worsening forms of exploitation by the dominant class.

In the context of the DRC, it is evident that there has been a structural conflict over time. As chapter three of the study shows, the long-term and short-term causes of the conflicts that erupted in 1996 and again in 1998, involved tensions in the relationships between the native Zairians and the Congolese Tutsi who were perceived as foreigners. The Tutsis became prosperous both professionally and economically, acquiring land and access to power. This was partly because of their nature as a people in diaspora and the influence of Rwandan and Burundian Tutsis had on both the Mobutu and Kabila regimes. From a structuralist perspective it can be assumed that war was inevitable because the so-called “foreigners” were having greater control and access to both economic and political power. However, the conflict could have been avoided had preventive diplomacy been employed and a political will existed between Mobutu and Kabila. At the same time, the Tutsis would not have retaliated if they had been given their right of citizenship (being treated as equals) by the Zairian government

1.3.2 Political Process Theories

These theories explain political violence by reference to the characteristics of political institutions and the forces that challenge them. Theorists in this school of thought treat revolution as the ultimate conflict in which the normal struggle or conflict between interest groups escalates in both intensity of the conflict and the magnitude of resources used. Consequently, the interest groups reach the point where normal political processes for conflict reduction and resolution fail, and the political system is violently split apart.

This perception of conflict can be contextualised to the DRC scenario by pointing out that one of the root causes of the conflict was the failure of both the Mobutu and Kabila regimes to install a democratic government in the country. The existing institutions of state could not accommodate opposition. As such, the democratization protagonists became rebels when they ultimately realized that a revolution was the only way to change the political structure and create new institutions that would serve the population better (*see chapter three*). Therefore, it can be stated that the push towards democratization as an attempt to change the structure of political institutions, resulted in the escalation and magnitude of hostilities. A peaceful option could not suffice because both regimes (during the period assessed) did not want to adhere to the wishes of the people.

1.3.3 Socio-Psychological Theories

The socio-psychological theories of political violence have a close linkage to the political process theories. Their underlying assumption is that political conflict is either contingent or inherent, whereby, contingent is determined by unusual conditions while inherent is determined by the inevitability of conflict or the continued existence of its potential (Yong, 1992:12). The contingency perspective is supported by the works of Eckstein (1980) and Huntington (1968) who argue that conflict is likely to arise from a political system that does not expand its power base to include other groups. On the other hand, the inherence theory, supported by the works of people such as David Snyder and Charles Tilly (1972), states that conflict will arise from the polarization of the political process, whereby there are those who control the decision-making processes and competition for the control of resources.

Using the two perspectives of socio-psychological theories we can also explain the causal factors of the conflicts in the DRC, as shall be discussed in chapter three. From a contingent

point of view, hostilities broke out in the DRC because the two regimes (Mobutu's and Kabila's) did not have a wide political base and ruled by autocracy characterized by exclusive elitism. In the inherence context, there was the potential of a conflict in the DRC because the two governments did not have a wide power base. The political institutions therefore did not deal with the concerns of the marginalized and disadvantaged communities such as the Congolese Tutsi and small ethnic communities. Other characteristics of this conflict include the progressive ethnicisation of politics and the inability of the regimes to handle the security concerns of the country's neighbors (*see chapter two and three*).

1.4 Character of Conflict

The study has been able to identify various characteristics of conflict that are common to African crises and that can be applied to the DRC situation. These manifestations are best explained by a comprehension of the theories discussed above. In other words, the characteristics of conflict are manifestations of the DRC crisis, which can be explained in terms of either structural, political process or socio-psychological theories. The conflict manifests itself through ethnicity, power struggles and external forces. However, one should note that there are linkages between the various characteristics of conflict and that they manifest themselves over a long period of time.

1.4.1 Politicization of ethnicity

Many of the conflicts that occur in Africa are based on ethnic differences and the attempt to redefine the power sharing formula (Vogt, 1997:60). This has been the case in conflicts such as those in the Great Lakes region. An ethnic group is commonly viewed as a collectivity of people who share the same primordial characteristics such as common

ancestry, language, and culture (religion is included in the category of shared culture). Ethnicity therefore refers to the behavior and feelings about oneself (and others) that supposedly emanate from membership to an ethnic group (*ibid.*). Therefore, one can say that ethnic conflict means hostilities and violence between groups based on heritage distinctions. As such, the politicization of ethnicity is used as a means of changing the social structure as argued by structural theorists. This is true of the DRC where the Congolese Tutsis and indigenous Zairians are conflicting in an attempt to equate the social structure.

Zartman notes that ethnic, together with international and regional grievances are frequent challenges to the politics of nation-building in new states, to state programs of allocating scarce resources and ultimately to the state's authority and legitimacy (Zartman, 1991: 301). An example of how this perception can be applied is by looking at the Congo crisis where Kabila did not meet the grievances of the Banyamulenge. As a result a conflict challenging his legitimacy erupted. At the same time, as an ethnicised conflict it transcended Congo's boundaries and involved Rwanda and Uganda. In particular, a linkage was being made between Congolese and Rwandese Tutsi. At the same time, politicization of ethnic differences can be used as a means of engaging in a power struggle.

1.4.2 Power Struggles

Power struggles emerged shortly before and after independence, and involved conflicts between different political parties, each of which wanted to seize control. These struggles are still there today. In fact, the democratization process in Africa has enhanced them; as opposition politics have become part of the political system. In the DRC power struggles are between the different rebel factions on the one hand, and the Kabila regime on the other, and are over control of the country's economic resources. Underlying the power struggles is

an attempt to reduce the economic power and political influence of the Banyamulenge. Subsequently, one can note a link between the means of changing the political structure through the use of ethnicity.

Power struggles in Africa are characterized by coups and rebellions, emanating from ethnic and ideological differences. Thus, power struggles in Africa are the political means by which different ethnic groups express themselves and strive to attain power (*ibid.*). Power struggles are therefore more than just opposition politics; they entail the use of or threat of use of force.

From a political point of view Zartman (1991:301) suggests that governments are often reluctant to accept demands that challenge their programs, authority or their resources, often in the hope that they will go away. As a result, these problems escalate into more complex problems, as they are not dealt with at an early stage.

1.4.3 External Factors

This refers to the contribution of both state and non-state actors to intra-state conflict in Africa. This study will specifically be looking at the role played by the DRC's neighbors in recent crises in the country. In essence, it seems that they have played an important role in influencing events in the DRC with respect to both intra-state and inter-state relations. A possible explanation for this may be that they are using political processes to change the social structure under the guise of protecting the conflicting ethnic groups; namely the Banyamulenge versus the indigenous Congolese.

External forces are a major factor in African conflicts. The role of external forces in African crises can chronologically be traced from the colonization process and decolonization process to post-independence interactions. The colonization and decolonization processes in Africa led to the development of nationalism and nationalist movements, which formed government after independence. Once the unifying factor of independence had disappeared, losers of the power struggle formed liberation movements that were anti-government (Zartman, 1989:13). These movements appeared to represent the will of the people so they got support from other countries. A good example of such developments was the support and military assistance given to the *Alliance des Forces Democratique pour la Liberation du Congo-Kinshasa* (AFDL) rebels against Mobutu and that given to the rebels fighting against Kabila's government.

External forces fuel conflicts in Africa through the supply of arms, logistical and technical support (such as training of soldiers). The West sells arms to one group, which then has an advantage over its opponent. At the same time, the West also sells arms to the weaker side so as to achieve a balance. The foreign forces are activated primarily through alliances for political support and through arms for the military (Zartman. 1989:16). Such support may be directly linked to conflict in the Horn of Africa, as in the Russian aid to Ethiopia in 1977; and the presence of Cuban and American troops in Angola in the 1970s and 1980s. Alternatively, the external force may be only present as a "potential danger", like Russian arms for Somalia after 1963, which did not result in conflict. This is also true in the continuation of the Congo Crisis due to the proliferation of arms by the rebels from other countries.

Apart from the role played by the West (typified by their involvement in African conflicts prior to the end of the cold war), some African countries now also involve themselves in conflicts of other countries in the continent. For example, the external forces in the DRC conflict are its neighbors who are pursuing both their own interests and also serve as proxies for the Western countries with interests in the region. As such, in the 1990s we witness a shift from direct Western involvement in African crises, to the uses of proxy states and indirect participation. Consequently, it can be assumed that external intervention is a sign of weakness in the body politic of a country. This point will become clear as we discuss the diplomatic peace initiatives in the two recent conflicts of the DRC.

1.5 Conflict Management and Resolution

Conflict resolution refers to the elimination of the causes of conflict through means such as negotiation, compromise and agreement. Conflict management refers to the process of preventing conflict from escalating into a crisis or the lessening of a crisis that has already erupted (Zartman, 1989: 8-11). The methods of conflict resolution are incorporated within conflict management mechanisms whereby mediation and negotiations are often used to prevent a conflict from escalating into a crisis or to lessen the impact of a crisis. The distinguishing factor is that conflict management is a long-term strategy, while conflict resolution is specific to a given situation. With this in mind we can briefly discuss the process of conflict management and resolution.

1.5.1 Conflict Management and Resolution Process

The management of conflict is preferable to the attempt to resolve it because conflicts are an inevitable part of life in any given society in which there are diverse interests. Looking for

ways of preventing a conflict from escalating into physical engagement and having it resolved by peaceful means is the main objective of conflict management. As a process, conflict management and resolution has three significant components that determine its effectiveness, and these are (Burton, 1990:189):

- Degree and quality of participation by the parties to the dispute;
- Degree and quality of communication between the parties;
- Degree of decision making power, degree of neutrality, levels of analytical skills and other attributes of third parties.

The importance of these elements has been derived from an analysis of the historical development of conflict management and resolution mechanisms over the years (as will be discussed below). Thus, in the process of resolving the crisis the conflicting parties and those involved in the process of resolution and/or management of conflict should be made to understand the causes of the crisis.

Bloomfield and Moulton (1997) have developed five phases of analyzing a conflict that help those involved in peace initiatives to know the stage at which the conflict has reached. The first phase determines the issue(s) in dispute, after which the parties involved begin to show a threat of or use of force if the issue(s) are not resolved; this is the second phase. In the third phase, the parties organize themselves and are engaged in hostilities. If the hostilities are halted through a cease-fire, then the fourth stage has already been reached. However, there is a possibility that the conflict can go back into the third stage because the fundamental issues in dispute will not have been resolved. In this instance the parties opt to resolve the conflict through peaceful means. The conflict will move into the fifth stage if there is no longer a threat of or use of force, although the issues in dispute will not have been resolved. After this point the dispute will have been resolved if the parties forget and

are no longer interested in the issues of dispute or if they have reached a “hurting stalemate” and a settlement has been reached.

It is also imperative that the parties involved in conflict resolution should understand the nature of the conflict and its manifestations so as to develop apt and comprehensive solutions. The process of conflict management entails analyzing the perceptions of parties to the conflict and those engaged in having it resolved. This may be done through analyzing the public statements of participant and understanding the structure and reasons for the conflict situation. Fisher et.al. (1994:69-70) suggest that conflict management is an exercise that includes the analytical process mentioned above, in what is referred to as a quadrant of problem solving. Included in this is the assumption that for the process of conflict resolution to be coherent, there has to be a sense of community among the participants. By this it is meant that the participants should have shared values preferably enhanced by more democratic systems of government espoused by theorists of peace. The proposition asserts that because they are democratic, democratic states will not fight (or initiate) international wars against each other (Ray, 1995:201).

Two stages can be identified that occur in the process of conflict management and resolution. Firstly, there is the preventative stage that involves trying to calm (down) the opposing parties before the dispute escalates into a war. When a conflict has escalated into physical engagement, then the options available to those involved in conflict management can either be military intervention or mediation. This forms the second stage of resolution (Zartman, 1991: 316-320). At the preventative stage three options are available to those involved in solving the conflict, depending on the nature of the conflict. Firstly, at the national level, conflicts can be managed through the implementation of policies that will not

create a situation of inequality amongst the citizens to the point that they find it necessary to adopt violent means to get attention from the state. This is known as the unilateral form of conflict resolution and management that is carried out by the state in the instance of an imminent civil war. Secondly, conflict resolution and management can be Dunn (1996: 14) defines summitry as any occasion in which chiefs of state or heads of government meet bilaterally or in multilateral meetings in order to deliberate on solutions to an on going crisis or an impending one. carried out through bilateral or trilateral means. Bilateral forms of conflict management are those in which the conflicting parties try to solve their problems either by prolonged conflict with the hope of victory, or by a cease-fire and negotiations. Trilateral management and resolution uses mediation, where a third party must have some gain in the resolution yet remains neutral. The third option is multilateral management and resolution of conflict. This is an international exercise such as is seen in the activities of the OAF. Another commonly used method of mediation is summitry; especially once a conflict has escalated into physical engagement. This is a high profile form of conflict management and resolution mechanism.

Equipped with an understanding of conflict and the conflict management and resolution process, it is easy to comprehend the impetus being placed on diplomacy as a political means to a peaceful end. Therefore, the conflict management and resolution process can be contextualised to African conflicts so that one can realize the nature of initiatives employed in the DRC.

1.6 Conclusion

The period 1996-1999 represents a period when Africa has had to develop and implement conflict management without the intervention of the Western powers. As an epicentre of conflict with spill-over effects to its neighbouring countries, and also for the fact that it draws actors from all levels, state and non-state, the DRC is a challenge to the application and development of conflict management practice and theory.

The chapter began by creating a setting for the concept of conflict in general and Africa in particular. As such it was found that the nature of conflict in Africa has been changing over time with the emergence of re-newed inter-state relationships within the continent and between African and non-African states. Conflicts on the continent have become intra-state in nature, with the reduction of direct extra-continental interference. In this context there has emerged changes in approaches to conflict management and resolution, from more militant options to peaceful means. A good example is the increased use of diplomacy. Relevant theories to the case study that can explain the eruption of conflict in Africa, namely, structural theories, political process theories and socio-psychological theories were also identified. From this, one is able to determine that the DRC conflicts were characterised by the politicisation of ethnicity, the struggles for power and the external factor. With this in mind one is able to analyse the diplomatic peace initiatives based on whether they take full account of the nature of this conflict.

One can note that there are linkages between all the elements underpinning disputes in that they are present in any given conflict. In the case of the DRC it is evident that forces of ethnic identity whereby one minority group felt that it was being ill treated by another

majority group drove the anti-Kabila rebellion. However, ethnic identity is not the cause of conflict, but a mixture of all three explanations drives it. These explanations are articulated by the three theories of conflict that we discussed earlier. For instance, both the conflicts of 1996 and the one of 1998 were triggered off by the call on Banyamulenge to leave the country, as a means to ending their pursuit of citizenship in the country.

Despite the rebels being predominantly of Tutsi origin, there is also an inherent power struggle for control of the vast resources in the country, which then gives the crisis a geopolitical and economic perspective. On the other hand, there are external forces with economic interests in the region for resources and also high sales of arms. The political process theories say that interests of the parties involved play a key role in creating a conflictual environment and these interests are overlapping (geopolitical and economic). In other words, political objectives will often employ economic factors to achieve their ends and *vice versa*. Therefore, it can be asserted that a political compromise is the solution to the conflict. Whoever controls government and the instruments of coercion will also control the flow of Congo's resources. Compromise can be achieved between the warring parties through a negotiated settlement that would see the incumbent attending to the grievances of the minorities and thus tackling the problem from its source. The argument for the importance of political compromise as the solution to the crisis arises from the fact that a military option has already been attempted by Zaire's neighbors but has only resulted in a stalemate. Mediation and negotiation through the use of diplomacy are best suited for the DRC because they enable the belligerents to identify the issue(s) of contention and to reconcile their non-negotiable needs. This is elucidated by the concept of conflict management and resolution as discussed below.

In conclusion, the DRC conflicts were driven by structural, socio-psychological and political process factors. All these factors are evident at different stages of the conflict. For instance, the 1996-7 conflict was mainly driven by structural and political process factors. On the other hand, the second conflict of 1998 was mainly driven by socio-psychological and structural factors. Therefore, the driving force behind the DRC conflicts is based on all three perspective discussed above, keeping in mind that they are present at different stages or occur in different combinations in the two conflicts.

CHAPTER TWO

2. Conceptual Framework

2.0 Introduction

The point of departure for conflict management theorists is the premise that conflict is an inevitable part of any given society. In other words, conflicts emerge from “logical and inevitable reality” as evidenced by history. However, a distinction must be made between crises and conflicts because in reality they are at different levels of a dispute, and as such they will require varying approaches (preventive diplomacy or diplomacy used for conflict management and resolution). Kende (1986:80) distinguishes them simply as follows:

- *Crisis* is a high level of aggravation of differences that precede the real or potential outbreak of discrepancies prior to conflict;
- *Conflict*: is more or less the violent outbreak of discrepancies that may manifest themselves as sporadic clashes, low profile wars or real war.

It can be said that a crisis situation may or may not escalate into a conflict depending on the circumstances surrounding the dispute and the success of preventive diplomacy at this stage. As such, there was initially a crisis in the Great Lakes region that began with the ethnic conflict in Rwanda (in 1994), and then it escalated into conflict with Zaire as its epicenter. In this case a regional conflict was inevitable because of the instability created by the Rwandan refugee influx in Zaire and launching of counter-insurgencies by the Interahamwe into Rwanda from rear bases in eastern Zaire. Therefore, the crisis escalated into a regional conflict through spill-over effects from the epicenter.

One may condemn conflicts but there are certain instances where nothing can be done and they have a way of playing themselves out. However, there are instances in a liberated, post cold war Africa where conflict management is necessary and appropriate. For instance, liberation struggles and emancipation from oppressive regimes, as in the DRC, was inevitable because the incumbent (Mobutu's and Kabila's) regimes were not willing to adhere to the needs of their people and force was their *modus operandi*. On the other hand, the Rwandans, Burundians and Ugandans invaded Zaire because Mobutu and Kabila were providing rear bases to rebel groups and were not willing to secure the borders with their neighboring countries. Therefore, was it not for the stand adopted by the incumbents, the crisis that escalated into a conflict was preventable.

Since it has been established that sometimes conflict may be necessary, it can also be argued that not all crises can be settled peacefully and so hostilities must take place (Bloomfield and Moulton, 1997:50). This notion is embedded in the Just War Theory. The Just War theory legitimises certain conflicts as long as they have the attributes listed below. It is acknowledged that certain conflicts are inevitable, and when they occur, for humanitarian purposes they must observe a certain code of conduct governed by international law. This theory has the following attributes (Paskins, 1979:194):

- There must be rules of war;
- There must be consequences from acts disobeying these rules;
- There must be set methods of warfare/violence;
- Limits to certain instances and actions.

However, whether a conflict is just or not, conflict management and resolution must eventually be employed through the use of diplomacy and the relevant mechanisms.

As a matter of interest, crises and conflicts will arise when differences in interests and perceptions become antagonistic. The crisis in the DRC escalated into a conflict as a result of the politicization by Mobutu of ethnic consciousness against the Banyamulenge. Zairians were being told that the Congolese Tutsi were not indigenous people, had no right to neither identify themselves as Congolese nor own property and land while the indigenous people themselves were suffering. These differences, which could have been reconciled through conflict resolution and prevention, were allowed to assume a life of their own. Burton (1990) defines prevention as the removal of causal conditions and the positive promotion of environments conducive to collaborative relationships. This process is arrived at after the resolution of the conflict to ensure sustainable peace and conflict management mechanisms. However, one must note that it is composed of predictions and probabilities based on one's expectations of behavior. As a result, the process becomes subjective. Therefore, far more effect is achievable in conflict management where a third party is involved and based on the resolution method adopted. In this case the third part plays the role of mediator or facilitator in negotiations and will be selected by and acceptable to the warring parties.

It is imperative to note that certain conditions must be met for the conflict resolution process to be effective. Firstly, the agreement must meet the non-negotiable needs of the parties involved, and secondly, there should be short-term outcomes that preserve these needs and the goals of social and political stability (Burton, 1990:218). The process failed in the DRC because none of these conditions had been met in both conflict situations. The conflict of 1996-7 ended with a military victory by the AFDL, where as, by the end of 1999 the diplomatic process had produced a comprehensive peace agreement that was not being adhered to by the parties involved.

According to Kende (1986) the main objective of conflict management in intra-state wars is to ensure that external forces refrain from intervention so as to reduce the variables contributing to the escalation of the conflict. One reason for this is that in all civil wars there will be some form of foreign involvement whether directly or indirectly, as in the DRC. States will interfere in a civil war by providing military aid, training, and even sending troops to support the allied side. In such a scenario you will find that once State A gets involved by supporting one side, then State B (who has differing ideologies and interests to State A), will support the opposing side so as to challenge it. As a result, the external forces will use the civil war as a means of challenging each other; on the other hand they might have economic interests in the territory or they may want to perpetuate the conflict so as to sell arms. Therefore, it would be necessary to eliminate foreign involvement as a first step towards conflict management because external forces tend to enhance the conflict rather than reduce it. However, peace initiatives should not be viewed in this sense because some conflicts are too entrenched for the parties involved to solve on their own. Although this is true, there are some states that take up peace initiatives whilst they have ulterior motives such as gaining access to the resources available in the host country. A good example of this scenario is the crisis in the DRC.

The study wishes to examine conflict management and resolution in order to determine where and to what extent conflict management is applicable to Africa in general and to the DRC as a case study. Thus far it can be argued that the expanded nature of the conflict in the Great Lakes region requires a peaceful political solution through the use of diplomacy via the UN and the OAU as mechanisms of conflict management and resolution.

2.1 Forms of Conflict Management

Global trends in conflict management have been shifting from formal towards more informal processes. Traditionally internal conflicts were solved by authoritative controls namely judicial settlements, police interventions and whatever enhances and maintains law and order (*ibid.*). However, these will often fail if the personal needs of those involved are at stake, especially at the national level. A good example of this is the DRC where the afore mentioned initiatives failed because the interests of the elites (Mobutu and the power elites) were at stake and so they had to be protected at any cost. International conflicts are more complex and this has led to the creation of institutions such as the International Court of Justice (ICJ) for judicial settlement and the UN for mediation. Quasi-judicial arbitration also involves a third party and can be classified under a semi-formal process of conflict management (Burton, 1990:190).

The lesser formal and informal modes of conflict management and resolution are mediation, conciliation and direct negotiation (Burton, 1990:191). Conciliation is the process where there is little effective decision making by the third party who basically offers “good offices” enabling the parties to communicate more directly. However, in practice this would only work where the parties have not yet declared war on each other and where they are prepared to engage in discussions. Mediation forms the next level and we shall discuss it below as a means of enacting diplomacy. At the lowest level is direct negotiation whose success is determined by the power status of the parties. Therefore, one can argue that the lesser methods of conflict management and resolution, that are characteristic of modern global trends, all use diplomacy as means to achieving a peaceful end. In this context one can see why and how diplomacy was used in attempts to resolve the Congo crisis.

2.2 Conflict Management and the Diplomatic Process

Diplomacy is concerned with the management of relations between states and between states and other actors in the international system. In other words it is the means by which states and other actors articulate and secure their interests using correspondence, private talks, exchange of views, lobbying, visits, threats and other related activities (Barston, 1988:1). The types of diplomacy relevant to conflict management include preventive diplomacy, conference diplomacy and negotiations.

Diplomacy occurs in various forms and these can be classified as personal diplomacy, summits and conferences. Personal diplomacy involves the Heads of State, foreign ministers and other high ranking officials of government, however, it can also be carried out by representatives of other institutions such as the International Financial Institutions (IFIs), Intergovernmental Organizations (IGOs) and other actors in the international system that have acquired international personality over time (Barston, 1988:98). On the other hand, H. D. Dunn (1996: 14) defines summitry as any occasion in which chiefs of state or Heads of Government meet bilaterally or in multilateral meetings in order to deliberate on solutions to an on going crisis or an impending one.

Conference diplomacy can be defined as that part of the management in relations between governments and between governments and inter-governmental organizations, that take place in international conferences (Kaufmann, 1996:7). Other than governments, conference diplomacy is also used by non-governmental organizations; formal mediators appointed by the

parties in dispute (or the UN Secretary General and the UN Security Council); and informal facilitators such as international personalities.

Consequentially, all of the above forms of diplomacy are relevant to this study in that they have been employed in the initiatives of preventive diplomacy that have characterized the efforts made by the UN, the OAU and other institutions involved in the DRC conflict. Preventive diplomacy has been defined as any action taken to prevent disputes between any parties from arising or to prevent existing disputes from escalating into conflicts, and to curb their spread where they have already occurred (Kittani, 1998:90). In this context, it can be assumed that the efforts of the diplomatic initiatives in the DRC were geared towards the implementation and utilization of preventive diplomacy, and hence the use of mediation and negotiation to facilitate the diplomatic process. Furthermore, there is an evident linkage between preventive diplomacy and conflict management and resolution, as will be articulated in chapter four as we examine the diplomatic initiatives adopted in resolving the DRC crisis. One should also note that preventive diplomacy is also used in peacemaking as a resort to averting or ending hostilities. The concept of peacemaking is defined below when we look at various options that the UN adopts when attempting to resolve or manage conflicts.

With respect to conference diplomacy the method used is negotiation, and this can be perceived as the sum total of all talks and contacts intended to (i) work in a conclusive spirit towards one or more objectives of the conference, and (ii) to solve disputes or conflicts existing prior to the conference or arising during the session (Kaufmann, 1996:9). In trying to achieve these two objectives conference diplomacy provides various ways of applying pressure so as to force the adoption of proposals, and these include intellectual arguments; promises; over-seeking and under-offering; and threats and warnings.

Negotiations can be defined as the attempt to achieve a cease-fire and to reconcile differing views in order to reach an acceptable outcome to all parties involved (Barston, 1988:75). This method can also be used for delays in the process (“buying time”), publicity, diverting attention (from the current situation) and seeking intelligence about the other party’s negotiating position. When one talks about negotiations we find that there are five classifications that emerge from the purpose of the process. These include (Barston. 1988:77):

- Extension agreements: to continue the existing state of affairs and maintain the status quo;
- Normalization agreements: bringing an end to conflict through a cease-fire arrangement, peace treaty or a re-distribution of diplomatic relations;
- Re-distribution: changes in the status quo are sought in relation to territorial boundaries and voting powers in the international system;
- Innovative agreement: some degree of political and legal power is transferred to non-state institutions so as to co-ordinate different sets of obligations as characterized by international regimes;
- Negotiations for side-effects: parties may not get involved for the sake of reaching an agreement, but maybe for putting on record a position, propaganda or gaining information on the other parties.

In order for the above objectives of negotiations to be achieved, it is portentous to note that success in the process of negotiations can be affected by the setting or environment in which the negotiations are carried out; the capabilities of the negotiating parties; and the contingent variables such as the developing of a domestic position. However, in the context of a conflict such as our case study, the process of mediation must take place before the warring parties can recognize and determine the need for negotiations as a solution to the conflict.

If negotiations are not apt to a given situation, then conflict management may opt to use mediation. In recent times mediation has become necessary in cases where parties in dispute need to save face; the parties have distrust for each other’s intentions or where one party refuses to recognize the other. In essence, mediation is the involvement of third parties for

creating an enabling environment for the disputants to negotiate and for conveying and interpreting messages being sent by both sides to each other (Berridge, 1994:13). After mediation the need for negotiation may arise, in which case the mediator may be required to act as a facilitator. It is important to note that the success of the mediator will depend on his or her influence over the parties; however, any concessions made should be directed at the parties and not done on behalf of the mediator.

There may be more than one mediator at the same time and this ensures that the issues can be resolved from a wide perspective due to difference in style and influence. As such, the ideal mediator must have the following qualities (Berridge, 1994:21):

- Relative influence over the parties;
- Possess the ability to devote sustained attention to the dispute;
- Be perceived impartial on the specific issues in dispute; and
- Distinguished statesman within unsponsored initiatives.

Apart from the mediator there is also another important person who is often involved in the process of conflict management and resolution, the special envoy. A special envoy is a person sent as a representative by one state or entity to another state or entity (Berridge, 1994:101). This type of diplomacy is known as *ad hoc* diplomacy and it involves professional diplomats, politicians or even private individuals.

When negotiations and peace initiatives have made headway and a cease-fire has been achieved, there is often a need to supplement or replace the existing channels of communication with one or more joint commissions. Joint Commissions are standing committees that are composed of representatives of the warring parties and also sometimes

observers from states or entities that have been involved in any mediation of the conflict (Berridge, 1994:117).

In essence, conflict management uses diplomacy as a means to a peaceful solution to a crisis or conflict. When resolving a conflict through diplomacy one may use mediation if the warring parties cannot come face-to-face at a negotiating table. However, negotiations are normally used when the warring parties are willing to engage in dialogue. This may be done at a summit or a conference during the crisis stage or when a conflict has erupted.

2.3 Conflict Analysis

In order to meet the objectives of conflict management and resolution, the parties involved have to follow a process using the methods that have been discussed below. Conflict management requires that the facilitators or negotiators first analyze the conflict to determine its stage/phase so as to choose the right method(s) to adopt. There are three stages that can be identified in any given conflict, and these are dispute, conflict and hostilities (Bloomfield and Moulton, 1997:102). Among these stages there are five phases that lead to settlement and they occur as illustrated in the table below.

If an issue in dispute is not resolved in the onset, then it will have the potential of escalating into an armed engagement. In the second phase of a conflict one begins to see the signs of a military option through the build up of troops or carrying out of intensified military manoeuvres by one or all the disputing parties. Subsequently, engaging in preventive diplomacy and facilitating negotiations between the warring parties can avert hostilities. However, if these measures fail then hostilities will erupt, leading into the third stage.

**Table Showing
Conflict Analysis**

D I S P U T E					
C O N F L I C T					
<u>HOSTILITIES</u>					
Phase 1	Phase 2	Phase 3	Phase 4	Phase 5	Settlement
Dispute	Conflict	Hostilities	Post-hostilities	Post-hostilities	
Quarrel about issue	an Military option develops	Fighting between organized units	Conflict remains	Dispute remains unsettled	Dispute settled

Source: Bloomfield, Moulton, 1997:102

If the conflict is not resolved by the time it reaches the third stage, which is characterised by a show of militarization, and subsequent threat of use of force, then it is more or less guaranteed that hostilities will break out. The confrontation will be between organized groups who are in a position to carry out systematic engagements. This phase is overcome by conflict management through the use of diplomacy as a means to negotiation and mediation.

In the fourth phase there are no longer any hostilities but there is still the possibility of going back into the third phase because the fundamental issues that resulted in the conflict have not been resolved and there is still the threat of use of force. Therefore, it is essential for diplomacy to be successfully employed at this stage to ensure sustained peace. Peacemaking and peace building may be used as a means to achieving this end. If hostilities break out again, then it can be assumed that the efforts at preventive diplomacy have failed.

The fifth stage may be reached if the threat of force is eliminated and the confrontation fades away. This may happen if the parties have reached a “hurting stalemate” or they have opted to use non-violent means to solve the conflict, however, the dispute will not necessarily have been

solved. Therefore, the dispute will be settled if there is no longer any need to fight, such as if the initial causes of conflict are no longer relevant to the warring parties.

Now that the stages of conflict have been established, one can easily comprehend the situation in the DRC because it can be applied to the various stages apart from the fifth stage. This is because up until the period of study the threat of use of force was still present and sometimes exercised. The study can now determine the issues of dispute that resulted in the eruption of hostilities in the DRC in 1996 and 1998. These characteristics of conflict can then be contextualised to the various stages of conflict articulated above.

Once the phase of the conflict has been determined then it would be easier to select the method of conflict management and resolution because one will be able to choose the most apt and relevant. The various methods that may be used by the disputants or the third party participants are described below. As pointed out earlier, the various methods of conflict management will employ diplomacy as the mode of interaction; therefore, it is assumed that regardless of the method used, diplomacy provides for a means to an end.

2.4 Methods of Conflict Management and Resolution

Over the years two categories of conflict management and resolution have been used in the international system, namely prevention before the conflict escalates and management after the war has erupted, as discussed earlier. In either category private and/or formal diplomacy is used as the mode of interaction and communication between the parties involved. These initiatives are described as prophylactic intervention, that is; attempts to peacefully resolve disputes that might otherwise lead to conflicts and to prevent conflicts from escalating into

armed conflicts (Bloomfield and Moulton, 1997:57). As such, there are various options for peace that employ the use of diplomacy, and which are provided by international organizations and institutions in the international system. It is important to highlight their efficacy in resolving African conflicts and to relate their relevance to the case study.

2.4.1 Arbitration.

The Hague Conference of 1907 established the Permanent Court of Arbitration composed of four people competent in international law (Starke, 1989: 485). Arbitration is a procedure based on consensual compromise and deals with technical cases rather than those involving domestic jurisdiction or vital national interests.

2.4.2 Judicial Settlement.

A properly constituted international judicial tribunal that applies the rules of international law brings about settlement. The only such institution is the International Court of Justice based at The Hague, and it was inaugurated in April 1946. When states submit a case to the ICJ they must abide by the provisions of the statute governing the operation of the court, and accept their obligations under Article 96 of the UN Charter. Fifteen judges are appointed to the court on an absolute majority vote in the General Assembly and the Security Council. These judges are nominated from the panel of the Permanent Court of Arbitration. On June 23 1999, Kabila took Rwanda, Burundi and Uganda to the International Court of Justice (ICJ) and accused them of invading the DRC territory on August 2 1998 (UN Integrated Regional Information Network, 2000).

2.4.3 Negotiations.

The process of negotiation involves mediation between two disputing parties through conciliation or inquiry by a third party appointed by the disputants. Good offices that may be used in this process are such as prominent Heads of State and diplomats who are renowned for their mediation initiatives, such as Mandela, Nyere and Carter. Other good offices would include regional organizations, such as the OAU Secretary General's Office (this method has also been discussed above).

2.4.4 Publicization of Issues.

Sometimes when quiet diplomacy has failed, then Bloomfield and Moulton (1997:63) suggest that the issues of dispute should be publicized so that the public can be aware of the areas of contention. The purpose of this is to uncoersively pressurize the parties into a settlement through such initiatives as media reports that contribute to the establishment of embargos against the conflicting parties and enhancement of pressure by the international community.

2.4.5 Deterrence.

In certain instances the threat of use of force may help to prevent a conflict due to its psychological impact. Deterrence can also be achieved through the threat of sanctions by other parties not involved in the conflict so as to pressurize the disputing parties to reach a settlement, such as the provisions laid out in Chapter IV of the UN Charter. This method can be adopted as an outcome of the above stated action.

2.4.6 Peaceful Transition.

This strategy can help to avert hostilities if the parties involved adhere to the principle of *ex aequo et bono*: that is, use of common sense and equity rather than the letter of the law

(Bloomfield and Moulton, 1997:65). In other words, it is not always necessary to follow precisely the laid down provisions because they may not always be in the interest of the disputing parties, therefore, so long as the parties are equivocal in their intentions, then a peaceful settlement may be reached. In this context, there is no evidence that this method is apt for the DRC because the warring parties appear to be driven by their political and economic interests that override the principle of common sense.

2.4.7 Early-Warning System.

An early warning system is a modern analytical method of looking at certain indicators and being able to determine where there is an area of potential conflict. Once the area has been identified then it is easy to devise methods to prevent the conflict from erupting into hostilities. Some of the common indicators in developing countries are food insecurity, economic decline, population displacement and disruption of social institutions and social relations (Bloomfield and Moulton, 1997:67).

2.4.8 Settlement Through the United Nations.

Disputes can also be solved through the auspices of the United Nations by submitting the case to the Security Council, but if no decision can be reached then the case is presented to the General Assembly. At another level the cases may be dealt with by the office of the Secretary General through the deployment of special envoys. This process involves mediation, which is generally used because it leaves more discretion in the hands of the disputing parties, and hence is less likely to be perceived as a challenge to sovereignty. Therefore, it can be argued that the responsibility for preventive diplomacy in the UN rests primarily with the Security Council and the Secretary General. The Council can act arbitrarily, but it commonly works on the advice of the Secretary General such as in the dispatch of a special representative and a

small advisory team to Burundi, the appointment of a Special Envoy to Sierra Leone (Kittani, 1998:90). Preventive action, and hence diplomacy by the UN, often involves cooperation with other entities based on the idea of comparative advantage, and thus, rather than launch direct initiatives in the DRC, the UN opted to work together with the OAU, as shall be discussed below.

The peaceful methods of conflict management and resolution tend to involve third parties unless they are direct negotiations between the disputing parties. In the lesser formal structures, that is, less legalistic, mediation is conducted at a Heads of States and Government level, Ministerial level or an independent third party such as a special envoy or international personality. These mediations may be in the form of summits or consultative meetings. Summitry involves meetings at the highest level of government to resolve international differences and civil wars that are now considered as international conflicts under the Additional Protocol I & II of the UN Charter (Dunn, 1996:4). All of these methods are classified as multilateral methods of conflict resolution because they involve third parties. A multilateral approach is better because the more united people are the less chance of a conflict occurring and the easier it is to solve one (Doyle, 1996:2). The bilateral approaches are normally adopted in cases of negotiation between the two parties without a third party.

In twentieth century conflicts peaceful methods have often been used to solve disputes, but their failure can be explained by the lack of an arbitrary power that can ensure compliance to the outcome of the settlements. Once these political means have failed, then it is certain that armed conflict will break out, and thus the need for the rules of humanitarian warfare. On the other hand, intervention is carried out through peacekeeping and/or peace enforcement, peace-

building, and peacemaking. In his summary of the UN Secretary General's Report on Africa, Tim Wichert (1998) defines and distinguishes between the 3Ps:

***Peacemaking** refers to largely diplomatic efforts such as negotiation, mediation and fact-finding missions. Despite the diplomatic efforts, peacemaking also involves the use of sanctions and arms embargos, although it is acknowledged that sometimes sanctions will have a negative effect on the civilian population.*

***Peacekeeping** is the concept whereby national soldiers are transformed into an international force under UN auspices. Sometimes these troops will come under attack from the different warring parties thus being forced to defend themselves or to use force to ensure adherence to the cease-fire. This process is known as **peace-enforcement** and comes under the jurisdiction of the peacekeepers as 'provided for in the UN Charter.*

***Peace-building** is the process of consolidating peace at the end of conflict, and putting the pieces in place to prevent future conflict. This process entails changing society's attitudes, incorporating the efforts of civil society, political inclusiveness and economic integration.*

Intervention as a means of conflict management will be adopted when any of the following conditions arise (Bloomfield and Moulton, 1997:72):

- If the conflict impacts upon international or regional security;
- If the conflict destabilizes the intricate system of interdependencies on which the world economy rests;
- If there is widespread violation of human rights necessitating humanitarian intervention.

When looking at conflict and intervention in Africa, one has to take into account the various dimensions necessary for the successful and legitimate adoption of such initiatives. Some of these dimensions include (Ekwe-Ekwe, 1990:1):

- The determining of the extent of intervention in the conflict;
- The type of intervention the contending powers groups or factions are prepared to accept during hostilities;
- The motive for intervention;
- The mode of intervention; and
- The consequences of intervention (outcomes).

Although the situation in the DRC meets the conditions necessary for intervention, as mentioned above, this option was only taken by the country's neighbors and not the region or the international community. However, the problem in this situation arises from the fact that the parties that intervened were also the belligerents, thus they cannot exercise neutrality. Subsequently, one should note that the methods used in prevention can also be used if a war erupts, thus the linkage between the implementation of the 3Ps. For instance, the neighbors of the DRC intervened for the sake of maintaining security along their borders, but this did not prevent the conflict and so diplomacy was employed through mediation and negotiation as a means to halting the hostilities.

2.5 Mechanisms of Conflict Management

There are various mechanisms for conflict management and resolution that exist in the international system which have been repeatedly called upon to use the methods discussed above to either resolve a crisis or a conflict (*see distinction above*). These mechanisms exist in the form of international and regional organizations like the UN and OAU, international

institutions, NGOs and *ad hoc* commissions and personal initiatives. At this juncture we would like to look at the structure of the main conflict resolution mechanisms that have been employed in the area of the case study.

2.5.1 The United Nations

As a mechanism for conflict management the UN Charter provides for mediation, negotiation, enquiry, arbitration, conciliation and judicial settlement (Kende, 1986:83). The Charter also allows for regional initiatives or other peaceful means of settlement so long as the Security Council has endorsed them. Article 29 authorizes the Security Council to establish any organs that can increase its efficacy, such as the 1995 fact-finding mission sent to Bujumbura, Burundi (*ibid.* 96). At an operational level the UN Department of Political Affairs works closely with other departments of the organization in the pursuit of conflict prevention and resolution. With respect to Africa, the number of innovations that the Secretary General has introduced in the strategic management of the United Nations has already helped improve the manner in which it has dealt with conflict and instability. Innovations that were mentioned in the Secretary General's Report on Africa include (UN Secretary General's Report to the UN Security Council, 1998):

- The appointment of a joint UN and Organization of African Unity (OAU) Envoy for the Great Lakes in 1997 marked a significant innovation that may also prove useful in other circumstances. The appointment of a UN Special Representative for Children in Armed Conflict during the same year also institutionalized international community's focus on the subject.
- The UN Mission in the Central African Republic (MINURCA), the first preventive peacekeeping deployment in Africa, and only the second in the world (after the Former Yugoslav Republic of Macedonia).
- Establishment of UN Executive Committees on Peace and Security and Humanitarian Affairs to prepare and coordinate complex operations.

- Establishment of contact groups of interested countries to mobilize international support for peace efforts, as was done in Liberia.
- Co-deploying with regional, sub-regional, or multinational forces. A small unarmed force of UN military observers was deployed alongside ECOMOG, its mandate being to work with the West African force in the implementation of the peace agreement in Liberia.
- Annual meetings between officials from the UN and OAU Secretariats chaired by the two Secretaries-General and the establishment of a UN liaison office at the headquarters of the OAU in Addis Ababa to consolidate cooperation and facilitate the coordinated deployment of political efforts to prevent, contain and resolve conflicts in Africa. The UN, in the interests of coordination, also has supported Togo's mediation efforts over the Bakassi Peninsula, and the mediation efforts of former President Julius Nyerere with respect to Burundi.

In the DRC conflict the UN has opted to work together with the OAU for the sake of efficiency and efficacy. The crisis provides a unique conflict management and resolution situation in that for the first time Africa has been left to find solutions to its own problems, and as such, the UN supports the initiatives of the OAU as a regional organization composed of African leaders who are enlightened on African problems.

2.5.2 The Organization Of African Unity (OAU)

In May 1963, the Founding Fathers met in Addis Ababa, Ethiopia, and founded the Organization of African Unity (OAU) guided by their collective conviction that freedom, equality, justice and dignity are legitimate aspirations of the African people, and by the desire to harness the human and natural resources for the advancement of the continent in all spheres of human endeavor (*see Appendix II*). One of the key hindering factors towards achieving the OAU objectives is the persistence of conflicts in Africa, therefore, the Organization has had to develop mechanisms that enable it to effectively and successfully prevent, resolve and terminate conflicts on the continent. With the failure of the Commission on Mediation and

Arbitration, there evolved the use of *ad hoc* committees of two or three Heads of State to facilitate the negotiations in conflicts within and between states. For instance, this was the case in the territorial disputes between Algeria and Morocco in 1971, between Somalia and Ethiopia and between Somalia and Kenya (Vogt, 1997:61). In more recent times *ad hoc* committees are used for civil wars such as that in the DRC (*see chapter four*).

Article VII of the Charter created a provision for a Commission of Mediation, Conciliation and Arbitration, it never came into operation due to lack of commitment and fear of contradicting the Charter with respect to sovereign equality of all members (Mpwotsh, 1986:135). Another factor was that there was a tendency for conflicts to be resolved by political means rather than judicial settlement. This is evidenced by the impetus given to conflict prevention, management and resolution by the 1990 Declaration of the Assembly of Heads of States and Government of the OAU on the political and socio-economic situation in Africa and the Fundamental Changes taking place in the World (*see Appendix II*). It was from this Declaration that in June 1993, at the Twenty-ninth Ordinary Session of the OAU Assembly of Heads of States and Government in Cairo, Egypt, that it was decided to establish in the OAU a Mechanism for Conflict Prevention, Management and Resolution (MCPMR) (*ibid.*). The purpose of the MCPMR is to anticipate, prevent, manage and resolve conflicts on the continent at the different stages and manifestations in which they may occur. A central Organ co-ordinates the activities of the MCPMR and a Peace Fund has been established to finance these activities (*see Appendix II*).

The OAU through monitoring, preventive diplomacy and mediation has been able to get involved in missions such as those in the Congo, DRC, Gabon Sierra Leone, Somalia Rwanda Burundi, Sudan, Nigeria, Cameroon, Lesotho, South Africa, Liberia and Mozambique (Backwesegha, 1997: 90-91). A good example is the case of Rwanda and Burundi, where the



August 1993 Arusha peace agreement between the Rwandan government and the Rwandan Patriotic Front (RPF) which were signed under the aegis of the OAU, although genocide erupted in 1994. In Liberia the OAU has been very supportive of the Economic Community Of West African States (ECOWAS), and in fact, the Secretary General attended the meeting that culminated in the creation of Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG), which has quelled hostilities in the exigency. Crisis in the Congo erupted in 1993 between the government and the opposition, at about the same time as the formation of the Central Organ, thus the OAU moved in quickly and played a central role in the mediation process that brought about normalcy in the country (*ibid.* 91). A similar situation emerged in Gabon and the President called upon the OAU to intervene. In 1998 the Comoros Islands were invaded by a group of French mercenaries, and the OAU, through the Central Organ, acted swiftly and expeditiously to prevent the conflict from degenerating into an uncontrollable situation.

The OAU has often appointed Special Envoys, under the “Good Offices” of the Secretary General, to initiate and facilitate negotiations and mediations (*ibid.*). Some of these include Julius Nyerere (former president of Tanzania working on the Burundi peace initiative), Nelson Mandela (former president of South Africa who took over the Burundi peace process after Nyerere’s death), General Canaan Banana (former president of Zimbabwe and special envoy to the Liberian crisis), and General Amadou Toumani Toure of Mali (former OAU Secretary General. Therefore, it can be said that the OAU employs private diplomacy through the use of African elder statesmen and prominent individuals with international personality.

Fundamentally, it is evident that the OAU does not impose peace, but facilitates the peace process through mediation. This contention helps to illuminate the presupposition of this study

that conflict management and resolution in the DRC can employ mediation through the OAU as an African organization to facilitate peaceful means to an end to the conflict.

So far the study has examined conflict and conflict management and resolution by conceptualizing the notion that political compromise is a solution to the Congo crisis now that military engagement has only produced a stalemate and no long-term solution. The study has also discussed the mechanisms or agents of conflict management, namely the UN and the OAU and established that with respect to the case study, positive and more efficient results would be best achieved through the synchronization of efforts by the two organizations. Furthermore, the OAU has the potential to better understand the issues in dispute, and subsequently draft apt solutions, because it is an African organization. Therefore, mediation and negotiation are suitable approaches of conflict management and resolution in the DRC, through the use of the OAU mechanism, the “good offices” of the Secretary General and international personalities. In the latter case *ad hoc* diplomacy is appropriate.

2.6 Conclusion

With the understanding of conflict and how it interacts with society, this chapter has established and articulated the methods of preventing and resolving conflicts. As described earlier in the chapter, conflicts can either be provented or prevented before they escalate into hostilities or they can be managed or reduced once the armed engagement has begun. However, one must analyze the conflict and determine its phase so as to employ the most apt method.

Once the phase of the conflict has been determined, one can now choose whether to employ preventative methods or reduction/resolution methods of conflict management. All the methods

use diplomacy as the mode of communication, be it formal or private diplomacy. And in most cases this is done through the use of *ad hoc* summitry meetings. If diplomacy has failed at the preventative stage then the parties may opt to combine it with physical intervention (which has already been discussed). This perception is enshrined in the context of preventive diplomacy, which provides for the operation of the UN peacemaking and other peaceful endeavors at conflict management and resolution. These methods are also employed by organizations and institutions that have a vested interest in the conflict and that have the mandate to carry out such activities, such as the humanitarian NGOs and in this case the OAU.

In his study of Preventive Diplomacy and Peacemaking, Kittani (1998) analyzed the operations of the UN and made several observations of efforts that are conspicuous to the organization and similar to efforts by other organizations. Firstly, he noted that no third party intervention in any conflict can succeed without a political will among the parties involved, therefore, the greatest challenge for a mediator is to identify moderate individuals within the protagonist leadership with whom they can interact without intimidating the hardliners (*ibid.*105). Secondly, success in preventive diplomacy and conflict management and resolution through peacemaking depends on the ability of the mediator to determine when the conflict or dispute is ripe for diplomatic intervention and to make apt recommendations for action accordingly.

The mechanisms of conflict management and resolution either take it upon themselves to get involved in the process or they use other initiatives under their auspices. A good example in this case would be the Heads of State Summits held for peace talks over the DRC. It is from these mechanisms and their initiatives that we can apply the models of analysis that assist one to develop a workable and positive solution. These are what Fisher (1994) calls the Checklist system or the Four Quadrant System.

Thus far the meaning of conflict management and resolution has been established, together with what is entailed in the process. In this context, the study can now examine the facts behind the causation, escalation and persistence of the DRC crisis. From thence we can be able to look at the diplomatic initiatives undertaken by the various actors of preventive diplomacy. It is important to note that from the above, there are only three ways to resolve a conflict, and these are peaceful settlement, victory or a “hurting stalemate.”

CHAPTER THREE

3. Congo Crisis in Perspective:

1996-1999

3.0 Introduction

So far the study has established that African conflicts have been expanding in nature and changing in their characteristics. Initially they were anti-colonial engagements, but in the post-colonial era they transformed into civil wars against oppressive regimes. At the same time they were expanding into intra-regional conflicts from intra-state conflicts. Therefore, this has created a need to change the approaches of conflict management and resolution in African conflicts. Thus, the study has found that conflict prevention or provention through the use of preventive diplomacy is the best form of conflict management in the African situation before a crisis has escalated into a conflict. However, once there are hostilities, then negotiations, conciliation and mediation are more apt for managing the conflict. The two conflicts in the DRC provide an ideal example of the expanding nature of conflict in Africa and the need for conflict management.

The DRC conflicts are characteristic of an intra-state crisis that escalated into a conflict with spill-over effects into the neighbouring countries. The characteristics of conflict vary slightly between the two conflicts. The 1996-7 conflict was characterised by a structural conflict through the need to change the administrative structures (complemented by power struggles), a crisis of political institutions and the politicisation of ethnicity. The influence of external forces also played a central factor in the eruption of hostilities. On the other hand, the second conflict

manifested itself as a crisis of political institutions accompanied by social polarisation based on ethnicity (complemented by influence from external forces). In both cases, the suitable methods of conflict management and resolution applicable are negotiation and mediation under the auspices of the OAU. This is done through the use of facilitators, mediators and special envoys. However, although these methods were used in the first conflict, they did not reach their objectives because the war ended with a military victory. In the second conflict they seemed to be more successful, although they could not secure a commitment to peace from the warring parties because the military situation was less clear-cut. The reason for this may be that the conflict was not properly explained to the parties involved in the peace initiatives, thus the indifferentiated use of various methods of conflict management and resolution.

This chapter breaks down the two conflicts to show the reasons for their eruption and to create an understanding of how conflict management was applied to the situation. To do this, the chapter first profiles the country, characterises the conflict and provides a background on which diplomacy as a means of carrying out mediation, conciliation and negotiations was employed.

3.1 Country Profile of the Congo

The Democratic Republic of Congo (DRC), formerly known as Zaire, is located in Central Africa within the political region known as the Great Lakes covers an area of approximately 2,344,885 square kilometres and it shares boundaries with 8 other countries, namely: Angola, Rwanda, Central African Republic, Congo-Brazzaville, Burundi, Sudan Uganda and Zambia. The country has a wide ethnic composition that exceeds 200 ethnic communities with the

majority being of Bantu origin. The dominant groups are the Kongo, the Luba, the Mongo and the Mangbetu-Azande, forming about 45% of the total population.

The DRC is endowed with a vast array of resources including mineral deposits that give it the potential of being an economic giant in the region and ultimately in the world. Some of its key resources include: copper, cobalt, cadmium, industrial and gem diamonds, petroleum, gold, silver, zinc, manganese, tin, germanium, uranium, radium, bauxite, iron ore, coal and hydro-power potential. With this amount of wealth one can comprehend why the DRC is of such economic and geo-strategic importance. This potential is supported by an infrastructure of 11 ports and 217 airports.

There are ten administrative regions and one city, Kinshasa. The regions include: Bandudu, Bas-Zaire, Equateur, Haut-Zaire, Kasai-Oriental, Maniema, Nord-Kivu, Shaba and Sud-Kivu (*see Appendix I*). Congo is ruled by a strong presidential system that is a Republic in structure run by Laurent Kabila since 1997. All political parties have been banned but the main opposition party is the Union of Democracy And Social Progress (UPPDS) under Etienne Tshisekedi.

The present government is run by the *Alliance Des Forces Democratique pour la Liberation du Congo* (AFDL) movement which is a coalition of four movements which defeated Mobutu (the former president of Zaire). These include Laurent Kabila's People's Revolutionary Party (PRP), the People's Democratic Alliance (ADP) led by Deogratias Bugera, (a Masisi Tutsi), the Revolutionary Movement for the Liberation of Zaire/Congo (MRLC) led by Masavu Ningaba (a member of the Bashi ethnic group who are a majority in South Kivu); and the Regional Resistance Council for Democracy (CNRD) led by Kasasse Ngandu (Braeckman,

1997) (Kuhne et.al, 1999:4). Apart from these major parties the movement also incorporated anti-Mobutu exiles from all over the world composed of activists and intellectuals. As they gained ground support also came from those Congolese military officers living in Angola, the so-called Katanga Gendarmes and the Angolan Armed Forces (APLA). The movement came into being on October 18 1996 in Mamera, South Kivu (see *Appendix III*).

The historical context to the conflict in the DRC is based on different periods of political and conflictual activity. The conflicts of 1996-7 and 1998-end of period of study, both have their linkages to the history of Congo from the colonial period to the post-Mobutu era.

3.2 Historical Context to the Conflicts in the DRC

The current territory of the Democratic Republic of Congo (DRC) owes its form to the colonial legacy left behind by the Belgians. After the 1884-5 Berlin Conference the territory became the personal property of King Leopald II of Belgium, which he named the Congo Free State. After a series of scandals arising from the brutality with which the local people were treated-commandeered as forced labourers (on rubber plantations especially), the territory was annexed by the Belgian government in 1908 and thereafter became a Belgian colony. The colonial government succeeded in establishing an efficient infrastructure and nation-wide administration often through the use of forced labour. Nationalist agitations in 1959 increased as a result of frustration by the social and political structures put in place by the imperialists. This led to the country's independence on June 30 1960, and the First Republic was proclaimed under the leadership of President Joseph Kasavubu and Prime Minister Patrice Lumumba.

The First Republic ended with the coup of 1965 when General Mobutu took over and introduced his totalitarian and corrupt rule. During this period Zaire experienced a phase of increased nationalism in the 1970s spear-headed by Mobutu, but this ended when foreign investors withdrew from the country and the government had to rescind its nationalization policies to encourage economic growth. However, this period of political calm ended in the late 1970s and instability continued throughout the 1980s due to the politicisation of ethnicity against the Congolese Tutsis. Political activity was intensified in the early 1990s by a wave of democratisation that gripped the country. Combined with ethnic antagonism, the withdrawal of support from external forces and the struggle for political power, the escalation of conflict was inevitable in Zaire.

The characteristics of the conflict that erupted in 1996 began to manifest themselves in the early years of post-independent Zaire. Soon after independence chaos followed, dramatised by the mutiny of the Force Republique (army) on July 5 1960 and the Katanga secession of July 11 1960. The south-eastern region of Kasai province (now Kasai-Oriental and Kasai-Occidental region) also followed suit and tried to secede. The crisis was further compounded by the power struggles between Prime Minister Lumumba and President Kasavubu (based on a personality clash, different bases of support and divergent conceptions of Congolese policy), culminating in the assassination of Lumumba in January 1961 by the Katangese secessionists who got help from Mobutu, the US and Belgium (Turner and Meditz, 1994). Despite its domestic orientation, the crisis also had an international dimension from foreign interference. For instance, in response to the mutiny the Belgians sent troops to protect Belgian lives but the Congolese viewed it as unwarranted aggression and as an attempt to reoccupy the country. The Belgians also played a role in the secession of Katanga by giving Moise Tshombe (leader of the Katangese rebels) financial and technical support (*ibid.*). Therefore, the impact of external

forces was evident soon after independence and it was complemented by a structural conflict initiated by the Katangese rebels who wanted their own independence from the rest of the country.

At another level, international involvement in the Congo happened through the presence of a multinational UN force invited by Kasavubu and Lumumba to deal with the Katanga and Kasai secessionists. Coincidentally, Congo was drawn into the Cold War by Lumumba's acceptance of substantial Soviet aid to attack secessionist areas (*ibid.*). The Katanga rebellion was finally suppressed in January 1963 by UN forces. However, a Lumumbist (supporters of Lumumba's nationalism) rural insurgency soon followed in 1964, but was crushed by the national government with the help of Belgium and the US. As such, the resultant weakness of the Congolese army had the country drawn into the Cold War, and allowed foreign forces to establish a minimal presence in Zaire. Consequently, this also meant that the US and Belgium were to continue to influence the internal affairs of Zaire in pursuit of their own interests under the guise of protecting the country's territorial integrity and sovereignty.

The national forces of Zaire continued to be unable to defend the borders of the country. Thus, foreign forces were used to quell insurgencies in Shaba and Moba town in the late 1970s and 1980s (*ibid.*). In 1977 and 1978, foreign troops were used to repulse an invasion on the Shaba region by Angolan-based rebels. Also in 1984 and 1985, foreign troops were used to rebuff an attack on the town of Moba along Lake Tanganyika that had been briefly occupied. Therefore, one can see a consistency in that the Zairian government always had to rely on external forces to protect its borders, and thus was vulnerable to foreign influence. This becomes especially apparent in the 1990s, particularly in the conflicts of 1996 and 1998. Here both regimes (Kabila's and Mobutu's) had to rely on the support of their neighbours to rebuff their

opponents. Consequently this reliance on foreign military assistance eventually in itself became a characteristic of conflict. This is because the foreign forces ended up dominating the AFDL and pursuing their own interests rather than those of the Congolese. This will be articulated as the study examines the causes of conflict in the DRC.

After the 1964 rebellion there was still tension as political rivalry still prevailed between the President and the Prime Minister, who was now Cyril Aduola. This gave credence for the military coup of 1965 by Mobutu. This brings us into the period of the second republic (1965-1990). When Mobutu took over in 1965 he eventually adopted a one party system of government that was characterised by institutionalised kleptocracy and corruption. He began this by proclaiming the Second Republic that would reclaim the glory of Zaire. From when he came to power and up until the mid-1970s, Mobutu nationalized all industries and boosted the nationalistic sentiments of the people by changing the country's name to Zaire. However, this proved to be fatal to the country because his administration ran down the economy of the nation and the European settlers moved their investments (Turner and Meditz). Following this economic decline Mobutu changed his economic policies and reverted to re-privatisation by the early 1980s.

Mobutu's one party rule greatly contributed to the push for democracy that later gripped the country in the late 1980s and early 1990s. The crisis of political institutions can be linked to the support the opposition parties received from external forces. A good example is the support the *Union pour la Democratie et le Progres Social* (UDPS) received from Europe and North America (*ibid.*). Another socio-political factor linked to democratisation are the political structures. By the mid-1970s Mobutu had installed a centralized system of government that was dictatorial in nature, and this would later contribute to conflict in the 1990s due to the

ineffectiveness and antagonistic nature of such structures. This is articulated by the structural and political process theories that interpret conflict as arising from the need to change political structures and the redistribution of power (economic and political).

By the end of the 1980s Mobutu was under immense pressure both from within and without to carry out political reforms and transform the country into a democracy. This came from the International Financial Institutions (IFIs) such as the World Bank and IMF through attachment of conditionalities to aid and reform. The ending of the Cold War also meant that the US withdrew support from Mobutu, and they were also asking him to democratise. This had a negative impact on his regime because the Americans were the ones who propped up his government. At the same time Mobutu was under pressure from within to deal with the Zairian Tutsis because of the ethnic hatred promulgated by the local communities and the government.. The ethnicisation of politics against the Tutsis arose from their political and economic power (prosperity) , which they used to influence policy in the country towards their advantage. Therefore, Mobutu opted to deny them their citizenship and this meant that they had no right to land (Nzongola-Ntalaya, 1996:393) (Solomon, 1997:1). This issue would end up triggering the conflict that erupted in 1996.

In 1990 Mobutu succumbed to the pressure from the pro-democracy movement in the country and the international community, and agreed to carry out the reforms through the establishment of the *Conference Nationale Souveraine* (CNS) that was to implement the transition to the new democratic government. However, he later undermined it and rendered it ineffective by establishing his own government other than that selected legitimately by the CNS, which was headed by Etienne Tshisekedi (leader of the UDPS) who was by this time seen as very popular amongst the people.

By 1996 the opposition parties under the banner of the CNS were still agitating for political reforms. At the same time the ethnic hatred against the Congolese Tutsis intensified with the continued politicisation of ethnicity by anti-Kabila protagonists through public calls for the expulsion of “foreigners.” When the Tutsis were asked to leave Zaire by the Governor of South Kivu they retaliated. This is what ultimately resulted in the eruption of hostilities. Conflict was also due to the failure of Mobutu to allow for parliamentary government and to institute the rule of law. The Tutsis joined the AFDL upon its formation in Memera on October 18 1996. This was also the first place they attacked when the war began on October 10 (Braeckman, 1999).

The rebels moved with lightening speed and within seven months had taken over Kinshasa and proclaimed a new government. Kabila was declared Head of State and he promised to carry out political reforms and hold democratic elections by April 1999. However, as he continued to consolidate his power he began to adopt a milder form of Mobutuism that we can term as Kabilaism (Tshyembe, 1999). This would contribute to the outbreak of the second confrontation in August 1998.

The second confrontation was triggered by Kabila’s call for the Rwandan and Congolese Tutsis to leave the Congo and return to their lands of origin. At this time the AFDL forces were dominated by the Tutsis and there was unpopularity for Kabila because he was being controlled by foreigners (as portrayed by the composition of senior military officers in the AFDL) (Braeckman, 1997). As such, in attempting to create a political base he had to get rid of the “foreigners.” One also needs to note that Kabila had not met the interests of the external forces allied to the Congolese Tutsis that helped him come to power. As such, the issue of insecurity

along the borders had not been resolved. At the same time, Kabila recruited the rebel forces fighting his neighbours and this exacerbated their (neighbours) resistance against him.

By the end of the period of study, that is, December 1999, the rebels were in control of about three quarters of the country. In fact, when the hostilities broke out in August 1998, the rebels had reached the outskirts of Kinshasa. The Kabila regime was saved only by the intervention of Angolan, Zimbabwean and Namibian troops under the nominal auspices of the Southern African Development Community (SADC).

3.3 Analysis of the Conflict

The study of the DRC wishes to establish the characteristics of the issues in dispute that led to the escalation of hostilities in October 1996 and in August 1998, through an analysis of both conflict situations. This enables one to comprehend why the war broke out the first time and which of the issues were not resolved such that there was another rebellion eighteen months later.

The character of the DRC conflict is best explained by the three theories discussed in the previous chapter, that is, structural theories, political process theories and socio-psychological theories. This section shows how they view the situation by using the model of conflict analysis provided by Bloomfield and Moulton (1997:102).

3.3.1 Issues in Dispute: Prior to 1996 Conflict

The study has been able to establish several issues that contributed to the eruption of hostilities in 1996, basically supporting the contention that the afore mentioned three factors (ethnicity,

power struggles and external factors) were underpinning the situation. Since the characteristics of conflict tend to manifest themselves as short and long term, it is prudent to begin by looking at the different issue(s) in dispute as they emerged during the Mobutu era based on their theoretical classification.

3.3.1.1 Structural Factors

The first overall issue to have contributed to Zaire's decline into near disintegration is the failure of the Mobutu government to economically provide for the general population, as explained by the structural process theories. Therefore, it can be assumed that this was a structural problem that the Zairians and Tutsis wanted to change. This is evidenced by the fact that Mobutu had nearly totally privatised all state institutions for fear that effective officials and efficient institutions could acquire interests and powers sufficient to threaten the presidency position (Reed, 1998:18). As a result there was poor administration of the provinces and civil society was not able to positively contribute to nation-building, thus breeding contempt for the government and hence the general desire to replace it. His plunder of the nation's wealth also meant that there was no money for providing essential services such as education and health. Essentially, Mobutu did not want anyone to be in a position to challenge his authority so he ensured that no person or institution would ever have access to power and economic resources.

3.3.1.2 Power Struggle Factors

Another long-term factor contributing to the situation underlying the eruption of conflict in the Congo is the question of democratisation and the failure of the Mobutu regime to carry out any meaningful political transition. This is indirectly linked to the issue raised above, in that democratisation was an attempt to alter the administrative structure and to redistribute power to

include the opposition parties. This notion is better understood by looking at the political process theories that explain power struggles as a source of conflict. From 1965 when Mobutu took over the leadership of Zaire, the country had been under a one-party political system. However, due to pressures from within and the international community, including the International Financial Institutions (IFIs), Mobutu succumbed and agreed to adopt a multi-party system in 1990. In 1992 he allowed for the formation of the *Conférence Nationale Souveraine* (CNS), which was to transform Zaire into a democracy, but in the next seven years he would undermine it so that it would prove helpless and ineffective (Turner and Meditz, 1994). At this time Etienne Tshisekedi (UDPS) was selected to head the conference as the unified and popular opposition leader.

3.3.1.3 Ethnicity Factors

The main issue from the past and that also triggered the conflict in October 1996 is one of state sponsored ethnic hatred against the Congolese Tutsis in eastern Zaire (Nzongola-Ntalaya, 1996:392-384). This is tied to the question of whether the Banyamulenge have a right to claim ancestral land and citizenship in eastern Zaire, as they have been present in the area since the formation of modern-day Congo in August 1885. One can understand the roots of this hatred by having an insight into the history of the Banyamulenge in Zaire. It becomes apparent that politicisation of ethnicity is an important growing factor of the 1996-7 conflict and transforms into a means to sustain the second conflict.

The Congolese Tutsis have been living in the Mulenge hills between Lakes Kivu and Tanganyika or Bukavu and Uvira in South Kivu, and hence their name (*ibid.*). Their origins can be measured in three waves. To ease demographic pressure on Rwanda during the colonial period, the Belgians moved thousands of Banyarwanda (Hutus and Tutsis) peasants to the

eastern districts of Zaire of Masisi, Rutshuru and Walikale in North Kivu between 1937 and 1955. Thousands more were recruited to work in the mining and transport industries in Shaba, Maniema and South Kivu provinces. Most of these people also voted in the first Municipal elections of 1957-58 and the independence elections of 1960 (Nzongola-Ntalaya, 1996:393). As such, one can already determine that the Banyamlenge claim to citizenship was justified because they were able to take part in elections.

Another added advantage in favour of the Banyarwanda was a decree signed by Mobutu in 1972, under the influence of his Tutsi Chief of Staff, giving formal Zairian citizenship to all natives of Rwanda and Burundi who had settled in the country before 1950 (*ibid.*). Discontent against the Tutsis began to emerge with their growing political and economic success that saw them acquire more land in North and South Kivu. They would also bribe some chiefs and use their linkage with Mobutu to better their status. This bred resentment against them and other communities (Nzongola-Ntalaya, 1996:392). However, pressure on Mobutu by the Zairian made him revoke his decree of 1972 in 1981, and Zairian citizenship was defined as membership of ethnic groups known to exist in the borders of Zaire as defined in August 1885 (*ibid.*). This denial of citizenship meant the denial of land and thus the linkage between the land and the ethnic issue as a characteristic of conflict. In May 1995 legislation was passed which forbade the Banyamlenge from buying land homes in Zaire (Solomon, 1997:1).

One perception of the socio-psychological theories is that conflict is contingent; that is; the existence of certain conditions will render it inevitable. Another perspective views conflict as being inherent through the existence of its potential. Therefore, it is unfortunate that the Zairian government adopted social polarisation as a strategy rather than to arrest the crisis at its early stages, creating the unusual conditions for the eruption of conflict. In fact, the authorities

fuelled the conflict by issuing xenophobic appeals, while the government soldiers were selling arms to both sides (the Tutsis and other ethnic groups opposed to them) (*ibid.* 1-2) (Nzongolo-Ntalaya, 1996:393). One can find various examples of this attitude adopted by the state such as in December 1995 when the army Chief of Staff, General Eluki Aunda, announced that the Hunde, Nyanga and the Tembo of eastern Zaire had the right to “expel the foreigners” from the land (Solomon, 1997:1). Another example is a statement issued by the Deputy Governor of South Kivu, Lwai Ngabo Lwaba, in September 1996, in which he warned the Tutsis to leave Zaire within a week or they would be interned into camps and killed (Nzongolo-Ntalaya, 1996; 393)). Therefore, from a socio-psychological perspective one can see that ethnic hatred forms a root cause to the dispute and was also perpetrated by the government. Polarisation was also used in order to divert attention from economic collapse and the incompetence of the state.

3.3.1.4 External Forces Factor

Another influential factor characterising the conflict is the external influence by Zaire’s neighbours and even beyond. The Zairian Tutsis had supported the Rwandan Patriotic Front (RPF) in their initiatives to overthrow the government and end the genocide of 1994. On the other hand the Zairian government had been supporting the Habyarimana regime, and thus the loyalty of the Tutsis to the government was in doubt. At the same time, Zaire allowed the French, through their Operation Turquoise, to assist Habyarimana’s army and the Interahamwe to regroup in Zaire and relaunch attacks on Rwanda. (*ibid.*). Thus, external forces were already a cause for the escalation of the crisis into an intra-regional conflict in 1996 and also acted as a means to sustain it. At this juncture it is imperative for the study to look at the interests that the external forces have in Zaire from the onset of the conflict.

Rwanda

Among the 200,000-300,000 refugees that fled the 1994 Rwanda genocide into Zaire were armed militia (Interahamwe), ex- FAR (former soldiers of the Rwandese Armed Forces) and leaders of the former government. They sought to destabilise the RPF by mounting an insurgency against it, utilizing internationally sponsored refugee camps in Zaire as their rear bases. They secured a base by actively participating in local Zairian politics and by aligning themselves with Hutu residents in Zaire (through espousing Tutsi hatred) (Reed, 1998:19). The camps were also being used to recruit young men for counter insurgencies into Rwanda, while at the same time support came from Zairians who were intimidated by the Rwandese presence. Propaganda of ethnic hatred was being disseminated by the Hutus in the camps and it spilt over into the host provinces of Kivu, which in turn intensified the ethnic strife (Human Rights Watch, 1997:9).

All this was happening with the knowledge and apparent abetting of the Mobutu government since the spread of the anti-Tutsi sentiments was within the objective of the Zairian government. At the same time the international community was doing nothing to disarm the militia in the camps or making any efforts to distinguish the bonafide refugees and the militia, despite indications by the Rwandese government that if nothing were done it would take action itself. In light of this it can be noted that the main interest of the RPF was to secure its borders with Zaire and destroy the ex-FAR and Interahamwe militia. On the other hand, one can say that the RPA (Rwanda Peoples Army) was assisting their Tutsi brothers and sisters who were being persecuted and murdered by the Zairian Armed Forces (FAZ) and the Hutus. In this context Rwanda used the Banyamlenge uprising to disband and destroy the ex-FAR and Interahamwe in the camps along its borders with Zaire.

Uganda

Uganda was also being involved in its own civil war against insurgents, and Mobutu was facilitating some of them through the provision of rear bases and arms. The main group that had sanctuaries in Zaire was the Allied Democratic Front (ADF), while the others were being supported by Sudan and benefiting from Zaire's complicity in securing provisions and providing logistics (Reyntjen, 1998:10). These groups include the Lord's Resistance Army (LRA) and the West Bank Nile Front (WBNF). Therefore, Uganda's main interest in Zaire is also to secure its borders to prevent the insurgencies. As such, the fall of Bunia on December 25 1996 permitted Uganda to better secure its borders.

Burundi

Like the other neighbours of Zaire, in 1996 Burundi was also undergoing internal tension and an imminent civil war. Similar to the rebels of other countries in the region, the Burundian guerrilla movements had rear bases in South Kivu. The main group was the National Council for the Defence of Democracy (CNDD) and its armed wing Forces for the Defence of Democracy (FDD) (Reyntjen, 1998:10). In this regard Burundi's involvement in the conflict was to also secure its borders.

Angola

In the case of Angola Mobutu had been supporting UNITA and even allowed them to launch operations from bases in southern Zaire. After the fall of Bunia there was a temporary halt in the hostilities as the eastern neighbours of Zaire had secured their borders. In light of this Angola insisted that the rebellion should be extended to the entire country (Reyntjen, 1998; 11). As a matter of fact Luanda became the meeting place for the AFDL and its regional supporters. In essence, Angola's interest was also to secure its borders and defeat UNITA.

It is worth mentioning that apart from security issues, the external forces behind both conflicts also had economic interests. However, in the second conflict these interests became more apparent because of the access to the resources that these external forces had acquired from their involvement in the first conflict. The eastern part of the country is seen as a hinterland by both Rwanda and Uganda because of the vast mineral resources available. This is evidenced by the fact that gold and diamond trading posts have opened up in Kigali (capital of Rwanda) and coffee from North Kivu is exported via Rwanda and Uganda (Braeckman, 1999). Therefore, the eruption of the second conflict can be explained from a contingent perspective of the socio-psychological theories with respect to the influence of external forces.

3.3.2 Issues of Dispute: the 1998 Conflict

Civil war had returned to North and South Kivu by mid-1997. Upon analysis one finds that the characteristics of the second conflict emerge from the unresolved issues of the past that were never settled with the overthrow of Mobutu. In essence, the way in which the 1996-7 conflict ended is an indication of the failure of conflict management and resolution. Therefore, one needs to look at the manifestations of the 1998 conflict to determine whether they had changed or not, and to establish which approach would be aptly used to resolve the conflict. The difference in the methods used in 1996-7 and after 1998 is the fact that the rebels and external forces in the second conflict were more actively involved.

3.3.2.1 Ethnicity and Power Struggle Factors

Opponents of the AFDL were arousing deeply rooted ethnic resentment by skilfully portraying the change of government as an occupation by “foreign forces.” Tshisekedi has been quoted as contributing to the xenophobia by stating “my brother Kabila is held hostage by people I don’t

know, foreigners...” (Braeckman, 1997). This was because the Tutsis dominated the AFDL army and massive support for the movement had been received from Rwanda. As such, Kabila was widely regarded as relying heavily on foreign support. This perception arises out of the role played by the Rwandan troops in the 1996-7 rebellion, (which was acknowledged by Kagame, Rwandan Vice-President), and also by the composition of Kabila’s government. Consequently, this has led to growing unpopularity of the AFDL. As a matter of interest, in Kinshasa Kabila was himself considered a political and ethnic outsider (Reno, 1998:14).

Another underlying factor is that Kabila himself had a very small political base, and having failed to reach an agreement with Etienne Tshisekedi (leader of the UDPS), generally recognized as the most popular opposition leader, he was not able to widen his political support in Kinshasa and western parts of the country. This is evidenced by the fact that on October 23 1997, a presidential decree established a Constitutional Commission that excluded all non-AFDL activists (Human Rights Watch, 1997:15). As such, Kabila did not acknowledge the efforts of democratisation that were taking place towards the end of the Mobutu era, and many feared that he might become a dictator. These fears were prompted by the actions taken up by the AFDL as soon as it came to power. One can get insight into the new government’s policy options by firstly looking at the Declaration of Takeover of Power issued by the AFDL before it moved its government to Kinshasa. Some of its contents are highlighted below.

Upon taking over Kinshasa on May 17 1997, the AFDL issued what became known as the “Declaration of Takeover of Power” and it incorporated the following aspects of its charter (Human Rights Watch, 1997:12):

- the nomination of the AFDL’s president as head of state;
- the formation of a transitional government of national salvation within seventy-two hours;

- the convening of a constituent assembly within sixty days to draft a provisional constitution which will govern the transitional period;
- the suspension of all 'pseudo-constitutional' acts, and the institutions they govern;
- the recognition of all bilateral and multilateral interests of the republic, which conform to the interests of the nation.

It comes as no surprise that on May 28th 1997 the AFDL government issued a decree - Constitutional Decree No. 97-003, that got its basis from the Declaration of Takeover. In essence this was the end of the Mobutu era and the beginning of a new experience for Zaire, in which it brought about the following (Human Rights Watch, 1997:13):

- the change of the republic's name from Zaire to the Democratic Republic of Congo;
- revocation of the Constitutional Act of Transition and what it had established as the presidency and the opposition among the political groupings;
- the dissolution of Mobutu's transitional government, all courts and tribunals and the National commission of Elections;
- the dissolution of the High Council of the Republic - Transitional Parliament.

This indicates that Kabila was reverting back to what the rebellion had been fighting against (presidentialism). Thus, Kabilism was nothing more than a milder version of Mobutuism. In this instance one can say that conflict was imminent because one of the root causes for the previous conflict had not been resolved. It is also clear that the transition to democracy was also hindered by the policies of the AFDL. This view is supported by the fact that Kabila banned all political activities and banished his prominent political opponents, (Reed, 1998:18). Therefore, from a political point of view, Kabila did not change very much from what Mobutu had left, probably intentionally or because of prevailing circumstances. In this context one can identify a linkage between the policies adopted by Kabila and the administrative structure of the government and the process of consolidating power followed by the AFDL as highlighted below.

3.3.2.2 Structural Factors

The nature of the struggle resulting in the formation of the AFDL precludes it from developing a domestic or external political base or effective institutional structures of its own. This is because the struggle was not carried out in the normal process of a guerrilla war. Under the conditions of a conventional guerrilla war, the movement begins with the guerrillas' politicisation of the citizenry, telling the peasants why they are oppressed and what the liberation movement intends to do about it (Reno, 1998:19). The next step is for the activists to establish a political structure that will mobilize the peasants into military action; military action grows out of political organization. The final phase comes after a protracted struggle, during which a shadow state administers the liberated territory, soliciting and managing relations with regional and international allies. In the case of the DRC virtually none of this occurred. The speed with which the rebels moved through the country, together with the afore-mentioned point, is evidence that the AFDL had very little time to establish organizational structures to administer its new territories. Instead it relied on Mobutu's ex-officials to provide administration (Reed, 1998:21).

The coalition of forces that brought Kabila to power appeared to be disintegrating, not least because of the divergent views of the external backers. For instance, there were reports of differences between the core components of the AFDL, notably Rwanda, Zairian or other Tutsis (supported by the government of Rwanda) and the Katangese ex-gendarmes, many of who lived in Angola for many years and are supported by the Angolan government (Ellis and Nkundabagenzi, 1997:7). Therefore, this led to renewed fighting because the disgruntled elements had access to arms and there was no unifying factor to keep them together as a unit. It

can also be said that this division in the administration made it difficult for the government to rule such a large country.

3.3.3 Socio-Psychological Factors

The socio-psychological factors can be used to explain the characteristics of conflict in the DRC by comparing the situation in both conflicts. This is because the socio-psychological theory can also help us to do a comparative analysis of the contingent factors that made the two conflicts inevitable.

President Kabila failed to devolve power formally or effectively to the provinces of which the supporters of the rebellion thought was going to happen. A possible explanation for this is that Kabila had the same fears as Mobutu about creating effective state bureaucracies that would empower officials who would eventually challenge his position. This has greatly diminished his popularity and has correspondingly inflamed secessionist sentiments in areas such as Kivu Shaba and east Kasai (Ellis and Nkundabagenzi, 1997:7). Therefore, it can be assumed that the second conflict was inevitable because Kabila had not changed the structures and created an inevitable environment for de-centralized governance.

Other similarities can be identified between Mobutu and Kabila, which one can argue, have contributed to the 1998 conflict (International Crisis Group, 1999) (Reno, 1998:14). Firstly, the new AFDL government did not change the social situation that had been in existence during the Mobutu era. For instance, the soldiers were undisciplined; there were arbitrary arrests and interference in the judiciary by both politicians and the military. Secondly, Kabila also mimicked Mobutu by relying heavily on foreign investment especially in the private sector. He wanted to control resources and deny his rivals the opportunity to exploit them by recruiting

enclave mining operations, and thus he is able to control his subordinates. In essence, Kabila's pursuit of foreign investors is an attempt to compensate for the paucity and weakness of state institutions (Reno, 1998:15). As such, the socio-psychological theory would deem the second conflict as being inherent.

Other than emulating Mobutu in terms of policies, Kabila also got involved in the affairs of his neighbours. The civil wars taking place in Congo's neighbours have resulted in the abundance of arms in the region and the spread of guerrilla movements who use territory both in their country of origin and in the Congo (Reyntjen, 1998:10-11). This has created instability in the region, which has had spill-over effects into each of the countries involved. A good example is the implication of the eastern Congo in the Rwandan war that has led to the militarisation of politics in Kivu, especially where there are indigenous ethnic groups (including Congolese Tutsis linked to Rwanda) fighting for land. Therefore, conflict is both inherent and contingent.

When Kabila asked the Rwandan and Tutsi officers in the AFDL army to leave and return to Rwanda, many of his soldiers defected and joined his opponents. Essentially, his experienced soldiers were of Tutsi origin and they had been based in eastern Zaire. Therefore, Kabila was now left without soldiers who could fight against his opponents. As a result he opted to incorporate seasoned soldiers from the ex-FAR and Interahamwe militia, soldiers who formerly fought for Idi Amin and the FDD (International Crisis Group, 1999). It is also said that he got soldiers from Congo-Brazzaville, Sudan, Central African Republic, Kenya and Tanzania (International Crisis Group, 1999). At the same time Uganda and Rwanda wanted the stabilisation of their borders and an end to the safe haven from which various opposition movements operate. The Rwandans also wanted the persecution of the Banyamulenge or Masisi Tutsi stopped, their nationality confirmed and integrated into the Congo. However, due to his

weak political base Kabila was unable to fulfil the wishes of his backers and so their presence was deemed necessary. As such, conflict was imminent.

According to the Tanzania Daily Mail of 14 January 1999, Vice-President Kagame and Major James Kabare - who was acting Chief of Staff to Kabila before turning against him - have interests in a number of mining companies (Littlerock Mining Limited, Tenfields Holdings Ltd, Collier Ventures Ltd, Sapora Mining Ltd) and an import-export company, Intermarket. Since the outbreak of the first war in the Congo, which led to the overthrow of Mobutu, several mining companies have been named for funding military operations in exchange for lucrative contracts in the east of the DRC: the American Barrick Gold Corporation (whose shareholders include former President George Bush), the Australian Russell Resources headed by David Agmon, a former Brigadier General in the Israeli army, the Austrian company Krall, and the Canadian Banro American Resources (Braeckman, 1999). As such, these companies would do what is in their power to maintain access to the resources in the country and so a contingent perspective can be used to explain their contribution to the escalation of conflict.

Some of these companies initially concluded agreements with Comiex, an import-export company that belonged to Kabila and enabled him to fund his rebel activities when he was still only a resistance leader. Another company, Sonex, was subsequently set up at Goma to market Kivu's mineral resources. Several Rwandan banks provided the starting capital, using the revolving fund formula under which funds are advanced against a promise of payment in raw materials. Thus, an initial advance of \$10m is said to have been the price for starting a rebellion that is now being paid for on the ground (International Crisis Group, 1999).

Despite the issues of contention mentioned above, one can argue that the country was already in decline and that it was only a matter of time before something would have happened. This view is supported by the fact that prior to the 1996 conflict there was already a collapsed economy, an unruly army, an unelected parliament and an overdue democracy (Human Rights Watch, 1997:9). Therefore, the first conflict occurred from the contingent factors present at the time.

Eruption of conflict in 1998 resulted from the failure of conflict management and resolution in 1996-7. This contention arises from the fact that the war ended from a conventional military victory and not a guerrilla war, so the issues of dispute were still inherent. Therefore, the hostilities that erupted in 1998 were inevitable because the potential of conflict remained even after Mobutu was deposed.

3.4 Conclusion

From the discussion above the study has identified the characteristics of conflict as emanating from the struggle for power (economic and political) between the Zairians and Congolese Tutsis; the politicisation of ethnic hatred against the Tutsis perpetrated by the government; and the impact of interference by DRC's neighbours and non-African actors (driven by their strategic interests in the country).

The findings in the analysis of the DRC conflict imply that efforts at preventive diplomacy were not successful because hostilities erupted soon after the ending of the 1996-7 conflict. In chapter two it was established that preventive diplomacy aims at curbing the outbreak of hostilities or facilitating conflict management and resolution through reconciliation. Therefore,

it can be assumed that the objectives of those involved in the diplomatic process failed in the 1996-7 conflict because it ended through a military victory by the AFDL, which as a result did not feel obliged to carry out any fundamental reforms. As at December 31 1999, the parties in the diplomatic process had not been able to negotiate a successful cease-fire. It can be assumed that by the end of the period of study the conflict and hostilities were still prevalent, although to some extent they had been reduced (as discussed in chapter four). At this juncture, it can be argued that the failure or success of conflict management and resolution is not as a result of the process followed, but an outcome of the political will attached to the diplomatic process.

It has also been found that the DRC conflicts are characteristic of an intra-state crisis that has escalated into a conflict with spill-over effects into the neighbouring countries. The major characteristics of conflict vary between the two conflicts. The 1996-7 conflict was characterised by the need to change the administrative structures (complemented by power struggles), the politicisation of ethnicity and the influence of external forces. On the other hand, the second conflict manifested itself as a structural, political and socio-psychological; conflict accompanied by social polarisation based on ethnicity (complemented by influence from external forces). As such, different approaches at conflict management were used. In both conflicts mediation, conciliation and negotiations were used, but in the first conflict the warring parties were placing emphasis on a military solution.

The fact that the 1996-7 conflict was resolved through a military option is an indicator that there were flaws in the process and which allowed for eruption of the second conflict. Conflict management and resolution presupposes that a peaceful political solution will bring about a reduction in the crisis in the long-run, but this was not the case in the DRC. The diplomatic process as a means to conflict management and resolution was flawed in resolving the first

crisis because it did not strongly emphasize the objectives of the process as discussed in chapter one. Therefore, the eruption of the second conflict was inevitable because the process had failed to reconcile the initial issues of contention that underpinned the outbreak of war. In essence, the flaws in conflict management and resolution between 1996 and 1998 were the inability of the process to end the war via compromise and reconciliation, and the fact that it did not pursue the reconciliation process when Kabila took over.

The next chapter looks at the peace initiatives and attempts to resolve the conflict through the diplomatic process. The objective is to analyse these initiatives and compare them to the theoretical tools of conflict management and resolution, so as to comprehend where those involved in them have gone wrong. This will enable one to determine the viewpoints of the parties involved and thus a better comprehension of the direction the conflict is taking and prescribe feasible solutions.

CHAPTER FOUR

4. Attempts at Conflict Management: Diplomatic Peace Initiatives in the DRC Conflicts of 1996 and 1998

4.0 Introduction

At this juncture an attempt has been made to determine the extent of the conflict and to understand why it had not yet been resolved by the end of the period of study, that is, 1999. A notable reason for the resurgence of the conflict in 1998 is the fact that the fundamental issues, that is, the nationality question of the Congolese Tutsis, political and economic power struggles and the impact of external forces in the exploitation of resources were still persistent in the country. There was still a problem with the structure of institutions, the political process and socio-psychological orientation of people in the country. On the other hand the conflict appears to have re-emerged in 1998 due to the flaws in the peace initiative undertaken by the conflict management mechanisms employed in the first crisis. However, although the process succeeded in achieving a cease-fire, there were still scattered incidences of violations of the Accords, and the potential for hostilities still existed.

In the second chapter it was established that over the years two categories of conflict management and resolution have been used in the international system, namely prevention before the conflict escalated and management after the war had erupted. Both situations employed the various forms of diplomacy that are classified as personal/private diplomacy, summits and conferences. Prevention and cessation of hostilities were achieved through compromise *via* bilateral or multilateral negotiations, discussions and mediation. These

initiatives are described as prophylactic intervention, that is; attempts to peacefully resolve disputes that might otherwise lead to conflicts and to prevent crises from escalating into armed conflicts (Bloomfield and Moulton, 1997:57).

The peaceful methods of conflict management and resolution tend to involve third parties unless they are direct negotiations between the disputing parties. In the lesser formal structures, that is, less legalistic ones, mediation is conducted at a Heads of States and Government level, Ministerial or an independent third party such as a special envoy or an international personality. These mediations may be in the form of summits or consultative meetings and constitute multilateral diplomatic initiatives. However, one should note that multilateral efforts at peaceful political resolution of conflict can be applied at both the preventative stage as well as when war has erupted. It is also imperative to acknowledge the positions taken by those involved in the conflict in reaction to the various peace initiatives and issues of contention. This forms a part of the process in conflict management and resolution.

The case study looks at the bilateral and multilateral diplomatic efforts made at resolving the crisis both in 1996-7 and after 1998, up until the end of 1999, by examining these efforts from the perspective of the various diplomatic forms and methods highlighted above. The first section shows how summitry, personal and conference diplomacy was used in the peace initiatives of the 1996-7 conflict, and the second section examines how these efforts were applied in the current conflict between 1998 and 1999. From this information it is possible to conclude whether the process of conflict management and resolution followed in the DRC was appropriate or why it could not have prevented the outbreak and persistence of the conflict that erupted in 1998. The main initiatives employed in both the DRC conflicts were diplomatic in nature and the main aim here is to establish their efficacy and efficiency.

4.1 Diplomatic Initiatives Between 1996 and 1997

Both the international community and those directly or indirectly involved in the Zairian crisis that began in October 1996 made various attempts at peace. The crisis in 1996-7 ended through a victorious military option and so the issue at hand is where diplomacy failed such that the potential for conflict was still present and hostilities would erupt again in 1998.

The diplomatic initiatives began as early as November 1996 soon after the hostilities ensued. However, one can say that this was too little too late because the issues in dispute could have been resolved through mediation and negotiation while the crisis was still at the first phase or stage (*see chapter three*). The international community and neighbours of Zaire did not get involved in the looming crisis because of the rules of international law envisaged in the UN and OAU Charter, emphasising the respect for national sovereignty and territorial integrity underpinned by the non-interference in the internal affairs of states (African Heads of State and Government, 1963) (United Nations, 1945). This resulted in the insecurity that led to the late involvement of Zaire's neighbours in the hostilities. This meant that any peace initiative had to aim at a negotiated settlement including all parties involved in the hostilities in order to comprehensively resolve the issues identified above.

4.1.1 Summitry Diplomacy

The first diplomatic initiative was in the form of a summit that was held in Nairobi, Kenya, on November 5 1996 at the invitation of President Daniel arap Moi. A further Heads of State Summit was followed on December 18 1996. These came to be known as the Nairobi I & II Summits. Present at the first meeting were the host, President Daniel arap Moi, Presidents B.

W. Mkapa of Tanzania, Yoweri Museveni of Uganda, F. Chiluba of Zambia, P. Bizimungu of Rwanda, I. Afeworki of Eritrea, Prime Minister M. Zenawi of Ethiopia and the Minister of External Affairs of Cameroon, representing the then Chairman of the OAU. The Secretary General of the OAU, Salim Ahmed Salim, and the facilitator of the Peace Process in Burundi, Mwalimu Julius Nyerere, was also present. At the second summit, apart from the others, President Robert Mugabe of Zimbabwe and President Nelson Mandela of South Africa were also in attendance.

After their deliberations the participants called for the immediate cessation of hostilities and reaffirmed their commitment to the territorial integrity of Zaire and the inalienable rights of all persons within internationally recognized boundaries as provided by the pertinent resolutions of the 1964 Cairo Declaration and the African Charter on Human and Peoples' Rights (First Extra-Ordinary Session of the Central Organ of the OAU Mechanism for Conflict Management, Prevention and Resolution, 1997:6). The summit also recommended the establishment of a neutral force that would assist in the setting up of safety corridors for the repatriation of refugees to Rwanda.

At the Nairobi II summit the participants made the following declarations (Council of Ministers Sixty-Fifth Ordinary Session, 1997:16) *viz*:

- since the recommendations of the Nairobi I summit had not been implemented, parties to the conflict were asked to show greater commitment to a negotiated settlement and in this respect requested that their Ministers of Foreign Affairs establish a follow-up mechanism;
- recognizing that most of the refugees had moved back to Rwanda, the summit expressed its hope that the international community would continue to give assistance for the resettlement of the refugees and the displaced peoples;

- the summit mandated Presidents Daniel arap Moi, Robert Mugabe, Nelson Mandela and Paul Biya to take all the required initiatives to assist in resolving the current crisis and facilitate the return of peace and stability to Zaire as well as the entire Great Lakes region.

The warring parties at the Nairobi I Summit did not implement any of the recommendations made by the participants. Therefore, it became necessary for any further initiatives to take action in securing the commitment of the parties involved. A possible explanation for the lack of commitment by the warring parties could be that they were confident of a military victory because of the support they received from their allies. At this stage these allies were Zaire's neighbours and non-African countries such as the US, France and Belgium. The main objectives of the summits were to be secure a cessation of hostilities even though this would only produce a short-term solution to the conflict. In essence, these initiatives only went as far as recognizing Zaire's territorial integrity and the need to let her solve her own problems. Furthermore, neither the Zairian government nor the rebels were represented at the summits, thus there was no chance of making progress.

The first summit in 1997 was held at Nairobi, Kenya, on March 18-19, and it became dubbed the Nairobi III Summit. This was the first time in a regional summit since the conflict began that Zaire was being represented, by Prime Minister Kengo wa Dondo. However, there was a move to vote him out in parliament at home and thus de-legitimise any agreements he may have signed on behalf of the government. Present at the talks were the regional leaders who had participated in the Nairobi II Summit, as well as UN Special Envoy Mohamed Sahnoun and OAU Secretary General Salim Ahmed Salim, participating as observers. The meeting ended with calls for a cease-fire and adoption of a negotiated settlement. Coincidentally, Kabila called for a seven-day cease-fire around the town of Kisangani in order to enable refugees to return home and aid organizations to resume their activities (Peters, 1997).

Therefore, one can see that the AFDL was willing to halt the hostilities as long as the government of Zaire was willing to engage in direct negotiations; giving impetus to a diplomatic solution. Kabila may have had a change of attitude towards a negotiated settlement because of the pressure he may have been receiving from his Western supporters and the international community at large.

4.1.1.1 OAU Peace Initiatives

The OAU also uses summits as a form of diplomacy by facilitating such an initiative under its aegis. For instance, soon after the Nairobi Summit a further two-day OAU summit was held in Lome, Togo, between March 26-27 1997. Like the previous summits this one called for:

- immediate negotiations between the rebels and the Zairian government;
- a cease-fire and cessation of hostilities;
- condemnation of foreign troops involved in the conflict.

However, this summit was different from the previous ones because for the first time since the conflict erupted, representatives from the AFDL and the Zairian government were engaged in direct talks (IPS/Misa, March 28 1997). The two groups also held talks with UN Secretary General, Kofi Anan; Mohamed Sahnoun; and with the presidents of Nigeria, Togo and Cameroon. At this summit a change in France's attitude (as a supporter of the Mobutu regime) towards the rebels was evident with the French Foreign Ministry spokesman referring to the rebels as the "AFDL" rather than as "rebels" (Peters, 1997). Diplomacy through mediation, had therefore achieved two of its objectives, that is, the engagement into direct talks of the warring parties and the recognition of the antagonists as belligerents. However, the main focus still remained on the cessation of hostilities rather than resolution of the fundamental issues in dispute. This recognition of the rebels as belligerents resulted from the emerging military gains that they were making and the increasing support for the anti-Mobutu campaign (*see chapter three*).

4.1.2 Personal/Private Diplomacy

Private or personal diplomacy tends to have a more positive outcome because it involves international personalities who are highly respected and they can use that vantage point to secure a commitment from the warring parties. Apart from individuals, private diplomacy can be initiated by governments, IGOs and NGOs.

After the Nairobi II summit of December 1996, President Moi, in his capacity as Chairman of the Group of Four Heads of State, went to Gbadolite, Zaire, on January 6 1997, to brief Mobutu about the recommendations made in both summits. Following their discussions, and as part of a personal diplomatic initiative, they reaffirmed (*ibid.* 16-17):

- their commitment to respect the principle of territorial integrity and the inviolability of internationally recognized boundaries in accordance with the pertinent provisions of the OAU and UN Charter;
- the fact that the issues articulated above and the issue of nationality were not negotiable;
- disappointment at the failure of the UN Security Council to implement Resolutions 1097 and 1080 which authorized the establishment of a multinational force;
- the need to strengthen relations of good neighbourliness and to set up appropriate mechanisms to ensure a more effective management of security problems.

Therefore, personal diplomacy was used to try and resolve the crisis in an attempt to get Mobutu to adhere to the proposal for the cessation of hostilities and adoption of a peaceful resolution to the conflict. However, nothing concrete was being done by the Zairian government to implement these affirmations. One reason for this may be that Mobutu believed that his forces would defeat the rebels because of the support he received from France and Belgium.

Within the same year (1996) there was also the first direct bilateral negotiation attempt between Tshisekedi as the leader of the opposition and Mobutu's government on November 21st. At a meeting held in France it was agreed that Tshisekedi would form a new government

comprised of other opposition members. However, Mobutu denied this the next day (Peters, 1997). Therefore, one can see that private diplomacy initiated by France did not achieve any success, probably because Mobutu did not recognize the need to change the political structures and as such he did not acknowledge the legitimacy of the opposition parties. This attitude gave impetus to the anti-Mobutu rebellion because of the power struggles and need to change the political structure that was sweeping through the country.

Between February and March several diplomatic initiatives had taken place both within the region and in Europe. For instance, on February 6th 1997, the European Union invited Ugandan President Yoweri Museveni, Kenyan President Daniel arap Moi and former Tanzanian President Julius Nyerere to talks in Brussels over the situation in eastern Zaire. This can be perceived as an indirect attempt at resolving the conflict but the chances of its success were limited because it was not African in perspective. Another reason for the ineffectiveness of an extra-continental initiative, such as that in Belgium, is the fact that some of these countries had been supporting Mobutu and so the other warring parties looked upon them with suspicion. Therefore, the external factors as a manifestation of conflict impacted negatively on the peace process in this instance.

The extra-continental and some regional peace initiatives were undermined by a turn around in the attitude of the rebels in February 1997 and this had a significant impact on the peace initiatives. For the first time Kabila announced that he was ready for direct talks with Mobutu, but ruled out mediation by France, Belgium or Kenya (Peters, 1997). Kabila's attitude changed due to the pressure he was receiving from the international community to opt for a peaceful solution for humanitarian purposes, but he also wanted to divert attention from his intentions towards a military victory. At this point in time it was also becoming prudent for the parties

involved in the conflict to reconsider another approach to the resolution of the hostilities. Therefore, diplomacy may have been used by the belligerents for its unintended purpose-genuine commitment to peaceful conflict resolution.

4.1.2.1 Mediation

The only feasible option now would be negotiations through mediation. This was evidenced by Uganda's declaration after a meeting in France on February 11 1997, even though the Zairian government persisted in its claim that it would not participate in any direct talks with the rebels. Consequently, the rebels stated that they would continue fighting until Zaire was willing to enter into direct talks with them mediated by Mandela and US diplomats (*ibid.*). Kabila's secret meeting with US Assistant Secretary of State, George Moose, South African Deputy Foreign Affairs Minister, Aziz Pahad, and Special Envoy Mohamed Sahnoun in South Africa enhanced the interest of South Africa as a mediator. The relationship between the US and South Africa had developed with the ending of the Cold War and the US was using proxies to meet its objectives on the continent. This is because Zaire was no longer of strategic interest because the Communist threat from Angola was no longer present. At the same time SA had its own interests because Zaire was a haven of resources, whilst the US and SA MNCs were in competition with each other over these resources (Southscan, May 29 1998:88) (International Crisis Group, 1999).

During the period between the Nairobi III and Togo Summit of March 1997, several personal and private diplomatic initiatives took place. The next day after the end of the Nairobi Summit, March 20, a number of events took place that can be interpreted as attempts by Mobutu to draw up a solution to the conflict and the continued unpreparedness of the AFDL to stop fighting. Firstly, Mobutu called for a cease-fire and the formation of a "national council" to find a way

out of the crisis, but this was promptly rejected by the rebels (Peters, 1997). Instead, Kabila proposed the formation of a transitional government that would exclude anyone who had ever shared power with Mobutu, such as the UDPS leader (Etiene Tshisekedi). Therefore, private bilateral diplomacy was conducted by Mobutu in an attempt to get directly involved in the peace process. This was because of the decreased support Mobutu was receiving from his former allies, namely the Western countries (as a result in the ending of the Cold War). However, the rebels made it clear that the conflict could only be resolved by changing the *status quo* (political structures).

After Mobutu's first attempt at peace had failed, he held private talks with the then South African Vice-President, Thabo Mbeki in Zaire. Soon afterwards he made another attempt in which he appointed a seven-man negotiating committee. The Zairian Vice-President Banza Mukaley, announced a proposal to share power with the rebels after talks and before elections had been held, but this proposal was also rejected by Bizima Karaha (foreign policy strategist of the AFDL) (Peters, 1997) (McGreal, March 26 1997). In this respect it can be seen that both personal and private diplomacy was being employed in mediation by a third party. However, the rebel rejection of the proposal to share power probably arose from the confidence they had in a military victory; drawn from the decreasing support Mobutu received from his Western allies. The rebels also received overwhelming support from the Zairian people themselves, apart from the country's neighbours and other non-state and extra-continental actors.

Mobutu tried to instigate another peace effort or what he might have termed as a concession to the pro-democracy activists and the anti-Mobutu movement, by appointing Etiene Tshisekedi as the Prime Minister of Zaire in early April. In turn, Tshisekedi offered the rebels six cabinet jobs (foreign affairs, defence, budget, planning, foreign trade and agriculture), but the rebels

rejected the offer pointing out that their prime objective was the removal of Mobutu from power (*ibid.*). Thus, one can note that both parties through private diplomacy and the media were making bilateral attempts. In this case the media was being used as a mode of sending messages by the two parties, as evidenced by their counter-statements and making of proposals at public rallies; which would then be printed in newspapers and aired on radio. It is also clear that despite the concession made by Mobutu, the rebels were intent on deposing him, regardless of whether there was any diplomatic headway or a peaceful solution in sight.

Even though the rebels continued to fight, the month of April (1997) began to deliver even greater achievements for diplomatic initiatives carried out in March. The warring parties had recognized a need for an end to the conflict and they also acknowledged that the only solution to the conflict would be a negotiated settlement. It was also clear to Mobutu that the rebels were a force to reckon with and so he had no choice but to engage in direct talks with them. As such, direct negotiation talks were held in Pretoria, South Africa, between an AFDL and Zairian government delegation on April 5-9. Present at the talks were Joint Special Envoy Mohamed Sahnoun, who acted as chair and facilitator of the negotiations. The Zairian government delegation was headed by Mobutu's security advisor Honore Ngbanda; and Bizima Karaha, Foreign Affairs Commissioner, headed the AFDL one. After negotiations the first ever agreement was reached between the AFDL and the Zairian government. In a joint statement both parties agreed that negotiations were the only option to bring about a peaceful solution, and also that there was a need for a complete cessation of hostilities (Peters, 1997).

The agreement reached in South Africa was the beginning of what would seem as the first step towards a peaceful solution and an end to the Zairian crisis. However, even as the talks were going on the rebels were making advances towards Kinshasa and the talks may have just been a

way of bargaining for time while maintaining diplomatic support from the international community and the region as a whole. For instance, the rebels captured Mbuji Mayi the day the talks began and Lubumbashi after the agreement had been announced (Peters, 1997). The intentions of the AFDL were also made clear by Kabila's declaration of a three-day pause in the rebel offensives to allow Mobutu to quit as president; and even the French were urging Mobutu to step down as there was no longer any room for Mobutuism (*ibid.*). As such, one wonders whether diplomacy would be able to achieve a peaceful solution. It was obvious that the rebels were intent on over-throwing Mobutu no matter what it took, and their military advances virtually sealed Mobutu's fate. Therefore, based on the circumstances, and using the socio-psychological contingency view, a military win may have been the only outcome of the first conflict in Zaire.

4.1.2.2 Direct Negotiations

By the end of March 1997 Mobutu was desperate and had to do something, but at the same time had to save face. The only option he had was to employ diplomacy through direct negotiations in order to save face and hold out some hope that the rebels might compromise with him. He agreed to direct negotiation talks with Kabila but at first said that he would only do so if asked politely. Mobutu and Kabila were invited to meet in Cape Town, South Africa, by President Mandela and agreed in principle to come. It was expected that the meeting would take place either on April 20 or 22. However, according to Kabila, the meeting was only going to be a ceremony for the peaceful transfer of power (Peters, 1997). Soon after the agreement to meet, both parties began stalling by creating confusion about the venue, but this was eventually resolved and the talks were finally held aboard a South African naval ship, S.A.S. Outeniqua, docked in the Congolese port of Pointe-Noire. President Mandela and Special Envoy Sahnoun chaired the negotiation talks. It was agreed in principle that Mobutu would step down and hand

over power to a third party who would then negotiate with Kabila, but this was not acceptable to Kabila and the AFDL forces who still continued advancing towards Kinshasa. This was the last major diplomatic initiative to take place. On May 17 1997 the AFDL overran Kinshasa and took control of Zaire.

4.1.2.3 Joint UN and OAU Initiatives

The UN and the OAU also initiated their own attempts at conflict management and resolution through the use of diplomacy. However, it was more prudent and practical for both of them to combine their efforts in a joint initiative. As such, the only major diplomatic development during the first month of 1997 was the appointment of Ambassador Mohamed Sahnoun (an Algerian ambassador to the UN) on January 22, as the Joint Special Envoy for the UN and the OAU. The purpose of a special envoy is to act as a representative for one state or entity while holding discussions with another state or entity (Berridge,1994:101). Following several missions to the region Sahnoun presented a five-point peace plan, which was endorsed by the UN Security Council in its Resolution 1097 (1997) and by the OAU Council of Ministers at the 65th Ordinary Session held in Tripoli (Libya) from February 24-28 1997 (1997:9). The plan provided for:

- the immediate cessation of hostilities;
- the withdrawal of all external forces, including mercenaries;
- the reaffirmation of respect for the national sovereignty and territorial integrity of Zaire and other States of the Great Lakes Region;
- the protection and security of all refugees and displaced persons and facilitation of access to humanitarian assistance; and
- the rapid and peaceful settlement of the crisis through dialogue, the electoral process and the convening of an International Conference on Peace Security and Development in the Great Lakes Region.

Sahnoun's efforts brought some measure of success in the diplomatic circles because all the parties accepted his Five Point Plan. The UN initially adopted it on February 18 1997. The plan

was also endorsed by the Vice-Prime Minister and Minister of Foreign Affairs of Zaire, Kamanda wa Kamanda, in a statement he issued on March 5 1997. At first the rebel leader Kabila refused to accept the proposal but within the second week of March he announced that he accepted the Peace Plan in principle, but added that, there would have be direct negotiations with the Zairian Government before the rebels would participate in their implementation. Therefore, it can be said that this leading up to this outcome promised diplomatic success.

4.1.3 Conference Diplomacy

In the month of November, 1996, attempts at the use of conference diplomacy were made, as evidenced by the UN Security Council's adoption of Resolution 1080 which authorized the establishment and deployment of a multinational force (MNF) which meant to secure the delivery of aid to refugees in eastern Zaire, and to create secure corridors for the refugees to return to Rwanda (Security Council, 1996). However, this was no longer necessary by the end of December because events had overtaken the resolution, and most of the refugees had gone back to Rwanda. This was evidenced by a statement issued by the French Cooperation Minister Jacques Godfrain, and the Canadian decision to end the multinational mission (Peters, 1997). In short, diplomacy had only been able to identify the issues in dispute and to recommend solutions that were not being implemented.

4.1.4 Assessment of Conflict Management in the 1996-7 Conflict

The military victory by the AFDL signals the end of the Mobutu regime and the failure of the attempts at conflict management and resolution through the use of diplomacy as a means to a peaceful solution. At this point the parties involved in the conflict withdrew their efforts at conflict management and the focus was now on nation-building and awaiting Kabila's

resolution of the fundamental issues that led to the crisis. However, quiet diplomacy was still in progress with regards to the issue of insecurity along DRC's borders with her neighbours.

Upon examination of the first conflict it can be asserted that diplomatic initiatives taken by the OAU, UN and regional leaders did show that they were interested in finding a peaceful solution to the crisis. The predominant methods used in this phase of the crisis were personal diplomacy and summitry, although conference diplomacy was being used when the OAU and the UN were deliberating on the crisis. It also notes that bilateral and multilateral approaches were being made, especially through the mediation that eventually led to the direct talks between Mobutu and Kabila.

Although the peace initiatives were being conducted in good faith by the mediators, the warring parties had their own objectives. They used the talks to slow down the process of conflict management and/or find out the positions of parties involved. Mobutu initially thought he would have the support of his former backers from the West, but this turned out to be an illusion and he only resorted to a diplomatic solution when they turned against him. Kabila was also stalling over the peace talks because he believed that the rebels would win *via* a military option. As much, this option had an indirect effect on preventing a smooth transfer of power at the grass root level. However, during the 1996-7 crisis diplomacy produced feasible solutions, although, the problem was in the implementation and enforcement of the decisions that had been reached, and the commitment of those concerned. The other apparent issue was that the warring parties were not being sincere in their positions during the peace talks. This was evidenced by the fact that Kabila's forces kept on carrying out offensives while diplomatic efforts were in progress. On the other hand, Mobutu was always trying to find excuses not to

engage in negotiations even in the last days of his regime, and when he did, it was merely an attempt at trying to save face.

After establishing the diplomatic peace initiatives undertaken in the 1996-7 conflict, and judging by their outcome, it can be said that diplomacy in itself as a process worked, but it did not achieve its objective of providing a peaceful solution to the conflict. The circumstances surrounding the course of the conflict did not allow for diplomacy to succeed because the desire to depose Mobutu was overwhelming. The fact that there were no penalties for not implementing decisions reached through the diplomatic process, may be a reason why the war ended in a military victory for the rebels. At the same time, the rebels were confident of a military victory because of the support they received from the continent and former non-African supporters of Mobutu (mainly the US and Belgium). In addition, conflict management did not address the underlying causes of the conflict and only focussed on the cessation of hostilities. The study shall now examine the diplomatic peace initiatives that took place during the 1998 conflict and determine whether they were successful in achieving their objectives.

4.2 Diplomatic Initiatives from 1998-1999

Ever since the war between Kabila's government and the RCD rebels broke out on August 22 1998, there were numerous summits and ministerial consultations with regard to resolving the crisis peacefully. Many of these were carried out under the auspices of the Southern Africa Development Community (SADC), the OAU and personal diplomacy. Unlike in the previous conflict, emphasis was placed on direct negotiation between the rebels and the government and the recognition of the different warring parties as legitimate belligerents. Although diplomatic initiatives in both conflicts were aimed at the cessation of hostilities, the second conflict saw

acknowledgement of the need for structures that would have a long-term impact. A good example is the establishment of the Joint Military Commission to oversee the implementation of the Accords. There was also a greater emphasis on the use of regional bodies to facilitate the peace initiatives. It is also imperative to note that these initiatives were not only being carried out on the continent, but also under private initiatives in non-African countries.

The difference in approach by those involved in the peace process can be linked to the problems encountered and subsequent failure of initiatives in the previous conflict. Bilateral efforts were being used in private and personal diplomacy by the belligerents because they all realized that a military option would not be as easy to achieve as previously anticipated. Mediation, negotiation and summitry at a multilateral level was also being used because it was recognized that there was a need to bring all the warring parties together if a comprehensive and amicable solution was to be reached.

4.2.1 Summitry Diplomacy

The first diplomatic attempts were initiated as early as August 8 1998 when seven African leaders met in a summit at a resort club in Zimbabwe's Victoria Falls. Present at the meeting were leaders from the DRC, Zambia, Uganda, Rwanda, Tanzania, Namibia and the host, Zimbabwe. The main issue in the negotiation was to determine the belligerents responsible for the fighting. Kabila blamed the Rwandans, while on the other hand; the Rwandans were claiming that it was an internal Congo affair because of Kabila's poor leadership (BBC News-World Africa, August 8 1998)). When an attempt to achieve a cease-fire failed, it was agreed that a committee comprising of representatives from Zimbabwe, Zambia, Namibia and Tanzania would be set up to examine the conflicting claims and to continue with efforts to

secure a cease-fire. Therefore, it is evident that although a cease-fire was the first objective diplomacy strived for, the approach would be to establish the causes for the eruption of the conflict in order to find a long-term solution. Unlike in the previous conflict in the DRC, the interests of all the belligerents were taken into account, although the Congolese rebels were not present in the talks.

On October 28 1998, another summit for foreign and defence ministers was held in Lusaka, Zambia. This meeting was different from the previous ones because the rebels were present, but the DRC delegation refused to take part in face-to-face negotiations with rebel representatives who were calling for direct talks. As such, Zambian officials acted as intermediaries with the rebel delegation, who were allowed into the hotel where the meeting took place, but were excluded from the discussions (BBC News- World Africa, October 28 1998). In this particular summit again the use of mediation as a diplomatic tool would result in bilateral or multilateral negotiations. At the same time, there was evidence of progress towards a negotiated settlement because now the summits began to acknowledge the legitimacy of the rebels and the fact that no solution would be achieved without their input as stakeholders.

In many of the initiatives earlier on in the second conflict, summits ended either without a cease-fire, as intended or broke down as one party would walk out. On November 21 1998, negotiations were held in Gaborone, Botswana, and were attended by Zambia, South Africa, Mozambique, Tanzania, and representatives of the UN, SADC, and the OAU. The DRC government was however not represented. Although the talks ended inconclusively, there was some positive gain with rebels stating that they had accepted the case-fire in principle. According to the rebels the summit needed to address three key issues if they were to cooperate in a cease-fire, and these included (BBC News- World Africa, November 21 1998):

- their inclusion as an official delegation at future talks;
- direct talks with President Laurent Kabila;
- Sudan and Chad to be included in the list of countries supporting Kabila.

Therefore, it is evident that the meeting was the first time in which the rebels had a chance to participate in the diplomatic peace initiatives and be able to contribute in the attainment of a cease-fire. This summit was a positive outcome of the previous summit, in which mediation resulted in the inclusion of the belligerents at the talks, something that provided the grounds for future negotiations between the warring parties. Consideration of the rebels arose from the recognition of the immense support they were receiving from external forces and the speed with which they made military gains.

The meetings did not achieve what they had intended to up to a satisfactory level, so further negotiations were deemed necessary. In January 1999, two important summits were held that left African leaders optimistic that there was a chance to end the conflict in the DRC through peaceful means. The first was at ministerial level and it was held on January 15 1999, in Lusaka, with the attendance of representatives of the Kabila regime, the rebels, the UN, the OAU and 14 other countries interested or involved in the conflict. Amongst these were: Angola, Botswana, Burkina Faso, Chad, Gabon, Kenya, Libya, Mozambique, Namibia, Rwanda Tanzania, Uganda, Zambia and Zimbabwe. The summit was followed up shortly by the Windhoek Summit on January 18 1999, which saw all the belligerent states agreeing to a cease-fire agreement within a matter of weeks. It also mandated Zambia's President Chiluba to convene the summit at which the signing could be done (International Crisis Group, 1999) (Malan, 1999:1). Therefore, it is evident that those involved in the peace process were committed to resolving the crisis through peaceful means by the use of diplomacy. However, the success of diplomacy relied on the adherence of Kabila and the rebels to the peace process.

The most positive and successful diplomatic initiative up until the end of 1999 was the signing of the Lusaka Peace Accords on June 11th 1999, in Lusaka, Zambia. The negotiations were attended by Angola, the DRC government, Namibia, Rwanda, Uganda, Zimbabwe, RCD and MLC, while witnesses and observers were Zambia, the OAU, the UN, and the Southern African Development Community. After the negotiations only six countries signed the Peace Accords, namely, Uganda, Rwanda, Zimbabwe, Angola, Namibia and the DRC government. The rebels refused to sign because of differences over who was to sign on their behalf due to their split in May. Wamba dia Wamba wanted to sign on behalf of the RCD, whereas, he had been ousted by Emile Ilunga as the leader of the group. At the same time, the MLC said that it would not sign unless Wamba dia Wamba was allowed to sign. Therefore, it was now up to shuttle diplomacy to find a way of persuading the rebels to sign the accords. Although the rebels had not signed the peace accords, they had agreed and accepted the content of the plan (BBC News- World: Africa, July 11 1999). Acceptance of the Accords by the rebels resulted from the stalemate in the hostilities, whereby, neither side was making any military advances.

Since this summit was a diplomatic success, it is necessary to highlight some of the issues agreed upon by the warring parties. The main components of the agreement were as follows (IRIN, July 22 1999) (Braeckman, 1999):

- cessation of hostilities: within 24 hours of signing the agreement all land, air and sea attacks are to cease and the military forces are to disengage, violence against the civilian population is to cease and creation of safe corridors to be created for the delivery of humanitarian aid;
- formation of a Joint Military Commission (JMC): within one week of signing the accords the JMC is to be established, composed of two representatives from every belligerent and under a neutral chairmanship to be selected by the OAU. The purpose of the JMC is to oversee the implementation of the peace accords until a UN peace keeping force could be deployed;
- deployment of a peacekeeping force: the force was to oversee the implementation of the accords and ensure compliance by all the parties involved in collaboration with the JMC and the OAU. The force

would also provide humanitarian assistance; disarmament of militia groups: the militia groups to be disarmed and repatriated to their countries of origin to face the law were identified as the Rwandan ex-FAR and Interahamwe, the Ugandan Allied Democratic Front (ADF), the Lord's Resistance Army (LRA) and West Nile Bank Front, the Ugandan National Rescue Front II (UNRF II), the former Ugandan National Army (FUNA). The Burundian Forces de Defence pour la Democratie (FDD) and Angola's UNITA;

- national reconciliation: forty-five days after the signature of the Lusaka peace agreement, the DRC government, the RCD, the MLC, unarmed opposition groups and Congolese civil society were to begin up to six weeks of open political negotiations, to culminate in the establishment of a new political dispensation in the DRC.

These issues have been the focus of contention in previous diplomatic initiatives, but now that the parties agreed to the decision, even though only in principle, it was an indication that negotiations had produced some positive results. Another reason is the fact that consensus as a part of the negotiation process was also achieved. However, the question now remained as to whether the rebels were committed to peace . The first step would have to be their signing of the agreement and participation in its implementation; thus implying a success in diplomacy as a process.

The last diplomatic initiative in the period of study was a mini-summit hosted by Gaddafi on December 23 in Tripoli, Libya. In this summit Kabila and Museveni signed a "normalization accord" (Integrated Regional Information Network, February 28 2000). Therefore, it can be assumed that at the bilateral level the belligerents also used mediation at summit level to reach an agreement, but the question of implementation still remained.

4.2.1.1 SADC Initiatives

In the second conflict peace initiatives were taking a regionalist approach that was in the form of summits hosted by SADC with the blessing of the OAU. The need for a regionalist approach arose from the fact that the conflict had expanded in nature and was no longer intra-state and because the continent was at a point where it had to find solutions for its own problems (due to the ending of the Cold War and subsequent lack of direct involvement by the West in African affairs). Another reason for the involvement of SADC is that the DRC became a member of SADC on September 8 1997 (Madakufamba, 1997)

A SADC summit meeting was held in Harare on August 15 1998, and was attended by Defence Ministers from Zimbabwe, Tanzania, Namibia and Zambia, and other officials from nine of the 14 member countries of the Community. After the summit it was agreed that SADC would send a delegation to Addis Ababa, Luanda and Kinshasa to implement the SADC's call for a cease-fire and a troop standstill in the Democratic Republic of Congo (DRC). However, at the time there were rumours that the DRC government had rejected the call, whilst the rebels were said to have given assurances of respecting the standstill of troops (Hossak, 1998). Kabila may have rejected the troop standstill he believed that support from his allies would win him a military victory.

The delegation established by the Harare Summit comprised of South African Foreign Affairs Minister Alfred Nzo; Defence Minister Joe Modise, Mozambican Foreign Minister Leonardo Simao; Tanzanian Foreign Minister Jakaya Kikwete and Zambian Foreign Minister Keli Walubita. In Addis Ababa the delegation was to have had talks with Secretary General of the OAU and then proceed with him to Luanda for consultative discussions with President Dos Santos of Angola. From Angola the delegation went to the DRC for talks with Kabila and to

devise a method of implementing the SADC recommendation. Here again personal and private diplomacy were being used by the regional organizations including the OAU since the objective of the peace initiative was to achieve a negotiated settlement.

4.2.1.2 OAU Initiatives

The OAU also initiated diplomatic initiatives through the use of summitry. On September 12 1998, African Defence Ministers met at a summit in Addis Abab, Ethiopia, under the aegis of the OAU. Once again the main objective was to broker a cease-fire but this failed when Rwandan and Ugandan delegates walked out of the meeting claiming that no resolution would be found until all the belligerents in the conflict had been identified and invited to talks; namely the RCD and MLC rebels (BBC News- World: Africa, September 12 1998). This is an indication that a power struggle and desire to change the political structures in the DRC existed, and even had the support of the country's neighbours. Therefore, it can be argued that the issues in dispute from the previous conflict were still present in the DRC.

On December 18 1998, the OAU hosted the Annual African Summit to try and halt the fighting in the DRC. The summit was held in Ouagadougou, Burkina Faso, and it ended in a deadlock. The OAU Secretary General presented the parties at the summit with a peace plan and it basically covered (BBC News- World: Africa, December 18 1998):

- an immediate cease-fire;
- respect of national sovereignty;
- withdrawal of foreign troops;
- need to address security concerns in Congo and neighbouring states
- need for "internal political dialogue" in the Congo.

Kabila however continued to insist that he would not meet with the rebels to engage in negotiations. The meeting thus agreed that there would be another ministerial summit on

December 27 and one for the Heads of State the next day (*ibid.*). The talks to be held in Lusaka, Zambia, would see President Kabila and the rebels communicate with each other through mediators. Therefore, this summit was laying the ground for another possible success in diplomacy.

4.2.2 Personal/Private Diplomacy

It is important to note that not all diplomatic initiatives involved governments, that is, there was also some informal diplomacy carried out by civil society that contributed greatly to the formal discussions held by the belligerents. This form of diplomacy falls under private diplomacy. A good example would be the Montreal Conference on Durable Peace and Democratic Development in the Democratic Republic of Congo, held in Montreal Canada. The conference was a part of the initiatives of several African states, the SADC, the OAU and the UN to bring about peace and stability in the DRC and the surrounding region. The one thing it had in common with the other initiatives was that it was calling for a cessation of hostilities and a more inclusive and representative *fora* for negotiations (Montreal Conference, 1999). Thus, we can see that efforts were being made in other sectors of civil society to bring an end to the conflict through peaceful means *via* diplomacy

In the month of April there was what can be termed as a diplomatic break-through due to the efforts of Libyan President, Muamar Gaddafi. He had been carrying out some personal diplomacy in mediating between the belligerents from December the previous year (1998), and he was seen as making some success. On April 17 1999, Kabila and Museveni met in Sirte, Libya and signed a cease-fire agreement under the mediation of Gaddafi. Also present at the signing of the accords was Presidents Idris Deby of Chad and President Issaias Affwerki of Eritrea. The cease-fire called for the deployment of a peace-keeping force in the Great Lakes

region and the withdrawal of all foreign troops, and holding of a participatory national dialogue (International Crisis Group, 1999) (Mundala, April 26 1999). This can be perceived to be a break-through because once Uganda had signed and agreed to the cease-fire, then it could influence the rebel group it supported to also halt hostilities. The accords got the support of the MLC rebels but were quickly downplayed by Rwanda and the RCD faction that it supported. Therefore, one can see the impact external forces had on the course of the conflict in that if an ally signed a peace accord, then the rebel group it supported would also follow suit.

Thus far diplomacy seemed as if it was only making headway in terms of getting things on paper, yet there was no sign of commitment from the parties involved. As such, the peace initiatives continued. On June 2 1999, Presidents Nelson Mandela of South Africa and Sam Nujoma of Namibia announced the convening of a Heads of State summit on June 26, to discuss implementing a cease-fire following "progress" towards settling the conflict. Another interesting development in the same month was the DRC's decision to file a case against Uganda, Rwanda and Burundi at the International Court of Justice for their invasion of Congolese territory. This was the first time in both conflicts that the international legal framework for conflict resolution had called upon, however, based on the character of the conflict there was no possibility of adherence to the solutions provided by the ICJ.

4.2.3 Implementation of the Peace Initiatives

After concluding the negotiations, the UN was the first to take action with respect to the implementation of the Lusaka accords. On July 16 1999 the UN Secretary General presented a three pronged plan to the Security Council, in which he proposed the immediate fielding of up to 90 Military Liaison Officers (MLOs), the subsequent deployment of 500 military observers and an eventual full scale UN peace-keeping force (Integrated Regional information Network,

February 28 2000). Deliberations and negotiations over the plan culminated in the Security Council's authorisation for the dispatch of 90 UN MLOs on August 6 1999; was a start to the UN'S contribution to the implementation of the Lusaka peace accords.

The belligerents also began to show commitment to the Accord as a source of political and peaceful solutions to the conflict. On July 21 1999 the warring parties met in Lusaka to establish the Joint Military Commission (JMC), and also the ministerial-level Political Committee to which the JMC was to report (*ibid.*). Their eventual signing of the agreement also evidenced commitment to peace by the rebels. Bemba signed on behalf of the MLC as early as August 1 1999, while all 51 founding members of the RCD (encompassing both factions) signed on August 31 under a compromise formula brokered by Zambia and South Africa (*ibid.*). Therefore, it is evident that diplomacy *via* negotiation and mediation resulted in the drafting, endorsement and implementation of the accords by all parties involved.

The OAU was also playing a significant role in the peace process as mandated by the accords. On September 23 1999 the RCD Goma faction rejected the facilitators chosen for the Congolese national reconciliation process. Consequently, the OAU Secretary General nominated former Botswana President, Sir Ketumile Masire on December 15. The facilitator was accepted after the DRC government and the three Congolese groups held discussions at a meeting in Addis Ababa. In essence, Sir Masire would be facilitating in the inter-Congolese negotiations that would culminate in the establishment of a transitional government in the DRC and the holding of democratic election.

4.3 Conclusion

This chapter has examined the diplomatic peace initiatives undertaken by both Africa and the international community at large. From an African perspective what all these initiatives had in common was that they were all directed at maintaining the status quo that existed prior to the eruption of hostilities. The same objective was also apparent in the initiatives of the UN and the international community, although the objective of diplomacy was to create an enabling environment for humanitarian assistance to be provided to the victims of the two conflicts. This changed in 1997 when there was a shift in the regional and personal diplomatic initiatives of Africans and the international community, urging Mobutu to step down.

On the other hand, diplomatic initiatives in the second conflict saw a shift from private and personal diplomacy towards an increased use of summits. This is because they allowed for direct negotiation where each party involved could declare its interests so that a compromise could be achieved. Success was reached in the second conflict because the warring parties realised that they had no other options available. Although they all wanted a military victory, the hostilities had reached a stalemate and no advances were being made on the ground. Therefore, the diplomatic objective of obtaining a cease-fire could be achieved.

One apparent assumption that can be made is that this conflict provides a unique situation to Africa in that it is the first conflict in which the continent has to find its own solutions to its problems. This is evidenced by the level of minimal involvement of non-African actors in the initiatives. Although the US and Belgium have interests in the DRC, their role in the peace initiatives began to decline with the obvious defeat of Mobutu. The UN involvement was not very significant in comparison to the work of the OAU, SADC and personal diplomacy through international personalities such as Heads of State. In essence, the UN was acting upon

the recommendations presented to it by the OAU and SADC, and the outcome of the private diplomatic initiatives. As such, one can say that the predominant use of diplomacy was by people acting on behalf of either inter-governmental organizations (UN, SADC and OAU) or states. However, the study also noted an example of how civil society was also using diplomacy to contribute to the efforts of conflict management and resolution in the conflict. A good example is the efforts made by the Montreal Conference, which proposed possible peaceful solutions to the conflict, and in recommendations passed on to the UN and OAU.

After examining the diplomatic process and initiatives for the DRC crisis, one is able to assert that diplomacy as a process works but sometimes it does not achieve the desired result. The objective of engaging in diplomacy is to achieve a peaceful solution to conflicts and disputes. From the discussion above, it is deduced that diplomacy was able to produce some positive solutions aimed at resolving the conflict. However, it is evident that these solutions were mostly aimed at securing and monitoring cease-fires, something that would only have short-term results, while the potential for conflict still remained because the wider aspects of conflict resolution were simply not addressed. This has to do with structural conflicts, the crises of political institutions and the continued influence of external forces.

The point above has been evident in the previous chapter where it is noted that violations of the Accords were still being reported by the end of 1999. Therefore, the study suggests that the focus of the diplomatic initiatives should move further than just the cessation of hostilities and their monitoring, but also develop means of creating an enabling environment for a peaceful transition of the current political and social structures. Part of these efforts should also be made to revive constitutionality and institutional reforms, the rule of law, which *inter alia* would

allow the re-integration of the Banyamulenge into the Congolese social structure by granting the right to citizenship.

CHAPTER FIVE

5. Conclusions and Recommendations

5.0 Summary

The period of study, that is; 1996-1999, represents a period when Africa has had to develop and implement conflict management without the intervention of Western powers. As an epicentre of conflict with spill-over effects to its neighbouring countries, and also for the fact that it draws actors from all levels, state and non-state, the DRC is a challenge to the application and development of conflict management practice and theory. Thus, the aim of this study has been to determine the efficacy and efficiency of the diplomatic process as a means of conflict management and resolution. The conflict in the DRC provides a unique example in the changing nature of intra-state conflict in Africa. Firstly, the state has experienced various types of conflicts since the pre-colonial period. Secondly, the current conflict brings into question the classification of intra-state and inter-state conflict. This is because both the conflicts of 1996-7 and the one after it, began as civil wars and later escalated into a regional conflict, thereby, making it difficult to distinguish between civil and regional conflict.

It is therefore, assumed that the changing nature of conflicts in Africa calls for a change of approach to peace initiatives. For instance, in the DRC there has been a shift from military intervention (by the Belgians in 1960, 1963-64 and 1977-78) as a solution towards prevention through peaceful political means. In the DRC military intervention was used in suppressing the secessionist movements of Katanga in 1964 and the Shaba invasion of 1977, while in the post-

1996 conflicts the engagement of diplomatic processes were used as a means to a peaceful political solution.

The introductory chapter creates an overview of conflict by providing for its definition and manifestation in general, and Africa in particular. It is apparent that conflict has always been a part of life in any given society as evidenced by the wars and disputes that have erupted throughout human history. These conflicts have been either inter-state or intra-state, however, sometimes civil wars have escalated into regional conflicts. Both these scenarios can be seen in the Great Lakes region of Africa, where you have the civil wars of 1996-7 and 1998 in the Democratic Republic of Congo (DRC) escalating into a regional conflict. Since war can be viewed as an extension of state policy, as argued by Clausewitz (as quoted by Zartman) it can also be assumed that conflicts can be resolved by political means (Zartman, 1989:3). As such, the study holds the premise that the diplomatic process is a political option providing the means to a peaceful solution to conflict. Therefore, in this context conflict was taken to mean "the struggle over values and claims to scarce status power and resources in which the aim of the opponent is to neutralize, injure or eliminate their rivals" (Dougherty and Pfaltzgraff, 1981:182).

The first chapter established that African conflicts are most often typified by what seem to be ethnocentric struggles for power and scarce resources, as in the DRC. These conflicts manifest themselves as intra-state hostilities that tend to have spill-over effects and often engage the participation of neighbouring states. Subsequently, the study was able to use the structural theories, political process theories and socio-psychological theories of conflict to identify the typical African conflict that best explains the DRC situation. With this in mind, the character of conflict in Africa, and the DRC in particular, is manifested by the politicisation of ethnicity,

power struggles (economic and political) and the impact of external forces in the internal affairs of a country. Therefore, the study establishes that the conflict in the DRC is typical of an intra-state conflict that has escalated into an inter-state war with Zaire at the epicentre.

A distinction was made between conflict management and resolution, and their affinity identified, in order to show how they correlate in the process of managing or resolving a conflict. Conflict resolution refers to the elimination of the causes of conflict through means such as negotiation, compromise and agreement. Conflict management refers to the process of preventing conflict from escalating into a crisis or the lessening of a crisis that has already erupted (Zartman, 1989: 8-11). The methods of conflict resolution are incorporated within conflict management mechanisms whereby mediation and negotiations are often used to prevent a conflict from escalating into a crisis or to lessen the impact of a crisis. The distinguishing factor is that conflict management is a long-term strategy, while conflict resolution is specific to a given situation. The process of conflict management is composed of two stages, the preventative stage before hostilities have broken out, and the stage where there is armed engagement and thus a need to reduce or resolve the conflict. In the DRC context the OAU and the UN were used as the mechanisms of conflict management although the UN opted to work under the auspices of the OAU. Preventive diplomacy was never fully employed prior to the 1996-7 conflict, but it was used more effectively in the second rebellion. However, the process proved to be more successful in reducing the conflict as evidenced by the Lusaka Peace Accords.

The second chapter articulates the underlying assumptions being made in the study. Firstly, a distinction was made between crisis and conflict so that one can comprehend their usage. Kende (1996:80) defined them as follows: crisis being a high level of aggravation of

differences that precede the real or potential outbreak of discrepancies prior to conflict; and conflict as more or less the violent outbreak of discrepancies that may manifest themselves as sporadic clashes, low profile wars or real war. Secondly, it was assumed that the diplomatic process was used by all the methods and mechanisms of conflict management and resolution used the forms of diplomacy articulated in this chapter. Diplomacy is used as a mode of communication and a means to an end by either using formal or informal/private channels. The formal channels are used by organizations while the informal ones tend to be used by international personalities such as Heads of State or Special Envoys. Before discussing the methods of conflict management and the mechanisms utilizing diplomacy, the chapter articulates the process of conflict analysis that enables one to determine the suitable diplomatic option depending on the stage of the conflict.

In the third chapter the study contextualizes the perceptions of conflict created in chapter one and the underlying assumptions articulated in chapter two, to the conflict in the DRC as a case study. However, it was necessary to provide a profile of the country and a brief history prior to the 1996 conflict so that one can apprehend the dynamics involved in the crisis. In the process the causes of the hostilities that erupted in 1996 and 1998 were also established.

After setting the scene on the crisis in the DRC from a historical perspective to the situation at the end of 1999, the study applied the phases of conflict analysis to demonstrate the stages the conflict had gone through. The purpose of this exercise was to identify the characteristics of conflict and to imply the reason for their persistence. Conflict analysis also helped to determine the applicability of the different conflict management approaches at the different stages of the conflict. It was established that the character of the conflict could be explained by the theories discussed in the first chapter. In this context, it was assumed that diplomacy is a suitable means

of resolving the crisis via a political compromise. As such, the setting was created for the study to analyse the diplomatic initiatives with respect to resolving the conflict at the different stages.

Chapter four analysed the diplomatic initiatives employed in the management and resolution of the conflict in the DRC. It was assumed that the initiatives were implemented through the diplomatic process discussed in chapter two. Another assumption was that the diplomatic process was geared at reducing the hostilities, and so it was necessary to prove otherwise. The initiatives were examined at both a bilateral and multilateral level through efforts at formal and informal/private diplomacy, and by organizations and individuals. Empirical evidence was used for the 1996-7 conflict and from 1998-1999, and the study looked at each conflict separately.

5.1 Findings

The study found that the nature of conflict in Africa has been changing over time, together with the emergence of new inter-state relationships both within the continent and without. It is clear that conflicts on the continent have become intra-state or intra-regional in nature, with the reduction of direct extra-continental interference. In this context there has emerged the need for increased use of peaceful approaches to conflict management and resolution, such as in the use of diplomacy. Relevant theories to the case study were also identified that can explain the eruption of conflict in Africa, namely, structural theories, political process theories and socio-psychological theories. From this it was determined that the character of conflict in the DRC were ethnicity, power struggles and external factors. With this in mind one is able to analyse

the diplomatic peace initiatives based on how they approach these factors as encompassing the issues of dispute.

Various approaches to conflict management and resolution were highlighted in the study. With respect to the DRC crisis the methods of conflict management and resolution employed have been both formal and informal. The formal method was judicial settlement, which was used by Kabila when he took Uganda, Rwanda and Burundi to the ICJ and accused them of invading the DRC. The lesser formal approaches were the use of the UN Security Council, *ad hoc* summitry and the “good offices” of the OAU and its Secretary General. In essence, these approaches were in the form of mediation, negotiation and conciliation through the use of diplomacy. The mechanisms that applied these approaches were the OAU and the UN. One will note that the UN and the OAU are both a method of resolving a conflict (by order of the Security Council) and also a mechanism for facilitating such resolutions.

In general these methods and mechanisms of conflict management and resolution use diplomacy as the mode of communication, be it formal or private diplomacy. And in most cases this is done through the use of *ad hoc* summitry meetings. If diplomacy has failed at the preventative stage then the parties may opt to combine it with physical intervention through peace enforcement. This perception is enshrined in the context of preventive diplomacy, which provides for the operation of the UN peacemaking and other peaceful endeavors at conflict management and resolution. Organizations and institutions that have a vested interest in the conflict and that have the mandate to carry out such activities, such as the humanitarian NGOs and in our case the OAU, also employ these methods.

From the analysis of the issues in dispute before the outbreak of the second conflict, it is evident that after the AFDL “liberation” the fundamental issues that had started the conflict in the first place had not been resolved. Therefore, a further eruption of conflict was inevitable. The main issues of contention in both cases were three factors present in all conflicts of this nature, that is, struggle for power, ethnicity and external forces. In addition, the lack of experience in Kabila’s regime in the early days, the sheer difficulty of governing the country, the failure to get into touch with the opposition within the country and civil society (viewed with suspicion by authorities returning from abroad and a diaspora unaware of local issues), human rights violations, the banning of political activities, all contributed to undermine the president's legitimacy. As such, conflict was deemed inevitable. Kabila also appeared as emulating Mobutu’s style of rule in order to consolidate his power. Therefore, conflict management was not exhaustively used because it failed to resolve the first conflict through a peaceful option. Preventive diplomacy also failed in as far as halting the second crisis from escalating into a conflict.

After examining the diplomatic process and initiatives for the DRC crisis, one is able to assert that diplomacy as a process works but it does not often have the desired result. It is evident that appropriate forms of diplomacy were used at all the different phases of conflict, from the time of dispute to the eruption of hostilities. Therefore, it can be said that it is not diplomacy that fails as a process, but it is the commitment of those involved. This contention is supported by the outcomes of the different diplomatic initiatives discussed above, such as the identification of the issues in dispute in both the crises yet the warring parties did nothing to resolve them. However, the notable failure of diplomatic initiatives is that they only produce short-term solutions, and thus the resurgence of hostilities. Therefore, the DRC conflict would have been resolved if the parties involved and those signatory to the Lusaka Peace Accords of

July 1999 had been committed to peace. A possible explanation for this is that the belligerents only signed the Accords to “buy time” so that they could re-arm themselves and develop new strategies. In essence, the continued violation of the Accords is an indication that a military victory was still deemed possible by the different warring parties. As such, they would not be committed to peace as long as they believe that there is a chance of winning the war through a military victory.

5.2 Recommendations

From the findings of the study one can assume that the key factor to resolving the crisis is commitment to the peace process by the belligerents. The parties involved need to appreciate the fact that a war will not solve the issues in dispute, and thus, even a military victory would leave the following long-term sources of conflict unresolved in the DRC (International Crisis Group, 1999):

- the leadership problem: there would still exist a dispute over who is to take the helm after either side has won;
- the problem of democratisation and the construction of a solid state: the DRC has never had a legitimate government except for the attempts made by the CNS in 1991;
- the problem of managing this huge country: the unity of the state is still in doubt, thus, it would be difficult to set up centralised administrative structures;
- the problem of the Congolese Tutsi: this issue of the Banyamulenge still remains a crucial in the sustainability of peace in the country.

Based on these issues it is clear that an amicable solution can only be reached through peaceful means and with the use of the diplomatic process as a means of compromise and reconciliation. Therefore, it is our recommendation that conflict management and resolution in the DRC needs to be pursued through the diplomatic process. It is from this process that feasible solutions can be arrived at. For instance, the process will enable those involved to

attain a cease-fire, opt for an intervention force or the implementation of sanctions as penalties to prompt the ending of the conflict. Other than the use of diplomacy, conflict can only be ended by a military victory, but this will only have a short-term effect because the underlying causal factors will remain. Therefore, the potentiality of conflict will still be present.

It is our firm belief that peace will be attained once the non-negotiable interests of the warring parties have been incorporated in the formula for peace. A good example of such a formula was the Lusaka Peace Accords of July 1999, where all the interests of the belligerents were considered and a comprehensive document drafted. The Accords were given credence by the fact that all the parties involved eventually signed the document although the rebels were initially hesitant to do so. In this context, it is evident that the diplomatic process succeeded in drafting an action plan, the only problem was the violation of the Accords by the warring parties and assumptions made during the talks. Negotiators made several dubious assumptions including (Mail & Guardian, July 19 1999):

- that the belligerents are serious about the search for peace;
- that foreign states will be prepared to commit military forces to peace enforcement and the rest of those responsible for atrocities in one of the world's most remote, inaccessible and inhospitable environment;
and
- test the United Nations will be able to persuade the major powers to provide the financial and logistical backing for an operation.

Therefore, we recommend that the initiatives of mediation and negotiation should continue, without making assumptions that all sides are willing and able to adhere to the solutions agreed upon.

The diplomatic process should further be complemented by peacemaking and peace-building efforts. Such efforts are also experiencing the lack of financing and are thus difficult to

implement, especially with the reservation the Western powers have towards involvement in African crises. As such, Thabo Mbeki of South Africa recommended “renaissance peacekeeping” as a possible option (Malan, 199:7). The idea of this proposal is to invite those military forces involved in the DRC conflict to contribute to a multinational operation designed to bring peace to the country. In essence, the belligerents police their own implementation of a cease-fire saving costs and logistics. The recommendation and establishment of a Joint Military Committee by the Lusaka Peace Accords evidence the acceptance of this concept.

In conclusion the study intended to establish whether conflict management and resolution has failed or succeeded in the DRC. By using diplomacy as a means to a peaceful political solution, the conflict management and resolution process has been successful. The diplomatic process is successful in its theory and practice; however, the problem arises when enforcing the decisions reached after the process is exercised. Therefore, the process needs to be complemented by the efforts of peacemaking, peace building and peace enforcement so as to give it credence. It is also imperative to ensure commitment to the process by creating penalties and sanctions that the warring parties will suffer if they do not adhere to the provisions of the process. One must keep in mind that all these efforts should be geared for both long term and short-term implementation. As such, it should not be assumed that the issues in dispute have been resolved once the cease-fire is in place. Therefore, it can be said that a conflict can be solved in the short term by a military victory or cease-fire, or in the long run by a “hurting stalemate” or the issues in dispute becoming irrelevant to the warring parties.

APPENDICES

APPENDIX I
Political Map Of DRC (1998)



Source: *The Perry-Castaffida Library Map Collection at the University of Texas. Retrieved October 6 2000.*
http://www.lib.utexas.edu/Libs/PCL/Map_collection/africa/Congo_DemRep_pol98.jpg

APPENDIX II

Declaration of the Assembly of Heads of State of Government on the Establishment Within the OAU of A Mechanism For Conflict Prevention, Management and Resolution

The following are extracts of clauses drafted and adopted during the OAU Twenty-ninth Ordinary Session in Cairo, Egypt, from 28-30 June 1993. After the session it was declared as follows:

- In May 1963, the Founding Fathers of the OAU met in Addis Ababa, Ethiopia, to form the organization under the collective conviction that freedom, justice, equality and dignity are legitimate aspirations of the African people. This was inspired by the need for understanding and cooperation between the African people and states to promote their development.
- The objectives of the founding fathers could only be achieved through peace and security.
- It was with overriding conviction and also guided by the Charter of the United Nations and the Universal Declaration of Human Rights, that African countries began the arduous task of meeting the triple challenges of decolonisation, economic development and maintenance of peace and security.
- It has been recognized that there have been certain human and internal factors that have continued to the present state of affairs on the continent.
- No single factor has contributed more to the present socio-economic problems in the continent than the scourge of conflicts within and between African countries. Conflicts have forced millions of people into a drifting life as refugees and internally displaced persons, deprived of their means of livelihood, human dignity and hope. Conflicts have gobbled-up scarce resources, and undermined the ability of countries to address the many compelling needs of the people.
- While reaffirming commitment to the Declaration of the Political and Socio-Economic Situation in Africa and the Fundamental Changes Taking Place in the World, which was adopted during the Twenty-Sixth Session of the Assembly in Addis Ababa, in July 1990, the OAU renews its determination to work in concert in the search for speedy and peaceful resolution to all the conflicts in Africa.
- At the Twenty-eighth meeting of the OAU Assembly in Dakar, Senegal, it was decided in principle to establish within the OAU, and in keeping with the principles and objectives of the Charter of the

Organization, a Mechanism for Conflict Prevention, Management and Resolution. The decision was taken against the background of history of many prolonged and destructive conflicts on the continent and of the limited success at finding lasting solutions to them, notwithstanding the many efforts that have been expended. In so doing, the Assembly was also guided by the determination to ensure that Africa through the Organization of African Unity plays a central role in bringing about peace and stability on the Continent.

- It was seen that the establishment of such a Mechanism would be the opportunity to bring to the processes of dealing with conflict on the continent a new institutional dynamism, enabling speedy action to prevent or manage and ultimately resolve conflicts when and where they occur.
- The Mechanism will be guided by the objectives and principles of the OAU Charter; in particular, the sovereign equality of member States, non-interference in the internal affairs of states, the respect of the sovereignty and territorial integrity of Member States, their inalienable right to independent existence, the peaceful settlement of disputes as well as the inviolability of borders inherited from colonialism. It will also function on the basis of the consent and the cooperation of the parties to conflict.
- The Mechanism will have as a primary objective, the anticipation and prevention of conflicts. In circumstances where conflicts have occurred, it will be its responsibility to undertake peace-making and peace-building functions in order to facilitate the resolution of these conflicts. In this respect, civilian and military missions of observation and monitoring of limited scope and duration may be mounted and deployed. In setting these objectives, the Assembly is fully convinced that prompt and decisive action in these spheres will, in the first instance, prevent the emergence of conflicts, and where they do inevitably occur, stop them from degenerating into intense or generalized conflicts. Emphasis on anticipatory and preventive measures, and concerted action in peace-making and peace-building will obviate the need to resort to the complex and resource-demanding peace-keeping operations, which our countries will find difficult to finance.
- However, in the event that conflicts degenerate to the extent of requiring collective international intervention and policing, the assistance or where appropriate the services of the United Nations will be sought under the general terms of its Charter. In this instance, the respective countries will examine ways and modalities through which they can make practical contribution to such a United Nations undertaking and participate effectively in the peace-keeping operations in Africa.

- The Mechanism will be built around a Central Organ with the Secretary-General and the Secretariat as its operational arm.
- The Central Organ shall function at the level of Heads of State as well as that of Ministers and Ambassadors accredited to the OAU or duly authorized representatives. It may, where necessary, seek the participation of other OAU Member States in its deliberations particularly, the neighboring countries. It may also seek, from within the Continent, such military, legal and other forms of expertise as it may require in the performance of its functions.
- The Secretary-General shall, under the authority of the Central Organ and in consultation with the parties involved in the conflict, deploy efforts and take all appropriate initiatives to prevent, manage and resolve conflicts. To this end, the Secretary-General shall rely upon the human and material resources available at the General Secretariat.
- Within the context of the Mechanism for Conflict Prevention, Management and Resolution, the OAU shall closely coordinate its activities with the African regional and sub-regional organizations and shall cooperate as appropriate with the neighboring countries with respect to conflicts which may arise in the different sub-regions of the Continent.
- The OAU shall also cooperate and work closely with the United Nations not only with regard to issues relating to peace-making but, and especially, also those relating to peace-keeping. Where necessary, recourse will be had to the United Nations to provide the necessary financial, logistical and military support for the OAU's activities in Conflict Prevention, Management and Resolution in Africa in keeping with the provisions of Chapter VIII of the UN Charter on the role of regional organizations in the maintenance of international peace and security. In like manner, the Secretary-General of the OAU shall maintain close cooperation with other International Organizations.

APPENDIX III

Belligerents in the DRC Conflicts

This appendix highlights the belligerents in the DRC conflict as at December 1999. These particular belligerents have been chosen because they have greatly contributed to the persistence of the conflict up until the end of the period of study. However, the issue of belligerence has been a key factor in hindering the peace process because it is not clear who should participate in the initiatives. Therefore, we have selected these groups, as those whom it is felt should be considered in the peace process and whose grievances should be acknowledged in an attempt to incorporate the interests of all interested parties. It will be noted that the people who were fighting in the 1996-7 conflict became his allies when the rebellion against him began, while those who brought him to power became his foes. It is also evident that foreign intervention was motivated by the access to minerals in the DRC.

AFDL

Alliance des Forces Democratique pour la Liberation du Congo-Kinshasa is the movement that came to power after it ousted Mobutu in May 1997. It is a coalition of four movements formed on October 18th 1996 in Lamera, South Kivu. The four movements were the PRP, ADP, MRLC and CNRD. Support was also received from Congolese Tutsis and armies from Rwanda, Burundi and Uganda. The movement also engaged anti-Mobutu exiles from all over the world. Support was also received from the Katanga Gendarmes living in Angola and also the Angolan forces (APLA). When the 1998 rebellion erupted, the AFDL got its support from Zimbabwe, Namibia, Angola, Chad and Sudan. It also incorporated the help of the ex-FAZ (Armed Forces of Zaire), the Interahamwe, UNITA, FDD (Burundian Forces For the Defence

of Democracy) and the rebel groups fighting against the Ugandan regime (LRA, ADF AND WNBF).

RCD

Rassemblement Congolais pour la Democratie was the leading movement since the outbreak of the anti-Kabila rebellion on August 2nd 1998, and was founded by officers and generals of Banyamulenge and Congolese origin who were disappointed in Kabila and Congolese opposition politicians. The movement was initially headed by Professor Wamba dia Wamba, an M'kongo from Matadi. Other prominent leaders in the rebel group were Vice-Chairman Moïse Nyarugabo (Tutsi from South Kivu); Military Chief Jean-Pierre Ondekane (Mongo from Equateur Province); Deputy-Co-ordinator of the RCD Executive Committee Bizima Karaha (Congolese Tutsi from South Kivu) and Minister of Health and Social Affairs of the RCD Emile Ilunga (Luba from Katanga). In May 1999 the group split into two separate RCD factions based in Goma and in Kisangani. Before the movement was divided it had been receiving military and political support from Uganda, Rwanda and Burundi, but there were also rumours that the SPLA rebels of Southern Sudan and forces from Eritrea and Ethiopia were also supporting the RCD. After the split the Goma faction came under the leadership of Ilunga and the Kisangani faction was led by Wamba dia Wamba. Subsequently, their support was also divided, with Wamba dia Wamba receiving support from Uganda whilst Rwanda supported Ilunga.

MLC

Movement de Liberation Congolais is the third largest anti-Kabila group of the Congolese rebels. The group is based in the Equateur Province and is led by businessman Jean-Pierre

Bemba. Due to the small size of the MLC forces, the group gets its military support from Uganda.

Rwandan Rebels in the DRC

Among the Rwandan rebels involved in both the DRC crises are the ex-FAR and the Interahamwe. The ex-FAR are the former members of the Hutu dominated Rwandese Armed Forces, and the Interahamwe are a group of militia that was trained to kill any Tutsi. After they perpetrated the 1994 genocide in Rwanda and being defeated by the RPF (Rwandan Patriotic Front), the rebels moved into Zaire and went under the cover of UNHCR refugee camps to regroup and launch attacks against the new Rwandese government. Initially the FDL fought against them in their struggle to oust Mobutu, but Kabila employed their services when the RCD launched the rebellion against him.

Ugandan rebels in the DRC

There were several Ugandan rebel groups that were operating within the borders of Zaire and thus prompted the involvement of Uganda in the two DRC crises for the sake of security. These groups include the Allied Democratic Front (ADF), West Nile Bank Front and the Lords Resistance Army. Mobutu was supporting these groups by giving them sanctuaries in Zaire, and Kabila did the same thing because most of his well-trained soldiers were now fighting for the RCD.

Burundian rebels in the DRC

The Burundian rebels had rear bases in South Kivu from which they launched cross-border attacks into Burundi. These rebels comprised the National Council for the Defence of the Democracy (CNDD) and its military wing known as the Forces for the Defence of the

Democracy (FDD). These movements had received support from Mobutu and then later from Kabila.

Angolan rebels in the DRC

The Union for the Total Independence of Angola (UNITA) rebels had been operating since the Mobutu era and launched attacks on the APLA from bases in southern Zaire. They were initially supporting Mobutu because he gave them support, but after his defeat they began to support Kabila when the anti-Kabila rebellion emerged.

Angola Peoples Liberation Army (APLA)

The Angolan government under the leadership of Eduardo dos Santos has been involved in both conflicts within the DRC. During the first conflict of 1996-7 APLA was supporting the anti-Mobutu campaign spear-headed by the AFDL, the reason being that the Mobutu regime was providing rear bases to the UNITA rebels in southern Zaire. As such, Angola needed to secure its borders and the AFDL assured the government that it would eliminate the UNITA bases if it came to power. However, the new AFDL government did not fulfil this and so the APLA had to continue fighting the UNITA from within the DRC. As such, the Angolans entered the second conflict that began in 1998, but this time they were supporting the Kabila government in what they claimed was a defence of a state's territorial integrity and sovereignty against foreign aggression by DRC's neighbours.

National Resistance Army (NRA)

The National Resistance Army of Uganda was also largely in both crises in the Congo, fighting against the government in both instances. In both crises the Ugandan government claimed that it was fighting to protect its borders against incursions by rebels who had rear

bases in the DRC. It was evident that the incumbent governments could not provide guarantees of security due to the vastness of the country. At the same time, it has been claimed that the Ugandan army got involved in the conflict because it saw opportunities of exploiting the DRC's vast mineral resources in the eastern side of the country. In the first conflict Uganda supported the AFDL and in the second one it supported the RCD and the MLC. However, after the split in the RCD the Ugandans supported the RCD faction based in Kisangani and led by Wamba dia Wamba.

Rwanda Peoples Liberation Army. (RPLA)

The RPLA got involved in the DRC conflicts for similar reasons as the neighbours sharing borders with the country. It also wanted to secure its borders against rebel insurgencies that were being launched by rear bases from the refugees' camps in the DRC. The Rwandans were claiming that they were exercising the principle of hot pursuit. As such, they supported the AFDL to come to power in the first conflict and then the RCD in the second conflict. RPLA also maintained their presence after the AFDL came to power because they were providing military logistics and expertise to the AFDL army, until they were asked to leave the country by Kabila. They were fighting to protect the rights of the Banyamulenge Minority who are Congolese Tutsi and the Rwandans identified with them as their brothers. Therefore, in the second conflict the RPLA supported the RCD, especially the Goma faction led by Emile Ilunga. It has also been stated that like Uganda, the Rwandans also want to exploit the mineral resources in eastern DRC.

Zimbabwe and Namibia

Zimbabwe and Namibia got involved in the second conflict that began in 1998 and supported the Kabila government in defence against the RCD and MLC attacks. The two countries

claimed to be defending a country whose territorial integrity and sovereignty was being violated by an invasion by its neighbours. However, it has been claimed that Zimbabwe had other motives similar to those of Uganda and Rwanda. As such, their presence gave them access to the minerals in the DRC, which Kabila used as payment for their support.

APPENDIX IV

Timeline of Diplomatic Initiatives

DATE		EVENT
1996		
November	5	Nairobi I Summit
	15	UN authorizes Multinational Force (MNF)
	21	Tshisekedi and Government representatives meet for talks on peaceful transition
December	16-18	Nairobi II Summit
1997		
January	22	Mohamed Sahnoun appointed as UN-OAU Joint Special Envoy to the conflict in Zaire
February	6	EU host talks into the crisis in the Great Lakes Region
	18	UN adopts Five-Point Plan drafted by Sahnoun
	25	Kabila goes for talks in South Africa
March	13	Kabila and Museveni meet Sahnoun for mediation talks
	18	Nairobi III Summit
	26-27	Togo Summit
April	5	AFDL and Zaire government representatives meet for talks in South Africa
	17	Mandela invites Kabila and Mobutu for mediation talks in South Africa
May	5	Direct talks between Kabila and Mobutu held aboard a South African Naval ship (SAS Otteniqua) off the Congo port of Porto Noire
1998		
August	15	Talks held in Zimbabwe fail to secure a cease-fire
September	12	Addis Ababa Peace talks breakdown
	16	SADC meeting held in Mauritius to discuss the crisis in the region
October	28	Peace talks held in Lusaka fail
November	2	The talks held in Botswana reached an inconclusive end

December 1999	18	OAU African Summit ends in deadlock
January	16	a ministerial level meeting was held in Lusaka to discuss the crisis in the DRC
	18	SADC held a mini-summit in Windhoek
April	20	Gadaffi initiates a Libyan initiative by inviting the belligerents for mediation talks
May	28	Rwanda declared a unilateral cease-fire in an effort to resolve the crisis
June	2	Mandela calls for a Congo cease-fire summit
	23	SADC initiates talks in Lusaka, while Kabila takes Rwanda, Uganda and Burundi to the International Court of Justice for invading the DRC territory
July	11	Lusaka Peace Accords signed
	16	UN unveils plans for the implementation of the Lusaka Peace Accords
	21	Meeting held in Lusaka to establish the Joint Military Commission (JMC) comprising of the belligerents
August	3	Jean-Pierre Bemba signs Lusaka Peace Accords
	6	UN authorizes deployment of Military Liaison Officers (MLOs) to the region
	31	All 51 Founding Members of the RCD sign the Lusaka Peace Accords
September	23	RCD Goma faction rejects the facilitators appointed by the OAU as recommended by the Lusaka Peace Accords
October	11	First JMC meeting is held in Kampala
November	17	UN acts on Cease-fire violations by sending in an investigative mission
December	15	OAU appoints facilitator
	20	RCD and MLC rebels join together to form a unified front against Kabila.
	23	Museveni and Kabila meet in Libya for mediation talks

Source: Compiled by author.

BIBLIOGRAPHY

Books

- Bakwesegha C J "Conflict Resolution in Africa- A New Role for the UN" in Gunnar M S. Vale P (eds.). Out of Conflict: From War to Peace in Africa. UPPSALA, Nairobi. 1997
- Barston R P. Modern Diplomacy. Longman Group UK Limited, London. 1988
- Berridge G R. Talking To The Enemy. St. Martin's Press Ltd, London. 1994
- Bloomfield L P. Moulton A. Managing International Conflict. St. Martin's Press Inc., New York. 1997
- Burton J. Conflict Resolution And Provention. St. Martin's Press, New York. 1990
- Day A R. "Multilateral Security And Its Alternatives" in Day A R. Doyle M W (eds.). Escalation And Intervention: Multilateral Security and Its Alternatives. Westview Press, Colorado. 1996
- Dougherty J F. Pfaltzgraff R J. Contending Theories of International Relations. Harper & Row Publications, New York. 1981
- Doyle M W. "Escalation And Intervention" in Day A R. Doyle M W (eds.). Escalation And Intervention: Multilateral Security and Its Alternatives. Westview Press, Colorado. 1996
- Dunn D H. "Introduction" in Dunn D H. (ed.). Diplomacy At The Highest Level. Macmillan Press Ltd, London 1996

Ekwe-Ekwe H. Conflict And Intervention In Africa. Macmillan Academic And Professional Ltd, Hampshire. 1990

Fisher R et.al. Beyond Machiavelli: Tools for Coping With Conflict. Harvard University Press, Cambridge. 1994

Gurr T R. "Theories of Violence and Political Revolution in the Third World" in Deng F M. Zartman W I. (eds.). Conflict Resolution in Africa. The Brookings Institute, Washington D.C. 1991

Hodder-Williams R. "African Summitry" in Dunn D H. (ed.). Diplomacy At The Highest Level. Macmillan Press Ltd, London. 1996

Kaufmann J. Conference Diplomacy. Macmillan Press Ltd, London. 1996

Kende I. "Crisis And Conflict: Management And/Or Prevention" in Rotblat J. D'Ambrosio U. (eds.). World Peace and the Developing Countries. The Macmillan Press Ltd, London. 1986

Kittani I. "Preventive Diplomacy and Peacekeeping" in Otunu .O A (ed.). Peacemaking and Peacekeeping for The New Century. Roman & Littlefield Publishers Inc, New York. 1998

Mpwotsh N. "The Organization Of African Unity In Conflict Management In Africa" in Rotblat J. D'Ambrosio U. (eds.). World Peace and the Developing Countries. The Macmillan Press Ltd, London. 1986

Nicholson M. Rationality and the Analysis of International Conflict. Cambridge University Press, Cambridge. 1992

Nyong'o A P (ed.). Arms and Daggers in the Heart of Africa. Science Publishers, Nairobi. 1993

Paskins B. The Ethics of War. Duckworth, London 1979

Ray J L. Democracy and International Conflict. University of South Carolina Press, Carolina. 1995.

Smoke R. Herman W. Paths To Peace. Westview Press Inc., Colorado. 1987

Starke J G. Introduction to International Law. Butterworths, London (10 ed.). 1989

Stedman S J. "Conflict and Conflict Resolution in Africa: A Conceptual Framework" in Deng F M. Zartman W I. (eds.). Conflict Resolution in Africa. The Brookings Institute, Washington D C. 1991

Vogt M A. "Conflict Resolution and Peacekeeping- The Organization of African Unity and the United Nations" in Gunnar M S. Vale P (eds.). Out of Conflict: From War to Peace in Africa. UPPSALA, Nairobi, 1997

Wright S (ed.). African Foreign Policies. Westview Press, Colorado. 1999

Yong S K. The Ego Ideal, Ideology and Hallucinations: a Psychoanalytic Interpretation of Political Violence. University Press of America, Boston. 1992

Zartman W I. "Conflict Resolution: Prevention, Management and Resolution" in Deng F M. Zartman W I. (eds.). Conflict Resolution in Africa. The Brookings Institute, Washington D.C. 1991

Zartman W I. Ripe For Revolution. Oxford University Press, New York. 1989

Periodicals

"Credibility of Opposition Group Damaged By Mining Interests" in Southscan, 1998. Vol. 13 No. 11.

Human Rights Watch Africa. The Democratic Republic of the Congo. Human Rights Watch, New York. December 1997. Vol. 9, No. 9(a))

Human Rights Watch Arms Project. Rwanda/Zaire: Rearing With Impunity. Human Rights Watch, New York. May 1995. Vol. 7. No. 4

Nzangola-Ntalaya G. "Africa Focus: Conflict in Eastern Zaire" in Africa Insight 1996, Vol. 26: no.4

Pongo M K. "Dreams, Battles and the Rout of the Elite in Congo-Kinshasa: at the Mourning of an Imagined Democracy" in Issue, 1998, Vol. XXVI/I

Reno W S K. "Mines, Money and the Problem of State-Building in the Congo" in Issue, 1998, Vol. XXVI/I

Reed W.C. "Protracted Patronage, Truncated Armed Struggle, and Political Consolidation in the Democratic Republic of Congo" in Issue, 1998, Vol. XXVI/I

Reyntjens F. "The Geostrategic Situation in Central Africa" in Issue, 1998, Vol. XXVI/I

Other Publications

Ajulu R. The Democratic Republic of Congo: a Country Profile. (n.p.) 1997

Council of Ministers Sixty-Fifth Ordinary Session (Tripoli, Libya: 24-28 February, 1997). Report of the Secretary General on the Crisis in the Great Lakes Region. Organization of African Unity, Addis Ababa. 1997

Ellis S. Nkundabagenzi F.. Congo Policy Study. Conflict Prevention Network, Eberhausen. October 1997

First Extra-Ordinary Session of the Central Organ of the OAU Mechanism for Conflict Prevention, Management and Resolution at Summit Level (Lome, Togo: 25-26 March, 1997). Report of the Secretary General on the Crisis in the Great Lakes Region With Special Reference to Eastern Zaire. Organization of African Unity, Addis Ababa. 1997

Kuhne W et.al. Rebel Movements in East and Central Africa. Stiftung Wissenschaft und Politik, Ebenhausen. February 1999

Malan M. 'Renaissance Peacekeeping: A South African Solution to Conflict in the DRC' in ISS Papers. Paper 37, 1999

Solomon Hussein. "Some Reflections on the Crisis in Zaire." in ISS Papers, No. 15. February 1997

Internet Resources

African Heads of States and Government. The Charter. Organization of African Unity, Addis Ababa. 1963. Retrieved September 3 2000

http://www.oau-oua.org/oau_info/charter.htm

Barrell H. "SADC Stops Mugabe's Organ Abuse" in Daily Mail & Guardian, Johannesburg. September 17 1999. Retrieved September 9 2000

http://www.mg.co.za/mg/news/99sep2/17sep-zim_sadc.html

Barrell H. "SA Joins New Congo Peace Initiatives" in Daily Mail & Guardian,
Johannesburg. January 15 1999. Retrieved September 9 2000
<http://www.mg.co.za/mg/news/99jan2/15jan-congo.html>

BBC News- World: Africa. "Congo Peace Talks Break Down" in BBC World, London.
September 12 1998. Retrieved September 5 2000
http://news.bbc.co.uk/hi/english/world/africa/newsid_169000/169890.stm

BBC News- World: Africa. "Inconclusive End to Congo Talks" in BBC World, London.
November 21 1998. Retrieved September 5 2000
http://news.bbc.co.uk/hi/english/world/africa/newsid_218000/218948.stm

BBC News- World: Africa. "Congo Talks Fail To Secure Truce" in BBC World, London.
August 8 1998. Retrieved September 5 2000
http://news.bbc.co.uk/hi/english/world/africa/newsid_147000/147676.stm

BBC News- World: Africa. "Congo peace talks Fail" in BBC World, London. October 28
1998. Retrieved September 5 2000
http://news.bbc.co.uk/hi/english/world/africa/newsid_201000/201193.stm

BBC News- World: Africa. "Six Countries Sign Congo Peace" in BBC News- World: Africa. London. July 11 1999. Retrieved September 5 2000
http://news.bbc.co.uk/hi/english/world/africa/newsid_390000/390720.stm

Braeckman C. "Africa's New Geopolitics: New Leader New Lessons" in Le Monde Diplomatique. July 1997. Retrieved September 8 2000
<http://www.monde-diplomatique.fr/en/1997/07/braeckman>

Braeckman C. "Partition Poses as Protection: Carve-up In the Congo" in Le Monde Diplomatique, Paris. October 1999. Retrieved September 6 2000
<http://www.monde-diplomatique.fr/en/1999/10/08congo>

BBC News. "Time line: The Conflict In The DR Congo" in BBC World, London. September 9 1999. Retrieved September 13 2000
<http://news6.thdo.bbc.co.uk/hi/english/world/africa/newsid%5F436000/436754.stm>

BBC News- World: Africa. "Africa Summit Ends in Deadlock" in BBC World, London. December 18 1998. Retrieved September 5 2000
http://news.bbc.co.uk/hi/english/world/africa/newsid_237000/237685.stm

Business Day. "SA Prepared to Play a Role in Central Africa" in Business Day, Johannesburg. November 1 1996. Retrieved October 13 1999
<http://www.bday.co.za/96/1101/world/w2.htm>

Business Day. "Zimbabwe Blocking SA Mediation Bid" in Business Day, Johannesburg, August 11 1998. Retrieved October 13 1999
<http://www.bday.co.za/08108/0811/world/w12.htm>

Eveleth A. Pech K. "SA Troops on Standby for Congo" in Electronic Mail & Guardian, Johannesburg, September 4 1998. Retrieved September 9 2000
<http://www.mg.co.za/mg/news/98sep1/4sep-congo.html>

Garret R. "Mission Impossible: The Massacre In Former Zaire" in Le Monde Diplomatique, Paris, December 1997. Retrieved September 9 2000
<http://www.monde-diplomatique.fr/en/1997/12/garreton>

Hartnack M. Pickard-Cambridge C. "Defence Ministers Present United Front" in Business Day, Johannesburg, August 26 1999. Retrieved October 13 1999
<http://www.bday.co.za/99/0826/world/w17.htm>

Hossack C. "Nzo Leads SADC Delegation to Congo Amid Rumoured Rejection of Ceasefire Proposal" in WOZA, Johannesburg, August 25 1998. Retrieved September 5 2000
<http://www.woza.co.za/news/congo06.htm>

Barrel Howard. "Tottering Kabila Begs Help" in Daily Mail & Guardian, Johannesburg, July 30 1999. Retrieved September 9 2000
<http://www.mg.co.za/mg/news/99jul2/30jul-congo.html>

Integrated Regional information Network. Chronology of Conflict Events in DRC. UN Integrated Regional information Network, Nairobi. February 29 2000. Retrieved September 6 2000
<http://www.reliefweb.int/IRIN/cea/countrystories/drc/20000228a.htm>

International Crisis Group. Africa's Seven-Nation War. International Crisis Group, Washington D.C. May 1999. Retrieved September 5 2000
<http://www.crisisweb.org/projects/congo/reports/ca05mainb.htm>

IPS. "DRC Rejects Rwanda Cease-fire Offer" in Daily Mail & Guardian, Johannesburg, June 3 1999. Retrieved September 9 2000
http://www.mg.co.za/mg/news/99jun1/3jun-rwanda_congo.html

IPS/Misa. "Togo Peace Talks Look Promising" in Electronic Mail & Guardian, Johannesburg, March 28 1997. Retrieved September 27 2000
<http://www.mg.co.za/mg/news/97mar2/28mar-zaire.html>

IRIN. "Summary of Lusaka Ceasefire Accords" in Mail & Guardian, Johannesburg. July 22 1999. Retrieved September 6 2000

<http://www.mg.co.za/mg/news/99jul2/22jul-congo.html>

Laufer Stephen. "SA Must Prepare For a Peacekeeping Role" in Business Day, Johannesburg. November 8 1996. Retrieved October 13 1999

<http://www.bday.co.za/96/1108/news/n12.htm>

Leymarie P. "Africa's New Geopolitics: Shock Waves After Mobutu" in Le Monde Diplomatique, Paris. July 1997. Retrieved September 9 2000

<http://www.monde-diplomatique.fr/en/1997/07/africa>

Madakufamba M. Ground Breaking Decisions Taken at SADC Summit. Southern Africa Environment Project, Cape Town. September 19 1997. Retrieved October 2 2000

<http://www.saep.org/sadc/sadc1.html>

Mail & Guardian. "There is Little Hope of Union in the Divided Heart of Africa" in Mail & Guardian, Johannesburg. July 19 1999. Retrieved on September 7 2000

<http://www.mg.co.za/mg/news/99jul2/19jul-congo.html>

Mail & Guardian. "Congo Rebels Want to Talk Peace" in Electronic Mail & Guardian, Johannesburg. August 20 1998. Retrieved September 9 2000

<http://www.mg.co.za/mg/news/98aug2/20aug-congo.html>

Matshikiza J. "God Has Left Kisangani But Minister Zuma Found it a Little More Difficult" in Daily Mail & Guardian, Johannesburg. August 23 1999. Retrieved September 9 2000

<http://www.mg.co.za/mg/news/99aug2/23aug-congo.html>

Mbembe A. "Africa's Frontiers Influx: Migration of Peoples, Disintegration of States" in Le Monde Diplomatique, Paris. November 1999. Retrieved September 9 2000

<http://www.monde-diplomatique.fr/en/1999/11/12africa>

McGreal C. "Mistrust Casts Pall on Congo Signing" in Daily Mail & Guardian, Johannesburg. August 31 1999. Retrieved September 9 2000

<http://www.mg.co.za/mg/news/99aug2/31aug-congo.html>

McGreal C. "Mobutu Opens Door... and Puts Foot in it" in Electronic Mail & Guardian, Johannesburg. March 26 1997. Retrieved September 27 2000

<http://www.mg.co.za/mg/news/97mar2/26mar-zairetalks.html>

Mithembu-Salter. "Peacemaker By Default" in Weekly Mail & Guardian, Johannesburg. October 2 1998. Retrieved September 13 2000

<http://web.sn.apc.org/wmail/issues/981002/NEWS21.html>

Montreal Conference on Durable Peace and Democratic Development in the Democratic Republic of Congo.” Statement of Principles and Plan of Action. International Centre for Human Rights and Democratic Development, Montreal. January 30 1999. Retrieved September 5 2000

<http://www.ichrdd.ca/PublicationsE/confCongo01-99en.html>

Mundala B. “Congo Rebels Reject Peace Accord” in Mail & Guardian, Johannesburg. April 26 1999. Retrieved September 6 2000

<http://www.mg.co.za/mg/news/99apr2/26apr-congo.html>

Nyoni N. “Zimbabwe’s Focus on the North Puts SA on its Toes” in Business Day, Johannesburg. January 11 1999. Retrieved October 13 1999

<http://www.bday.co.za/99/0111/comment/e4.htm>

Onyango-Obbo C. “Inside Congo Lion’s Mouth: Kampala Strikes” in Africa News Online, Durban. July 14 1999. Retrieved September 9 2000

<http://www.africanews.com/obbo/article308.html>

Peters D. Civil War in Eastern Zaire: Chronology. (n.p.), Tubingen. May 11 1997. Retrieved September 5 2000

<http://www.geocities.com/CapitolHill/Lobby/1243/zachron.htm>

Powell I. "The Cease-fire that Never Existed" in Mail & Guardian, Johannesburg.

November 17 1999. Retrieved September 11 2000

<http://www.mg.co.za/mg/news/99nov2/17nov-congo.html>

Security Council. Resolution 1080 (1996). United Nations, New York. November 15

1996. Retrieved September 27 2000

<http://www.un.org/Docs/scres/1996/9632332E.htm>

Tshiyembe M. "Africa's New Players Jostle For Power: Great Lakes Region Realigns" in

Le Monde Diplomatique. January 1999. Retrieved September 8 2000

<http://www.monde-diplomatique.fr/en/1999/01/18africa>

Turner T. Meditz S. "Introduction" in Zaire- A Country Report. Library of Congress,

New York. 1994. Retrieved September 8 2000

[http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field\(DOCID+zr0013\)](http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+zr0013))

UN Integrated Regional Information Network. IRIN Chronology of Conflict Events In

DRC. UN Integrated Regional Information Network, New York. February 2000.

Retrieved September 8 2000

<http://www.reliefweb.int/IRIN/cea/countrystories/drc/20000228a.htm>

