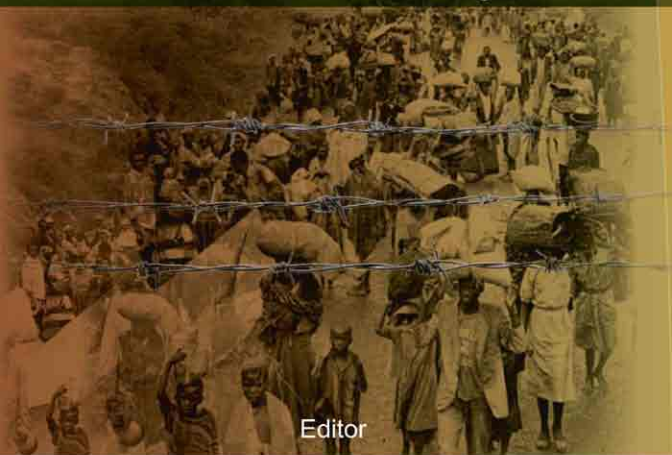


Understanding OBSTACLES to PEACE

Actors, Interests, and Strategies
in Africa's Great Lakes Region



Editor

Mwesiga Baregu

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Abbreviations

ABC	Abyei Boundary Commission
ADB	African Development Bank
ADF/NALU	Allied Democratic Forces/National Army for the Liberation of Uganda
AFDL	Alliance of Democratic Forces for the Liberation of Congo
ALiR	Armée de Libération du Rwanda
AM	Anvil Mining
AMIB	African Mission in Burundi
ARLPI	Acholi Religious Leaders Peace Initiative
ASP	Afro-Shiraz Party
AU	African Union
BM	Boss Mining
CAEP	Chinese Academy for Environmental Planning
CAF	Conflict Analysis Framework
CAMI	Cadastre Minier
CAR	Central African Republic
CCM	Chama Cha Mapinduzi
CDF	Constituency Development Fund
CECORE	Centre for Conflict Resolution
CEEC	Centre d’Evaluation, d’Expertise et de Certification des Substances
CEPGL	Communauté Economique des Pays des Grands Lacs (Great Lakes countries economic community)
CIA	Central Intelligence Agency
CIAT	International Committee for Accompanying the Transition
CMSK	Compagnie Minière du Sud Katanga
CNDD	National Council for the Defence of Democracy

CNDD-FDD	Conseil National pour la Défense de la Démocratie (National Council for the Defence of Democracy)
CNDP	Congrès National pour la Défense du Peuple (National Congress for the Defence of the People)
COMESA	Common Market of Eastern and Southern Africa
COMIDE	Metorex, Société des Mines et de Développement
COSPNU	Civil Society Organisation for Peace in Northern Uganda
CPA	Comprehensive Peace Agreement
CSRP	Comité de Suivi de la Réforme de la Police
CUF	Civic United Front
DC	District Commissioner
DCP	DRC Copper Project
DDR	Disarmament, Demobilisation and Reintegration
DO	District Officer
DP	Democratic Party
DPRC	District Peace and Reconciliation Committee
DRC	Democratic Republic of Congo
EAC	East African Community
EDF	Equatoria Defence Force
EITI	Extractive Industry Transparency Initiatives
EPA	External Payment Arrears
EPU	European University Centre for Peace Studies
EU	European Union
FAP	Force d'Autodéfense Populaire
FAPL	Forces Armées Populaires pour la Libération
FAR	Forces Armées Rwandais
FARDC	Forces Armées de la République Démocratique du Congo
FDD	Forces pour la Défense de la Démocratie
FDLR	Forces Démocratiques de Libération du Rwanda

FDLR	Forces Démocratiques de Libération du Rwanda
FEC	Fédération des Entreprises du Congo
FEDEMO	Federal Democratic Movement
FNL	Forces Nationales de Libération (Forces for National Liberation)
FOBA	Force Obote Back Again, Ninth October Movement (NOM)
ForDIA	Concern for Development Initiatives in Africa
FQ	First Quantum
FRODEBU	Front for Democracy in Burundi
FR	Force Républicaines Fédéraliste
FUNA	Former Uganda National Army (West Nile armed groups)
GDP	Gross Domestic Product
GECAMINES	Général des Carrières des Mines
GEI	Global Environmental Institute
GMB	Groupe Minier Bangandula
GONU	Government of National Unity
GOS	Government of Sudan
GOSS	Government of Southern Sudan
GTL	Groupement pour le Traitement de Terril de Lubumbashi
HAMAKI	Harakati za Mabadiliko ya Kidemokrasia Zanzibar
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
HSMF	Holy Spirit Mobile Force
ICC	International Criminal Court
ICGLR	International Conference on the Great Lakes Region
IDRC	International Development Research Centre
IDPs	Internally Displaced Peoples
IEMF	Interim Emergency Multinational Force
IGAD	Intergovernmental Authority on Development

IIAG	Ibrahim Index on African Governance
IMF	International Monetary Fund
JKU	Jeshi la Kujenga Uchumi
JVMM	Joint Verification and Monitoring Mechanism
KANU	Kenya African National Union
KCC	Kamoto Copper Company
KMKM	Kikosi Maalum cha Kuzuia Magendo (Zanzibar Marine Forces)
LRA	Lord's Resistance Army
MIBA	Mines de Bakwanga
MLC	Mouvement de Libération du Congo
MONUC	Mission des Nations Unies en République Démocratique du Congo (United Nations Mission for Congo)
MP	Member of Parliament
MPC	Mining Processing Congo
MPRI	Military Professional Resources Incorporated
MRC	Congolese Revolutionary Movement
NCP	National Congress Party
NDA	National Democratic Alliance
NEC	National Executive Committee
NFD	Northern Frontier District
NGOs	Non-Governmental Organisations
NIF	National Islamic Front
NOM	Ninth October Movement, Force Obote Back Again (FOBA)
NRA	National Resistance Army
NRRO	Nuba Relief, Rehabilitation and Development Organisation
OAG	Other Armed Groups
OAU	Organisation of African Unity
OCHA	Office for the Co-ordination of Humanitarian Affairs

OECD	Organisation for Economic Co-operation and Development
OKIMO	Or de Kilo-Moto
OLF	Oromo Liberation Front
OLS	Operation Lifeline Sudan
ONUB	Opérations des Nations Unies au Burundi
PARECO	Patriotes pour la Résistance au Congo
PARENA	Parti pour le Redressement National
PC	Provincial Commissioner
PeSeNet	Great Lakes Peace and Security Network
PM/SCs	Private military/security companies
PNC	Police Nationale Congolaise
PRA	People's Redemption Army
PRA	People's Resistance Army
PRSP	Poverty Reduction Strategy Paper
PSNIFA	National Strategic Plan for the Integration of Forces and Armed Groups
PSR	Kenya Association of Physicians & Medical Workers for Social Responsibility
RCD	Rally for Congolese Democracy (Rassemblement Congolais pour la Démocratie)
RCD-ML	Rassemblement Congolais pour la Démocratie – Mouvement de Libération
RCD-National	Rassemblement Congolais pour la Démocratie – National
RDR	Démocratie et des Réfugiés au Rwanda
REPOA	Research on Poverty Alleviation
RPA	Rwanda Patriotic Army
RUD	Rally for Unity and Democracy
RUF	Revolutionary United Front
SADC	Southern African Development Community
SAESSCAM	Service d'Assistance et d'Encadrement du Small Scale Mining

SAF	Sudan Armed Forces
SAMP	Southern African Migration Programme
SAPES	Southern Africa Political and Economic Series
SARIPS	Southern Africa Regional Institute for Peace Studies
SBEF	Sudan Basic Education Fund
SMI	Structure Militaire Intégré
SODIMICO	Société des Diamants et Minier du Congo
SOMICO	Société Minières du Congo
SOMINKI	Société Minière et Industrielle du Kivu
SPLA	Sudan People's Liberation Army
SPLM	Sudan People's Liberation Movement
SSARF	Southern Sudan Agricultural Revitalisation Programme
SSDF	South Sudan Defence Force
SSLA	South Sudan Liberation Army
SSR	Security Sector Reform
TCD	Tanzania Centre for Democracy
TFM	Tenke Fungurume Mining
THARS	Trauma Healing and Reconciliation Services
TPDF	Tanzania People's Defence Forces
UCDA	Uganda Christian Democratic Army
UFM	Uganda Freedom Movement
UJPS	Union des Jeunes Patriotes Sacrificiés
UN	United Nations
UNAMID	United Nations African Union Mission in Darfur
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNHCR	United Nations High Commissioner for Refugees
UNIB	United Nations Integrated Office in Burundi
UNICEF	United Nations Children's Fund
UNIMIS	United Nations Mission in Sudan

UNITA	National Union for the Total Independence of Angola (União – Nacional para a Independência Total de Angola)
UNLA	Uganda National Liberation Army
UNLF	Uganda National Liberation Front
UNRF	Uganda National Rescue Front
UPC	Uganda People's Congress
UPDA	Uganda People's Democratic Army
UPDF	Uganda People's Defence Force
UPRONA	Union pour le Progrès National
WFP	World Food Programme
WNBF	West Nile Bank Front
WTO	World Trade Organisation
ZNP	Zanzibar Nationalist Party
ZPPP	Zanzibar and Pemba People's Party

Foreword

DRC and its Neighbours: Policy Options for the Great Lakes Region and the International Community¹

Liberata Mulamula

Introduction

I have been asked to “elaborate on the prospects regarding the peace and stabilisation process in central Africa involving notably the Democratic Republic of Congo (DRC), the challenges ahead as well as the policy options for the region”. Let me state at the outset that the centrality of DRC to the stabilisation of central Africa and indeed the Great Lakes region (GLR) cannot be over emphasised. It is also true that each of the neighbours of DRC have their own exclusive challenges independent of the DRC factor.

Context

The geo-strategic position of central Africa, the immense wealth and the cyclical intra- and inter-state conflicts and wars that have characterised the region makes it a subject of major interest. The centrality of DRC and its neighbours in any peace process is a matter of fact as peace will not be possible in central Africa and indeed in the Great Lakes region unless there is peace and stability in DRC.

If we define peace to mean the “absence of war”, we can say that the situation in the region is now better than it has been since the 1990s. This, however, does not mean that the region has achieved stability. The situation in the central African countries (i.e. DRC, Republic of

1 This foreword is a paper presented by Ambassador Liberata Mulamula, executive secretary of the International Conference on the Great Lakes Region, at a conference organised by EGMONT on the theme: Democratic Republic of Congo and its Neighbours and held at Egmont Palace, Brussels, 12 December 2007.

Congo, Burundi, Rwanda, and Central African Republic) remains very fragile

This consultative conference, in my view, is quite timely given the dynamics and the fragile situation in the Great Lakes region that has the potential to reverse the positive achievements of the recent past. The Pact on Security, Stability and Development in the Great Lakes Region, signed by the heads of state and government in December 2006 in Nairobi ushered in a new era for the region. The establishment of the International Conference on the Great Lakes Region (ICGLR) generated much enthusiasm and optimism. I trust that through discussion we can find synergies in the security architecture put in place by the security pact, to find sustainable peace and stability in Africa's Great Lakes region.

Since the focus of this consultative meeting is on the central African countries and DRC in particular, I will address myself to the challenges of the region in the context of the ICGLR and the security pact. I am a product of that pact, which established the regional secretariat in Bujumbura, Burundi, as part of the follow-up mechanism for its effective implementation.

The ICGLR is composed of the 11 member countries that have been affected by the intractable conflicts, either as belligerents or as part of the peace efforts in DRC. These countries are Angola, Burundi, Central African Republic, DRC, Republic of Congo, Kenya, Rwanda, Sudan, Tanzania, Uganda and Zambia.

Challenges

There are five major challenges that have shaped the form and nature of intervention, in the region, in the search for peace, stability and development. The policy options for peace and stability in affected areas in central Africa are what have been called conflict circuit breakers embodied in the regional legal and institutional frameworks.

The major challenges that I have identified are:

- presence of a number of “negative forces”/illegal armed groups;
- persistence of a climate of tension and mistrust among political leaders;
- proliferation of small arms and light weapons;
- illegal exploitation of natural resources;
- contested boundaries; and
- population displacements.

The challenges and policy options

The disarmament and repatriation of the armed groups or the so-called negative forces in eastern DRC pose a major challenge for the region. Such groups, which include the former Rwandan army, Forces Armées Rwandais (ex-FAR/*interahamwe*) and Uganda’s Lord’s Resistance Army (LRA) that sought sanctuary in DRC, are the main causes of insecurity that have prompted armed incursions into DRC by both Rwanda and Uganda.

The Lusaka Accord of 1999 set up a joint verification mechanism under which Rwanda and DRC would deal with these armed groups. This mechanism has not delivered the desired results due to a number of factors, which include low levels of trust and lack of capacity to conduct monitoring and verification. With facilitation from the US government, the Tripartite Agreement on Regional Security in the Great Lakes region was put in place in 2004 to augment the Lusaka Accord in addressing the problem of illegal armed groups. This has been implemented through the Tripartite Plus One Joint Commission that was expanded in 2005 to include Burundi. The original members were DRC, Uganda and Rwanda plus the US.

The resolution of the problem of negative forces calls for a comprehensive regional approach through joint action and collective responsibilities of member states. The Pact on Security, Stability and Development of the Great Lakes Region, with its two relevant protocols on non-aggression and mutual defence in the Great Lakes region and the protocol on the prevention and punishment of war crimes and crimes against humanity and all forms of discrimination, placed an

obligation on all countries in the region to eliminate the threat posed by the illegal armed groups. The Protocol on Non-aggression and Mutual Defence in the Great Lakes Region (2006) stipulates:

Member States undertake to renounce the threat or the use force as a means of resolving conflicts or disagreements or disputes; abstain from sending or supporting armed opposition forces or armed insurgents or any armed groups onto the territory of another member states and also prohibits member states from even tolerating mere presence of such armed forces on their territory.

The pact and the protocols also oblige member states to cooperate at all levels with the view to disarming and dismantling existing armed rebel groups and to promote the joint and participatory management of state and human security on their common borders.

These instruments and protocols provide a basis for peace and total elimination of the problem of negative forces, if all the governments respect and implement them. This requires the highest level of political will on the part of national leaders, and active support of the international community.

The international community and the negative forces

Since 1999, the UN has committed itself to assist with the disarmament of the negative forces. The deployment of a force of 17,000 soldiers, limited mandate, under the United Nations Mission for Congo (MONUC) has proved to be rather inadequate in dealing with the intractable problem of illegal armed forces in a country the size of DRC. In yet another agreement signed in Nairobi between DRC and Rwanda, the two parties recommitted themselves to eliminate the threat posed by illegal armed groups through “peaceful and military means.” They urged the Security Council to pass a resolution establishing sanctions against the ex-FAR/*interahamwe* and called upon all neighbouring member states to prevent all fundraising, mobilisation or propaganda activities of the ex-FAR/*interahamwe*. The agreement was witnessed by international partners including the United Nations, the European

Union and the United States. It remains to be seen if the commitments made in this and other similar agreements will be respected and implemented.

Boundaries and trans-border zones concept

The border disputes between DRC and Angola over Kahemba on the one hand and with Uganda over Rukwanzi Island in Lake Albert that flared up in August 2007 on the other hand were contained after the parties agreed to abide by the decisions that would be arrived at by a team of experts charged with the demarcation of the boundaries. The experts were to depend on maps dating back to the colonial period. Belgium, for one, was called upon to provide technical expertise as custodian of the boundary maps of its former territories in settling the Kahemba border conflict. The international community could help forestall war over the boundaries if it provides the professional expertise on the basis of the available information.

Part of what complicates the problems in central Africa is the issue of long borders. These long and porous borders are difficult to police effectively by a single country. Almost none of the countries that border DRC have clear boundaries. This calls for an urgent regional initiative for collective management of common-border security to ensure peace and stability for all the countries.

There is need to pay attention to the innovative initiative of trans-border development basins and joint security management of common-border zones as embodied in the ICGLR pact.

Trans-border zones and joint security management

The Great Lakes region has established 12 trans-border zones or growth triangles to provide new opportunities for conflict management and growth. The driving force in establishing these zones is to transform border zones into areas of peace, security and shared growth. There is a growing realisation that border conflicts impact negatively on trans-border development. The approach of joint security management of

common borders seeks to overcome weaknesses in existing unilateral border practices by joining forces on the basis of bi- and trilateral arrangements.

The best examples are Zone 1: Uganda, Rwanda and DRC, which is considered the most volatile zone, but also has great potential for development cooperation; and Zone 10: DRC, Burundi and Rwanda. Both zones are prime examples of the challenges and opportunities to end political instability, solve border conflicts and restore an atmosphere of trust and confidence among the concerned states.

Proliferation of small arms

Proliferation of small arms is a major problem in the region. The supply grows with the demand, though the region is a user rather than a supplier. The ICGLR has a project to combat the problem of the acquisition and use of small arms and light weapons in the region. It is meant to work in the context of another regional mechanism, the Regional Centre on Small Arms and Light Weapons (RECSA), but these initiatives are bound to fail if they are not backed up by a commitment by the international community to prohibit the supply and to assist with the removal of conditions that encourage demand in their region.

Illegal exploitation of natural resources

The regional initiative put in place under the mandate of ICGLR was dictated by the political will of the heads of state who committed themselves, through the Dar es Salaam Declaration and the security pact, to put in place a legal framework to curb the illegal exploitation of natural resources in the region and to take effective measures to criminalise such acts. In this regard the member states undertook to establish a regional mechanism to certify natural resources (modelled on the Kimberley Process). Country-specific interventions as well as assistance from the international community in the certification mechanisms are needed.

Population displacements

The region has experienced a major share of displacements of a significant number of people in the world. The conflicts that had been raging on in the region led to many people being displaced within and outside of the countries. It has been reported that while half of the internally displaced peoples (IDPs) in the world live in Africa, half of these on the African continent are in the Great Lakes region.

For the first time, the ICGLR pact provides a regional legal framework dedicated to dealing with the problem of IDPs in particular. With the full support and commitment of the member states of the region the framework is a significant step towards solving this major problem. Arrangements under the Tripartite Plus Commission have provided viable frameworks through which the respective countries and the United Nations High Commissioner for Refugees (UNHCR) can address issues of refugees and create conditions that would enable the voluntary return of affected people to their countries of origin. There are also other options, including integration of refugees into the communities in which they find themselves, resettlement in third countries, such as the US or acquiring citizenship by naturalisation as was the case of Barundi refugees in Tanzania in relation to the 1972 conflict.

The international community could be of assistance in creating more pull factors for the voluntary return of refugees to their countries of origin when the reasons for their displacement have been overcome.

Prospects

Areas of Marked Progress

On the positive side, we are witnessing

- increased political dialogue and confidence-building efforts among countries in the region;
- increased willingness and determination among leaders to enter into negotiations intended to resolve conflict;
- return of IDPs and refugees to their countries of origin.

- increased respect for regional protocols for peace and development;
- increase in the number of democratically elected governments in the region; and
- increased attention on the region by international partners.

With the exception of DRC, countries in the region have achieved a sustainable level of stability. The situation in Burundi had been promising until the PALIPEHUTU-FNL pulled out of the peace (power sharing) negotiations mediated by South Africa and chaired by Uganda. In 2008 PALIPEHUTU-FNL signed the final agreement and changed its name to simply FNL, deleting the ethnic element. However, the party boycotted the recent elections. Sustained efforts are required in support of the regional initiative to ensure that the situation in Burundi does not regress into conflict again. In DRC, the General Nkunda factor was solved by Rwanda's intervention that ended with his arrest. The other illegal armed groups will be tackled in the context of the security pact and subsequent agreements, given that the leaders have demonstrated political will.

Determination to end conflicts

There is increased determination to end conflicts in the region. In the last few years we have witnessed increased activity as leaders have taken the initiative to find solutions for these problems. The DRC and Rwanda foreign affairs ministers signed a communiqué in Kinshasa that underscored the need to respect the important provisions of the Pact on Non-Aggression and Mutual Defence. It is also encouraging to note that there have been other efforts which include the bilateral agreement of cooperation signed on 8 September 2007 between Uganda and DRC in Ngurdoto, Arusha, Tanzania. The presidents reaffirmed their commitment to the security pact and addressed a number of critical issues intended to enhance peace, security and prosperity between the two countries and the Great Lakes region in general. Tripartite Plus Commission meetings and the heads of state summits demonstrate commitment to the peace processes that have been undertaken.

Regional instruments for peace and development

Although many international instruments have been ratified by the Great Lakes Region countries, the December 2006 Pact on Security, Stability and Development of the Great Lakes Region has been taken more seriously. It has informed a number of other agreements and communiqués that have been signed in the region in the recent past. Civil society and governments have started implementing its protocols and projects. The pact entered into force on 21 June, 2008. The pact was initially signed by seven of the 11 member states, namely: Burundi, Central African Republic, DRC, Kenya, Rwanda, Uganda and Zambia. It has now been signed by all member countries.

The member countries in central Africa and the Great Lakes region need the support of the international community to ensure compliance with the protocols of the pact as well as implementation of the projects.

Conclusion

In conclusion it is pertinent to say that this central Africa Great Lakes region “spaghetti bowl” presents an opportunity for finding a durable solution for challenges relating to peace and security, particularly in DRC. The mechanisms put in place to forestall any future conflicts in the region need to be given a chance. At the heart of ICGLR is the Pact on Security, Stability and Development of the Great Lakes Region, which promotes the collective vision of our leaders to transform the region from a zone of hostilities, conflicts, and underdevelopment into a zone of security, stability and partnership. The follow-up mechanism established under the pact, namely the Summit of Heads of State, the Council Ministers, the Secretariat, the Troika and the National Coordination Mechanism, are always available to address any contradictions that might arise.

There is political will and a willingness among the leaders in the region to address critical issues that impact on peace and stability. The challenge that remains is to translate the agreements and commitments into action.

Preface

The inspiration to undertake the research and compile this volume arose from a deep conviction that the approaches that were being taken in studying and seeking to resolve the conflicts in the Great Lakes Region were inadequate. The war in the DRC threatened to engulf the whole region and beyond. The negotiations over Rwanda and Burundi were not bearing fruits. In both cases, it soon became clear that the full dynamics of the protracted conflicts could only be understood by studying a wider field of actors and their interests in the conflicts. We thus sought to contribute to both theory and policy.

This study, therefore, is a first attempt to test the overarching hypothesis that it is actor interests, strategies and interactions that will ultimately determine whether a conflict grows, lingers or is terminated. In this schema, 'political will' which is considered crucial in other approaches is here considered a function of interests which may promote or obstruct peace independently of the will of actors.

The cases studied were deliberately chosen because all these countries are involved in some form of protracted conflict. The team members are invariably nationals of the countries although they come from diverse backgrounds and experiences. Our key concern was to identify the major obstacles to peace initiatives and to suggest (tentatively), ways of getting around them. The diversity of backgrounds of the authors or enriched the study. It is our hope that in the next phase of this project, the same team will address the challenge of removing the obstacles more concretely.

Of particular interest were the "report-back" seminars held in each country to brief the public and test our conclusions. In each case these aroused considerable interest and debate which went into refining our conclusions and recommendations. We are grateful to the people who participated in these sessions.

Policy Briefs, setting out the research problems as well as summarizing the findings, conclusions and recommendations are being published separately. We hope they will be found helpful particularly

for policy makers who may not have the time to plough through the chapters. The final chapter draws upon them considerably.

The journey leading from the inception to the design and ultimate execution of this project has been an exciting adventure shared with many people as well as institutions. Many have assisted directly and indirectly in the evolution of the project. Although I can not name all of those involved I would like to mention a few.

To this end, I would like to acknowledge the invaluable contribution made by SAPESTrust and specifically the Southern Africa Regional Institute for Peace Studies (SARIPS) where the idea was first conceived during my tenure as head of the Peace and Security Research Program (1998-2002). The idea was born out of the frustrating experiences of monitoring the negotiations for an end to the war in the DRC, which broke out in 1998.

I would also like to express my appreciation of the support extended by the Department of Political Science, University of Dar es Salaam which co-hosted the research project in collaboration with ForDIA - the executing institution. My students in various courses became the guinea pigs as I elaborated the conceptual framework and tried it out for viability and robustness.

The Executive Director of ForDIA, Mr Bubelwa Kaiza and the staff at ForDIA tirelessly ensured that the project stayed on track and was well coordinated throughout its lifespan. To this end, ForDIA ensured that the research workshops as well as the report-back seminars went smoothly. I would like to thank the local organizers of the report-back seminars which in several places attracted a lot of people and generated considerable interest and discussion. These organizations, by country, include: DRC-Heritiers de la Justice; Uganda- Centre for Conflict Resolution (CECORE); Burundi-Trauma Healing and Reconciliation Services (THARS); Kenya- Kenya Association of Physicians & Medical Workers for Social Responsibility (PSR-Kenya); and Southern Sudan-University of Juba

The research team itself deserves mention for the close collaboration, collegiality and hospitality during my field visits. I would like to believe that we all learned a lot from the project and

have opened new frontiers in conflict research. I hope we can continue the work we have started. The whole team is highly indebted to Prof. Saida Yahya-Othman the copy editor who made sense of what we were saying individually as well as lending coherence to the whole volume.

The team is also indebted to Ambassador Liberata Mulamula, secretary of the International Conference on the Great Lakes office in Bujumbura, for participating in the second research workshop where initial findings were presented, maintaining a sustained interest in the project and for authorizing the use of one of her speeches as an introduction to the volume.

Finally, our profound appreciation goes to IDRC, the funding agency for extending the financial support but, even more important, for giving us a chance to test a new approach to conflict analysis by moving beyond root causes to examine the role of actors, interests and strategies. The Nairobi office, in particular, through its director Constance Freeman and her officers Njeri Karuru and Rosemary Ngigi deserve special mention for their patience and forbearance particularly when we could not meet the agreed deadlines.

This project arose from dissatisfaction with existing conflict analysis frameworks which dwelt mainly on root causes of conflicts. They did not seem to provide adequate explanations for the prolongation of conflicts in the Great Lakes region without focusing on agency. We therefore hypothesized that in the case of protracted conflicts, an examination of 'actors, interests and strategies', in addition to root causes, may be more productive. This volume presents the results of this endeavor. It is our hope that this initial attempt will provide a basis for further investigation to the people involved in ending protracted conflicts and suggest how to handle them in negotiating and implementing peace agreements to create sustainable peace.

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Actors, Interests and Strategies in the Great Lakes Conflict Formation¹

Mwesiga Baregu

Introduction

The quest for peace in the Great Lakes region has never been more urgent. The region has become the home of violent and prolonged conflicts that have caused untold suffering and blocked any meaningful socio-economic progress. And yet no solution seems to be in sight. The First Summit of Heads of State and Government on the Great Lakes Region held in Dar es Salaam on 19 and 20 November 2004 was yet another initiative, this time at regional level, to address the protracted and largely intractable conflicts that have afflicted the region for many years. Most of the earlier initiatives approached these conflicts on a case-by-case and state-by-state basis and therefore focussed on the countries directly affected in trying to find solutions.

We thus have had the Burundi, Rwanda, DRC, Uganda, Sudan and other peace processes being conducted concurrently but as separate and seemingly unrelated events. This has meant that even in cases where the conflicts are interrelated and overlapping with reciprocal effects there has been little effort to draw out the necessary linkages

and to work deliberately towards a regional and comprehensive settlement. A very good example was the question of the ex-FAR and *interahamwe* forces in DRC, which continued to obstruct the implementation of the 'Global and Comprehensive Agreement on Transition in the Democratic Republic of Congo' (December 2002).

The issue remained such a major stumbling block in the DRC peace process that no sooner had the Dar es Salaam summit ended, than hostilities broke out again between Rwanda and DRC, with Rwanda claiming cross-border incursions from DRC and threatening armed intervention. For this reason, many were skeptical about the benefits of the summit. The Dutch Foreign Minister and the EU representative at the talks, for example, said that President Kagame expressed a lot of doubt about the agreement and quoted him to have said: "This agreement may again be just a piece of paper."²

Lessons Learned or Neglected in the Great Lakes Region

What was perhaps unique about this particular initiative was that it attempted to build upon past experience while recognising the realities that had either been neglected in the past or had simply not received the attention they deserved. The conference presupposed, among other things, that the region had been able to learn some lessons from past experiences and was therefore better informed and more adequately prepared to confront the challenges hindering sustainable peace in the region. Some of these lessons are the following. The first lesson is that the conflicts in the region should be approached regionally because together they constitute what could be called a conflict formation or system. A conflict formation is a set of conflicts that are interlinked in such a manner that they feed upon and fuel each other with reciprocal effects. Such conflicts straddle borders of different countries and are normally driven by the same actors in the pursuit of their own interests.

This means that any attempt to resolve any one of them must take this reality into account and embrace strategies that are dynamic and extra-territorial. Failure to grasp this fact has inevitably resulted in partial, inconclusive and unsustainable solutions. This realisation is captured in Clause 5 of the Preamble to the Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region, which states: “*Conscious* that the crises and conflicts affecting one country can rapidly spread to another, and even to the entire region, owing to the close links existing between our peoples...”³ The second lesson is that the issues at stake in one or more conflicts are diverse, and overlap. In the past excessive attention had been placed on politics, and the resulting strategies for conflict resolution have focussed on “power sharing”, but today there is a growing realisation that there is more to conflicts than politics and power struggles. Hence the Dar es Salaam conference included on its agenda issues of peace and security, democracy and governance, economic development and regional integration, and humanitarian considerations. This realisation is encapsulated in Clause 2 of the Preamble:

Deeply concerned about the endemic conflicts and persistent insecurity caused or aggravated by, *inter alia*, economic stagnation and poverty aggravation, mistrust and suspicion between governments, massive violations of human rights and other policies of exclusion and marginalisation, gender inequality, use of violence for conquering and conserving power, impunity of crimes of genocide, crimes against humanity, war crimes, illicit trafficking of small arms and light weapons, proliferation of armed groups, organised crime and illegal exploitation of natural resources...⁴

Third, the organisers of this conference seem to have come to a realisation, although, as we shall see later this is still appears partial and hesitant, that hitherto it had been states and political actors that had dominated the negotiation and implementation space in almost all peace agreements. There is general consensus in the literature that this perception in itself accounts for some of the failures of the

agreements since it marginalises the principal stakeholder – civil society. Therefore, beginning with the DRC peace process that resulted in the Global and Comprehensive Agreement on Transition in the Democratic Republic of Congo signed in December 2002, it became clear that civil society needs to be accorded a distinct position and role in conflict-resolution processes if agreements are to be implemented successfully. As a result, civil-society representatives were to head five independent commissions in the transition arrangement in DRC. Hence the preparations for the ICGLC provided for deliberate and direct input by NGOs, youth and women’s groups as well as other sections of civil society. Accordingly national meetings of NGOs were held across the region, culminating in the Meeting of Regional NGOs in the Great Lakes Region in Arusha, Tanzania, at the end of September 2004. This meeting, which was attended by the UN Special Representative for the Great Lakes region, among others, drew up a number of recommendations that were forwarded to the Summit. Unfortunately the Dar Declaration says very little about the role of civil society and indeed the term “civil society” is mentioned only once in the whole document. Hardly anything appears in the all-important section on Priority Policy Options and Guiding Principles in the document. The section on Peace and Security, Economic Development and Regional Integration, and Humanitarian and Social Issues is silent about civil society too. It comes up vaguely under Democracy and Good Governance, with reference to:

Promote effective participation of the different socio-economic actors, specifically the private sector, civil society, women and youth in the consolidation of democracy and good governance...⁵

Indeed, it is instructive to note that the concept “civil society” was dropped at some point in the conference preparation process because some states objected to its use. Instead, the term NGOs was adopted in its place as being more acceptable.

Justification of the Study and some new Hypotheses

One crucial area that did not receive much attention in the summit, was the role of various actors, their interests and the strategies they adopt in the conflicts. This is partly because of the extreme and almost exclusive focus on the description and analysis of the root causes of the conflicts that the organisers adopted. This approach has been rather static and has tended to turn attention away from the dynamics of conflicts that, inevitably, either facilitate or obstruct peacemaking efforts. What is important to note is that these dynamics, rooted in the actors' interests, are extremely important and they are quite often independent of the root causes of the conflict. This research therefore sought to fill that gap. It attempts to identify, describe and analyse interest-driven actor behaviour in conflicts and to relate this behaviour to actor orientation towards peace initiatives. This area has also, surprisingly, been neglected, mainly because research has largely tended to employ the narrower and perhaps more instrumental concept of "parties to conflicts", which is commonly used in negotiation processes and has so far dominated mainstream thinking about conflict resolution and peacekeeping. For this reason, in a dissenting view, a 2004 issue of *Disarmament Times* contends that none of the UN reports:

...provide information on the historical and political contexts necessary for an understanding of what the conflicts were about or why they continue. UN reports characteristically gloss over or ignore key issues, and provide little or no analysis of the interplay of major economic and political interests that lie at the root of conflicts.

In various attempts to identify and describe the root causes of African conflicts, a number of approaches have been taken. Some students of African conflicts emphasise socio-anthropological factors such as ethnicity, others place greater emphasis on political and social grievances and the struggle for power, and yet others concentrate on economic factors such as poverty, greed and relative deprivation.

In almost all these approaches there exist at least three common elements, which tend to weaken the explanatory and predictive capacity of the analyses, particularly with regard to assessing and projecting actor orientations towards peace processes and specifically the implementation of peace agreements.⁶

The first of these elements is that historical approaches concentrate on processes of conflict formation, conflict transformation and conflict resolution. They thus tend to show little concern for root causes and are usually concerned with either exacerbating factors or indeed trigger events and they generally assume that all parties have an interest in peace. Consequently facilitation of negotiation, agreement and implementation processes becomes the consuming preoccupation, as we witnessed at the Sun City round over the DRC.⁷

What seems to emerge from the experiences gathered from the protracted conflicts in the Great Lakes region is that the preoccupation with process rather than substance is not merely a misguided, honest error of a conceptual and technical nature, but rather, it expresses the strategic preferences of particular actors, especially if those actors in positions that can influence, if not determine decisively, the outcomes of the process in favour of their interests in given conflicts. Emphasising processes also means that resolution of the substantive issues that gave rise to the conflict is sidestepped and postponed to the future.

In some cases, issues of substance are regarded as divisive, diversionary or unnecessary encumbrances that are likely to wreck the process. A closer look at some of the situations shows some of these processes and dealings to be equally diversionary. There is evidence to show that most agreements reached without taking into account actor interests, while clearly providing a temporary respite, have consistently proved difficult to implement and, in fact, have created conditions for the aggravation of the conflicts. This would seem to be the experience with the successive Angola agreements as well as the Lusaka DRC agreement, in which the interaction of imperialist

interests with elements of warlordism, for example, have obstructed progress in their implementation.⁸

The second element is that these approaches have tended to be internalist or statist in the sense that they usually define conflicts by territorial boundaries. Consequently we have references to the Sierra Leonean conflict, the Burundian conflict, and DRC conflicts, even when such conflicts clearly transcend and indeed defy national boundaries. It is rare that violent conflicts can be completely contained and restricted to particular state boundaries. Even when the violence is contained successfully, there are always spillover effects in the form of refugees or insurgent groups retreating to regroup to fight yet again. The Great Lakes region features both phenomena in abundance, with refugee flows from DRC, Rwanda and Burundi to Tanzania, Uganda, Zambia, Zimbabwe and even as far afield as South Africa.

The presence of the *interahamwe* militia and ex-FAR forces in eastern DRC is believed to be at least one of the legitimate reasons for Rwanda's presence in DRC. It is in this context that concepts of regional conflict formations, complexes, systems and matrices have emerged. These concepts do not refer only to interconnections between conflicts in terms of reciprocal effects, but also to explicit linkages and interactions (overt or covert) among actors, including their involvement in the conflicts in a regional setting. A clear example of this would be the interactions between warlords, gun-runners, drug barons, money launderers, weak states and imperialist interests. Moreover, such conflict formations may emerge on the basis of physical geography (e.g. availability of minerals in particular geological formations) or politics, but they are always defined and mediated by actor interests. For this reason, these formations are not stable or fixed in time and space. They are always fluid, shifting according to actor and/or interest dominance, interaction patterns and alliances of interests. An expression such as "DRC conflict" does not quite portray the scope and magnitude of the conflict, which may be temporarily concentrated in DRC but which is spatially and dynamically more expansive, taking on regional as well as international dimensions in the globalised struggle for strategic

resources, for example. In the same context, the superficial distinction between internal and external actors is not analytically helpful once we focus on actor/interests and their strategies rather than processes and paces of negotiating the termination of conflicts.⁹

The third common element, which follows from the second, is that these approaches have adopted a limited definition of conflict parties, narrowly identified as those individuals or groups of actors who are immediately and visibly involved in the conflicts. The inter-Congolese dialogue, for example, was conceived in these terms and that was the basis on which three hundred or so political groups were facilitated by the EU and the US to travel to Sun City, South Africa, to try to come to some agreement on the appropriate political order suitable for DRC.

It is interesting that what emerged from those talks was not a compromise among the political groups involved but rather a coalition between two major actors, namely, the Kabila government on the one hand (which enjoyed considerable support from the European countries led by the French government) and Bemba's Mouvement de Libération du Congo (MLC), which was backed by Uganda and enjoyed some support from the US. The outcome, arrived at behind the back of the official facilitator, Sir Ketumile Masire, was not surprising, though quite instructive. It was arguably the outcome most favoured by powerful but invisible actors such as the US (on the side of Bemba) and the EU, in particular France on the side of Kabila. At the international level of actor interaction therefore, the agreement may be interpreted as a Franco-American compromise.¹⁰

The narrow approach to the definition of parties to the conflict as political groups, for example, leads to the fallacy that in order to reach a stable and sustainable agreement, all self-appointed political organisations have to be included in any negotiations, with all parties carrying the same weight. The outcome, as in the case of the Lusaka Accord and later in the Sun City process, leads to a protracted stalemate, either at the point of reaching the agreement or at the point of implementation. It is at these crucial points that we have observed

the intervention of powerful interests to arm-twist the parties into an agreement they would never have reached on their own. This approach has demonstrated that other, less visible but quite powerful, actors with interests in the conflicts are left out of the equation, even though they may wield significant influence in the background, to the extent that they could fundamentally affect not only the negotiations, but also the outcomes of the process.

Even worse, some actors present themselves, and become regarded, as impartial mediators in the conflict while they are, in fact, acting in the defence and pursuit of their particular interests. An interesting example relates to the so-called “ambulance chasers”, such as the UNHCR. A statement by the Parliamentary Committee on Foreign Affairs, Defence and Security in Tanzania suggested that UNHCR was obstructing the then ongoing voluntary repatriation process because the end of the process would mean that their personnel would be out of work. The same report argues that there was considerable “refugee fatigue” in the host areas. Kigoma region, for example, resolved not to open new refugee camps and demanded complete repatriation of refugees out of the existing ones by 2005.¹¹ Another case of a similar nature relates to the carpet-bombing in Afghanistan by the US military in search of al-Qaeda terrorists. It was interesting to note that rather than restrain military action in Afghanistan, the UNHCR brought considerable pressure upon Pakistan to open borders and provide land for refugee settlements.

This research therefore, seeks not only to broaden the definition of parties to a conflict and widen the scope of view of actors in conflicts, but it also sets out to identify actor orientations to peace initiatives on the basis of the logic of their interests. The underlying argument is that most peace agreements in the Great Lakes region and indeed in Africa as a whole, have not worked, mainly because they have been based on three fundamentally flawed premises.

The first flawed premise is that the parties to a conflict are to be found solely in the affected countries. We are contending that focussing on actors rather than parties allows for the inclusion of entities that

would otherwise be considered external to the conflict simply because of territorial considerations. The second false premise is that all or most conflicts arise from grievances rather than interests. Collier and others have challenged this assumption and advance hypotheses to the effect that greed rather than grievances underlies most conflicts in Africa.¹² This is a particularly illuminating proposition especially when the territorial assumption is relaxed to allow the analyst to trace greed beyond national borders and through domestic warlords. The third false premise is the assumption that all parties to conflicts are, albeit to varying degrees, committed to peacemaking or can be persuaded to this position. In reality nothing could be further from the truth because commitment to peace is a direct function of the interests at stake.

Four sets of actor orientations that define and structure the responses of particular actors to peace initiatives and that have a fundamental bearing on the processes as well as their outcomes in terms of peace agreements and their implementation have been identified. The orientations are: peacemakers, peace blockers (spoilers), peace opportunists, and conflict entrepreneurs.¹³ The approach has underplayed the role of key actors who may not be strictly "local parties" and therefore less visible. A broader, dynamic and potentially more productive concept is "actors in conflicts". This concept is more analytically robust because it examines, among other things, the "comprehensive actor field" and analyses actor behaviour in relation to their capability to promote and defend their interests as well as the propensity to block peace initiatives for the same reasons.

It is postulated that actor behaviour in peace initiatives follows the logic of actor interests rather than the more popular though rather vague notion of "political will". It is further argued here that, contrary to conventional views, it is not so much the root causes of conflicts that present obstacles to peace initiatives, determine the direction of peace negotiations and therefore determine the nature of agreements arrived at. These obstacles essentially emanate from the interest of actors involved in the conflicts. Any potentially successful attempt to

resolve any conflict in the region must recognise that the probability of successfully implementing an agreement does not depend on the presence or lack of the proverbial "political will" to address root causes but rather, primarily, on the interests of the actors. Indeed, political will itself is a function of actor interests in their dynamic and interactive mode. Actors may thus cooperate or obstruct the implementation of peace agreements depending on the dictates of their interests or the interplay of their interests in a conflict-collaboration mode. This is what ultimately determines actor orientation towards peace agreements.

Actors in conflicts fall in at least four broad categories on a peace-war continuum, as we have already pointed out. At the peace end are the peacemakers; these are mainly victims of the conflict with everything to gain from its resolution. They are actors whose interests are affected negatively by the conflict or who are likely to enjoy a peace dividend. These include civil society, internally displaced people and refugees. They form the backbone of any peace negotiation and should be embraced and encouraged.

At the war end of the continuum are the conflict entrepreneurs. These are actors who deliberately precipitate formation of conflicts to create situations of chaos upon which they scheme off dividends. They are in the business of instigating and fuelling conflicts for personal gain. An interesting case in point is that of Mark Thatcher and others who, in 2004, plotted the invasion of Equatorial Guinea to capture oil fields but who were intercepted by South African and Zimbabwean security forces before reaching Equatorial Guinea.

In between these two extremes are the peace opportunists. This is an enigmatic and unpredictable group of actors. They may promote peace as easily as they may spoil it. They may gain or lose through protraction or termination of the conflict; they support peace when it serves their interests and obstruct it when it blocks them. These include the so-called ambulance chasers, imperialist countries, warlords and the UN's blue berets. They could be converted to peacemakers through the judicious use of appropriate incentives.

Finally, there are the peace blockers (or spoilers). These are actors whose interests are promoted by the existence and prolonging of the conflict or whose interests would be threatened by the termination of the conflict. Peace threatens their interests. These include gun-runners, mercenaries, plunderers, warlords and private militaries. These should be exposed, isolated, condemned and sanctioned through international criminal procedures.

A Paradigm Shift

Actors will collaborate in or obstruct the implementation of peace agreements depending on the dictates of their interests or the interplay going on in the conflict-collaboration mode. This is what, eventually, determines actor orientation towards peace agreements.

We undertook a fundamental paradigm shift on a number of conventional parameters in the course of executing this research project. They are a move from:

- Root causes of conflicts or obstacles to peace initiatives. Conceptually this means that rather than moving from conflict to peace we chose to reverse the process and move, instead, from peace to conflict transformation. This includes recognition that conflicts are dynamic, with changing actors and interests that may have little to do with “root causes”. It also means that by proceeding from obstacles, the analyst will inevitably come upon root causes, while commencing from root causes may not lead to obstacles to peace.
- Political will to actor, interests and strategies. Conventional wisdom has it that failure to reach agreements or implement them arises from lack of political will on the part of some parties in the conflict. This approach often leads to circular thinking in which political will becomes cause and consequence of failure of agreements. To get around this difficulty we chose to focus on the interests of actors to explain willingness or lack of it.
- Static parties to dynamic actors in conflicts. Parties to conflicts largely refers to all those who have a stake in a conflict and are actively involved in its manifestation. The concept is generally all

embracing, assigning the same weight to all parties and making no distinction on the basis of capacity or strategy for action. In this sense the concept is static, passive and rather legalistic. Actors in conflicts, however, are a more dynamic concept. It seeks to capture actors in action and interaction in the pursuit of real or perceived interests. It recognises that violent conflicts are about power and are prosecuted by means of power. This allows a distinction between powerful (strategic) and less powerful (non-strategic) actors.

- State actors to comprehensive actor field. This allows us to move from the static and almost closed focus on state actors in terms of boundaries, unit and level of analysis, to a wider field of actors, of which the state is among the players. It also allows us to introduce a distinction between weak and strong states as actors in order to recognise the limitations of weak states and the abilities of strong states in the management and transformation of conflicts.
- Internal versus external actors to actor interaction. Traditional conflict-resolution literature is riddled with the separation of internal from external actors in conflicts, either treating them as mutually exclusive or treating internal actors as the only determining players in conflicts. We have shifted focus and examine actors as interactive in the framework of the “logic of interests. Interactions are in the conflict and collaboration mode to get to understand better the role of the competing interests.
- Inclusive actor participation to selective targeting. The dominant idea in peace negotiation thinking is that successful peace agreements have to be as inclusive as possible in order to minimise the spoiler elements, popularly known as negative forces. The Lusaka Accord took a long time to get off the ground partly because, for quite a while, the parties could not agree on the participants and their status. Eventually, the Sun City negotiations involved close to 350 political groups. Yet the outcomes of the process did not depend on consensus among these groups. The final bargain was struck between a few strategic actors with the involvement of Western powers, in the background, as actors with their own specific interests. This seemed to suggest that negotiations should

target mainly the strategic actors who should, in turn, prevail upon the other actors to carry through implementation of the agreements. This is what happens in ordinary operations in the world anyway.

- Peace as consensual to peace as contested goal. One dominant belief, particularly among peace activists, some of whom confuse advocacy with hardnosed analysis, is that all actors in peace negotiations are necessarily motivated by and committed to peacemaking. Unfortunately this is not the case. Actors in conflicts have various motives, some of which may contradict peacemaking. As already explained, there are at least four categories of actors in any peace negotiation. A casual examination of a range of actor categories would suggest that *bona fide* peacemakers are few. The majority of actors are either peace blockers or opportunists.

Actors' Interests and their Strategies

One of the vexing features of conflicts in the Great Lakes region and DRC in particular, is the question of a multiplicity of actors and complexity of interests. Apart from the visible internal parties to the conflict who are relatively easy to identify, there are a number of actors lurking in the background but actively working in the foreground. These other actors have been seen to adopt strategies that help them to play roles intended to promote either the resolution of the conflicts or their intensification.

Some of the visible "other actors" may have the most noble stated motives, but in certain cases their actual activities on the ground are not consistent with their stated motives and goals. This arises either from deliberate strategies of deception or from weaknesses in orientation arising from the logic of their interests. It could also be a combination of both. Furthermore, actors such as the Red Cross, UNHCR, and World Food Programme (WFP) may have the best of humanitarian intentions but fall foul to powerful economic or political interests in their areas of operation. The problem is that such actors are usually studied either as disaster-relief organisations or as peace facilitators

but rarely are they ever approached as an “industry” with interests that may hinder peacemaking efforts.

The invisible but quite powerful other actors are even more problematic. Some work invisibly to promote peace but the majority, more often than not, work to subvert peace. Such actors are the intelligence and security services (CIA, MI6, regional security organisations); secret service organisations and private military and security companies, drug dealers, arms merchants and money launderers that operate in the seamy and gray areas of criminality. The plunderers (diamond and gold diggers), lords of poverty (individuals and organisations that perpetuate and thrive on poverty), international financial institutions, weak states and warlords all work together in complex interdependencies.

The activities and impact of these actors may be decisive in determining the resolution or escalation of violent conflict in the region. Yet they are hardly ever studied and when they are, the tendency has been either to treat them casually or as peripheral actors, and they are thus seldom brought into mainstream negotiations for conflict resolution. Furthermore, little attempt has been made to look at their activities as integral and sometimes determinative in conflict dynamics.

What follows below is therefore an initial attempt to identify and describe some of the most important actors in the conflicts in the Great Lakes region and to map out their interests and modes of action and interaction. We also advance some hypotheses on their capacity, commitment, and reliability in peace initiatives, depending on the nature of their interests.

Identities, Profiles and Interests of Actors

Imperialists

These are largely the countries of the Western world, led by the US under the G8 or Organisation for Economic Co-operation and Development (OECD) with an interest in stable but weak states. They may operate overtly or covertly but always with an eye on power and

wealth. Increasingly, governments such as the US, the UK, Israel and France “outsource” military, foreign trade and intelligence activities to an alliance of intelligence agencies and private-sector companies including private military/security companies, (PM/SCs)¹⁴ thus weakening regional states in collaboration with arms dealers, lords of poverty, warlords, moneybags (capitalists), globalisers (multinational corporations with enormous financial resources), and ambulance chasers. For a long time in DRC, they blocked the Southern African Development Community (SADC) allied forces, played out their rivalry over wealth and influence, and ultimately failed to deploy an effective peacekeeping force, thus prolonging the war. Their peace orientation is opportunistic.

Plunderers

These are individuals, companies and states essentially involved in activities of plunder and pillage. They thrive under conditions of relative anarchy with little or no government control over licensing or taxation of resource extraction. High and quick returns (as opposed to long-term investment), are key; their interest is in the extraction of coltan, nobium, diamonds, gold, and genetic resources, among others. Plunderers prey upon weak states, in this case DRC, in collaboration with imperialists, drug barons, arms dealers, mercenaries, PM/SCs, warlords, lords of poverty and money launderers. In DRC they are the central actors in an international network plundering resources, financing the war and obstructing peace initiatives. Their peace orientation is that of blockers or spoilers.

Drug barons

These are individuals or companies involved in drug trafficking networks. They usually supply warlords, mercenaries and child soldiers in war zones as well as among addicts in peaceful areas. They collaborate closely with plunderers, gun-runners, mercenaries, PM/SCs, warlords and money launderers. Like plunderers, they thrive under conditions of anarchy. Working with criminal networks such

as those of Victor Bout of Air Cess, Sanjivan Ruprah¹⁵ and others, drug barons are responsible for supplying the drugs that keep the child soldiers under the influence so that they can kill, rape, maim, steal or burn property, as happened in Sierra Leone. Their peace orientation is that of spoilers.

Gun-runners

These are individuals or companies involved in the legal or illegal procurement and supply of arms and ammunition to one or to all sides in conflicts. They have played a pivotal role in prolonging the war in DRC by supplying the necessary weapons and ammunition. Those actors identified and named by the UN Panel of Experts as airline companies operating in eastern DRC are essentially engaged in supplying arms and evacuating resources. Air Cess, for example, a group of companies controlled by Victor Bout, is known to have supplied Unita (National Union for the Total Independence of Angola), transported diamonds out of the Unita-controlled areas and airlifted Rwanda's RPA forces to Pweto in the DRC-Rwanda battle for Mbuji Mayi in 2000. The same company is known to have been under contract to supply DRC and Angolan forces in the war. Their peace orientation is that of blockers or spoilers.

Mercenaries

Mercenaries are professional soldiers who are hired to take part in hostilities for private gain. Normally, they are not nationals of the region and they are not members of formal armed forces of the state or parties to the conflict. Some of the well-known mercenary leaders include Bob Denard and Mike Hoare, who featured in the early days of Africa's independence. They are normally hired by weak states, PM/SCs, plunderers and warlords. Mercenaries have been cited to operate on almost all sides in the DRC conflict although they did not receive much attention in the UN Panel of Experts Report (2002). Since they are invited by conditions of state fragility, political instability and general insecurity they may provide temporary and limited relief, in the short

term, but tend to exacerbate the conditions that brought them about, in the long term. Their peace orientation is that of spoilers.

Private Military/Security Companies (PM/SCs)

These are relatively new actors who provide a range of military and security services in conflict situations in extremely weak or collapsed states. Services may include combat and operational support, military advice and training, arms procurement, intelligence gathering and hostage rescue. Private security services are supplied in crime prevention, protection of businesses, people and property in non-conflict situations where state police capacity has diminished. Some examples of such companies include Defense Systems Limited (UK), Military Professional Resources Incorporated (USA), Sandline International (UK), Executive Outcomes (SA) (now defunct), Saladin Security, The Corps of Commissionaires, BDM/Vinnel Corp. (US), AirScan (US), Levdan (Israel) and Gurkha Security Guards Limited (UK). As we have already indicated, these companies are hired by weak states, globalisers, ambulance chasers, plunderers, imperialists and drug barons. They have featured at different times and in different roles in DRC, but mainly protect plunderers. Their peace orientation is that of blockers or spoilers.

Warlords

These are either individuals, usually of rebels against a state, who organise and lead armed groups that operate either as bandits or conventional forces carving out certain areas, which they hold, control and exploit by military force. The Great Lakes region has the two renowned types of warlordism – those in power and those out of power. The warlords in power attain it by force and violence, and are obsessed with state security:

...they build ramparts around themselves against the groups they have earlier driven out by force, and then they clone themselves elsewhere, particularly in neighbouring countries such as the Democratic Republic of Congo...¹⁶

They work closely with plunderers, drug barons, arms dealers, mercenaries and PM/SCs. Their peace orientation is that of blockers or spoilers.

Weak States

These are states suffering from diminished capacity to exercise legitimate control and authority of government, maintenance of law and order, provision of social services, and defence of state sovereignty. Worst cases are called collapsed or failed states. In our circumstances, DRC may be the worst case but the region generally features weak states with all the above diminished capacities. The incapacity to exercise effective control over national resources is the most glaring of the states' diminished capacities. These countries are highly penetrated by foreign interests and they are therefore unable to take independent decisions with regard to long-term peace-building processes. Even when they perform stabilising roles, as in the case of the SADC Allied Forces in DRC, they are either ignored or, indeed, chastised. It is no wonder that the withdrawal of SADC forces from DRC was the necessary condition for the deployment of MONUC. Weak states fall prey to nearly all the actors that we have listed above. They may be opportunists or peacemakers, depending on whether they are seeking protection from peace blockers or autonomy from them.

Lords of Poverty

These are self-serving individuals and organisations described in the 1989 book with the same title by Graham Hancock, subtitled, *Power, Prestige and Corruption of the International Aid Business*. They have perpetuated poverty and thrived on it through aid or donor organisations. This has been essentially possible because of the fact that donor countries have no fundamental interest in eliminating the root causes of poverty and underdevelopment; on the contrary, they are interested in maintaining conditions of structural dependency that

spawn the weak states and serve imperialism. Lords of poverty are the thin end of the wedge that creates an enabling environment for plunderers and all the other actors. Their peace orientation is that of opportunists.

Moneybags

Named after Marx's satirical reference to capitalists, these include international financial institutions such as the World Bank, IMF and international commercial banks that move money swiftly across the globe with the effect of weakening the economies of developing countries and turning them into weak states stuck with unpayable debts. Moneybags are essentially interested in free and fast movement of capital into areas and activities that generate quick profits. They are the flag bearers of liberalisation and drive the process of concentration of capital and centralisation of control. In DRC, some banking establishments are responsible for moving money within the vicious circle of resources, money, guns and money again. They include Barclays Bank (UK), Fortis and Belgolaise (Belgium) and Standard Chartered (UK). Preying upon weak states in collaboration with the other actors, their peace orientation is that of opportunists.

Globalisers

These are multinational corporations – gigantic companies with enormous financial resources, bargaining power and technological capacity, which they employ in directing capital movements in search of medium to long-term resources and markets. The holdings of some global giants often far exceed the GNPs of all African states combined. Currently a new wave of mega mergers has set in, making these corporations even more powerful and beyond the effective regulation of particular national governments. They are facilitated by imperialists and moneybags to prey on weak states. Many of these organisations operate within the legal framework in DRC but they are no less predatory under conditions of unequal power. A good number

have been found to have violated the OECD code of conduct. They include Anglo-American (UK), Asa Diam (Belgium), Eagle Wings (USA), America Mineral Fields (USA) and many others, which have blurred boundaries between legal and illegal exploitation. Globalisers have a long-term interest in stability, unlike the plunderers. In terms of peace, they waver between opportunists and peacemakers.

Blue Berets

The UN is technically the ultimate custodian of world peace. However, the UN system is presently constrained by the situation where the General Assembly has been dominated and marginalised by the Security Council, on the one hand, and the subordination of the Security Council to the US, on the other. Further, the Security Council is dominated by the national interests of its permanent members, which are driven by the interests of the globalisers, including such bodies as the WTO. The Security Council constantly wavers between defending the sovereignty of member states and promoting unilateral interests. The UN is progressively losing credibility and legitimacy, particularly among the smaller and weaker member states that feel that the principle of the sovereign equality of states is no longer the norm. This has resulted in major inconsistencies and contradictions that have at times paralysed the organisation. In DRC the competing interests and resulting tensions among the five permanent members of the Security Council were, in my view, responsible for the failure of the Lusaka process as well as the procrastination in deploying a viable peacekeeping mission beyond the largely symbolic MONUC. Working through some ambulance chasers the UN has conflicted as well as collaborated with different actors. Like the imperialists their peace orientation is that of opportunists.

Money launderers

These are networks of banks and other companies involved in transactions intended to “clean dirty money” obtained from criminal

activities such as drug trafficking, gunrunning and resource plunder. The intention is to conceal the illicit source of the money, which is estimated to be in the range of US\$500 billion. In DRC, money laundering has played a key role in the transactions of plunderers and gunrunners in particular. The three Lebanese “clans” of Ahmad, Nassour and Khanafer involved in diamond trade have been mentioned in this regard but this is a very difficult area. Illegal money is cleaned by recycling it into commodities and thus it finds a way into legal operations. Money launderers work in close collaboration with arms dealers, drug barons, plunderers and mercenaries. Their peace orientation is that of blockers.

Ambulance Chasers

These refer to a range of international humanitarian organisations, including those in the UN system such as the Department of Peace-keeping Operations, UN Office for the Coordination of Humanitarian Affairs (OCHA), UNHCR, intergovernmental organisations such as the Red Cross and Red Crescent societies, and many other inter- and non-governmental organisations (NGOs) that respond to natural and man-made disasters. This has become a multi-billion dollar business with networks of food, medical and equipment suppliers. Naturally this has not only created jobs but also vested interests in industry.

Refugees and victims of other disasters have become a source of enormous profits with the same actors moving across the spectrum of engagements from emergency operations to repatriation, rehabilitation, resettlement and reintegration programmes. Instead of preventing and ending conflicts, these organisations have developed a tendency to prolong them. There are a number of reported cases in the Great Lakes region where refugees have been abandoned, discouraged from repatriation or forcefully repatriated depending on the availability and purpose of the available resources. Ambulance chasers thrive on disaster and prey on weak or collapsed states in collaboration with the other major actors. Their peace orientation is that of opportunists.

Civil society

Civil society is used here in the sense of Gramsci's definition as the counterforce to political society, and not as NGOs.¹⁷ Whereas political society represents the sphere of contestation, civil society is the sphere of consent where legitimacy prevails. Civil society in this sense hardly exists in Africa since, as we have seen capacity and legitimacy deficits abound. Where the state is weak or has collapsed one can hardly talk of civil society in the Gramscian sense. Political competence is almost non-existent. One can talk of fractionalised societies and polarised communities sometimes struggling together for peace, while at other times they are locked in internecine Hobbesian struggles for survival. Either way they have little time left for organised, let alone effective, institutional politics.

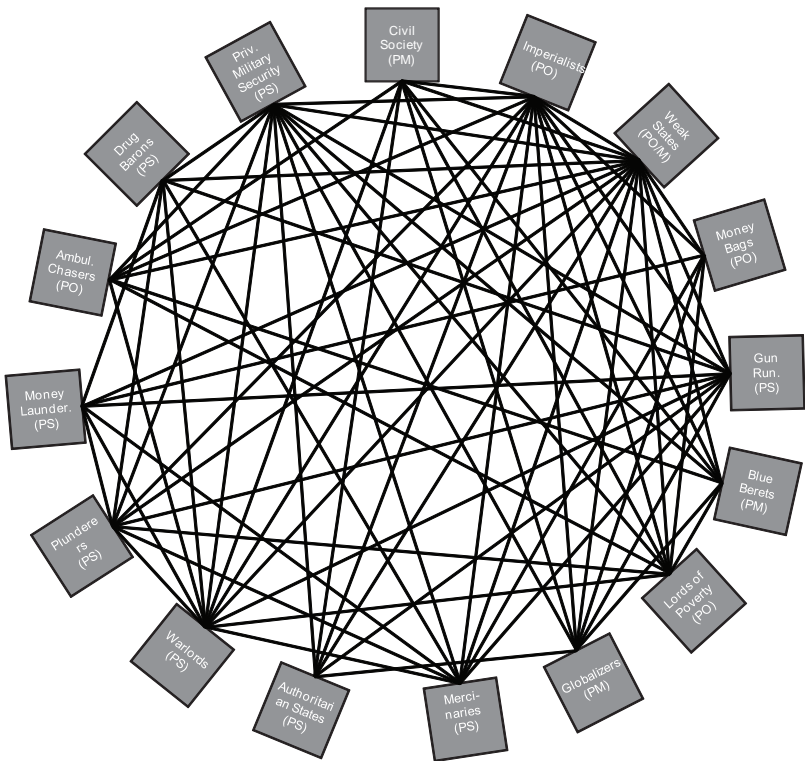
This is roughly the situation that has been prevailing in DRC, where politicised ethnicity has become one of the strategies of warlordism and plunder, while the inter-Congolese dialogue about "power-sharing" was conducted above the heads of ordinary people. The Lendu-Hema conflict as well as the Mayi-Mayi activities can be understood in this context. Yet, there is no doubt that none of the actors has a greater desire for peace than the ordinary people who are the targets and victims of the conflicts. Their orientation is that of peacemakers.

It should be stressed that this categorisation of actors into the four interest-based groups discussed above, is essentially a heuristic device and the list of actors is by no means exhaustive. This is work-in-progress that attempts to simplify reality by capturing the essentials, hopefully without being too arbitrary or judgmental. The list of types of actors may grow as the model becomes more refined. The peace orientations are also neither static nor mutually exclusive. Actors and, in particular, the opportunists vacillate between categories and are difficult to place in one category at any one time.

It is important to note that, according to our categorisation, out of a total of 15 actor types, eight are spoilers, six are opportunists and only

three are oriented towards peacemaking. This suggests that conflict prevention and peace building are formidable tasks with the balance of possibilities lying between spoilers and opportunists. What should be realised, however, is that each of these orientations combines strategic as well as non-strategic actors. Opportunists, for example, include some of the most powerful actors capable of influencing, regulating, controlling or even sanctioning many of the blockers and spoilers. They are the strategic actors. Between imperialists, moneybags and blue berets lies a lot of power and influence to change the behaviour of plunderers, gunrunners, drug barons and mercenaries. The main challenge for peace negotiators, therefore, is in how to persuade these actors, in their varied interests, to embrace peace.

Figure 1.1: Suggested actor interaction patterns



Major Conflicts in the Region

The scope of conflicts in the region is to be conceived on at least three levels – national, regional, and international. It should be understood, however, that although these levels might be analytically helpful, they are not mutually exclusive and that is why an integrated framework of analysis such as a matrix might be more reflective of the dynamic reality. Such a matrix, as we have tried to construct in a larger work, tries to capture the various actors and interests, not *in situ*, but in their dynamic interaction. What needs to be noted, perhaps, is that the multiplicity of actors and the patterns and degrees of interactions depend on the intensity of the conflict. This in turn, is a function of the stakes at hand. The higher the intensity of the conflict (on a scale of low, medium and high)¹⁸ the greater the potential for involvement of diverse actors with contending interests and thus the higher the likelihood of conflict spreading across the region and beyond.

It therefore follows that high – intensity conflicts such as the wars in Angola and DRC all have a regional as well as an international character. The war in DRC, in particular, did not only attract Rwanda, Uganda, Burundi, Angola, Chad, Namibia and Zimbabwe very directly but also, at some points, other countries including the Central African Republic, Sudan, Tanzania, South Africa and Zambia have been involved in one way or another. Furthermore, interests of other countries outside the region have also come into the picture. Many “*sans frontières*” organisations, UN agencies, have been deeply involved although their role needs to be made more explicit. The major conflicts that have plagued the region are briefly presented below. This is rather a sketchy presentation of the conflicts covered in this study. It should be emphasised that the conflicts, in their dynamics, are not neatly confined to particular countries.

As we have already noted, many of them involve several countries, as does the DRC one, others overflow the borders of specific countries as in the case of Rwanda with the ex-FAR and *interahamwe* phenomenon; while yet others may be interlocking as with the LRA

in northern Uganda and Sudan People's Liberation Army (SPLA) in South Sudan. Moreover, as we have already shown, the same actors may openly or covertly feature in several conflicts according to the logic of their interests. Agency may indeed be the crucial factor in defining what we have described as the Great Lakes region "conflict formation".

Burundi

The conflict in Burundi has had the following characteristics. Invasion and plunder of DRC resources politicised ethnic cleavage with interminable negotiations; refugees in Tanzania and IDPs; dispute with Tanzania over dissident refugees; generalised political instability; territorial ambitions; a fragile transitional ethnic rule.

Democratic Republic of Congo

This conflict started out as a civil war in 1997 emerging from the predatory rule of President Mobutu; invasion by Rwanda and Uganda in 1998 and intervention by Angola, Namibia and Zimbabwe; 2.5 million people dead, refugees in and out and numerous IDPs; continued conflict in Kivu; multiple powerful interests in mineral wealth; contested transitional government of a weak state.

Kenya

Struggles for natural resources (land, water, fishing, pasture); constitutional and succession problems; socio-ethnic disputes; border dispute with Somalia and Uganda; leading Sudan and Somalia IGAD (Intergovernmental Authority on Development) initiatives; failed elections, post-election violence and an unstable power-sharing government.

Tanzania

Contested governance (Zanzibar/Union) conflict; religious tensions (Christian/Muslim); growing corruption within a weak state; border disputes with Malawi, Uganda and Burundi; refugees, armed

dissidents and crime; conflicts over resources (mining) between locals and mining companies in Shinyanga, Arusha and Musoma; human/wildlife, illicit drug traffic. Quietly withdrew military training contingent from DRC at break-out of war.

Rwanda

Invasion, occupation and plunder of DRC resources in 1998; politicised intra-ethnic cleavage with high political tensions; genocide trials in Rwanda and at the International Criminal Tribunal on Rwanda in Arusha, Tanzania; territorial ambitions due to land scarcity and population pressure; *interahamwe* and ex-FAR infiltrations from DRC; maintains aggressive military stance in the region; enjoys US military support.

Sudan

Tenuous Comprehensive Peace Agreement with the SPLA (supported by US) against an Islamic fundamentalist government; crisis in Darfur; resource conflicts in oil, water, pasture; religious conflict: intra-Muslim, Muslim/Christian; Nile waters contestation with Uganda and the other countries surrounding Lake Victoria to the south and with Egypt to the north; criminal warrant of arrest for President Bashir by ICC; sent a detachment in support of the Kabila government in 1999.

Uganda

Invasion, occupation and plunder of DRC resources; border conflicts with Tanzania, Sudan, DRC, Rwanda and Kenya; collaborated and later clashed with Rwanda in DRC; insurgencies in the north, west and east; conflicts between locals, refugees and IDPs; enjoys US and British military support; leading Great Lakes peace initiative.

Endnotes

- 1 This paper was revised and updated for the East Africa Legislative Assembly Workshop on Causes of Conflicts in East Africa Region, Bujumbura, 10-11 November 2008. It was first presented at the AMANI Forum Regional Inter-Parliamentary Consultation on DRC Transition, Nairobi Hilton Hotel, 28 October 2004. An earlier

and shorter version was presented at the 'Regional Meeting of the Regional NGOs in the Great Lakes Region', 20-24 September 2004, Arusha, Tanzania.

- 2 *Cape Argus* (South Africa), 20 November 2004.
- 3 International Conference for Peace, Security, Democracy and Development in the Great Lakes Region, First Summit of Heads of State and Government, "Dar es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region", Dar es Salaam, 19-20 November 2004 (henceforth referred to as "Dar es Salaam Declaration.")
- 4 *Ibid.*
- 5 *Ibid.*
- 6 For a recent discussion concerning problems of actor behaviour in implementing peace agreements see Steadman, Rothchild and Cousens (2002).
- 7 This is the origin of what I call the fallacy of all-inclusiveness in peace negotiations, which fails to identify peace spoilers and avoids the deliberate targeting of strategic actors on the basis of their interests, capacity and potential to influence minor actors.
- 8 It is suggested here that recent progress in Angola and DRC arises from changes in imperialist actor-interest dominance from diamonds (plunderers) to oil (globalisers) in the case of Angola and from moral imperatives (genocide) to national interests (resources) in DRC.
- 9 Recent works in this direction include Berdal and Malone (2000) Adebajo and Sriram (2001).
- 10 See the discussion that follows regarding the inter-imperialist rivalry in DRC. See also *The Economist Intelligence Review* (1994).
- 11 Mtanzania (2001).
- 12 A concise exposition of this theory is presented in Collier (2000).
- 13 The definitions of actor orientations appear later on in the paper. For an initial discussion of these ideas see Baregu (2001).
- 14 Graduate Institute of International Studies (2001), *Small Arms Survey 2001: Profiling the Problem*. Geneva: Graduate Institute of International Studies.
- 15 Farah and Brown (2007).
- 16 Mbembe, *op. cit.*
- 17 Gramsci (1971).
- 18 Low = being negotiated; medium = negotiation abandoned for open demonstrations; high = violence.

2

Understanding Obstacles to Peace in Burundi: Actors, Interests and Strategies

Charles Berahino

Introduction

Burundi is a small country, landlocked between Tanzania to the southeast, Democratic Republic of Congo in the west, and Rwanda in the north.

Burundi has one of the highest population densities in the world, with more than 8 million¹ people living on 27,834 sq. km. From a census conducted by the Belgian authorities in the 1950s, about 85 per cent of the population were designated Hutu, 14 per cent Tutsi, and 1 per cent Twa.

Since the sixteenth century the region has been organised as a kingdom under the authority of a king (*mwami*), who was believed to be possessed of both secular and spiritual authority. The Hutu and Tutsi spoke the same language and cohabited in this kingdom under a system of administration consisting of both Hutu and Tutsi chiefs. The Twa did not participate in the activities of the centralised system of governance; they were only organised at family level.

Figure 2.1: Map of Burundi showing political divisions



An examination of the way in which the monarchical system operated during the pre-colonial period reveals both positive and negative elements. On the positive side, it may be said that monarchism succeeded in forming a nation and in preserving national unity and social peace. In addition, it established an essentially democratic

institution, the *ubushingantahe*, and power was perceived to be exercised in the interests of the population at large and for the maintenance of order in society. On the other hand, the monarchical system was characterised by inequalities and ethnic differentiation originating from the privileges enjoyed by the ruling class and institutionalisation of the monarchy. Moreover, monarchical power could be arbitrary, despite the existence of institutions for social regulation.

The first contact between Burundi and Europe involved explorers and missionaries. In 1890, the Germans brought Burundi (then called Urundi) under their sphere of influence. It was joined with Rwanda (Ruanda) and Tanganyika and given the collective name of German East Africa. German colonisers, through a system of "indirect rule" did not make a significant impact on the region. After Germany's defeat in the First World War, the territory of Ruanda-Urundi was given to Belgium to administer under the League of Nations mandate. The Belgians, from the start of their administration in 1916, continued the policy of indirect rule until 1925, when the informal societal hierarchies were converted into rigid structures of government.

When Burundi became independent in 1962, it adopted a constitutional monarchy. Independence ushered in a period of serious instability, characterised by inter-ethnic strife in the country. Large-scale massacres took place in 1965, 1972, 1988, and 1992. Within the context of the post-independence period, conflicts can be considered in three phases.²

Politics of Ethnicity

The first phase is the 1962 to 1966 period, during which conflicts were mainly due to political competition for power on the basis of ethnicity between the Tutsi and the Hutu. At independence, the Union pour le Progrès National (UPRONA) party formed a government after winning the 1961 elections. At the time, UPRONA was a non-ethnic national party, incorporating all ethnic groups. However, the assassination of its national leader, Prince Rwagasore, in 1961, deprived it of a

unifying leader to rally the people. Between 1962 and 1996 UPRONA degenerated into a Tutsi-dominated ethnic party. This was a result of violent struggles between Tutsi and Hutu politicians at the national level, to the extent that it claimed the lives of two Hutu prime ministers, speakers and deputy speakers of parliament, ministers, military leaders as well as other politicians.³ The situation degenerated and culminated in the overthrow of King Mwambutsa IV, a constitutional monarch and head of state, and thus Burundi was declared a republic. Political parties were abolished and a one-party state declared under UPRONA in 1966. Thus conflicts during this period resulted in a shift from national politics to politics of ethnicity.

Military Rule

The second phase is the period between 1966 and 1993. Intermittent conflicts during this period were due to politics of ethnicity, according to which the minority Tutsi controlled the army, monopolised state power and oppressed the majority Hutu and minority Twa. The state was under military rule, arising out of the successive military coups of 1966 by Micombero, 1976 by Bagaza, and 1987 by Buyoya. The Hutu and Twa ethnic groups found themselves not only dominated and oppressed politically but also excluded, segregated and marginalised in terms of socio-economic relations,⁴ giving rise to violent conflicts during this phase. Wherever the Hutu resisted and reacted in the form of riots, they would be subjected to violent repression by state organs. Violent conflicts during this phase resulted in the mass killings and massacres of 1969, 1972/73 and 1988, the most serious being the 1972/73 massacres during which nearly 300,000 people lost their lives.⁵ Two types of Tutsi discrimination against Hutu were most pronounced: denial of opportunities for tertiary education, which meant that most positions which require higher education and other skills were invariably occupied by Tutsi; and second, Hutu were blocked from joining the security services and armed forces. Tutsi control of the armed forces enabled them to engage in massacres that resemble genocide against the Hutu.

The Civil War

The third phase of the Burundi conflict involves the period 1993 to 2004, when a protracted civil war raged. It erupted in October 1993 after the assassination of President Melchior Ndadaye, who had been democratically elected in the presidential and parliamentary elections that had been held in June 1993 after the restoration of multiparty political competition in 1992. The Front for Democracy in Burundi (FRODEBU), a Hutu-based political party, won the elections, and its leader Ndadaye became president. These political changes threatened the Tutsi who had monopolised state power for almost 30 years. Soon after the elections, the military attempted a coup, and though it was unsuccessful, it culminated in the assassination of President Ndadaye. He was succeeded by Cyprien Ntaryamira, another Hutu, who died in a plane crash shortly after taking office, with his Rwandan counterpart, Juvenal Habyarimana. The situation degenerated further, leading to a military coup in 1996, which brought President Buyoya back to power. This coup instigated the formation of more Hutu rebel groups to fight the government, which again came to be dominated by the Tutsi.

Diplomacy

On the diplomatic front, the Burundi peace process has passed through three phases since the assassination of President Ndadaye in 1993, each with its own weaknesses and strengths. On 1 December 1999 Nelson Mandela was designated as mediator of the conflict, and a peace and reconciliation agreement resulting from his involvement was signed in Arusha on 28 August 2000. Two major rebel groups, Forces pour la Défense de la Démocratie (FDD) and Forces Nationales de Libération (FNL) did not participate in the peace process. A three-year transitional government was established in which power was to be shared. The Hutu would occupy 60 per cent of government positions and Buyoya would remain president for 18 months before stepping down and being replaced by Domitien Ndayizeye, a Hutu. During this period, Buyoya survived several coup attempts. Insecurity was so

high that a South African protection force had to be deployed to protect political leaders in the country. In late 2002 a ceasefire was signed between the transitional government and some small rebel groups, which included the FNL Icanzo, Kaze FDD, and Palipe Agakiza. The African Union deployed the AU Mission in Burundi (AMIB) at the beginning of 2003.

A comprehensive peace agreement was signed on 16 November 2003 between the transitional government and the National Council for the Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD), the political branch of the major rebel group in Burundi. On 1 June 2004 the mandate of AMIB was taken over by Opérations des Nations Unies au Burundi (ONUB). General democratic elections, which brought Pierre Nkurunziza, the former CNDD-FDD rebel leader, to power, were conducted in August 2005, after two years of peacekeeping operations by the AU (AMIB: June 2003 to June 2004), the UN's ONUB. After helping the country to stabilise and overseeing the democratic elections, ONUB, with its humanitarian component, was asked by the new government to leave, revealing a huge gap in perceptions of both accomplishment and need between the international community, on the one side, and the new leadership, on the other. The new Burundian government saw ONUB as an occupation force, one that should leave the country as soon as possible. FNL Palipehutu, the last fighting rebel organisation, also finally signed a ceasefire agreement on 7 September 2006.

Security

On the security front, the UN Secretary General Boutros Boutros-Ghali's attempt to put up a military force for Burundi in 1994 failed mainly because it lacked support from major world powers, and because the Tutsi-dominated government resisted a peacekeeping force that it felt would threaten its control of the Burundian army, seen by the Tutsi as the key instrument for ensuring their security. This resistance by the government was however overcome in later years and AMIB was deployed in 2003 to monitor the ceasefire agreements. In May 2004,

UN Security Council Resolution 1545 transformed AMIB into a UN peacekeeping operation, UNOB. When its term ended in December 2006 it was transformed into UNIB (United Nations Integrated Office in Burundi).⁶

CNDD-FDD's victory in the 2005 elections prepared the ground for urgent reforms including the reform of the security sector, which would involve reform and downsizing of the army; disbanding the *gendarmerie* and the *gardiens de la paix* (peace guardians); and strengthening the national police. These are some of the critical areas that could ensure a stable future for Burundi.

On the humanitarian and development front, international engagements have been marked by an on-and-off approach. For example, international financial assistance fell from an annual average of nearly US\$300 million to less than US\$100 million between 1992 and 2002. This has been attributed largely to increased violence during this period. The donor community pledged substantial amounts of development assistance after the conclusion of the Arusha Accord in the year 2000. In an effort to galvanise more robust international help, the Government of Belgium and United Nations Development Programme (UNDP) hosted a Partners Forum for Burundi in January 2004, at which donors made pledges to the tune of US\$1.032 billion.

The Arusha peace process, with all its imperfections, provided a window of opportunity for Burundi to step out of the zero-sum game that has characterised its political life since independence. Although peace opens opportunities for development, development only leads to peace under certain conditions; and well-conceived development assistance can address some of the underlying obstacles to peace. The CNDD-FDD government in power since 2005 has to examine these obstacles to ensure stability for all.

Anatomy of the Conflict

Conflicts in the Great Lakes region have been longstanding. There was political instability in almost all African countries immediately after they became independent and Burundi was no exception. Burundi

was among the countries in the Great Lakes region that experienced the most severe and frequent violence as a result of ethnicity.

The war in Burundi reached its apex in the year 1972 when, it is estimated, up to about 300,000 people, most of them Hutu, were killed by what was then the army. Then, in 1988 and in 1991, uprisings in Ntega and Marangara, saw many Hutu arrested, the majority of whom died in jail. Violence reached a high point again in 1993, when many people died. In general, the Hutu population has not only endured violence but has also suffered discrimination at the hands of the Tutsi in many sectors of public life.

Over time, conflicts among social groups in Burundi kept changing shape and tactics. Different forces regrouped into different camps with a view to toppling whatever government was in power. Amazingly, some of these groups operated from within the government, such as cliques in parliament, while others formed rebel groups to fight and seize power by force. The more conflict and violence intensified in Burundi, particularly between 1972 and 1993, the more international bodies, namely the UN and OAU/AU, became involved, establishing conflict-monitoring and mediation mechanisms in an attempt to understand and solve the endless ethnic conflict. These international efforts did not have a major impact. The UN did not even publish a report of its findings of an enquiry into the 1972 massacre and did not declare that massacre to be genocide. In 1994, the AU's military observation agency, MIOB, had a limited impact and it was replaced by the UN's UNOB a year later and military coups.

The ethnic monopoly characterised the Burundian army for decades. As a matter of fact, the population was divided along ethnic lines and each group regarded the other as the enemy. Surprisingly, the inhuman behaviour of the army largely went unpunished even though international observers were present and reported what was happening.

This lack of action by the international community suggests complicity in the violent events that Burundi has experienced since independence. The fact that the Burundian government enjoyed well

documented foreign financial and military support and the fact that a minority ethnic group could rule and actually brutalise and humiliate the majority of the population without any intervention is a clear indication that there have been both visible and invisible foreign actors in the Great Lakes region conflicts, especially in Burundi. Furthermore, both heavy and small arms proliferated, which is another indicator that outsiders were involved in the Burundian conflict. However, the full identities of those actors and their interests are yet to be established.

The conflicts in the Great Lakes region since independence have had physical, economic, and social consequences. For close to fifty years, Burundi has never been economically stable and the per capita income has never exceeded one dollar per day.

National Unity

From a sociological point of view, the prevalent values and culture in Burundi, like in other countries in the region, has changed considerably since independence. The culture of unity is discussed rather than practiced. Rampant discrimination is alive and well in employment, schools, the army, the police, the diplomatic corps, political parties, social groups and clubs and, strangely enough, even in the leadership of religious societies. All these sectors are predominantly characterised by an ethnic stamp. In short, no single social group escaped getting an ethnic character of the Burundi state. This is yet another indication of how deeply the conflict in Burundi penetrated society. Burundi is at a point where issues such as national identity, unity, poverty and leadership should be analysed seriously for us to have peace become a reality.

During the pre-colonial period the people of Burundi viewed themselves as a homogeneous people. Their myth of creation is very clear about the three ethnic groups, the Hutu, Tutsi and Twa sharing the same ancestor. According to this myth, the people believed and were bound to live together in love, peace and harmony.

Colonialism brought Western education, which, among other things, taught about the migration of people in Africa. In Burundi, it was taught that the people of Burundi are actually three ethnic groups from different roots, who just happened to meet and start living together in Burundi. The modern theory went on to say that the Hutu are of Bantu origin, the Tutsi are Nilotes and the Twa are of a pygmoid descent. This information was used negatively and used to develop a divide-and-rule policy of which the main objective was to weaken African unity. From then on the people of Burundi started to view themselves as Hutu, Tutsi or Twa, and never again as one people.

This set into motion competition between the Tutsi and Hutu for the control of state power and scarce resources, with losers seeking retribution. Since independence this cycle of violence has escalated to such a degree that many Hutu now believe that the Tutsi are motivated by a philosophy of genocide. The Tutsi are represented as “immigrants” or Ethiopians who enslaved the Hutu, took their land and killed them with a view to exterminating them.

On the other hand, the Hutu believe that they have to eliminate the Tutsi in order to regain the land they lost in the sixteenth century when the Tutsi invaded. This is why there is no distinction between civilians and soldiers in war or any uprising. Tutsis tend to engage in selective assassinations and massacres rather than genocide, perhaps because they realise that it would not be possible to eliminate 85 per cent of the population and for practical considerations, the Tutsi still need the Hutu to work for them. In both 1972 and 1988, Hutu uprisings were ruthlessly put down by the Tutsi-dominated army and government. In each case, tens of thousands of Hutus were selectively killed: the leaders, the better educated, and members of the elite.

This history of violence has led to such great fear of the “other” ethnic group that there is no possibility of coexistence. The Tutsi refuse to give up control of the army because they see it as a form of security against genocide. The Hutu cannot imagine a stable democracy as long as the Tutsi control the army. In Burundi today the Tutsi occupy the urban areas, own most of the businesses, and dominate

the government, justice system, security forces, and army. The Hutu have had few economic alternatives other than subsistence farming, labouring on plantations owned by the Tutsi. Given the reality of the demographics there is little or no hope of fostering a Western-style democracy or of maintaining coalition governments for long. The power-sharing efforts and progress that we have witnessed have been mainly to commitments from outside countries such as South Africa to assist in both economic development and restoring a balance within civil society, the government and the armed forces. Otherwise power-sharing arrangements left to Burundi on its own are a false hope.

There is no hope that stability and peace will be achieved if the issue of national unity is not resolved comprehensively. During pre-colonial and colonial eras, Burundi was first ruled directly and ruled indirectly by a king who encapsulated the unity of all the people regardless of their ethnicity. He was vested with immense politico-religious power. The king was believed to be an envoy of God, *Imana*, and would take care of all God's people. One of the king's honorary names was *Sebarundi*, the father of all Burundi. No one could claim power because it was either inherited or the king gave it to whoever he chose. Anybody who attempted to claim power was called *umumenja*, an enemy of humanity.

As the ideas of democracy spread, people began to believe that anybody could claim power, even at the cost of national unity. Today there is a hunger for power, which, in an impoverished country, is almost the sole source of wealth, prestige and recognition. People fight to obtain power at all costs, including shedding their own blood. Machiavelli's saying was never truer: "All the means are good, provided you succeed." As all means are used to obtain power, many interest groups are formed, each with a different face: ethnicity, regionalism or social class, all to the detriment of national unity.

Poverty

Poverty is another important issue that should be examined in order to understand how it fuels conflicts. Burundi has been classified among the world's 25 poorest countries. The majority of the population lives below the poverty threshold. They lack basic means of livelihood, such as food, shelter, clothing, health care and education. It has been said that a hungry man is an angry man. Few people live happy and fulfilled lives, and disgruntled people become fertile ground for harmful ideologies.

National Leadership

The issue of lack of vision or leadership has to be analysed in order to understand the question of instability and insecurity in Burundi. Since gaining independence Burundi has lacked leaders with the vision to guide the country to unity, peace and prosperity. Most of the leaders the country has had have been members of cliques whose objectives were to defend the interests of their own groups to the detriment of the nation as a whole. This has led to suspicion and tension, and material losses and massacres between the ethnic groups.

This sectarianism and general lack of vision is reflected in the existence of strong and radical interest groups that have destabilised the country since independence. In Burundi, these groups vow secretly to support one another under all circumstances, whether right or wrong. Those groups have two general objectives. The first one is to defend their own interests through gaining and keeping power, money, prestige and influence. The second is use power and the accruing resources to protect the group against perceived enemies, most often defined as the opposing ethnic group, but sometimes people from a certain region ganging seen to oppose the group, or even particular individuals. Most of these groups are ruthless; in some cases they have been involved in *coups d'état* in Burundi. They have held the country hostage for years.

Until a new government came to power in August 2005, key ministries in previous governments, such as those of justice, defence, home affairs, labour and foreign affairs, had been the almost exclusive monopoly of the Tutsi ethnic group. This had considerable and severe implications for Burundian society; the inequalities relating to social class and socio-economic disequilibrium fomented frustrations. Such underlying social divisions silently weakened all sectors of life in Burundi, thus perpetuating the conflict. No attempt to address the conflict in Burundi can succeed until such causes are scrutinised and understood because they constitute the roots of the conflict and the reason for the failure to attain sustainable peace in the country.

In light of the above stated problems, this research was guided by the following four research questions:

- (a) Who are the local and foreign, visible and invisible actors that constitute obstacles to the peace process in Burundi?
- (b) Does Burundi's civil society have the capacity to participate and contribute in a fundamental way towards the resolution of Burundi's social ills, such as poverty, fragmentation and polarisation?
- (b) How have political movements and groups, and their leaders benefited from the stalemate in the peace process in Burundi?
- (c) Does the state take positions rather than negotiating interests in the peace process?

Actors, their Interests and Strategies in the Burundian Conflict

To facilitate a deeper understanding of the obstacles to peace in Burundi a qualitative approach was used, and information was gathered through both participatory and non-participatory observation during scheduled interviews and structured questionnaires. The study targeted a sample population from different sectors of life in Burundi. The major focus, however, was on active politicians of the previous

regimes and those in the current government, the private sector/civil society, certain individuals affected by the conflict (both victims and perpetrators) from the time of independence up to the time of this research. Some scholars, some members of the current parliament, some members of the senate, and some the people who were affected by the 1965, 1972, 1988 and 1993 ethnic conflicts were included in the study. Besides these political issues, the study also considered ethnic criteria, and considered gender. The general population was targeted by the study because the people have relevant information and hold a variety of views that would allow the study to present balanced data. The population in this study involved 500 individuals from different backgrounds, from whom a sample of 100 was selected to represent the 17 provinces of country, urban settlements, villages as well as internally displaced people.

The study also collected statistics in relation to the topic. Data was also collected from written sources such as political reports, economic records, social and political perspectives as presented by historical papers.

The following section describes the different actors, their interests and the strategies they have employed in pursuit of their ends. The current government of Burundi, through the CNDD-FDD ruling party is discussed first. In fact, since the coming to power of this government, there has been a marked deterioration in Burundi's political climate. The government, has arrested critics, moved to muzzle the press, committed human-rights abuses and tightened its control over the economy. Unless it reverses this authoritarian course, the government risks triggering violent unrest and losing the gains made by the peace process. One of the obstacles to democracy in Burundi is the refusal by the government to accept the role of the opposition. The most disturbing development since this government came to power has been the arrest of prominent opposition politicians, including the former president, Domitien Ndayizeye, in July 2006, under the pretext that he had been planning a coup. Some of those arrested were tortured into signing confessions.

Another unsettling occurrence is the death of 34 people in jails in Bujumbura and Muyinga in 2007, as reported by human-rights groups such as Aprodh and Ligue Iteka. A third example of the deteriorating human-rights situation in Burundi is the arrest and imprisonment of several journalists, members of the civil society and others critical of the ruling party. These are just a few examples of the many cases that demonstrate the narrowing of the space for political pluralism. The reason the CNDD-FDD is doing this is probably an attempt to retain its place in the 2010 general elections.

Soon after its inauguration, the government launched military operations against the Palipehutu-FNL rebel group that had abstained from the peace process. The government, using the army and the National Intelligence Service (SNR) arrested, tortured, imprisoned, and executed many suspected combatants and civilians accused of collaborating with the rebels. The CNDD-FDD government, together with the South African mediation team and the AU, have been accused of creating a splinter group of FNL dissidents with the intention of disorganising Agathon Rwasa, the Palipehutu – FNL leader ahead of the forthcoming elections. In fact, FNL members of the Joint Verification and Monitoring Mechanism (JVMM) left the team and returned to the bush in August 2007 - they claimed that they felt insecure. The question of personal and group interests has slowed down the activities of the JVMM. The CNDD-FDD government did not want to integrate the FNL into current institutions for fear of losing positions on the one hand and the likelihood of losing the 2010 elections to FNL, which it views as direct competitor.

The FNL has also been cited as a peace opportunist and blocker. In fact, the group has been boycotting talks for different reasons. First, it is said that the Palipehutu – FNL owes a lot of money to its external creditors and it needs to retain authority and full control over resources if it is to pay back its debts – ceasing fire and agreeing to integrating into government institutions will make this impossible. This is probably why FNL has requested the government to pay some of its debts as a precondition for returning to negotiations;⁷ the new

political directorate agreed to this request in February 2008 so that FNL could resume talks.

Second, the FNL wanted immunity to return to Bujumbura to sit in the JVMM. The government said that President Nkurunziza had already signed an agreement in December 2006 but FNL countered by arguing that the accord had had been violated when state institutions killed more than 34 people in Bujumbura and Muyinga. The FNL requested Parliament to vote for another guarantee of their security when they come to Bujumbura.

This confusion resulted in further attacks on Bujumbura by the FNL on the night of 17 April 2008, which was followed by regular government troop attacks on the population in rural Bujumbura in the name of pursuing FNL combatants. The attacks were followed up by arrests of civilians suspected to be FNL combatants and followers; many of them were imprisoned and a few killed. Consequent to this situation, the region's governments have taken important measures to remove the FNL Palipehutu leaders from Tanzania.

Disoriented and under pressure, FNL members, including Pasteur Habimana, the spokesman of the FNL, chose to return to Bujumbura to resume activities of the JVMM and the political directorate. A new ceasefire agreement was signed between the government and the Palipehutu – FNL on 22 May 2008. New measures to facilitate the feeding, integration or demobilisation of the FNL combatants were agreed. This enabled Agathon Rwasa, the FNL leader, to return to Bujumbura on 30 May 2008. One of the pending issues was the question of demobilisation or integration of FNL forces. In fact, while Habimana talked of 20,000 FNL combatants, the JVMM recognises only 3,000:

Opposition political parties, including Front for Democracy in Burundi (FRODEBU), Union pour le Progrès National (UPRONA), PARENA (Parti pour le Redressement National), National Council for the Defence of Democracy (CNDD) and others were also cited by respondents as peace blockers. The concern of these parties is to remain on the political scene and get positions for their members, but

they also want to expose the weaknesses of the ruling party so as to place themselves in advantageous positions for the 2010 elections.

The CNDD-FDD party and opposition parties have been acting as peace opportunists. A clear example of this is that the activities of the national assembly were paralysed for several months because political parties, namely FRODEBU, UPRONA and CNDD-FDD, were looking out for their own interests and not those of the people.

People vote for parties for many reasons. For instance, 99 per cent of UPRONA's members during its time in power were Tutsi; but during the recent elections, a number of Tutsi decided to join CNDD-FDD, while many Hutu from FRODEBU, the largest opposition party in parliament and winner of the 1993 elections, crossed over and joined CNDD. Respondents offered several reasons people decided to join CNDD-FDD and support it to win the 2005 general elections.

Fear of increased conflict: People were tired of a decade of conflict that had led to the deaths of more than 600,000 people and had damaged the country's infrastructure; a time during which hundreds of women and girls had been violated sexually, and many more girls kidnapped by rebels to serve as sex slaves. The people supported the CNDD-FDD during the general elections as one way to end the war; people feared that the former rebels would not accept defeat in the general election and join the opposition; the former rebel group would most likely start another war. It was argued that this is one of the major reasons why many members of other parties, both Tutsi and Hutu, decided to vote for the former rebel group.

Dissatisfaction with the former regime: UPRONA had ruled the country for about three decades under the military dictatorship of Colonel Bagaza and later Major Buyoya. Under UPRONA, people complained about violence and unlawful arrests, kidnapping and extra-judicial killings of opposition opinion leaders. Many people were generally fed up with the suffering and wanted a change in leadership.

Opportunism: Some intellectuals also joined the CNDD-FDD in the hope of getting jobs and political posts in the parliament or the government.

Democracy: Democracy as preached by the West has contributed to instability in Burundi. In fact, political party leaders are generally ignorant about issues of democracy and have not developed appropriate ways of relating to their rivals in a democratic context. The recent fracas in which CNDD-FDD members beat up members of UPRONA and tore their flag in Muyinga is a case in point.

The report on Burundi by Curtis provides an overview of the political situation since the outbreak of violence in 1993. Curtis highlights a recurrent perception that perhaps multiparty democracy and majority-style elections were introduced too quickly in the early 1990s and may have instigated the ethnic conflict that followed. In 1998 there was increased pressure from donors to reinstate multiparty democracy; this was also encouraged by active regional mediation by former Tanzanian President Nyerere and former South African President Mandela, and it led to multiparty peace negotiations. The Arusha peace process was perceived as an elite-led process. The two main rebel movements (CNDD-FDD and Palipehutu-FNL) did not participate, while many small groups that were originally seen as potential spoilers were included which gave them, unintentionally, a platform larger than they were worth. Moreover, the transitional process inadvertently encouraged factionalism within parties. The Arusha Agreement, signed in August 2000, was very comprehensive; it set out extensive power-sharing arrangements, the electoral process and the definition of a political party.

With regard to the role of political parties in Burundi, Julien Nimubona, a Burundian political scientist, stresses that many people join parties for job opportunities, not from ideological conviction. Currently there are 34 political parties in Burundi. Most of these parties lack any ideological or political basis and are extremely fluid organisations, with members moving in and out depending on personal ambition.

Respondents expressed their concern with regard to the transformation of state organs. Transforming state organs involves restructuring security services, the army and the police. Such

restructuring should be done with clear ideological and structural considerations and with a view to instil in them a spirit of patriotism and commitment without recourse to sectarianism and favouritism. Security has to be understood in its widest sense to include physical, food, social and environment security. Lack of a balance in all these aspects has deepened poverty and increased the potential for ethnically based mass mobilisation. Two tasks are central to Burundi's stability: successful restructuring of the national army and police so that they are cohesive, professional, independent security forces, serving of the country as one; and second, the civilian population must be disarmed.

Demobilisation and reintegration of ex-combatants into the community is an important prerequisite for peace and stability in Burundi. The World Bank's demand of downsizing the army to a total of only 25,000 members is causing a lot of anxiety. The small packages offered by the World Bank are not enough to enable these generally traumatised military people to reintegrate and start new civilian lives, and the government of Burundi is not helping in this regard. The general feeling is that the World Bank works to perpetuate poverty since it does not seem to be interested in eliminating the causes of poverty and underdevelopment, but rather wishes to maintain structural dependency, contrary to the standard Conflict Analysis Framework (CAF) normally used by the World Bank.

The CAF seeks to support national and regional efforts to analyse and address conflicts in the context of country assistance, poverty reduction and other development strategies. CAF aims to highlight key factors influencing conflict by focussing on six areas: social and ethnic relations; governance and political institutions; human rights and security; economic structure and performance; environment and natural resources; and external factors. Violent conflicts hinder poverty reduction and development, and this is the reason being addressed by CAF. In this context, conflict prevention would entail activities that aim to reduce the likelihood of conflicts becoming violent.

The World Bank's contribution to conflict prevention is meant to be twofold. The Bank supports strategies and activities that make countries more resilient and prevent eruption and escalation of violence, and programmes that address the likely causes of conflict. Building resilience against violent conflict involves strengthening of participatory and inclusive social processes and building of institutions that help manage conflicts in non-violent ways. Causes of conflict differ from country to country. Some of the causes are addressed by the Bank through poverty reduction and other development assistance. Examples of sources include high levels of unemployment among the youth and differential social opportunities.

If the matter of demobilisation and reintegration of former soldiers is not handled properly, there will be no peace at all as these soldiers will be recruited by rebel groups in the region or will form groups of bandits, as has already happened in Burundi.

Burundi's history of assassinations, coups and uprisings is testimony to failed governance and weak institutions. While there have been some positive historical moments, such as the ethnically inclusive independence government formed by Rwagasore, the 1993 democratic transition that brought to power Burundi's first democratically elected Hutu president, and the 2005 elections, authoritarianism, corruption and nepotism have generally shaped institutions and relations between the government and its citizens. Decades of conflict and a brutal civil war have left in its wake a deeply alienated and cynical population that views its leaders as self-serving, corrupt and unresponsive. For example, only 2 per cent of the 2008 national budget was allocated to the agricultural sector, which supports more than 92 per cent of the population. This level of neglect is taken to reflect insensitivity on the part of the political class. The rebuilding of public confidence in the institutions of government will take time, commitment, and considerable effort.

Other important elements contributing to the blockage of peace in Burundi are socio-economic factors. "Being close to DRC, I understand why Westerners call Burundi, 'the other Switzerland'," said one of the

respondents. There are many reasons why South Africans and other extra-regional actors should not lose sight of this small state and what is happening there. For purely selfish economic reasons, South Africans have an interest in maintaining stability in Burundi. A peaceful Great Lakes region offers them enormous economic opportunities. It is one of the wealthiest regions in the world in terms of natural resources. Burundi has huge deposits of strategically important minerals such as cobalt and nickel in Rutana, Makamba, Cankuzo, Gitega and Karuzi, and there are deposits of gold in Muyinga, Cibitoke and Bubanza. South Africa also has a tremendous amount to gain in terms of trade, transport agreements and shipping from a healthy and stable central African region. Bujumbura has a port that could serve the central African region, including three landlocked states. The route across Lake Tanganyika could deliver goods directly to the South African rail network in Zambia. South Africans have already bought a pharmaceuticals company called Office Nationale Pharmaceutique and are investigating the possibility of mining in Cankuzo, in the east of Burundi.

The IMF was cited by respondents as being obstructionist. In fact, the IMF insists that Burundi increase its internal earnings to qualify for debt cancellation. To achieve this, the government of Burundi has imposed high taxes, especially on petroleum products, and this has naturally led to prices of all essential commodities increasing, with dire consequences in a country where many people are poor and most civil servants earn less than US\$100 per month.

The government also needs to restructure the public service.

Also, many people, both Hutu and Tutsi, joined the party when they foresaw that the party was going to win the elections. Most of them joined the organisation not because they were impressed by its ideology but because they hoped it would lead to jobs after the elections. The dream has become a reality for most of them; they were promoted to high posts in government even though not all had the necessary skills to perform their duties. This could explain why many

government sectors perform poorly and it could be the reason why corruption has increased. This is a sector that should be investigated in terms of the qualifications of those who are appointed to manage departments. This would be in tandem with the general regulations related to public service reform. Public service restructuring seeks to promote a people-driven and development-oriented service, characterised by efficiency, professional ethics, effectiveness, equity, timely service delivery and responsiveness. To achieve this, government departments need to be structured appropriately and staffed with people with relevant skills.

Though the intention of restructuring is to achieve increased value for money, there are some misconceptions about public service reform. Reform is not about trimming the number of service providers and thus leading to job losses, or getting rid of public servants from certain departments. Instead, public service reform should be understood to be about getting the right people in the right jobs with the right skills and able to deliver better service and thus lead to improvement in the quality of life of the people in general. Restructured departments must develop strategic businesslike plans; human resource plans based on service delivery needs, and approved organisational structures to facilitate the work. The offices should be filled by matching employee profiles with job requirements according to the approved organisational structure. Employees who do not fit in the new design and demands would be redeployed to appropriate vacant posts, retrained, or retired. Burundian authorities might have gotten lessons from the 1993 system of *Ugusurusutsa* (restrictions of power and access to jobs), which, I believe, was one of the motives for the 1993 presidential *coup d'état*.

Mwalimu Julius K. Nyerere, speaking to journalists in 1997, explained how economic backwardness and competition for scarce resources in Burundi and Rwanda exacerbated political conflicts. He demonstrated that if the socio-economic development in the two countries had reached the level of Singapore; ethnic conflicts would have come to an end.⁸ Assefa (1998) emphasises that poverty and

underdevelopment are among leading causes of violence, conflict and rebellion in the Horn of Africa.

During an international symposium on the Great Lakes region, organised by the Mwalimu Nyerere Foundation with the support of the Government of Uganda held in Kampala in 2002, the need for socio-economic development as a means of solving the problem of conflicts and strengthening peace building was discussed at length. It was acknowledged that the economies of all six countries of the region were characterised by low levels of development, though with some slight differences. One of the indicators of the absence of development was that all the countries were largely dependent on agriculture, with low levels of industrialisation and poor infrastructure (Nasasira, 2002). Socio-economic development founded on the principles of equality and justice is likely to eradicate poverty, reduce the level of unemployment, raise the standard of living of the majority and ensure provision of social services such as education, health, water supply and good housing.

Burundi's small, open economy has been adversely affected by a 66 per cent decrease in international aid between 1996 and 2003; a sharp decline in the prices of coffee and tea, its two main exports; the embargo imposed by six neighbouring countries (Uganda, Tanzania, Kenya, Rwanda, DRC and Zambia) between 1996 and 1999; substantial increases in military expenditure; higher costs associated with servicing Burundi's external debt; high inflation (40% in 1998); and a 20 per cent devaluation of the Burundian franc in August 2002.

At independence Burundi was ranked amongst the world's poorest countries. Its agriculture-based economy has been undermined further by chronic violence and massive displacements. Burundi's average economic growth rate of about 4 per cent before 1993 turned negative over the following decade, and the per capita gross domestic product (GDP) reduced by half between 1993 and 2001.

Table 2.1: Some Economic Indicators for Burundi⁹

Item	2005 figures
GNI per capita, Atlas method (current US\$)	100.00
GDP (current US\$) ^[2]	799.80 million
	0.9
Population surviving on below US\$1 a day	55%
Budget expenditure allocated to health	2%
Budget expenditure allocated to education	15%
Budget-expenditure allocated to defense	5.6%

At a population growth rate of 2.4 per cent from 1980 to 2000 (6% in urban areas), Burundi's population has been increasing at a higher rate than its economy, resulting in a declining GDP per capita. The population increase has also led to land fragmentation, with small pieces of land being subdivided into even smaller-sized plots, thus leading to environmental degradation. Table 2.2 shows some indicators relating to health.¹⁰

Table 2.2: Population Related Indicators for Burundi

Item	Latest Figures
Total population	8,090,068 (2006)
Annual population growth rate	3.7% (2006)
Life expectancy at birth	44 years (2005)
Infant mortality rate/1,000 births	114/1,000 (2005)
Percentage of population urbanised	11% (2005)
Total adult literacy level	59/1,000 (2000-2004)
Estimated adult HIV prevalence rate (15 + years)	3.3% (end 2005)

Of all the factors contributing to the depressed state of the economy, none is more significant than the civil war that was the direct consequence of a massive failure of governance. In Burundi, as is the case with other countries in the region, the state has come to represent the opportunity to access wealth and other benefits. Access to public and private sector jobs, however, is determined by access to education, which in recent years has been highly biased in ethnic and regional terms. For example, in 1985, the Hutu sub accounted for less than 20 per cent of the student population at the National University of Burundi; one commune, Mugamba of Bururi Province, accounted for 15 per cent of the 6,000 students. In addition, most of the educated Hutu population was massacred in 1972, or fled to neighbouring countries. It is not surprising, therefore, that the gaps between Hutu and Tutsi are large in terms of both employment and income.¹¹

Today, the government can gain a great deal by facilitating the return to Burundi of the many citizens who were educated in the West (Europe, US and Canada) after fleeing the country during the days of turmoil. These Burundians can contribute to national development, and the government should consider spending money on salaries that will attract its educated elite from the diaspora instead of spending money on expatriate consultants. Salary restructuring will also contribute to improving Burundi civil servants' salaries.

All public sector workers in Burundi understand that the economic mismanagement of the country has contributed both to the depressed state of the economy and to the country's severe economic and social inequalities. While the national income was declining, military spending was increasing, to the severe detriment of urgently required social expenditure. Household poverty doubled during the decade of the civil war. Burundi is an agriculture-based society, with about 92 per cent of the population living in the rural areas, where productive land is under stress. Once large numbers of refugees start returning, significant new tensions and conflicts over land are likely to develop.

On the regional level, the conflicts in DRC, Rwanda and Burundi are of such an integrated nature that both rebels and refugees have been scattered across the countries. As a consequence, the three neighbours have fed a regional conflict psychology. A case in point is FNL's, Agathon Rwasa who is said to have received support from Hutu-oriented groups based in DRC, meaning the *interahamwe*, ex-FAR and the Mayi Mayi. The support he received from these DRC-based groups allegedly consisted mainly of supplies of food and arms, and temporary shelter from the fighting in Burundi. There also seem to be political and ideological links between FNL and Rwandan Hutu groups with bases in DRC, that call for the idea of increased Hutu based power in the region. There used to be a dream of creating a Hutu land somewhere along the border of Rwanda, Burundi, and DRC.

The connection between Hutu groups based in Burundi and DRC creates a direct link with the DRC's peace process. It was believed that peace in eastern DRC would imply severance of FNL's support, hence weakening it. Technically there would be no peace in Burundi if there is no peace in DRC because excluded groups with shared interests will obstruct peace both ways.

The UN has repeatedly declared its readiness to impose a ban on the supply of all arms and related supplies to Burundi. In fact, from 1996 to 1999, there was a non-mandatory arms embargo involving sales to Burundi from DRC, Eritrea, Ethiopia, Kenya, Rwanda, Tanzania, Uganda and Zambia. Despite this embargo, sales of small arms were authorised by the UK in 1998. From 1989 to 1998, the US supplied arms worth US\$ 386,000 (£247,386, €387,228) and also provided US\$ 1.3 million (£830,000, €1.3 million) worth of military training. China, France, North Korea, Russia, Rwanda, Tanzania, Zimbabwe, Uganda and DRC (under Mobutu) were also allegedly direct suppliers of military aid to Burundi with transit permitted through Angola, Kenya, Rwanda, Tanzania, Uganda, and DRC. Between 1993 and 1996, small arms and ammunition were authorised by the US, the UK and South Africa, and army and rebel groups in Burundi were supplied with

major weapons from Russia, France, South Africa, Egypt, Slovakia, Ukraine, Bulgaria, Poland, and Belarus.¹²

From 1974, there was a military assistance accord between Burundi and France that remained in force until 1995. Between 1992 and 1994, France supplied the equivalent of US\$ 10 million in military transfers to Burundi, including helicopter gunships, spare parts for aircrafts and armoured vehicles, light weapons and artillery, and communication equipment.¹³ Most of the allegations of Belgian involvement in arms transfers were in respect of brokering by Belgium-based companies or individuals, or regarding the use of Belgian ports and airports as transit points for illicit shipments of arms. Although the Belgian authorities tried to block the illegal transshipment of arms and military equipment through its ports, Belgium still has a reputation for international arms trafficking.¹⁴ Networks operating out of Belgium are alleged to have facilitated the delivery of weapons from the former Soviet Union to Africa, including to Burundi.¹⁵ A Belgian entrepreneur is said to have been one of the primary arms procurers for the Burundian military and the government's Tutsi paramilitary forces. According to Human Rights Watch, his clients in Africa have included President Mobutu of Zaire, UNITA's Jonas Savimbi, and President Buyoya of Burundi.¹⁶

Conclusion and Policy Recommendations

This research based on the economic, social and political interests of the different players to investigate the economic, social and political facets of civil conflicts in Burundi. The findings show that conflicts in Burundi have resulted from a combination of poverty, governance policies of exclusion and competition for the control of the country's limited resources.

The CNDD-FDD's first term as government is about to end and Burundi is again preparing for elections. Burundi needs to think about its own conditions and devise a method of democracy that is not based on ethnicity. Judging by the sectarianism that the country has experienced, the Tutsi may never have a chance if the Hutu vote for Hutu.

The government is developing an authoritarian streak, which is a very disturbing trend after such a promising beginning to the peace process. The government came to power with considerable domestic and international goodwill, which it is losing as it becomes less accountable to the electorate. The primary responsibility lies with the government although the international community, particularly the donors and the UN's Peacebuilding Commission, have important support roles to play in this respect. For the above to happen, this study makes the following recommendations:

- (a) The government of Burundi, Palipehutu – FNL and the international community need to strengthen activities of the JVMM and the Political Directorate and work towards the full integration of the FNL into the current government.
- (b) As the economies of the Great Lakes countries have different structures and are at various stages of development, their strengthening is a necessary condition for sustainable peace and any regional initiative must give due consideration to this fact. Burundi could exploit its strategic location within the Great Lakes region. Given its assets of a capital port and airport facilities, it could easily serve as a trade and transportation link between eastern Congo and northeast Tanzania and the outside world.
- (c) In Africa, regional integration has been taken as one of the major routes through which conflicts can be addressed and peace-building efforts enhanced. It has been observed that regional integration creates conditions of regionalism that are likely to lower the intensity of conflict.¹⁷ This is because such integration can eradicate conditions of economic stagnation and poverty that are sources of political turbulence and war. Furthermore, through regional integration, ethnic tensions between groups are likely to disappear (Gakwandi 1996:188-189).¹⁸ Integration also reduces conditions that favour the establishment, survival and operations of warlords. The countries of the Great Lakes region can facilitate the free movement of people across the region and this would

facilitate trade. This is part of what has so far been achieved through protocols that have been signed by the five members of the East African Community. On their part, Rwanda, DRC and Burundi can take their former Belgium coloniser up on the offer to strengthen the Great Lakes Countries Economic Community (CEPGL), which collapsed in 1994.

- (d) In order to accomplish these economic targets there is need for good governance. No investor will put their money in a country that is ruled by a government that does not inspire confidence. An environment based on good governance, the rule of law and the efficiency of public management, justice for all, the search for social consensus, and participation by civil society in the definition and implementation of national policies would constitute an essential element of the strategy for national reconstruction and reconciliation. Politicians would also be better placed to negotiate new positions and interests; it would also form the context for developing propositions for sharing power and proportionate representation. The Burundian government has launched an ambitious programme for improving economic performance and fiscal management. The implementation of these reforms and further transformations, such as through privatisation and decentralisation, will require determined efforts to overcome vested interests and to strengthen the capacity of reformers, both in the government and in civil society. Unfortunately, community-driven projects in divided societies do not always pay sufficient attention to marginalised ethnic groups, or to other vulnerable groups such as the poor, the displaced, women and youth. Donors' development strategies must ensure that historically subordinated or disadvantaged groups have the means and the space to express their own priorities.
- (e) Given the analysis of the dynamics of the obstacles to peace in Burundi, the economy needs to be restructured to avoid reinforcing lopsided structural causes. Care must be taken to ensure that aid flows, and that programmes do not have the unintended

consequence of perpetuating the structural inequalities of the past. In the context of the 2010 elections, donors must take into account the risk of aid being used for electoral purposes and fuelling competition between groups.

- (f) In Burundi, development assistance should prioritise projects that do not only bring money into the country but also enhance peace building. Peace building cannot be separated from concrete economic reconstruction otherwise it will be less sustainable than a fully integrated, holistic approach to community development. Many conventional development initiatives are either directed at the building of social capital, without reference to material development, or they are primarily bricks-and-mortar projects that pay scant attention to the need to build social capacity. There is no reason why bricks-and-mortar projects cannot simultaneously serve as vehicles for bringing people together, and therefore increasing Burundi's managerial and leadership capacity. In this way, the ability of the people of Burundi to address the underlying structural inequalities that have given rise to the conflict can be strengthened. Donor assistance should also be directed at training initiatives that bring political-party leaders together, focus on the development of negotiations, communication, and collaborative decision-making skills, and help strengthen leaders' personal relationships.
- (g) The international community has to develop capacity-building mechanisms. A failure to address the security situation can result in a spiral of violence and a culture of gun ownership. As long as insecurity and violence abound, individuals will be reluctant to surrender any arms they hold, as the arms serve as a means to obtain food and income as well as security. The international community thus has a valuable role to play (with training and expertise) in assisting the government to restrict the flow of arms to areas of tension. The government should use part of development assistance funds to build the capacity of the police and customs/border authorities, and to provide support for judicial and legal

systems, in order to strengthen security and limit the illegal flow of arms. It is vital that any such programmes should include human rights training, and that the programmes are contingent upon the police and security forces complying with agreed international conventions on human rights and police conduct. Capacity-building programmes should aim to provide support for existing regional and subregional bodies concerned with tackling the flow of illicit arms.

- (h) Concerning the social sector, the social indicators are alarming. Social-sector projects must be sensitive to the need to redress ethnic and regional imbalances and must incorporate indicators to measure the impact of development assistance. To provide employment, projects need to focus on rural development and the development of sector-specific strategies, given the predominance of the agricultural sector. From a peace-consolidation perspective, public works and employment-generation projects targeting the youth have particular merit and should be prioritised. These projects also offer an opportunity to help rebuild the social fabric, in particular by training initiatives that foster community decision-making and intergroup cooperation
- (i) The international community should support the Demobilisation and Reintegration Programmes (DRPs). DRPs represent a valuable opportunity to remove weapons from the community and to reintegrate combatants into civil society. The international community is aware of the benefits of DRPs, and has contributed to several programmes in Burundi through UNDP initiatives. However, such experiences have also highlighted a number of shortcomings, including lack of adequate and timely funding, lack of prior planning, and a failure to see the entire reintegration process through. The EU international community should seek to address these problems and establish a group of experts familiar with the DRP process so that they can assist with planning and implementation.

Endnotes

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3

Obstacles to Post-Election Peace in Eastern Democratic Republic of Congo: Actors, Interests and Strategies

Roger Kibasomba & Thadee Barega Lombe

Introduction

The Democratic Republic of Congo (DRC) has been undergoing complex armed conflicts since 1996, starting with the downfall of the Mobutu regime, and the different rebellions backed by neighbouring countries, including Rwanda, Uganda and Burundi. The complexity of these conflicts can be explained by the heterogeneous nature of the actors on the one hand, and by the interests which motivated them on the other, thereby justifying their alliances.

In terms of actors, these wars were officially conducted by Congolese fighting the Laurent Désiré Kabila regime. However, with time, it became obvious that not all these Congolese had the same motivation. Various groups had different interests motivating their desire to overthrow the Laurent Kabila regime. In particular, interests in exploiting natural resources developed as many groups discovered that the central government had only limited capacity to administer and control remote areas and borders, especially in the east, which is

in the range of 2,000 to 3,000 kilometres away from the capital city of Kinshasa. Poor communication infrastructure further isolated remote areas from central government control and administration.

The peace process went through several phases. The Lusaka Ceasefire Agreement (Zambia), the inter-Congolese dialogue at Sun City (South Africa), and the all-inclusive Peace Agreement of Pretoria (South Africa) were all undertaken to bring about peace. The processes were implemented with the support of international and regional powers. However, ceasefires, withdrawal of foreign forces, unification of warring parties, integration of rebel and government armies, transitional power sharing and general democratic elections were all accomplished without peace and security in the eastern provinces, especially in South and North Kivu, becoming a reality.

The democratic elections that took place in 2006-2007 and which provided the country with a democratically elected president, Joseph Kabila, and a democratically elected parliament, still have to transform the war economy into a peace economy. The country has evolved from a military dictatorship to a state in tatters, in which local warlords and foreign actors have taken control of the country's assets, plundered its resources and hurled the territory into a state of banditry. The democratic government has all but failed so far to halt the war, violence and banditry in the South Kivu, North Kivu and Oriental provinces. The continued conflicts and violence in the eastern DRC have affected the peace process throughout the country.

In fact, effects of the Kivu and Ituri conflicts on the central government in Kinshasa can be assessed by considering the following facts. First, the eastern DRC constitutes the electoral constituencies of many parliamentarians and top executive officials, including the president of the Republic. Second, the two recent rebel wars began in South and North Kivu, but embraced the entire country in 1996 and 1998. Ongoing conflicts and violence still involve security issues raised by the rebels at that time. These issues include:

- Spill-overs of chronic Hutu-Tutsi conflicts from Rwanda and Burundi through massive displacement of refugees, politicians and combatants;
- Spill-overs of Ugandan conflicts into the Oriental province through military attacks carried out by Ugandan rebels from the Ituri and Lake Albert regions;
- Land and territoriality conflicts or tensions between Tutsi and non-Tutsi Congolese populations in the Kivu region, and between Lendu and Hema tribes in the Ituri region;
- Dictatorship, cold-war politics and overcentralisation of power and wealth in Kinshasa at the expense of the eastern provinces (Katanga, Kasai, Kivu and Oriental) which generate over 80 per cent of the gross national product.

Third, Rwandan and Ugandan security concerns depend on the security situation of the eastern DRC, especially at the borders and neighbouring provinces. Furthermore, conflicts in the eastern DRC discourage investors from supporting reconstruction programmes in the entire country. For instance, the Nkunda effect on foreign investment inflows is significant today. One of its consequences is the desperate unilateral search for foreign investments from China.

The democratically elected president, Joseph Kabila, is attempting to embark on a peace-building and post-war reconstruction phase. He has devised a visionary programme called the Five Fieldworks of the Republic (in French, *les Cinq Chantiers de la République*). This programme is expected to link security to development, especially in the regions most affected by war. The expectation is higher in the east, where President Joseph Kabila holds over 90 per cent of his electoral constituencies.

Restoring law and order, peace and security are among the fundamental electoral promises made to the South Kivu, North Kivu and Ituri constituencies. These objectives and priorities require the transforming the damage to the economy caused by war. This means the abandonment of political, administrative, social and economic activities considered to be the root causes of conflicts and violence – and the obstacles to peace, consolidation and economic reconstruction. Through the transition and election processes, democratic rule

has transformed the belligerent and autocratic leadership that had characterised the country since 1965, when President Mobutu took power through a military coup d'état. Several reforms, including the Security Sector Reform (SSR) and the Disarmament, Demobilisation and Reintegration (DDR) programmes have been initiated. Whether the transition and election processes have actually transformed political and military actors can be assessed by exploring the extent to which elected and legally established authorities are or are not obstacles to peace initiatives in conflict-ridden areas. The challenge is too big and the situation too complex. Local populations expect the post-election government to rapidly bring peace and stability. Expectations include peace consolidation, development of a democratic culture, reform of the civil service and administration, effective SSR, exploitation of natural resources, freeing areas from the control of armed groups, border control, cross-border security, provision of transport facilities, decentralised structures of governance and administration, private-sector development, foreign investments, civil-society development, institution of truth and reconciliation programmes, and many others. In a country where the state delivery systems of basic public services and goods are in ruins, the pressing popular demand is above all, security.

Failure to provide effective security in eastern DRC is evidence of the government's limited ability to respond to this challenge effectively. This may be due to the complexity of security issues in South and North Kivu, where wars started with the coordinated invasion of Rwanda and Uganda in 1996 and 1998 respectively. Since then, central government strategies/measures have been centred on security problems perpetrating war, diseconomy, military commercialism and illicit exploitation of the country's natural resources.

President Joseph Kabila has been trying to avoid military solutions in favour of diplomacy and continuous peace talks. His approach has yielded to some extent. But this peace is eroded daily, not only by war and armed conflicts in South Kivu, North Kivu and Ituri, but also by organised crime, corruption and economic mismanagement by many top politicians, senior military commanders, and senior officials in the capital.

The big question now is whether the current diplomatic measures can offer a solution to really complex security problems; or whether it is only a matter of time before the post-election government identifies loopholes (internal obstacles to peace and security delivery) and devises alternative solutions. The majority of people believe it is a matter of time. Yet time will not solve the problem unless the police, military and judicial systems are reformed and start working effectively. An analysis of the internal obstacles to peace within the government system, especially the security sector, or an in-depth understanding the behaviour of the Forces Armées de la République Démocratique du Congo (FARDC) *vis-à-vis* armed groups and local populations may provide an answer.

Study Focus

This chapter deals with grassroots security concerns and stakeholders of peace initiatives in the South and North Kivu provinces and the Ituri region in the Oriental province. The case of Ituri is an interesting one in a study of obstacles because of the successful way France carried out the United Nations (UN) peacekeeping mission called ARTEMIS to remove obstacles to peace in the region. It is interesting to compare the ARTEMIS operation with the Mission des Organisations de Nations Unies au Congo (MONUC), the UN's peacekeeping operation in Congo. The sole UN military intervention with direct impact on the peace process was the Interim Emergency Multinational Force (IEMF) in Bunia. MONUC's interventions have raised concern by their inability to stop violence, pillage, banditry, and human rights violations. Can MONUC replicate the success of ARTEMIS II in South Kivu and North Kivu?

This study also examines security issues related to management of highly sensitive borders with Rwanda and Uganda, as well as control of mining activities in the conflict areas. The Rwandan and Ugandan cases are interesting for objective reasons. First, these countries violated international and humanitarian law by openly invading the

DRC. Second, their intervention strategies served their own military, political and economic interests and operations, to the extent that they fought twice in Kisangani, killing and displacing over 600 troops and civilians. In fact, in August 1999 – only a month after the signing of the Lusaka Ceasefire Agreement – a major battle took place between the Uganda People's Defence Forces (UPDF) and what was then known as the Rwanda Patriotic Army (RPA) in the central Congolese town of Kisangani. The primary reason why the two armies fought in Kisangani was serious differences over Rwandan and Ugandan objectives and strategies. While Uganda wanted to mobilise the Congolese rebel movements to develop an alternative leadership in the DRC, Rwanda intended to overthrow Laurent Kabila, who was allegedly arming Rwanda's enemy, the Hutu militias. The Ugandan and Rwandan armies clashed again in March and May 2000 despite the signing of the Lusaka Peace Agreement. From these incidents, it became evident that the armed confrontation was also related to competition over Congo's diamonds. Under the direction of the Victoria Group (based in Uganda), the UPDF took almost total control of the diamond market in Kisangani. The *comptoirs* operated by the Victoria Group refused to report their exports to their Rwandan counterparts. Not surprisingly, this move led to growing frustration amongst RPA officials, who were themselves trying to gain control of this lucrative business. The question that could be asked is whether actors such as the UPDF, RPA, and Victoria Group are still affecting security in Ituri, South Kivu and North Kivu, despite the official withdrawal of foreign armies from the DRC in conformity with the Lusaka Ceasefire Agreement?

This chapter also explores the extent to which criminal networks such as the Victoria Group limit the government's response to the mixed benefits of natural resources. For instance, the low-key existence of the Victoria connection still constitutes a security threat today, affecting peace and development initiatives in the Lake Albert and Ituri areas.

Conflicts that developed in the DRC between 1998 and 2003 are due to a combination of factors, and our field survey suggests factors other than natural resources also need to be investigated. The populations of Mwenga, Uvira–Fizi, Walikale and Bunia–Ituri were asked whether the end of the transition and the setting up of elected institutions had brought peace to their territories and provinces. Over 95 per cent of respondents felt that insecurity was still the major problem in their areas and they blamed the central government, local government and the defence/security forces for failing to deal with their security concerns effectively. They advance the following reasons for the persistent insecurity: favouritism and complicity of external powers and the international community in favour of the Tutsi community; inability of the central authority to ensure the well-being of its citizens and the military; lack of harmony and cohesion, and disloyal political actors; weak army and police forces, lack of political will; conspiracy of Congolese leaders and politicians who lost the elections; and widespread corruption among the elite. They identified the following obstacles to peace: presence of refugees, ex-combatants, armed civilians, and unrepatriated *interahamwe*; failures to achieve DDR; police harassment and arbitrary detention; lack of respect for human rights; rape of women; assassinations and widespread insecurity. They link this insecurity to the following factors: greed in relation to rich natural resources; absence/failure of state authority; the Alliance of Democratic Forces for the Liberation of Congo (AFDL) war; the legacies of Mobutu and Laurent Kabila; the armed struggle for power; the presence of Rwandan refugees and/or combatants and inter-ethnic community conflicts.

Actors in the conflict use various strategies to fund their activities: shifting alliances, intimidation, torture and murder of locals, rape, disrupting humanitarian assistance and many others, though the deployment of forces at mining sites remains the core financing strategy. This chapter therefore focusses on economic exploitation of minerals by armed groups given their location or deployment.

An understanding of the nature of the conflict is required before the the security situation and its actual actors and their interests can be analysed.

Nature of the Conflict

Consideration of the strategies used by conflicting actors will assist in identifying the nature of the conflict. The nature of the conflict derives from the legacy of the recent past, the effects of state collapse, and the war economy that resulted from it.

Past Legacy

Since the outbreak of fighting in August 1998, about 4 million people, mostly women, children and the elderly, have died from disease, starvation, assassination, massacres, shooting, etc. More than 2.5 million people have been driven from their homes. Obviously, not much has changed since 1960. As *Ingram contends*, “40 years on-Lumumba still haunts the West.”¹

Although it seems absurd to continue blaming the 80-year Belgian colonisation, the current situation of the DRC has much to do with this legacy – the country has been destabilised since the country gained its independence from Belgium on 30 June 1960. That legacy manifests itself in the current conflict situation through involvement of foreign companies in natural-resource extraction and trade. It is worth recalling that key independence leaders such as Patrice Lumumba, were eliminated with American and European support, so that the rich resources could then be available cheaply, instead of being used for Congo’s own people and development.² Over the years, American and European rhetoric changed slightly, placing greater emphasis on democratic governance and paying more attention to human rights, but in reality policy continued to focus on promoting narrowly defined Western economic and strategic interests.

However, the most economic and political damage was done by President Mobutu’s cronyism and kleptocratic rule. He sustained a

period of institutionalised corruption and misappropriation of state resources from 1965 to 1997. A large proportion of the revenues from state-owned mining companies went not to the state treasury but straight into the pockets of Mobutu and his closest allies. Today, Mobutu is deposed and dead, but his legacy lives on. His family holds his fortune, and his country holds his US\$12 billion debt. In a nation with an annual income of US\$110 per capita, each citizen theoretically owes foreign creditors US\$236.³

Since then, there have been many internal conflicts, with various sides being supported by various neighbours. The conflict has also been fuelled by the sale of weapons and military training. The weapons come from the former Soviet bloc countries and the United States, who have also provided military training. As Kakande claims,

“The United States military has been covertly involved in the wars in the Democratic Republic of Congo, a US parliamentary subcommittee has been told. Intelligence specialist Wayne Madsen, appearing before the US House subcommittee on International Operations and Human Rights, also said American companies, including one linked to former President George Bush Sr are stoking the Congo conflict for monetary gains.”⁴

Many other countries and companies seem to be involved, as the 2001–2003 reports of UN Panel of Experts and other sources claim. Western powers and superpowers never left the DRC after independence.

The main driver of these conflicts is the country’s rich natural resources; the vulnerable administration allows easy access to this wealth through strategies such as wars, organised poverty, manipulation of the elite, politicisation of ethnicity and neighbouring countries with invasion ambitions and military might. In brief, obstacles to sustainable peace in the DRC have to do with forceful, illicit and illegal access to the DRC’s natural resources, be it directly through a war economy or indirectly through a corrupt and greedy administration. It seems obvious that the predator syndrome persists; government office and power are used for accumulation and private

gain, and violence and crime are used to maintain chaos and conflict economies. This kleptocratic culture of self-enrichment continues to undermine not only governance but also security and development initiatives, as displayed in Table 3.1 below.

Table 3.1: Key Human Development, Governance and Economic Indicators 2006-2007

Key Economic and Governance Indicators	
GDP (IMF)	\$8.5 B
GDP per capita (IMF)	\$144
Population (millions) (World Bank)	57.5
Life Expectancy at birth (years) (UNDP)	45.8
% Population living on <US\$2/day (UNDP)	52.4%
United Nations Human Development Value (UNDP)	0.411%
Gini Index Value	N/A
Annual population growth rate (%) (UNDP)	3.0
TI Corruption Perceptions Index (out of 179 countries)	168
Key World Bank Governance Indicators (percentile, 0 to 100)*	World Bank Governance Matters
Voice and accountability	5.8
Government effectiveness	1.9
Regulatory quality	6.3
Rule of law	1.9
Control of corruption	2.9
Political stability	1.0
External debt (% GDP) (IMF)	135.2
Energy depletion (% GNI) (World Bank)	4.3
Mineral depletion (% GNI) (World Bank)	1.6
* Percentile rank indicates the percentage of countries worldwide that rank below DRC. Higher values indicate better governance.	

Source: Data extracted from World Bank, International Monetary Fund, and United Nations Development Program (UNDP) reports 2006-2007.

The DRC crisis has become a vast war market involving national, regional and international actors who take advantage of internal political and economic vulnerabilities. The United Nations October 2002 report on illicit exploitation of the DRC's natural resources points out that "plunder of gems and minerals continues, with elite networks running a self-financing war economy centred on pillage."⁵ The war continues mainly because the Congolese elite is vulnerable to external demands for illicit access to the country's natural wealth. The ruling elite's greed and corruption were established by Mobutu's kleptocratic and self-enrichment legacy and exacerbated by chronic political instability. Despite the peace agreements signed between 2002 and 2007, and the democratic elections held on 30 July 2006, this legacy still dominates the Congolese political, administrative and military culture. Greed is still the main factor that drives most candidates to apply for government posts or stand for parliamentary seats. The post-Mobutu regime recognised the problems and attempted to stem the tide of self promotion. The country's leadership was constantly challenged by defiance and sabotage from within its very leadership system, to the extent that the president was eventually assassinated.

The new democratically elected president, Joseph Kabila, seems too prudent to launch a full-scale offensive against maladministration and widespread corruption. He has instead adopted a persuasive (educational) approach whose effects remain to be seen. In any case, dismantling the sophisticated system of corruption and kleptocracy at the heart of Congolese politics, economy and peace requires time, resources and, above all, in-depth radical change, which is often incompatible with democratic principles. Meanwhile, laissez-faire attitudes dominate the political and policy spheres as the populace strives to reinvent a new order.⁶ For Trefon, the Congolese populace is reinventing order by creating dynamic new forms of social organisation to compensate for the overwhelming failures of post-colonial governance and public-service-delivery system. The process enables people to simply carry on with life and get things done,

juxtaposing opportunities and interests, capitalising on old alliances and creating new networks, multiplying possibilities in the hope of achieving results. The order being created is a people's initiative, and has nothing to do with Weberian political order characterised by a functioning bureaucracy, democratically elected representatives, tax collectors, law enforcement agents and an impartial judicial system. The process has been far from harmonious or uniform, but has been characterised by tension, conflict, violence and betrayal as much as by innovative forms of solidarity, networks, commercial accommodation and interdependencies.

The state has not yet imploded. It remains dominant on the social, economic and political landscape because non-state actors penetrate it to the extent that there are no demarcations between state and society. However, state actors dominate social relations and influence how strategies are elaborated and implemented on the ground to suit their immediate interests in the same way colonial rule was hastily fabricated by Belgian interest groups. Ordinary people are also reinventing order, applying their natural cleverness and inventiveness based on lived reality and mental constructions. Although these systems contribute to very basic survival at the individual and family levels, they cannot contribute to broader sustainable economic and political development of the type elaborated and advocated by Western development theorists. Many attitudes and behaviour go beyond Western logic. The Congolese people are reinventing themselves within the interplay between order and disorder and the institutionalised overlapping between function and dysfunction.⁷ Unfortunately, the disorder and the dysfunction include built-in mechanisms and negative externalities that are inconsistent with an effective fight against corruption and maladministration. These negative externalities constitute major barriers to the peace process. They exacerbate the war economy in the east and devour the few critical efforts of the post-election government. Local populations in South Kivu and North Kivu blame politicians in

Kinshasa and the UN mission (MONUC) for continued hostilities in the east.

Current violence and conflicts in the east are the result of some strategic neo-colonialist simulation of security and democracy deficits in the Congolese post-independence governance system. This strategy does not accommodate any political leadership that challenges Western interests and strategies for accessing DRC's natural resources. For historical reasons, many Congolese elites agree with such European and American demands. President Joseph Kabila was invited by several European and American heads of state to explain the current political-economic rapprochement with China, which plans to invest US\$8 billion in infrastructure development of DRC, in exchange for mineral and oil resources needed by the Chinese industrialisation process.

In the same manner, the scope of the war in the DRC (1998-today) has shifted from the political to include economic motivations. Despite several political agreements and economic initiatives, the prospects for peace look bleak, especially in the central eastern provinces of North and South Kivu, where even democratically elected government actors daily break laws and act immorally, violating sovereign constitutional and ethical values that are supposed to guide their behaviour, actions, decisions and attitudes towards the protection of people, their lives, property, rights and liberties. Authorities who came to power after the-election must eradicate this destructive political culture from amongst themselves first if they are to stop illegal, greedy and immoral interventions of outside actors such as the Rwandan and Ugandan military forces. In a democracy, electoral constituencies such as South and North Kivu also have a restrictive role to play. Victims of war diseconomy in the eastern provinces must avoid voting into power candidates with criminal or amoral backgrounds.

The irony is that ethnicity matters and dominates public choices. Ethnic interests strongly dominate national interests in DRC politics. Where ethnic interests cross territorial borders, loyalty and adherence

to state laws suffer from the socio-political disintegration dilemma of dual citizenship. We can refer to Marshall's golden rule of citizenship: if citizenship is invoked in the defence of rights, the corresponding duties of citizenship cannot be ignored.⁸ That is to say, rights have to be subordinated to duties if citizenship is to consolidate political and social integration. Congolese Tutsi and Hutu have been puzzled by this socio-political integration dilemma. On the other hand, a war economy and political-social disconnection between the Kinshasa government and remote marginal territories drive or expose members of other ethnic communities to seek dual citizenship rights and duties in neighbouring countries in order to facilitate their economic survival activities. As a result, economic motivations drive the war, involving both internal and external actors whose behaviour *vis-à-vis* the DRC state becomes a real obstacle to peace initiatives. Government calls for parents to discourage their children from joining armed groups, such as the National Congress for the Defence of the People (CNDP) of General Nkunda, will only work if the government's military commanders and civilian authorities in the conflict areas disengage from the war economy, devise peace-building mechanisms to provide alternative economic opportunities for local populations, and create, by massive direct investment, innovative or revitalising and productive occupations other than military employment for the youth in those areas.

Until such changes occur, until the nature of this war economy has been altered, and the Rwandan and Ugandan border security concerns have been addressed, there will be no peace. Many observers tend to agree that the battle over Congo's resources is increasingly taking place outside the competence of territorially defined governments and armies. Privatised networks of individual army officials, local warlords and international enterprises are orchestrating the plundering of the Congo for their personal benefit, and to finance their war. They gave birth to a new political economy, in which national sovereignty and state boundaries have become almost completely irrelevant. The

currency of this economy is Congo's diamonds, coltan⁹ and gold the favourite loot of uncontrolled local and foreign military personnel and the other armed groups. Looting finances political-economic projects of individual entrepreneurs. They easily find their way onto the international market, aided by weak borders and corrupt administrations.

War Diseconomy

The DRC's rich resources provide easy ways to finance conflicts. Rebels had long been successful in setting up financial administrative bodies in their controlled areas and establishing commercial networks, especially with regard to trade with Rwanda and Uganda. Some Western multinational corporations have been profiting from the war and have developed elite networks of key political, military, and business people to plunder the Congo's natural resources. The war economy involves the exploitation of many resources and commercialising military and security systems.

The war in the DRC has given rise to a war economy that continues to erode post-election peace initiatives in the east of the country.¹⁰ We need to recognise two things. First, this war economy would not have grown to such an extent without the willing cooperation of some private companies. Second, war entrepreneurs took over the informal transboundary economy that already existed under the Mobutu regime. They organised their command structures so that they could control the export of Congolese resources. Unfortunately, some FARDC commanders are involved in such organised-crime networks.

On the one hand, these networks, which include international private corporations such as aviation businesses, mining companies and trading agents, but also ordinary Congolese – businessmen, farmers, miners – have enabled local warlords to forge a shadow economy that cuts right through the national level. By linking with local and global economic networks, the participants in this war economy

are becoming increasingly successful in blurring and dissolving the conventional distinctions between peoples, armies and governments.

On the other hand, the war economy reflects the often contested integration of the stratified Congolese market into the global economy. For example, the eastern cities of Butembo and Goma have shifted their trading relations from Kisangani, Bukavu and Kinshasa to the United Arab Emirates. Throughout the war, local Congolese traders have thus been able to link "some of the world's most remote areas to the technological heartland of metropolitan society."¹¹ In turn, local rebels have been profiting largely from the taxation of this activity, which provides them with the necessary means and power to consolidate their presence. As a result, the war has given birth to a new political economy which is essentially non-liberal, socially exclusive and fundamentally informal.

The new political economy of conflicts makes it difficult to distinguish between legal and illegal economic activity. It is even difficult to use the terms shadow, parallel and informal economy, since the situation is not that of legal trade in illegally obtained goods. The economy has been informalised throughout the country, even in Kinshasa and places not affected by the war. The DRC is caught in a vicious circle in which war and militarism have become a business, and business is used to wage war or to sustain disorganisation and chaos. The result is increasing predation, the development of pseudo-administrations, and privatisation of security and state machinery. Leaders are at the same time involved in trade in resources and in over accumulation, as in the provision of security for the trade networks they support; these services are often rendered on an ethnic basis. Because the same tactics of self-enrichment are used equally by state and non-state actors, dubious non-state actors are increasingly monopolising the trade in Congolese commodities to destinations outside Africa with the complicity of corrupt officials. Often, their activities involve the trafficking of arms, which intensifies the vicious circle of murder, pillage, massacres, genocide, and mafia-like organised crime carried out by ghost companies.¹²

The 2002 UN panel of experts accused 85 companies of breaching the Organisation for Economic Co-operation and Development's (OECD) standards by their business activities. The UN claimed these companies were all responsible for rape, murder, torture and other human-rights abuses which followed the scramble to exploit Congo's wealth after war broke out in 1998.¹³ At the end of October 2003, the UN Expert report listed approximately 125 companies and individuals who had contributed directly or indirectly to the conflict in the DRC.¹⁴ Most of these companies disappeared during the transition period (2003-2007), but active, established, extractive and commercial networks are still under the control of armed groups. Rwanda and Uganda continue to be the main transit and trading centres for the loot.

Rwandan and Ugandan Legacies

Despite the official withdrawal of the Ugandan and Rwandan armies (UPDF and RPA) from DRC, their invasion continues to have an impact on the post-election peace initiatives. UPDF officers deployed in the DRC have become veritable entrepreneurs of insecurity – military businessmen who have used the conflict in the DRC for their private economic gain and for whom the maintenance of insecurity has become a primary source of enrichment.¹⁵ This strategy has been referred to as “military commercialism”: military officers have created corporate-military business ventures in order to generate income for themselves and their leaders, which renders the military apparatus a commercial asset.¹⁶ One can easily argue that some UDPF commanders regarded the war in the Congo as a purely private enterprise.

Relying on a closed circle of army elements, they shared their access to Congolese minerals with allied rebel leaders from the Rassemblement Congolais pour la Démocratie–Mouvement de Libération (RCD-ML), the Rassemblement Congolais pour la Démocratie–National (RCD-National) and the Mouvement de Libération du Congo (MLC), that receive part of the profit as a reward for their complicity and for which they have not shown any accountability to their governments. This assertion is evidenced by the case of the Victoria Group and

Trinity, two ghost companies that were set up by senior Ugandan officers to channel the profits of their commercial operations in the DRC. According to the UN's report of experts, UPDF officers were deeply involved in the DRC war economy, to such an extent that they had to establish business alliances with local partners prior to leaving the country. Indeed, the economy and governance system of the eastern Congolese provinces continue to be structured by UPDF and RPA. Despite the official withdrawal of foreign troops, a system of economic control established by Rwandan and Ugandan forces continues to counteract peace initiatives in the eastern DRC through local straw men, proxy politicians and informal business networks linked to international markets.¹⁷ As a result, the war is privatised by arms dealers such as Victor Bout, the main supplier to the foreign armies in the DRC and their Congolese proxies.

The RPA, with their former Congolese proxy, the RCD-Goma,¹⁸ installed a trade monopoly that creamed off the revenue of coltan exports from the area they controlled. The two bodies have exported coltan worth millions of dollars from South Kivu, and most of which money is reinvested in the war.

RPA's role continues through military support to armed groups such as CNDP and through connections with mining companies set up by RCD-Goma to exploit mining concessions of the former Société Minière et Industrielle du Kivu (SOMINKI). In July 2001, RCD-Goma promised Trackstar Trading 151 Ltd, a South African company, access to a large number of the SOMINKI concessions. SOMINKI controls large deposits of gold, cassiterite and tantalum. But Trackstar backed out of the deal when it discovered that the SOMINKI concessions legally belonged to another international mining company. Both provisional agreements remain dormant.

Created on 12 September 2000, Trackstar had the typical identity of a ghost company. The Memorandum of Association indicates South African attorney Christian Gouws as the sole director. The company was incorporated in the offshore tax haven of Gibraltar on 9 April 1998. Its directors on incorporation are a Swiss lawyer, Philippe H.M. Schnadt,

and a Dutch businessman, Israel Chaim Weinstock, with the listed business address for Weinstock in the United Kingdom being: Euromet, 54-58 High Street, GB Edgware, Middlesex, HA87EJ, United Kingdom. In its information brochure, Trackstar is said to be managed by Mineraal Afrika Limited, an international company with representative offices in London, New York, Johannesburg, Sydney, Madrid, Beijing, Kunming, Rio de Janeiro, Dar es Salaam and Kigali. It claims to hold mining concessions for gold, tin, tantalum, tungsten, niobium, phosphate and diamonds in a number of unspecified African countries.¹⁹

UPDF and RPA Effects: Victoria and Kazakh Networks

UPDF and RPA created two major networks during their invasion and occupation of the eastern DRC: the Victoria and Kazakh connections.

The Victoria Connection

Named after Lake Victoria and the notorious Russian arms dealer Viktor Bout, the Victoria connection is operated by a ghost company called Victoria Group. This company represents a specific scheme used by the UPDF for their looting activities in the DRC. It is not mentioned in any commercial register. The Group is reportedly managed by a group of Lebanese traders and Ugandan ruling elites. The UN report mentions General James Kazini's role in ensuring a safe conduit for the Victoria Group's diamond, coffee and gold exports from the DRC as early as July 1999, with reference to Kazini's letter to several strategic headquarters of MLC and UPDF in eastern Congo. In his letter Kazini instructs MLC and UPDF commanders as follows: "... the company Victoria has the [sole] authorisation to do commerce in coffee, diamond and gold in the region under your command ... Everything that concerns the payments of this company to assure its security will be treated directly by the general headquarters in Kisangani."²⁰

The Victoria Group's direct involvement in the DRC declined after the Kisangani wars. Khalil and his network shifted their operations to Kampala in June-July 2000. The extent of this operation became clear after a rather peculiar incident in July 2000, when a large sum,

US\$550,000, was stolen from Ismail Dakhallah, a Lebanese who had come from an Antwerp diamond trading company called Nami Gems, and who was meant to finance a particular operation of the Victoria Group. Uganda's Police report on this theft describes Khalil Nazzeem Ibrahim as the central person in this conflict-diamond network, a key representative of the Lebanese network that trades diamonds from DRC through Uganda.²¹

Lebanese businessmen continue to buy conflict diamonds from the DRC war zones. For instance, one Ahmed and his company Mister Cash had the protection of one of the RCD-ML commanders, Kakolele. Ahmed purchased diamonds from Kisangani, Buta, Bafwasende and Isiro, which he sold to a company called Beldiam, in Kampala. Ahmed and Mister Cash operates in Goma and Butembo.²²

The DRC government recently suspended an oil exploration contract with a Ugandan company suspected of being associated with the Victoria Group.²³

The Kazakh Connection

The Kazakh connection operates in the business centers of Butembo and Beni in the North Province, where the coltan business is controlled by former Soviet citizens: Russians, Kazakhs, Uzbeks, all with a close connection to Kazakhstan, especially to Ulba Mechanical Works, a well-known processing plant for coltan.²⁴ A Russian company called Conmet set up a *comptoir* on the main road in Butembo in 2000 to buy coltan from local miners. It is run by two Russian citizens from South Africa who conduct their operations from Kampala.

In 1997, Ulba Mechanical Works concluded a long-term contract with Swiss company Finconcord for the provision of raw material and the sale of their tantalum-based end products on the world market. But the contract between Ulba Mechanical Works and Finconcor collapsed in 1999, when the Kazakhstan government confiscated all the company's assets to recover US\$1.5 million in salaries and taxes owed by Finconcord. Finconcord also operates as Finmining Ltd, an offshore company registered in the tax-free haven of Saint Kitts. The

same group created another company, Raremet Ltd, which trades in coltan from the DRC.

When coltan prices started falling in the late 1990s, most international companies left the country. The market shifted to shadowy actors who work in association with local military strongmen. In turn, military actors increasingly monopolised local *comptoirs*; Congolese traders are completely marginalised. These networks have eroded the country's sovereignty further and wipe out the hopes of viable peace.²⁵

The Kazakh network involves much more than trafficking in coltan and other minerals. It also involves arms trafficking networks in the Great Lakes region – among the most sophisticated – involving notorious arms dealers such as Viktor Bout and Sanjivan Ruprah. Viktor Bout established himself as the world's most daring arms supplier to embargoed actors with his services to the Revolutionary United Front (RUF) of Sierra Leone and UNITA rebels in Angola. In the DRC, Bout's planes are used to transport arms, diamonds and coltan to Congolese rebel movements such as the MLC and the RCD.

Bout is also deeply involved in central Africa's mineral business. When coltan prices skyrocketed at the end of 2000, Bout's planes transported it from the DRC to Uganda, Rwanda, Tanzania and Kenya. A close associate in these deals is Sanjivan Ruprah, a 36-year-old Kenyan of Indian origin. To secure his interest and monopoly over diamond exploitation in Kisangani, Ruprah married the sister of Adolphe Onusumba, then the leader of the RCD, in 1999. He owns a mining concession of 4,000 square kilometres in the diamond area of Banalia, producing approximately 18,000 carats a month. In Kenya, he operated the former Simba Airlines in association with the son of President Arap Moi, until investigations into financial irregularities forced the company's closure.²⁶

The interest in Congolese coltan by foreign armies and belligerents would not have risen to such heights without the willing cooperation of the European and American private sector, whose enterprises purchase DRC coltan for sale on the international market.

It is worth noting the difference between the economic strategies of Rwanda and Uganda. In Rwanda, the ruling party, RPF, had, from the beginning, had direct control over the revenue from Congolese minerals through an office called Congodesk, which operates under Rwanda's foreign intelligence service. In 2001, the Belgian Senate heard that 60 to 70 per cent of profits from this venture were reinvested in the war.²⁷ The RPA made US\$64 million in profit from Congodesk's coltan exports from the DRC in the year 2000, and another US\$44 million in 2001.²⁸ Natural resources have thus served as currencies to purchase weapons and sustain wars.

This strategy stands in opposition to the mode of operation of the UPDF in Uganda, whose officers active in the minerals trade in the DRC are motivated entirely by personal gain.

Currencies of the War Business

Like their predecessors, rebel groups such as the RCD, MLC and post-election armed groups continue to finance their existence and operations from income generated by illegal exploitation of the DRC's natural resources, namely diamonds, gold, coltan, and timber. The commerce has been extended to drugs, livestock and cash crops, used as currency to pay fees or taxes levied by military or armed people. There is thus a clear relationship between military actors and brokers of small arms, who are not accountable to their different governments. The fighting between armed groups, foreign armies and their Congolese proxies is centred on the control of the regional trade in resources.²⁹ But among all the resources, minerals remain the main currency, depending on prices on the world markets.

Coltan

Coltan was popular when the demand for tantalum, refined coltan, was high. Between late 1999 and late 2000 the price of coltan increased substantially with a kilogram of coltan, of average grade, going for an estimated \$200. Coltan, or columbo-tantalite, contains two rare metals with similar atomic structures: columbium (niobium, Nb) and

tantalum (Ta). These metals have a high density and melting point (2,996°C) which makes them excellent elements for the production of heat-resistant super-alloys and capacitors. The tantalum or niobium has to be separated from their ore by a chemical reaction and transformed into a metal powder. Only a few companies in the world can refine coltan, including H.C. Starck (Germany), Cabott Inc. (USA), Ningxia (China) and Ulba (Kazakhstan). The biggest coltan mines in the world are found in Australia and the DRC. The Congolese mines are located in Maniema, South Kivu and North Kivu provinces. Coltan definitely represents one of the most precious resources of our time.³⁰

In processed form, coltan is called tantalum. It is used in the manufacture of mobile phones, computers, jet engines, fibre optics and capacitors. The presence of this metal in the Maniema, South Kivu and North Kivu provinces has encouraged poor Congolese farmers to abandon their farmland and go to dig for coltan in the mining areas. At the end of 2000, a sudden demand for tantalum capacitors – for a new generation of mobile phones – caused a veritable boom in prices of coltan. The Rwandan government saw an opportunity in this trade and moved to monopolise trade through its army and allies of the RCD. Aeroplanes loaded with coltan flew directly from the mines in South Kivu to Kigali, where it was inspected before being transported to international destinations.³¹

Business networks such as the Kazakh connection involve coltan trade and military commanders, with strong connections to several criminal cartels in Switzerland, Russia, Kazakhstan, Germany and even the US. Profits from coltan trade are used to buy arms.

Diamonds

Diamonds are always a valuable commodity on the world market. Conflict diamonds from the war zones of the DRC have been exported to international markets via the Ugandan capital, Kampala, to Antwerp, Belgium, through a closed network of Lebanese dealers.

Since the beginning of the second Congolese war, diamonds have been the favourite loot of all belligerents. As early as 1996-1997, Ugandan

and Rwandan army officials were competing for the control of trading posts in Kisangani – the diamond centre of eastern Congo. For example, the UN's Report of Experts claims that General Salim Saleh of Uganda founded a trading post for the commercialisation of gold and diamonds in Kisangani, Caleb International.³² It is also alleged that Saleh created Air Alexander, an aviation company that held a monopoly on all commercial flights in and out of eastern DRC.

Today, diamonds are exploited across the entire Oriental province and some parts of South Kivu and North Kivu provinces, in Tshopo District (Kisangani, Banalia, Basoko, Opala, Isangi); in Isiro and Haut Uélé (Dungu and Watsa); in Ituri, in Shabunda and Walikale, among others. Most of these mining sites are controlled by armed groups who channel their loot through Rwanda and Uganda to European and Asian markets.

Cannabis

Besides minerals, cannabis (French *chanvre*) is planted and sold for local and international consumption. In the border areas of Lubero, Walikale and Rutshuru, a large crop of *chanvre* is cultivated.³³ The most important fields are situated in the villages of Ikobo, Rusamambu, Bukumbirwa, Buleusa, Miriki, Luofu, Lusogha, Kanandavuko, Lueshe, Mirangi, and Kateku. The drug is cultivated by the local population and the Forces Démocratiques de Libération du Rwanda (FDLR) controls most of the production. The biggest trading centre is located in Miriki, on the border of the Lubero and Walikale territories, with the principal buyers being the wives of FARDC officers. The 9th Brigade controls the route to Goma via Rutshuru. The officers' wives are the *négociants* (traders) who buy the drug, while their husbands facilitate the transport. The 2nd Brigade, which previously had a company deployed in the area, is also a long-time participant in the drug trafficking. Cannabis is often transported at night by youngsters, either armed or escorted by soldiers. Surpluses are exported to Rwanda and Uganda. The traffic is very profitable; a 60 kg bag of raw *chanvre* is worth about US\$30, and it is sold for US\$60-70 in places

like Kayna and Kanyabayonga. In Gisenyi (Rwanda) a kilo of the final treated *chanvre* is worth US\$90-100.³⁴ Local consumers barter goats for *chanvre*, and consequently goats have become a target of theft.

Gold and timber have also been used but they are not as popular as diamonds, coltan and cannabis. The interests of different actors depend on the popularity of a particular resource on the local, regional or international markets. Higher demand increases violence and the suffering of the local people who are constrained to produce minerals or cannabis for armed groups and their clients.

Actors and their Interests

The actors involved in the military conflict in the eastern DRC since September 2008 can be grouped into two main categories, those involved in the dynamics of war versus those involved in the dynamics of peace.

This chapter provides detailed findings on the interests and strategies of each of the three key structured and organised actors involved in the dynamics of war, the Congrès National pour la Défense du Peuple (CNDP), the Forces Démocratiques de Libération du Rwanda (FDLR) and the Patriots Résistants Congolais (PARECO); and two involved in the dynamics of peace, FARDC and MONUC.

Actors Involved in the Dynamics of War

The National Congress for the Defence of the People (CNDP) is a politico-military movement created by its president, Laurent Nkundabatware, better known as General Nkunda, during the 2006 elections with the aim of protecting the interests of Rwandophones (Tutsi and Hutu) in eastern DRC. General Nkunda is a Congolese Tutsi from Rutshuru. From 1992 to 1994 he was part of the Rwandese Patriotic Army (RPA) of Paul Kagame. He returned to Zaire in 1994 and joined the ranks of Laurent Desiré Kabila's Alliance of Democratic Forces for the Liberation of Congo (AFDL) in 1996. In 1998, Nkunda joined the Rally for Congolese Democracy (RCD), where he was eventually

promoted to the rank of brigadier general.³⁵ The most interesting part of CNDP is its central body known as *Conseil des Honorables*, the names of whose members are kept secret. It seems that the council involves very influential people in DRC politics; there is a suspicion that some former RCD and AFDL members who attended CNDP meetings are actually the members of *Conseil des Honorables*, including Emmanuel Kamanzi, Theophile Mpambuka, Alexis Makabuza, Bertain Kirivita and Bizima Karaha.³⁶

Initially many Congolese Hutu joined the CNDP ranks, then left due to conflict between the interests and objectives of Hutu and Tutsi. The CNDP agenda eventually appeared to be a Tutsi agenda, although it includes a few non-Tutsi members from other Congolese ethnic communities. Generally, Nkunda's movement seemed to serve the interests of the Tutsi minority in Kivu.

In brief, one could argue that the bulk of the CNDP forces were Rwandophones. Both Hutu and Tutsi were represented in significant numbers but most of the top cadres were Tutsi. There was also a small percentage of soldiers and officers from other ethnic groups, such as the Hunde, Shi and Nande. The most infamous of the non-Rwandophone CNDP members is General Bwambale Kakolele, a Nande from Beni and vice president of the CNDP. Before he became the S3 officer in the CNDP army, he was a leading commander of the Congolese Revolutionary Movement (MRC), a rebel group in southern Ituri. He left MRC a small movement of less than 200 fighters. It was thereafter reported that these remnants of the MRC and the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF/NALU) agreed to cooperate in their operations in the border area between North Kivu and the district of Ituri. The total number of ADF/NALU combatants is estimated at 900.

In North Kivu province the CNDP occupied the grazing lands and hilly region of Masisi and Rutshuru where the borders of the DRC, Uganda and Rwanda meet. The CNDP headquarters were situated at the Kitchanga village, where Nkunda had set up a parallel

administrative structure.³⁷ From Kitchanga, Nkunda controlled the area's police force, the intelligence service, and the tax office. In September 2007 the CNDP collected taxes from about one million people.

Nkunda financed his activities from various sources, including mining, though the CNDP and Nkunda earn limited profits from mining activities. The group was involved in a few mining sites, the most important being the Mumba/Bibatama mine on the right bank of the Bibatama River, where the CNDP extracts three important *carrés miniers* (D1, D2 and D3) with deposits of cassiterite, coltan and wolframite.

Senator Mwangachuchu and his Mwangachuchu Hizi International (MHI) company owns the D2 block. The company is registered and employs 600 to 900 "digging miners". D1 is owned by Turikunkiko and D3 by Hitimana and Bazinga. Soldiers of the CNDP were present at each of the sites to "secure" the area. They levied taxes on the diggers – one dollar for each kilo extracted – and some of them are involved in the mining itself on account of their superiors. Another source of income for the CNDP was the taxes it collected at roadblocks on the transport of minerals, timber and other goods. The first important roadblock was situated on the road from Walikale to Goma at Mushaki. It was estimated by the local people that Nkunda collected about US\$10,000 a week from this point. The second was in Kitchanga, on the road linking Peti to Sake/Goma. On average, a truck of timber had to pay US\$150 to be allowed through. Passing vehicles sometimes pay the equivalent in petrol. The combined income from taxes and mining was sufficient to enable the CNDP to sustain its parallel administration and fund its military operations. It seems that revenue collected by Nkunda and the CNDP was used to establish themselves in the occupied territories, with the political project of transforming those areas into some form of Tutsi territory. That is why many observers argue that the CNDP and Nkunda were more interested in creating a Tutsi territorial space than in the grassroots

Tutsi populations equally victimised by Nkunda and other Tutsi elite wars.³⁸ What is clear from operations on the ground is that the CNDP and Nkunda were defending the interests of powerful business people who owned property in the area and who had significant interests in cattle and crop and farming, especially in the Masisi region. In return, these people made financial contributions to the CNDP.

The hilly grazing lands of Masisi have been used for raising cattle since the Belgian colonial period. There are big cattle farms in this area where the famous “cows without borders” are raised. The “cows without borders” originate from Rwanda, where fresh milk is much more popular than in the DRC. Because of lack of grazing land in Rwanda, cows are herded across the border to the DRC to areas around Goma and Masisi. A fully grown cow is worth about US\$600 in Rwanda. Nkunda himself owned several hundred head of cattle, and several other members of the CNDP own large herds of cows.³⁹

The CNDP political manifesto of December 2006 includes eight principal objectives.⁴⁰ The most important objectives are to end the presence of foreign armed groups on Congolese soil (with a strong emphasis on the FDLR); to effect the return of Congolese, mainly Tutsi, refugees; an independent investigation into the war crimes committed by non-Tutsi against Tutsi victims on Congolese soil between 1998 and 2004; coming up with an alternative integration process for the FARDC; and turning DRC into a federation.

The CNDP had a political programme and some political structures but it remained essentially a military organisation dependent on dissident General Nkunda and his strong links with the Rwanda regime and military. Almost all CNDP members have military training and most CNDP troops served in the former 81st and 83rd Brigades of RCD, reinforced with demobilised soldiers from the RDF and other recruits. Attempts to merge CNDP troops and FARDC elements failed. Clearly, the CNDP focussed mainly on the return of about 45,000 Tutsi refugees from camps in Rwanda (Byumba, Cyangugu, Kibuye, Nkamira and Ngarama), Burundi (in Gatumba)

and Uganda (Nakivaale). Because of the important political role ethnicity and territoriality plays in DRC's democracy, the CNDP and Nkunda's rebellion was also about creating geographical space and an electoral constituency for Congolese Tutsi. Many Rwandaphones and the Rwandan government provided, directly or indirectly, deep sympathy and all sorts of support to Nkunda and the CNDP, especially to his anti-FDLR interests and strategies.

The FDLR

The FDLR are the largest armed group present in the Kivu provinces (estimated at between 6,000 and 7,000 combatants and many more civilians). They are a politico-military movement made up of former soldiers of Forces Armées Rwandais (FAR), *interahamwe* militiamen and Hutu civilians who fled the RPF offensive in 1994. The FDLR is the successor to the Armée de Libération du Rwanda (ALiR), which was, in turn, the successor to the Rassemblement pour le Retour de la Démocratie et des Réfugiés au Rwanda (RDR). Unlike the RDR, the majority of FDLR members were not implicated in the 1994 Rwandan genocide; they asked for the creation of an inter-Rwandan dialogue and for legal, social and physical protection on return to Rwanda.

The FDLR had over 7,000 combatants divided into 3 brigades (see Table 3.2 below) commanded by General Sylvestre Mudacumura who was based, with his general staff, at their Kalonge headquarters in the Masisi territory.

Table 3.2: FDLR Military Strength

Brigade	Strength (battalions)	Troop Concentration Areas
North Kivu Brigade	4	Eastern Rutshuru, western Masisi, southern Lubero and eastern Walikale
South Kivu Brigade	4	Fizi, Mwenga and the areas of Shabunda, Walungu and Kabare bordering the Kahuzi-Biega Park
Reserve Brigade	3	Kalehe, southern Masisi and eastern Walikale

Source: *IPIS Report (2008)*

The influence of the FDLR extends over the two Kivu provinces. Its military members and civilian supporters often live in the same areas as the Congolese population.⁴¹ Some FDLR members have married and are integrated into the local community. However, in general, they live like the Congolese rather than just living among them. The behaviour of the FDLR towards the Congolese population is characterised by intimidation and a tendency to dominate them. Most local communities fear the FDLR.⁴² The fear is justified by the fact that the FDLR has a history of committing serious human-rights violations and their presence serves as a pretext for Rwanda to interfere in the ongoing conflict on Congolese soil. The violations reported most often are illegal taxation, extortion, plunder, armed robbery and sexual violence, but several killings have also been reported since 2007. Since the launch of the Mixed Brigades and several military operations against them, the FDLR troops have turned to abducting local chiefs, women and small children in order to discourage the local population from collaborating with the CNDP.

There have not been any reports of incursions by FDLR into Rwanda in the past few years. The FDLR has adopted rather defensive positions regarding the Rwandan border, the Kagame regime and even the Congolese Tutsis. The FDLR confronted the CNDP in several

areas because it considered the CNDP to be an extension of the RPA in the DRC. Although the FDLR effectively controlled much of daily life in the majority of the rural areas where they operated, they did not control any of the major towns. They did not seem to have had intentions to settle or create a constituency in either South Kivu or North Kivu provinces. They hid in the jungle, away from major roads. Income from mining activities remains the main source of revenues for the FDLR. Several cassiterite and coltan deposits are located within the areas that they controlled. FDLR was also known for ruthless theft of crops/harvests and livestock from local peasants.

The FDLR preferred to remain in zones with a limited accessibility; they avoided larger towns and densely populated areas; they constantly sought the best hideouts for their positions. They also protected the supply lines through which they transported agricultural and mineral products to the market and for their provisions. They taxed travellers by establishing barriers (toll gates), such as the six barriers between Bukavu and Shabunda. To pass a roadblock and be escorted to the next, travellers had to pay on average one dollar per person and two dollars per cow. Very few violent incidents were reported in the area they controlled. The FDLR seems to have managed to install a stable system of income and food supply for themselves.

The FDLR agenda also differs from that of another Hutu dissident group, the Rally for Unity and Democracy (RUD).⁴³ The RUD agenda calls for a military solution against President Paul Kagame's regime in Rwanda. Its military wing, called Urunana, (comprising about 500 combatants) is active in the ongoing violence and armed conflicts in North and South Kivu provinces,⁴⁴ and it causes security problems in the border area between Lubero and Walikale territories. Its headquarters are situated in Mashuta in the territory of Walikale and RUD clashed with the FDLR periodically.

The FDLR distinguishes itself from another extremist Hutu armed group called the Rasta. The Rasta committed a series of very brutal and violent crimes against vulnerable locals in the Nindja and Kanyola areas

in the territories of Kabare and Walungu in South Kivu from May 2005 to July 2007. The emergence of the Rasta phenomenon was characterised by random abductions, killings, massacres and sexual violence. This increased anti-FDLR sentiments in the region and within national and international circles to the extent that the FDLR leadership distributed a media release in March 2007 to distance themselves from this group.⁴⁵

The Mayi-Mayi⁴⁶

The Mayi-Mayi are traditionally local self-defence combatants.⁴⁷ Currently, there are several Mayi-Mayi groups in the South Kivu and North Kivu provinces. The Goma Conference of 2008 listed 13 groups in South Kivu and nine in North Kivu (see Table 3.3 below).

Table 3.3: Mayi-Mayi Groups as Listed at the Goma Conference, January 2008

South Kivu		North Kivu	
1.	Force Républicaine Fédéraliste (FRS)	14.	CNDP
2.	Yakutumba	15.	PARECO /FAP (Force d'Autodéfence Populaire)
3.	Zabulani	16.	Mayi-Mayi Kasindien
4.	Mayi-Mayi Kirikisho	17.	Mayi-Mayi Kifuafua
5.	Mayi-Mayi Ny'Kiriba	18.	Mayi-Mayi Vurendo
6.	Mayi-Mayi Kapopo	19.	Mayi-Mayi Mongol
7.	Mayi-Mayi Mahoro	20.	Union des Jeunes Patriotes Sacrificiés (UJPS) ⁴⁹
8.	Mayi-Mayi Shikito	21.	Mayi-Mayi Ruhenzori
9.	PARECO South Kivu	22.	Simba
10.	Raia Motomboki ⁴⁸		
11.	Shinda Mayi-Mayi		
12.	Mundundu 40		
13.	Mayi-Mayi Shabunda		

Source: *List of armed groups attending the Goma Conference in January 2008.*

The main organised and structured group of Mayi-Mayi forces in the area is PARECO, an alliance of several Mayi-Mayi groups led by Colonel La Fontaine, a Nande.

Table 3.4: PARECO leadership structure, 2008

Leaders	Ethnic Group	Troop Concentration Areas	Agenda
Col Lafontaine (Commander)	Nande	Butembo, Masisi, and Walikale	1) Defence of the marginalised Congolese victims of CNDP-FDLR conflict
Col Mugabo	Hutu	Southern Masisi	
Col Kirikicho	Tembo	Walikale	
Col Blaise	Nyanga	Walikale	2) Opposition to the return of Tutsi refugees to Masisi and Rutshuru territories
Col Chomachoma	Havu	Walikale	
Col Ntasibanga	Hunde	Northern Masisi and eastern Walikale	3) Radical opposition to the idea of the creation of a Tutsiland in DRC
			4) Opposition to the programme of mixed brigades

Source: *IPIS Report (2008)*

The coalition was created at the beginning of 2007.⁵⁰ PARECO military strength ranges between 2,000 and 3,500 combatants, with armed forces organised in four sectors. It cooperates with the FDLR, especially when launching military operations against the Nkunda forces. They cooperate with the FARDC when they need to acquire weapons. PARECO generates revenue from mining and other commercial activities.

PARECO has convinced many observers of their ability to perform in combat, particularly when they fought against CNDP.⁵¹ But, like many other Mayi-Mayi groups, PARECO failed to protect the Kivu population from FDLR and the CNDP attacks. As with the other armed groups in the east of the DRC, PARECO has a stake in the mining business though they do not own large mining concessions. The main military objective has apparently been to take territory from Nkunda and other Tutsi minorities.

At the heart of the conflict are the fertile lands with contested ownership. The principal dividing line runs between the Rwandophones of North Kivu (the majority of whom were relocated from Rwanda to the Congo by the Belgian colonisers) and the “original” Hunde inhabitants. At different times in history, both groups had their own chiefdoms with their own traditional rulers who arbitrated land disputes. The constant changes in the administrative organisation of the Kivus, combined with different land laws and the seemingly endless issue of Congolese citizenship for the Rwandophone population, have resulted in confusion over the shifting and overlapping land claims. The massive influx of Rwandophone people since the Rwandan genocide has further disturbed the uneasy balance between the two population groups in Masisi and Rutshuru.

There are two other active Mayi-Mayi groups: the Baraka Group and Forces Armées Populaires pour la Libération (FAPL). The Baraka Group is less organised than PARECO. Their main aim seemed to be avenging the death of their chief Lolwako. Baraka fighters caused a serious security problem for the local population under the leadership of Commander Baraka, the 7-year-old son of the late Lolwako. Baraka is assisted by several commanders: Mutsunga, Mbilika, Sarayevo, Ngamba Dola, and Wamwanya, each commanding a unit of six to 12 combatants. PARECO often co-opts Baraka combatants and Baraka recruits new members immediately. Led by Colonel Kasereka, the FAPL were active in northwestern Rutshuru, where they have a very negative record of human-rights violations. FAPL disappeared on 27

October 2007 when Kasereka and 30 of his combatants surrendered themselves to the DDR programme.

In northern Kalehe, PARECO has deployed units, concentrated at the Numbi site, a place where every armed actor in the Kivus seems to have an interest.

The mine of Numbi was an important source of income for the RCD during the Congo wars. The most important minerals extracted at the site and in the surrounding area are cassiterite, coltan, manganese and tourmaline. It is likely that all the warring parties discussed in this chapter are funded directly or indirectly by mining activities at Numbi. The town centre of Numbi is under the control of soldiers of FARDC's Colonel Rugayi's 14 Integrated Brigade. Military units of PARECO and the FDLR are stationed nearby in the villages of Lusirandaka (10 km north of Numbi village) and Nyawarongo (20 km south). All three groups frequent the mining sites, making considerable profits from taxation and exploitation. They do not confront each other because they claim they are all fighting the same enemy. However, it is likely that income generated by the mine also finds its way to Nkunda and the CNDP since Tutsi farmers own the major part of the mines.⁵² For instance, Kamari, Karoko, Bikamiro and Nibizi own a pit each. Kamari, Karoko, Bikamiro are Congolese Tutsis, while Nibizi is a Congolese Hutu. More importantly, one of the most important operators of the mine is Edouard Mwangachuchu, the same businessman who runs the Mumba/Bibatama D2 mine in Masisi.

The Numbi case illustrates the extent to which the war economy has left local populations alone, defenceless and vulnerable to attacks and exploitation by armed groups. It also evidence of the kind of economic cooperation that, directly or indirectly, exists between the Mayi-Mayi (PARECO), FARDC, FDLR and even CNDP forces. The big question is: Who stands for the unarmed local civilians? Observers could easily point fingers at the UN peacekeeping forces: MONUC.

Actors Involved in the Dynamics of Peace

The FARDC

FARDC's deployment in the Kivu provinces is controversial because of continued insecurity, the difficulty of deterring Nkunda attacks and because of FARDC's involvement in commercial mining businesses and violation of human rights, especially rape and extortion.

There was a large FARDC presence in the Kivu provinces, amounting to 8 Integrated Brigades.⁵³ Concentrated in the town centres and along the major roads, the FARDC troops involved themselves, directly or indirectly, in the illegal trafficking of mineral resources and other goods. To constrain Nkunda and the CNDP, the DRC government deployed seven brigades in the territories of Masisi and Rutshuru. The vast territory of Walikale is controlled by the 85th Brigade, the only FARDC unit in North Kivu that has not gone through *brassage* or *mixage* (terms used for mixing, merging and integrating armed groups into the national army). This brigade was in control of the town of Walikale, the airstrip and several surrounding villages, and it was commanded by Colonel Samy Matumo.

The FARDC troops are generally concentrated in areas that are relatively unattractive in terms of opportunities for self-enrichment. This is due to the fact that FARDC is deployed in the region for military purposes, of defending the country's territorial integrity and providing security to the population and public institutions. Unfortunately, FARDC has also been involved in killings, arbitrary arrests, detention, sexual violence and stealing property from civilians.⁵⁴ Besides, the army has been found to be selective in their protective measures because they tried to tackle the CNDP problem but left the FDLR alone. Even their stance towards the CNDP was not clear. There were contradictions at senior command levels as to what military action was to be taken against Nkunda, who still had friends (or at least good contacts) among high-ranking FARDC officers.⁵⁵ Generally, FARDC, FDLR and Mayi-Mayi groups often cooperated and coordinated their operations against the forces of Laurent Nkunda and the CNDP. The three warring parties

had a good understanding and coordinated their efforts but the basis of their cooperation remained shrouded in secrecy.⁵⁶

The 85 Brigade sent confusing messages, around this time, in relation to their deployment objectives. The territory of Walikale is extremely rich in cassiterite, providing 70 per cent of the mineral, which is traded in Goma or exported.⁵⁷ As already mentioned, this trade finances the war the FARDC is fighting. For instance, the busiest mining site of North Kivu is situated at Bisiye and is controlled by soldiers of FARDC's 85 Brigade. The area comprises 57 pits with more than 1,000 miners. Besides enormous amounts of cassiterite, the area contains deposits of diamonds, coltan and bauxite. Two firms, Mining Processing Congo (MPC) and Groupe Minier Bangandula (GMB), dispute the ownership of the mine at Bisiye. It is interesting to note that one of the key players behind GMB is Alexis Makabuza, who is allegedly one of the important financiers of the CNDP.

The role of FARDC at the mining site was very controversial since its 85 Brigade controlled access to the mine and a large part of the mining activities. Soldiers of the Brigade were found to have stolen from miners, they levied illegal taxes, they raped, tortured and forced people to work for them.⁵⁸ Colonel Matumo organised the exploitation of several pits for personal gain and he is known to be a wealthy man. The administrator of the Walikale territory, Dieudonné Tshishiku Mutoka, signed a deal with GMB according to which 10 per cent of GMB's weekly production and several other benefits are exchanged for security.⁵⁹ Moreover, different factions within the 85 Brigade fought with each other a number of times for the control of the site.⁶⁰

In the Shabunda area, cooperation between the FARDC and the FDLR occasioned some degree of relative peace. Compared to most of the other territories in North and South Kivu, there are fewer military confrontations among armed groups, though civilians suffer daily from serious harassment, banditry and extortion. Movements of people and goods involve high security risks. These risks limit trading, mining and farming to only a few people who either accept to render "slave" labour to strongmen or buy circulation protection from armed groups.

There has been considerable presence of FDLR combatants in the northern and eastern parts of the Shabunda territory but these troops are disciplined, perhaps because they make a good living from mining, taxation and agricultural activities. It is therefore surprising that a whole integrated brigade of the FARDC is deployed in this territory. Most units of the 11 Brigade are stationed in the north of Shabunda, the same area as FDLR, but it seems the the two forces have neatly divided the territory between them. The FARDC and FDLR do not engage each other in this area; they coexist. The local population claims that the FARDC operate in those areas where no security problems exist and evade the areas where they do. The FARDC presence in this area can be explained by the same motives that attracted the FDLR, its mineral wealth. In Shabunda several abandoned concessions of SOMINKI are located. During our field research the 11 Brigade had a major stake in the mineral trade of the territory. They ran the trade in the town of Shabunda – the most important trading centre of the area – and managed the transport at Tshonka, the airstrip from which most of the minerals are flown to Bukavu.

FARDC commercialism can also be illustrated by the conflict between the FARDC and CNDP at the Lueshe mine. On December 2006, heavy fighting took place near the Lueshe mine, which is one of two unique mining areas in the DRC with pyrochlore deposits. Niobium, an extract from pyrochlore, is used in advanced technological devices.⁶¹ The Lueshe mine was not operational at the time of our field research because of legal and infrastructural problems. About 8.6 tons of the mineral were sold in 2006 from old stock.⁶² However, all recognised that the potential value of the Lueshe mine is enormous. The mine is controlled by Modeste Makabuza, a Tutsi businessman from Goma and Alexis Makabuza's brother, who, according to several local sources, is an important financier of the CNDP in the Ngungu area of Masisi territory. Some argued that FARDC had, at some point, attacked CNDP at the mine with the intention of seizing old stocks of pyrochlore. But others contend that FARDC's military operations were aimed at stopping the CNDP from accessing and commercialising old stocks from Lueshe. There are situations where the FARDC commercialism is very explicit, as indicated in Table 3.5 below.

Table 3.5: FARDC Commercialism – the Case of 11 Brigade

Area	Commercial Activities	Commanders in Charge
Shabunda	Exchanging minerals for beer; levying taxes on air cargo (US\$0.3 per kg of coltan or cassiterite); employing civilian intermediaries; using demobilised Mayi-Mayi combatants for exploring and extracting diamonds at Shindano/Minoro.	Lieutenant Colonel Nyamusheba Aroni
Tshonka	Hiring and firing of Agefreco and Congocom employees; levying taxes on air cargo; digging minerals around airstrip; controlling the airstrip, which supplies over 60 tons of cassiterite to Bukavu.	The sister of the regional commander of the 10 th FARDC region based in the province of South Kivu
Lulingu	Cooperation between FARDC and FDLR for the exploitation of minerals in the river Ezeza.	
Idjwi	Recruiting and employing the local population as security guards at mining areas for wages paid by mining operators.	
Kamole	Engaging young civilians to dig up wolframite mineral for them in response to wolframite price increase from US\$60 to 240 per sale unit in the world market. ⁶³	
Matili	Fixing the price of gold produced by artisans, in conjunction with the Fédération des Entreprises du Congo (FEC).	Major Kagizi

Source: *Declarations by civil society and armed groups and interviews at Goma Conference, January 2008.*

What is relevant to this chapter is the interference of such military commercialism with the FARDC mission and operations. So far FARDC military operations have not been able to deter fear, violence, illicit trafficking and insecurity in the Kivu provinces. One of the side effects of such commercialism in the region is the Mayi-Mayi self-defence phenomenon.

MONUC

MONUC is a key actor in the dynamics of peace in South and North Kivu, and in the Ituri region. The local populations in areas where MONUC is deployed expected it to perform much better with its Chapter VII mandate, to at least be able to prevent military attacks and confrontations among armed groups and to protect vulnerable civilians against violence and other abuses by armed groups and the military. Unfortunately MONUC has failed to meet any of these expectations. Civil society, government and students have expressed their disappointment through several protests and demonstrations against MONUC in, among other places, Kinshasa, Lubumbashi, Kananga, Bukavu, Goma and Matadi. The core message is that MONUC should either be able to fully apply its Chapter VII mandate and robust capabilities or leave the population alone.

MONUC was established in 1999 by Security Council Resolution 1493. It is perhaps the world's biggest UN peacekeeping mission, with a total of 22,067 uniformed personnel, including 16,666 troops, 699 military observers, 1,066 civilian police, and 3,639 international civilian personnel and local civilian staff.⁶⁴ The United States is the biggest financial contributor to MONUC, providing about one-third of its US\$746 million operating budget.⁶⁵

MONUC has the largest budget of any of the over 15 UN peacekeeping missions around the globe. It absorbs roughly US\$650 million of the global peacekeeping budget of US\$2.8 billion a year, excluding other sources. MONUC justifies its huge budget by claiming that it contributes significantly to the progress achieved by the DRC peace process.⁶⁶ Indeed, the DRC has been commended for some

achievements. All of the transitional institutions have been established – including a government of national unity composed mostly of former belligerent parties; a very representative two-chamber parliament; and five citizen commissions including an Independent Electoral Commission. The macro-economic framework has recovered; inflation rates are down from 630 per cent in 2000 to less than 3 per cent in the first quarter of 2004; the Congo River transportation system has reopened and 80 per cent of the DRC's US\$14 billion external debt has been forgiven and donors have pledged US\$4 billion for reconstruction. It can be safely argued that MONUC has contributed in a significant way to the transitional government's efforts to achieve such results.

However even MONUC admits that the peace process remains very fragile as long as the post-election government does not succeed in creating a new police and army, demobilising large numbers of domestic combatants, extending state authority throughout the country, and taking action against remaining foreign armed groups in the east. Meanwhile, MONUC continues to engage key Congolese interlocutors in partnerships in which respective responsibilities and contributions assist in the normalisation of relations between the DRC and its neighbours, with implementation of joint border-verification mechanisms and other confidence-building measures. The failures in the army and police reforms became clear when fighting broke between FARDC, CNDP and PARECO, a sign of key obstacles to sustainable peace in that part of the country. Hostilities have continued in the east despite stability in much of the rest of the country. The movement of humanitarian personnel and relief workers has been greatly affected by a climate of suspicion. Health facilities have also been looted, leaving the population in even more precarious living conditions.⁶⁷



Nelson Mandela, Domitien Ndayizeye(L) and Jean Minani (R) during the Burundi Peace Process in 2007.



Peace process - Burning of guns withdrawn from former rebels of Burundi



Congo - Road to Goma, refugees walk fleeing fighting in 2008



Kenya - Power Sharing Cabinet, Arrivals for swearing-in 17.04.08

Strangely, MONUC is even perceived as an obstacle by its own peacekeeping mission. In fact, at least 150 major human-rights violations by personnel from this force were on record by 2005. The crimes involved rape and forced prostitution of women and young girls in the areas of their operations, including inside a refugee camp in the town of Bunia in northeastern Congo. The alleged perpetrators included UN military and civilian personnel from Nepal, Morocco, Tunisia, Uruguay, South Africa, Pakistan and France. The victims were defenceless refugees – many of them children – who had already been brutalised and terrorised by years of war and who looked to the UN for safety and protection.⁶⁸ Gardiner argues that this scandal raises serious questions about the UN's oversight of its peacekeeping operations and the culture of secrecy and lack of accountability that pervade the UN system. Indeed, it appears that UN peacekeeping missions frequently create a predatory sexual culture, with refugees the victims of UN staff who demand sexual favours in exchange for food, and UN troops who rape women at gunpoint. Allegations of sexual abuse or misconduct by UN personnel stretch back at least a decade, to operations in Kosovo, Sierra Leone, Liberia and Guinea. The UN has failed consistently to publicise, prevent or punish this criminal behaviour of its personnel in trouble spots around the world. Despite some investigations, prosecutions, and Kofi Annan's declaration of a policy of "zero tolerance" toward such conduct, very little has changed in the field.⁶⁹ There were even allegations that some MONUC peacekeepers were involved in the trafficking of DRC minerals. This is unfortunate because MONUC seems to be letting down the country as it still needs valuable external assistance from such international organisations. The DRC needs time to reorganise its security system and achieve its reconstruction priorities.

With regard to the current security crisis in South and North Kivu, MONUC recently proposed a new disengagement plan. What is new relative to the Goma Conference recommendations and its implementation programme (the Amani project) is the provision of a set of sanctions against the signatories of the Goma Engagement

Act (February 2008) who do not respect their commitment. But this measure is not realistic. Who has the authority to prosecute and arrest defiant warlords?

The CNDP immediately sent pessimistic responses to the disengagement plan, refused to sign the new disengagement act and rejected the Amani project,⁷⁰ which was established by the DRC government as the post-Goma Conference mechanism for peace talks and the military disengagement of armed groups. The steering committee of the Amani project is chaired by General Kalume Numbi, the DRC minister of internal security and decentralisation. The CNDP questioned the neutrality and impartiality of the Amani programme, although it was meant to be managed by a Catholic priest, Father Malumalu, representing civil society. The same priest championed the democratic general elections successfully.

The failure to implement the outcomes of the Goma Conference on peace, security and development for South and North Kivu provinces, which was held between 27 December 2007 and 23 January 2008, showed clearly that obstacles to post-election peace are serious and are likely to undermine the democratisation process and the current political stability of the DRC. The Goma Conference is a good indicator of threats to peace. In effect, the anti-Mobutu and anti-Kabila rebellions that started in 1996 and 1998 respectively with the intrusion of Rwanda and Uganda commenced from the same South and North Kivu provinces and had exactly the same agendas. So, the scenario may repeat itself if the security concerns of Kivu and the Great Lakes region are not addressed. Access to and control over rich minerals and other resources as well as various political agendas still continue to be among the major drivers of war and violence. Under the circumstances, MONUC's role is crucial, provided it adopts credible and effective strategies.

Despite the weaknesses and suspicions, MONUC appears to have been acting in good faith. In fact, MONUC still maintains that the DRC is of vital strategic importance. Its size (2.5 million square

km.), the fact that it is endowed with 50 per cent of Africa's forests and has one of the world's mightiest river systems – which could provide hydroelectric power to the entire continent – makes it the natural political centre of gravity for central Africa. There can be no stability in the region without a stable DRC, and vice versa. The DRC is one of Africa's potential economic powerhouses: The central African copper belt, which runs through the DRC, contains one third of the world's known cobalt reserves and one tenth of its copper. The DRC contains 80 per cent of the world's columbite-tantalite (coltan). It ranks among the world's largest producers of industrial diamonds. Substantial gold deposits are available in eastern DRC. Of its 80 million hectares of soil deemed exploitable, that is 35 per cent, only ten million hectares are in use. If the DRC succeeds in building a stable state structure, it will attract the trade and investment for an open and lawful economy on a scale concomitant with immense untapped natural resources.

In brief, many local people, including the DRC government, have tended to rely on MONUC forces to address insecurity and violence caused by armed groups in the eastern provinces. The assumption is that MONUC peacekeepers would use their dissuasive capabilities and a Chapter VII mandate to at least prevent military confrontations. Instead, MONUC often deploys its forces when serious damage has already been done. Consequently, local people value higher international humanitarian interventions than MONUC peacekeeping.

Managing a multinational force like MONUC is more complex than managing a UN mission carried out by a military agency from a single country. But MONUC would do well to benchmark the UN ARTEMIS intervention by France in Ituri. Effectively, France managed to control notorious armed groups in the Ituri region. MONUC's presence, in contrast, is becoming counterproductive because of violence and pillage which have been going on despite the presence of MONUC and that of the Congolese military and police forces. Local people suspect that MONUC is not interested in ending the war economy. It is believed

that many MONUC personnel have sought to take advantage of the inability of the DRC to protect its immense natural resources. The sole military intervention with a direct impact on the peace process was the IEMF in Bunia. When violence escalated the French deployed a small “rapid reaction force”, the IEMF, to the town of Bunia (Ituri area) in June 2003. The IEMF intervention was almost universally welcomed by the civilian population of Bunia. Today it is acknowledged that the IEMF contributed greatly to improving the security situation in Bunia in particular and in the Ituri area in general. The elected president of the National Assembly, Vital Kamerhe, recently called for the government to request the international community to provide an ARTEMIS II in South and North Kivu.⁷¹

Strategies of the Armed Groups

Actors in the conflict use several strategies.⁷² They shift alliances as needed to achieve economic exploitation. They threaten local populations by instituting military operations and using violence, including rape and other attacks on civilians, in areas rich in mineral resources. They disrupt humanitarian assistance. They loot, torture, kill, rape, attack and rob villagers in a planned and coordinated way, targeting harvests, food aid, medical centres and those resisting extortion. Corruption and forced “taxation” are practiced for extortion, while elites are exempted in various ways. They establish parallel administrative services and offices with the sole purpose of disorienting local people and foreign investors. They manipulate ethnic rivalries for their economic interests and resort to many other unethical practices such as forced labour, displacement and sexual exploitation to attain their objectives. Economic exploitation of mining resources remains the most critical factor.

Strategies by armed groups consist of deploying troops to occupy lucrative mining, trading and farming locations. An understanding of the characteristics of areas where conflicts are centred can also help to provide an understanding of their real motives. In North Kivu, conflicts

are concentrated in the territories of Masisi, Rutshuru, Minova, Lubero and Walikale. The first two territories are inhabited mostly by Tutsi and Hutu populations, originally from Rwanda. There is a Hunde native population living in Masisi. Lubero is mainly inhabited by the Nande, and Walikale by the Nyanga. The two latter territories have important mining resources (gold, cassiterite, colombo-tantalite/coltan, bauxite, diamonds, tourmaline), and forest resources (mainly timber). In these territories, there are ethnic problems and covetousness, if not illegal exploitation, of precious raw materials.

In many places where violent conflicts continue to be obstacles to the peace process, military presence and mineral exploitation exist concurrently. The following map clearly evidences the extent to which the extraction of mineral and natural resources have been the main driver or push factor of war and violence in eastern DRC.

- Minembwe, Bijombo, Bibokoboko, Kashebwe, Kamanyola, Fizi, where native populations live together with a Tutsi population originally from Rwanda. The most important minerals are gold, cassiterite, and coltan.
- Mwenga. The territory of Mwenga is a forest area rich in gold, coltan, and cassiterite. Terror is maintained here by the *interahamwe*, the FDLR, and other foreign forces that operate there peacefully. They are masters of all mine deposits and behave as lords who get the native local population farmland. Areas affected in this territory include Kaseti, Itombwe, Mulambozi, Bugumu, Kitamba, Isopo, Butezi, Ngando, Isanza, Mboza, Kakolokelwa, Kikindi, Bilembo, Kakulu, Kakanga, Bisembe, Luindja, Kalole II, Kigalama, Mango, Ngambwa, Bungalama, Lusungu, Powe, Kalingi, Mito, Kigogo, Kalambi, Lwindi, Chashunga, Irangi, Kasese, Iganda, Byonga, Luntukulu, Kankinda. In the territory of Mwenga, the whole Basile sector and 60 per cent of the Wamuzimu sector are affected by insecurity maintained by the above-mentioned armed groups from Rwanda. This is true for the Lwindi and Luindja sectors too.
- Bunyakiri, an area rich in coltan and cassiterite and with a huge equatorial forest, was invaded by the above-mentioned groups from Rwanda.

- Shabunda, specifically Mulungu, is a thick equatorial forest. The insecurity in this area is due to FDLR and *interahamwe*, who occupy about 80 per cent of the area. The territory is also has coltan and cassiterite, which motivate the refugees from Rwanda.
- Uvira in the high hills and the Ruzizi valley, with huge grazing and farming lands and access to Lake Tanganyika, is rich in fish and oil and has exit ports to east and southern African economies.
- Kalehe, Kabare, Walungu, Mushinga, Tchulwe, Kaniola: The FDLR, the *interahamwe* and other foreign forces are responsible for insecurity, including rape, theft, looting, massacres, and exploitation of precious raw materials.
- Ubwari: The main actor responsible for insecurity is General Nkunda.

In Ituri in the Eastern Province, conflict areas include:

- Mahagi, where there are natural resources/raw materials for the manufacturing of glass.
- Lake Albert, Monts bleus, Bavi Motor, Djugu, Aru, Mambassa, Irumu (Geti and Boga). Oil, copper and gold deposits. There is also precious wood. Geti and Boga could also have coltan, uranium and iron.
- Kasenyi and Rukwanzi: Fish and oil.
- Bunia has considerable gold deposits and there are mines nearby.

The DRC government responded to the exploitation of the mineral and other resources by armed forces adopting the SSR appeal, joining the Extractive Industry Transparency Initiatives (EITI) forum, opting for the decentralisation of its politico-administrative structures and democratising its governance and leadership system.

Government Responses to the Natural Resource Curse

Security Sector Reform

When Jean Pierre Bemba's forces and government troops fought in Kinshasa in April and August 2007, all SSR stakeholders, national,

regional and international, realised that the current level of peace and democracy was unsustainable.⁷³ The incidents also showed why all former combatants should be disarmed by MONUC. In fact, the UN Security Council Resolution 1756 (2007) mandates MONUC to support, facilitate and monitor DDR efforts. MONUC was also required to attend to specific needs of women and children affected by militias and other fighting forces; and the UN force was to take charge of the management and control of all weapons recovered from former rebels.

By October 2007, the DDR programme had registered and demobilised 165,680 combatants, collected 125,345 arms, incorporated 62,929 soldiers into 17 integrated brigades, one commando battalion and one integrated battalion of the republican guards, and paid full reintegration financial entitlements to 102,758 combatants. Thus about two-thirds of former combatants were either absorbed into the FARDC or reintegrated into their respective communities. About 20,000 elements from the various armed groups in Ituri, Katanga, Maniema and the Kivus constituted the remaining forces to be disarmed and demobilised. The programme was fully funded by the World Bank and other external sources. The MDRP/World Bank and the African Development Bank (ADB) had agreed to disburse US\$50 and 22 million respectively for the next phase, provided the government reimbursed ineligible expenses amounting to US\$6.8 million and the established a less bureaucratic and non-predatory structure. The implementation of DDR and integration of combatants of former rebel armies into the national army programme suffered some serious impediments, such as the failure of the “integration” process in South and North Kivu and to some extent in Ituri. With the financial and technical support of UNDP and MONUC, the Structure Militaire Intégré (SMI) and the National Strategic Plan for the Integration of Forces and Armed Groups (PSNIFA), over 1,352 combatants had entered the programme and 1,076 pieces of armament had been collected in Ituri by 25 September 2007; by August 2007, a total of 5,210

Mayi-Mayi had registered in seven out of eight identified territories. Among them, 1,349 received a US\$20 as transport allowance and 2,255 people had received an eligibility certificate to allow that they were included in a long-term reinsertion project, bringing a total of 3,604 Mayi-Mayi candidates. In addition, there was another group of 1,196 vulnerable community members (returnees, IDPs and women victims of violence) who were also lined up for long-term reinsertion projects. In total, 1,158 disarmament certificates were delivered by MONUC and 500 weapons were collected and put under MONUC control. The UNDP approach was to involve local communities in sensitisation and reinsertion of ex-combatants. This approach enabled the programme to disarm locals and ex-combatants.

The post-election government convened a meeting of the Contact Group on SSR in Kinshasa on 11 and 12 July 2007. The Ministry of Defence presented the government's vision of defence-sector reform. The meeting acknowledged that the reform of the security, law and order sector (military, police and judiciary) is a *sine qua non* for sustainable peace in the DRC, and devised the defence reform master plan, which was based on the constitution and centred on four pillars. The pillars or foundations of the new army included improving its capabilities to provide security and defend the country's territorial integrity; inducing an ideal of excellence, discipline, and positive values; contributing to the reconstruction of the country and consolidation of peace; and supporting its own food needs. The strategic plan projected the development of a new army and police in three simultaneous phases as displayed in Table 3.6 below.

Table 3.6: Visionary Development Plan of the FARDC and Police

Phase	Period	Tasks
Territorial forces or <i>forces de couverture</i>	2007-2012	Complete the DDR/army integration; Involve demobilised combatants in reconstruction and development of key infrastructure such as roads, schools and hospitals, and build/win confidence of the Congolese people.
Creation of a rapid reaction force	2007-2009	Defend the national territory; Ensure public security and replace MONUC at the end of its mandate; Reorganise and restructure the army headquarters.
Main defence forces	Horizon 2011	Secure the perimeters of the entire territory; Reform navy and air forces.

Source: Based on the development plan presented by the DRC Defence Ministry in Kinshasa, September 2007.

In September 2007, the Ministry of Defence established five subcommissions tasked to ensure the following:

- benchmarking by the new army and police of international standards and experiences (global management skills);
- building the capacity to manage trained forces (force management skills);

- diversification of human-resource-development strategies including performing non-security or defence tasks (human-capital-management skills);
- effective administration of defence and security resources (administration skills); and
- control of the relations between the armed forces and the population and international cooperation with other nations (monitoring, supervision and evaluation skills).

The Security Council Resolution 1756 of 2 July 2007 mandated MONUC to train FARDC and improve its operational capabilities and behavioural attitudes. Effectively, MONUC launched a programme of short-term basic training of 11 integrated brigades of FARDC deployed in the east of the country, with the objective of raising the minimum required operational capacities and sensitising elements on concepts of human rights, child protection, prevention of gender-based violence and international humanitarian law. The programme was intended to improve cohesion, discipline and operations command of the FARDC. The first intake consisted of three FARDC battalions totalling 2,240 soldiers and officers. The training started in July 2007 in three locations: Rwampara in Ituri, Nyaleke in North Kivu and Luberizi in South Kivu. The training was centred on improving management skills with a focus on managing different logistical problems, coordinating support of the ongoing training phase and preparing the next training cycle. At the end of the training on 21 September 2007, major logistical shortfalls had been identified, important among which was the poor state of the Forces' personal weapons, the absence of a supply system for medication and lack of water purification tablets and basic stationery. At the end of training, the qualitative assessment highlighted significant progress in terms of discipline, conduct and battalion cohesion. The level of attendance and level of comprehension were also significant.

During the same period, the MONUC civilian police component trained 61,020 elements of the Police Nationale Congolaise (PNC), of whom 2,345 were women. Prime Minister Gizenga signed a decree

on the creation, organisation and functioning of the Comité de Suivi de la Réforme de la Police (CSRP) and tasked the Ministry of Interior, Decentralisation and Security, as the chair of the CSRP, to drive the process and draft the organic law on the organisation of the PNC.

Regarding justice reform, the ministries of Justice and Defence jointly held the SSR Round Table in Kinshasa in October 2007, involving key military and justice stakeholders, and some 110 criminal lawyers. Subsequently, Congolese military magistrates started to re-draft the existing military-justice codes. The most important issue involved enabling civilian lawyers to intervene in the military justice system and junior military judges or magistrates to prosecute senior military officers. The issues of prison security, administration and judiciary support to the electoral process were also addressed.

The puzzling question is why all these reforms and improved capabilities failed to impact on the peace process in the region. Why did FARDC fail to control Nkunda and the CNDP and other armed groups that constituted and still threaten sustainable peace in the South and North Kivu and Ituri regions? What are the main drivers or factors that have sustained the war economy in the DRC? Are they economic or political interests? Is it interest in DRC's natural resources by local, national, regional and international war entrepreneurs or simply weakened state capacity, including military, judicial, and administrative capacity?

Extractive Industry Transparency Initiatives

President Joseph Kabila, as head of state, and Prime Minister Antoine Gizenga, as head of government, jointly signed the Ordinance-Decree No. 07/065 on 3 September 2007. This decree establishes the new Extractive Industry Transparency Initiatives (EITI) organisational framework. It constituted the official declaration, unequivocally expressing the DRC's intention to renew its EITI membership.⁷⁴ Adherence to EITI may be justified by the fact that DRC belongs to those resource-rich countries that desperately need effective but intelligent

exploitation of this natural wealth in order to not only overcome poverty and underdevelopment challenges but also to bring about sustainable peace and political stability and fight the natural resource curse.⁷⁵ The mission of the new EITI structure as defined in Article 2 of the Ordinance-Decree may suggest that government is only interested in maximising tax revenues at the expense of industry and community development.⁷⁶ Whether the objective is to improve governance and transparency in the extractive industry or it is to maximise fiscal revenues remains to be seen. Whether the government's intent is to maximise public revenues or to promote corporate governance, both the fiscal system and the extractive industry need improvement and sanity. The DRC government needs to recall that EITI was created as a revolutionary mechanism to eradicate resource conflicts, poverty in resource-rich countries/regions and self-financing dictatorships.⁷⁷ Technically, EITI was created to respond and attempt to solve resource curse problems.

The DRC seems to be going through what social scientists such as George Soros, Joseph Stiglitz and others describe as "resource curse dilemma".⁷⁸ The term resource curse refers to the failure of resource-rich countries to benefit from their natural wealth. The DRC, with its large endowments of natural resources, and despite the discovery and extraction of resources such as copper, coltan, diamonds, and others, performs very poorly in terms of economic development and good governance compared to countries with fewer resources. Its natural wealth seems to impede rather than further socio-economic prosperity. These development failures have been associated with slower democratisation, large-scale corruption and chronic wars and violence.⁷⁹ It is worth noting that the DRC produces minerals such as copper, cobalt, zinc, diamonds and columbo-tantalite (coltan) in large quantities. Cadmium, cassiterite (tin ore), gold, silver, wolframite and uranium are mined on a smaller scale. Diamonds are mined in East and West Kasai and in Equator and Oriental provinces on a smaller scale. Coltan and cassiterite have become important exports in Maniema,

North and South Kivu. Oriental province and South Kivu have large gold deposits.

The DRC became a member of EITI, revisited and improved transparency for mining contracts, but failed to open government revenues and spending to public scrutiny. The government has also failed to gain control over informal and illicit trafficking of minerals and timber. As a result, insecurity and instability continue, as the legacy of predation, rent seeking and war economy erode peace dividends. Conflicts and violence are fuelled mainly by competition for these natural resources and are exacerbated by incentives for both private actors and politicians to use political mechanisms for personal gain. The crisis worsens as rent seeking by international corporations and collusion with government officials compound the adverse economic and political consequences of natural-resource wealth. For instance, the need to revisit mining contracts arose when civil society demonstrated to government how wartime political realities were subordinated to economic realities.⁸⁰ International mining companies agreed to subordinate economic decisions to local politics. Government was required to offer all kinds of incentives (Drucker calls them “bribes”)⁸¹ including exemption from taxes, guaranteed monopoly and all kinds of subsidies to obtain some economic advantage – monies to purchase weapons and fight wars. But economic decisions motivated by such bribes rather than economic reality turned into a disaster, constraining the government to revisit all mining contracts with foreign investors.

Contracts being revisited were signed according to the new liberal Mining Code or Law No. 007/2202 of 11 July 2002. The neo-liberal approach failed to revitalise the sector, but the state also failed to manage its own code effectively. Private companies took advantage of this state deficiency. Actually, well informed, highly skilled and experienced foreign mining companies or investors took advantage of existing liberal mining laws to maximise their profits while transferring costs and risks to the government. Contrary to their contractual obligations, private mining companies failed to create well-

paid jobs for miners, supply vital resources (capital and technology) for industry, stimulate the national and local economies, reduce trade deficits, and save local consumers money on products produced from minerals.⁸² Lack of government control in the war zones and unfair competition in the informal mining sector were blamed for lower distorted profitability in the formal mining sector.

Criminal networks such as the Victoria connection discussed earlier survive through informal or underground markets. They hamper the implementation of government initiatives such as the EITI in the east. They constitute a security threat, affecting development initiatives in the Lake Albert and Ituri areas. For instance, the DRC government is retracting its commitment to implement an oil-exploration contract involving a company with suspected connections to the Victoria Group. This is a major opportunity loss as the DRC is striving to expand its oil production. It is worth noting that the DRC is currently a small oil producer. Oil is located both onshore and offshore at the Congo River estuary, with total output reaching 7.59 million barrels in 2006 (20,794 barrels a day), down from 7.7 million in 2005 and 10.1 million in 2004. 70 per cent of production is offshore, and half of this is owned by the Muanda International Oil Company, which is in turn owned by Perenco Oil of France. The rest of the offshore concession is owned by Union Oil (USA) and Teikoku (Japan). Onshore production has been operated by Perenco since the withdrawal of Ocean Oil (Canada). There are some indications of oil and gas deposits in the central basin of the River Congo, Lake Albert, Lake Tanganyika and Lake Kivu areas, which the government is exploring in partnership with international and regional experts and companies. Further, there is exploration and exploitation of other of natural resources such as gas in Lake Kivu, oil in the deep coastal waters of the Atlantic Ocean, copper in the south and cross-border diamonds with Angola, which require regional cooperation. All these offer opportunities for security cooperation. Table 3.7 below gives some indicators of the DRC's extractive industry.

Table 3.7: Extractive Data Snapshot DRC 2006-2007

Extractive Data Snapshot					
	Oil	Gas	Diamonds	Copper	Cobalt
Proven Reserves	187 Mbbl	35 bcf	N/A	N/A	N/A
Production	19,700 bbl/day		28.5 M carats/year	90,000 TPY	10,841 TPY
Revenue (EIU)	\$360MM		\$828MM	\$60MM	\$250MM
% Total Exports (EIU)	20		46	3	14

Source: *Economist Intelligence Unit (EIU) 2006-2007*

Whether these vast oil deposits will bring peace and security in the region or exacerbate the resource curse remains to be seen. The fact that FARDC and UPDF were involved in brief skirmishes in 2008 is not a good sign. Meanwhile, extraction of other natural resources continue to cause insecurity in the region. The informal mining sector needs to be brought into the institutional economy framework, where government control is possible.

Organising the Informal Mining Sector

On the basis of 2006 reports, mining accounted for 16 per cent of DRC's GDP. Artisanal diamond production increased from 19 million carats in 2003 to 29 million carats in 2005, but decreased to 26 million carats in 2006. The DRC's formal mining sector declined during the war, yet output from artisanal mining increased. According to IMF estimates, informal diamond mining in 2004 reached a record 22.1 million carats, compared to 8.8 million carats produced by industrial miners. Other informal mining activities include production of gold, coltan, cassiterite, heterogenite, silver, cadmium, magnesium, coal and zinc. However, there are no credible statistics relating to the production of these minerals.

In 2007, informal mining continued in areas under both state and rebel control. Dissident military leaders, Congolese Mayi-Mayi and Ituri militias and Rwandan and Ugandan rebels controlled large swathes of the mineral-rich eastern provinces and illicitly produced and traded in these mineral resources. Even in areas under state control, such as Katanga, Global Witness reports that a large portion of the copper and cobalt produced there was mined informally and exported illicitly, with the collusion of government officials. Although informal mining offers income opportunities where they are limited within the formal economy, it also has serious negative consequences. In the rebel-held areas, informal mining fuels violence, while in Katanga the practice deprives the state of valuable revenue.

During the last decade, characterised by instability and disinvestment, the small formal mining sector produced over 85 per cent of DRC's mineral output because of bankruptcy and erosion of public enterprises such as Général des Carrières des Mines (GECAMINES), Mines de Bakwanga (MIBA), Or de Kilo-Moto (OKIMO), Société des Diamands et Minerais du Congo (SODIMICO), Société Minières du Congo (SOMICO). The government responded to this erosion of public extractive enterprise by creating public agencies such as The Service d'Assistance et d'Encadrement du Small Scale Mining (SAESSCAM) by Decree No. 047-C/2003 of 23 March 2003, Cadastre Minier (CAMI) and the Centre d'Evaluation, d'Expertise et de Certification des Substances Minières Précieuses et Sémi-précieuses (CEEC) by presidential Decree No. 036/2003 of 24 March 2003. SAESSCAM focusses mainly on artisanal and semi-industrial mining initiatives. Its members produce three-quarters of the country's 1.5 to 2 million carats of diamonds per month, valued at about US\$20 to 30 million. SAESSCAM finances itself, reports to the mining minister (not the finance minister), and functions outside the EITI structure.

Additionally, the mining code in force imposes joint ventures with the state on any investors in the extractive industry sector. State or public enterprises must be on board by law. CEEC and CAMI

survive on compulsory service fees, which burden production costs and impoverish small mining producers and artisans. Bigger state mining companies such as GECAMINES tried to provide alternatives to SAESSCAM. In reality, GECAMINES survives by subcontracting, joint ventures and leasing its concessions and equipment to small or medium third-party companies such as Tenke Fungurume Mining (TFM sarl), DRC Copper Project (DCP sarl), Kamoto Copper Company (KCC sarl), Boss Mining (BM sarl), Anvil Mining (AM), First Quantum (FQ), Metorex, Société des Mines et de Développement (COMIDE sarl), Compagnie Minière du Sud Katanga (CMSK sarl) and Groupement pour le Traitement de Terril de Lubumbushi (GTL sarl). But findings from the ongoing revisions of mining contracts show that these alternatives have failed to meet expectations.⁸³ The informality of the DRC's economic system constitutes a leading push factor for the current war diseconomy, which can only be reversed if the government resolves the problem of under-administration of remote areas and borders where state authority and control are almost non-existent. It is hoped that the question of under-administration will be addressed through decentralisation.

Decentralisation

Empowered by the democratisation process, provincial governments are capitalising on decentralisation as a strategy to bring the state and the economy closer to the grassroots population, reduce regional disparities, promote economic justice, and administer territorial boundaries and rural areas effectively. The prospects for decentralisation are uncertain. The current debates hinge on sharing among national and provincial levels and methods of fiscal redistribution. Resource-rich provinces are opposed to the existing system of "retrocession" that centralises revenues before sharing it. They would like to collect revenues at source and send any residual to the national level. The central government is planning to divide the existing 11 provinces into 27. The politicisation of the decentralisation

debate also impedes a useful assessment of the different options or their implications for governance and proper management of the extractive industries.

With limited institutional and human capacity at both the national and provincial levels, it is unclear how decentralisation would foster more transparent and accountable management of natural resources. The modalities for natural-resource revenue distribution tend to focus on a sharing plan, without sufficient emphasis on each option's implications for economic policymaking and the political integrity of the country. But the country needs special efforts to overcome critical challenges. In 2007, the IMF stressed "the weaknesses of revenue mobilisation [which] are particularly pronounced in the mining sector. Widespread corruption, lack of controls, and tax exemptions lead to large revenue losses." Our analysis of field survey data identifies similar weaknesses.

Financing Infrastructure through Natural Resources Development

In a desperate move to finance its reconstruction programme and respond to electoral promises, the government reinforced its economic cooperation on natural-resource development. This move upset conventional financiers of the DRC such as the World Bank and the IMF, European and the USA governments.

Disappointed by European and USA powers and multinationals, the government seems to be looking towards Asian powers, especially China, South Korea and India. The government has also approached other emergent economies such as South Africa and Brazil for cooperation. Economic partnerships with these countries, especially China, are justified by these countries' openness to alternative flexible economic-development models rather than conventional rigidity and conditionalities imposed by monetarist Bretton Woods institutions. The reasons for this shift may be gleaned from the following observations by Joseph Stiglitz:

In Africa, the high aspirations following colonial independence have been largely unfulfilled. Instead, the continent plunges deeper into misery, as incomes fall and standards of living decline. The hard-won improvements in life expectancy gained in the past decades have begun to reverse. While the scourge of AIDS is at the centre of this decline, poverty is also a killer. Even countries that have abandoned African socialism, managed to install reasonably honest governments, balanced their budgets, and kept inflation down find that they simply cannot attract private investors. Without this investment, they cannot have sustainable growth.⁸⁴

He adds:

Not only in trade liberation but in every other aspect of globalisation even seemingly well-intentioned efforts have often backfired. When projects, whether agriculture or infrastructure, recommended by the West, designed with the advice of Western advisors, and financed by the World Bank or others have failed, unless there is some form of debt forgiveness, the poor people in the developing world still must repay the loans.⁸⁵

Instead, we have a system in which a few institutions – the World Bank, the IMF, the World Trade Organisation (WTO), and a few other players – the finance, commerce, and trade ministers, closely linked to certain financial and commercial interests – dominate the scene, but in which many of those affected by these players' decisions are left almost voiceless.⁸⁶ Pro-capitalist West since independence, the DRC is a victim of Western policies. When Patrice Lumumba and Laurent Kabila attempted to break away from the West's economic neo-colonialism, they were assassinated. The post-election government is going east in search of alternative development models that are likely to reduce poverty, inequality, unemployment, and subsequently, insecurity and militarism. The first challenge is that peace and security have to be restored before the reconstruction programme can start in a sustainable manner. The second challenge derives from the difficulties of managing the costs and benefits of the sophisticated barter model against the conventional monetary mode of financing development.

This sophisticated barter model will respond to the Congolese situation, provided that Chinese investments go beyond extractive activities (extraction and exportation of raw materials) to include processing. The DRC will benefit if decent jobs are created, if effective learning and transfer of modern technologies take place, if environmental concerns are considered, if management and governance competencies improve at the same time in both the public and private sectors and if corruption and predation cease to be the main reasons why the elite fight for government posts. Congolese authorities have to take social discipline, including respect for public laws and interests, seriously. If not, then even the Chinese investments are at risk of provoking new internal disenchantment, conflicts and violence. Rebellion or civil wars in the DRC resulted from the ruling elite's (often a tribal cartel or elite club) undemocratic exclusion of the majority and the opposition from state resources. The political system impoverished and marginalised the majority and the opposition while enabling the club or cartel to accumulate immense wealth. Government has been like a pure private business providing benefits to the club of few ethnic or partisan individuals who privatised, even "tribalised", state security forces to protect their market and personal interests.

What is different in the new economic rapprochement with Asian nations is the focus on tradeoffs between benefits of infrastructure development and costs occasioned by the exploitation of natural resources. There are risks and the DRC needs to be aware that China still lacks comprehensive environmental protection policies in its overseas projects, although its overseas investment and aid have been expanding. A draft environmental guidelines paper for companies investing in or providing economic aid to overseas countries is being drafted by the Chinese Academy for Environmental Planning (CAEP), in cooperation with the Global Environmental Institute (GEI) and the University of International Business and Economics.⁸⁷ This concerns the DRC, the second-largest world reserve of moist tropical forests.

It is important for the DRC to be part of the Chinese investment statistics. But it is equally important to be sensitive to environmental security. The fear is that aggressive infrastructure development will accelerate the depletion rate of the DRC forests. Indeed, globalisation and resource conflicts in the DRC have produced new environmental challenges.

This fear is only justified if the DRC's state capacity to control extractive industries does not improve. The DRC, as observed earlier, recently joined the EITI circle. If the EITI system works effectively, extractive businesses will be under control and Chinese investments will have to comply with EITI requirements. Alternatively the United Nations Environment Program Finance Initiative to reduce environmental risks may help. China's overseas non-financial direct investment grew by 60 per cent annually between 2002 and 2006. By the end of 2006, up to 5,000 Chinese companies had set up nearly 10,000 directly invested firms and invested US\$90.6 billion in 172 countries. China's overseas investment and aid focus mainly on exploring for oil and other natural resources, processing, manufacturing, and construction in African and southeast Asian countries.

Governing and Leading Differently

The leader is the one who climbs the tallest tree, surveys the entire situation, and yells, "Wrong jungle!" But how do the busy, efficient producers and managers often respond? "Shut up! We're making progress."⁸⁸

The DRC is in need of a vision to a destination, or a set of principles to guide it to the correct direction. All sorts of plans, programmes and roadmaps have been devised without governance or the security situation being improved. No management success can compensate for failure in leadership. But leadership is hard because we are often caught in a management paradigm.⁸⁹ Management capacity may be built in other's not by methods of supervision but by holding people

accountable for results and being able to support them to achieve those results.⁹⁰

One of the most admirable qualities of President Joseph Kabila is his ability to listen and learn from all sorts of sources, including his juniors, colleagues and friends. He has set up and publicised his vision, called *les Cinq Chantiers de la République* or the Five Reconstruction Operations of the Republic, appointed a prime minister, who selected government ministers and their deputies to form a government, which was endorsed and accepted by the democratically elected members of both the Lower House (national assembly) and the Upper House (senate) of the parliament. The single most critical factor affecting presidential leadership in the DRC is an incorrect perception of what government is all about. This perception and eventually the erroneous interpretation of government, its functions and responsibilities, was created by a class of "intellectuals" co-opted by Mobutu and his *Compagnons de la Révolution*⁹¹ in 1968-1970 to develop mechanisms and strategies of manning public finances for self-enrichment. The club developed a unique culture and political system of sophisticated kleptocracy and corruption that continue to dominate the minds and attitudes of government officials today. The system involves all sorts of economic crimes against the state and the destruction of any legal or ethical constraints to the predation, rent seeking, and over-accumulation of personal wealth through deliberate privatisation of state machinery and public finances. The club hijacked the judiciary, corrupted the military and police and replaced public administration with "commissioners" - people assigned to collect and amass money for political leaders. Even after the recent elections, ministers were nominated by their respective parties on condition that they would contribute a portion of their income (10% of their salaries, wages or other emoluments or entitlements) to their party and that they would do all within their powers to get members of their parties into positions of responsibility on the understanding that the payback system will also apply to them. The Mobutist model of governance commonly called *la mentalité de la zème République* or the Culture of the Second Republic constitutes a major

obstacle to peace. Such political clubbing may be justified by Dahl's definition of both government and state if we accept that the DRC state has collapsed completely following widespread violence and civil wars or statelessness.⁹² Mobutu had privatised the state. Post-war Mobutu governments were all contested until democratic elections legitimated Joseph Kabila's power and regime. According to Dahl, a legitimate government should be able to contest the exclusive right of the state to punish criminals. The post-election government must be able to punish criminal armed groups. This responsibility lies with the executive arm of government. Prime Minister Gizenga and his ministers, especially those in charge of defence, security, foreign affairs and home affairs, should be able to address the issue of insecurity in the South and North Kivu provinces competently.

In this perspective, Dahl's definitions of government and state are useful. He defines government as any institution that successfully upholds a claim to exclusive regulation on the legitimate use of physical force in enforcing its rules within a given territorial area. The political system, made up of the residents and the government of the territorial area, constitutes a state.⁹³ Why are Prime Minister Antoine Gizenga and his relevant ministers responsible? Dahl would respond thus:

"Whenever a political system is complex and stable, political roles develop. Perhaps the most obvious political roles are played by persons who create, interpret, and enforce rules that are binding on members of the political system. These roles are offices, and the collection of offices in a political system constitutes the government of that system. At any given moment, of course, these offices, or roles, are filled by particular individuals, concrete persons. But in many systems the roles remain much the same even when they are played by a succession of individuals."

In the case of the DRC, the roles changed and the changes were enshrined in the new democratic constitution and arrangements agreed upon in the All-Inclusive Peace Agreement. A minister is not a "commissioner" whose role consists of collecting and generating income for himself and his party leaders. A minister should use his

or her knowledge, skills, experience and integrity to contribute to the uplifting of the economy of the public sector through political and democratic processes. This political economy perspective and understanding of government as well as the work of a minister are absent from the Congolese political culture.

It is not the correctness of economic policies alone that determines the outcome of national approaches to critical development problems. The political structure and the vested interest and allegiances of ruling elites determine what strategies are possible and where the main roadblocks to effective economic and social change lie. The politicians or senior public servants constitute the club that rules the country directly and indirectly and hence determine the level of national development or the level of peace and security that prevails. Effective social and economic changes thus require that either the support of elite groups be enlisted or that the power of the elites be offset by more powerful democratic forces. Either way, economic and social development will often be impossible without corresponding changes in the social, political and economic institutions of a nation (land-tenure systems, forms of governance, educational structures, labour-market relationships, property rights, the distribution and control of physical and financial assets, laws of taxation and inheritance, and provision of credit).⁹⁴

In the case of the DRC, post-war reconstruction and peace building require that the power of the military elites be offset in such a way as to democratise the security sector and develop a new military culture, commensurate with efforts needed to provide sustainable peace and stability in South and North Kivu and Oriental provinces. Government authorities need to offset the power of the current military elites because the governance and leadership system of the DRC army, police and intelligence is in the hands of 95 per cent of high-ranking officers fashioned by Mobutu's personal rule, responsible for the poor quality of past economic policies and governance values, including the breakdown of the rule of law and total failure in provision of basic security to the Congolese population. The effects of this personal

rule, which was based on patron/client relationships and familial and ethnic loyalties, are still felt today. As mentioned earlier, supporters continue to be rewarded with preferential access to loans, import licenses, contracts and jobs; and institutional rules and constitutional checks are often swept aside in the struggle to maintain power and accumulate wealth for self and for the patron. A look at Gerald Maier's list of policy weaknesses occasioned by the personal-rule model explains most of the negative values in political and military culture that dominates government decision-making processes today.⁹⁵

Table 3.8: Current Popular Demands versus Policy Weaknesses and Peace and Security Issues

Policy Weaknesses	Popular Demands for Change	Peace and Security Issues
Proliferation of over-staffed public enterprises and over-expansion of the state relative to the private sector to maximise opportunities for patronage	Abundant quality but affordable public goods and services to all	Struggle for control over public revenues; struggle for political rents; central governments overloaded with unproductive partisans and political activists
Preference for direct controls and discretionary actions over interventions that work impersonally through the market, with the same aim of maximising opportunities for patronage	Meritocracy, transparency and independent control over public enterprises and public-services management system	Ethnicisation and privatisation of public personnel employment; erosion of public administration; top-level corruption

Inward-looking import-substitution policies, to provide further opportunities for rewarding important urban groups, and the neglect of politically unimportant peasant farmers	Rural development: roads, schools, clinics, water, electrification and industrialisation	Rural-urban migration; rural disinvestments; over-dependence on food imports; malnutrition; factors pushing rural youth to military employment opportunities; recruitment bases for armed groups
Financial repression and politicised credit-allocation mechanisms in order to have cheap credit to offer to supporters	Access to cash, bank services, lucrative markets for rural products	Collapse of commercial and development banks; black markets; over-informalisation of the economy; uncontrollable criminal networks; politicised central bank
Persistence of anti-development policies long after their ill effects have become apparent because their primary function was to provide a system of rewards and maintain the ruler in power, rather than to promote development per se	Innovation, modernisation and change	Hopelessness, out-migration; economic refugees; dictatorship; violent regime changes; war diseconomy; ethnicisation of state and public security; insurrection or rebellion

Source: Adapted from Maier's list of policy weaknesses generated by the personal-rule model (1994: 45).

We emphasise the fact that the prime minister and ministers are part of the political economic system. They must be aware that political struggle involves not only reciprocal and dynamic interaction in pursuit of power and wealth, but also the dynamic production of power and wealth.⁹⁶ Therefore, being a prime minister or a minister is not about being a tax-revenue collector for one's party and oneself. The dynamic production of power and wealth in the government system requires that ministers have the knowledge and ability to mobilise, organise and utilise all stakeholders who have the necessary resources that produce power and wealth.

To achieve such levels of productivity, ministers must understand what their task is; they must be able to manage themselves effectively, love innovation and be prepared to engage in continuous learning, care for the quantity and quality of the work they do, and they must be able to treat people, including themselves, as assets to mature rather than costs to cut.⁹⁷ During the Mobutu era, dictatorship was a barrier to development. The current leadership seems to be too democratic, to the extent that they appear rather populist in the sense that the president would like to depend on his prime minister, his ministers, public enterprises and project managers to implement his Five Reconstruction Operations of the 3rd Republic.

Some commentators have even criticised the president for over-delegation of powers to his subalterns. Ministers have the freedom to exercise their authority fully to produce power and wealth for all. Joseph Kabila "climbed the tallest tree, surveyed the entire situation, and yelled, 'Wrong jungle!'"⁹⁸ when he opted for peace talks in 2001 and sharing presidential powers and other executive powers with rebel leaders (2002-2006). It is now time for government ministers and public managers to "make progress" by delivering the objectives of the Five Fieldworks Programme: water, electricity, education, health and infrastructure to the majority. His main challenge now is to constantly hold the prime minister, ministers, military commanders, police commissioners, and public enterprise managers accountable for results and provide them with the political authority and support they need to deliver the required results.

Interpretation of Field Survey Findings

According to our field survey,⁹⁹ perceptions are that various actors contribute in differing degrees to the war economy, with the largest contributor, in their view, being the international community and multinational companies (especially arms dealers) at 24 per cent. Other contributors are ranked in Table 3.9 below.

The Congolese state contribution includes that of corrupt authorities, state institutions and political leaders (impunity and complicity with aggressors).

Table 3.9: Perceptions of the South and North Kivu regarding Contributions to the War Economy in the East by Different Actors

Actors	Level of contribution in %
Pro-Rwanda UN, international community and multinationals	24
Neighbouring countries (Rwanda & General Nkunda of the CNDP)	22
RCD politicians and Tutsi groups	13
USA and UK military support to Rwanda	12
FDLR and Hutu groups	11
DRC government and politicians	10
FARDC	5
France support to Hutus	3
TOTAL	100

Source: *Kibasomba and Barega (2008).*

As far as the international community is concerned, MONUC was mentioned by all subjects interviewed. MONUC is accused of being pro-Rwanda and showing complicity with the Kigali regime. The Congolese state is considered as a contributor because of its failure to

protect its citizens, the involvement of some political leaders, military and police commanders and senior administrators in escalating the conflict, and the level of corruption in the FARDC procurement and deployment systems. In most cases troops and commanders are deployed not to fight wars or enemies but to protect interests generated by extractive activities in the war zones. Interests of different actors vary depending on the situation on the ground. Table 3.10 shows that respondents were of the opinion that most actors primarily served their personal interests.

Table 3.10: Drivers of Actors' Interests as Perceived by Local Victims of the War Economy

Drivers	Rates in %
Personal interests (political positions, social benefits)	52
Illegal exploitation of resources, especially mining, farming and grazing land, and forest timber	28
Self-determination or self-defence by specific interest groups	10
Land conquest or acquisition	6
Holding populations at ransom	4

Source: *Kibasomba and Barega (2008).*

Consequently, the institutions and countries mentioned above may not be blamed for the crime committed by their individual citizens, employees, members or representatives. Individuals take advantage of the situation and the extractive opportunities available. The major problem is the inability of institutions, countries or organisations to control and punish members for individual deviances. This seems to be the general rule rather than the exception in the eastern DRC conflict: regional and international organisations, governments, institutions, and companies hardly punish or prosecute their members for the many crimes committed against the Congolese state and people. Local people suspect that there is a regional and international conspiracy

against the DRC and that this conspiracy will hold Congolese to ransom until the European and North American powers regain full control over the central government in Kinshasa.

Conclusions and Recommendations

The DRC conflict has characteristics of organised crime, involving a wide range of armed national, regional and international actors taking advantage of the limited capacity of the DRC state, especially in the area of justice, policing, intelligence and the military.

Focussing on security problems affecting South and North Kivu and Oriental provinces in the eastern DRC, this chapter states that peace and security are prerequisites to sustainable human development. At present, the DRC needs a non-offensive defence with the operational capacity to deter invasion and destabilisation threats in South and North Kivu and Oriental provinces, and to conduct credible peacekeeping operations effectively. Thus defence, security and justice sector reforms are a priority and are a *sine qua non* for the effective removal of obstacles to peace in the eastern conflict-ridden areas. The government needs to take advantage of MONUC's presence and resources to mobilise sufficient funds to reform, train and consolidate the operational capabilities of its military, police, intelligence and judiciary. Again, this is not solely a matter of developing policing and military or prosecution capabilities but also a question of enveloping these competencies within the framework of sovereign laws and moralities and international standards. The DRC must reinvent its justice, army and police systems and abandon the zero-sum pitfall game of war economy, corruption, discrimination, mismanagement, insurrection and lawlessness in which the majority of its senior officers and officials are trapped. Former rebels in government have to focus on rebuilding their reputation and social acceptability and cut their support to and linkages with armed groups such as CNDP, PARECO, FDLR and other militia.

MONUC's mandate and mission should be reshaped and rescheduled to fit the time needed by the elected authorities to

improve domestic capabilities for peacekeeping operations, and to provide security for DRC's citizens, to include sovereign rights and duties so that they can live normal lives and cooperate with other nations. MONUC should advise countries neighbouring DRC, especially Rwanda and Uganda, that military commercialism has its limits. The intervention of neighbouring countries has and gone beyond what can be tolerated. For instance, Rwanda's reluctance and stubbornness have only convinced those opposed to President Kagame to strengthen their strategies and mobilise means to support political or military activities away from Kigali's control. President Kagame has been denying himself the opportunity to engage the opposition from within the country. Support extended to CNDP did not hinder the Hutu-driven opposition. Multiple robust attempts to demolish Hutu military infrastructure and threats have not been successful despite the fact that these attempts were carried out by highly strategic, experienced, and motivated fighters, such as General James Kabarebe in collaboration with international military advisors and professionals from the USA and the UK. This has only increased the insecurity in Masisi, Rutshuru, Walikale, Fizi, Uvira, Mwenga and Shabunda, with substantial negative externality costs to Rwanda, Uganda, Burundi and the Great Lakes region as a whole. These externality costs are sure to erode the current level of social progress and economic achievements accomplished in Rwanda under Kagame. Increasing opposition to the Kagame regime within and outside the country is one of the negative effects occasioned by Rwanda's involvement in the DRC war diseconomy. Rwanda will benefit more from a safe and peaceful DRC and its natural resources than from a conflict-ridden DRC.

Armed groups have to abandon the idea of seeking power and minority rights by force. Local populations have not only defeated the idea of partitioning the country's territory as established by the Berlin Conference but are also beginning to learn how to get democratically elected leaders. Besides, all parties, including the UN and African Union, are committed to DRC territorial integrity and sovereignty.

There is a need to formulate sound regional and international migration policies that can help resolve security and development problems in Africa if such policies are accompanied by effective regional economic integration and common poverty-eradication measures.

DRC needs to take advantage of its reconstruction programme to enrich its migration policies with positive labour-economic measures and foreign investment management strategies. This will enable it to resolve the complex socio-political integration problems of both its citizens and foreigners, its workers and investors, who choose to legally work, invest and live in the country temporarily or permanently under the protection of the state without any form of discrimination on the basis of race, religion, tribe or sex. With over 3 million of its people living outside its borders as immigrants across the world, DRC should take the initiative and open up its immigration policies to citizens from other nations. Like elsewhere in the world, even progressive immigration policies are protectionist in the sense that they are selective and affirmative in favour of skilled personnel and investors. Openness is also limited by the capacity of the domestic economy to absorb both internal and external labour and/or surplus. The aggressive approach to post-war economic reconstruction taken by President Joseph Kabila is likely to increase demand for labour. To rebuild the DRC economy and infrastructure rapidly and cost-effectively, labour migration will have to be stimulated to acquire the needed expertise, technological skills, and above all, a multinational work culture. Indeed, the DRC is in need of such a culture, since the work ethic, attitudes and habits have been seriously compromised or damaged by dictatorship, corruption, wars and, more importantly, by alienation and erosion of educational institutions - schools, polytechnics and universities. The poor quality of the Congolese education system and negative tendencies of an institutional nature – the way work is organised, poor work ethic of both the workers and managers, poor communication between labour and management, account for the low productivity of the DRC labour market.

It may be questionable whether the Hutu and Tutsi security dilemma fits into such a strategic scheme. The strategy may well respond to the social and political integration concerns of the Tutsi and Hutu groups if industrial policies are devised to minimise the demand for territoriality, and if poverty is reduced in a fundamental way to make ethnic solidarity obsolete, and if they are able to access high income or decent employment opportunities in both private and public sectors. Recent elections showed the risk of their marginalisation in national politics, though this could be explained as a war effect. Congolese with Rwandan connections have held and continue to hold top political and management positions since independence.

Rwandan and Ugandan influences continue to obstruct peace in the Kivu and Ituri regions. These neighbouring countries continue to influence the peace process and national politics in Kinshasa. For instance, Rwanda has continued to act as a special interest group through Nkunda's CNDP and even political parties such as the RCD-Goma.¹⁰⁰ President Kagame's political declarations have always influenced the behaviour of CNDP and RCD-Goma, even when he does not mention these groups by name. CNDP and RCD-Goma are basically the liaison agents of Rwanda in matters related to the FDLR, *interahamwe* and other Hutu rebels residing in eastern DRC. Rwanda indirectly provides logistical and other forms of support to Congolese politicians who support its interests. In addition, Rwanda's attitude towards FDLR encourages rebel groups such as CNDR and PARECO to fight against each other and against other actors, such as the FDLR and FARDC.

The dynamics of cooperation or fighting among armed groups seems to depend on the theory of revolution or insurrection, co-opting thousands of young people and ethnic leaders who feel excluded into revolutionary pitfalls. In Africa, revolution and/or insurrection are used as ways of accessing top government posts and privileges. Rebels receive disproportionate rewards compared to unarmed opposition groups. Rebellion is rewarded through the benefits of the positions gained in the new government formed after a revolution

or insurrection.¹⁰¹ CNDR and PARECO hope that this strategy will succeed.

Today FDLR poses a serious security problem to the Congolese population. This study found that the FDLR has almost abandoned direct aggressive attacks against Rwanda and the Kagame regime. But its fighters are still armed; it was established that they were conducting military operations against the CNDP, and were involved in a variety of illegal business operations, such as illegal mining and drug trafficking. FDLR forces have terrorised the local Congolese grassroots population, to the extent that the relationship between them is characterised by hatred, fear and suspicion.

Laurent Nkunda and his CNDP will resolve neither FDLR repatriation concerns, Rwandan border security concerns nor Congolese Tutsi integration problems. On the contrary, CNDP efforts will only increase insecurity in the DRC and in the Great Lakes region in general. It is becoming more and more evident that the CNDP is not only protecting the interests of the Tutsi in general but also the specific economic interests of some of its members and sympathisers. It controlled the grazing lands used by rich cattle farmers, and mining areas. On the other hand, all Mayi-Mayi groups including PARECO want to prevent the creation of a "Tutsiland" and the territorial expansion of Rwanda into the DRC.

The combat and peacekeeping performance of the FARDC in the region and the role of central government in the conflict is questionable. The majority of FARDC members who participated in the offensive against the CNDP retained positions in remote areas, where they carry out extractive activities to enrich themselves and their superiors. Because of indiscipline and poor conditions of service, FARDC members enrich themselves and their superiors through a wide array of illegal trade, such as trafficking in tropical timber, drugs and coltan. Most FARDC commanders and troops deployed in the region have direct nepotistic connections with FARDC headquarters in Kinshasa. Although such an arrangement is in keeping with the nepotistic culture that dominates the Congolese labour market in general, including the non-security-related public and private sectors, it

promotes military commercialism and constitutes one of the major factors that weaken FARDC's combat effectiveness. The poor FARDC combat and peacekeeping performance has had terrible consequences for peace initiatives in Kivu and Ituri regions. First it has created lack of confidence and increased the country's dependency on UN multinational forces to protect the Congolese population and even to carry out key sovereign functions, such as that of defending the territorial integrity of the DRC state. This is the main reason for the expansion of the MONUC mandate, personnel and budgets since its inception in 1999.

Second, groups such as CNDP, FDLR and PARECO take advantage of the poor FARDC performance to claim that they exist to protect the defenceless grassroots population. The CNDP claims to protect defenceless Congolese Tutsi, while PARECO's counterclaim is that they are there to protect defenceless Congolese Hutu. The Mayi-Mayi, on the other hand, claim to protect vulnerable Congolese grassroots populations with no connection to Rwanda. The obsolescence of public and state security causes self-defence and private security groups to prosper. The chances of stopping violence and militarism in the eastern provinces has become even slimmer as the state's key functions of providing order, security and protection to all are taken over by ethnic groups and foreign organisations.

In general, FARDC, FDLR and Mayi-Mayi groups tend to cooperate in the fight against CNDP. But this is counterproductive, since inter and intra-group fighting inflates insecurity, jeopardises the chance of restoring public order and protecting vulnerable people, increases military spending, discourages foreign direct investment, and, above all, reinforces the war diseconomy and abuse of human rights. As a result, government appears to have no choice but to rely on MONUC peacekeeping forces to restore state authority, public order and protection and many other sovereign government functions. Such a position does not appear justified given the time and resources spent so far on defence and police integration and training since the Lusaka Ceasefire Agreement of 1999.¹⁰² It should also be noted that, so far, MONUC forces have failed to take over the role of the FARDC.

The question is why the national army's military capability has failed to improve in spite of the daily field cooperation and interaction with military professionals from over 20 different UN member countries. Another question is why international and regional peacekeeping inputs into the DRC peace process failed to transfer relevant defence and security capabilities to FARDC. The answers to these questions lie in the defence and security management capabilities of the national army. In fact, apart from Mayi-Mayi combatants, who learned to use arms and combat skills through trial and error, most of the FARDC troops are either ex-FAR soldiers or AFDL-trained soldiers. Management of the FARDC remains the main obstacle. This is not to say that Joseph Kabila's leadership or command is weak; accepting such a hypothesis will imply that other heads of state are the managers of their respective armies.

Those directly charged with the organisation, operations monitoring, planning and oversight competencies of the army have let the government down. The directors of intelligence, planners, evaluators and decision makers in security have failed the state. Management of peace and security initiatives involves the whole system of these competencies at the levels of planning, evaluation and operation. Failures in this management system are the main obstacles to peacemaking and peace building in the sense that these failures interfere with the implementation of orders.

Governance and leadership styles affect the way obstacles to peace are tackled in the Kivu and Ituri regions. But what type of leadership is likely to overcome the obstacles to the current relative peace? In contrast to those who argue that what the DRC needs is revolutionary initiatives, the leadership and management style of President Joseph Kabila seems to match the characteristics of innovation and entrepreneurship required by the situation. Revolutions do not demolish the prisons of the old regime; they enlarge them, says Alexis de Tocqueville. Peter Drucker adds, "revolution is a delusion, the pervasive delusion of the nineteenth century, but today perhaps the most discredited of its myths."¹⁰³ It is not achievement and the new

dawn, but results from senile decay, from bankruptcy of ideas and institutions, from failure of self renewal. As a remedy for Mobutu's regime of decay and bankruptcy, President Joseph Kabila seems to have brought into play Drucker's idea of innovation as a remedy for constructive and democratic change. Drucker claims that innovation and entrepreneurship are needed in society as much as in the economy, and in public-service institutions as much as in businesses because they are not "root and branch" but "one step at a time", a product here, a policy there, a public service yonder; because they are not planned but focussed on this opportunity and that need; because they are tentative and will disappear if they do not produce the expected and needed results; because, in other words, they are pragmatic rather than dogmatic and modest rather than grandiose – that they promise to keep any society, economy, industry, public service, or business flexible and self-renewing. They achieve what Jefferson hoped to achieve through revolution in every generation, and doing so without bloodshed, civil war or concentration camps, without economic catastrophe, but with purpose, direction and understanding.¹⁰⁴

In the last instance, conflicts ravaging the eastern part of DRC have had and continue to have a negative impact on the reconstruction of the affected territory and of the country as a whole. The conflict has slowed down economic and commercial activities. It favours illegal exploitation and looting of natural resources, which are plentiful in this part of the country. It causes destruction of the socio-economic infrastructure, massive and systematic violations of human rights (rape, sexual violence, massacres, and assassinations) that impair human resources and handicap farming, thereby reducing agricultural production and food security. Conflict causes unemployment, increases the number of vulnerable people, among them widows and orphans. The president has to fight corruption, predation and kleptocracy as a means of reassuring those engaged in fighting that the national government has space for everybody. Reform of the public sector will lead to growth and availability of public goods and better delivery of services, greater efficiency and more logical combinations

of government functions. It will reflect changes in public policy, and a more politically responsive government.¹⁰⁵

Our field survey collected some suggestions from the local population, victims of wars and violence inflicted by armed groups under the eyes of the FARDC and MONUC, for resolving the crisis in this part of the country. The suggestions and recommendations are that peace initiatives should focus on the following ranked priorities.

Table 3.11: Ways of Resolving Conflict, Ranked by War Victims in South Kivu, North Kivu and Ituri regions

Ranked priority	Recommendations	Responsibility
1	Repatriation of Rwandans – civilians, soldiers, militia, FDLR, refugees – and the withdrawal of foreign armies	Defence Ministry and Ministry of Internal Affairs, Decentralisation and Security; Ministry of Foreign Affairs, MONUC and humanitarian agencies
2	Organisation of a truth and reconciliation dialogue and peaceful cohabitation	Local, national and international stakeholders of the Amani project
3	Restoration and promotion of social-economic justice	Central and provincial governments
4	Reunification and modernisation of the army, police and security services	Defence Ministry and Ministry of Internal Affairs, Decentralisation and Security
5	Creation of decent jobs for Congolese and support for population activities	Private enterprises and investors

6	Motivation of civil servants	Ministry of Public Service and Administration; Ministry of Finance
7	Promotion of participatory governance	Parliament and civil society
8	Raising awareness of patriotism among the politicians and the population at large	Parliament, political parties, civil society
9	Sensitise warlords and armed groups (negative forces), find solutions for their problems through negotiation	Ministry of Home Affairs, Foreign Affairs, Parliament, civil society
10	Disarm armed groups and warlords	FARDC and MONUC
11	Rational exploitation and equitable distribution of state revenues	Prime Minister, Ministries of Mining, Forestry and Environment, Agriculture, and Finance; provincial governments

Endnotes

- 1 Gemini News Service, 1 September 2000.
- 2 More evidence has emerged to prove that Patrice Lumumba's assassination was ordered by President Dwight Eisenhower following a discussion with Eisenhower's national security advisers about the situation in the Congo a few months after the country's independence in June 1960. It has been reported that Eisenhower then said: "Lumumba, the country's first prime minister, should be eliminated."
- 3 *Roodman (2001)*.
- 4 *Kakande (2001)*.
- 5 Leopold (2002). See also UN report posted by World Hunger.

- 6 Trefon (2004).
- 7 *Ibid.*, pp. 2-3.
- 8 Marshall (1973).
- 9 Coltan is an abbreviated name of the ore columbite-tantalite.
- 10 See Keen (1998) and Raeymaekers and Cuvelier (2002).
- 11 Duffield (2001: 11).
- 12 Dietrich (2002: 3) and Reno (1998).
- 13 Shah
- 14 Lobe (2003); United Nations Security Council (2003).
- 15 Perrot (1999).
- 16 Reno (2000). Clarck (2001).
- 17 Dietrich (2000).
- 18 RCD-Goma, the former rebel organisation backed by Rwanda, was transformed into a political party. It has elected members in the new parliament, some of whom were appointed cabinet ministers and CEOs of public enterprises in the post-election government. RCD-Goma is a member of the "Coalition for Presidential Majority" (AMP).
- 19 IPIS (2003).
- 20 See Porter Commission (2002).
- 21 Uganda Police, Case File No. 40, 20 July 2000.
- 22 Kibasomba and Barega (2008).
- 23 The DRC parliamentary enquiry and interrogation of the Hydrocarbon Minister, Lambert Mende, beginning of 2008.
- 24 Foreign and Commonwealth Office (2000).
- 25 See: Herman, Delen and Vermaerke (2002).
- 26 Sanjivan mainly operates aircraft in Liberia to cover his illegal dealings in diamonds, minerals and guns.
- 27 Belgian Senate (2001).
- 28 Raeymaekers and Cuvelier (2002).
- 29 Raeymaekers (2002).
- 30 Hayes (2002: 2).
- 31 *Ibid.*, p. 4.
- 32 Salim Saleh's other name is Caleb Akandwanaho.
- 33 Spittaels and Hilgert (2008: 20-22).
- 34 Some intelligence sources contend that, under President Habyarimana's administration, cannabis was secretly produced and sold to pharmaceutical industries in France and elsewhere.
- 35 See Barouski (2007: 57).
- 36 See All Party Parliamentary Group (APPG) on the Great Lakes Region of Africa (2006: 9).
- 37 Since renewed hostilities in late 2007 and the FARDC offensive in December. Nkunda has transferred his headquarters to Kirolirwe and Runyoni for the eastern activities. Mushaki and Tongo villages accommodate other CNDP strategic operations. Nkunda also moved his training centre from Bwiza to Gandjo.
- 38 This trend is often interpreted as Nkunda's agenda for creating his own state to be named République des Volcans. See Cahier des Charges du CNDP (handout at the Goma Peace Conference, December 2007 to January 2008).

- 39 Spittaels and Hilgert, *op. cit.* During the violent year 2007, many cows were looted or killed. Consequently, many herds have been returned to Rwanda for protection.
- 40 Nkunda (2006 : 3).
- 41 Rafti (2006: 13-14).
- 42 Romkema (2007: 40).
- 43 The FDLR have tried without success to admit the RUD faction back into their ranks. In January 2008 several confrontations between the two groups were reported.
- 44 Declaration and participation in the Goma conference in January 2008.
- 45 Information collected from the FDLR declaration at Goma Conference in January 2008.
- 46 The term Mayi-Mayi is used as a common denominator for all self-defence groups that operate in the Kivus and beyond. Most of them are civilians converted to military amateurs organised in a resistance movement for the defence of community interests, values and boundaries.
- 47 See for further details, Spittaels and Meynen (2007: 44).
- 48 Raia Motomboki claim to be the remnants of General Padiri's troops. General Padiri is currently the regional commander of FARDC in the Katanga Province.
- 49 Grouping of former child soldiers called Kadogo demobilised from Laurent Kabila's AFDL forces. They complain of being abandoned and not being rewarded for their contribution to the democratisation process.
- 50 PARECO (2007 : 3).
- 51 International Crisis Group (2007: 11).
- 52 Mutabazi and Sanganyi (2007: 6).
- 53 The Integrated Brigades are army units composed of soldiers with a different background (ex-RCD, ex-MLC, ex-Mayi-Mayi and/or government) and originating from different regions.
- 54 Human Rights Watch (2007: 43).
- 55 See Kibasomba and Barega (2008).
- 56 See Spittaels and Hilgert, *op. cit.* p. 32.
- 57 Garret (2007: 24).
- 58 FinnWatch (2007: 27-28).
- 59 UN Security Council (2007: 19).
- 60 Useful sources on FARDC commercialism in eastern DRC: Miller (2005); FinnWatch, *op. cit.* p. 5; Global Witness (2005); Tegera and Johnson (2007).
- 61 Johnson and Tegera (2005: 40).
- 62 Division Provinciale des Mines du Nord-Kivu (2007a : 10).
- 63 Division des Mines du Province du Nord-Kivu (2007b: 9).
- 64 UN Department of Peacekeeping Operations personnel as on 31 May 2008.
- 65 The US contribution to the UN peacekeeping mission in the Congo has been substantial. The United States is the world's biggest contributor to UN peacekeeping operations, contributing 27 per cent of the total worldwide UN peacekeeping budget.
- 66 UN DPKO (2006).
- 67 UN (2008: 1).
- 68 Lynch (2004).
- 69 Gardiner (2005).
- 70 Amani is a Swahili word meaning peace. Project Amani is a structure established by the Goma Conference in January 2008 to follow up on and implement conference

resolutions concerning the disengagement of armed groups in South Kivu and North Kivu provinces.

71 Kamere (2008).

72 Amnesty International (2003).

73 Kibasomba and Onana (2007: 1).

74 Kibasomba (2007b: 2).

75 *Ibid.*, p. 4.

76 *Ibid.*, p. 2.

77 *Ibid.*, p. 6.

78 The term "resource curse" was coined by Auty (1993).

79 See Soros (2007).

80 The inter-ministerial Mining Contract "Revisitation" Commission was established in spring 2007 to review approximately 60-63 contracts between parastatals and private companies. Most private companies cooperated with the Commission and selected civil society groups were invited to observe the process. The Commission was composed of about 30 members, drawn from the president's and prime minister's offices, the ministries of Mines, Finance, Budget, Justice, and Industry, and other agencies such as the Mining Cadastre.

81 Drucker (2002: 66).

82 See Kibasomba (2007a: 4).

83 Kibasomba (2007b: 11).

84 Stiglitz (2002: 5-6).

85 *Ibid.*, p. 8.

86 *Ibid.*, pp. 21-22.

87 Li Jing (2008).

88 Stephen R. Covey (1997: 101)).

89 *Ibid.*, p. 102.

90 Covey, Merrill and Merrill (1994: 244).

91 Companions of the Revolution were a group of Mobutu's friends and comrades who participated in the military coup d'état that overthrew President Kasavubu from power in 1965.

92 (1991: 8).

93 *Ibid.*, pp. 8-9.

94 Todaro and Smith (2003: 41-42).

95 Maier (1995: 45).

96 Gilpin (1987: 10-11).

97 Drucker (2002: 142).

98 Covey (1997)

99 Kibasomba and Lombe (2008).

100 Stiglitz (1988: 165-6).

101 Mueller (2003: 205).

102 See Kibasomba (2005).

103 See Drucker (1985: 254).

104 *Ibid.*, pp. 254-5), *Innovation and Entrepreneurship*. New York: Harper & Row Publishers.

105 Starling (1997: 325-327).

4

Conflict and Constraints to Peace among Pastoralists in Northern Kenya

Hussein A. Mahmoud

Introduction

Most of the work on conflict in pastoral areas of east Africa, and the Great Lakes region in general, deals with clashes over key pastoral resources of water, pasture, and land.¹ While these resources are vital in the lives of pastoral populations, for pastoral production and cultural and ritual activities, the literature pays little attention to the complexities of pastoral relations within a dynamic conflict environment, particularly aspects of actor behaviour, including their actions, reactions and interests. In the pastoral conflict context, there are actors behind every action and this action is bound to invite a reaction from other actors.

This chapter is based on a research project that examined conflict and constraints to peace in pastoral northern Kenya with the aim of understanding the key actors in this conflict and the nature of the obstructions to the attainment of peace in the area. The study was based in Moyale and Northern Wajir districts of northern Kenya. The study shows that historical factors and poor governance have shaped, influenced and reproduced conflict in northern Kenya. Historically, northern Kenya was severely repressed by British colonial

administration, which had wide-ranging social, economic and political ramifications. In terms of governance, the area continues to endure mismanagement and negligence, in some cases, as a product of post-colonial administrations – a factor that has contributed immensely to the escalation of ethnic conflict, banditry, statelessness and a power vacuum. This chapter examines how these factors have contributed to the obstruction of peace in the area. It also refers to peripheral actors and interests. From the outset, the chapter explores the conflict environment within which actors play leading roles to achieve their goals.

Northern Kenya oscillates between recuperation from and resurgence of conflict. While there may be long spells of relative calm accompanied by recuperation after spells of deadly conflict, this study has established that the resurgence of conflict is not accidental or unplanned. Conflict, whether it is intra- or interstate or whether it is between different ethnic groups or clans or within a single group, involves numerous actors with varied interests. These actors include, but are not limited to, the state, politicians, government administrators, business people, professionals and the general citizenry. Less visible, but highly significant in relation to conflict, is cross-border politics and skirmishes involving the Ethiopian government and the Oromo Liberation Front (OLF) – a political movement in Ethiopia striving to achieve self determination. Another component of cross-border aspect on peace in northern Kenya is the long-term consequences of Somalia's politics before and after the collapse of the state.

The shift between recuperation from and resurgence of conflict in northern Kenya poses a challenge in assigning these conflicts to particular phases in the conflict anatomy. However, the Somali and the Ethiopian/OLF conflicts can be placed in a state of a stalemate, one where clear winners are unlikely.

Achieving pastoral peace in the area is not an easy endeavour because of the many actors involved and multidimensionality of the conflict environment. For example, even people entrusted with peace

negotiations, such as those on peace committees, have been implicated in perpetuating conflicts in the area. In one incident, members of the Peace Committee of Isiolo District were reported to be involved in inciting people to clash so that the Committee would have work to do and could thus earn allowances.² In contrast, the District Peace and Reconciliation Committee (DPRC) of Moyale is an important actor in the District's peace-building efforts. Inequitable distribution of resources has also fuelled the conflict in northern Kenya and made it difficult for communities to engage in a meaningful dialogue to achieve peace.

A great deal of work has been done on conflict and peace in northern and north-eastern Kenya.³ A surge in interest in doing research in conflict studies among pastoral communities in Kenya is indicative of the absence of peace in the area. Northern Kenya has been a hub of key pastoral movements, conflicts and scrambles for control of territory and resources. The region has witnessed many of these movements over the past ten centuries. Pastoral groups react to population movements and other events in the region.

The Conflict Environment in Northern Kenya

Identifying conflict hotspots in northern and northeastern Kenya is not an easy task because of the rapid way in which conflict develops and the high degree of unpredictability of conflict occurrence in the area.⁴ However, some attempts have been made to identify areas that are notoriously conflict prone in the region and along the border with Somalia and Ethiopia. What I refer to as the "triangle of trouble"⁵ is what some writers have described as the "arc of crisis"⁶ and the "arc of conflict"⁷ Kenya's arc of crisis, according to Menkhaus (2005), refers to the area from the border with Karamoja (Uganda) to Marsabit and Wajir districts. The arc of conflict, according to Markakis (2004), is similar to what Menkhaus describes, that is, largely the area extending from western to northeastern parts of Kenya. Markakis reports an increase in conflict incidents since the second half of the last century.

The major source of these conflicts, according to Markakis (2004: 26), is resource scarcity, fueled by an array of underlying factors, "... changing consumption patterns that make pastoralists dependent on external resources; higher incidence of drought; increased pastoralist involvement in trade; and the intrusion of commercial agriculture." The reasons and underlying factors that Markakis describes largely apply to the western segment of the arc. For example, pastoralist involvement in trade might be an important factor of conflicts in western Pokot, where raiding incidents to steal cattle are attributed to students in dire need of cash to pay school fees.⁸ In contrast to western Kenya, the increase in conflict incidents in north-eastern Kenya is not attributable to an increase in livestock trade. While this is the case pertaining to analyses of causes of pastoral conflict and underlying issues, actors and their interests have not been dealt with in detail. Indeed, a more challenging, and greatly significant task is to identify actors and obstacles to peace in the region, an area of investigation that this project undertakes.

New forms of cross-border pastoral conflicts in the region pose new theoretical questions. In-depth analysis of issues and trends, and most particularly the identification of actors and their motives in northern Kenya, are critical for a better understanding of the pastoral conflict environment and making of policy recommendations for conflict resolution. To reiterate, studies that focus on actors in conflict and the creation of blockages to peace in the northern Kenya context are lacking. This study aims to bridge this gap.

A Note on Methodology

This study involved fieldwork for primary data collection. Local politicians, government administrators and pastoralists were interviewed. In addition, research findings of ongoing projects were consulted to inform and contribute to the database of this study. Different perspectives and opinions on pastoral conflicts, emphasising the role of actors and their interests as they obstruct peace, were solicited from a wide range of informants. The primary

data generated a new set of information that was used to explore the dynamics of conflicts and difficulties facing peace efforts in northern Kenya. Secondary data were collected from documented information in government annual reports, project and research reports and from published reports in journal articles and books.

The Study Area: The People, Economy and Political Developments

There is great fluidity of ethnic identities in northern Kenya in the restricted territorial spaces. Thus, it is a challenging task to ascribe specific pastoral groups to particular geographical spaces of origin or dominance (Schlee, 1989).⁹ Self-awareness and identity construction based on geographical spaces and ethnicity began in earnest with Ethiopian and Somali expansions and British colonialism. The European colonial administrators demarcated territories in northern Kenya on the basis of ethnicity and clan affiliations, thus setting the scene for people to perceive themselves as belonging to different ethnic groups and locations. Although historically people in northern Kenya belonged to different ethnic groups, it was not as rigid as it was during the colonial and postcolonial eras. In addition, ethnicity was not used in the postcolonial time for political ends as it is now in several areas of the Horn of Africa. While previously there had been extensive reciprocity and labour exchanges among groups across the borders in northern Kenya and southern Ethiopia, this cooperation was curtailed sharply with the advent of colonialism. The British in particular made use of the “divide and rule” technique to impose indirect control on the inhabitants of northern Kenya. This allowed them to control the political as well as economic affairs of their subjects effectively.

Northern Kenya is a region that exhibits some cultural homogeneity and considerable ethnic diversity. The social rules and regulations governing exchange, social ties and livestock production are similar for different ethnic groups in the area. Diverse pastoral groups, which largely share a common culture, history, language and religious

beliefs, live together in this territory. These include the Boran, Gabra, Garri, Sakuye, Ajuran, Degodia and numerous other smaller groups. Most of these groups migrated from Somalia into present-day northern and northeastern Kenya and southern Ethiopia.¹⁰ These groups have not always coexisted peacefully, partly because of historical factors such as migration, and most recently because of an emergence of a complicated network of actors with diverse political and economic interests.

Moyale District's neighbours are Wajir District to the east and Marsabit District to the south/southwest. Moyale and Wajir Districts have an international border with Ethiopia to the north. Moyale and Wajir districts were chosen for this project because of their strategic importance during the colonial and post-colonial eras. Second, these districts are both a frontline and a powerhouse for planning and financing conflicts across the region. Conflicts among clans and politically instigated skirmishes have been ongoing within these districts and across the borderlands, have inflicted enormous damage on pastoral livelihoods and destabilised local economies. The border dynamics make it difficult to initiate peaceful engagements between warring factions.

According to the 1989 Kenyan Population Census (Republic of Kenya, 1994), Marsabit District alone consisted of about 56 different ethnicities and identities.¹¹ Back in 1931, nearly six decades earlier, the colonial administration had recorded only 14 ethnic groups and clans as residents of this area. Because just a handful of groups consider northern Kenya as their ancestral home, the majority of other groups found today in northern Kenya immigrated there to live and work. The four major ethnic groups in the former Marsabit District, of which Moyale was an administrative division until 1995, in terms of absolute number and proportions are presented in Table 4.1.¹²

Table 4.1: Population Statistics in the Former Marsabit District, Northern Kenya (1989 Census)

	Boran	Burji	Gabra	Garri
Male	18,308	2,879	15,300	2,409
Female	18,139	2,744	14,913	2,101
Total in Marsabit District	36,447	5,623	30,213	4,510
Total in Kenya	80,160	5,975	35,726	80,004
Per cent of total in the district	28.2	4.4	23.4	3.5
Per cent of total in Kenya	0.37	0.03	0.14	0.37

Source: *Adapted from Republic of Kenya (1994), Mahmoud (2003)*

While the Boran and Gabra make up slightly more than half of the total number of people in the District, the Garri and Burji combined account for less than 10 per cent of the District's total population. The proportion of these groups is at less than one per cent of the total national population, which explains its lack of influence in national politics.

Demographic data imparts a great deal of information, particularly for shaping policies and determining how resources should be allocated at the national level for local governments. While the Boran, Gabra and Garri have pastoral backgrounds, the Burji hail from a settled farming environment in southern Ethiopia. Some of these pastoral groups, such as the Gabra and the neighbouring Somali groups of Ajuran and Degodia, herd camels and small herds of cattle. Others, such as the Boran, largely keep cattle. Several pastoral groups practice some form of food crop cultivation as well. Communities in northern Kenya live side by side, often interacting in business deals and sharing grazing. Other non-pastoral clusters of people in Moyale District include extremely small groups such as the Barawa and Yemeni Arab families, who are found mainly in Moyale town.

Weak State on the Frontier

The British ambition to extend its rule into northern Kenya was based on both political and economic considerations, but did not include intentions to create viable institutions in the region. Extending British rule was an urgent and necessary need, "...to keep hostile powers at a distance of a few hundred miles of semi-desert away from the White Highlands, the Brook Bond tea plantations and the Uganda railway."¹³ As for the economic and political rationalisation of the colonial decision, Kitching states that:

The concentration by the Administration (British) on Masailand and the Northern Frontier Province was by no means accidental. These were the two great areas of pastoral nomadism within the Colony and between them contained seventy per cent or more of the total African livestock holdings. From the first the Somali trade had revolved around these two hubs and then had gradually embraced Kikuyuland as well, and thus effective control over these two areas was the prerequisite of affording the settlers the protection they sought.¹⁴

In addition to taking care of their economic and political motivations, the British desired to check Ethiopia's unrestrained expansion into northern Kenya. The British colonial administration earmarked the vast northern desert with seemingly limited economic potential to provide a buffer zone between British interests in the rest of the colony, sometimes known as "down country Kenya", and the Ethiopian military advances.¹⁵

Referring to statelessness in Kenya's frontier areas, Menkhaus (2005: 1) states that, "the vast, remote and arid frontier areas bordering Somalia, Ethiopia, Sudan and Uganda were never entirely brought under the control of the state in either colonial or post-colonial eras?" The deliberate negligence of successive post-colonial Kenyan administrations has increased the sense of statelessness in this part of the country. This partly explains why people and communities in the

region attempt to block peace in the region in order to achieve their economic, political and expansionist objectives.

Menkhaus (2005) argues that African states have allowed their frontier zones to go ungoverned for four “rational strategies” if (i) the frontier territory is of insignificant economic value, (ii) the cost of establishing an administration there is higher than returns would be, (iii) the state lacks the financial and technical capacity to govern and (iv) spillover effects of anarchy in the frontier have little impact on the core areas of the state.

A counterargument is not only appropriate at this juncture, but would also serve to inform Kenya’s policy makers and technocrats that there is no valid reason not to establish a full-scale state apparatus in the north and northeastern pastoral areas of the country. In Northern Kenya livestock¹⁶ and tourism hold vast economic potential, the exploitation of which would pay for the cost of administration. The Kenyan government has the required resources and technical expertise to establish effective government machinery in northern Kenya. If ignored, northern Kenya’s statelessness can pose a threat to the country’s statehood.

A state can only be viable if the state effectively controls the territories within its borders and the failure to do so has resulted in many African countries experiencing civil strife.¹⁷ Kenya’s northern borderlands fit well into this description. The absence of state control in northern Kenya enables the establishment and expansion of the activities of ethnic militias. All ethnic groups, the business community and the local population supply militias with an assortment of weaponry, as one elder pointed out recently in Moyale. The militia are not always active, but are activated in case of a conflict. When ethnic militias of the Boran and Garri engaged in a fierce battle in the town in 2001, the police watched helplessly as people went about killing, looting and destroying property. In most of northern Kenya, including Moyale town, the Kenyan police is no match for these militias and the Kenyan government knows this. The state’s complacency about the

absence of peace in northern Kenya is a clear demonstration of the qualities of this actor. By failing to secure peace in northern Kenya, the state has forgone its primary duties of protecting its citizens and ensuring stability.

Neglect in developmental terms does not necessarily cause conflicts directly or act as an obstacle to peace, but it is a significant factor in slowing down efforts to achieve peace and causing rifts between warring groups as a result of scarcity of and accessibility to resources. In neither the colonial nor post-colonial period was northern Kenya treated as "Kenya"; inadequate budgetary allocations mean that education, health facilities and services remain underfunded; there are no roads in the region of the Ethiopian and Somali border. Treating citizens as second-class has perpetuated a culture of self-reliance in security-related issues, whereby citizens establish militias and amass arms, and collaborate with fellow ethnic group members from across the international borders. If the Kenyan state continues to neglect this region, peace and peacemaking in this part of the country will be hampered.

As Herbst (2000: 41) argues, "Formal political control in pre-colonial Africa was difficult and had to be earned through the construction of loyalties, the use of coercion and the creation of an infrastructure." Emperor Haile Selassie of Ethiopia was able to perpetuate Ethiopian expansion into the Boran and Somali territories by these means. Forty-five years after attaining its independence, Kenya has not made any efforts to integrate northern and northeastern Kenya into the country's mainstream economic and political fabric, thus allowing numerous actors and interests to thrive and generate conflicts. The distant seat of the state in Nairobi, represented by a weak outreach of district officials, is ineffective, as illustrated by the fact that the police in this part of the country has less power than the militias.

Having discussed the actors and highlighted the key issues in the architecture of statelessness in northern Kenya, what are the interests at stake? To reiterate Menkhaus' rational strategies, the Kenyan state's behaviour can be due to two major reasons: (i) to avoid the high cost

of establishing an administration in a remote, barren land, and (ii) the spillover effects of conflict in northern Kenya have not threatened the centre of power in Nairobi. These factors are sufficient to motivate maintenance of the status quo. The undesirable product of maintaining the status quo is the creation of an environment that is not conducive to peace, which has, in turn, manifested itself in ethnic conflicts.

Two major ethnic conflicts pitting the Ajuran against the Degodia and the Boran against the Gabra are the focus of the next section. Also discussed in this section is the problem of impartiality, both on the part of government officers and NGOs. These actors represent dynamics from within and are largely associated with specific niches of interests.

The Ajuran/Degodia Conflict and the Wagalla Massacre

In the 1980s, Wajir District was a hotbed of ethnic animosity and many of the raids and killings could be traced to political activism in the area. The Ajuran/Degodia conflict was the most serious consequence of this animosity and it led to the Wagalla Massacre of 1984 in which an estimated 300 people were killed and thousands went missing.¹⁸ According to clan elders in the area, particularly from the Ajuran perspective, the massacre was caused by political competition among the Ajuran and the Degodia for Wajir West parliamentary constituency. The late Ahmed Khalif was elected Member of Parliament (MP) for Wajir West in the 1979 general elections in which he defeated two Ajuran candidates. This was a bitter pill for the Ajuran to swallow because they considered this constituency as their one and only and losing the only seat they had to the rival Degodia group left the Ajuran with little choice but to revolt.

According to the Ajuran, the seat was stolen from them by Khalif, who had brought members of his community from Ethiopia to settle in the constituency to strengthen his political base in an area the Ajuran consider their undisputed ancestral land. To formalise his actions and

strengthen his position, Khalif issued the immigrant Degodia with Kenyan identity cards and other official documents. It is believed that Khalif used money and his political power, as the sitting MP, to persuade the provincial administration to legalise his actions. The Ajuran claimed that as the elections approached and Khalif believed that he might lose his seat if the area remained peaceful, he urged his community, the Degodia, to reject a truce with the Ajuran. The rival Ajuran assert that the MP assured his people, the Degodia, that they would be protected, for he was the MP. Several ceasefire agreements were reached between the two groups, but none were lasting because of impediments the MP allegedly created. The last negotiation was held in Buna, a town to the north of Wajir District headquarters, a stronghold of the Ajuran. The meeting lasted two days and it was agreed that:

- all hostilities should end;
- all illegal guns should be returned to the government; and
- any person or group that killed a person from the other group from that day onwards should be handed over to the government and punished.

According to Ajuran elders, immediately after the meeting, Degodia bandits attacked them, killing mostly women and children, skinning the dead, cutting their hands off and placing them in the women's private parts. The government called upon the Degodia to produce the culprits but the Degodia said they were to hand themselves over because they were armed people. The government instructed the two groups to sign another truce and Khalif signed on behalf of the Degodia. The government sent a signal to the army's divisional headquarters responsible for the area to round up the Degodia. The Kenyan army, police and the administration police worked together to round up the Degodia from Wajir town, taking them to Wagalla airstrip, about 20 km north of the town.

The Wajir district commissioner (DC) went to Wagalla to inform the Degodia about the incident, and the atrocities Degodia bandits

had committed. On the DC's arrival, the crowd became rowdy and attempted to kill him, according to the Ajuran account. The DC ordered the soldiers to fire into the crowd and thousands of Degodia were injured and many were killed. This was what came to be known as the Wagalla Massacre. The Kenyan security minister at the time, Justus Ole Tipis, who had earlier issued a warning to the Degodia, made a ministerial statement defending the government's action. According to the Ajuran, their conflict with the Degodia was created and perpetuated by the Degodian MP. The conflict ended with the Wagalla killings and the Ajuran held the area MP liable for denying peace a chance in the area after a truce was signed. The Wajir West parliamentary constituency is still in the hands of a Degodian MP. The Ajuran, however, were granted a new constituency called Wajir North in 1997, where there are no Degodia.

Parliamentary rivalry plays a significant role in ethnic conflicts. The profile of parliamentary positions has been raised dramatically in recent years through large parliamentary salaries and perks, attractive pensions and unlimited access to the so-called Constituency Development Fund (CDF), through which an MP controls millions of shillings. The ethnicity of the holder of a parliamentary seat goes hand in hand with the flow and control of resources in a particular constituency.

The Boran/Gabra Conflict of 2005

The political differences and rivalry between the late Bonaya Godana, a Gabra and MP for North Horr, and the late Guracha Galgalo, a Boran and MP for Moyale, were major causes of the Boran/Gabra conflict. Their rivalry led their communities to differ on a number of issues ranging from policy to border demarcations between the two constituencies and use of common range resources. Godana was a powerful minister for Foreign Affairs during Moi's administration and a senior figure in the former ruling party, Kenya African National Union (KANU). It was alleged by his critics, particularly the Boran, that he used his office to promote the interest of the Gabra community, such as arranging for

his people to be appointed in government positions within the two districts of Marsabit and Moyale at the expense of the Boran, who live in all the northern districts in greater numbers. This and other forms of political favouritism undermined the formerly mighty and influential Boran and inevitably created a wedge between the two neighbouring pastoral communities. It was also alleged that Godana used the provincial administration to employ Gabra chiefs in Boran-dominated areas and created administrative divisions, locations and sublocations for the Gabra in Boran heartland, for example, in Oda, Kinisa and Qate in Moyale District.

The Boran claim that, as a result of the immense political influence that the Gabra acquired within government circles, they (Gabra) started to become arrogant and provoke the Boran. The straw that broke the camel's back, so to speak, was some men from the Boran community being killed in Gabra territory near Forole, a remote village to the west of Moyale, on the border with Ethiopia. The Boran claim that they had no option but to retaliate, and they attacked Turbi village, in which they killed close to 100 people and took several hundred animals in a matter of hours. This is what is known as the Turbi Massacre of August 2005. By this time Godana was no longer a minister and could do not influence actions in the provincial administration. After the Turbi massacre, the Kibaki government put considerable pressure on the Gabra and Boran leaders to settle their differences. A plane crash in April 2006 killed six MPs, including the two warring MPs – Godana and Galgalo – on their way to a peace meeting in Marsabit. The death of the MPs did not solve the problem; government must find a solution to this conflict.

Misuse and Abuse of Power – the Provincial Administration and Manipulative Behaviour

In the Kenyan administrative system, the provincial administration, comprising the provincial commissioner (PC), the district commissioner (DC), the district officer (DO), the chief and the assistant chief, are in charge of the administrative matters of the province, district, division,

location and sublocation, respectively. The government has vested a great deal of power in these offices. As a result, the majority of these administrators have been accused of misuse and abuse of power at the expense of the well-being of the community.

First, the provincial administration has been blamed for lack of impartiality and accused of collaborating with politicians to manipulate employment of chiefs and their assistants in areas that are not their home areas, circumventing those chiefs and their assistants who originate from the specific areas in question, belong to the local community and deserve the jobs. For instance, many Degodia chiefs and their assistants have been employed in the Ajuran-dominated areas of Eldas, Batalu, Giriftu and Wagalla. This is also true in Garri-dominated areas, where many Degodia and members of other ethnic groups have been employed as chiefs and assistant chiefs, for example in Takaba, Ramu and Mandera. The same is true in Boran areas, where Gabra and Garri chiefs are employed. There are Gabra chiefs in Boran homelands, such as Butiye, Oda, Qate and Kinisa administrative areas, while in Nana, Godoma, also regarded as a Boran homeland, some chiefs and assistant chiefs are said to be Garri. The disgruntled groups claim that these employment anomalies are entirely the work of the provincial administration, who collaborate with MPs and the wealthy who pay to get such positions for their kinsmen. The local communities feel sidelined and resort to killing these "foreign administrators", occurrences that are not uncommon in northern Kenya. The presence of the so-called foreign administrators is an obstacle to a peaceful coexistence between groups and hinders meaningful peace negotiations.

Second, the government's budgetary allocation meant for reinforcing security in the area is seldom directed to this important need. Instead, residents who were interviewed stressed that security measures that needed urgent attention were only indicated on paper, but rarely acted upon. The community believes that most of that money finds its way into the pockets of the provincial administrators.

Failure to provide security to citizens and their territories leaves them vulnerable to conflict.

Third, corruption is reported in cases where one of the feuding communities raises money to bribe the police and the provincial administration so as to be favoured against their rivals.

Finally, Kenya's northern and northeastern regions were and in reality still remain under emergency law, where anything can be done and no one would be held responsible. The police can kill, investigate, give reports and be the judge in the same case. These incidents have happened and continue to occur in the pastoral north under the very eyes and ears of the provincial administration responsible for keeping peace in the area.

Biases of NGOs

Because of the increasingly dynamic nature of pastoral livelihoods, resource access and utilisation and subsequent occurrences of conflicts between groups, the role of third parties such as NGOs is crucial in promoting peace among pastoralists.¹⁹ Contrary to what NGO managers and funding agencies believe to be impartial discharge of NGO duties, local NGO officials have been found carrying out activities unrelated to the stated goals of the organisations. NGOs in northern Kenya are involved in obstruction of peace in two major ways: (i) through direct involvement in transfer of money and weapons to certain groups in order to evict, harass, raid or kill opponents; (ii) indirect involvement in focussing developmental activities in the home areas of key officials of the NGO while other areas are denied assistance and basic relief items. Jobs are reserved for those who come from the ethnic group of the key managers of projects. This discriminatory programming is viewed as a weapon used by one community to subdue and starve rival communities. This opinion is based on the fact that northern Kenya is an area where people face extreme scarcity of basic human and livestock needs, such as, food, water, shelter, clothing and human and drugs for livestock. An overt and deliberate denial of the basic necessities of life on the basis of affiliation with a certain ethnicity

attracts the wrath of the opposing clan. Furthermore, it nurtures seeds of hatred and fuels conflict exacerbated by the perception that the resources obtained in the name of the communities of northern Kenya are used to undermine some of these communities. Many residents of northern Kenya perceive NGO activities to be divisive and disruptive rather than facilitating peaceful coexistence among groups.

This does not mean that NGOs working in northern Kenya do no good - they are doing a commendable job, including facilitation of peace meetings between warring groups - but scarcity of resources and jobs in the area has forced some of the employees, indeed majority of them, to succumb to engagement in bad behaviour.

Protraction

In both the Ajuran/Degodia and the Boran/Gabra conflicts, it was the enormous political power, accompanied by a lack of accountability and unfair governance that pitted one group against the other and acted as a deterrent to peace. These conflicts have dragged on for long periods and have recurred many times. Conflict between these groups and in some cases involving other groups will recur as long as government presence is not felt in this part of the country and MPs remain the only political powers on hand to determine the way resources are distributed. Second, the protraction of the conflicts will continue for as long as arms supplies continue to flow into the area from Somalia and southern Ethiopia. As will be shown later, ethnic conflicts in northern and northeastern Kenya worsened after Kenya's independence, especially during the *shiftya* war in the late 1960s and during the Ogaden war of 1977/78. Infiltrations of arms began when the Siad Barre regime armed ethnic Somalis in eastern Ethiopia to enable them wage an assault on the Ethiopian army. Some elderly respondents reported that a fair number of the remnants of that war arsenal is still in the hands of locals. In addition, ethnic militias continue to arm themselves with sophisticated weapons obtained from Ethiopia and war-torn Somalia.

Weak States in the Neighbourhood

The Ethiopian/OLF Conflict and Spillover Effects

The protracted Ethiopian/OLF (Oromo Liberation Front) conflict in southern Ethiopia is one of the major obstacles to peace in northern Kenya. The OLF is one of the many autonomy-seeking political groups in Ethiopia. It was established by Oromo nationalist leaders in 1973, with the main aim of creating an Oromo state carved out of the southern part of Ethiopia. It is the group's stated mission "to exercise the Oromo people's inalienable right to national self-determination to terminate a century of oppression and exploitation."²⁰ This has created tensions and often armed conflicts between these groups with significant and often disastrous spillover effects into northern Kenya. The Boran, the dominant pastoral group in northern Kenya, also live in southern Ethiopia which, indeed, is assumed to be their ancestral home. They are part of the larger Oromo group that constitutes more than half of the total population of Ethiopia. The OLF militants carry out attacks in southern Ethiopia and seek refuge in northern Kenya among fellow Boran. It is difficult for the Ethiopian authorities to identify and deal with the militants if they are hiding across the border in northern Kenya.

The conflict is quite active and visible in southern Ethiopia and its spillover effect into northern Kenya takes several dimensions. When OLF activists attack government targets in southern Ethiopia, the Ethiopian government retaliates by attacking the OLF militia, often resulting in many civilian casualties.

The second response mechanism of the Ethiopian government is to swiftly close the borders after an attack to stop and intercept the fleeing OLF militants. Border closures have several undesirable effects on the social, political and economic life in the area, creating tension among the people living on the border with Ethiopia. Border closures impact negatively on cross-border commercial activities and the livestock sector is particularly hampered.²¹ Moreover, the Ethiopian/OLF conflict has brought more weapons into the area, to which civilian

population has access. Northern Kenya will continue to remain in a state of insecurity as long as the Ethiopia/OFL conflict persists.

The Somali Ambitions and State Collapse

The role of Somalia as an inadvertent actor in the conflict in northern and northeastern Kenya is obvious. Although Somalia may be categorised as an external influence, it is closely connected to events on Kenyan territory. Somali politics has had considerable impact on Kenya's political and economic security from pre-colonial times. These impacts can be examined from two perspectives and time periods. The first period was when Somalia was pursuing the Greater Somalia dream and wished to possess northern and northeastern Kenya, also known as the Northern Frontier District (NFD) in the 1960s. This marked the beginning of an irredentist struggle in the region lasting several years.

The Kenya–Somalia border controversy was well underway as early as 1960.²² Castagno correctly predicted in 1964 that the “events in the NFD, and in the Horn of Africa as a whole, will have serious implications for the future” (1964: 165). Political unrest in the frontier, coupled with Somalia's inability to acquire the region in the 1960s, and Kenya's failure to establish security in the area thereafter has plunged the NFD into a killing field and a transit zone for arms into Kenya's hinterlands and beyond. The motivation for Kenya to hang on to the NFD stems not from foreseen commercial benefits, but rather from a refusal to surrender any of the territories under the British colonial administration even after independence.²³ Somalia was directly involved in the war in the NFD and supplied arms to local Somali militiamen.²⁴ The greatest impact of the war was the infiltration of weapons into the area and the cultivation of a secessionist idea in the minds of the local Somali populations – a weapon the Kenyan government has used ever since to subdue the residents of the area. Second, the failure of the Kenyan state to create a peaceful environment in its northern territories after the irredentist war, also known as the *shifta* war, of 1963–1967, was responsible for

political and economic destabilisation of the region, which brought a sense of disenfranchisement, disrupted livelihood systems and bred antagonism among the residents. The secessionist struggle produced several consequences, including militarisation of the borderlands and a creation of a group of locals allied to the Greater Somalia nationalism.

The second important dynamic is the complete collapse of the Somali state in 1991, which created an unprecedented flow of refugees and weapons into northern and northeastern Kenya. The ongoing Somali conflict is undoubtedly a major source of arms flowing into Kenya. The fact that the border is long, porous and unpatrolled borders only adds to the quagmire. Thus, the irredentist struggles of the 1960s and the collapse of the Somali central government were significant contributors to the growing political volatility in this region. A thorough analysis of the Somali political predicament and its various implications for Kenya's security is beyond the scope of this chapter. However, it is important to note that Kenya's political stability, particularly in its frontier districts, rests, to a large extent, on a peaceful resolution of the crisis in Somalia.

A quick resolution of the Ethiopian and Somalia political crises will go a long way in resolving the conflict in the pastoral areas of the Horn of Africa in general and those of northern and northeastern Kenya in particular. On the other hand, delays and lack of resolution of these protracted crises is a strong contributor to the insecurity in the region.

Protraction

Both the Ethiopian/OLF and the Somali war had significant turning points, which incidentally occurred almost simultaneously in 1991. In the former case, the fall of Mengistu's *Derg* government marked a defining moment for Ethiopia. The new regime under Meles Zenawi introduced radical changes in the government structure, particularly the introduction of ethnic-based decentralisation of autonomous regional authorities. Relations between Somali and Oromo-affiliated

Boran in southern Ethiopia worsened, each group contesting control of their prime grazing lands. It triggered an arms race, so to speak, and a spillover into northern and northeastern Kenya was inevitable. In addition, the fleeing Mengistu army dumped an unknown quantity of arms into southern Ethiopia and northern and northeastern Kenya.

As mentioned earlier, the overthrow of the Barre government in Somalia put the fate of the country into the hands of warlords. The woes of Kenya's northern frontier certainly cannot be blamed on the fallen Barre regime, but the collapse of the Somali government undoubtedly provided an excellent supply route for arms for feuding groups in this region. It also became easy for rival groups in northeastern Kenya to seek the help of freelance militias across the border in Somalia.

Conclusion

Northern Kenya's political volatility is inseparable from its historical marginalisation, both politically and economically. The historiography of the region depicts the grim consequences of the scramble for territorial dominance by European powers and Ethiopian expansionists. The post-colonial era does not provide relief from the burdens of the colonial era. This chapter demonstrated how post-colonial insensitivity to the needs and aspirations of the majority of the residents of the region contributes to political instability in the area and will continue to do so in the foreseeable future.

The author discussed elements of statelessness at two levels; (i) weaknesses in internal governance, and (ii) external factors emanating from weak/failed states. It is the structural weaknesses that have given rise to a collective of actors whose interests can only be achieved through violent conflict. For example, MPs can only be assured of making it to parliament if they show their capacity to kill, evict and intimidate a group of opponents perceived as a threat to the "community-owned" parliamentary seat. The political powers wielded by a sitting MP are enormous and in most cases the holders utilise these powers for personal and in some cases communal gain. In

the process, peaceful coexistence between communities is jeopardised and peace enhancement efforts are seriously hampered. In short, politicians plan, manipulate and finance conflicts for their own selfish interests.

In addition to the Kenyan government's failure to establish a "meaningful administration" in its border areas, particularly in the north and the northeast, the protracted Somali conflict and political instability in Ethiopia have added to the troubles in the already fragile pastoral region.²⁵ State negligence in Kenya's northern and northeastern borderlands, the Ethiopia/OLF conflict and the Somali war are intricately connected to Kenya's inability to establish effective authority over the frontier territories. The conflict in northern Kenya's pastoral region does not feature prominently in the national security debate because these conflicts take place "behind the eyes of the people and often go unreported, and their negative impact is felt mainly by people with little political representation at the centre. The state is not the aggressor, but could be labelled, in the Kenyan case, an unintentional facilitator of conflict (and with unclear interests). Fortunately or unfortunately America has come to realise, even before the Kenyan government did, that lack of proper governance in Kenya's northern and northeastern borderlands poses a significant threat to American interests in the Horn of Africa and the Great Lakes region. In this regard, America is now attempting to open the Kenya-Somalia border territories with increased funding and activities to promote projects beneficial to the pastoral communities. The end product, it is hoped, will be improved border surveillance and monitoring of arms and Somali insurgent movements across the porous and lengthy border.

Kenya's neighbours, with the exception of Tanzania and Uganda, have been described as failed states at varying stages. A few months ago, Kenya itself almost fell into this category. While South Sudan and southern Ethiopia are part of weak states, Somalia is a good example of a failed state. Certain segments of the country, particularly those in the north, northeast and northwest, are far from the centre of power

and so exhibit varying degrees of ungovernability. The existence of weak statehood in the neighbouring countries of Ethiopia and Sudan and statelessness in Somalia, on the one hand, and weak internal government structures in northern Kenya, on the other, has led to an atmosphere of insecurity. A possible future scenario is that if the centre weakens, for example as a result of flawed elections leading to chaos, the pastoral periphery might consider drifting away to autonomy encouraged by ethnic militia.

I have argued that institutional biases and not impartial policies are the major obstacles to peace in northern and northeastern Kenya. By and large, achieving peace in these pastoral communities is not an easy endeavour because of the variety of actors involved and the multidimensional nature of the conflict environment. These findings provide significant insights into the interactions of conflict and peace processes and their impediments in northern Kenya, an environment of extreme ecological and political volatility. These findings would help understand conflict, peace and actor dynamics in other pastoral areas of the Horn of Africa and beyond.

Endnotes

- 1 E.g. Adan and Ruto (2005), Berger (2003), Buchanan-Smith and Lind (2005), Helland (2002), Markakis (2004).
- 2 Oxfam-GB n.d.
- 3 E.g. Berger (2003), Castagno (1964), Markakis (2004), Menkhaus (2005), Muchemi and Muiruri (2005), Omosa (2005), Simpson (1996), Walker and Omar (2002).
- 4 Mahmoud and Silver (2003).
- 5 Mahmoud (2007: 6).
- 6 Menkhaus (2005: 1).
- 7 Markakis (2004).
- 8 *Ibid.*
- 9 Schlee (1989).
- 10 Lewis (1960), Lewis (1993), Turton (1969), Turton (1975).
- 11 Prior to 1995, Moyale District was an administrative division of Marsabit District. Before the split, Marsabit was the largest district in Kenya, covering about 12 per cent of the country.
- 12 The last population census in Kenya was conducted in 1999, but populations of ethnic groups were omitted for reasons that are not clear. However, it is widely believed that in a country such as Kenya, where outcomes of government elections are largely

influenced by the size of ethnic groups in electoral constituencies, exclusion of these figures may have been intended to avoid them being used for political purposes.

13 Schlee (1989: 44).

14 Kitching (1980: 214).

15 Simpson (1996).

16 Mahmoud (2003).

17 Herbst (2000).

18 Adow (2005).

19 Berger (2003).

20 Oromo Liberation Front (2007).

21 See Little and Mahmoud (2005), Mahmoud (2003).

22 Castagno (1964).

23 *Ibid.*

24 Adar (1994), Mburu (2005).

25 Menkhaus (2005: 1).

5

Beyond the North-South Dichotomy in Sudan: Issues, Actors, and Interests

Alfred Sebit Lokuji

Statement of the Problem¹

This chapter will attempt to go beyond the north-south dichotomy as the dominant paradigm for explaining conflict in Sudan. The explosion of the conflict in Darfur and in the problems in the east (Beja), as well as in the better known Nuba Mountains and the Southern Blue Nile region (partners of the South in the recently concluded war, 9 January 2005) forms the initial indication that Sudan's problems may be far deeper and wider than its historical north-south divide suggest. Furthermore, given recent experiences in the South itself, there are indications that it is not the monolithic political or other "block" that Sudan's history since independence has portrayed it to be. Apart from examining the dominant factors in the north-south conflict, this chapter seeks to explore other internal divides and to examine the actors and their interests in the various Sudanese conflicts, in which they are often obstacles to peace.

Sudan has had two violent and prolonged conflicts. Even when particular violent confrontations have been successfully contained, spillover effects occur, in the form of refugees and insurgent groups

retreating to regroup and fight again. This study uses an approach that goes beyond territorial boundaries, it avoids being strictly statist. By doing so, it avoids the problem of viewing most agreements arrived at outside the parameters of actor interests. Thus, it examines all plausible conditions that aggravate conflict.

Sudan is a good example of an African country in conflict in which the focus has been on factors such as ethnicity, and the conflict explained away as manifestations of political, social or economic grievances. In conflict resolution, negotiation processes have tended to zero in on “parties to conflicts”, to the exclusion of other actors and interest factors that underlie the conflict.²

By seeking to go beyond the immediate parties to the conflict in Sudan, the chapter avoids the traditional pitfalls of ignoring other players and actors whose interests may not be served by peace as conceived by the dominant parties (e.g. north vs. south, or Arab vs. African). Even these dominant dichotomous actors may be driven by the motives of controlling interests that may not be apparent. This approach then tackles the problem in terms of the “dynamics” of conflicts that form obstructions to lasting peace.

A case illustrative of the point in Sudan is that of the Comprehensive Peace Agreement (CPA), which appeared to have ended the bigger war, but did not deal with other equally explosive conflicts, for example Darfur. Seen as an agreement between the major combatants—the Sudan Armed Forces (SAF) and the SPLA—the CPA blatantly fractionalised the “opposition” to Khartoum in a way that provided separate “protocols” (“agreements”) for (not with) Abyei, the Nuba of Southern Kordofan, and Angassana of Southern Blue Nile. Entirely excluded from the grand agreement was the so-called Eastern Front, hinterland to the Red Sea, and of course, Darfur.

Even in the South, calls for a south-south dialogue intensified after the CPA. What came to be known as “other armed groups” (OAG) were, fundamentally, those groups that did not consider themselves partners of SPLA. Among these were the South Sudan Defence Force

(SSDF), the South Sudan Liberation Army (SSLA), the Equatoria Defence Force (EDF), and the People's Resistance Army (PRA), whose leadership was incorporated into the government of Southern Sudan (GOSS) on 4 April 2008. These groups were given an ultimatum in the CPA either disband or join the SPLA or the SAF, by end of March 2006.³

Research Objectives

By reaching beyond the north-south definitions of the conflicts in Sudan, one is better placed to understand how and why the North could play a role among splinter groups in the South, which in turn, sought to wield influence among discontented groups in the north. This analysis will provide some clarification regarding the various actors in the regions and subregions of Sudan. In addition, the chapter provides information on different actors and interests in the various conflicts. To cite an example, while the SPLM was fighting against the government of the National Congress Party (NCP), it sought alliances with other actors based in the north – naming that group the National Democratic Alliance alongside other organised forces, especially in the east and with bases in Eritrea. In turn, the NCP government sought to support the Lord's Resistance Army (LRA) in northern Uganda, providing it with the wherewithal for its operations, complete with retreat points inside Sudan.

There are indications that the various splinter groups in the South base their alliances either on geographical proximity or some other compelling factors. For instance, where was the EDF getting its support from? In the period that followed the split of the SPLA (1991-92) factions of the SPLA and SSDF with bases in Unity State and Western Upper Nile had to rely on support from the north, while the SSLA in Eastern Upper Nile could look east, to Ethiopia, at least for support in case of strategic withdrawals, when needed.

This chapter provides critical insights into thus far unrecognised actors in the Sudanese theatre, their major interests and their strategies in the subregional conflicts in Sudan, which are often handled too

superficially by neglecting to get to their roots. In so doing, it has failed to institute lasting solutions. It will be interesting to see what it has learned from its experiences with the CPA as a model for its other on-going problems.

This research sought not only to broaden the definition of parties to conflicts and widen the scope of actors in conflicts, but also sets out to identify actor orientations to peace initiatives on the basis of the logic of their interests. The underlying argument is that most peace agreements in the Great Lakes region and indeed in Africa as a whole, have failed mainly because they have been based on at least two fundamentally flawed premises. One premise is that the conflicting parties are to be found solely within the countries in conflict. This is partly a result of the adoption of the concept of parties, which suggests some harmony of interests. The author contends that interests, rather than parties, is a more inclusive and dynamic concept, since it allows for the inclusion of entities who would otherwise be considered as external to the conflict simply because of their geographical location.

The second false premise is that all or most conflicts arise from grievances rather than interests. The idea that actors have interests that could justify their being described as “conflict entrepreneurs, peace blockers, opportunists and peacemakers”⁴ should come as no surprise, although it definitely defies conventional conceptions of actors in conflict.

Research Design

While the government of Sudan (GOS) may see the conflicts as unconnected, and believe that it can deal with them individually and separately, this research recognises that the conflicts are connected. The GOS is a constant actor in all the conflicts. The other actors are divided and pursue their interests independently of each other—this is true even of the NDA, whose constituent parties pursued their own interests in the alliance, and certainly their own strategies, although they had all agreed fight the NCP government.

All the actors in Sudanese conflicts gained support from their neighbours: the northern parties brought in Libya, Egypt and Eritrea; the Nuer factions of Eastern Upper Nile compelled Ethiopia to have an interest in addition to its history of conflict in Eritrea, which commanded the sympathies of different Sudanese governments for over four decades; factions in Equatoria added further reasons for the interest of Kenya, Uganda and the DRC. Darfur and the rest of the West of Sudan involve parts of Central African Republic and Chad. A list of actor characteristics has been used to paint a near complete picture of actor interests and behaviour.⁵

Actors are discussed in the context provided by the ForDIA and PeSeNet strategic criteria shared at the Dar es Salaam workshop in which methodology was of major concern. The critical factors I have used to paint a fairly comprehensive picture of each actor are as follows: identity of actor; interests (in some detail, including location and some indication of magnitude of activities); strategy (some indication of whether actor employs violent or peaceful methods of action); capacity (some indication of strength and effectiveness in defending interests); visibility (extent to which actors are open and transparent or subterranean); interaction patterns (patterns of conflict and collaboration with other actors); reliability (how likely to comply; peace orientation (peace maker, opportunist, peace blocker or conflict entrepreneur).

Research Methodology

This research largely relied on archival material and interviews with some of the key actors. Newspaper reports, faction declarations, websites, and secondary material provided the first line of information on the players, their roles and actions in the extensive conflicts. Clarification about aims, purposes, strategies, successes/failures, and ultimate beneficiaries was sought from key actors.

The research is based on case-study methodology. This variant of theory building case study methodology was first articulated by George (1979) in his seminal essay, "Case Studies and Theory Development:

The Method of Structured Focused Comparison” and later elaborated by Bennett and George (1997) in their joint work entitled, “Process Tracing in Case Study Research.”⁶

Thanks to the information technology revolution, opinions, propositions, dispositions and negotiation points are widely shared through one or more sources. Both individual and group positions were enunciated through these means and provided rich and reliable sources on actor positions and political dynamics.

The Issues

It is not possible to provide with certainty an exhaustive list of Sudanese issues. What is certain is that there are as many issues as there are identifiable actors in the political and historical theatre of Sudan. The dominant issues since independence may be summarised as follows:

- (a) Fear of balkanisation of the Sudan—being geographically the largest country on the African continent, it is characterised by adverse ethnic composition. Hence, fears of the power structures are dominated by worries about secessionist movements, however imaginary at times.
- (b) The Sudanese state’s political history since independence is marked by a quest for democracy as the primary basis for challenging the various regimes that have come and gone.⁷
- (c) There are claims that these conflicts are a result of the noble cause to build democracy and democratic institutions.
- (d) In the case of the Sudan People’s Liberation Movement, the quest was purportedly to remove a political environment characterised by the politics of exclusion—“marginalisation” in the movements lingo.
- (e) Arab vs African nationalism has often been used as the fundamental divide in the substructure of conflict in the Sudan. Whatever the internal dynamics of this phenomenon, it has certainly been fanned by trends in both regional and world politics.

- (f) Competition for political and economic power – a very clear contention in the recent wars such as the SPLA case. Both Marxist and non-Marxists define the conflicts in Sudan, especially the current ones, as caused by competition over natural economic resources.
- (g) A last basis for conflict in Sudan may simply be described as the desire to capture the power of the state – again exemplified by the SPLA war, which ended with an agreement including concessions by the NCP to share state power.

Threat of Balkanisation

The compulsive response by the government in Khartoum to any complaint from any part of the country is to treat it as if such complaints pose threats to the unity of the country. With regard to the dissatisfaction of the South with all Khartoum-based regimes, it has consistently been assumed that the South sought to break away from a united Sudan. It is about this issue that Lohure, one of the earliest perceptive politicians of Southern Sudan is quoted as having said, "The South has no intention of separating from the North, for had that been the case nothing on earth would have prevented the demand for separation. The South will at any moment separate from the North if and when the North so decides, directly or indirectly, through political, social and economic subjection of the South."⁸ Current events lend support to this suspicion of the South by the north. In Juba, the capital of Southern Sudan, the most popular mobile phone network is operated under the Ugandan country code +2569 not the Sudanese country code +249, yet this seems to have been an arrangement of convenience rather than political intentions.⁹ Visitors to Southern Sudan need a different visa from the one required for Khartoum.¹⁰

Quest for Democracy and Challenges to Regimes

Democratic Governance

It is debatable whether there is anything else that gives rise to the birth of new actors more intensely than regime challenges, often in the name of democratic governance. This is even more relevant in a post-conflict setting, where wartime behaviour is not changed overnight to conform to democratic norms and values. The university student who was returning from his village to the town, only to have the misfortune of meeting the wrath of his state governor, illustrates this phenomenon. Travelling on a motorcycle, he met the governor's convoy, travelling in the opposite direction, and pulled aside to let the big man pass. "I don't know what annoyed the governor to the extent that he ordered his bodyguards to torture me. The soldiers mercilessly beat me with gun barrels, sticks and hosepipes, leaving me for dead."¹¹ Both the governor and the student provide a good example to understanding the ground from which other actors are drawn into the theatre of conflict - indicative of the long haul towards democratic norms and values referred to above.

Building Democracy and Democratic Institutions

It is postulated that building democracy and democratic institutions is among many post-war challenges that must be met; otherwise a reversal back to war would take place.¹² A standoff is taking place in Abyei because there is, on the face of it, disagreement over how it should be administered and who should take the responsibility, even though the Comprehensive Peace Agreement (CPA) appears to have addressed the issue. By May 2008, a direct confrontation had taken place between SAF and the SPLA, confirming that the politics of Abyei is an obstacle to peace.

Personality-Driven Political Forces

A major obstacle to the building of democratic institutions is the nature of political forces, which are largely driven by personalities. Examples

include Mohammed Omar Bashir, John Garang, Yoweri Museveni and Meles Zenawi. Every instance of dissatisfaction presents an opportunity for the entry of new actors — some for the sake of the apparent cause, others for hidden and divergent motives. Sudan has seen such actors in the persons of Ibrahim Aboud (1958-1964), Jafaar Mohammed Nimeiry (1969-1984) and Omar Hassan el-Bashir (1989-present), with Southern Sudan seeing Joseph Lagu, Abel Alier, John Garang, and Salva Kiir.

Politics of Exclusion

Decentralisation and empowerment of the local people have been identified as key processes in any strategy that seeks to promote participation, accountability and good governance. Sudan's weak democratic tradition and culture, the protracted process of building democracy and the absence of checks and balances led to an endemic exclusion from the political and power distribution system, as claimed by SPLM/A. Internal dynamics revealed SPLM/A was not immune to this disease of exclusion from the power equation and was cause for war, and in fact, it brought about the infamous split of the movement in 1991.

Arab vs. African Nationalism

The war in Sudan is monotonously described as one pitting "the Muslim Arab North against the Christian, Animist and African South." In this era of political correctness one might seek to avoid being seen as reducing the Sudanese conflict to that level of analysis. However, for those directly involved, it forms a psychological paradigm of identity. Most likely, it forms the undercurrents of many an informal analysis of the Sudanese conflict. It is probably the reason why Joseph Winter felt it worth pointing out that the South was using the Ugandan telephone country code instead of that of the Sudan.¹³ He states, "During the conflict, aid agencies ran their operations from Kenya and many [Southern Sudanese] have more links to neighbouring countries than northern Sudan, so the Ugandan mobile set-up suits them very well."

Needless to emphasise, these are conjectures and deductions rather than facts that define the Afro-Arab nature of politics in the Sudan.

Competition over Political Dominance

Where conflict is between north and Southern Sudan, it may be much more than political power that is being sought. The conflict is about changing the entire system of governance; and perhaps even the fundamental ways in which power and rights are recognised, distributed and exercised. However, when small cracks develop into huge ones, such as among the Southern Sudanese themselves, it seems plausible that conflict arises over who holds the dominant power – giving way to the traditional manner of ethnocentric analysis of obstacles to nation-building. It is significant that current rumbles in Southern Sudan are about Dinka political dominance, a phenomenon that led to the “re-division” (better known as *Kokora*) of Southern Sudan into three autonomous provinces in 1983.

Competition over Natural Economic Resources

Locally, nationally, regionally and internationally there can be little disagreement over the general thesis that much of the Sudanese conflict, like many others, can be explained in terms of competition over natural economic resources. The local citizen wants a fair share of the oil, as does the state, the national government, America and its oil companies, and China. China is searching aggressively for oil in various regions of the world to meet its huge energy demands – without compromising this interest (say through accommodating morality standards) it may fail to achieve its interests.

The Search for State Power

An interesting phenomenon is the way people who hold it cling to state power, occasioning a struggle by those who do not have power and who desire to acquire it by all means necessary. In Marxist jargon, the state is a tool by which class dominance is maintained for the protection of class interests. However, devoid of this ideological

background, any other entity seeking to capture state power is at pains to provide a reason for seeking it. Of course, the widely held contention is that state power is sought as a means to obtaining goods and services by any group that organises itself sufficiently to exert influence. In the context of Southern Sudan, this approach is powerful enough to provide a preliminary explanation for inter-ethnic conflict.

Actors and their Interests in Sudan

As the exchange on methodological concerns for these studies postulated explicitly, there are potentially many more actors than are readily apparent in any conflict. The conclusion of any conflict leads to losses or gains for the different actors—with some losing more and gaining less than others.

For clarity of analysis, actors in the current Sudanese conflicts are divided into two major groups: internal and external actors. External actors include neighbouring countries and other international players who are either distant countries with imperial economic interests or regional organisations whose interests are closely linked to some member countries.

Both internal and external actors are analysed on a range of factors given earlier. The study identifies the actor and shows the actor's primary strategy, in terms of violent or peaceful means for accomplishing its goal; the actor's capacity to defend its interest is evaluated; and the degree to which the actor is visible is examined. The study also examines how actors interact and collaborate or compete; it also evaluates actors' reliability; and finally, it analyses the actors' general orientation to peace or war as the general route to furthering their interests.

Internal Actors

There are at least nine internal major actors in Sudan's recent conflicts, namely Darfur, the Beja Congress, The Nuba, the Dinka Ngok, the Ingassana, the Southern Sudanese, a combination of two symbiotic groups – Arab and Muslim Sudanese - and the sitting government in Khartoum.

Khartoum Government

Identity: The most complex actor in Sudanese conflicts is the government of Sudan (GOS). It is sometimes referred to as the Khartoum Regime, generally to mean the specific government sitting at the time. The SPLM popularised the term. The Khartoum Government in order to deny it legitimacy outside the major towns of Khartoum North, Khartoum South and Omdurman, which together constitute greater Khartoum.

Regardless of the term used, the name Khartoum or Sudan government has generally been used to refer to all post-independent governments, “elected” as well as those that came to power through military *coup d'états*. In turn, such governments have, naturally, laid claim to legitimacy over the governance of the entire Sudan, even where they did not enjoy a local support. They generally rule by fiat, and tend to rely heavily on the armed forces to enforce their wishes.

Interests: Since independence the GOS has denied being “African”, and has tacitly chosen to portray Sudan as Arab and Muslim, preferring classification as a North African or Arab and Middle Eastern nation due to its affiliations and associations with Arab countries. On more than one occasion it has flirted with forming a union with Egypt and Libya. The drive to Islamise or Arabise parts of Sudan has been successful in that there are elements in Southern Sudan that will not hesitate to point out that “we are an Arab nation”.

Strategy: Among postcolonial countries on the African continent, Sudan can be described as the “most violent state towards its own citizens.” The history of the Anyanya War (1955-1973), once written, will have to record in its pages the torching of entire neighbourhoods and villages by the army, generally in retaliation for defeats in battle.¹⁴ Atrocities on battlefields, yet to be documented, would show that the Khartoum government would not hesitate to use all the power in its hands to resolve any conflict with little consideration for other options. Interestingly, Ibrahim Aboud’s military government was removed from power by civilians in October 1964.¹⁵

Capacity: Objectively viewed, Sudan has never had the capacity to defend the interests fronted by the regimes in Khartoum. However, it has always been shored up by an external actor. America, seeing Ibrahim Aboud as an anti-communist ally in the 1960s, gave Sudan the crutches it needed. In the 1970s, Jafaar Mohammed Nimeiry relied on the Soviet Union and President Gadaffi next door. Now, the Bashir government falls back on China to provide the military strength necessary to defend the oilfields in the south. Sudan's lack of capacity would have had severe consequences had it not been for this assistance.

Visibility: This is a difficult criterion on which to rate Sudan. Since it has no rules of functional democracy, it has been as secretive as it sees fit, and rarely transparent. It has been pointed out that Sudan's elaborate and often highly secretive "security" agencies are used to maintain and enforce secrecy. Even in the aggrieved South, this aspect of the state security culture has been copied.

Interaction patterns: As pointed out above, Sudan interacts very well with external actors but it uses violence to subdue anti-Khartoum sentiments, any threat to its monopoly of power, or worse, when it perceives a threat to its conception of "national sovereignty". Its cooperation with China to protect the oil fields in South Sudan demonstrates its acumen for sourcing partners in hard times. It has also been accused of making attempts to link up Uganda's LRA rebels with the Chadian rebel group that has been threatening to overrun N'Djamena.

Reliability: Given the current string of unfulfilled pacts with the SPLM/A in the implementation of the CPA, Khartoum is clearly unreliable on critical issues. It has scuttled international security efforts for Darfur. It has vowed not to implement the Abyei Boundary Commission (ABC) report, accusing the Commission of overstepping its terms of reference; it has been dragging its feet in finalising the Sudan north-south border as called for by the CPA, and in off the guard moments, both President Bashir and his deputy, Ali Osman Taha, have hinted that a return to war may be on the cards. Bashir

called for the remobilisation of jihadists; and Taha is reported to have hinted that the South would be bombed if the population census were to be postponed unilaterally – however poor the prospects for its success might have been.

Peace orientation: The Khartoum government, as the embodiment of the constitutional order, finds itself in an extremely awkward position where the maintenance of peace is concerned. In Darfur it is charged with sponsoring the Mujahiddin and causing terror among the civilian population.¹⁶ It is accused of applying red tape against the operations of UNAMID.¹⁷ It has certainly fuelled suspicion about its peacemaker status by playing revisionist over the Abyei protocol. Accusations of conflict entrepreneurship were given substance by the knowledge that both Abyei and the western Upper Nile are Sudan's black gold – giving GOS extra leverage as a peace blocker, since the ownership of oil would revert to Southern Sudan were the citizens of these areas to choose secession.

Sudanese Arabs/Muslims

Arabs and Muslims are not genetically linked, but in Sudan the historical association between the two groups is so strong that the terms are often used interchangeably. Current international politics occasioned by the acrimonious Palestinian–Israeli relations, 9/11, and the invasions of Afghanistan and Iraq catalyse the bonding of the two terms.

Identity of actor: Sudanese Arabs, who are almost all Muslims, are not historically indigenous to Sudan and are said to have crossed over from the Arabian peninsula as traders, mainly in ivory and slaves.¹⁸ Their ascendance into the echelons of political power in Sudan has assured them a place as the premier actors in the Sudanese political theatre – in spite of their being considered a tiny minority in Sudan.¹⁹ The current identity was developed under the leadership of Hassan Turabi through the formation of the formidable National Islamic Front (NIF), along with its political wing, the National Congress Party (NCP) – the sole representative of northern interests in the negotiations with the SPLM/A.

Interests: As Muslims, Sudanese Arabs have involved Sudan in international matters that would have been of little concern had Sudan asserted itself as an African state. The latest show of Islamic identity was the protests in Khartoum in reaction to cartoons of prophet Mohammed published in Denmark, which were considered offensive by Muslims – occasioning the banning of Danish products and NGOs from operating in the Sudan.²⁰ Sudanese Arabs have dragged all Sudanese into Arab–Israeli confrontations, with the most direct involvement in the early 1970s when Sudan sent troops to help defend Egypt against the Israeli counter-onslaught in Gaza.

Without any claims of Arab-Islamic imperialism in Sudan, these interests have often described Sudan as the breadbasket of the Arab world. Southern Sudan is looked upon as a *jazira* without need for irrigation – in contrast with the Ghezira Scheme between the Blue and White Nile. It is an open secret that one of the most lucrative wartime trades for army officers deployed in the South was the felling of timber for shipment to Khartoum.²¹

On 18 February 2008 a conference to establish the Higher Islamic Council for Southern Sudan took place in Khartoum. The conference was addressed by Abdeljabar Hassan, who spoke on behalf of Khartoum's governor, Al Muaafi, emphasising the importance of providing all services to Southerners. Sheikh Beesh, secretary general of the Higher Islamic Council for Southern Sudan, revealed that his branch was established in 2005 to "unite Southern Muslims and propagate the faith."²²

Strategy: Arab-Islamists in Sudan have generally portrayed themselves as peaceful. For instance, they explain violent incidents as "attempts to achieve peaceful coexistence between religions and tolerance in propagation. The government takes care of all religions, mosques and churches"?²³ However, they have not hesitated to call for Jihad when they perceive that their interests are threatened. Neither civilian nor military politicians controlling Khartoum regimes have hesitated to take advantage of these jihadists – whether they be

known as Janjaweed, Mujahedeen, or Jihadists proper. Recently, when the SPLM component of the Government of National Unity (GONU) withdrew, President Omar Bashir notably reacted by calling for the reopening of camps for Islamic volunteers in preparation for a resumption of war, if need be.

Capacity: Arab-Islamists, as actors in the Sudanese political space, literally own the space, and have the added advantage of leading a symbiotic existence with government – it is hard to tell when it is not in control of government. They are an extremely powerful player, and their power increased geometrically with the formation of the NIF and the establishment of its political wing, the NCP.

Visibility: It is glaringly visible – certainly as a matter of faith, on matters of faith and the appropriate action to assert that faith decisively. Even in Juba, the hotbed of military activities during the war, especially in the 1990s, the visibility of this group was reinforced by their garb, their beards and the epaulets they wore.

Interaction patterns: The fused linkage between government and civil society that Arab-Islamists enjoyed placed them in a unique position to engage in conflict or collaboration with other actors. In consternation, one Southern Sudanese respondent lamented that the “whole world witnessed more than 300 pick-up trucks mounted with machine guns crossing the border from Sudan into Chad ... in an invasion planned by and financed by the Sudan’s NCP backed by other Arab countries like Libya”.²⁴ The quoted commentator goes further to pose a rhetorical question: “Is there any connection between the rebel groups in Chad, CAR and the LRA? All these rebel groups receive military and financial support from NCP in Khartoum.”²⁵

Reliability and peace orientation: Whether they are reliable or not is a matter of perspective – the perspective of those who must interact with them. So far they have been very powerful and reliable partners for the LRA. The latter was supported as long as it conducted Khartoum’s proxy war in Southern Sudan’s areas adjacent to Uganda – namely Greater Equatoria. They are not reliable peace makers, as all agreements must conform to their ideological drives; they are

opportunistic when opportunities to further their ideology arise; and they work against peace if peace would require them to abandon Arab and Islamic objectives.

The SPLM and GOSS

Identity of actor: The complexity of this actor is as confounding as that of the Arab-Islamists. It would be a mistake to consider it “the most important” movement of all the movements in Southern Sudan and others aggrieved by the power establishment in Khartoum. Among Southerners, there were many “other armed groups” in defiance of monolithic claims by the SPLM and its military wing, the SPLA. Since the CPA, it has been given a political position in the race for supremacy, as it had succeeded in drafting into the CPA a provision that all other armed groups were to simply disappear by either joining the SPLA or the SAF.

As the largest actor born and bred in Southern Sudan, it sought to wrest power from Khartoum and effect a revolutionary devolution of power as never before achieved to the local levels. Thus it called its struggle a war against all forms of marginalisation. Garang’s rhetoric of liberating Sudan from its Arab-Islamic ghost by creating a secular, multiracial, multiethnic and multilingual nation did not sit well with all Southerners, who joined the SPLA in droves, though with a different objective – secession from Khartoum-based Sudan.

GOSS, while in large part a progeny of the SPLM/A, cannot be equated with it. SPLM/GOSS are not as interchangeable as are Arab/Islamists. GOSS was created on the basis of the CPA and it was established on the basis of a formula in which the NIF’s NCP is a party; as are elements from OAGs, who had to join or melt into thin air in accordance with the CPA. Hence, while the SPLM is expected to play the lead role in GOSS, it does not follow that it has a blank cheque to do as it pleases in addressing issues of concern to Southern Sudan.

Interests: The core values of the SPLM/A centred on destroying the centripetal forces in Khartoum, forces that, in turn, saw the rest of Sudan living as willing and peaceful satellites of Khartoum. The

intellectual predisposition of Garang tended to define Sudan's problem in terms of an archaic system. The rank and file of the SPLA saw the problem of Sudan as illustrative of Arab-Islamic neo-colonialism, especially in relation to the South and other marginalised areas. For these tendencies, the appropriate and only solution was seen to be secession, presumably assured by a referendum on the question in 2011 (as writ in the CPA). This presumption by Southerners introduces tensions in the SPLM's non-Southern partners in the Nuba Mountains, and the Southern Blue Nile area. What would become of these areas, whose peoples had freely joined forces with the SPLA in common cause, only to be rudely awakened to the reality that the South would be very gratified with a vote for secession, leaving them stuck within the rest of Sudan, with the centripetal political forces in Khartoum intact. The SPLM leadership is conscious of these tensions, and its recent complaints about Khartoum's reluctance in implementing aspects of the CPA as well as its (SPLM's) brave attempts to register a position on Darfur are its feeble indicators of being an umbrella for all. However, on the direction the South will take, there are still conflicts within, if statements by party officials are anything to go by, "If we win elections, and a Southerner becomes national president, we would no longer have any reason to secede."²⁶

Strategy: Immediately after Nimeiry's adoption of the September Laws (Sharia Law in Sudan) and his abrogation of the Addis Ababa Agreement (1972) in 1983, the anger of Southern Sudanese citizens was such that no recruitment drives of a reluctant population were necessary. The overwhelming support for military action against Khartoum was only compromised by lack of weapons to meet the demand in those early years. Even though the most serious set-back to the war against Khartoum took place during the split between John Garang and Riek Machar, the overall perception remained one of applying violent means to turn the tables on Khartoum.

As the war continued and the toll of internal conflicts began to be sorely felt, there began to be utterances of "war fatigue" evidenced by an increasing number of Southerners going into exile and accepting

“resettlement”. The extent to which resettlement altered the equation during the war is far from clear. However, reality checks must have assisted the leadership-to-be to consider non-violent alternatives to bring the war in Sudan to an end. That protracted negotiations lasted over five years before the signing of the CPA in January of 2005 testifies to the general attitude change, namely that war was not the only means to score points in Sudan.

Capacity: The greatest source of strength for the SPLA was an abundance of volunteers who were only too willing to pick up arms against the GOS in Khartoum. Against all odds, barefoot and ill-clad liberation fighters of Southern Sudan soon doubled in numbers through the influx of the Nuba, the Dinka Ngok of Abyei and the Funj, and forced members of the Sudan Armed Forces (SAF) to go on the run in the five fronts of the war: Equatoria, Bahr el Ghazal, Upper Nile, Nuba Mountains, and the Southern Blue Nile areas. With the successful launching of a partnership to topple the government in Khartoum, the NDA was born, necessitating the establishment of a sixth front – the Northeastern Front, where the Beja began to assert their African ancestry and sought to participate in the power equation in the Sudan.

Visibility: As to its purpose and ideology the SPLM was far from clear – it had always been assumed that people knew what they were fighting for. The governance style of John Garang de Mabior would not give him the high rating he enjoyed as the disseminator of the fundamental causes of the war. There was very little, if any, internal visibility or transparency in the affairs of the SPLM/A. Many would excuse this as the fundamental task of the war at hand – rather than engagement in the niceties of good governance and democracy in the midst of war.

The SPLA certainly acquired a very high profile of respect when it overran one garrison after another. That it commanded a sea of humanity aggrieved by years of misrule by Khartoum contrasted very well against the SAF soldiers, who had no proper cause to motivate the spirit of their war-mongering. Given this contrast, the war could have

come to an early end, had oil, a starved, growing Chinese industry, and an incorrigible regime in Khartoum not combined forces to create an imbalance in weaponry.

GOSS is in a severe post-conflict situation. It cannot help but remain under scrutiny – not of its own accord, but due to the myriad forces/bodies that are purportedly in the Sudan for post-conflict reconstruction; and under the silent glare of the beneficiaries who are still waiting for the dividends of peace. The question that pertains to what should be readily visible or less visible in GOSS is a complex one that begs for a focussed analysis, in much more detail than this preliminary exploration of actors and their interests in the Sudanese conflict.

Interaction patterns: That Southern Sudan had already been at war with governments in Khartoum for much of the time since the country's independence in 1956 means that it already involved experienced actors and observers from previous conflicts prior to the one in which the SPLM/A is a major player. In spite of this, the SPLM/A can be credited for forging more significant patterns of collaboration and conflict with other actors. It is one in the basket that it managed to forge a collaboration in the NDA, consisting of the very political parties it had fought against when they were in power in Khartoum. It is no small feat that the SPLM/A became fast friends with a number of regimes: the Mengistu government in Ethiopia, the Moi government in Kenya, the Museveni government in Uganda, and certainly, the Castro regime of Cuba. Although clouded in secrecy, it is common knowledge that the SPLM/A had good relations with Zimbabwe, Eritrea, and Nigeria.

There was talk of forging peacetime alliances for the purpose of focussing on the 2010 elections and beyond. Ironically, the NCP, which inflicted the greatest toll on Southern Sudan during the long war, now presents itself and is perceived by the SPLM as the ideal partner. The unit of analysis in electoral politics is now possible majority votes in a unified country, rather than anxieties over the secessionist tendencies of Southern Sudan.

Reliability: The trend in politics seems to have decisively moved to the realm of Machiavellianism and away from liberation politics. For instance, it would not have been possible to shift to contemplating winning a majority vote all over Sudan when the bulk of the army fought for one, and only one, purpose – separation of north from south. GOSS policy-level members have been heard saying that the SPLM could not participate in a manifesto which includes secession – for that would substantively negate the notion of a government of national unity. To that extent, the SPLM, and perhaps GOSS itself, cannot be rated a reliable voice in Southern Sudan. It has already been noted in another context that the pursuit of Southern Sudan's independence also portrays southern Sudan as an unreliable partner to the other regional participants in the war. This is especially for those partners who do not fall within the ambit of the definition that Southern Sudan (the chief complainant) is demarcated by the borders as at independence (1 January 1956).

If anything, all actors may have to look after their own interests without relying too much on each other in an election scenario that rearranges current interests. Debate, if it is to be allowed in the period leading to the “referendum”, will decisively dictate new alliances and camaraderie. The SPLM and its servant GOSS, will have to get rid of its northern partners if it is to succeed in carrying some parts of the South.

Peace orientation: The peace orientation of the SPLM is solid. Too much has gone wrong within southern social and political alliances for it to risk embracing war as yet an alternative. It will play its opportunism card to the end, presenting itself as the power behind all the peace processes in the Sudan – maybe even Darfur! In this sense, the SPLM and its army, now too busy with other pursuits, can hardly contemplate being a peace blocker. Conflict entrepreneurship was once a lucrative undertaking. No longer, the SPLM is most likely to forge on with entrepreneurship in a peace setting.

The Junubin or Southern Sudanese

Identity of actor: That all Southern Sudanese are lumped in one basket should come as no surprise to those who are even vaguely familiar with the nature of parties to the conflicts in Sudan. By far the most dominant group in opposition to GOS since independence are the Southern Sudanese, or Junubin, as connoted by the colloquial Arabic term meaning Southerners. The term refers to all the inhabitants of the three provinces of Bahr el Ghazal, Equatoria and Upper Nile as their boundaries stood on Sudan's Independence Day on 1 January 1956.

The insistence on the "independence boundaries" is probably a geographical qualification that works to the advantage of northern Sudan. For if the reference were "people of African descent", it would include nearly all of Sudan except a few families in the three towns that compose greater Khartoum and the Ghezira region. It is African descent, a common history dominated by the slave trade, that binds the people known as Southerners.

Interests: Junubin have not generally been selfish about controlling their resources for their exclusive benefit, not that they ever had any say over it. What galvanises them most is their common stand against individual or collective abuse by what are known severally as the northerners, the Arabs or the Jallaba. The routine use of epithets such as *abid* or *kuffar* exemplify their aversion to northerners.

One could summarise the current dominant interest as a striving for respect of basic human rights and the acquisition of basic human needs, capped with an overwhelming desire for peace. If indeed the "interim period" were used to "make peace attractive", many Southern Sudanese might not find it unthinkable to vote for unity in the impending referendum. However, the recollection of the horrors of the pre-war and war years, without any post-CPA window dressing, would bring about an overwhelming rejection of proposals for a united Sudan.

Strategy: A cursory view of the history of South Sudanese largely shows a people that have been led, and have not had the opportunities to develop strategies that they could call their own. Would they opt

for violence if it became necessary? It is doubtful that they would answer such a question honestly. Instead, they might readily want to show that they are believers in peace and would, therefore want to give peaceful methods of conflict resolution a chance.

Capacity: A visit to Juba and other areas in Southern Sudan with high population density readily shows that the people are very strong and able to withstand intense levels of stress and long periods of deprivation. These are probably survival qualities developed over decades, if not centuries, by living in extremely trying economic, political and social environments. Unless dramatically provoked, or consistently prodded to take matters into their own hands, one would have to say that Southern Sudanese people need the occasional Garang-style individual to motivate them to defend their interests effectively. On that measure they may not be that different from other people under similar circumstances. Their strongest card is the ability to persevere under very harsh socio-political and economic conditions.

Visibility: Physically Southern Sudanese are very tall and lanky, and their skins are ebony black, which identifies them on any street in Kampala, Nairobi or any other town in the region. This physical visibility almost instantly leads to recognition that they are actors in the Sudan. In East Africa, these are the John Garang Africans who are applauded for sustaining such a lengthy onslaught on Khartoum. By and large, most Southern Sudanese, with language as the only common barrier, are ready to open up the Sudan story as they see it.

Interaction patterns: Strangely, Southern Sudanese tend to come across as arrogant, even amongst themselves – probably as a coping mechanism for the constant belittlement they have faced throughout their modern history.²⁷ They interact well among themselves and with other actors. They have left lasting impressions, mostly favourable, in countries where they have been. However it should be pointed out that stories of less flattering engagements with other actors have yet to be properly documented by those who have lived through them.

Reliability: As John Garang excelled at demonstrating, Southern Sudanese are highly capable and can be relied upon to perform wonderfully in their own interests when cajoled or appropriately motivated to act. With many of the ethnic communities of Southern Sudan still practising age-set initiations, they are bonded early in life and quickly adopt a value system involving the expectation to excel in the service of the immediate or wider community.

Peace orientation: The horrors of the recently concluded 22-year war (1983-2005) and the 17-year war before it (1955-72) severely tested the abilities of individuals, families, communities, and ethnic groups. Untimely deaths, revenge and counter-revenge murders have affected almost every family. There is a booming silence on the atrocities – the only interpretation of this at present is that it is a positive attitude to pick up the pieces and move on with life. If this observation is not itself tainted, it serves as an encouraging sign that Southern Sudanese are peacemakers and consider peace as an opportunity to grab, not an opportunity to shatter, block the peace and continue relying on emergency aid and other similar activities.

It would be extremely superficial to recognise Southerners as a dominant group of actors in the Sudan, without being equally cognisant of the fact that Southern Sudan, when left to itself, is home to many actors in their own political theatres. Some of the more significant actors are briefly examined below. They are critical actors, whose analysis would add much value to the understanding of actors' presence and interest dynamics in Sudan.

The Dinka

The Dinka are probably the group that has become best known during the war in Sudan, where they formed the majority group in the SPLA. They bond well and are often the envy of other groups – for instance, they succeeded in teaching their children the Dinka mother tongue, in exile, while other groups failed. Dinka interests are not radically different from those of others: peace, security, basic human rights and human needs. Due to their large numbers it could appear as if

their interests overshadow those of others. They are predominantly cattle-keepers, and that defines their interests and limitations. Cattle-keeping gives rise to an economy based on cattle - ownership and further leads to the administration of justice defined by cattle and settled with penalties thereof.

The experience of the SPLA war and more recent pre-CPA history of Bahr el Ghazal, especially the Lakes State area, shows that many Dinka communities do not hesitate to employ violent means to resolve conflict. Accurate or not, the impression given is that the use of violence is legitimate and does not exclude peace-making *ipso facto*.²⁸ This proclivity to violence sets most Dinka communities apart as having the capacity, strength and effectiveness to defend their interests.²⁹ They are not transparent unless peacemaking calls for it; and will interact with others only on a communal basis, and not as a result of individual preferences. To the extent that the execution of a peace agreement is enforced by the elders and those so charged, the Dinka are highly reliable. With such guidance by the elders and the chiefs critical for the maintenance of any peace, it can be asserted that the Dinka's predisposition to peace is global in its context.

The Nuer

Identity of actor: The Nuer is another Nilotic nationality that occupies Greater Upper Nile, principally in three of the ten states in Southern Sudan: Jonglei, Upper Nile, and Unity States. Nuer formed the bulk of Riek Machar's army after the SPLA split in 1991. They further splintered into three or more groups that, to this day, command large followings: the SSLA of Michael Wal Duany and Paulino Matip's SSDF. The latter formed an alliance with the SAF and created a no-go zone for the SPLA in Western Upper Nile, present-day Unity State. As military splinter groups, they would not hesitate to use violence to achieve their ends: the principal trophy being senior positions in GOSS and in Unity State government. Their large numbers and bravery gird their strength and effectiveness in defending themselves and their interests in Juba, where they form the bulk of Paulino Matip's guards.³⁰

The SSDF was strategically flexible enough to join forces with Bashir's SAF when they were virtually cut off from any foreign sources of weapons; and now realise their basic locus by reverting to a grand alliance with other Southern Sudanese forces in the SPLA. As a highly unified force, they have been very reliable partners of whoever they have had relations with. It is likely that they will remain peacemakers as long as their interests, especially if their share of oil revenues (2% for the producing community) is assured.

The Equatorians

Greater Equatoria, presently consisting of the three states of Eastern, Central and Western, has the greatest diversity of ethnic identities in Southern Sudan. Yet they are always considered as a solid block – thus, the Equatorians. It was an Equatorian contingent that sparked off military opposition to Khartoum in the so-called Torit mutiny of August 1955, just four and a half months before independence was granted to Sudan. That date marks the beginning of the 17-year war, often mistakenly called the Anyanya war.³¹ By the end of the war in 1972, the Anyanya had become a formidable fighting force, very different from the mutineers of 1955.

Southern nationalist sentiments among Equatorians were shed in favour of "Equatorian" interests in the early 1980s when they supported a call for the balkanisation of Southern Sudan into three regions: Equatoria, Upper Nile, and Bahr el Ghazal. Equatorians led the rejection of what was perceived as Dinka dominance in the High Executive Council, the body that governed Southern Sudan in the post-Addis Ababa political dispensation. Jaafar el-Nimeiry took advantage of that highly visible split in Southern ranks to scuttle the Addis Ababa Agreement of 1972 and to create three regions along the old Southern Sudan provincial borders. That action immediately drew the wrath of other Southerners, principally, the Dinka. Thence, Equatorians were branded as "pro-Kokora"³² elements, openly opposed largely by the Dinka. Echoes of Kokora politics still haunt the Southern Sudanese to

this day. It is a term that has gained currency among power wielders to label those in the opposition.

One could postulate that Equatorian interests are in juxtaposition to largely Dinka interests. The Kokora experience had prevented Equatorians from joining the SPLM/A-led movement in large numbers. A few did survive that perception and rose through the ranks of the SPLM/A, for example the present Speaker of the South Sudan Legislative Assembly, Lt. Gen. James Wani Igga.

With the Kokora divide triggering such a clash among Southern Sudanese, Equatorians responded by either swallowing their pride and joining the SPLA, or they formed their own defence units within or without the SPLA proper. Apart from Wani, others who rose within the SPLA included Commander Obuto Mamur, the only SPLA senior army officer charged with treason in the post-CPA era.³³ Many more Equatorians simply went into exile, bearing the brunt of individual SPLA abuse; with more still forming their own defence establishment, never matching the size and complexity of the SPLA. The principal purely Equatorian military organisation was the Equatoria Defence Force (EDF) that successfully negotiated a merger with the SPLA in the days leading to the signing of the CPA. Another distinctively Equatorian organisation was the Popular Resistance Movement/Army (PRM/A), the brainchild of Commander Alfred Lado Gore, one-time chief of ideology of the SPLM.

Equatorians, as the above implies, would not hesitate to apply violence to attain their objectives and protect their interests, in spite of the severe testing they have undergone through the huge SPLA monolith. When properly united, which is seldom the case, Equatorians can wield great power, in their self-interest. To this day, they maintain high visibility and are, by virtue of their ethnic composition, unable to maintain secrecy – they live under a magnifying glass.

Equatorians are highly regarded as excellent interactors. Their self-perceptions verge on a subtle superiority complex that non-Equatorians seem to find very irritating. In a revealing incident (c. 2005) in the town of Koboko in northern Uganda, Kakwa mobs seeking

revenge for the killing of a Kakwa driver by a Dinka in Rumbek went on the rampage, hunting for Dinkas, notably exempting Equatorians as Southerners who have interacted well with their hosts. Not so in highly politicised Southern Sudan!

Equatorians probably see themselves as highly reliable partners on the basis of principle. Anti-Kokora elements in present-day Southern Sudan do not buy this. Nevertheless, Equatorians feel that they have borne the brunt of the war and would opt for peace; regardless of the sacrifices (sharing of the political and economic spoils of war) they may have to make. With the instinctive trade capabilities of many Equatorians, they would continue to do well in business in the event of a return to war, but would not be ready to play the role of peace blockers for that advantage.

The Ingassana of the Blue Nile

It is as if the SPLA has provided an opportunity for the Funj/Angassana of the Blue Nile region to rediscover their African identity. Like the Nuba of the Nuba Mountains in southern Kordofan, the Funj are a distinctively African people who differ from Southern Sudanese only in religious persuasion. The SPLM/A sparked a historical interest in the 16th century empire of the Funj – and it is clear that Funjland could never be the same again since the advent of the SPLM/A. A cursory visit to Kurmuk and the Blue Nile region will unmistakably impress upon a visitor that these are a great people, highly marginalised by all Khartoum-based regimes, one after another.

The SPLM/A war aroused an appetite for human rights, economic and social equality, political participation and feelings opposed to marginalisation among the Funj. It would be to their own peril for any Khartoum government appointees to lose sight of this new reality. As the recently concluded war shows, the Funj will not hesitate to embrace war as an instrument for persuasion, and they have come to recognise that they have the capacity to do so, given their rich natural endowments, including gold.

The vast, agriculturally rich plains of the Blue Nile, and the GOS investments such as the hydro-power facilities in Damazin, guarantee a high visibility for the Funj were they to be forced to show themselves. The Funj SPLM/A leadership have been quite transparent about the intentions of the people of the Blue Nile: a firm commitment to obliterate the historical marginalisation of the region. They had successfully interacted with their Southern Sudanese compatriots in taking the SPLA war beyond the traditional frontiers of Southern Sudan, right into the breadbasket of Khartoum. They have also proved to be reliable partners of the SPLM/A. If anything, it is the Funj who may come to feel a sense of betrayal if Southern Sudan were to vote for separation, leaving the Southern Blue Nile region to revert to an unpalatable minority status within the rest of a united Sudan. They may then lose their peace orientation and review the war option, in which they have thus far participated so effectively. Darfur continues to be a prompt and sore reminder that all would not be well in Funjland if the Jallaba were to be left to their own devices.

The Nuba of Southern Kordofan

The Nuba people are in the same predicament as those of the Southern Blue Nile state. They had also suffered historical marginalisation; and further, were for a long time providers of recruits for Sudan's armies of repression and containment of regional voices. The war has turned that around and provided the Nuba warrior tradition with a celebrated cause for channelling their recreational activities (wrestling). They are self-reliant agriculturalists and their activities would go unnoticed only to the peril of the powers that be.

The Nuba are highly visible and command a vast stretch of territory in the geographical centre of Sudan. Once they had decided that their best interests lay with the SPLA there was no prevarication about it. And they interacted most effectively – gaining credit for having liberated many parts of the very Southern Sudan that they had participated in keeping within the stables of Khartoum. With that,

their rating as reliable partners shot up in SPLA circles. The Nuba are peace promoters, as long as it is not at the expense of the development work they had begun to plan even before the peace agreement through their best-known development organisation, the Nuba Relief, Rehabilitation and Development Organization (NRRDO).

The Dinka Ngok of Abyei

Identity of actor: The Dinka Ngok of Abyei, in Southern Kordofan State, technically living beyond the borders of Southern Sudan as defined at independence, are by all definitions except geographical location, Southern Sudanese. One of the chiefs, Majok, expressed preference for inclusion in the administration of the north way back in 1905. That decision has now come to haunt the people of Abyei.

The Dinka Ngok share the territory with an Arab nomadic pastoral group known as the Misseriya. Abyei is undoubtedly an oil-rich region, straddling northern and Southern Sudan, which is still a trouble spot four years after the CPA. The NCP's own dissatisfaction with the boundary is that it would place the agricultural schemes in Nyama, the railway town of Meiram, and the oil fields of Bamboo and Heglig within the Abyei area, thereby risking a reversion to the South should Abyei vote to form part of Southern Sudan.

Interests: The Dinka Ngok consider Southern Sudan to be their home, while the Misseriya, a tribe of Arab nomads, are northerners. Pastureland, communities on the westbound railway and the rich oilfields are the vested interests that have brought GOSS in squarely on the side of the Misseriya and other non-Dinka groups. These groups are reported to be a significant source of income for the NCP, with anticipated revenues of over US\$ 500 million a year.³⁴ One of the sticking points is the NCP's insistence on receiving a share of all oil revenues after 2011, should the South vote for independence and should the people of Abyei vote to join the South. Some 60 per cent of the oil currently produced outside the South comes from the Abyei area.³⁵

Strategy: The Dinka Ngok joined the SPLA in large numbers and many of them have risen to high ranks and occupy high-profile positions in GOSS. Fighting in the tense boundary region between northern and Southern Sudan has killed at least 25 people. Officials say fighters from the Misseriya clashed with the former Southern Sudanese rebel group, the SPLA.³⁶

Capacity: The fight with the Misseriya was carried out by the Sudan People's Liberation Army most likely composed of Abyei native sons, which gives them an incomparable advantage over the Misseriya. The NCP, on its part, is reported to be assisting the Misseriya in a proxy war against the SPLA. Southern Sudan's president, Salva Kiir, claims the Misseriya are being supported by elements from the northern Sudanese army.³⁷ The issue of Abyei's oil wealth is especially divisive.

Visibility: Although the NCP government is often secretive about its own activities, the combatants on the ground are more transparent about their exchanges of fire and causes of conflict.

Reliability: The Abyei question has not been handled with any degree of reliability. NCP members of the government have been able to block the implementation of the Abyei boundary decision and the establishment of the Abyei administration, despite the explicit provisions of the CPA – the primary consideration being that the definition of the boundary places active oilfields inside the Abyei area.

Peace orientation: The CPA calls for northern and Southern Sudan to divide oil wealth equally but the north has refused to give up parts of Abyei.³⁸ The UN special envoy to Sudan reports that little progress had been made on the issue of disarmament, demobilisation and reintegration, largely owing to political mistrust and lack of capacity.³⁹

The Eastern Front of the Beja and other Minorities

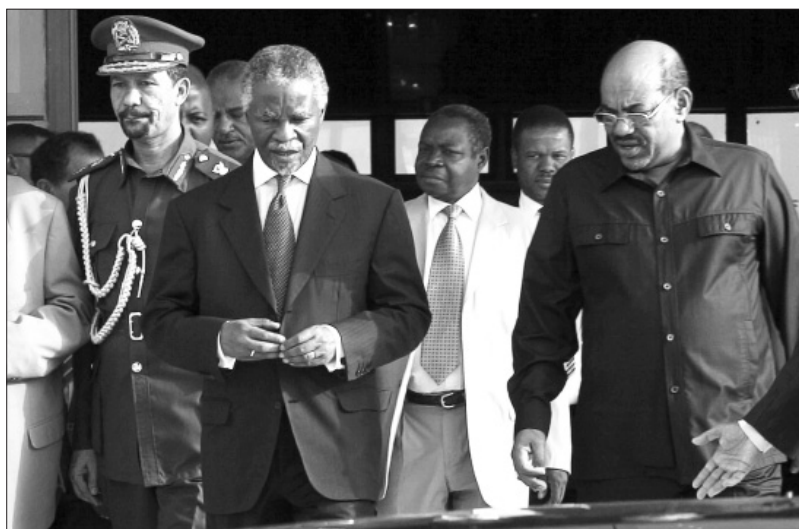
The Beja and other minorities on Sudan's Red Sea shores have also begun to discover that they had thus far inadvertently allowed Khartoum interests to exploit them. They changed strategy after the

formation of the Beja Congress, unfavourably viewed by Khartoum. They further showed a willingness to go the distance by permitting their territory to become the staging ground for the SPLA's 6th Front, referred to as the Northeastern Front. That front has seen action in which the NCP government's SAF suffered great losses. The Beja Congress has maintained high visibility by acting as the incessant voice on issues touching upon the region. Its interaction patterns with the NDA and the SPLM/A leadership demonstrated its ability to look beyond itself to other actors and collaborative partners. They have proven to be reliable partners. However, that the SPLM will by default abandon them should the South vote for independence would turn them into peace blockers. For, as in Darfur, Sudan's problems will not be solved if they are tackled in a piecemeal fashion by Khartoum and other actors (Southerners).

Darfur

Darfur has gained so much attention that it is often feared that it will overshadow Southern Sudan. The Darfur crisis needs no introduction in this chapter – other than to point out that not only is the region Islamic, but it was purportedly the supply base for the Mahdi army. By refusing to make the CPA an all-Sudanese affair, Khartoum brought the Darfur crisis upon itself. Rather than learn from its mistakes, it makes matters worse by fearing that it would create another independence-oriented Southern Sudan were it to place all the Darfur cards on the table.

In spite of the factional in-fighting, Darfurians have demonstrated that they are willing to go the distance on the battlefield, although the odds are stacked against them. They do not have the forest cover that would make ground clearing gunships difficult to manoeuvre, and compromise the accuracy of high-flying Antonov bombers.



South Africa's President Thabo Mbeki visits Bashir to discuss the conflict in Southern Sudan and Darfur



South Sudan President Salva Kiir Mayardit



South Sudan - Elections 11.04.2010



LRA leader Joseph Kony (Second right), with his commanders 24.05.2006



Peace talks - Peace brokers in Northern Uganda pose for a group photograph



Peace talks - The cessation of hostilities monitoring team

In defiance of these circumstances, the cruelty inflicted on Darfur's civilian populations inspires them and gives them the strength and effectiveness to defend their interests. They have been transparent, thanks to the cruelties of the Janjaweed, to the extent that Darfur has become the most visible cause in Sudan today. In spite of being hopelessly desert-locked, they have interacted remarkably with other actors in Sudan and the region, making them a force to contend with.

In a remarkably creative move, the SLM's Abd el Wahid is reported to have forged relations with the state of Israel. In an SLM announcement from Paris it was stated that this faction had opened an office in Israel, to the consternation of Sudan. It is also reported that there were now more than 3,600 Sudanese refugees from Darfur living in Israel. El Nour, an SLM/A leader, said that their "vision was of a liberal, democratic Sudan that would normalise relations with Israel!"⁴⁰

The disunity among the rebel groups in Darfur, and Khartoum's desire to keep it that way renders these groups highly unreliable, even to sympathisers, for they do not speak with one voice. There is little to be gained from being peace blockers or conflict entrepreneurs, except where they may anticipate an unjust peace.

What is important about Darfur is whether the Sudanese government can learn from the experience, for once and for all. Darfur provides glaring evidence that Sudan outside Khartoum is hopelessly marginalised, and so all the outlying regions, are discovering that they have the same dire predicament that others are fighting about, leading to flare-ups all over Sudan. From that perspective, it behooves the government in Khartoum, under any political party or movement, to address the development concerns of Sudan's hinterland, without waiting for these demands to be articulated through Kalashnikov fire.

International Actors

Egypt, Libya, and the Arab World

With little other than religion and geographical proximity linking them, a fundamental common ground between Egypt and Libya has

always been to see Sudan as an Arab-Islamic brother next door. It makes sense for Libya to support Sudan considering Libya's drive to be a major player in African affairs. As for Egypt, warning bells have been ringing in the upper reaches of the Nile questioning colonial agreements about the use of the Nile waters. A new independent country with an African and non-Islamic identity in control of much of the waters of the White Nile would not augur well for Egypt.

It is difficult to determine the extent of Gadaffi's green revolutionary ventures in Southern Sudan, but bearing in mind that Libya is an Arab and Islamic country holds a better explanation. As for Egypt, the dominant area of concern is water – now that their irrigation waters are no longer a mystery held by the gods, they have had a long history in recent times of monitoring uses and volumes of the water that make it to their shores.

While Libya has not hesitated to send troops abroad when it sees fit, such as to rescue Nimeiry from a communist coup in 1971 and to forestall the overthrow of Idi Amin in the late 1970s, it has been extremely cautious about becoming involved in a military conflict in Sudan. The same applies to Egypt. A common joke among Southern Sudanese is that the African jungle is not their fighting terrain! The two countries, regional powers no doubt, have consistently avoided violent approaches, and perhaps focussed more on invisible diplomacy.

Egypt and Libya have interacted well with both main players in the Sudan. Even prior to the peace agreement, Egypt was offering an appreciable number of scholarships awarded through the SPLM and tenable in Egyptian institutions. Libya's Gadaffi is reputed to have at one time provided assistance to the SPLA, perhaps in moments of frustration with Khartoum. A member of a delegation that accompanied John Garang on visits to Egypt confided to this researcher that the Libyan leader gave the SPLM leader cash, and a promise of tractors – which were neither demanded nor delivered.

The general aloofness that Egypt and Libya have maintained has not assured the NCP beneficiaries, nor the SPLM/A, of their reliability.

Ironically, since the CPA, Egypt and the SPLM government seem to have warmed to each other. It is certain that both Egypt and Libya would support peace deals in Sudan, as violence in any form would be bad for their business. The cost at which they are willing to be peace brokers or blockers is another issue altogether.

Uganda

Uganda provides two actors in the Sudanese theatre: the Ugandan government, and the rebel LRA. The government of Uganda has had cordial relations with the SPLA, especially prior to the abortive invasion of Juba in 1992. While the good relations continued, reliable sources indicate that they were not as warm as in latter days of the 1980s. Both the government and people of Uganda have been good hosts to the Sudanese, and supportive of their rebel activities, effectively buffering them from Arab territorial designs.

Uganda has had a security interest – the interdiction and disabling of the LRA that used Southern Sudan as a safety and supply base. Since Khartoum perceived Uganda to be a major supporter of the SPLA, the interests of the two governments in Southern Sudan were reciprocal. To test each other's sincerity, Uganda and Sudan have from time to time crafted agreements to not support each other's enemies. In the last agreement, the Uganda People's Defence Forces (UPDF) was allowed to invoke the principle of hot pursuit – allowing it to enter Sudan up to a few kilometres outside Juba.

In its relations with the SPLA, Uganda seems to be a highly appreciated friend. Only time will reveal the extent of this brotherly assistance in time of need. Due to the nature of diplomacy, Uganda cannot be open about the extent to which it could visibly operate or have its interactions and collaborators in Sudan widely published. What is certain is that it must have been a very reliable actor. It has maintained a peace orientation while doing what is necessary to neutralise the LRA and giving the SPLA the upper hand in the territories it controlled.

Although Operation Lifeline Sudan (OLS) was based in Lokichoggio, Kenya, the volume of relief and development goods that was ferried by road from Uganda was considerable. Had Uganda not chosen to cooperate, it could have placed a stranglehold on the Arua-Kaya-Yei supply route. Juba, a town under siege by northern traders during the war, now survives on food supplies from Uganda at very competitive prices. The bulk of what comes into Southern Sudan by road comes through Uganda through the two entry points of Kaya and Nimule.

In an incisive essay, the Ugandan journalist Charles Onyango-Obbo argued that, with the exception of Kenya, Uganda needed its chaotic neighbours. "If Sudan and the DR Congo sorted out their major problems and developed their own production lines for soap, cooking oil, basic pharmaceutical items and the like, Uganda could get alarmed," he wrote.⁴¹ He exempted Kenya because "most of Uganda's imports, including fuel and a range of industrial raw materials, enter through Kenya" (Mombasa).

The LRA

The LRA of Uganda is well known for its infamous atrocities both inside Uganda and in Southern Sudan. The level of its cruelty has made it difficult to fathom its fundamental premise for fighting the Ugandan government. The common border between northern Uganda and Southern Sudan inevitably means that problems in both regions could spill over into either country. That is one reason why the LRA became an actor to reckon with in Southern Sudan.

The LRA is also infamous for its choice of "special violence" as a method of action. To this day, it has no sympathiser in Southern Sudan, except perhaps the GOSS vice president, who has often spoken in its defence. Neither the execution of Vincent Otti, LRA's deputy chief, nor the resignation of its negotiator, David Matsanga, or the reportedly violent death of nine high-ranking Kony lieutenants dampen the motivation of the GOSS vice president to champion talks between the LRA and the Ugandan government.

It is uncertain how long the LRA would have survived as an effective rebel outfit had it relied purely on voluntary recruitment into its ranks. It chose abduction as the method of recruitment. Apart from its violent methods, it operated without a public relations department or spokesperson, and following the tone set by the publicity-shy Kony himself, the LRA is certainly not keen on transparency.

The LRA interacted in a predictable way with civilian populations in Uganda and Southern Sudan. Due to the SPLA war with the GOS, it simply availed itself to fight a proxy war for Khartoum in the jungles of Southern Sudan. It was scoring such high marks with Khartoum that Sudan's Omar el-Bashir was said to be very uncomfortable with the peace negotiations between the LRA and the Ugandan government in the Southern Sudanese capital of Juba.⁴² As a second thought, perhaps the appropriate promoters of these negotiations should have been the NCP, rather than the vice president of GOSS.

The LRA has proved to be entirely unreliable, if the record of the peace negotiations is anything to go by. The high expectations for a peace deal in late March or early April 2008 was indeed a penultimate anticlimax. The credibility of its peace orientation has been obliterated completely. Given that the ICC indictments are still pending at the Hague, it should come as no surprise if Kony should gravitate towards a permanent state of conflict entrepreneurship – otherwise, what are the alternatives?

As the peace talks were being conducted in Juba, it was reported that hundreds of LRA rebels had left their assembly point on the Sudan–Congo border and were heading towards the Central African Republic,⁴³ reportedly to link up with CAR rebels allegedly supported by the Sudanese government.

Kenya

Although it has had its own share of domestic tensions, Kenya has played host to a number of refugees from the region – the biggest group being from the Sudan. The historical Somali problem and the increasing tensions in its region since the restoration of multiparty

politics would have thrust Kenya into turmoil had it not been able to keep these problems under a tight lid by opting for the short-term formula of sharing power. During the Moi era, Kenya presented itself as an oasis of peace, though this claim now appears questionable.

Kenya has avoided violence as a strategy for participating in regional conflicts. If anything, it has taken great pride in being the regional peacemaker for Sudan and Somalia, in addition to contributing to international peacekeeping efforts. It controls the port of Mombasa, which is the main trade route for Uganda, Rwanda, DRC and Southern Sudan. When Kenya sneezes, as it has recently done, these countries catch a mighty cold, with debilitating fuel shortages and sky-rocketing commodity prices, as was witnessed during the post-electoral disturbances in Kenya at the beginning of 2009.

Kenya has maintained a high visibility in its peace role; demonstrating its ability to interact well with other actors. John Garang and other senior SPLM/A leaders felt at home in Kenya, and many own homes there. Where the SPLA is concerned, Kenya would have to be rated as a reliable partner; the peace talks were very difficult, but it saw them through to a successful end.

Ethiopia

No single explanation is readily available for the strong bond that appears to hold between Ethiopians and Southern Sudanese. Mengistu Haile Mariam had decisively and openly supported the infant SPLA. It was sometimes thought that the long war in Eritrea, supported by Sudan, was all the reason Ethiopia needed to support anyone willing and able to fight Sudan in a proxy war. Hence, when the SPLA presented itself with the "movementist" credentials of John Garang, Ethiopia found the right candidate for getting back at Sudan.

Ethiopia under Mengistu was known for a propensity to violence, and was capable of going to great lengths if the interests of the state required it. It was at the time the SPLM/A was hosted by Ethiopia that high-profile intellectuals-cum-politicians such as Martin Majier and Benjamin Bol were murdered under mysterious circumstances. The

wars Ethiopia has recently engaged in, both internally and in Somalia and Eritrea, provide the hard evidence that Ethiopia is not only willing to engage, but capable as well.

Ethiopia maintains high visibility in Sudan. Its airline and Air Uganda are the only national carriers that offer direct flights between Juba and Addis Ababa. It scores high on reliability.

Eritrea

Eritrea is not dissimilar to Southern Sudan. It saw many years of war against Ethiopia. It is preoccupied with its own survival and appears to live under the pull and push factors of the Arab world. The war has since been fought with Ethiopia persuasively makes the point that economic woes or prolonged wars are no deterrent to new ones starting, if called for. It is doubtful that Eritrea has the capacity, without "foreign" aid, to sustain a prolonged war against Ethiopia. Southern Sudan stands to learn useful lessons from the Eritrean experience, *vis-à-vis* the rest of Sudan.

Sudan has not been impressed with Eritrea's lack of gratitude for the years it hosted its refugees and gave its liberation war the needed moral and material support. Eritrea has pursued a defiantly autonomous internal and external set of policies that is not expressive of gratitude to anybody. It can be relied upon to honour agreements and pursue avenues of peace as long as in doing so it does not appear to reflect weakness on its part.

Democratic Republic of Congo

The sheer size of DRC and its undeveloped infrastructure means that it will, for a long time, continue to attract actors into its affairs without its own counter-engagement in other states. What DRC desires most from its neighbours is peace along its borders, and denial of support to any anti-Kinshasha forces.

What it has suffered instead are serious incursions from the east, one of which brought a new regime (Laurent Kabila) into power. Rwanda and Uganda continue to be active players in the DRC. The

extent to which DRC has become an unwilling theatre of the Sudanese conflict is the presence of the LRA in the Garamba National Park along the border with southwestern Sudan. The DRC watches helplessly as it lacks capability to deal with such incursions. As it struggles with rebel movements within its own unsecured borders, it could not possibly be expected to do anything about the abuse of its territory by foreign or domestic elements. Were it able to assert itself, the least it might have been expected to do is drive the LRA out and prevent it from using the National Park as an operational base against its neighbours. At best, DRC can be described as a passive actor.

Chad and Central African Republic

The two former French colonies are extremely handicapped, landlocked and generally rely on the goodwill of France to rescue them from insurrections and other military threats. All their regimes have sought nothing beyond their own safety. They do not have the capacity, even if they were to have the desire, to use force.

What grants them small-actor roles in the Sudanese theatre is that the government in Khartoum has experienced outbursts of new forms of nationalism sparked by the partially successful SPLA war. Sudan's borders from Eritrea all the way round to Kenya, Uganda, DRC, Central African Republic (CAR) and Chad have never been secure. With Darfur defining Sudan's latest headache, it has become imperative for Sudan to seek to be the dominant kingmaker and political pacesetter in the CAR and Chad.

A report by Reuters (2008) that "hundreds of Ugandan rebels left an assembly point on the Sudan–Congo border and were heading towards the Central African Republic" was seen as part of an attempt by the Sudanese government to try to facilitate a linkup between the LRA and other rebels in those regions, so that it can counteract the momentum set by the SPLA in fomenting rebellions wherever people felt marginalised. The recent near-successful assault on Khartoum (Omdurman) and Wad Saidna Air Force Base outside Omdurman by rebel forces from Darfur made Khartoum's fears of a rebellion all too real.

Early in 2008 an invasion force threatened to overrun Chad. It is believed the invasion was planned and financed by the Sudan's NCP backed by other Arab countries, such as Libya. Darfur was rocketing out of control, and Sudan believes that one strategy to contain it would be to cut it off from its rear base in neighbouring Chad. What better way to do this than to control those capitals with puppet regimes? Without the French propping up the regimes in Chad and CAR militarily, Sudan would have had those wishes fulfilled. One Southern Sudanese commentator noted Bashir's discomfort with the negotiations between the LRA and the Ugandan government in the Southern Sudanese capital of Juba, while it lasted. Rhetorically, the commentator wondered why the LRA was moving such a big number of its forces to CAR while a peace deal was about to be signed. The connection between the rebel groups in Chad, CAR and the LRA is that all of them receive military and financial support from the NCP in Khartoum.⁴⁴

The USA

The USA has been an actor on the scene from the very early days of the SPLM/A. Sudan's support for the Iraqi regime of the late Saddam Hussein rattled the American government. President Bill Clinton's bombing of the "chemical" plant in Khartoum was followed by America's policy of viewing Sudan as a supporter of terrorism and hence America would only work in the "opposition-held areas" of Sudan. The beneficiary of this policy was Southern Sudan.

While it was an American company (Chevron) that discovered the oil resources of Sudan, it ended up with the Chinese and the Malaysians exploiting it. The Bush administration, accused of being the epitome of American oil interests, and those before it, poured money into both emergency aid and development programmes. Several programmes were initiated and implemented in Southern Sudan, including the Sudan Peace Fund the Sudan Basic Education Fund (SBEF) and the Southern Sudan Agricultural Revitalisation Program (SSARF). These programmes launched development work

in the South long before the peace agreement was concluded. On the other hand, the Khartoum government was blacklisted and criminal records of its officers' involvement in Darfur were compiled. This ended up with the indictment of President Bashir himself by the International Criminal Court.

America has established a reputation as a country with colossal interests and that would spare no effort to ensure that those interests are protected. Its recent history shows clearly that it will activate the military option whenever it realises that diplomacy will not deliver, the examples are many: the Korean peninsula, Vietnam, the Dominican Republic, Afghanistan, Iraq, the list is long. All actors are cognisant of America's capacities and seek its favours. The USA combines both visible and much less visible approaches to securing its interests. It is a reliable partner when it chooses to act. It is equally unreliable in that it can change course purely on the basis of its self-interest. For that reason, its peace orientation is a mixed bag of peacemaker and opportunism anchored on American interests.

China

It is incredible that China emerged from an almost feudal agricultural and social system only in 1949, when the communists came to power. It now appears ready to overtake leadership of industrial production from Europe and America. Its annual growth rate has been nothing short of phenomenal. Its industries need raw materials and wherewithal to sustain its growth, and China has been attracted by Sudan's massive oil reserves.

While countries such as the USA viewed the actions of Sudan against rebels with consternation, China was only too willing to partner with Sudan while keeping its eyes firmly fixed on oil. This single national economic interest drove China to ignore atrocities of the Sudanese governments against its own people. While the war raged, partly fuelled by the very need to secure the oilfields, China willingly connived with Sudan to disregard cries for the respect of human rights in Sudan.

Since its Korean invasion that led to the Korean war and left the country divided on the basis of ideology, China has never hesitated to apply violent methods to secure its interests. It has gone to war with India; it has annexed Tibet and trodden on human rights in that area, as events of March 2008 testify. In Sudan, it has offered new-generation weapons for upgrading, and the war arsenals are being stocked – as insurance for China’s anticipated Sudanese oil bonanza.⁴⁵

As a partner in the Sudanese theatre, China has proven itself to be reliable, capable, visible, and highly interactive. China has no peace policy to speak of. Its fundamental premises for action are constructed on its subjective national interests.

In the recent uproar over Darfur, and in acknowledging the risks to its image, especially in relation to Beijing Olympics which, at the time, were looming, China began to feel the need to impress upon everyone that it is a big player on the Sudanese theatre and is willing to make a difference. As a veto-wielding UN Security Council member, it has “protected Sudan from international condemnation and sanctions causing frustration among Western powers and human rights groups worldwide.”⁴⁶

The Sudan Tribune of 2007 outlined how China had “gone on the diplomatic offensive” after Hollywood director Steven Spielberg “resigned as an artistic director of the 2008 Beijing Olympics – accusing Beijing of not doing enough to stop the Darfur crisis”. China’s response was to send a special envoy on Darfur, Liu Guijin, to Khartoum to deliver a “stern warning to the Sudanese government, and to remind its Western critics that they, too, should be doing more to stop the fighting.” The paper noted that China had changed tactics, from quiet behind-the-scenes diplomacy to more public speechmaking to protect its Summer Olympics and insure its paramount influence in Sudan.⁴⁷

European Union (EU) and African Union (AU)

As bodies representing several countries pursuing independent foreign policies, the EU and the AU are considered here for two reasons. The first is that there appears to be trend in the EU that seems unwilling

to accept the idea of secession in Sudan. In private exchanges, most of those who express a view on Southern Sudan seem to think that it would not be able to manage itself as an independent country.

As for the AU, there is some diplomatic activity, but it is far from certain what these diplomatic activities will achieve in Sudan. More critical is the fact that the AU has clearly conceded that it is not capable of mounting and sustaining a peacekeeping operation as called for in Darfur.

If the unconfirmed reports that a Russian MiG pilot was shot down over Omdurman are correct, then there is an emerging subterranean actor in the Sudanese theatre. The pilot is said to have been a trainer of Sudanese government MiG pilots. It has been alleged that his plane was shot down by the Jem rebels. Although he ejected successfully, his parachute failed to open, subjecting him to a free fall to the ground. Russia did not promptly admit the loss of the pilot, but this incident announced the presence of a significant yet unannounced player in Sudan.

A Note on IGAD

There is no logical reason to exclude IGAD and other multinational organisations from consideration as actors. In the case of Sudan, which is itself a member of IGAD, the latter does not lend itself to analysis as an independent actor when actions of the member states are far more indicative. The role of Kenya and its appointed mediator, Lazarus Sumbeiywo, is probably far more substantive than the fact that they were acting on behalf of IGAD with some of the members, Ethiopia, Sudan, and Eritrea, not on good terms. However, it is conceded here that lack of information on IGAD's status as an actor in the Sudanese political theatre is purely in recognition of its role as a referee rather than an actor with interests (separate from those of its member states).

Conclusion

For analytical purposes, the author has chosen to divide actors in the Sudanese political theatre into two groups: domestic and foreign. This

classification was necessitated by the great number of actors who all have some impact on the peace or its absence in Sudan. It does not matter much which group a player belongs to: it can be a giant such as China, playing peace spoiler if it means retaining the favours of the Government of Sudan in its exploitation of natural resources. By the same token, a domestic actor such as the other armed groups in southern Sudan may simply decide to make peace very costly if they are threatened with exclusion from power.

Identity of actor

The majority of actors in Sudan are identifiable, with very few exceptions, such as the so-called Janjaweed. It is therefore possible to undertake their singular identification with the intent of conducting an analysis that helps to define their “peace/spoiler” or “peace/promoter” roles. Given the size of the country and the variety of both domestic and foreign actors, it would take some time to identify all actors, let alone bring everyone to a peace table.

Interests

These vary, according to geographical distance, as well as competition for scarce/precious natural resources such as oil or raw agricultural products. The driving interests for control of Southern Sudan are invariably oil, the vast agricultural lands that are scarcely utilised, and waters of the Nile (with at least Egypt being an actor largely motivated by this factor). There is no relief in sight for an end to interests driven by these factors. If anything, oil interests can be expected to intensify as a result of the rising importance of oil for players such as China. Given a world with an ever-increasing population and with food prices rocketing, land (already a contentious issue in Southern Sudan) will increasingly become a dominant obstacle to peace.

Strategy

All interests converge where strategy is concerned: by any means necessary! Strategies include ensuring pervasive influence over

and support of the sitting government, regardless of its popularity - this is the way China is operating. Supporters or opponents of the government in power pay little heed to the manner in which they express their intentions or determination.

Capacity

This is certainly a defining factor with a very wide variation among actors: from the weakest (Chad, Central African Republic) to the strongest (China, USA, Egypt). There is evidence of variation in the capacity to act among domestic players as well: quick and ready to act such as SPLA, and slow and reluctant to act such as the Equatorians! The warrior culture among many of southern Sudan's ethnic communities view calls to war from the perspective of personal honour, which bonds well with the AK-47 to shatter peace or re-ignite war within a very short time.

Visibility

Domestic actors, for the obvious reason of seeking recognition as a power to reckon with, tend to be quite visible. North vs South actors, "marginalised" groups vs Khartoum, or South-South parties to conflict are unable to contain their intentions or actions in secrecy. The drama tends to be played out on centre stage for the attention of both domestic and international actors.

It is international actors that tend to display preferences for low visibility or complete secrecy. China claims to prefer quiet diplomacy where pressure on Khartoum to review its practices in Darfur is concerned. International actors might generally accept coming into the limelight where there is credit to be earned. The risks of failure, blame, or decreased credibility would generally motivate international actors to carry out their work in secrecy - the CIA, MOSSAD or the former KGB are classic examples.

Interaction patterns

Interaction patterns are, by and large, a derivative of low or high visibility. International actors with a singular national interest at stake seem to prefer to act in a “lone ranger” style, the way China does. Where morality considerations are to be factored into decisions, the general tendency is for international actors to act in concert, for example through imposition of sanctions.

On the other hand, domestic actors naturally seek both other domestic or international partners in consideration of size, strength, and credibility. While international connections might constitute a bonanza, domestic partners tend to be swallowed up, as the SPLM/SPLA has typically sought to do with regard to OAGs. Hence, where the quest for peace is at stake, its sustainability maybe in danger of derailment, depending on whether the actors are unified by assimilation rather than confederation.

Reliability

Clearly, it is uncertain whether there is a standard measure by which this credibility can be established. It would appear that credibility, in this respect, ought to be taken on a case-by-case basis. In one instance an actor might actually appear reliable, while being completely untrustworthy in another situation. Credibility might be totally dependent on short-term or long-term expectations. In the longer term it would seem to be in the best interests of an actor to be considered reliable. On the other hand, short-term tactical manoeuvres might actually bear the marks of unreliability. Was China “pressurising” Khartoum due to its need for credibility as the host of the Olympics, or was it a longer-term policy? Would Khartoum “make unity attractive” as a long-term policy towards Southern Sudan or is it a tactical manoeuvre that will grind to a halt once the referendum in 2011 is history?

Peace Orientation

No actor would want to be considered a peace spoiler, or worse, a warmonger, even when all the evidence says so. Khartoum's rather predictable calls for Jihad are generally indicative of a predisposition to war, camouflaged as "defence" of religion. This call is made every time the NCP regime is threatened. It is not realistic to expect an actor to describe itself as anything but peaceful. True peacemakers or warmongers can best be defined by impartial third parties with no interests in the particular conflict.

Emerging Obstacle to Peace

While this chapter is about a wide range of obstacles to peace with varying degrees of potency, the most recent is the unfolding saga of the indictment of the Sudanese president, Omar Hassan Bashir, by the International Criminal Court at the Hague. Bashir stands accused on several counts in his capacity as the person who presided over Sudanese affairs while atrocities in Darfur were being committed. Bashir, and now Britain, France, South Africa, Tanzania and others are arguing that indicting Bashir amounts to endangering the peace process in Sudan. That argument presupposes that the peace agreements are between the GOS and Bashir personally, rather than between the GOS and other parties. If the agreements are indeed hinged on Bashir the man, then the entire peace process stands on very shaky ground and one could expect that the exit of Bashir from power would lead to a contestation of the agreements he engineered and signed.

Paradoxically, even as Bashir remains in power with his indictment "deferred," conflict in Darfur and possibly the Red Sea area, Beja, and Abyei may continue. Continued attacks on IDP camps in Darfur as well as the confrontation between the SAF and the SPLA point to this possibility. This constitutes a classic catch-22 situation; conflict is bound to continue with or without Bashir, unless the contentious issues are resolved.

Endnotes

- 1 Many of the arguments in this chapter are guided by the discussions at the Methodology Workshop held in Dar es Salaam, May 2007, where works including referenced literature such as that of Andrew Bennett of Georgetown University and Alexander L. George of Stanford University were considered. Also, the "Process Tracing in Case Study Research", paper presented at the MacArthur Foundation Workshop on Case Study Methods, Belfer Center for Science and International Affairs (BCSIA), Harvard University, October 17-19, 1997, was considered.
- 2 It is opportune that examples abound, such as the recent conflicts in Kenya, where, predictably, parties to the conflict are generally conceived of only in terms of "PNU & ODM" or "Kibaki" and "Raila", as if these behaved in a vacuum free of behind-the-scenes actors and motives. In Sudan, the CPA was the product of two primary parties: the NCP and the SPLM!
- 3 Implementation modalities of Chapter VI, Security Arrangements (signed at Naivasha, 25 September 2003), Status of Other Armed Groups (OAG).
- 4 ForDIA and PeSeNet. Notes from Concern for Development Initiatives in Africa (ForDIA), collaborating with the Great Lakes Peace and Security Network (PeSeNet) and the Department of Political Science and Public Administration (PSPA) of the University of Dar es Salaam.
- 5 *Ibid.*
- 6 *Ibid.*
- 7 Darfur, Southern Kordofan (Nuba), Southern Blue Nile and Eastern Province are typical of searchers for democracy with no intentions of secession at the time of writing.
- 8 Rev. Fr. Saturnino Lohure, 2nd Sudan Parliament (1958).
- 9 The mobile telephone network referred to here is Gemtel, apparently under Southern Sudan ownership, but using the Ugandan country code.
- 10 GOSS issues visitors' permits at any of its foreign missions while GOS still issues regular Sudanese visas.
- 11 Madul (2008).
- 12 Hamdok (2005).
- 13 Joseph Winter, BBC News, Sudan.
- 14 Juba, Atlabarra section, was burnt to the ground by the government of Mohammed Mahjoub in 1965; numerous villages were torched by the army.
- 15 It is narrated that civilians and citizens of Khartoum were widely affected by the rate at which the Anyanya war in the South was consuming scarce resources. This led to antigovernment demonstrations being intensified, culminating in the military government handing over of power to a civilian government.
- 16 These allegations have been lent credence by the recent indictment of Omar Bashir by the International Court at the Hague.
- 17 Amnesty International.
- 18 Sudan's ambassador to the Republic of Tanzania dutifully contested this assertion at the Dar es Salaam Workshop in April 2008. The essence of this point is that Arabs are migrants into Sudan regardless of the point of entry into Sudan (bilad as-Sudan = land of the blacks).
- 19 The late John Garang of the SPLM and others have extensively discussed the racial make-up of the Sudanese people and reached the conclusion that most are African or of African descent. It is on the basis of this successful campaign to bring out the African among actors in the Sudan that the Nuba and the Southern Blue Nile Fung or Angassana were persuaded to join the SPLM, among other reasons.
- 20 The contrast is vivified by the normal operations of MS-Denmark, an international Danish NGO with a base in Southern Sudan.

- 21 It is readily whispered that one of the military transport planes that crashed on landing in Khartoum had its passengers killed by the logs on board, not by the crash *per se*.
- 22 *Sudan Vision Daily*, Khartoum.
- 23 Unpublished Islamist Strategy Document allegedly issued by the Republican Palace, (Khartoum, 2005).
- 24 Opinion on the Diaspora Yahoo Groups.
- 25 *Ibid*.
- 26 Senior SPLM official who did not want to be named told the BBC News website.
- 27 Times were when Southern Sudanese, in their ascent to scholarship, would remember phrases from history books, such as those of Richard Grey, one of which was "When God created the Sudan, he laughed!"
- 28 Dr. Francis Deng, who has written extensively on the Sudan and the Dinka, attempted to explain this behavior in the *The Dinka of the Sudan* (1972).
- 29 Refer also to the numerous conflict resolution reports it has facilitated among warring Dinka communities of Bahr el Ghazal.
- 30 In the follow-up of the CPA specification that no Other Armed Group may be in existence after March 2006, Paulino Matip successfully negotiated a reunion with the SPLA and has been appointed deputy to Salva Kiir in the command hierarchy of the SPLA.
- 31 The term *anyanya* is said to be derived from the Madi dialect, in reference to a highly poisonous snake. It gained currency when General Joseph Lagu, a Madi himself, deserted the Sudanese armed forces and reorganised the then uncoordinated rebels into a well-organised fighting force.
- 32 A Bari language term which means division— better expressed by the Latin gerund *dividendum est*.
- 33 This has been a highly controversial charge, prompting whispers of "told you so" among Equatorians. The charges have since been dropped.
- 34 International Crisis Group (2007).
- 35 *Ibid*.
- 36 Juba, 2 March 2008.
- 37 Ashraf Jehangir Qazi, special representative of the secretary-general for Sudan, reported in Security Council, SC/9256, 5840th Meeting (AM).
- 38 SPLM Groups, 2 March 2008.
- 39 Ashraf Jehangir Qazi, *op. cit*.
- 40 Wannis (2008). Justin D. Political Fragmentation of the Sudan - A Turning Point in Sudan Politics, 28th February 2008.
- 41 Onyango-Obbo (2008).
- 42 Southern Sudanese commentator on SPLM Diaspora Groups.
- 43 Reuters (2008).
- 44 Diaspora Discussion Groups, February 2008.
- 45 As Sudan's major trade partner, buying nearly three-quarters of its oil exports, and also selling large arms shipments to Sudan, As reported in the *Sudan Tribune* on February 25 (Scott Baldauf, *et al*)
- 46 *Sudan Tribune* (30 January 2008).
- 47 Also reported in the *Sudan Tribune* of 25 February (Baldauf *et al.*, *op cit.*). The attentions of human rights campaigners and Hollywood stars Mia Farrow, Don Cheadle, George Clooney, and Spielberg make bigger news in the USA than in Beijing, but activists have had a surprisingly stinging effect nonetheless. "Beijing's response has come out sounding hurt rather than angry ... that it has responded at all is a big change." Liu reportedly told Sudan's Foreign Minister, Deng Alor that "the world is running out of patience with what is going on in Darfur." He urged Sudan not to take action that would "cause the international community to impose sanctions on them."

6

Understanding Obstacles to Political Reconciliation in Zanzibar: Actors, Interests and Strategies

Mohammed A. Bakari

Introduction and Background

The Zanzibari political crisis, which originates from the introduction of multiparty politics in 1992, has a long historical origin. Zanzibar (inclusive of Unguja and Pemba Islands) has been prone to social and political conflicts since the colonial days when the Zanzibar political economy was structured along class and racial lines. Neither the granting of independence to the islands by the British in 1963 nor the 1964 revolution and its subsequent policies and actions, resolved the long standing class and racial divisions.¹ However, the nature, character and intensity of the conflicts have differed depending on the prevailing social, economic and political conditions.

Certainly, pre-independence conflicts were visibly shaped by historical and structural factors. During that time, social relations were viewed against the history of slavery and the slave trade and relations between descendants of former slave masters on the one hand and those who would have been slaves on the other. Later it was landlords and serfs, clove growers and merchants, one racial category against others, the subjects against the sultan and the protectorate against the

British colonial masters. The current conflicts, on the contrary, seem to be much more influenced by political actors and their interests. The structural factors, such as racial divisions and regionalism, are manipulated to serve specific individual or group political interests of the time, that is, not those relating to serving identity interests, but rather political power which is closely associated with economic interests.

Political analysts and observers have adopted different approaches and reach different conclusions for explaining the endemic nature of the Zanzibari conflict. Scholars such as Lofchie (1965), Mrina and Mattoke (1980) Mmuya and Chaligha (1992), Pinkney (1997), Malyamkono (1997), Tambila (2000), and Mukangara (2000) emphasise the historical explanation of the conflict in terms of the racial nature of Zanzibari politics since colonial days. Other scholars, such as Sheriff (1991), Shao (1992), and Bakari (2001), explain Zanzibar's political economy during colonial times primarily in terms of social classes. Thus, inspired by the latter perspective, Sheriff (1991), and Bakari (2001) explain the postindependence political conflicts in Zanzibar in terms of the proximate factors of leadership, policies, and pertinent issues of the day, including the struggle for democracy, more autonomy within the Union arrangement, and political hostility, which have been nurtured by the politics of exclusion.

In the ongoing political conflict, the immediate (proximate) factors are traceable to the introduction of multiparty politics in 1992, after 28 years of single-party rule. It was expected that the measure would usher in a new era of plural politics and relatively harmonious political, social and economic relations on the islands. Contrary to these expectations, Zanzibar (a semi-autonomous polity within the United Republic of Tanzania) found itself enmeshed in a deep political crisis, particularly from 1995, when the first multiparty general elections were held. The three general elections held since have not yet settled the political contestation between the two main political camps. This endemic crisis manifests itself in the high degree of mistrust and

political hostility that at times degenerates into violence between the two major political players represented by the incumbent Chama cha Mapinduzi (CCM) and the main opposition party, the Civic United Front (CUF).

The results of all three previous multiparty general elections have been seriously contested by CUF on the grounds that virtually all the electoral processes were so seriously flawed as to render their outcomes invalid. The observance of human rights usually deteriorates during election time and in the aftermath of each election. Numerous incidents of human rights violations are committed during this time, most of them by coercive organs of both the Union government and the revolutionary government of zanzibar (i.e., special departments [*vikosi*]). The alleged incidents range from intimidation, arrests, detention without trial, imprisonment, beatings, torture, rape, looting, discrimination in public employment, to demolition of houses and killings² (Bakari, 2001, Heilman, 2004).

The Zanzibari political crisis, since the introduction of multiparty politics in 1992, reached its peak on 27 January 2001, when the police and the Zanzibar Marine Force (KMKM) used excessive force to deal with CUF demonstrators. The latter had been holding nationwide demonstrations to demand a new constitution, an independent electoral commission and a rerun of the Zanzibar election. Thirty-one people, including one policeman, were killed,³ property was destroyed and over 2,000 people fled to Kenya as political refugees. The killings and associated violent events obviously worsened the situation.⁴ This situation created the necessity for negotiation between CCM and CUF.

Pressure on the Union and Zanzibari governments to initiate the negotiation process was mounted by both domestic and international forces in the aftermath of the bloody events of 26/27 January 2001. This initiative culminated in a second reconciliation accord (Muafaka II of 2001), which was negotiated against the background of the failure of the first accord (Muafaka I), brokered by the Commonwealth secretary

general of the time, Chief Emeka Anyaoku, in 1999. Like the previous accord, Muafaka II was not implemented. The same controversies and conflicts surrounding the two previous general elections featured again after the 2005 general election, leading to another initiative to attempt political reconciliation, headed by the two secretaries general of CCM and CUF, following a commitment given by the newly elected president of the United Republic in his first presidential speech to Parliament in December 2005.

A Theoretical Perspective to the Ongoing Political Conflict in Zanzibar

It appears that most studies on the Zanzibari conflict have focussed almost exclusively on the causal descriptions and some analysis of those causes. This approach is static and has failed to capture the dynamics of the underlying politics and this could in part explain why the conflict has not been solved. The proximate factors, which are the muscles and fuel of politics in terms of actors, interests and strategies, are yet to receive their due treatment. It could therefore be hypothesised that the failure of the previous reconciliation initiatives could, to a significant degree, be attributed to neglect of the role of actors, their interests, and the strategies they use in safeguarding or fighting for those interests. Thus, when the actors, their interests and strategies have been adequately explored and analysed critically, it may be discovered that these factors jointly constitute a variable that creates dynamics of conflicts that are not necessarily logically linked to the historical and structural explanations or root causes of the conflict.

This study, therefore, aims to fill this glaring gap in the literature on the Zanzibari conflict. It seeks to identify the major actors in the conflict and their respective interests, motives, attitudes and strategies. With that knowledge, the study may shed some light by suggesting possible strategies of conflict management and resolution for sustainable peace, social harmony and development of the islands,

by getting to understand the core interests of actors and placing them at the centre of negotiation and reconciliation agenda.

The study adopted a general conceptual framework developed in the major research proposal prepared by the Concern for Development Initiatives in Africa (ForDIA) titled *Understanding Obstacles to Peace in the Great Lakes Region: Actors, Interests and Strategies*. The essence of this framework is the premise that behaviour of actors in conflicts is basically interest driven rather than historically or structurally determined. This approach employs the decision-making and rational choice theories. From the perspective of decision-making theory, the main actors include governments, legislative bodies, the security and armed forces of the state, political parties and other institutions, whereby in the course of interactions, individual interests are subsumed under institutional dynamics; that is to say, decision-making structures such as the dominant role of the ruling party in Tanzania could in part explain the failure of reconciliation initiatives. In the case of rational choice theory, the basic actors are individuals with their specific attitudes and interests. These interests are complex and variable and therefore may be either compatible or not with institutional and group interests, depending on individual calculations and predictions at a given time.

The Socio-Economic and Political Context

Zanzibar has been part of the United Republic of Tanzania since 1964, following the union with Tanganyika. Unguja and Pemba Islands are located about 35 km and 50 km off the Indian Ocean coast, respectively. Unguja and Pemba jointly have a total land area of 2,232 square kilometres. Unguja, where the seat of government and the main commercial centre are located, occupies 63 per cent of this area; and Pemba, which has been considered as a peripheral region since colonial days, occupies 37 per cent of the total land area. According to the 2002 census, Zanzibar has a population of about one million (984,625 people), about 63.2 per cent of whom live on Unguja and 36.8 per cent on Pemba. However, the total percentage of people originating

from Pemba but living on both Pemba and Unguja is estimated to constitute 50 per cent of the total population of Zanzibar. In turn, Zanzibar's population constitutes about 2.9 per cent of Tanzania's total population. Zanzibar accounts for approximately 0.25 per cent of Tanzania's total land area. In fact, some districts on the mainland have a total land area larger than that of Zanzibar.⁵

Zanzibar's population is multiracial and multiethnic. There are no up-to-date statistics of racial/ethnic distribution of the population, but the pre-independence census could provide a rough indication.⁶ At that time the main ethnic/racial communities were the Shirazi (who are often referred to as indigenous, a mixed group resulting from intermarriage, over the centuries, between Africans and Arabs), constituting about 56.2 per cent; Africans (immigrants from the mainland), constituting about 19.5 per cent and Arabs, constituting 16.9 per cent. Most of these people settled on the islands several centuries ago, or during the early 19th century. These three communities were mobilised politically during the struggles for independence and some degree of the patterns of their political orientations may still be visible today. The other communities included Asians (5.8 per cent), Comorians (1.1 per cent) and Goans (0.3 per cent).

Two pertinent issues are worth noting. One is the demographic composition of the two main islands, and the other is the association of the ethnic/racial factor with the Zanzibari political economy during the colonial era. In relation to racial composition, Unguja had more than twice the number of Africans that Pemba had; Pemba had more than twice the number of Arabs that Unguja had; and just one quarter of the Asians on the two islands lived in Pemba. That is to say, Pemba was socially much more exposed to Arab influence than Unguja was; and Unguja had more African influence than Pemba. As far as the political economy was concerned, there were clear patterns of correlation and association between social classes and racial identities. Arabs, predominantly, represented the landed class and the ruling aristocracy. Asians represented the merchant class and occupied the middle position in the social hierarchy; most of the Shirazi were

peasants and a few of them who were landlords occupied the ranks of the middle class. The Africans constituted the lowest social stratum representing the labourers and tenants.

There is no up-to-date empirical study showing the relative socio-economic positions of the main ethnic/racial categories in Zanzibar following the 1964 revolution that radically changed Zanzibar's political economy and led to the subsequent collapse of the clove trade. However, casual observation seems to suggest that whereas the Africans and some sections of the Shirazi, particularly those based in Unguja, constitute the new ruling class, with immense political power and a disproportionate share of lower, middle and top government positions, the private commercial sector is still dominated by Zanzibaris of Arab and Asian origin. Besides, Zanzibaris of Pemba origin seem to be more conspicuous in the sector than those from Unguja. This observation is also true of commercial activities based in Zanzibar Town, Dar-es-Salaam and other parts of the mainland.

Although the Zanzibari population is conspicuously multiracial and multiethnic, religiously it is relatively homogenous. Over 96 per cent of the population are Muslims and the majority of them (about 90%) are Sunni.⁷ In earlier times (during the slave and feudal eras) the *Ibadhi* and *Sunni* groups had limited religious interactions with each other. Today, however, they study together, pray together in the same mosques and perform almost all religious functions together. For centuries, Zanzibar has enjoyed a high degree of religious harmony. In the early 1980s, however, some religious friction began to emerge among the Muslim believers. This phenomenon arose following the emergence of a religious movement with a mission to "purify" the Islamic religion, which they claimed had for centuries been contaminated with distortions and innovations (*bid'a*). With time, this friction seems to have declined as a result of a change in their initial radical approach⁸ on the one hand, and increased understanding and knowledge of religion among the believers on the other, including among the traditional (conservative) sheikhs, who protested furiously against the new religious movement.

Politically, there are indications that the new religious movement on the islands is highly critical of the government. Some of the top leaders of the religious movement have found themselves in the hands of the state – some have suffered physical harassment, including detentions.⁹ Although some of the leaders are known for their anti-regime preaching, there is no concrete evidence to suggest that their preaching constitutes an obstacle to peace and reconciliation on the Islands. These people could actually be considered as peace-makers in the context of this conflict. Their preaching seldom refers directly to the ruling or opposition parties, but because the preaching raises issues relating to abuse of power, political discrimination, restriction of religious freedom, among others, these religious leaders are branded as oppositionists by the government.¹⁰

On the other hand, sporadic attacks of arson on churches in Zanzibar have been reported during elections or their aftermath, sometimes happening in tandem with arson of bars in Zanzibar Town.¹¹ The two contending parties, CCM and CUF, usually accuse each other of committing such acts. So far, although both the Zanzibari and Union governments claim to conduct investigations after such incidents, no official report has been released holding anybody from any religion or political camp responsible – whether from the opposition or ruling party, or members of the security forces. If it could be proved that religious leaders or their followers are responsible for such acts, then a case would be made against such people as peace blockers. An alternative and probably more plausible assumption, however, would be that such incidents are carried out by the authorities to solicit support from an international community engaged in the “global war on terror.” This orchestrated chaos would create an impression that there is no religious tolerance in Zanzibar, which could motivate the international community to support the ruling party, which is perceived to be more secular than CUF.

Granted, Zanzibar is a multiracial society with a high degree of social integration.¹² There are indeed inter- and intra-religious

differences, but these differences cannot be classified as hostile. Generally, for example, one cannot talk of hostility between Muslims and Christians in Zanzibar nor between Muslims of different denominations. The same applies to the alleged hostility between *Wapemba* (people of Pemba origin) and *Waunguja* (of Unguja). There is no conspicuous hostility at the communal level between the people of these two islands. Indeed, there are some known negative stereotypes between the residents of the two islands, but analytically, the claimed hostility is more political and elite-based than communal. According to the study by Bakari¹³ the responses of the ordinary people suggested overwhelmingly that leaders of the regime in power constitute the main obstacle to reconciliation in Zanzibar.

Delineation of Actors and Patterns of Interaction

One of the difficulties in contextualising the Zanzibari political conflict is the location of the conflict itself and the status and relative power of the key actors. It is not a conflict between a sub-national entity (a specific region, a particular ethnic group or community) and the central government¹⁴ nor is it a conflict between two clearly demarcated and defined actors. In broad terms, it may be misleading to talk of two major internal actors. At the very minimum, there are three major internal actors. On one side, it is the opposition, specifically CUF; and on the other side, there are two actors, namely the Zanzibari government, sometimes referred to as CCM–Zanzibar, and the Union government, commonly referred to as the mainland government or CCM–Mainland.¹⁵

These two actors (the Zanzibari and the Union governments) complicate the conflict matrix. Often they present themselves as a single actor (the government in power) with common and uniform interests. At other times they behave as different actors with different interests and positions, although they belong to the same side of the conflict continuum. In other words, the relationship between CCM–Zanzibar and CCM–Mainland, although predominantly cordial and cooperative, it is at times divergent in interests and positions, on the basis of decision

theory and rational choice. The politics of survival, however, often tend to overshadow their differences and thus their pattern of interaction is guided by bargaining and compromise, give-and-take tactics, with each side winning and giving some concessions.

This unique character of the Zanzibari conflict in terms of the positions of internal actors serves different purposes, some of which are clearly contradictory. On the one hand, the perception that there is a third internal party (the Union government) creates a sense of security that the Zanzibari government could be restrained from persecuting the opposition on the Islands. On the other hand, the opposition sometimes appears to think that the Union government should serve as a moral guarantor of reconciliation processes. There are times when the opposition expresses its distrust of the Zanzibari government, but places some hope in the president of the United Republic doing something to rescue the situation. Delaying techniques used by CCM in reconciliation processes and peace deals tend to exploit this perception. Furthermore, the existence of a third party is viewed by the opposition as an assurance for the survival of the CCM government in Zanzibar – that the opposition cannot make Zanzibar ungovernable since Union forces would prevail to contain the situation.

There is also an external dimension to the conflict. Actors in the Zanzibari conflict are not only based in Zanzibar and on the mainland. There is the international community, particularly Western donors who seem to take a keen interest in the Zanzibari conflict and at times adopt quite significant measures, as they did in the post-1995 election Zanzibar when they withdrew economic assistance; and there are internal actors who are outside the country, namely exiled forces. The latter are considered internal because they are organically linked to and expressly identify themselves with one or other of the contending political camps. In the course of this discussion of actors and their interests, we shall treat donors as a separate category with specific interests and strategies; while the exiled forces will be treated as an integral part of internal actors clearly located within the opposition camp.

Underlying Issues, Interests and Strategies

As explained briefly in the introductory section, various causes (historical, structural and proximate) of varying scales have been cited by scholars to explain the Zanzibari conflict. The underlying issues, key actors, interests and strategies can therefore be identified on the basis of one's perspective. On the whole, however, conflict formation and reconciliation measures in Zanzibar constitute a very complex matrix with a broad range of underlying issues, actors, interests as well as strategies. In the following section, we shall attempt to sketch out some of the underlying issues and the different interests and positions subscribed to by the different actors.

Revolutionary Legacy and the Politics of Exclusion

Since the reintroduction of multiparty politics and the 1995 elections, two reconciliation accords have been signed but neither of them have been implemented; the conflict still persists. After the 2005 general election, there had been another initiative, the Muafaka III, which experienced serious obstacles even before it was signed. The important and relevant questions are why the first two accords (Muafaka I and II) failed, before pinning hope on the third. Is it because these accords conceptualised the problem at hand wrongly or is it because the solutions provided are not logically in tune with the underlying issues? Both the first and second accords embodied two key aspects of conflict resolution, that is, the acceptance of each other's continued existence and the cessation of hostilities. However, the most fundamental issue, notably governance – determining who should control the Zanzibari government and the process by which such an outcome would be determined – was never properly addressed.¹⁶

At the heart of the conflict are the two parties fighting for political power. The parties do not trust each other, and one of the parties does not trust the current process of choosing leaders. This is the reason none of the past multiparty elections has produced outcomes

acceptable to both parties. CUF is not prepared to accept electoral defeat because it does not believe in the integrity of the electoral process in place. CCM, by contrast, is not prepared to accept electoral defeat, not because it does not have trust in the electoral process, but because of specific political interests, which, according to CCM, should not be subjected to electoral outcomes. As some of the CCM officials would usually say, "We cannot surrender power, what we acquired in 1964, through a piece of paper" (meaning a ballot).¹⁷ To this group, the stakes are "too high" (including the defence of the revolution, its history, group and personal interests of its members) to be left to unpredictable electoral outcomes, however free and fair they may be. Those stakes, according to that group, have to be guarded by whatever means possible, including use of force. To expect such a group to be custodians of the reconciliation agreement may be wishful thinking. It is only when the collective interests of that group, including personal interests of the leading members of the group have been assured; and when there is a body and a process over which they cannot exercise control, would they change their role in the conflict from peace blockers to peacemakers.

Apart from the fear of losing power, the leadership of the Zanzibari government has some other apprehensions about their fate should they relinquish power to the opposition. Although most of the leaders of the first and second-phase governments (Karume and Jumbe's eras) and who were involved in gross abuse of power are either dead or no longer occupy leadership positions, there are still some leaders who are apprehensive that CUF's accession to power would lead to them having to account for their deeds. In 2000, for example, there was an unsuccessful attempt by the Zanzibari president, Salmin Amour, to institute a legal provision that would grant former presidents immunity from prosecution.¹⁸ However, former leaders' fear of prosecution or loss of property that may have been acquired unlawfully seem to be exaggerated. If those fears were real, one would expect it to be raised for discussion during negotiations. Besides, the fact that Zanzibar is part of the United Republic of Tanzania could provide institutional

safeguards guaranteeing the security of lives and property of past leaders, should the government fall in the hands of another party or faction.¹⁹

The prevailing position of CCM–Zanzibar, which seems to have some support from some mainland politicians, is that the Zanzibari government derives its legitimacy from the 1964 revolution that dislodged Arab aristocratic rule and instituted African majority rule. Former Union president, Benjamin Mkapa, was quoted as saying, “Power cannot be surrendered to the people who despise the revolution and who intend to break the Union.”²⁰ He continued, saying that there were people who had sworn to defend the constitution, apparently implying that coercion would be used to prevent the eventuality of an electoral defeat by the opposition.

In other words, the revolutionary legacy has become one of the excuses for defending the *status quo*. Defence of the revolution. Long Live the Revolution (*Mapinduzi Daima*) is treated by CCM–Zanzibar and some actors on the mainland as an “ideological” justification for obstructing democratisation and reconciliation initiatives. Congruent with that political orientation are issues related to identity politics as trumpeted by the conservative forces as a means of galvanising support from some sections of society. These include presenting the opposition as an Arab or Pemba-based movement intended to wipe out the gains of the revolution and reinstate the hegemony of the deposed Arab oligarchy.

Thus, political propaganda centred on the issue of the revolution constitutes one of the regime’s survival strategies for clinging to power and persistently defying democratisation and reconciliation initiatives. In relation to the revolution and its legacy, two critical issues seem to be relevant in so far as interests of actors are concerned. The first relates to identity politics, that is, the revolution and its legacy are considered part of Zanzibari history that ought to be cherished and safeguarded. The other, especially among those opposed to political reconciliation, is that the revolutionary legacy helps a certain group of people in society to enjoy, to a disproportionate extent, government resources

and privileges. In other words, the sustenance of the revolutionary legacy serves two main purposes. The first is related to the politics of identity, where the issues of racial identity and Unguja–Pemba divide are manipulated; and the other is related to group and personal material interests, an issue that features prominently in relation to electoral processes and leadership succession.

The Union Issue and its Complexity

The Union of the Republic is one of the cornerstones on which the structure of the Tanzanian state is based. Unfortunately, however, the three main actors in the Zanzibari conflict are profoundly divided on this issue. Questioning the Union in terms of its structure or its practices was considered treasonable by the authorities throughout the 1960s and 1970s. The first open debate about the Union occurred during 1983/84 following what was considered as a “polluted political atmosphere” in Zanzibar. The debate, however, was essentially confined to Zanzibar. It was temporarily suspended with the forced resignation of the then president of Zanzibar, Aboud Jumbe, and the creation of a government with relatively broad representation, albeit under single-party rule. Thereafter, the presidential commission formed to investigate whether Tanzania needed a single or multiparty system, the Nyalali Commission of 1991, among other things, solicited people’s views on the Union, and it recommended its restructuring to form a federal structure of three governments. The recommendation was subsequently rejected by the government.

Again, in 1993, a parliamentary group, labelled G55, tabled a private motion calling for the formation of the Tanganyika government within the Union. The act was assented to by the government. It was later blocked by the “father of the nation”, Mwalimu Julius Nyerere, before it was adopted formally. Nyerere’s argument was that a three-government Union structure was not part of CCM policy; he went on to say that those opposed to the CCM policy as it stood had the option of joining another party or forming their own parties. In 1998,

the presidential committee on the White Paper under Justice Robert Kisanga came up with a similar recommendation to that of the Nyalali Commission. Recently, there was a heated political debate on “whether Zanzibar is a country or not.”²¹ The Union issue remains unresolved and Tanzanians on both sides remain highly divided about it, with the majority of Zanzibaris expressing their preference for a federal structure of three governments and the majority of mainlanders favouring the current structure of two governments.

Table 6.1: Opinion on the Structure of the Union - Mainland vs Zanzibar

Structure	Mainland (No. & %)	Zanzibar (No. & %)
One government	(360) 36.0	(15) 7.5
Two governments	(440) 44.0	(76) 38.0
Three governments	(170) 17.0	(104) 52.0
Other	(30) 3.0	(5) 2.5
Total	(1,000) 100.0	(200) 100.0

Source: Killian and Ndumbaro (2007:174). Figures based on REDET Survey of 2003.

The Union has been one of the fundamental issues dividing political actors. The difference of opinion is not only between Zanzibar and the mainland, with Zanzibari opinions being predominantly in favour of three governments and the mainland predominantly in support of the current setup of two governments and a significant proportion in favour of one government; there are also differences in opinions of political parties, as Table 2 shows. Whereas CCM is predominantly in favour of the current setup of two governments (50.5%), the opposition predominantly favours a three-government structure (50.2%).

Table 6.2: Opinions of by Political Parties on the Union

Structure	CCM (No &%)	Opposition (No &%)	Non-members (No &%)
One government	(209) 30.4	(50) 20.4	(59) 32.8
Two governments	(374) 50.5	(66) 26.9	(68) 37.8
Three governments	(84) 11.4	(123) 50.2	(45) 25.0
No Union	(9) 1.7	(5) 2.5	(5) 2.8
Total	(736) 100.0	(244) 100.0	(177) 100.0

Source: Killian and Ndumbaro, 2007:174. The data compiled from REDET Survey 2003.

Thus, since the opposition parties, including CUF, favour three governments, the ruling party is apprehensive of the future of the Union. To them, the option of three governments is untenable because it may lead to the collapse of the Union. When it comes to competitive politics in Tanzania, the Union issue is always at the heart of political considerations of mainland politicians, probably more so than among their Zanzibari counterparts. In Zanzibar, the most fundamental issue concerning changing the state power configuration relates to its historical basis in the 1964 revolution. What is clear is that among the two key political actors in the Zanzibari conflict, that is, CCM-Zanzibar and CCM-Mainland, the critical issue of common interest is apparently not the survival of the Union as such, but political survival of the CCM regime on both sides of the Union. That is to say, the Union in its present form is viewed not necessarily as valuable in itself but as instrumental to the realisation of other superordinate political goals, notably political survival of the regime in power as well as guaranteeing personal interests of individual politicians. When individual politicians or a group perceive that the reconfiguration of state power cannot guarantee their political survival as a group in power and their personal political and economic interests, there is a tendency to strive to maintain the *status quo* even at a relatively high cost. There is a tendency by CCM-Zanzibar to threaten the mainland

side in a brinkmanship style about the Union should the latter attempt to give some concessions to the opposition in Zanzibar. The card that is usually used whenever there is a serious disagreement between CCM–Mainland and CCM–Zanzibar is that the Union is in danger. This kind of threat, in a way, upholds the assertion that CCM–Zanzibar supports the current structure of the Union, not because it is the best way to manage the affairs of state but basically as a political strategy to survive at the helm of Zanzibari politics.

In other words, when the Union does not seem to be instrumental to the ultimate goal of political survival, CCM–Zanzibar is not motivated to support the current setup of the Union. In that case, their intrinsic considerations regarding the Union may not be fundamentally different from those of CUF, that is, support for greater autonomy for Zanzibar and presumably even a clear federal arrangement of three governments.²² What is also instructive is that the political opposition, on the whole, whether based on the mainland or in Zanzibar, is predominantly in favour of the restructuring of the Union into a federal structure of three governments; for them, there is no temporal or intrinsic value in the current structure. The structure of the Union is one of the underlying issues driving the key actors in the Zanzibari conflict. Attempts to resolve the Zanzibari conflict before addressing the Union issue is viewed by Unionists²³ as a step towards radical restructuring, or even dissolution of the Union.

The Zanzibari Government vs the Union Government

The opposition in Zanzibar sometimes seems to be confused in their understanding of the interest and position of the Union (mainland) government. At times, they seem to think that the Union government has a unique attitude and position towards the reconciliation process in Zanzibar and that it could play an intermediary or even guardianship role in resolving the Zanzibari conflict. At other times, however, it seems the opposition becomes cognisant of the likelihood that the

Union government, although not in agreement with the Zanzibari government on all issues, is basically part of the same political establishment, with more or less similar attitudes and aspirations as their Zanzibari counterparts.

In other words, if the Union government has been obstructing the democratisation process on the mainland by consistently refusing to institute fair rules for political competition, it would be naïve to expect them to advocate and press hard for fair rules of political competition in Zanzibar, which is part of the United Republic. It may be anticipated that, if there is a free and fair election in Zanzibar, its outcome will have spillover effects with far-reaching political implications on the mainland. Hypothetically, for example, if an independent electoral commission is created in Zanzibar and it succeeds in conducting a free and fair election, opposition parties and civil society organisations on the mainland are likely to demand the same arrangement. Such an eventuality is not palatable to the politicians on the mainland, however keen they may be to solve Zanzibar's problem. In other words, it is somewhat inconceivable to have two fundamentally different political systems in one country one manifestly more competitive and democratic and the other one neither competitive nor democratic.

Democratic Governance

The issue of elections and democratic governance is at the core of the current political conflict in Zanzibar. The conflict usually escalates during election time. The process of leadership succession is controlled by the ruling party and the opposition is compelled to play by the rules and structures dictated by the incumbent regime. The opposition seeks to change the rules of the political game while the ruling party and the governments in power are fighting hard to maintain the *status quo*. The credibility of the electoral process is contested seriously by the opposition and none of the past elections has produced results acceptable to the opposition. Thus, leadership succession is one of the critical issues in the Zanzibari conflict. The political arrangement and

the electoral system is a winner-takes-all arrangement. The reluctance that the government has shown in moving towards power-sharing arrangements has been in part due to constitutional dictates that have contributed to complications in resolving the Zanzibari conflict.

Other Actors and their Roles

The Armed Forces

Apart from CCM–Zanzibar and CCM–Mainland it is important that the armed forces are viewed as a special strategic actor if their role in the Zanzibari conflict is to be understood. In conflicts elsewhere, the armed forces evidently play a critical role in conflict-formation and reconciliation processes. In the case of the Zanzibari conflict, the military has not been a significant actor in its own right. Part of the Tanzanian government's calculation is that the military has always been on the side of the government. The military's loyalty to the government and to some extent the ruling party has been unquestionable since 1964.²⁴ This applies to all branches of the armed forces – the army, the intelligence services, the police force, the national service, the militia and all the special brigades of Zanzibar. On the other hand, Tanzania being a relatively peaceful country, does not have forms of military mobilisation and organisation outside the state structure. The opposition, on their part, do not have any types of military establishments, neither in Zanzibar nor on the mainland.

Thus, in assessing the relative power of the key actors to the conflict, that is, the ruling party and the opposition, the former enjoys an almost complete monopoly of coercive power of the state and the latter seems to rely extensively on the popular support by the electorate. This reality of the state having unmatched and unrivalled coercive power obviously has a bearing on the kind of strategies the opposition adopts in both conflict formation and resolution. The party with a comparative advantage or a near monopoly regarding the use of coercive power tends to use it to its advantage, and the party that is disadvantaged in that respect tends to resort to peaceful strategies

and diplomacy. This unique situation of Zanzibar relative to other conflict theatres in the Great Lakes region raises the need to assess the intractability of conflicts in terms of the relative power of the actors and the nature of that power – whether coercive, non-coercive or a special combination of the two.

As far as rational choice theory is concerned, coercive power seems to yield quicker results in negotiation processes. This is due to the fact that when coercive power is applied or threatened the actors do not necessarily make decisions on the basis of their preferences but rather on the basis of feasible choices under compelling circumstances. Under this scenario, the goodwill of the parties in conflict is hardly required, as was the case in the case of the precarious post-2007 election situation in Kenya. In the case of the Zanzibari conflict, the opposition hopes and banks on the prudence and goodwill of the incumbent regime to resolve the conflict, expectations that so far have proved to be idealistic.

It is a matter of simple logic to understand that if an object is static and incapable of moving itself, power external to it is needed to make it move. In the case of the Zanzibari conflict, external power has not been strong enough to compel the regime to seriously commit itself to peace-making and conflict resolution. There is apparently still a strong belief on the part of the regime that even if political stability were to deteriorate at some point, the power of the regime would be sufficient to contain the situation and restore order. The real world of politics, however, may be very fluid – there may not necessarily be adequate signals informing the regime in time that that potential has come to an end, because conflicts tend to generate their own life cycles and acquire their own dynamics, which can hardly be predicted by conflict theorists and analysts, let alone politicians.

The International Community

One of the factors shaping political choices relating to the Zanzibari problem is the perception and position of Western donors. The ruling party and both governments in Tanzania understand that the donors

do not share a unified position on this conflict. Their positions range from conspicuous support of a democratic political process and its outcomes (as exemplified by the Nordic countries and to some extent the European Union), to an ambivalent position, like that of the United States after the elections of 2000.²⁵ Donors often use diplomatic threats but the state is quite aware of the extent to which they can press for reconciliation. What is quite clear is that they cannot press too hard unless the situation deteriorates dramatically and the country is likely to be plunged into disorder and become ungovernable, as was the case with Kenya after that country's 2007 general elections. The main strategy used by donors has been to exert some diplomatic pressure by telling the government that Tanzania's image is getting tainted by the Zanzibari problem and advising the Union government to do something about it or else risk losing its impressive image in the eyes of the donors, something which may lead to a decrease in aid.

The position of the United States regarding both Zanzibar's general elections, in 1995 and 2000, seems to have served as a significant external inducement for the regime to manipulate the electoral process and outcomes. For example, among other things, the US Ambassador to Tanzania at the time, Charles Stith, branded CUF a terrorist party imbued with Islamic radicalism.²⁶ The bombing of the US embassy in Dar es Salam in 1998, and the case that Ahmed Khalfan Ghailani, a Zanzibari, as an al Qaida suspect, when put together with frequent unsubstantiated CCM accusations against CUF, that it is an Islamist party which supports terrorism, has contributed to shaping the US attitude and position towards Zanzibar. This, in essence, seems to be a green light to the government to go ahead and manipulate the electoral process to prevent CUF from taking over power, even if the ballot may be condemned by the international community, though there was a likelihood of getting at least tacit acquiescence if not outright support from the US, the most powerful actor in global politics.

While Zanzibar has been in the grip of a political crisis more or less constantly from 1995 to date, the attitude of donors and positions have varied. It is instructive to note that whereas all three previous general elections have been badly mismanaged in Zanzibar, with

the election of 2000 standing out as the most flawed, to the extent that all independent observers declared it an “aborted election”, the pressure from donors was more intense in 1995 than in all other subsequent elections. Immediately after the 1995 elections, all Western donors suspended their aid to Zanzibar, including humanitarian aid. However, Zanzibar, being part of the United Republic, continued to receive a share of aid indirectly through the Union government.²⁷

One of the problems that donors face in relation to the Zanzibari conflict is the lack of a common position. Different countries seem to take quite different positions. For example, in the aftermath of each election, some countries suggested tougher measures while others suggested a softer approach.²⁸ In the end, a compromise position is usually adopted in which the Union government is pressed to take more serious measures to resolve the Zanzibari problem; the demand for action stops short of threats to curtail aid to the Union government. Currently, in the aftermath of the protracted peace negotiations for the third reconciliation accord (Muafaka III), a similar scenario, namely a lack of a unified and clear position, has emerged. In addition, no country on its own has come up with a strong statement about what steps will be taken if the government mismanages the next elections. All donors urge the contending parties to continue with negotiations and strike a deal before the next general election.

The Exiled Forces

The exiled forces (or the Zanzibari Diaspora) constitute one of the important actors in the Zanzibari conflict. Many people left the country in the aftermath of the 1964 revolution and Karume’s assassination in 1972. The majority of those who left settled in the Gulf, mainly in Oman and Dubai. Others went to Europe, such as the deposed Sultan Seyyid Jamshid, who has lived in Portsmouth, England since 1964.²⁹ In addition to people who fled in the 1960s and 1970s, another wave of Zanzibaris went into exile after the 1995 elections when quite a significant number, many of them youths, fled the country and settled in Britain, the US and other Western countries.

The most pronounced contribution of the exiled forces to the Zanzibar conflict is that they kept the political discourse in Zanzibar alive, even during the authoritarian years of the single-party system. During those years, when it was very difficult to organise and coordinate the opposition, Zanzibaris launched a loose organisation or movement based in Britain. This group provided invaluable moral support. Their mode of operation was diplomatic, oriented to soliciting international support. Their contribution was centred on publicising atrocities committed by the Zanzibari and Union governments. Later, particularly from the 1980s, there was an organisation in the Scandinavian countries based in Copenhagen, Denmark, called *Harakati za Mabadiliko ya Kidemokrasia Zanzibar* (HAMAKI, Movement for Democratic Reforms in Zanzibar). These types of organisations played an important role before the reintroduction of multiparty politics and still do.

One of the key strategies used by the exiled forces is to work very closely with international human rights organisations such as Amnesty International and Human Rights Watch and with officials of foreign governments in publicising political developments in Zanzibar and Tanzania as a whole. Thus, as far as the Zanzibari conflict is concerned, the exiled forces are overwhelmingly in favour of the opposition. Their contribution ranges from material, funding and publicity to political ideas. However, there is no evidence to suggest that these forces have been planning the reinstatement of the deposed Arab oligarchy, as is often claimed by the ruling party in Zanzibar.³⁰ Therefore, in this categorisation of actors' stance towards peace, the Zanzibari Diaspora could be considered as peacemakers, since there is no evidence of them obstructing any peace initiative or behaving in an opportunistic way. Since most of their members are victims of past abuses of power, they seem to have everything to gain and nothing to lose from the resolution of the long-standing political conflict.

CCM–Zanzibar and the Union Government Strategies

Political Brinkmanship

Political brinkmanship refers to “the ability to get to the verge without getting into the war”.³¹ This is an art which, if not mastered, inevitably leads to war. Traditionally, this concept has been used as a metaphor to depict nations threatening war with other nations so as to extract some concessions without necessarily intending to wage war, but they may push up to the brink of war and sometimes find themselves plunged into war without ever having intended to go that far. Both the strong and the weak parties in this model tend to blackmail each other. This strategy allows a blackmailer to extract a positive stream of payoffs from the victim even if carrying out the threats may be harmful to both parties.

This strategy can also be applied to explain power politics and negotiation strategies among parties, factions and individuals within nations.³² It has been applied by all key actors in the Zanzibari conflict, including the opposition. The Union government has been applying it, for example, by threatening to use force. Mkapa’s government clearly favoured this strategy. In his Micheweni speech while campaigning for the 2005 election, he was quoted saying, “There are people who have been sworn to defend the constitution.” By this statement he implied that he, as head of state and commander-in-chief, could deploy whatever means at his disposal, including force, to “defend the constitution”.³³

However, among all the key actors in the conflict, the Zanzibari government and CCM–Zanzibar seem to have used the brinkmanship strategy most often. It probably began with President Nyerere who, it is claimed, threatened to withdraw his police reinforcements from Zanzibar should his counterpart, President Abeid Amani Karume, refuse to unite with Tanganyika in 1964. Apparently, all Zanzibari presidents, from the first one, Karume, who was one of the founders

of the Union, to the current president, Amani Karume (son of Karume, the first president), have been applying political brinkmanship when dealing with the mainland on matters on which there is no mutual agreement. The mainland, on its part, has responded in different ways, depending on the nature of the issue and the extent of the threat mounted.

The brinkmanship strategy is often used together with the blackmail strategy, particularly regarding the politics of succession. For example, during the 1985 presidential nominations under the single-party system, Julius Nyerere was both president of the United Republic and chairman of the ruling party. It was widely believed that Nyerere wanted Salim Ahmed Salim to be his successor as president of the United Republic. Interestingly, charismatic and principled as he was, Nyerere's ambition was still defeated by the conservative forces, mainly from Zanzibar, who openly expressed their reservations about Salim on grounds of his race (Arab) and where he hails from (Pemba), as well as his former affiliation to the Zanzibar Nationalist Party (*Hizbu*).³⁴ In spite of his qualifications, which far surpassed those of his competitor, Ali Hassan Mwinyi, a candidate backed by the conservative forces within the party, Salim was defeated in the nomination process.

In the 1995 nominations the realignment of the conservative forces was again at play. This time the two leading contenders were Benjamin Mkapa and Jakaya Kikwete. Again, under the party chairmanship of Mwalimu Nyerere, the conservative forces in Zanzibar were believed to have cast a decisive vote in favour of Mkapa, thus defeating Kikwete, who allegedly enjoyed stronger support on the mainland, where the younger generation and some progressive forces within the party intended to undermine the grip on the party by the old guards. It is widely believed that the Zanzibari bloc vote for Mkapa was based on calculated prospects of reciprocity, by which the latter would help the revolutionary government of Zanzibar in wrestling with the opposition. In contrast, Kikwete was viewed by CCM-Zanzibar as unpredictable and the perception was that reciprocal relations with

the Zanzibar government in dealing with the opposition could not be guaranteed under his administration. It seems the gamble by CCM–Zanzibar to support Mkapa paid off very well.

President Mkapa apparently kept his commitment not to disturb the political setup in Zanzibar. He persistently, particularly during his first presidential term, maintained a position that the political crisis in Zanzibar was an internal affair of the Zanzibaris themselves. With this position, the Zanzibari president at the time, Salmin Amour, enjoyed a relatively free hand in dealing with opposition forces, and the Union government provided unwavering support to the Zanzibari administration.

The reciprocal relations between Mkapa and Salmin, however, were somewhat marred in 2000 following the latter's attempt to change a provision in the constitution of Zanzibar that limits the presidential tenure to two five-year terms so as to allow him run for a third term in the 2000 general elections.³⁵ Salmin's move was not well-received, neither by mainland politicians nor by some members of CCM–Zanzibar. Following this failure, Salmin, "in a brinkmanship style of politics, sought to prepare a successor of his choice".³⁶ Salmin put all his weight behind his chief minister, Mohammed Gharib Bilal. In the intra-party nomination of the Zanzibar presidential candidate by the Special Committee of NEC–Zanzibar, Bilal garnered a sweeping lead among the six contestants, with Amani Karume, the current Zanzibari president, taking third place. However, to the surprise of many observers, Amani Karume won the nomination by NEC in Dodoma. Before the Dodoma nomination, rumours were rife that should NEC ignore the Zanzibari preferential vote, CCM–Zanzibar under Salmin would go back to Zanzibar with their Afro-Shiraz Party (ASP) and hence dissolve the Union.³⁷ This was clearly a brinkmanship style of bargaining. It turned out that Bilal was not nominated and the Salmin faction went back to Zanzibar quietly.

It is widely believed that the success of Amani Karume against Bilal in NEC in 2000 was engineered by Kikwete and his associates,

apparently on two grounds: one, as a political investment for the 2005 Union presidential nomination race, in which Karume would reciprocate; and two, on the perception that Karume seemed more moderate and hence would probably be more cooperative with the Union government in finding a political settlement for the islands.³⁸ The first expectation proved correct as during the 2005 presidential nomination race it was widely believed that Karume rallied his Zanzibari bloc behind Kikwete – paying for their support to his candidacy in 2000. The second expectation, however, which also had considerable backing of the media, that Karume was moderate and hence would help to settle the long-standing political conflict in Zanzibar, has failed to bear fruit.

Violence Strategy

The violence that erupts before, during and after the elections in Zanzibar is not accidental, but a logical outcome of processes and strategies that are prepared and executed in an organised manner. This is the case for the violence associated with the government and the ruling party. Regarding the opposition party, CUF, their violence often tends to be a reaction to the conduct or violence committed by the ruling party and the government in power. Before the registration process started in Zanzibar in November 2004, the government established youth camps (branded by the opposition as Janjaweed)³⁹ in some areas of Unguja, particularly at Tunguu, Central District. It was reported by reliable sources that these camps were providing “special training for elections”, which allegedly included political indoctrination aimed at instilling hatred among Zanzibaris along racial, regional and party lines. The trainees, it was claimed, were also taught basic techniques of combat, torture and even killing using weapons such as iron bars, knives, stones and acid. It was also reported that these camps were regularly patronised by some high-ranking government and party officials, who visited at night.⁴⁰

There were also claims that these youth camps were run by highly trained commandos from different units, including the Tanzania Peoples Defence Forces (TPDF), the Zanzibar Marine Forces (KMKM), and the Association of Retired Soldiers (*Umoja wa Wanajeshi Wastaafu*). These were serious allegations that were even echoed by the CUF secretary general in his letter to the president of the United Republic during the registration period. Neither the president nor his party ever disputed the allegations. At another time there were allegations that the youth camps allegedly established by the ruling party were even operating on the mainland. It was once alleged that CCM had established a youth camp at Kigamboni in Dar-es-Salaam. Again, CCM never disputed the allegation.

It was therefore alleged that the violence that rocked the Urban West Region in Zanzibar during the registration period was partly associated with these youth brigades who had been trained to commit acts of violence. There was a pattern of invading specific areas believed to be CUF strongholds and targeting individuals known to be staunch CUF supporters. These armed youth groups broke into houses during the night to harass and beat up CUF supporters.

One may ask why the ruling party in Tanzania, a party with a monopoly of the formal coercive instruments of the state and the unwavering loyalty of the state organs (army, police, naval forces, intelligence service, etc.), would take the trouble to establish youth brigades during election times. There might be several possible explanations for this. One, there is obviously a limit on the use of the official instruments of the state. These are often easily visible and circumstances might arise forcing institutions and individual officers responsible to account for abuse of power. Besides, professional training and ethics could make some officers in these institutions hesitate in executing some of the orders from the managers of such operations. On the contrary, the youth brigades trained during election times do not have any sense of professionalism. The youth trained for such operations are semi-literate, unemployed, and they are not

visible in the conduct of their operations. It would be quite difficult to trace them and hold them accountable. In addition, the government and the ruling party may easily defend themselves by claiming that they are not aware of such groups.

Related to the above, the preparation for violence is boosted by the presence of security reinforcements from the mainland. The security forces were deployed in Zanzibar during the registration period under a special operation dubbed Operation Dondora⁴¹ by the inspector general of the police at the time, Omar Mahita. Contrary to expectations, the operation turned out to cause more chaos and confrontations among the people than it maintained peace and order.⁴²

Apart from the violence committed by defence and security establishments acts of violence are also committed by the followers of the two major parties. In March 2005, for example, there was a major fracas between the supporters of the two parties in which more than a dozen people were injured and hospitalised. The physical confrontation happened at Daraja Bovu in Zanzibar Town when CCM followers returning from a mass rally held at Kibandamaiti met CUF followers from a rally held at Chumbuni outside Zanzibar Town.

In 2004, a year before the general elections, there was a spate of bombings. In March 2004, a number of bombs were detonated, causing damage to property. A police car was set ablaze at Mwanakwerekwe Police Station and the Roman Catholic Church at Jumbi; the home of the Muslim Jurist (*Mufti*), Sheikh Harith bin Khelef, was bombed, as was the house of the Minister for Communication, Zubeir Maulid; another bomb was defused at Mercury Bar. During that period, a team of detectives from the mainland was sent to Zanzibar to investigate these incidents. The government promised to issue a report after the investigations. To date, no report has been issued to the public and nobody has been held responsible for those crimes. Analysts are still puzzled about who was behind such acts – the security personnel, the ruling party, the main opposition party, the Janjaweed or unruly

party zealots of one or both political parties. A related question is that if these were party zealots, did they act on their own or on the directives of their leaders or were they part of the organised groups for the pursuit of particular interests.

Rewarding Supporters and Sanctioning Opponents

Discrimination in public employment and in accessing public resources and opportunities has been one of the common strategies applied by the Zanzibari revolutionary government to reward its supporters. This strategy can be traced to the early days of the revolution. However, the extent to which this strategy has been applied varies over time. It was applied extensively immediately after the revolution in the name of safeguarding it. All Zanzibaris who were perceived to be enemies or potential enemies of the revolution were targeted and excluded by this strategy/policy. Due to stereotyping, there were many victims and potential victims. The list included people originating from Pemba, former members of Zanzibar Nationalist Party (ZNP) and Zanzibar and Pemba People's Party (ZPPP), Zanzibaris of Arab origin and Comorians. During the second-phase government under Aboud Jumbe (1972-1984) there was an attempt to reduce discrimination on the basis of origin. The policy was also applied widely during the one-year interim presidency of Ali Hassan Mwinyi in 1984/1985. Since the political crisis of 1988, however, which culminated in the expulsion from the party and government of Seif Shariff Hamad and his associates, the discrimination policy has been applied widely against perceived opponents of the regime.

Recently, a report by CUF⁴³ shows, with statistical evidence, the scale of discrimination in almost all key positions in the Zanzibari government. For example, the top five leaders of the government are all from Unguja. These are the president, chief minister, deputy chief minister, speaker of the House of Representatives and the chief justice. Besides, out of 17 ministers only one comes from Pemba and she is a minister without portfolio. Similarly out of six deputy ministers, there

is only one from Pemba. Out of 15 principal secretaries only two are from Pemba and out of 12 deputy principal secretaries none is from Pemba. Out of 102 directors, managers, and commissioners only 17 are from Pemba.

This pattern is not only visible in political and civil service positions but also in the military and quasi military positions of the Zanzibari government. For example, all heads of the Zanzibari government brigades (special brigades) namely Volunteers, Anti-Smuggling Squad (naval force), prisons, and the Fire Brigade are from Unguja. This discrimination in the public service applies equally to positions in the Union government. For example, among the senior police officers in Zanzibar, including the commissioner, five regional police commanders, and 10 district police commanders, nobody comes from Pemba. According to the estimates by CUF, about 83 per cent of senior government leaders are from Unguja and only 17 per cent are from Pemba, while Pemba has about 40 per cent of Zanzibar's total population. This disparity in the allocation of senior positions is also evident in the Union government but in relative terms a larger proportion of people originating from Pemba than Unguja are represented in the Union government. Currently, for example, the vice president of the United Republic and two deputy ministers are from Pemba.

There is a very high rate of emigration from Pemba to Unguja, the mainland and other parts of the world due to economic hardship, political repression and discrimination on Pemba. It is important to underline the fact that this glaring disparity in the allocation of government posts is not due to an imbalance in educational achievements between the two islands. Although hard data on the differences in educational achievement between the two islands is not available, it is widely believed that people originating from Pemba constitute a greater proportion of the people with higher education. Thus, it is fair to consider this disparity as outright political discrimination used as a strategy aimed at rewarding supporters and sanctioning both real and perceived opponents of the regime.

Apart from rewarding supporters and sanctioning opponents through the allocation of government posts, the allocation of public resources through the annual budget constitutes another device used to entrench the discrimination policy further. According to CUF sources,⁴⁴ for example, five contractors are constructing up to 145km of roads funded by the World Bank, Africa Development Bank (ADB), and the government in Unguja while not a single kilometre is being constructed in Pemba. During the seven years of Karume's administration, Unguja's roads have taken up to about 83 per cent of the budgeted funds leaving Pemba with only 17 per cent. According to CUF sources, Pemba requires 320 km of road to be constructed whereas Unguja needs only 87 km. Given the fact that this pattern is observable in most of the sectors of development expenditure, a rough estimate finds that the total development expenditure allocated to Pemba is less than one-third of the annual budget.

In the past there were other means through which the policy of discrimination was executed. For example, in the aftermath of the 1995 general elections, there was a systematic initiative by the authorities to harass perceived opponents of the regime, particularly those originating from Pemba. Some had their houses unlawfully demolished by the authorities in an attempt to force them to return to Pemba.

What is noteworthy is that there are no reports of complaints by common people that they were harassed by their fellow citizens on Unguja. Social relations between Waunguja and Wapemba are generally not considered to be hostile as discussed earlier. It is usually those in authority who are accused of discriminatory attitudes and actions.

Following the failure of reconciliation talks for the third accord in May 2008, CUF leaders threatened to launch a process to impeach the president of Zanzibar on the grounds of applying an outright discriminatory policy against one part of Zanzibar (Pemba).⁴⁵ Apparently, this was a mere threat or simply a public relations

exercise as it would not have been possible for the motion to succeed in the House of Representatives where CUF is in the minority, with 25 members against CCM's 52.

In practice, the discrimination policy in public employment seems to serve as a double-edged sword. On the one hand, it denies the opposition access to key government positions and hence an opportunity to weaken the government from within in terms of accessing economic and political resources and critical information that could be used against the government. That is to say, in denying them access to government circles, particularly in sensitive areas, the regime protects itself from possible internal destabilisation and acts of subversion. Second and related to the above, in isolating the opponents and potential opponents, the regime enjoys a broad avenue of distributing favours to its core and unwavering supporters, thus guaranteeing the maintenance of its traditional support base.

On the other hand, however, the application of a discriminatory policy and exclusion of opponents and potential opponents seems to have yielded some dividends for the opposition. The politics of exclusion has apparently broadened the support base of the opposition and given it new life and vibrancy. Some of the heavyweights of the opposition, including those who used to occupy senior positions in the government and the ruling party, were to a considerable degree driven to join the opposition by the feelings or experiences of discrimination and political exclusion. The more the government intensifies its discrimination policy against members of the opposition and people from Pemba the more the opposition garners moral support and sympathy from both domestic and external forces.

Delaying Techniques

One of the strategies used by the regime in Tanzania is the protraction of the conflict over a long period of time, apparently with the hope that delayed action may sometimes serve as a solution to a problem. The ongoing negotiation process between CCM and CUF on the political settlement in Zanzibar started in January 2007. From the beginning

the negotiations involved only the two parties without any external participation, mediation or arbitration. One of the basic techniques of negotiation is for each party to present an ideal or extreme position with the intent to secure as many concessions as possible from the other party under the spirit of give-and-take. Whereas a situation involving only members of the two parties provides some advantages of clarity and direct presentation of each side's demands and concerns, it is not without shortcomings. One of the possible shortcomings is the excessive solidarity of each bloc for fear that a member adopting a softer stance might be misunderstood and even suspected by his colleagues of being a sellout. Therefore, long delays, even stalemates, are very likely in negotiations without moderators.

The negotiations between CUF and CCM took much longer than originally projected. Discussions started in January 2007 and were supposed to have been concluded by August 2007. They dragged on for 14 months, until March 2008, when NEC of the ruling party meeting at Butiama passed a seemingly controversial resolution which obstructed the final stages of concluding the agreement. Whereas there might have been some justifiable reasons for the delay in the negotiation process, the extent of the delay is considered by CUF and most analysts to be excessive. After all, this is the third time that these two parties engaged in reconciliation negotiations. Apparently most of the fundamental issues and even resolutions were drawn from the two earlier accords (1999 and 2001).

Whereas most of the items on the agenda were agreed without long delays, the sticking point was the power-sharing arrangement through the formation of a government of national unity. Although the CCM negotiation team accepted the idea in principle and consulted higher authorities in both the Union and Zanzibari governments, apparently it later occurred to them that timing for the implementation of the agreement was a critical issue as it could be used as a political strategy of the next general elections.

On 7 August 2007 CUF, through its national chairman, Ibrahim Lipumba, announced in public that reconciliation talks between

CCM and CUF had stalled for quite a long time and that there were no indications of a breakthrough. He appealed to Tanzanians and the international community to intervene in order to rescue the process in time. But prior to that announcement, on 1 August 2007 in an exclusive interview with Shaka Ssali of the Voice of America, President Jakaya Kikwete expressed his optimism on the success of the negotiation process, but also hinted on the difficulties and unresolved critical issues between the two parties.

Likewise, on 14 August, one day before the negotiation process was due to end and CUF was due to issue its official statement on the talks, President Kikwete intervened to clear the air and rescue the negotiation process whose credibility was becoming questionable given the lengthy delays and the contradictory public statements of the secretaries-general. In the aftermath of the statement by the president and in response to his call to CUF to continue with the negotiation process, CUF vowed to continue with the negotiation but expressed concern that the negotiation process had taken an unnecessarily long time and that more commitment was needed on the part of the political leadership to succeed.

In March 2008, the NEC session at Butiama passed the following resolutions:

- NEC had accepted in principle a new political future for Zanzibar by forming a government of national unity after the 2010 general election.
- NEC directed the government to organise a special referendum to involve all Zanzibaris, who are the main stakeholders of the process.
- The CCM negotiating team should cooperate with their CUF counterparts to prepare a draft of the accord for the final stage.

According to the official statement read by the party vice chairman, Pius Msekwa, the idea of organising a referendum on the question (i.e. formation of a government of national unity) originated from the Zanzibari president, Amani Karume. According to the report, the vice

chairman–Zanzibar was of the opinion that it would not be prudent for such a major decision to be taken by the Central Committee and the NEC. In Karume’s view, since the major stakeholders of the issue are Zanzibaris, it would be wise to involve them in arriving at such a fundamental decision.

A statement by members of the CCM negotiating team read, “We (i.e., the party secretary general Yusuph Makamba, with Ali Ameir Mohamed, and Kingunge Ngombale-Mwiru), were very much impressed by that proposal, and we supported it.”⁴⁶ In insisting on the importance of the proposal by Karume, the report said: “it has benefits to CCM in three different ways: first, this is the application of direct democracy. Second, it helps to undermine minor demands from our colleagues (i.e. CUF and others) so that people can address themselves to fundamental interests of the people and the nation, that is, a new political future and destiny which are expected. Third, a referendum is an effective way of involving the majority of the citizens in creating an environment of mutual trust towards the 2010 general election.” The report adds that by accepting this idea, CCM will have “outsmarted” CUF in constructive creativity.

Two things seem to have upset CUF and other actors, including political analysts and foreign donors. First, this new proposal was initiated after they had agreed on major issues following long and protracted negotiations that had lasted more than 14 months. The issue of a referendum never came up at all during the negotiation. Second was the argument that was used, namely, that the referendum would involve the people of Zanzibar in reaching a final decision. Whereas the idea of pushing the date for the formation of a unity government to the post-2010 general election was seen to make sense, although it conflicted with what had been agreed by the negotiating teams, the idea of having a referendum was seen as outrageous, suggesting a lack of respect for each other. The bone of contention between the parties has always been the management of the elections. A referendum is a kind of election, the only difference being that there are no visible candidates. It is mainly the party positions that are voted on. Judge

Joseph Warioba aptly captured it as follows: "As a matter of fact, this is not an issue for a referendum. It is a question which is within the discretion of the leaders to finalise."⁴⁷

The critical question raised by CUF and some political observers is: Who is going to manage the referendum? For neither the Zanzibari government nor the Union government and their electoral commissions are institutions with the credibility to manage the process. In fact, it was precisely for that reason that the idea of having a government of national unity before the next general election was mooted. By taking part in the government of national unity, CUF would have an insider's role in managing the transition and the election processes. The experiences of the management of the past three general elections (1995, 2000, and 2005) on the one hand, and the failure to implement Muafaka I and II on the other, cast serious doubts on the willingness of CCM and the governments to behave differently in 2010.

Whatever happened at Butiama, the obstacle to the reconciliation accord by NEC raised a critical question in terms of the actors involved and, in a way, gave away their strategies. One view is that the deal could not be approved because the bargaining process had started, or rather because of CCM-Zanzibar's brinkmanship style versus their mainland counterparts. It is reported from CCM's sources, for example, that even before the NEC session started, delegates from Zanzibar were chanting songs which signalled their unwillingness to accept a deal with CUF, such as *Mapinduzi daima* (evolution forever); *Hatutaki mseto*, (We don't want a coalition government, meaning, government of national unity). It was also reported from impeccable sources that some members hinted that, if need be, the ASP, which had merged with TANU to form CCM, would be resurrected. This is the brinkmanship style of bargaining that was used on several occasions, particularly during Salmin's presidency.

The failure to approve Muafaka III at Butiama suggests existence of camps and ultimately lack of unity within CCM. The first camp represents the conservative members; and it draws overwhelming support from Zanzibar, but also has a significant number of

supporters from the mainland. The second camp is that of reformers, which has a significant number of advocates from the mainland. The failure of Muafaka signals in part the relative powers of conservatives (hardliners) over reformers. Going by the campaigns, it had been hoped that the Kikwete presidency would usher in a new era in which the reformers would have an upper hand over the conservatives within the ruling party. The current obstacles to reconciliation in Zanzibar suggest, among other things, that the conservative bloc on both sides of the Union is stronger and more organised than the reformist elements.

But the other question is whether Kikwete was overwhelmed by the conservative forces, as it is claimed.⁴⁸ Was it part of his calculations, to allow the hardliners to have their way? This argument is raised partly in relation to the statement issued by the three key NEC members who took part in the reconciliation talks as quoted above. The sentiments in that statement were shared by the other members of CCM, including the chairperson who is also the president of the United Republic. It was not clear whether he was aware of the proposal by Karume or the attitudes and position of the Zanzibari delegates. Thus, if he was truly committed to the agreement, as a leader of the party and more importantly as head of state and commander-in-chief of the armed forces, he could have used the vast powers at his disposal to ensure the success of the accord. The argument, therefore, that he was committed to the accord but was overpowered by the Zanzibari bloc raises serious doubts. Thus, if the three prominent party leaders involved in the negotiations expressed their support of the idea of a government of national unity after the 2010 general elections and a referendum on the issue, it could be assumed that that was also the position of their boss, who had probably already been informed of the new proposal.

The failure or protraction of negotiations for Muafaka III raised, *inter alia*, two critical questions among political analysts – one relating to the power and influence of the president of the United Republic and chairman of the ruling party; and the other on the commitment and

political prudence of the president. There are two possible speculations or assumptions that could shed light on the above controversy.

The first one is to assume that President Kikwete was truly committed to ending the political conflict in Zanzibar, as he had promised in his first presidential speech to parliament and later when he intervened to facilitate the completion of the negotiation process after it had dragged on for such a long time. However, towards the end of the negotiation process, when the deal was about to be concluded, new snags emerged, including the issue of a referendum, as discussed above.

The circumstances under which Kikwete expressed his firm commitment to the peace deal were somewhat different from the current political reality. When he gave his promise, he was still enjoying his presidential honeymoon – he was still very popular among the electorate, the media and to some extent among the leadership ranks. When the deal was about to be concluded, the political climate had changed remarkably. The hitherto popular president found himself seriously weakened in terms of his popularity and political base. Grappling with issues of his survival in the wake of declining legitimacy⁴⁹ in light of the corruption scandals of Richmond and EPA⁵⁰ on the one hand, and a decline of trust in the CCM government and the president's romantic election promise of "a better life for all" on the other, President Kikwete had to find a strategy to ensure his survival.

But one thing is also clear, that since he came to power, President Kikwete has not seemed to have asserted his leadership effectively,⁵¹ neither within the party nor within the government. Both the ruling party and the government are marred by factionalism and hence a multiplicity of centres of power.⁵² In other words, there are signals of system fragmentation – there is no single unit of command. The chairman of the ruling party who is also the president of the United Republic does not seem to be effectively in charge. Under this kind of scenario, it is quite difficult to expect the president to exercise the power of statesmanship in order to rescue the crumbling reconciliation

process. If President Kikwete had been truly committed to the reconciliation process, but was later overwhelmed by institutional constraints of the political system, then we begin to see limitations of his power as president of the United Republic and chairman of his party.

The second speculation or assumption is an antithesis of the first – that the failure of the reconciliation process could be explained in terms of lack of political commitment and prudence on the part of the president and other key political actors within the government and the ruling party. After all, it is not uncommon for political leaders to justify their failure to act on certain issues on the basis of institutional constraints or factors beyond their control. At any rate, since the problem at hand is not intractable the speculation based on the first assumption seems to be the more plausible cause than on the second.

CUF Strategies

Just like the government and the ruling party, the main opposition in Zanzibar has been using a wide range of strategies in the ongoing conflict. One of these is non-cooperation with government authorities and the ruling party. For example, after the 1995 general elections, CUF boycotted house of representatives sessions while continuing to participate in the national assembly. They also boycotted taking part in development activities run by the Zanzibari government. The party relies on soliciting diplomatic support, with top party officials, particularly the chairman and secretary general, sometimes travelling to Europe and the US in an attempt to mobilise support among Western powers.

On some occasions, the opposition has used demonstrations as a strategy to express their anger and dissatisfaction with the political system. One of these demonstrations (that of 27 January 2001) turned violent as the security and defence forces used excessive force to suppress it, killing dozens of people and injuring several others. Staging demonstrations and committing acts of subversion are considered a means of exercising popular power, e.g., the propagation

of the *ngangari* (militant) slogan during the general elections of 2000 – a threat that the opposition was prepared to deploy people's power to confront the coercive forces of the state in fighting for their rights. This kind of threat was a sort of brinkmanship strategy. It turned out that the party was not sufficiently prepared to carry out that threat.

On the other hand, there have also been some violent acts of retaliation by the opposition, for example, the killing of Major Ayoub Mohammed, a volunteer commander in Pemba, who was stabbed to death during the registration process of the 2005 general elections. This event was apparently a reaction to the killing of a standard six schoolboy, Juma Omar, who was shot dead by a KMKM soldier at Ng'ombeni School, Mkoani district during a fracas by residents of the area to prevent the registration of members of KMKM who were not resident in the area. In Unguja, a CCM party agent was reported to have been killed by unknown people during the registration time. In the aftermath of the 2005 general elections, apparently in reaction to the election outcome, a member of the Zanzibar National Service Unit (JKU) was killed at Piki in Pemba by unknown people. Although some deaths and injuries were reported during election time, there were no reported incidents of exchange of fire between government forces and the opposition or between members of the two political parties. There have been, however, incidents of incitement of communal hatred – boycotting social functions organised by members of the rival party, including weddings and burial ceremonies. This has been extended to trade, by boycotts of goods sold by members of the other party. For example, after the apparent failure of the third accord in May 2008, CUF followers from Pemba declared a boycott on transporting foodstuffs (e.g., bananas and cassava) to Unguja, which provides a significant market for Pemba's agricultural products.

On the whole, the opposition has up to now been relying, basically, on non-violent means of conflict resolution. This is one of the basic features of the Zanzibari conflict – that it has not, so far, had characteristics of an armed rebellion. Although the government has

sometimes used firearms against the opposition, the fact that the other party to the conflict, that is, the opposition, has not yet resorted to the use of organised violence makes the Zanzibari conflict non-armed. It is unclear whether this feature will continue in the near future. At any rate, since the conflict has lasted for so long without a resolution, one of the feasible assumptions is that the opposition might be tempted to consider violence as a feasible strategic alternative.

Recently there was an unprecedented move by people from Pemba in reaction to the failure of Muafaka III. Twelve elders from Pemba⁵³ presented their secession plea (with an attachment of 10,000 signatures of “their people”) to the United Nations resident representative in Tanzania, Oscar Fernandez-Taranco, and asked him to forward it to the UN secretary general, Ban Ki-moon. Later, the same group asked the US ambassador to Tanzania, Mark Green, to send a message to President George Bush asking him to help them break away from Pemba’s union with Unguja on the basis of being politically and economically marginalised by the revolutionary government of Zanzibar.⁵⁴

Given the Zanzibari geopolitical context, massive violence or direct physical confrontation between the regime and the opposition is unlikely. In the event of a failure of non-violent means, and mistrust of one another’s commitment to negotiation processes, there are two possible scenarios. One is for the opposition to accept defeat and play by the existing rules of the game, hoping that, over time, the system might gradually reform itself (for example, after the incorporation of the opposition into the government of national unity after the 2010 general elections). Two, there is a probability that the opposition may exert more pressure by using both diplomatic means and increasing the number of subversive acts of violence aimed at compelling the government to make basic concessions.

Conclusion and Recommendations

Conclusion

An assessment of the factors underlying the issues discussed above is important to understand which ones are fundamental and which are secondary; which ones are compatible and which are incompatible. The issue of pro- versus anti-revolution stances may be one of the very important issues, but it cannot constitute a fundamentally incompatible issue. Assuming that all members of the regime support the revolution, the opposition is quite divided on this issue. Some support the revolution as a liberating event but deplore its legacy; and others condemn it altogether, that is, they see no value in it – not as an event or in its legacy. But since it is possible for people or parties to subscribe to different views on many issues, and in this case, the revolution, but still cooperate politically and socially as a community, their disagreement in this case is not considered to be a fundamentally intractable problem. The revolution essentially becomes a fundamental issue in relation to individual and group political interests of the day relating to accessing and monopolising political and economic resources by a privileged group in power, on the pretext of protecting the gains of the revolution.

The Union is another fundamental issue that seems to divide the two sides. However critical it may be, it is not necessarily intractable. This is because, leaving aside personal and sectional interests, Zanzibaris belonging to the two contending political camps have in principle similar aspirations for their nation; they want more autonomy in managing their own affairs, and on the whole, they are not happy with the current Union arrangements. At the moment, they seem to have different temporary interests as a political strategy; but their motives and ultimate aspirations seem to be more or less the same. If the governance problem is resolved, that is, that relating to the distribution of power among themselves, they are likely to have exactly the same or almost the same position on the Union. They are of the view that if the governance problem is settled so will the Union issue.

It is widely believed that the revolutionary government of Zanzibar hangs onto the current structure of the Union basically for security reasons, as was the case with the decision to unite with Tanganyika in 1964, when President Karume and his faction felt insecure after the revolution. The same motive applies to the current ruling group in Zanzibar. Since their domestic legitimacy is seriously contested, they often pretend to be good towards their mainland counterparts. But once the issue of their legitimacy is settled in Zanzibar, the unholy alliance may come to an end. New forms of cooperation of mutual benefits might be negotiated by the two partners in the Union. In other words, if the purpose of the Union in 1964 was largely instrumental, rather than founded on intrinsic values and aspirations of the people, so it is today. Tanzania is still one sovereign state, but with two nations.

Recommendations

Address issue of democratic governance

A serious governance problem has been observed, based on the lack of agreement about the basic rules of the political game. From past experience, the actions of both the Zanzibari and Union governments show that the two actors are unreliable. They are willing to sign peace deals without serious commitment to honour them. In any negotiation process this is an issue requiring serious consideration. If one or both of the actors are unreliable there is a need to institute adequate institutional safeguards beyond the control and possible subversion of the unreliable actor or actors. In the two deals that were signed in 1999 and 2001, the institutional safeguards were lacking and therefore it was relatively easily for one of the actors to subvert the reconciliation processes. Thus, one of the major recommendations of this study is that a reliable and powerful institutional mechanism be installed to oversee the implementation of the accord. This mechanism can take one of two forms: a third party agreed on by both parties (e.g., the UN) or a powerful joint institution composed of both parties.

Resolution of institutional constraints

Institutional constraints have been observed among the two key actors, that is, CCM–Zanzibar and CCM–Mainland. In a situation where there are critical institutional constraints, individual actors are expected to play a more active role to overcome them. This would, for example, apply to the president of the United Republic as a facilitator and guardian of the reconciliation process. International donors could also play an important role in exerting more pressure on the Union and Zanzibari governments to influence the president of the United Republic to take a resolute stance on the reconciliation process. The president can strengthen his position on the issue by soliciting the support of the moderate forces within the regime.

Reconsider winner-take-all politics

Since the stakes involved are considered by the key actors to be very high, particularly those relating to acquisition and exercise of governmental power, the negotiation process has to take into account a power-sharing arrangement between the two contending parties. As a transitional measure, the winner-take-all system has to be discarded until such time when the political system is stabilised and the key actors have developed basic trust towards each other.

Restructure the Union

The Union issue has been one of the fundamental challenges creating a situation of apprehension among the actors. An agreement on the procedural process for resolving the Union issue should be one of the items in the reconciliation deal. When the two parties are working harmoniously in Zanzibar it would be an opportune moment for a constructive dialogue on the Union in terms of both its structure and practices.

Reconciliation

Zanzibar, apparently more than any other country in East Africa, is said to be haunted by its history – the history of the slave trade

and slavery, racial discrimination, intense class divisions, regional differences, bloody revolution, excessive repression in the post-revolution era, assassinations of political opponents, massive confiscation of property, including land, without compensation, forced exile, discrimination on political grounds, intense political hostilities since the reintroduction of multiparty politics in 1992, gross violations of human rights, and a host of others. Against this backdrop, a number of questions are still posed in relation to the past – pitting victims against perpetrators or sons and daughters of victims against sons and daughters of perpetrators. In this context, a basic understanding of the nagging questions such as how to deal with, for example, confiscated properties, need to be answered. There is also a need to work towards reconciliation, because without harmonious social and political relations there cannot be peace and development.

Urgency and timing of the reconciliation accord

In light of past experiences, and given the degree of desperation by the opposition in Zanzibar, it is urgent that a reconciliation agreement by the two contending parties be worked out and implemented ahead of the general election of 2010. This may help create mutual trust and hence a conducive environment for political competition on the islands. Otherwise, the 2010 general election may turn out to be the most volatile and devastating since the reintroduction of multiparty politics in 1992.

Endnotes

- 1 From the early days of the revolution to date there has been a heated debate about the actual character of the revolution, both as an event and a phenomenon of rule. While some characterise it as a popular revolution in which the African majority deposed an Arab oligarchy and introduced majority rule (e.g., Lofchie, 1965, Mrina and Mattoke, 1980), others have been critical of the revolution, insisting instead that it was not the Arab oligarchy that was deposed; and the new rule did not represent the African majority as claimed since the so-called “African” majority was divided almost down the middle, with some supporting the revolution and others opposing it, if not as an event, at least in its subsequent despotic, discriminatory and exclusionary character (see Ayany, 1970, Sheriff, 1991, Bakari, 2001, Shivji, 2008).
- 2 Bakari (2001); Heilman (2004).

- 3 According to the report by the Presidential Commission of Inquiry led by Brigadier Hashim Mbita. This figure is still seriously contested by CUF, who maintain that the number of deaths exceeds 45.
- 4 Relative to other political conflicts in the Great Lakes region, the number of people killed and injured may appear small. However, given the small population of Zanzibar, the impact of the protracted conflict is substantial, in terms of people's rights (political, economic and social rights) as well as overall economic development, unity and political stability (including that of the Union government).
- 5 Analysts might be amazed at how these tiny offshore islands have shaped the politics of Tanzania, a huge polity. Perhaps one of the reasons might be the fact that historically Zanzibar used to be an imperial power ruling the coastal areas of the mainland and exerting tremendous influence in the interior.
- 6 See, for example, Lofchie (1965: 7). The figures were quoted from the 1948 census. It is important to note that the demographic composition has remarkably changed as a result of the 1964 Revolution in Zanzibar. Quite a significant number of people (mostly Arabs, Indians and people originating from Pemba) left the island and settled elsewhere either on the mainland or overseas and people from the mainland continued to flock into Zanzibar.
- 7 Lofchie (1965:72).
- 8 Initially, the movement adopted quite a radical approach of discrediting the traditional teachings and Sheikhs. With time, however, the movement has become somewhat reconciliatory – more wisdom is used in their teachings and preaching and those who subscribe to the purification movement are, now to some extent, willing to work together with some conservative Sheikhs for a common religious mission.
- 9 These include Sheikh Nassor Bachoo, Sheikh Kulwa Shauri and Sheikh Farid of Uamsho.
- 10 Among the prominent religious groups raising such issues include the Association for Islamic Mobilisation and Propagation (UAMSHO) - [*Jumuiya ya Uamsho na Mihadhara ya Kiislam – Zanzibar*]
- 11 For further details, see the section on Violence Strategy by the regime.
- 12 Bakari (2001).
- 13 *Ibid.*, p. 86.
- 14 This is because there are two governments, each with its three branches but with different jurisdictions. The government in Zanzibar retains considerable autonomy and authority over the legitimate use of force and allocation of resources.
- 15 The use of these labels, i.e., CCM–Zanzibar and CCM–Mainland by analysts is based on the assumption that the two party blocs sometimes behave relatively autonomously and pursue seemingly incompatible interests.
- 16 Heilman (2004: 57).
- 17 This is quite a common statement by the hardliners among CCM leaders and members in Zanzibar. It is often given in casual conversations, but on some occasions it is even given in official meetings. On one occasion, for example, a member of the House of Representatives expressed that rhetoric on the floor of the House in a discussion.
- 18 Bakari, *op. cit.*, p. 114..
- 19 In 2001, a motion was tabled by the Zanzibar Government to insert a constitutional provision that would grant immunity to prosecution to former presidents. The amendment failed together with other amendments suggested under the Second Reconciliation Accord between CCM and CUF.

- 20 While addressing a campaign rally at Micheweni, Pemba in October 2000.
- 21 The debate was ignited by a statement from the Prime Minister, Hon Mizengo Pinda, in Parliament that Zanzibar is not a country. Thereafter a host of top political leaders in Zanzibar including ministers protested against the statement, insisting that Zanzibar is a country.
- 22 One can hardly see fundamental differences between CCM and CUF. See, for example, Kamati Maalum ya SMZ (2001) – Ripoti ya Kamati ya Wataalamu ya Kushauri juu ya Matatizo na Kero za Muungano na Taratibu za Kuziondoa Zanzibar.
- 23 This term refers to the strong supporters of the Union in its current structure, which is part of Nyerere's political legacy on the country.
- 24 This loyalty was an outcome of the radical restructuring of the Tanzania Armed Forces following the 1964 army mutiny and subsequent indoctrination of the armed forces particularly after the 1967 Arusha Declaration.
- 25 The then US Ambassador to Tanzania, for example, Charles Stith used to give statements inimical to the spirit of reconciliation and democratisation.
- 26 My personal interactions with some officials of the State Department provides me with some clues suggesting that the US government perceives that their interest, particularly relating to the ongoing global war on terror could be better served by the CCM governments in both the United Republic of Tanzania and Zanzibar.
- 27 Bakari., *op. cit.*
- 28 For example, members of the European Union (EU) usually engage in intense discussion over the most appropriate measures to be taken.
- 29 It is difficult to get evidence of any involvement of the deposed Sultan in the ongoing conflict in Zanzibar. Whereas some members of the deposed government, including Ally Muhsin, leader of ZNP who died in 2007, were known for their engagement in moral or material support to their fellow Zanzibaris who were fighting for democratisation and political reconciliation, virtually nothing is known about the deposed Sultan.
- 30 Bakari, *op. cit.* p. 201.
- 31 Safire (1978).
- 32 Although as a political strategy brinkmanship can be traced as far back as the origin of politics, the term itself originates from 1956 when, during the US presidential campaign, Democrats led by Adlai Stevenson accused the Eisenhower administration, and particularly Secretary of State John Foster Dulles of brinkmanship. See Safire, *op. cit.*
- 33 Defending the constitution here could imply that the state's coercive forces would be used to prevent the CUF winning the presidency in Zanzibar. According Benjamin Mkapa CUF despises the 1964 revolution and intends to break up the Union.
- 34 *Hizbu* is an Arabic word meaning group. To ASP and later CCM, that label signifies an Arab aristocratic party.
- 35 *Mtanzania* (1999).
- 36 Bakari, *op. cit.* p. 69.
- 37 *Ibid.*, p. 69.
- 38 This perception was based on his record as a minister in the Zanzibari government, when he was known for his non-discriminatory attitude towards members of opposition parties.
- 39 The name was borrowed from the government-backed rebels in Darfur, Sudan.

- 40 The government never refuted these allegations. One junior police officer asked his senior police commander in Zanzibar Town who those groups called Janjaweed were and what their role was; and for that he was given a punitive transfer to Pemba.
- 41 *Dondora* refers to an insect species whose sting inflicts severe pain.
- 42 Muyoba (2006: 18–19).
- 43 *Raia Mwema* (2008). This report has not been verified by independent sources, but the government itself has not questioned the authenticity of the figures, an indication that it could be considered correct. The only defence by government authorities, including the president himself, was that the under-representation of people from Pemba in the Zanzibari government was due to the fact that they did not vote for the ruling party.
- 44 These figures are from CUF sources and they have not been authenticated by the author.
- 45 Given in a press conference by Hamad Rashid Mohammed, Duni Juma Haji na Ismail Jussa Ladhu, *Habari Leo*, 23 May 2008.
- 46 *MwanaHalisi*, 2–8 April 2008, p. 2, translation by author.
- 47 *Raia Mwema*, 2–8 April 2008, p. 3 Judge Warioba is a former prime minister of Tanzania, and a former attorney general. Translation by the author.
- 48 *Raia Mwema*, 2–8 April 2008.
- 49 He won the presidency with a landslide victory of about 80 per cent of the popular vote. A year later, opinion polls by REDET suggested that his popularity had fallen to about 60 per cent and according to the REDET survey of July 2008, the popularity of his government was just around 56 per cent.
- 50 The investigation carried out in 2008 by the accounting firm Ernst and Young revealed that more than US\$116 million had been fraudulently paid to 22 firms through BOT's external payment arrears account (EPA) in one financial year alone. The Richmond scandal involved the award of a contract worth US\$ 172.9 billion to Richmond Power Generation Ltd. The scandal led to the resignation of three ministers, including the prime minister, Edward Lowassa, in February 2008.
- 51 He has been avoiding making critical decisions, to the extent that those below him do not know where the president stands on particular issues, including those related to grand corruption. Some analysts would interpret this style of leadership as a "hands-off approach", i.e., expecting institutions and societal forces to be determined by their own dynamics.
- 52 The factions within the ruling party and the government are a function of various factors including the politics of succession. The party has not yet recovered from the bruises and scars of the previous general election. Besides, there are conspicuous factions around the topical issue of grand corruption (*ufisadi*). The relatively high rate of leakage of government secrets under the Kikwete administration partly attests to the degree of factionalism within the system.
- 53 The delegation was composed of Ahmed Marshed Khamis (chairperson), Hamad Ali Mussa (secretary), Fatma Abdallah Hamad, Gharib Omar Gharib, Hidaya Khamis Haji, Mohammed Mussa Ali, Salim Mohammed Abeid, Mwalim Bakari Ali, Maryam Hamad Bakari, Nassor Abdallah Rajab and Jirani Ali Hamad.
- 54 *The Citizen* (2008). The move was considered to be treasonable by the minister of state, Vice President's Office in Charge of the Union, Mohammed Seif Khatib, and was equated to a similar and unsuccessful attempt by Colonel Mohammed Bacar of Anjou Islands in the Comoros.

7

Understanding Obstacles to Peace in Northern Uganda: Actors, their Interests and Strategies

Paul Omach

Introduction

The conflict in northern Uganda, which has been waged by a number of successive armed groups against the government of Uganda since 1986, has been the most protracted and devastating conflict in the history of post-independence Uganda. But it has also been the least understood, most misconceived, wrongly portrayed and ignored. The conflict was variously portrayed as an Acholi conflict, a northern conflict or a Lord's Resistance Army (LRA) conflict. The LRA is often portrayed as an organisation of religious fanatics or lunatics without political agenda; a tool of the fundamentalist Islamist regime in Sudan. The inherent intention was to present the conflict as a local or native affair, not rooted in the national or domestic politics of Uganda.

Figure 7.1: Map of Uganda showing areas in the mid-north, that have been most affected by the conflict in northern Uganda



This conceals the complex and intractable nature of the conflict, which although rooted in domestic politics is linked to other conflicts in the region in a conflict cluster or security complex, and is underplayed by global geo-strategic issues and interests, such as the war against Islamic fundamentalism and on terrorism. Lack of acknowledgement of this reality has contributed to the failure of numerous peace initiatives aimed at resolving it.

The conflict in northern Uganda is rooted in the problems of state and nation building; lack of sufficient integration among the various linguistic, ethnic, regional, religious and political groupings. This has resulted in disagreement over the roles of various actors in national politics and violent struggles for political control since the early 1960s. The conflict in northern Uganda can be said to be a relocation and continuation of the armed conflict over the struggle for political control that took place between the Uganda People's Congress (UPC) and the military governments and a number of southern-dominated rebel groups in the so-called Luwero Triangle in central Uganda between 1980 and 1986. The conflict, that has lasted more than two decades, has gone through many phases of varied intensity and geographical spread. It has affected the Acholi, Lango, Teso and West Nile sub-regions. Each of the phases of the conflict has been defined by the dominance of a major armed group or groups and concentration of conflict in particular areas. Each phase of the conflict has ended in attempts to achieve a peace settlement, or failure of some form of settlement. Each new phase of the conflict typically began with the resurgence of violence and hostilities, normally after the collapse of peace process or ceasefire arrangements.

The conflict has at different times linked up with conflicts in neighbouring countries of Sudan, Congo, Rwanda, and others farther afield – the Central African Republic, Chad, Angola, Somalia, Ethiopia and Eritrea. In the process the conflict has witnessed the involvement of many actors with diverse interests and strategies. The range of actors include, but are not limited to, the government of Uganda and

the military; numerous Ugandan armed rebel groups; neighbouring states, notably Sudan, DRC, Kenya; and the Sudan People's Liberation Army (SPLA) and the government of Southern Sudan (GOSS), which it controls; Ugandans in the Diaspora; the media; the International Criminal Court (ICC); the local community; traditional leaders; religious and faith-based groups; civil-society groups and NGOs; the UK, US and other Western donor states; and the UN.

The multiplicity of actors with divergent interests and changing strategies and orientations have made the conflict more complex and intractable, and present serious obstacles to peace. While peace negotiations are being conducted, an actor's participation does not necessarily signal a commitment to peace. The Ugandan leadership and the military, for instance, on several occasions engaged in peace negotiations out of expediency, and have not hesitated to derail the process. Likewise, Sudan and the US have used the conflict as a pawn in regional power politics. Similarly, some elements among Ugandans in the Diaspora and the army also use politics to promote their selfish interests. It is the local population, religious and faith-based groups and civil-society groups and countries such as Canada, the Netherlands and Norway that have been persistent peace advocates. But these actors have limited leverage.

This study on understanding obstacles to peace in northern Uganda therefore focusses on actors involved in the conflict, their interests and strategies. To better understand obstacles to the conflict in northern Uganda, I examine it within the context of state and nation-building in Uganda. Next, I examine the various phases of the conflict, focussing on the range of actors and their interests in blocking or promoting peace, and finally the interaction patterns and strategies of the actors in the peace processes are mapped out.

A Note on Methodology

This chapter is based on fieldwork that was carried out in Gulu district in northern Uganda and in Kampala in the period between July and

December 2007. The study was based on key informant interviews with government officials, politicians, local leaders and elders within the community, security officials, staff of NGOs, religious and faith-based groups. Further information was gathered from informal interviews with members of the local community, former LRA soldiers and returnees (people who had been abducted by LRA rebels and have returned home). The study also benefited from project and consultancy reports, official and unofficial documents from the government, UN, NGOs, intergovernmental agencies, newspaper reports, and articles in scholarly journals and publications.

State, Conflict and Nation Building

The conflict in northern Uganda cannot be understood in isolation of the violent conflicts that have characterised Uganda's politics and society, simply labelled the "northern" problem. The prevalence of conflicts in Uganda is linked to the challenges of state and nation building; accumulating, centralising and concentrating power resources necessary for effective territorial domination¹ and integrating the diverse nationalities into a single nation-state. The policies of the colonial and successive postcolonial regimes undermined the process of nation building.

They promoted the development of the state along markedly regional and ethnic lines, and impeded structural integration of the diverse constituents. The colonial policy of indirect rule and the development of local government led to the development of separate "tribal" or ethnic states and created tensions between Uganda's unity and ethnic loyalty, while involvement in military and political conflicts and between pre-colonial polities in favour of some ethnic group impeded national integration and sowed seeds of future conflicts, such as over the so-called "lost counties", which culminated in the 1966 crisis that led to the abolition of kingdoms. Colonial policies also promoted unequal development of economic and social infrastructure in favour of south and southeastern Uganda. The north remained

underdeveloped and no conscious efforts were made to redress these imbalances by successive postcolonial regimes. This increased ethnic animosities and prejudices that are reflected in such stereotypes as "developed" southerners and "backward" northerners.

Consequently, pre-independence politics were characterised by the struggle for control of the postcolonial state, as different groups jostled for positions and privileges. This explains why the "form of government" appropriate for Uganda was a major preoccupation in the years leading to independence, and has continued to be since. The 1962 Constitution reflected these conflicting interests and compromises. It provided for federal status for Buganda and semi-federal status for Busoga and the other kingdoms, and unitary relations between the districts and the central government. The emphasis on traditional or local polities in the Constitution led to a situation where national political institutions "were simply regarded as forum for power bargaining, means to be used in the accumulation of the resources necessary to strengthen local power bases or as instruments for the allocation of rewards to supporters and denial of rewards to opponents."² Members of the different ethnic groups came to regard themselves primarily as representatives of those groups and as their links to the political centre.

It did not therefore take long for the spirit of compromise and institutional restraint on competitiveness and use of power, which had been adhered to reluctantly, to dissipate. In 1964, President Frederick Mutesa II refused to sign into law the bill authorising the transfer of the "lost counties" from Buganda to Bunyoro after Buganda lost a referendum on the issue. This led to a standoff with the prime minister, Milton Obote. The standoff coincided with internal conflicts within the prime minister's party, the UPC. Faced with revolt within his party, in February 1966, Obote ordered the arrests of dissident members of the cabinet and suspended the Constitution. The Buganda Lukiiko (parliament) resolved not to recognise the central government and ordered it off its territory. Tensions increased and order broke down.

The central government ordered a military invasion of the Kabaka's palace. The Kabaka fled into exile, where he later died. The following year, a new constitution declared Uganda a republic and centralised power in an executive president.

The events of 1966 resulted in a crisis of legitimacy and heightened conflicts in the ethnically fragile state. Relations between the southern Bantu ethnic groups and the northern Nilotic groups were strained. The Baganda, in particular, were alienated. It also entrenched the culture of violence and militarism. Subsequently, in 1971, the army overthrew the civilian government of Obote. This was the beginning of eight years of brutal and autocratic rule under the military dictator Idi Amin. Amin's rule was characterised by violence and it poisoned ethnic relations further as the regime alienated one ethnic group after the other.³ It resulted in social dislocation and institutional decay.⁴ Hence, when Amin was overthrown in 1979 by a combined force of the Tanzanian People's Defence Forces and Ugandan guerrillas, violence and disorder continued, and the successive regimes were confronted with the problems of re-establishing societal and political order.⁵ The major political actors of the time, most of whom were political returnees whose claim to a role in national politics rested on their "roles" in the overthrow of Idi Amin, were deeply divided along political, ethnic, religious, military and ideological lines.⁶ Intrigues and manoeuvres were rife, as different groups positioned themselves to control political power. Given the centrality of the military in the struggle for power, recruitment was done along ethnic lines and on a private basis. There was particularly intense rivalry for control and influence within the army between the defence minister, Yoweri Museveni, and the army commander, David Oyite Ojok, who was perceived to be loyal to former President Obote. In late 1979, a report by the National Consultative Council revealed the existence of private armies.⁷ Senior members of the military commission – Museveni, Ojok, Tito Okello, and William Omaria – were reported to have been engaged in competitive recruitment.⁸

Factionalism and intrigue within the Uganda National Liberation Front (UNLF), the umbrella organisation that brought together various Ugandan exile groups, led to short-lived and ineffectual administrations. President Yusuf Lule, who replaced Amin, was deposed after barely 68 days in office and replaced with President Godfrey Binaisa. In May 1980, Binaisa was removed from the presidency and replaced by the Military Commission, which assumed the powers of head of state, with Paulo Muwanga as chairman and Museveni as vice chairman. The Commission announced that elections would be held in September under a multiparty arrangement, reversing the previous decision by President Binaisa to hold elections under the umbrella of the UNLF. By this time, the UNLF was effectively dead, and some of its executives such as the Gang of Four were back in exile. The Gang of Four was a group of influential Ugandan intellectuals in the National Consultative Council (NCC), then the parliament. The group included the NCC chairman, Edward Rugumayo, the NCC secretary Omwony Ojok, the chairman of the Political and Diplomatic Commission, Dan Nabudere, and Yash Tandon, who held the portfolio of information. The group played a crucial role in convening the 1979 Moshi Conference. On 27 May 1980, Obote returned from exile and launched his campaign for the elections. Thereafter, political-party activities were resurrected, along with traditional rivalries. Four political parties fielded candidates for those elections, which were subsequently held in December 1980 – the UPC led by Obote, the Democratic Party (DP) under the leadership of Paul Semogerere, the Conservative Party led by Jehoash Mayanja Nkangi and the Uganda Patriotic Movement under Museveni. There was however a widespread perception, especially among Obote's opponents, that the Military Commission had overthrown President Binaisa to pave way for the return of Obote to power in Uganda.⁹ Consequently, the December 1980 elections, which returned Obote to power, were held under a very tense atmosphere and considerable controversy, mistrust, violence and threats of civil war. The euphoria and hopes of progress and national reconciliation that followed the end of Idi Amin's brutal rule had dissipated.¹⁰ The

UPC government was therefore faced with a crisis of legitimacy, which was compounded by the hostility in Buganda towards Obote, whom they had not forgiven for the desecration of the kingdom in 1966.

Museveni, who had threatened to "go to the bush" and wage war if the elections were rigged, exploited the grievances and resentment of the Baganda towards Obote, and launched a guerrilla war against the government of Obote in February 1981. As Eriya Kategaya put it, "in these areas the hatred or fear of Obote was overwhelming. We did not have worrying opposition. The people embraced the struggle warmly - sometimes naively - because they expected quick victory."¹¹ The systematic mass defection of the faction of the UNLA which was loyal to Museveni¹² split the army along ethnic and regional lines. Most of the soldiers loyal to Museveni were Banyankore, Banyarwanda and Bakiga. It left the UNLA as an army dominated by peoples from northern Uganda, specifically from Acholi and Lango.¹³ The UNLA therefore came to be labelled a Bacholi or an Acholi army by opponents of the government.¹⁴ Moreover the National Resistance Army (NRA) drew its support largely from among members of the Baganda ethnic group, which threatened to ethnicise the conflict and polarise the country along a north-south divide. The brutality and indiscipline exhibited by the UNLA during counterinsurgency operations worsened the relationship it had with an already hostile population. The UNLA was blamed for murder, rape, robbery and looting, which increased ethnic animosity.

In the final analysis, ethnic conflicts between the Acholi and Langi factions within the UNLA and political intrigues within the government led to the overthrow of Obote in July 1985. The new military government set itself two immediate tasks; to establish a national coalition government, and to achieve a negotiated settlement to armed conflicts in the country. The NRA, however, refused to join the government. Instead, it continued fighting. In a desperate move to attain peace, and at the same time maintain power, the military government initiated peace talks with the NRA in August 1985. But the NRA used the negotiations to buy time to extend its control of the

country. The ruling military council was riddled with factionalism and ineptitude. As NRA forces advanced towards the capital, the UNLA, which was too demoralised to put up effective resistance, began to disintegrate along north-south lines. The largely southern-based armed groups; the Uganda Freedom Movement (UFM) and the Federal Democratic Movement (FEDEMO), which had joined the coalition government and UNLA soldiers from southern ethnicities, defected *en masse* to the NRA. By the time the NRA captured state power in January 1986, remnants of the UNLA – the majority of whom were from Acholi. Together with some soldiers of Former Uganda National Army (FUNA) mainly from West Nile, and Uganda National Rescue Front (UNRF), who had been integrated into the military council government, retreated north, taking with them large quantities of arms and ammunition. Despite some occasional resistance, the NRA had spread its control throughout the country by mid-March 1986.¹⁵ Remnants of the UNLA together with the West-Nile based FUNA and UNRF groups, who had been integrated into the UNLA-led military council government either surrendered to the NRA, melted away into the villages or fled to exile.

Relocation of the Epicentre of Conflict and Instability: 1986-1988

The capture of state power by the NRA/M resulted in the shift of the locus of conflict and instability from central to northern Uganda; and a change in roles for the protagonists. The main actors in the conflict during this time were the NRM/A government and President Museveni; numerous armed groups with diverse political and military importance; such as the Uganda People's Democratic Army (UPDA), the Uganda People's Army (UPA), the Ninth October Movement (NOM), Force Obote Back Again (FOBA), and Holy Spirit Movements (HSM). In addition, there were numerous groups of armed robbers and thugs who took advantage of the conflict to harass and loot. These were variously referred to as *pit kumi* and *Boo-kec* in Acholi and *Cel Ibong* in Lango.¹⁶ Other strategic actors included Sudan, SPLA, Kenya,

some Ugandans in the Diaspora and the civilian population in Acholi, Lango, and Teso.

The relocation of the locus of conflict to northern Uganda was not accidental. The capture of power by the NRA had not resolved the fundamental causes of the conflict; such as the struggle for political control and the roles of various actors in national political life. It resulted in general apprehension and fear in the north because conflicts had become ethnically based. In the north, the NRA was perceived as an alien force, which the people could not identify with. On its part, the NRA viewed the north as synonymous with the UNLA and UPC, the enemies it had been fighting. The proliferation of arms in civilian hands made the situation more volatile. But in West Nile, where people were war - weary as a result of the devastation the area had suffered from 1979 to 1985,¹⁷ elders were able to prevail on former soldiers, and they eventually pledged to support and cooperate with the NRA.¹⁸ The behaviour of NRA soldiers, who acted more like conquerors than the liberators they claimed to be, did not endear them to the people of Acholi, Lango and Teso, and it led to a gradual breakdown in relations and deterioration in security.¹⁹ The civilian population became strategic actors for whom the defeat of the NRA became a strategic objective. They adopted a strategy ranging from non-cooperation with the NRA, support for rebel groups, to enlisting in rebellion.

Conflict between the NRA and former soldiers of the UNLA and the civilian population in the Acholi sub-region began to manifest itself in mid-April 1986. After many former UNLA soldiers defied the order that was broadcast over Radio Uganda to report to army authorities within ten days, the NRA began to round up all former soldiers and took them to "politicisation camps", a euphemism for concentration or detention camps. Those arrested were tortured and tied in the notorious "three piece" or *kandoya* fashion, which entails tying a person's arms tightly at the elbows behind his/her backs. The method paralyses the limbs and damages internal organs.²⁰ Harassment, violent robberies and coldblooded murders during NRA operations began to surface.²¹

The government blamed this on indisciplined elements from UFM and FEDEMO fighters integrated into the NRA. Nonetheless, these incidents confirmed the fears that the NRA was bent on revenge and that it could not be trusted. In due course, people began to take up arms and attack NRA soldiers and vehicles. When in August 1986 former soldiers of the UNLA, who had reorganised under the banner of the Uganda People's Democratic Army (UPDA), attacked NRA positions in Gulu and Kitgum districts, they found a receptive environment in which to operate²². The attack provided organisational coherence to a hitherto uncoordinated resistance. Within a few months thereof, the conflict spread to Lango and Teso.

The conflict in the north, especially attacks against NRA positions by the UPDA, was precipitated by SPLA attacks on Ugandan refugees in the east-bank refugee camps in Southern Sudan. The SPLA had feared that the Sudanese government would enlist the help of Ugandan refugees to fight against them; while the NRA/M government, which was sympathetic to the SPLA, feared that the Sudanese government would assist the exiled group to recapture power in Uganda.²³ After the UPDA launched attacks on NRA government army positions in Uganda, President Museveni accused Sudanese government troops stationed in Nimule of rearming and transporting the UPDA. He reasoned that the Sudanese government wanted to use northern Uganda as a rear flank against the SPLA.²⁴ Sudan strenuously denied any role in the attack. But it in turn accused Uganda of supporting the SPLA, a charge Uganda strongly denied. Nonetheless, between 1987 and 1993, the two countries held a number of bilateral meetings during which they pledged not to support "criminal elements from each other's country", and to cooperate on border security. These bilateral agreements were limited to confidence-building measures such as exchange of military missions. They did not address the underlying issues in the conflict, or face up to the reality that the "criminal elements" were not merely proxies, but that they also had their own interests and strategies. As a result, accusations and cross-

border skirmishes as well as air raids by Sudanese planes on Uganda continued.

Besides Sudan, Kenya too was a significant player in the conflict during this time. Kenya harboured deep suspicion of Uganda, which it accused of sheltering Kenyan dissidents. It accused Uganda of helping Kenyans to travel to Libya for military training and of training some within the country — Uganda.²⁵ Uganda on its part accused Kenya of allowing insurgents to use Kenya as a rear flank and transit route. The suspicion was heightened by the capture of Brigadier Smith Opon Acak and Major John Olwol, two former officers of the defunct UNLA, in eastern Uganda after they had entered the country from Kenya in November 1987.²⁶ The media in the two countries heightened tension with hostile propaganda. Between 1987 and 1994, therefore, the conflict in northern Uganda had a spillover effect on relations between Uganda and Kenya. Gradual improvement in relations was brought about through bilateral initiatives.

This phase of the conflict was the most intense and geographically widespread. It involved many armed groups who operated fairly independently of each other. The most dominant of these were the UPDA, the Holy Spirit Mobile Force (HSMF) of Alice Lakwena, and the UPA,²⁷ all of which had a common objective of overthrowing the NRM government through military means. The NRM government too chose a military approach to the conflict. President Museveni, who personifies the NRA, declared, "Fighting and annihilating these types of elements is a justified cause."²⁸ To rationalise and mobilise support for its militarist policy, the NRM government criminalised the armed rebel groups and the conflict. It portrayed the conflict as a result of "rear-guard actions of the defeated, moribund, sectarian and neo-colonial elements?"²⁹ The president referred to the armed insurgents as "the elements that have caused untold suffering to the people of Uganda, violated human rights, murdered people, destroyed the economy and violated the sovereignty of the people of Uganda?"³⁰ The president used every diplomatic opportunity, including speeches

at the United Nations General Assembly, to criminalise the armed opposition.³¹

This phase of the conflict was brought to an end with the defeat of the HSMF in November 1987. Alice Lakwena, the leader of the HSMF, fled to exile in Kenya, where she eventually died in January 2007. Her force disintegrated and some of its membership was taken over by Joseph Kony. A number of initiatives were also made to end the conflict peacefully. These included the presidential pardon and amnesty of 1987, the UPDA–NRA peace agreement of 3 June 1988, and the Teso Peace Commission. The 1988 UPDA–NRA agreement was signed by Lt. Col. Angelo Okello of the UPDA and President Museveni, and witnessed by the Catholic bishop of Gulu Diocese, Cypriano Kihangire. It provided for immediate cessation of hostilities, release of “lodgers” (people incarcerated by the government during counter-insurgency operations), integration of the UPDA into the NRA, resettlement of displaced persons and rehabilitation of infrastructure. Other issues of national concern were expansion of parliament, establishment of a Constituent Assembly to discuss the new constitution that was being drafted, and the establishment of a democratically elected government.³² Acholi elders and civil leaders facilitated the negotiations by acting as intermediaries between the fighting forces. The civilian population wanted peace.

The 1988 UPDA–NRA peace agreement did not, however, end the conflict in northern Uganda. A split occurred within the ranks of the UPDA. A section under the overall military commander of the group, Brigadier Odong Latek, chose to continue fighting. According to a respondent who was a senior commander in the UPDA, some Ugandans in the Diaspora advised the UPDA not to sign an agreement with the NRA. They reasoned that the terms of settlement were unfavourable.³³ These were people who had fled the country after the government in which they had been key players was overthrown by the NRA, so they were dedicated to violent retaliation. The NRA/M government also made a minimum effort to implement the agreement

and the amnesty. It was more interested in the surrender of those opposed to it. It was an agreement of surrender in which members of the UPDA were handled as individuals, without the benefit of group membership. Thus, nearly a year after signing the agreement, many “lodgers” remained in detention.³⁴ In January 1990 a number of senior UPDA officers, who had been integrated into the NRA, were arrested on suspicion of plotting to overthrow the government, while others, like Major Mike Kilama, were killed, allegedly while trying to flee the country. Others actually fled the country.³⁵

Uganda Christian Democratic Army: 1988-1994

Renewed and intensified conflict followed the signing of the agreement, as the UPDA, alongside the NRA, launched a military offensive against Brigadier Odong Latek’s faction of the UPDA and Joseph Kony’s Holy Spirit Movement, which had not been party to the agreement. The two rebel groups had forged an alliance and formed the Uganda Christian Democratic Army (UCDA). The UCDA adopted guerrilla strategies, targeting government soldiers and civilians alike. This strategy was chosen because the civilian population had withdrawn support for armed groups in favour of a negotiated settlement. As the NRA intensified military operations to “wipe out” the UCDA, it used the scorched earth policy and mobilisation of the civilian population into militia or vigilantes, who were deployed to fight against the UCDA. From 1988, militias became significant actors in the conflict, which contributed to the militarisation of society. Between 1988 and 1991 many people were forced from their homes, especially in Acholi and Teso, into internally displaced people’s camps.

By 1993, UCDA, which in 1992 had been renamed the Lord’s Resistance Army (LRA), had been weakened substantially as a result of surrenders and NRA’s counterinsurgency offensives. Towards the end of 1993, LRA, through an elder, Yusuf Adek, contacted the Ugandan government minister of state in charge of “pacification of the north”, Betty Bigombe, and requested to commence negotiations with the government. The military command in Gulu agreed to give

safe passage for the peace emissary to deliver messages to and from the LRA. A ceasefire was agreed upon, and for a while, hope for a peaceful settlement was high. Negotiations were held between the LRA delegation led by Commander Omona and the government delegation comprising Bigombe and the 4th Division commander, among others. In attendance were clan elders and religious leaders.³⁶ The peace initiative, however, collapsed when President Museveni gave an ultimatum to the LRA to surrender within seven days or face military action.

The government accused the LRA of dishonesty and lack of good faith. It argued that the LRA was using the negotiations to replenish its fighters through recruitment and that it was negotiating with the government of Sudan for military assistance. Some respondents reported that the LRA used the freedom of movement during the negotiations to buy large quantities of rope, allegedly to tie abductees together, which created doubts about their sincerity.³⁷ Others assert that a former minister who had been part of the UPDA undermined the talks – he did not want Mrs Betty Bigombe to get credit for ending the conflict.³⁸ Other respondents blamed military officers for sabotaging the negotiations. There are strong feelings that sections of the Ugandan military do not wish the conflict to end because they benefit from it; therefore, they have always acted as peace spoilers. On another occasion, in May 1994, an army helicopter ferried soldiers to surround Kalatusi, in Pawel, Kilak county, Gulu district, where an emissary was to deliver Bigombe's letter to LRA commander, Vincent Otti. After this incident, Otti decided to halt contacts, citing that he did not trust the government's intentions.

From Protected Villages to Operation Iron Fist: 1994-2003

Renewed hostilities followed the collapse of the peace initiative. The conflict became more brutal. The LRA carried out a large-scale massacre of civilians in Atiak in April 1995, in Acol-pii, a Sudanese refugee camp in July 1996, and in Palabek in January 1997. The use of anti-personnel

landmines also became a feature of the conflict. In September 1996, the government began to forcibly relocate the population in Acholi to internment camps, euphemistically labelled “protected villages”, ostensibly to protect them from the LRA. The process was escalated with the intensification of LRA attacks after Operation Iron Fist, and has become one of the most enduring legacies of the conflict. The policy of encampment is controversial and has generated intense debate about the government’s objective and intentions given lack of protection and the humanitarian disaster associated with the camps. Some people have argued that the policy was motivated by a wish to punish the Acholi for their perceived role in counterinsurgency against the NRA. Others say it is aimed at controlling the population to prevent political mobilisation among the Acholi, who are perceived as a potential challenge to Museveni’s hold on power.³⁹

Since 1994, the conflict in northern Uganda has become closely intertwined with the conflict in Sudan and wider issues underpinning the dynamics of relations between Uganda and Sudan. In October 1994 Uganda cancelled the agreement it had reached with Sudan in 1990, under which Sudan was allowed to station a military monitoring team in Uganda. It accused the team of engaging in activities incompatible with its mandate.⁴⁰ In April 1995, Uganda broke off diplomatic relations with Sudan on the grounds that Sudan was supporting Ugandan dissidents.⁴¹ Between 1995 and 1998, Uganda and Sudan fought proxy wars. The Sudanese supported the LRA, the West Nile Bank Front (WNBF), Uganda National Rescue Front II (UNRF II) and Allied Democratic Forces (ADF) rebels in retaliation for Uganda’s support for the SPLA. The ADF and WNBF had bases in Zaire. President Museveni reasoned that Sudan and Zaire under Mobutu intended to “keep the Ugandan army pinned down” and preventing it coming to the aid of Rwanda, which was under threat from former Forces Armées Rwandais (FAR) and Hutu *interahamwe* militia operating from bases in eastern Zaire.⁴² In 1996, Uganda, alongside Rwanda and Angola, who

felt their security was being threatened by Mobutu's Zaire, intervened in support of dissidents fighting to overthrow the regime of Mobutu.

The US, whose policies are influenced by the perception of Ugandan leader Museveni and of Uganda as a "beacon of hope", became a strategic actor in the conflict during this time. In 1996, US provided military aid to Uganda, Ethiopia and Eritrea, which from 1995, it regarded as "new front-line states" against the Islamist regime in Khartoum. The US considered Sudan a rogue state responsible for sponsoring international terrorism. In 1996, The US government approved military aid worth US\$ 20 million to the three countries.⁴³ According to Susan Rice, then US assistant secretary of state for African affairs, the US provided "non-lethal, defensive military assistance" to Uganda "to help improve the effectiveness of its military to defend itself against Sudanese sponsored aggression, in particular that of the LRA".⁴⁴ However, one respondent interviewed in Gulu argued that the US used the conflict in northern Uganda as a proxy to supply the SPLA with military equipment. It is an open secret that the SPLA shared military facilities with the UPDF.⁴⁵ In December 2001, the US added the LRA to its Terrorist Exclusion List. By providing military assistance to Uganda and criminalising the LRA, the US became a peace spoiler in this equation. The US made the prospect of engaging in negotiations with the LRA appear undesirable. As has been argued elsewhere, governments with military resources at hand feel confident and are more inclined to use force rather than political means to resolve conflicts.⁴⁶

Numerous attempts were made by Libya, Iran and Malawi to mediate between Sudan and Uganda, without much success.⁴⁷ These initiatives treated the conflict between Uganda and Sudan in isolation of the other conflicts, and did not involve strategic actors such as the SPLA, LRA and USA. In 1999 widespread international pressure and outrage at the humanitarian crisis, especially child abduction, forced Uganda and Sudan to sign the Nairobi Peace Accord on 8 December. The accord was mediated by the Carter Center and witnessed by

UNICEF, Save the Children and "friendly foreign governments." Uganda and Sudan agreed to cease hostilities, stop supporting each other's dissidents, exchange prisoners of war and facilitate a return of war captives and restore diplomatic relations by February 2000.⁴⁸ The signing of this accord was partly motivated by opportunism. They presented the accord as a demonstration of "their coordination and readiness to support the international community in its legitimate measures to combat terrorism as recently reflected in UN Security Council resolution 1373 (2001)".⁴⁹ This feeling, that the two countries were motivated by opportunism, is gleaned from the half-hearted commitment to the implementation of the agreement, which eventually stalled. But diplomatic pressure from the Carter Center, UNICEF, UNHCR, the Canadian government, Libya and Egypt resulted in the signing of another agreement in 2000. The agreements were, however, not inclusive of key actors such as the LRA and SPLA. Nonetheless, there was a gradual improvement in relations between Sudan and Uganda, which enabled the repatriation, via Khartoum, of about 323 people who had escaped from LRA abduction.

With the euphoria of the transition to democracy after the promulgation of a new constitution and elections in 1996, the parliament of Uganda extracted a concession from the government to discuss the conflict in northern Uganda. However, the Parliamentary Sessional Committee on Defence and Internal Affairs ruled out peace talks in favour of a military approach, although a minority report by two members recommended peace talks. From then on, the search for a peaceful resolution to the conflict was sustained by the activities of civil-society groups. In 1997, a civic forum, *Kacoke Madit* (an organisation of the Acholi in the Diaspora), was organised in London during which the government was called upon to initiate dialogue with all parties to the conflict. The forum was attended by representatives of the government and the LRA. The Acholi Religious Leaders Peace Initiative, traditional leaders or *Ker Kal Kwaro* of the Acholi and Civil Society Organization for Peace in Northern Uganda (COSPNU) have been particularly persistent in advocating for peace.

Under sustained pressure from these groups and international donor states and agencies, the government of Uganda reluctantly accepted to grant amnesty to all insurgents. The Amnesty Act (2000) came into force in January. The Gulu-based Mega FM that was established with the assistance of the UK government as a community radio station has also played a central role in encouraging LRA rebels to respond to the amnesty. It hosts a programme, *Dwog Paco* or “come back home”. But Mega FM has had a difficult task to chart out a neutral course and remain independent. In contrast, the national media have been accused of biased reporting. In 2002, the ARLPI published *War of Words*, in which it criticised the role of the Ugandan media in the conflict.⁵⁰ Like the government, the media has, for a long time, peddled the argument that the LRA had no political agenda, and presented the organisation as a spent force. To advance the point, they published photos of the sickly rebels after being captured or after surrendered.⁵¹ It would appear as if the intention of the media was to discourage the possibility of the government holding negotiations with the LRA. As a result, little is known about the LRA, even by the government of Uganda. That is why, when the Juba peace talks began, the composition of the LRA delegation, its position paper and information of LRA strength surprised many people, including the government.

Lack of interest in a search for a peaceful resolution of the conflict by the government of Uganda was manifested in President Museveni's attitude to the demand for an amnesty for rebels. While announcing the offer of amnesty, the president betrayed his lack of enthusiasm when he warned that it was not open-ended, and warned that he would recruit more soldiers and buy more military equipment to crush insurgencies.⁵² A lack of enthusiasm for the amnesty was also expressed by the Army chief of staff, Brigadier James Kazini, who declared the amnesty unworkable and vowed to carry on fighting.⁵³ Implementation of the amnesty therefore got off to a slow start.⁵⁴ The amnesty was further undermined by the United States' inclusion of the LRA and ADF on its Terrorist Exclusion List in December 2001 under the newly enacted US Patriot Act, designed to protect the US and its

citizens after September 11.⁵⁵ In March of 2002, Uganda followed suit and passed the Anti-Terrorism Act, thereby criminalising the LRA and other insurgent groups and excluding peaceful negotiations with the LRA. On 10 March 2002 it signed a protocol with Sudan allowing Ugandan soldiers to “execute a limited military operation within the borders of the Sudan” to conduct a military offensive against the LRA.⁵⁶ Thereafter, the Ugandan government abandoned peaceful negotiations in favour of a military approach to the conflict by launching Operation Iron Fist, ostensibly to destroy the LRA from within Sudan and bring lasting peace to northern Uganda.

The endorsement and public support by President Museveni of the role of Acholi Religious Leaders and *Rwodi* (chiefs) in facilitating contact between the LRA and the government could not compensate for the lack of interest in peaceful negotiation. This was manifested on 28 August 2002 when the army attacked and arrested, or captured, according to them, three priests who were meeting LRA rebels. The army accused them of sneaking into the bush to meet the rebels without permission from relevant authorities, which made their intentions suspicious. The chairman of the Acholi Religious Leaders Peace Initiative, Archbishop John Baptist Odama, disagrees. According to him, the meeting had been authorised by political and military authorities in Kitgum district, where the talks were to take place.⁵⁷

By turning their backs on peace missions that were sanctioned by the government, the Ugandan military and intelligence agencies exposed their motives to scrutiny.⁵⁸ The UPDF has and maintains a privileged status in Uganda due to the NRA’s role in putting and maintaining Museveni in power. There are perceptions that the UPDF uses the conflict to sustain its political influence and privileges.⁵⁹ There is also widespread belief that the UPDF is not keen on ending the conflict because it provides the justification for high defence spending, and the need to equip and “modernise” the army. Private gain cannot be ruled out since military procurement is classified and there have been many reported cases of corruption. Senior army officers, government officials and businessmen close to the presidency have been mentioned

in a number of corrupt deals, ghost soldier scams, embezzlement, and bribes and kickbacks in the purchase of aircraft, arms, food rations and uniforms.⁶⁰ As one respondent observed, the fact that actual war efforts in northern Uganda have never matched the high military expenditure indicates that conflict in northern Uganda has been used by the UPDF to “sanitise its bookkeeping”.⁶¹ To others, UPDF soldiers view the conflict as *poto ngor gi*, a back garden from which they can always harvest some green vegetables.⁶² It needs to be remembered however that the UPDF, like other armies, is not homogeneous. The interests and aspirations of the foot soldiers are closer to those of the general population than the senior army officers, from whom they are typically estranged.⁶³ As one respondent who has made numerous trips by road from Gulu to Sudan via Atiak and Nimule observed, “those UPDF soldiers who spend the night in the cold” are interested in peace, and are visibly excited about the peace talks in Juba.⁶⁴

Post-Operation Iron Fist

Operation Iron Fist, which was launched by the government of Uganda, had a boomerang effect. Instead of getting rid of the LRA rebels from their bases in Southern Sudan, it stirred up a hornets’ nest, so to speak, driving the LRA back into northern Uganda and intensifying the conflict. By 2003 the LRA had fanned out, spreading mayhem in Lango and Teso.⁶⁵ The scale of the humanitarian crisis reached an unprecedented level, as entire communities beyond the traditional area of LRA operation in the Acholi subregion were displaced. By 2005, an estimated 1,167,000 people in north and northeastern Uganda were living in IDP camps.⁶⁶ The conflict ceased to be an Acholi or a local problem. It became a national problem that generated a lot of interest from a cross-section of the public, civil society, parliament and the media. In 2004, the parliament recommended that northern Uganda be declared a disaster area, but cabinet disagreed. Uganda’s parliament is weak, it is controlled by the presidency and suffers from the perils of parliaments in “personal states. The international

community, too, was appalled by the scale of the humanitarian crisis. Jan Egeland, the UN Undersecretary General for Humanitarian Affairs and Emergency Relief Coordinator helped bring attention to the conflict when he referred to the conflict as one of the world's "largest neglected humanitarian emergencies."⁶⁷ On 14 April 2004, Jan Egeland briefed the Security Council on the humanitarian situation in northern Uganda. Among other things, the Security Council stressed the importance of "exploring all peaceful avenues to resolve the conflict, including through creating a climate in which solutions based on dialogue might be found."⁶⁸ Demand for the government of Uganda to seek a peaceful end to the conflict and declare northern Uganda a disaster area increased, to the chagrin of the government.⁶⁹ Protection activities by international NGOs and UN agencies also increased dramatically.⁷⁰ Some people have argued that the UN has used humanitarian protection as a Trojan Horse.⁷¹ According to some respondents, Gulu district, one of the areas worst affected by the conflict, has the highest concentration of NGOs in Uganda. However, perceptions about NGOs are not all necessarily benign. One respondent said, "NGOs are like vultures that go wherever there is disaster and use footage of disasters to raise funds." However, most NGOs pay lip service to participation, partnership and developing capacity of local institutions.⁷²

The Ugandan government was not pleased by the nature of the debate in the Security Council on the situation in northern Uganda. It argued that the debate was influenced by the "alarmist" views of Egeland. It further maintained that demands for involvement of the international community in the conflict were "unacceptable". It reiterated its view that the "the situation in northern Uganda is an internal matter on which the government alone can recommend, call for help, and/or initiate action as it sees fit." It insisted on a military solution to the conflict, and demanded a regional military approach involving Mission des Nations Unies en République Démocratique du Congo (MONUC), United Nations Mission in Sudan (UNIMIS),

African Union Forces in Sudan, the SPLA, Sudan and DRC to disarm the LRA.⁷³ It described as unjustified a call by the permanent representative of Canada to the president of the Security Council for the situation in northern Uganda to be put on the agenda of the Security Council.⁷⁴

Demand by the government of Uganda for the LRA to be militarily disarmed did not receive sympathetic hearing.⁷⁵ Given Uganda's role in the conflict in DRC, cooperation by the latter could not be presumed. DRC had filed a case against Uganda with the International Court of Justice for illegal exploitation of its natural resources. DRC also faces the challenge of building a national army through a merger of numerous armed groups that had just emerged from a bitter civil war. Participation in a war against the LRA would be divisive. In addition, even if it was willing to cooperate, it is doubtful DRC had the capacity. The SPLA had just signed the Comprehensive Peace Agreement (CPA) with the government of Sudan after years of bitter conflict. Its main interest was peace in the south and it was aware of the dangers inherent in trying to engage the LRA militarily, an action that would unleash serious reprisals against civilians, and also create a serious split within Southern Sudan. Sudan had been an ally of the LRA for a long time. Although it had signed an agreement with Uganda in 2002 allowing the UPDF to operate in Southern Sudan, it was inconceivable for it to fight the LRA directly, as the LRA could still play a vital role in undermining GOSS. A military campaign against the LRA would be burdensome for MONUC, UNIMIS and the African Union (AU) forces in Sudan, who are too thin on the ground and overstretched. The UN and AU were clearly reluctant to take on another burden. The Ugandan government did not seem to have appreciated these concerns.⁷⁶

In January 2004, President Museveni asked the ICC to investigate possible crimes against humanity committed by the LRA. In July 2004 the ICC opened investigations and in October 2005 it unsealed arrest warrants, charging five top LRA commanders with war crimes and

crimes against humanity. The Ugandan government has been criticised for using the ICC as a political instrument to advance its militarisation of the conflict and for criminalising the LRA as a means to delegitimise political and military opposition.⁷⁷ But most significantly, the ICC has become an obstacle to peace. The ICC indictment has complicated the implementation of the amnesty that was enacted in 2000 - LRA rebels are now afraid to surrender. The ICC's warrants have prevented senior LRA officials from attending peace negotiations. The indictment of the top LRA leadership complicates implementation of Agenda Item 3 of the Juba peace talks, since the ICC is opposed to the application of the traditional justice mechanism of *mato oput* for the top LRA leaders. According to Archbishop John Baptist Odama, without its leadership, the LRA may have internal problems which may generate greater conflicts.⁷⁸ There is also a general view among the population that the ICC is insensitive. Others wonder whether the ICC has a mother in the camps.⁷⁹ The timing of the ICC intervention in the conflict was questioned by a respondent who contended that it was not proper for the ICC indictment to run concurrently with the Juba peace talks. The ICC could have waited and come in during the post-settlement stage, given that the crimes for which the LRA leaders have been indicted are not time barred.⁸⁰ The ICC has an interest in using the conflict as a test case which is crucial for the subsequent prosecution of war criminals by the court.

In September 2005 the LRA crossed from Sudan into Garamba National Park, northeast of DRC. According to a Ugandan security official, although Sudan had officially severed relations with the LRA in 2002, relocation by the LRA into DRC was organised by the Sudanese government with the knowledge of Congolese officials. The official alleged that the LRA are supplied by Mbororo Arab nomads who were already in Garamba National Park, and through airdrops to bases in CAR.⁸¹ Relocation of the LRA into northeastern DRC presented a regional crisis. The LRA attacked civilians and humanitarian workers in Southern Sudan, which threatened the repatriation of Sudanese

refugees from DRC, CAR and Uganda.⁸² An attack against a MONUC detachment on 23 January 2006 that killed eight and wounded five Guatemalan peacekeepers led to a discussion by the UN Security Council of the LRA situation.⁸³ The UK, whose role in the conflict has been ambivalent, sponsored a resolution in the UN Security Council for military action against the LRA.

The Juba Peace Talks

In May 2006 there was a dramatic development in the conflict when the enigmatic leader of the LRA, Joseph Kony, released a video in which he called for a peaceful end to the conflict. Kony's message was delivered to Uganda's President Museveni by Salva Kiir, president of Southern Sudan, who offered to mediate. The Ugandan government's initial reaction to the offer was that of skepticism. President Museveni insisted on unconditional surrender by the LRA.⁸⁴ The army spokesman also expressed skepticism about the offer and insisted that the army would continue fighting.⁸⁵ The president later agreed to take part in the peace talks with the LRA, under the mediation of GOSS. These talks began on 14 July 2006 in Juba under the mediation of Riek Machar, vice president of Southern Sudan. But the talks got off to a difficult start with both parties taking hardline positions. From the outset, the government of Uganda viewed the purpose of the talks as a negotiation of the terms for surrender of the LRA. It rejected LRA calls for cessation of hostilities. The LRA adopted the tactic of walking out and causing a stalemate.⁸⁶ Despite initial challenges, in an unprecedented development, the LRA and the government of Uganda signed a landmark Cessation of Hostilities Agreement in August 2006.⁸⁷

The future of the Juba peace talks was, however, threatened by the Ugandan government's negotiations with DRC and agreements on joint military operations against the LRA. The threat of arrest by the ICC also hung like the sword of Damocles over the peace talks and prevented senior LRA commanders from participating in the talks

directly. The LRA expressed fear for the security of its members. They expressed concern regarding the neutrality of the chief mediator, Riek Machar, "insufficient welfare provisions", and ineptness and lack of cooperation by the mediation secretariat.⁸⁸ The Ugandan media also appears to have acted irresponsibly. For instance, during the negotiations and even after the signing of Agenda 3 on Reconciliation, the print media published pictures of jails in the Hague which they claimed had been prepared for the LRA leaders who had been indicted by the Court. It continued publishing pictures of victims of LRA atrocities, as if to inflame sentiments and derail the peace process.

The peace talks highlighted the role of some Ugandans in the Diaspora in the conflict in northern Uganda. The LRA delegation to the talks, especially at the beginning of the negotiation, was largely composed of Ugandans living in exile. Although this composition raised concerns about influence and legitimacy, it was also an indication of how difficult it was to know what the LRA is and who are behind the organisation. The delegates demonstrated that LRA enjoys support among elements within the Ugandan Diaspora. As one respondent put it, during *Kacoke Madit*, a civic meeting which was held in London in 1998 to discuss the conflict in northern Uganda, LRA spokesperson James Obita received a standing ovation when he said: "I bring you greetings from Major General Joseph Kony."⁸⁹ The LRA romanticises the Diaspora, the members of which exaggerate their influence well beyond their capacity. Some of them have a "utopian addiction to the violent overthrow"⁹⁰ of President Museveni's government, to which they attribute Uganda's problems. They thus encourage the LRA to continue fighting, ignoring the fact that the LRA lacks local and national appeal. Most exiles are people who had bitter experiences in Uganda; were jailed, tortured, lost their property and jobs. They argue that the peace talks "should not be hurried" and that Southern Sudan should not have been the venue for the talks. They are uncompromising critics of the Ugandan government, but they are largely regarded by the population in the north as "out of touch with

reality on the ground.”⁹¹ Most of them left Uganda decades ago and only operate on the “Acholi-net”.⁹² They are not aware and maybe, do not even care that the local population is desperate to see an end to the conflict. The interests of Ugandans in the Diaspora range from revenge, strategising for jobs, financial gains to other opportunities available in postwar Uganda. For them, supporting the LRA is an investment, or *Yiko oywelo*, as one respondent put it in Luo.⁹³ To others exiles, continued conflict guarantees extension of leave of residence in countries where they are residents.⁹⁴ However, there is need to bear in mind that the Diaspora is not homogeneous.⁹⁵

A number of actors were involved in the Juba peace talks. The GOSS acted as the midwife of the peace talks by initiating the mediation in defiance of critics who were against any political contact with the LRA. The GOSS needs peace in Southern Sudan and is aware that conflict in northern Uganda would complicate the implementation of the CPA. They want to remove the LRA factor to strengthen their position in dealing with the Sudanese government. The GOSS is also aware of the futility inherent in attempting to use military force to drive the LRA out of Southern Sudan. Furthermore, a peaceful northern Uganda is vital for reconstruction and economic progress in Southern Sudan. Northern Uganda is an important access route and source of commodities. The GOSS has therefore employed diplomatic measures to promote its goals.

A number of friendly countries, such as Norway, Canada and Denmark, provided financing. The UN's appointment of a special envoy to deal with this conflict raised the profile of the negotiations. Other African countries such as Kenya, Tanzania and South Africa sent observers. NGOs such as Caritas, Saint Egidio and Pax Christi also acted as observers and peace advocates. Other actors included traditional leaders and community members from northern Uganda, ARLPI, politicians, members of the Ugandan Diaspora and many others. Concern, however, emerged that the talks were “too crowded”, with so many representatives wanting to participate.

The reasons behind suing the LRA for peace and President Museveni's grudging acceptance to negotiate as well as their (both the president and the rebels') commitment to a peaceful resolution of the conflict are subjects of debate. Improvement in relations between Sudan and Uganda since 2000 had disadvantaged the LRA. It is also apparent that the Ugandan government's Operation Iron Fist had weakened the LRA by disrupting access to food, military formations and organisation. The threat of an ICC investigation also seemed to have been double-edged. It might have forced the LRA to the negotiating table, since lifting the indictment is a central concern for the LRA, although it has also turned out to be disruptive. With the establishment of GOSS, the LRA lost the safety of Southern Sudan as its rear base. The LRA was under pressure by GOSS to talk peace or leave the area.

Over time, pressure had also been mounting on the government of Uganda to resolve the conflict peacefully. Its demand for a regional military assault against the LRA had been rejected.⁹⁶ This was acknowledged by President Museveni in a state of the nation address, while announcing the decision to engage in peace talks with the LRA.⁹⁷ One respondent also attributed President Museveni's acceptance to pursue a peaceful end to the conflict to increasing opposition from his support in the NRM and southern Uganda. With the collapse of the Bantu or Luwero consensus, peace in the north has become a survival strategy.⁹⁸ After the Congo debacle and the controversial removal of term limits to allow President Museveni to remain in office, and increasing state repression, the previously benign opinion about Museveni among Western donor states had begun to change. For a leader preparing to host the Commonwealth Heads of States and Governments Meeting (CHOGM), it was vital for President Museveni to reinvent himself. The results of the 2006 elections had also signalled a deepening of the north-south split. The greater north voted against Museveni and candidates of his party, the NRM. This could have contributed to a rethink of policy on the conflict in the north.⁹⁹ By accepting to negotiate, the president was playing the card of

expediency. In unguarded moments the president betrays himself. He uses words like “soft landing” to refer to the Juba peace talks. He has also been reported to have said: “I am always branded a war monger. So I had to be here and show that I am a very peaceful person.”¹⁰⁰

The talks raised hopes for the restoration of peace in northern Uganda, given the remarkable improvement in security in the area since the talks commenced. Nonetheless, LRA walkouts and delaying tactics created uncertainty and suspicion. There was widespread suspicion that the LRA was using the talks to buy time to rebuild its army. There are reports that the LRA has established bases in CAR, and that it receives supplies from the government of Sudan, which also supports two other rebel groups in Chad and CAR. The Ugandan media has also been awash with reports of unrest within the LRA, especially since the end of 2007. Some LRA fighters have defected to the government of Uganda, while the fate of others is shrouded in uncertainty.¹⁰¹ The LRA army commander Otti was executed on the instructions of Kony.¹⁰² Furthermore, at the beginning of 2008, Kony sacked the entire peace team headed by Martin Ojul after it had concluded consultations on the implementation of Agenda Item 3 and appointed a new team. He accused the team of having been compromised by the government of Uganda and of taking bribes. Despite this setback, the new team, headed by Nyekorach-Matsanga, continued with the negotiations and signed the remaining two items on the agenda within a very short time.

But the failure of LRA leader Kony to show up in Rikwangba for the signing of the final agreement on 11 April 2008 raised doubts about the future of the peace process. Joseph Kony demanded clarification on the link between the traditional justice system, *mato oput*, and the proposed special division of the High Court of Uganda to try those indicted by the ICC. He thereafter also sacked Nyekorach-Matsanga, and replaced him with James Obita.¹⁰³ These acts by the LRA leader raise a number of issues, among them mistrust by the LRA of the Ugandan government, the SPLA and GOSS, which sponsored the talks from the beginning. Throughout the talks President Museveni was not shy to

engage in acts that could spoil the peace, such as signing agreements with DRC to fight the LRA and taking threatening military action.¹⁰⁴ The collapse of the talks also raised doubts as to whether the LRA peace team, made up of Ugandans from the Diaspora, had full powers to negotiate on behalf of the LRA. As has been argued, the Uganda Diaspora is not homogeneous and has among the group hardliners dedicated to the violent overthrow of the government of Uganda. The omission of the GOS from the talks was also a serious mistake, given its central role in the conflict. Sudan's interests in the conflict in northern Uganda are linked to its politics, specifically future developments in Southern Sudan in the runup to and after the referendum on self determination scheduled for 2011. But Sudan is enigmatic. It plays its cards close to its chest. It understands international politics and plays smartly.¹⁰⁵ There are elements within the Khartoum establishment that are still suspected to be in touch with and supportive of the LRA. Some sources allege that LRA fighters in Garamba National Park in DRC and in CAR continue to receive assistance from Sudan, which is also supporting rebels in Chad and the CAR.¹⁰⁶ The visit by the president of CAR to Uganda at the invitation of President Museveni confirmed fears that Sudan wants to use LRA to distract GOSS and pre-empt the secession of Southern Sudan.

Conclusion

Emphasis should be put on establishing a domestic environment conducive to resolving conflicts peacefully by addressing issues of governance. Transformation of insurgent groups such as LRA into political parties is also vital. Interaction between the LRA and the civilian population is more likely contribute to the transformation of the LRA than its contact with the Diaspora.

Northern Uganda presents a conflict tangle. The multiplicity of actors with divergent interests and changing strategies has made the conflict more complex and intractable. Attempts at negotiating a settlement have neglected this aspect and have approached the conflict in an isolated manner. Inherently such attempts have therefore failed

to resolve the conflict. The conference on security and stability in the Great Lakes for instance, never considered northern Uganda as an important item for discussion. Only the EAC Legislative Assembly tried to raise the issue, but with little consequence. A more realistic approach to the conflict would involve strategic actors in the conflict, such as the US and Sudan, who have leverage on the government of Uganda, the SPLA and the LRA respectively. The conflict needs to be handled within a regional framework in order to deal comprehensively with issues of regional and global concerns.

Recommendations

Initiatives aimed at finding a lasting solution to the conflict in northern Uganda must approach the north as an integral part of the country and address the grievances of the north in that context. The conflict in northern Uganda has its roots in the problem of nation-building and it emanates from grievances against the political system. These grievances are a result of marginalisation, underdevelopment and inability of the state to protect its citizens.

Insistence on a military solution to the conflict is not advisable. A military solution, even if successful, cannot guarantee stability, since it is likely to lead to a resurgence of conflict later on. Emphasis should be put on the establishment of a domestic environment for a peaceful resolution of the conflict, and one that will address governance issues.

It is also vital to create a critical mass among the population to engage the government and champion peace and democracy. In the past, sustained pressure by civil society, NGOs, religious and faith-based groups forced the government to declare an amnesty and agree to participate in a negotiated peace settlement.

The search for a negotiated settlement has ignored the connectedness of the conflicts in the region. This is what led to the Juba approach, which considered the conflict as a northern Ugandan issue. Institutions such as the Conference on Security and Stability in the Great Lakes region and IGAD could play a central role because, as has been demonstrated, the northern Ugandan conflict is part of

wider conflict networks or complexes; and it must be handled within a regional framework if its resolution is to lead to peace and stability.

Endnotes

- 1 Cohen, Brown and Oganski (1981).
- 2 Mudoola (1987: 58); see also Obote (1968).
- 3 Legum (1972-73); Hansen (1977).
- 4 Southall (1980).
- 5 Decalo (1990: 133-98).
- 6 Gertzel (1980: 461-489).
- 7 Legum (1980-81: B356).
- 8 Aidan Southall, *ibid* p. 650.
- 9 See Nabudere (1980: 345); Museveni (1997: 114-117).
- 10 Africa Research Bulletin (August 1985: 7722).
- 11 Kategaya (1993).
- 12 Museveni. *op. cit.*, p. 137.
- 13 Omara-Otunnu (1987: 157-8).
- 14 Amaza (1998: 62).
- 15 Africa Research Bulletin (April 1986: 8018-8019).
- 16 Literally translated, *pit kumi* means "feed your body"; *Boo-kec* refers to the bitter taste of a common type of vegetable, signifying preference for something like meat dishes, while *Cel Ibong* means "shoot and search", typical behaviour of armed robbers. Another armed group, the National Army for the Liberation of Uganda (NALU), operated in southwestern Uganda.
- 17 Gingyera-Pinyawa (1993: 116).
- 18 *Weekly Topic* (1986: 1). In a meeting with NRM vice chairman, Alhaji Moses Kigongo, a delegation of FUNA pledged to work with the government and also requested to be integrated into the NRA and to be given resettlement packages.
- 19 This resulted in the perception that it was the NRA and not the NRM which had crossed the Karuma bridge and went to the north, implying that the north was conquered militarily, but not won over politically. Republic of Uganda (1997: 45).
- 20 *Ibid.*, see in particular submission of the Acholi Parliamentary Group and memorandum to the Teso Commission.
- 21 Sabina (1986: 1 and 12).
- 22 Republic of Uganda *op. cit.*; Amaza *op. cit.*, p. 150.
- 23 Allen; Africa Research Bulletin (June 1986: 8096); Woodward (237).
- 24 Africa Research Bulletin (September 1986: 8199).
- 25 Africa Research Bulletin. (June 1987: 8495); *Weekly Topic* (1987: 3).
- 26 Republic of Uganda, *op. cit.*, pp. 31-32.
- 27 The UPDA and UPA were loosely organised under autonomous commanders, whose allegiance to the overall commanders of the groups was minimal. The HSMF operated like one of the autonomous units of the UPDA and borrowed or recruited from both UPDA and the UPA for its operations.
- 28 President Museveni's Address to the Nation on the Anniversary of Uganda's Independence, 9 October 1987.

- 29 President Museveni's Speech on the Opening of the National Resistance Council Session at the National Assembly. Kampala, 7 April 1987.
- 30 *Ibid.*
- 31 President Museveni's Address to the 42 Session of the General Assembly of the United Nations, New York, October 1987.
- 32 Lamwaka (1996).
- 33 Personal Interview (Gulu), 2 August 2007.
- 34 Twine and Basalirwa (1989).
- 35 Africa Research Bulletin (March 1990: 9600-9601).
- 36 Personal interview with Yusuf Adek (Gulu), 29 July 2007.
- 37 Omach (2003).
- 38 Pain (1997: 20-22).
- 39 Branch (2005).
- 40 Africa Research Bulletin (November 1994: 11603).
- 41 Africa Research Bulletin (May 1995: 11813).
- 42 President Museveni's Address to Parliament, Kampala, 28 May 2000, on Uganda's Role in the Democratic Republic of Congo.
- 43 *Africa Confidential* (1996: 1).
- 44 Susan E. Rice, Statement before the Subcommittees on Africa and on International Operations and Human Rights of the House International Relations Committee. Washington DC, 29 July 1998.
- 45 Personal Interview (Gulu), August 2007.
- 46 Omach (2000).
- 47 Africa Research Bulletin (October 1996: 12390).
- 48 Wakabi (2000: 32); UN Security Council (2002).
- 49 *Ibid.* Annex to the letter dated 14 March 2002 from the Permanent Representative of Uganda to the United Nations, addressed to the president of the Security Council.
- 50 Personal Interview with Archbishop John Baptist Odama (Gulu) 30 July 2007.
- 51 Confidential Interview (Gulu), July 2007.
- 52 IRIN (1999).
- 53 IRIN (2000).
- 54 Matsiko (2000); Wasike (2000); Rwomushana (2000).
- 55 IRIN, Uganda: IRIN Focus on Humanitarian Issue in 2001, <http://www.irinnews.org>
- 56 UN Security Council, *op. cit.*
- 57 Nyakairu (2002) Justice and Peace News (2002); *Monitor* (2002).
- 58 Some respondents, however, insist that the actions of the UPDF are sanctioned by President Museveni.
- 59 President Museveni and UPDF commanders regularly remind Ugandans that it is because of the UPDF that they are enjoying peace, stability and prosperity.
- 60 See Tangri and Mwenda
- 61 Personal interview (Gulu), 29 July 2007.
- 62 Personal interview (Gulu), 29 July 2007.
- 63 Kandeh (2002).
- 64 Personal interview 29 July 2007.

- 65 On 21 February 2004 the LRA attacked a displaced persons camp and killed nearly 200 people. A few days earlier they had killed about 50 people in nearby Abi camp. See *Monitor* (23 February 2004); Mugisha and Mao (2004).
- 66 UN OCHA. Consolidated Appeal for Northern Uganda, 2005.
- 67 IRIN, 12 November 2003
- 68 UN Security Council (2004).
- 69 *Monitor* (27 May 2004); Mutaizibwa (2004); Atuhaire (2004); Mwanguhya Mpagi (2004); Mutaizibwa and Nyakairu (2004).
- 70 Nyakairu (2003); Osike (2004); *Monitor* (5 April 2004). The president of the Security Council requested, for the first time, that the secretary general report on recommendations for protection of civilians in armed conflict in 1999 (S/PRST/199/6).
- 71 Dolan and Hovil (2006).
- 72 Personal Interview (Gulu), August 2007.
- 73 UN Security Council (2005); UN Security Council (2006); De Temmerman and Osike (2006).
- 74 UN Security Council (2006 *op. cit.*); UN Security Council 5415th Meeting, 19 April 2006, SC/8695.
- 75 Bogere, Matsiko and Agencies (2005).
- 76 *East African* (12-18 June 2006).
- 77 Branch (2007).
- 78 Personal Interview with Archbishop John Baptist Odama, 30 July 2007.
- 79 These sentiments have been reflected in popular songs and in radio phone-in programmes.
- 80 Personal interview with James Otto of Human Rights Focus. Gulu, 31 July 2007
- 81 Confidential Interview (Kampala), November 2007.
- 82 United Nations Security Council Briefing by the Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator. 5331st meeting 19 December 2005, S/pV.5331.
- 83 United Nations Security Council. 5359th meeting on The Situation in the Great Lakes Region, S/PV.5359.
- 84 *East African* (22-28 May 2006).
- 85 *New Vision* (2006).
- 86 Wakabi (2006); Nyakairu (2006).
- 87 Mukasa (2006).
- 88 Lord's Resistance Movement. Presentation of the LRA/M to Joint Stakeholders on the Way Forward in Breaking the Impasse in the Peace Talks.
- 89 Personal Interview with Norbert Mao (Gulu), 29 July 2007.
- 90 *Ibid.*
- 91 This view is widespread among the local population in Gulu district. It is a common perception about exiles repeatedly expressed during interviews.
- 92 Personal interview (Gulu), August 2007.
- 93 Personal interview (Gulu), 31 July 2007.
- 94 Personal interview (Gulu), 31 July 2007.
- 95 Personal interview (Gulu), 27 July 2007.
- 96 *East African* (26 June - 2 July 2006).

- 97 President Museveni's State of the Nation Address. 6 June 2007 reprinted in *Daily Monitor* (Kampala), 8 June 2007; *New Vision* (Kampala), 10 June 2006.
- 98 Personal Interview (Gulu), 29 July 2007.
- 99 *East African* (15-21 May 2006).
- 100 *New Vision* (2008).
- 101 Nyakairu (2007).
- 102 Izama and Nyakairu (2007).
- 103 Nyakairu and Matsiko (2008).
- 104 (2007); Egadu (2007).
- 105 Personal interview (Gulu), August 2007.
- 106 Confidential interview (Kampala), November 2007.

8

Conclusion: Removing Obstacles to Peace

Mwesiga Baregu

In all the chapters in this book, the various authors reflect on how they conducted their research, analysed the data, arrived at conclusions and made recommendations on how to address obstacles to peace in their respective cases. In this chapter we attempt to summarise and pull a thread through the conclusions and recommendations. This should assist us in distinguishing between those recommendations that apply to specific cases and those that apply to the Great Lakes region as a conflict formation. We shall first summarise the recommendations applicable to each case and then draw up some general conclusions for the region.

This summing up is based on the policy briefs submitted by all researchers. In the briefs each researcher was required to summarise the major findings of their case studies by emphasising the following issues:

- The identities and range of actors and their particular interest(s) in the conflicts.
- The capacity of the actors to pursue their interests and to impact on the conflicts, including their strategic value.
- The strategies and methods adopted by the actors in the conflicts, especially in terms of violence.
- The visibility of the actors; to what extent the actors are open and transparent in their actions or otherwise.

- Actor interaction patterns, especially in as far as they are in conflict with or collaborate with other actors.
- Reliability of the actors in negotiating and implementing agreements.
- The peace orientation of the actors; whether the actors are peace makers, peace opportunists, peace blockers or conflict entrepreneurs.
- Policy options for the countries, region and international community.

Let us now present the case summaries and a general synthesis of the findings, lessons and recommendations.

Burundi

Power struggles, ethnic mobilisation and hidden agendas

According to the findings of the study, the conflict in Burundi is multidimensional and compounded by several obstacles to peace. The study found visible and invisible actors, interests and strategies going back to the pre-independence period. Thus there are some continuities as well as discontinuities; nevertheless the main actors are political in the form of the CNDD-FDD party, currently in power, the Palipehutu - FNL as opposition, and UPRONA, which is currently on the sidelines. Other actors include international development cooperation institutions. The general population are essentially caught in the midst of a power struggle between the political antagonists, whose main strategy is the politicisation of ethnicity.

Lack of good governance is the central issue in Burundi. It manifests itself in the new politics of the CNDD-FDD ruling party, which has slowed down everything from the integration of the Palipehutu-FNL into current institutions to the realisation of the Poverty Reduction Strategy Paper (PRSP), launched by the government under the auspices of the UNDP and the rest of the international community.

While the Burundian population is suffering from the aftermath of civil war, political figures are busy preparing for the 2010 general

elections, forgetting to work for postwar recovery, which all the people of Burundi need.

On its part, the Palipehutu-FNL is said to be still recruiting combatants in a bid to beef up and show its real strength. This is delaying the peace process and creating new dilemmas.

The eruption of interminable disputes as a result of conflicts of interests within political parties has given birth to wings, factions and sometimes to new political parties, bringing the number to 40 political parties today without much difference in political ideology - this in a small country of less than nine million people.

The study further shows that the peace process must contain simultaneous measures against both direct and structural violence. From the point of view of respondents questioned during interviews, but also based on Johan Galtung's Transcend Method, direct violence is an effect of ever deepening structural violence in Burundi, which has persisted for a long time and is slowly receiving the attention it deserves.

Moreover, Burundi's conflict is intricately interwoven with regional and international conflict configurations, since the sources of the conflict have a multi-country character. As the bodies controlling the instruments to be used against structural violence, international development cooperation institutions are called upon to support peace initiatives in Burundi.

The study makes the following recommendations:

- New measures to integrate the Palipehutu-FNL into the current government and army must be applied, as must measures to demobilise and reintegrate all former combatants.
- Strengthening the economies of the countries in the Great Lakes region is a necessary condition for attaining sustainable peace and any regional initiative must give due consideration to this fact. Regional integration can be taken as one of the important measures for addressing conflicts and operations of warlords and tyrants, as it can change conditions of economic stagnation and poverty, which are sources of political turbulence and wars.

- Good governance and the rule of law should be at the heart of the government in order to attract outside financial support.
- Development assistance should prioritise projects that lead to peace building in their effects. Peace building in isolation of concrete economic reconstruction will be unsustainable. What is required is a fully integrated, holistic approach to community development. It should also develop capacity-building mechanisms to ensure that the people of Burundi are able to address the underlying structural inequities that could give rise to another conflict.
- Social development projects must be sensitive to the need to redress ethnic and regional imbalances and must incorporate indicators to measure the distributional impact of development assistance. From a peace consolidation perspective, public works and projects that create employment must be targeted at the youth in particular. These projects also create opportunities to help rebuild the social fabric, in particular by training initiatives that foster community decision-making and intergroup cooperation.

Eastern DRC

Weak state, multiple actors, and struggle for natural resources

The many peace accords, starting with the Lusaka Ceasefire Agreement, through the Inter-Congolese Dialogue of Sun City (South Africa), to the All-inclusive Peace Agreement of Pretoria (South Africa), were all aimed at bringing about peace in the DRC. At that stage peace initiatives were implemented with the support of international and regional powers: United Nations Mission for Congo (MONUC) and the others grouped together under the International Committee for Accompanying the Transition (CIAT). This committee includes representatives of the five permanent members of the UN Security Council and leading member states of SADC (Angola and South Africa). However, the ceasefire, withdrawal of foreign forces, unification of warring parties, integration of rebel and government armies into a national army, transitional power-sharing arrangements, and general democratic elections, were all completed without it

leading to peace and security in the eastern provinces, especially South and North Kivu provinces. Moreover, MONUC operations have been raising concern in light of their inability to stop violence, pillage, banditry, human rights violations and achieve reconciliation of DRC with Rwanda and Uganda.

Current armed conflicts derive from the legacy of recent events related to Rwanda and Uganda's military invasion, occupation and the subsequent war diseconomy connected to complex networks of ghost and unlawful trade in minerals and arms traders, including Viktor Bout and his associates in Uganda, Rwanda, Kenya, South Africa, Russia, Kazakhstan and Congo. The main driver of this trade is the country's rich natural resources, the weakness of the Congolese state and the fragility of its administration, which allow access to this wealth through strategies such as wars, organised poverty, manipulation of the elite, politicisation of ethnicity, and military empowerment of neighbouring countries with invasion ambitions.

The political economy of armed conflict in the South and North Kivu provinces and the Ituri region has the characteristics of organised crime, involving a wide range of national, regional and international armed actors taking advantage of the limited capacity of the DRC state, especially in the area of justice, policing, intelligence and military capacity. Armed access and criminal trade in DRC natural resources sustain the violent conflict and motivate actors. The new political economy of conflict makes it extremely difficult to distinguish legal from illegal economic activities. These actors have little or no interest in establishing peace in DRC and are responsible for blocking it.

According to the findings of the field survey carried out between September 2007 and February 2008, people in South and North Kivu perceive the degree by which actors obstruct peace as follows:

Table 8.1: Degree to which Actors are Perceived to Obstruct Peace

Actors	Degree of obstruction to peace (%)
Pro-Tutsi UN, international community and multinationals	24
Neighbouring countries (Rwanda and Gen. Nkunda's CNDP)	22
RCD politicians and Tutsi groups	13
USA and UK military support to Rwanda	12
FDLR and Hutu groups	11
DRC government and politicians	10
FARDC	5
Support to Hutu groups by France	3
TOTAL	100

It is instructive that people perceive that international actors (UN, donors and multinationals) and neighbouring countries (Rwanda) have the greatest responsibility for obstructing peace.

The same survey provided an opportunity for members of local populations, victims of wars and violence perpetrated on them by armed groups under the eyes of the FARDC and MONUC, to share their views. The victims made the following recommendations (given as ranked priorities):

- Repatriate Rwandans - civilians, soldiers, militia, FDLR, refugees, and withdraw foreign armies.
- Organise a truth and reconciliation dialogue and peaceful cohabitation.
- Restore and promote distributional justice and equity.
- Create, unify and modernise the army, police and security services.
- Create decent jobs for Congolese and support community activities.

- Motivate and improve conditions of service of civil servants.
- Promote participative governance.
- Raise awareness on patriotism among politicians and the population.
- Sensitise warlords and armed groups (negative forces), find solutions to their problems through negotiations.
- Disarm armed groups and warlords.
- Rationally exploit and equitably distribute state revenues.

General recommendations

- The post-election government needs to take advantage of MONUC's presence and resources to buy time and mobilise sufficient funds to reform, train and consolidate the operational capabilities of its military, police, intelligence and judiciary personnel within the framework of sovereign laws, ethics and international standards. The Congo must reinvent its justice, army and police systems and abandon the zero-sum pitfall game of war economy, corruption, discrimination, mismanagement, insurrection and unlawfulness into which the core majority of its senior officers and officials have fallen. Former rebels have to focus on rebuilding their reputations and gaining social acceptability, and cut their support of and linkages with armed groups such as the CNDP, PARECO, FDLR, and/or other militia.
- MONUC should prevail upon neighbouring countries, especially Rwanda and Uganda, to desist from military commercialism and political interference in DRC. Rwanda and Uganda will benefit more from a safer and peaceful DRC and its natural resources than they are benefiting from the war economy.
- Local populations have not only defeated the idea of any partition of the country's territory as established by the Berlin Conference but have also embraced the opportunity to elect their leaders democratically, selecting their governance structures, security and development systems and deciding whether they want to be citizens of Congo, Rwanda, Uganda or Burundi.
- DRC needs to take advantage of its reconstruction programme to enrich its immigration policies with positive labour economic measures, foreign investment promotion and management strategies.

- The fact is that the country still needs a credible truth and reconciliation exercise to mitigate risks of political marginalisation and fear and to stop minority Rwandaphone leaders from militarising Tutsi and Hutu at grassroots for personal political gain.
- The DRC government needs to ensure that FARDC force commanders, the defence minister, police leadership, security directors, provincial governors, and other security managers are accountable for their actions.

Northern and Northeastern Kenya

Neglect, militarism and pastoral peace

The study found that historical factors and poor governance issues largely shape, influence and reproduce pastoral conflicts in northern and northeastern Kenya. The region was dominated and repressed by the British colonial administration, which had wide-ranging social, economic and political ramifications. In terms of governance, the area continues to suffer from the negligence of all postcolonial administrations—a factor that has contributed immensely to the escalation of ethnic conflicts, banditry, statelessness and the development of a power vacuum. These factors have contributed to the obstruction of peace in the region.

The region oscillates between recuperation from and resurgence of conflict. While there may be long spells of relative calm accompanied by recuperation from violence, the resurgence of conflicts is not accidental or unplanned. Conflict, whether intra- or interstate or whether intra- or interethnic group or clan engages numerous actors with varied interests. These actors include, but are not limited to, the state, politicians, government administrators, business merchants, professionals and the general citizenry. Less visible, but highly significant is the cross-border politics and skirmishes involving the Ethiopian government and the Oromo Liberation Front (OLF)—a self-determination political movement in Ethiopia. Another component of the cross-border effect on peace in northern and north-eastern Kenya is

the long-term consequence of Somalia's politics before and after state collapse. The shift between recuperation and resurgence of conflicts in northern Kenya poses a challenge in understanding the phases of this conflict. However, the Somali and the Ethiopian/OLF conflict can be placed in a state of a stalemate, where clear winners are not in sight.

Achieving pastoral peace in the area is not an easy endeavour because of the multiactor and multidimensional nature of the conflict environment. For example, even those entrusted with peace negotiations, such as peace committees, have been implicated in perpetuating conflicts. In one incident, members of the peace committee in Isiolo District reportedly incited people into violence so that the committee could find some work in order to earn allowances. On the other hand, the District Peace and Reconciliation Committee (DPRC) of Moyale is an important actor in peace-building efforts in the district. Inequitable distribution of resources has also fuelled the conflicts in the region and made it difficult for communities to engage in a meaningful dialogue to achieve peace.

The diversity of actors and interests in pastoral politics complicate pastoral conflicts in the Great Lakes region generally and northern and northeastern Kenya in particular. The engagement of the state in the formulation of sound policies and its implementation, therefore, becomes imperative.

Policy objectives

The overarching objective for facilitating peace among pastoral communities should encompass the identification of actors and their interests, the establishment of full-scale governance structures in northern and northeastern Kenya, embarking on long-term development initiatives in the area, and playing an active role in addressing the Somali conflict and Ethiopian political problems.

Findings and recommendations

Identifying conflict hotspots in northern and northeastern Kenya is not an easy task because of the high degree of unpredictability

of conflict in the area. However, some attempts have been made to identify areas that have become notoriously conflict prone in the region and along the border with Somalia and Ethiopia. These include the area stretching from the Karamoja on the border with Uganda to Marsabit and Wajir districts, which are notoriously conflict prone. The identification of conflict prone areas eases the task of identifying actors and their specific interests.

- The study established that part of the problem in this region is that the government does not have in place an effective monitoring mechanism to identify the hotspots. The government, therefore, needs to identify and monitor the conflict hotspots in this region. This can be done by establishing conflict-monitoring and early-warning mechanisms.

This region has vast economic potential in livestock wealth and tourist sites, which would pay for the cost of effective administration in the area. The Kenyan government has the required resources and technical expertise to establish effective government machinery in this part of the country. The region's statelessness is a threat to the country's security. The presence of a skeletal state apparatus in the region promotes the growth of competing centres of power and induces the establishment and expansion of ethnic militias.

- Instead of administering the region on a war footing, the government should establish a full-scale civilian administration in this region and stem corruption among government administrators and security personnel.

Neglect in developmental terms does not necessarily cause conflicts directly or act as an obstacle to peace, but it is a significant factor in slowing down peace efforts and causing rifts in the case of accessing scarce resources. This area is not considered to be properly "Kenyan", and has not been since colonial times; hence it received and continues to receive insignificant budgetary allocations, scanty and underfunded education and health facilities and programmes with no roads at all in the entire stretch of the region.

- Institute meaningful development initiatives in north and northeastern Kenya.

Unequal treatment of citizens has led communities into a culture of self-reliance regarding security related issues; they amass arms for personal protection, collaborate with clansmen across international borders and maintain militiamen for communal protection. Government has to reverse its attitude of negligence that continues to act as a hindrance to peace and peacemaking efforts in this territory. In addition, its insensitivity to the needs and aspirations of the majority of the residents of the semi-arid region has contributed to political instability and will continue to do so if government does nothing about it.

- The government should strive to eradicate the second-class-citizens mindset among the residents of the north and northeastern region.

The protracted Somali conflict and political instability in Ethiopia have added more problems an area already plagued with a fragile security environment. The weaknesses of neighbouring Somalia and Ethiopia and the weak internal government procedures and structural flaws in the area have created a suitable environment for insecurity.

- The government should play an active role in the resolution of the Somali conflict and the Ethiopian political crisis.

Southern Sudan

Beyond the north-south dichotomy in Sudan

It is the position of this study that Sudan's problems involve much more than the classic portrayal of north-south divide; this is the reason for the title "Beyond the north-south dichotomy." Using a dichotomy about parties as a starting point of an analysis of the conflict in Sudan constitutes a faulty paradigm and conclusions drawn from it run the risk of being woefully inadequate.

An approach that goes beyond the classic two-party conflict tackles the conflict in terms of the "dynamics" of conflicts that form

obstructions to lasting peace. While the CPA appeared to have ended the bigger war, it did not deal with other equally explosive Sudanese conflicts as detailed in the term “other armed groups” (OAG) - a term referring to those armed groups that did not consider themselves partners of John Garang’s SPLA/M.

The dominant issues that have generated divisions and conflicts since independence may be summarised as follows:

- Fears of fragmentation and balkanisation of Sudan.
- The political history of the Sudanese state since independence is marked by persistent but intermittent activity related to the quest for democracy all through the successive regimes.
- Closely related to that are ideological claims to the noble quest of building democracy and democratic institutions.
- In the era of the SPLM and its army the quest was purportedly to erase a political environment that was characterised by politics of exclusion and marginalisation.
- Arab vs African nationalism is a feature that has often been used as a fundamental divide and it forms the substructure of all conflicts in Sudan.
- Competition over political dominance, particularly between the north and south.
- Competition over natural economic resources.
- The last basis for conflict in Sudan may simply be described as the desire to capture the power of the state without social purpose but for whatever benefit the power-wielder declares to be fundamental.

For clarity of analysis, actors in the current Sudanese conflicts are divided into two major groups: Internal (domestic) actors and external actors. External actors include neighbouring countries and international players who either have imperial economic interests or are regional organisations whose interests are closely linked to those of some neighbouring countries or imperial interests. All the neighbouring countries, namely Egypt, Libya, Uganda, Kenya, Ethiopia, Eritrea, DRC, Chad and the Central African Republic and the Arab world have had an impact on these conflicts. The key

international countries are largely the USA and China. Internal actors are the Khartoum government, Sudanese Arabs/Muslims, SPLA and GOSS, the Junubin or Southern Sudanese (the different ethnic and regional communities).

Both internal and external actors are analysed on a range of factors: who they are, their primary strategy, in terms of violence or peace, their capacity to defend their interests, visibility, and mode of interaction with other actors. The study shows what each actor's disposition to peace is.

While this study is about a wide range of obstacles to peace that have varying degrees of potency, the most recent is the unfolding saga of the indictment of the Sudanese president, Omar Hassan el-Bashir, by the ICC in the Hague. Bashir is charged on several counts in his capacity as the person presiding over Sudanese affairs during the Darfur crisis.

Britain, France, South Africa, Tanzania and a few others countries argue that indicting Bashir amounts to endangering the peace process in Sudan. At another level this argument presupposes that the peace agreements are between the parties and President Bashir personally, rather than between the Government of Sudan and other parties. If the agreements are indeed hinged on Bashir's personal disposition as an individual, then the entire peace process is very fragile indeed and could lead to reignition of hostilities once Bashir is no longer in power

Northern Uganda

Exclusion, militarism and insurgency

The conflict in northern Uganda has been the most protracted and devastating conflict in the history of post-independence Uganda. But it has also been the least understood, most misconceived, wrongly portrayed and ignored. It has been portrayed as a local conflict, yet it is a national conflict linked to a failure to integrate diverse nationalities into a single nation-state; and the politicisation and militarisation of

ethnicity. The conflict involves a number of actors and is linked to conflicts in neighbouring countries in a regional conflict cluster. Actors in the conflict include the government of Uganda, armed rebel groups and some Ugandans in the Diaspora, the media, the local community, traditional leaders, faith-based groups, civil society groups and NGOs; and regional players that include neighbouring states, notably Sudan, Kenya, and DRC, the Government of South Sudan and its army the SPLA. On the international scene the actors include the ICC, the UK, US and other Western donor states; and the UN. Failure to take into account this multiplicity of actors, their divergent interests, changing strategies and orientations in attempts to resolve the conflict will constantly undermine these efforts.

The outbreak of conflict in northern Uganda in 1986 was brought about by a constellation of factors including the NRA's mistreatment of former UNLA soldiers it had defeated and civilians in northern Uganda and attacks by the SPLA rebels against east bank refugee camps in southern Sudan where some former UNLA soldiers had taken refuge. The SPLA feared that the Sudanese government might enlist the support of these former soldiers in their war against the rebels. On the other hand Uganda, which was sympathetic to the SPLA, feared that Sudan might support the exiled soldiers to recapture power in Kampala. From the outset therefore, the Sudan and SPLA were strategic actors in the conflict. Kenya too was an important actor during the first phase of the conflict. Kenya harboured deep mistrust of the intentions of the Ugandan leadership and it provided an entry point for Ugandan dissidents. The media in the two countries promoted the conflict by engaging in negative propaganda.

From the onset, the Ugandan government sought a military solution to the conflict. It criminalised its opponents as a means to mobilise domestic and international support. But it also attempted some measures for a peaceful resolution. However, these attempts seemed to lack commitment and appeared to be half-hearted. The exclusion of strategic actors and failure to address the conflict

within a wider regional context led to the failure of the various peace negotiations, including the most recent in Juba. The conflict has gone through different phases of varying intensity. Each phase has ended in failure.

The first phase (1986-88) ended with the presidential pardon and amnesty of 1987 and the UPDA-NRA peace agreement of 1988. Local leaders and elders, religious leaders and the community facilitated contacts between the armed groups. But the agreement failed to bring lasting peace. The government used it to obtain the surrender of the UPDA but failed to implement it but continued to pursue the military option. Elements within the Ugandan Diaspora also discouraged UPDA soldiers from surrendering. The agreement also failed because it did not involve the Holy Spirit Movement II (the precursor of LRA), which was an emerging actor.

During the second phase (1988-1994), community leaders maintained their role as peace advocates and intermediaries. But militia or vigilantes became strategic actors in the conflict because the government's policy of mobilising vigilantes increased the militarisation of society and the conflict. The orientation of the Ugandan leader and the military as peace spoilers is clear. The LRA, which by this time was the main rebel group, also exhibited lack of commitment to a peaceful end to the conflict.

From 1994, the role of Sudan as a strategic actor in the conflict became more overt through its military support to the LRA and other armed groups. The US also assumed a more pronounced role in the conflict, providing military support to Uganda, Ethiopia, Eritrea and the SPLA, which it considered the new frontline states against the Islamist fundamentalist regime in Khartoum. In due course, the US included the LRA on its list of terrorist groups, thereby blocking any option of a negotiated solution to the conflict. However, other actors with less leverage, such as civil society groups, NGOs, religious and faith-based groups and countries like Canada, the Netherlands and Norway among others, have maintained pressure for a negotiated

solution. It could be said that Uganda and Sudan participated in peace initiatives for the sake of expediency. The Ugandan military did not show any enthusiasm for a peaceful resolution and never hesitated in turning its back on peace initiatives supported by the government. The UPDF has privileged status in relation to the president and it is known to benefit from the conflict.

In 2002 Uganda, with Sudan's agreement, launched cross-border attacks on LRA bases in Southern Sudan. The operation had a boomerang effect, as the conflict spread to a wider theatre within Uganda. For the first time, the UN Security Council was drawn into the conflict. The Council roundly rejected Uganda's insistence on a military solution and emphasised the need for a peaceful resolution.

In 2004, President Museveni referred the conflict to the ICC, which issued arrest warrants and placed charges of war crimes and crimes against humanity on top LRA leaders. This has projected the ICC in the role of a peace spoiler. The indictment of top LRA leaders has complicated the implementation of the amnesty and completion of the Juba peace talks. By accepting to negotiate, President Museveni was trying to re-brand himself as a peacemaker. The interests of Sudan and the LRA are rather suspect. The LRA has established bases in the CAR and there are fears that it has links with rebels in Chad, Darfur, and CAR. Elements of the Ugandan Diaspora have taken hard-line positions, and there have been reports that they are engaged in fresh fundraising for a fresh round of fighting. The GOSS, on the other hand, is interested in solving the LRA crisis so it can concentrate on its political struggle with the government in Khartoum. The UK and US, key players in the resolution of the conflict, are ambivalent, but they maintain sympathy for Museveni. The genuine peace advocates are the local population, friendly Scandinavian countries and Canada. But these players have limited leverage. The conflict in northern Uganda is a tangle, involving multiple actors and interests. Its resolution must take into account regional and geo-strategic issues as well.

Zanzibar

Political reconciliation in a semi-autonomous polity

The Zanzibari political crisis that followed the reintroduction of multiparty politics in 1992 has a long history. Independence struggles and the granting of independence for the islands from the British in 1963 did not resolve longstanding social and political divisions. Similarly, the 1964 Revolution and its subsequent policies and actions failed to resolve these problems. Whereas there has been a high degree of social intermingling of Zanzibari of different racial, ethnic and religious groups, the society has remained highly polarised politically; the people of Unguja and those of Pemba, representing by CCM and CUF parties, respectively, form the major division. The conflict usually escalates during and after elections, and the results of the last three multiparty general elections have been contested by CUF, illustrating the endemic mistrust between the players.

Two reconciliation accords have been signed by the two contending parties but neither has been implemented. The first one (Muafaka I) was brokered by the Commonwealth Secretary General at the time, Chief Emeka Anyaoku, in 1999. The second one (Muafaka II) was signed in 2001 against the backdrop of the bloody events of 26/27 January. The negotiations for the third accord (Muafaka III), set in motion by President Kikwete, have already shown signs of extended protraction, if not total stalemate.

Main Findings

Internal actors and patterns of interaction

It may be misleading to talk of two major internal actors in the Zanzibari conflict. At the very minimum, there are three major internal actors. On one side, there is the opposition or, to be more specific, CUF; and on the other side, there are two major actors, namely the Zanzibari government (CCM–Zanzibar) and the Union government or CCM–Mainland).

The latter two actors (the Zanzibari government and the Union government) often present themselves as a single actor (i.e. the government) but, at other times, they behave like different actors with different interests and positions. CUF on its part, in addition to enjoying considerable electoral support, benefits substantially from support by international and exiled forces (Diaspora).

The international community

The position of Western donors on the Zanzibari conflict is not consistent. In 1995, for example, they adopted quite a tough stance towards the Zanzibari government by putting considerable pressure on the Union government to resolve the conflict, but this has recently changed considerably. The donors now recognise the Zanzibari government and work with it quite closely.

Revolutionary legacy and the politics of exclusion

The political stakes between the two contending parties are considered to be very high. Under existing conditions, neither of the parties is prepared to accept electoral defeat. For the opposition party, the main ground is that the electoral process cannot be trusted to generate a free and fair election. But for the ruling party, particularly CCM–Zanzibar, its reluctance to concede electoral defeat stems partly from its revolutionary past, which it has used to justify its clinging to power.

Complexities of the Union issue

The Union issue is one of the cornerstones of the structure of the Tanzanian state. Unfortunately, however, the three main actors in the Zanzibari conflict are profoundly divided on it. Currently, the dominant position in Zanzibar favours a three-government structure, while mainlanders predominantly prefer the current setup of two governments.

Strategies adopted by the state

Violence

The key actors in the Zanzibari conflict employ a wide range of strategies depending on the prevailing conditions. One of the common strategies used by the government is violence and intimidation, which it unleashes during election time. This has now become a pattern that leads to the conclusion that it is planned rather than coincidental.

Discrimination

Discrimination in public employment and in accessing public resources and opportunities has been one of common strategies applied by the Zanzibari revolutionary government. The scale of discrimination is evident and conspicuous in almost all key positions in the government.

Strategies adopted by CUF

Like the governments and the ruling party, the opposition in Zanzibar has been using a wide range of largely non-violent strategies including non-cooperation with government authorities and the ruling party. The party also relies on soliciting diplomatic support, and political demonstrations. The most extreme form of protest was a 2008 petition by some Pemba “elders” who threatened secession from Zanzibar and the Union.

Policy Recommendations

To address squarely the issue of democratic governance

There is a need for a new constitutional framework that would institute adequate constitutional and institutional safeguards to regulate the behaviour of political actors.

An active role for the Union president

In the absence of clear institutional rules and procedures the president of the United Republic should facilitate and mediate in the reconciliation process in Zanzibar.

Resolve the issue of incompatibility of interests

Since the two contenders are evenly matched, the negotiation process has to consider the need for a power-sharing arrangement in the form of proportional representation.

The Union

The state of the Union is one of the fundamental issues dividing the key actors, hence creating a situation of apprehension among them. An agreement on the procedure to arrive at the role of the Union should be one of the items to consider in any reconciliation arrangement.

Urgency and timing of the reconciliation accord

In light of past experiences, and given the degree of desperation by the opposition in Zanzibar, it is urgent that a reconciliation deal between the two contending parties be agreed upon and implemented ahead of the general election in 2010 if repetition of violence and hostilities is to be avoided.

Cross-Cutting Issues and Recurring Themes

A careful reading of the recommendations of each study reveals that there are some themes that recur across the cases. Such themes may relate to the actors, interests, or strategies in the conflicts. We attempt a synthesis in these themes in the following section.

Historical legacies: Although this is more pronounced in the studies of Zanzibar, Southern Sudan, Burundi and northern Uganda, historical legacies are no less important in the cases of northern Kenya and DRC. In all the cases there exists some historical baggage, either in the form of historical injustices that have not been addressed or

contemporary injustices carried over from the past. In these cases it is advisable that countries undergo some catharsis in the form of truth and reconciliation commissions or constitutional conventions.

State fragility: In all the cases the fragility or weakness of the state and its structures is pervasive. In DRC this is an endemic problem but in all the other cases state penetration of society is low. This is certainly the case in Kenya, where pastoralists are ruled militarily, the north of Uganda is excluded systematically, in Southern Sudan it is illustrated by the two tiers of government and donor dominance. In Burundi and Zanzibar fear of being overthrown induces authoritarian behaviour. The establishment or strengthening of effective institutions is necessary.

State legitimacy: The legitimacy of the state is contested in all the cases except, perhaps, Kenya. In DRC there are secessionist tendencies, in Zanzibar both the Zanzibar and Union governments are challenged; in Burundi, Uganda and Southern Sudan there are demands for major constitutional adjustments. It is the absence of legitimacy that fuels these power struggles. The issue of legitimacy is pervasive in Africa. It is intimately related to, but not identical with, governance. While legitimacy stems from the organic relationship (social contract) between the state and its citizens, governance relates to the manner in which the state discharges its obligations. The latter may assume democratic or non-democratic forms. State legitimacy is enhanced by the existence of a national consensus on an agreed constitutional order that is the primary source of political obligation. Good governance or the practice of democracy, on the other hand, depends upon and, in turn, reinforces legitimacy.

Arms and ammunition: This is arguably the most important and urgent crosscutting issue. With the exception of Zanzibar and, to a lesser extent, Burundi, all the other cases are invariably characterised by different types and intensities of warfare. Eastern DRC is for all intents and purposes a war zone; the situation in northern Uganda and Southern Sudan is, to say the least, volatile; pastoral conflicts

in northern Kenya involve armed cattle raids and considerable bloodshed. The procurement and proliferation of illegal arms in the region is well established. Although none of the case studies pursued this issue in detail there is urgent need to strengthen regional strategies for controlling and monitoring the flow of arms in the region. More concerted efforts are needed to confront the arms dealers and their collaborators, and this will require a higher level of engagement with supplier countries and international security agencies.

Exclusion: All the cases bear elements of exclusion, albeit to varying degrees. Political exclusion occurs when particular groups in a society seek to monopolise political power and to use it to their advantage at the expense of other groups. This occurs when dominant forces or the majority exclude and oppress minorities but it can also work the other way, with powerful minorities excluding majorities, as was the case under colonialism and as it has been in Burundi from independence to the 1990s. In the region almost all cases of exclusion involve majorities against minorities. This is the case in Zanzibar, DRC, northern Uganda and northern Kenya. Burundi has vacillated between both forms but has largely experienced a minority oppressing the majority. Southern Sudan is less clearly defined, with layers of exclusion both at national and regional (southern) levels. Combating exclusion may require measures that can deal with issues of legitimacy and/or democracy.

Failed or stalled agreements: The Great Lakes region has become the home of failed or stalled agreements. This is typical of protracted conflicts. These agreements include the All-Inclusive Peace Agreement in DRC, the Comprehensive Political Agreement of Southern Sudan, Muafaka, I, II and III for Zanzibar, Burundi's Global Ceasefire Agreement and the elusive Uganda/LRA Final Peace Agreement. The frustrations over these agreements may arise from at least three sources namely the actions or lack of actions by strategic actors, unreliability of some actors and the actions of invisible actors. The faltering of the DRC process, for example, has been blamed on the UN (MONUC) and other international actors including multinationals. In

Uganda, the US. Congressional Lord's Resistance Army Disarmament and Northern Uganda Recovery Act, 2009, sides with the government and openly opposes LRA, having earlier classified it as a terrorist organisation. The fate of the Zanzibari agreements has basically been attributed to the unreliability of CCM and the governments.

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