

Ceasefire negotiations in eastern Democratic Republic of Congo

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Since 2001 a team of Returned Peace Corps Volunteers (RPCVs) and conflict resolution practitioners have engaged in track two discussions with the three main belligerents in the Congolese war. This article explores efforts to achieve a cessation of hostilities between the Mayi-mayi (sometimes Mai-mai) local militia fighters and the Congolese Rally for Democracy-Goma (RCD-Goma) in the context of the implementation of the *Lusaka Accord*. It also explores the impact of tensions between track one and track two players have had on that effort.

Background

The *Lusaka Accord* of 1999 laid out the modalities for the withdrawal of foreign forces from the Democratic Republic of Congo (DRC), established ceasefire lines and created a process known as the Inter-Congolese dialogue. It was signed by several foreign governments as well as the DRC government (hereafter 'Kinshasa'), the Movement for the Liberation of Congo (MLC) and the RCD. The RCD was formed after the initial Rwandan and Ugandan invasion of the DRC in August 1998, and later split into several factions, the largest and most influential being the RCD-Goma. The ongoing RPCV initiative included facilitating dialogues between Kinshasa, the MLC and the RCD in support of their participation in the official Inter-Congolese dialogue.

Through the work of mediators from South Africa and the UN, a further agreement was reached in July 2002 between Kinshasa and the Rwandan government on the withdrawal of Rwandan forces from the DRC. In December that year a power-sharing deal was signed by the Congolese parties.

During this time, fighting between Mayi-mayi forces and the RCD in eastern DRC escalated. Mayi-mayi are local militia with numerous tribal and political allegiances and no collective leadership, opposed to Rwandan intervention in Congo. The Rwandans'



withdrawal from eastern DRC in November 2002 permitted the Mayi-mayi to expand into Rwanda's former positions in South Kivu province, pressuring the RCD politically and militarily. The RCD believed this to be a violation of the *Lusaka Accord* and planned to retake the territory. The population was certain to bear the brunt of the fighting.

Discussions with the Mayi-mayi and RCD

In early 2002, I had been contacted by a representative of one of the Mayi-mayi groups. They had become aware of our track two team through our work with the main actors in Congo. They requested that we facilitate a dialogue between themselves and the Rwandans – not the RCD, whom they considered Rwandan proxies. We initially declined, but as it became clear that the fighting in eastern DRC might undermine the formation of a transitional government, we decided to proceed.

Hans Romkema, country representative for the Life and Peace Institute in Bukavu in South Kivu, was engaged in dialogue with some Mayi-mayi groups, including one led by General Padiri. I accompanied Romkema to a meeting with General Padiri in November 2002. Members of the RPCV team worked with the RCD leadership to determine the basis for a cessation of hostilities that might lead to a ceasefire and cooperation on humanitarian access.

The Mayi-mayi wanted a formal ceasefire, freedom of movement between sides, humanitarian aid, and local autonomy while retaining political authority and security in their areas. The RCD wanted the Mayi-mayi to accept their authority, but could live with some local autonomy provided the Mayi-mayi did not work with the ex-Rwandan armed forces or the Interhamwe militias. Our goal was a cessation of hostilities as an initial step, after which the UN could push the sides towards a formal resolution.

The first meeting with Padiri was positive, but while we were there RCD military hardliners attacked Padiri's positions, violating the temporary ceasefire both sides had accepted to allow for the meeting. Despite this, Padiri offered a permanent formal ceasefire, proposed freedom of movement for the population and international organizations, and discussed the repatriation of ex-Rwandan armed forces and Interhamwe militias operating in South Kivu.

The RCD leadership was split over pursuing negotiations for complex reasons of trust and personal interest linked to the national peace process. Some believed that the Mayi-mayi were just Kinshasa's proxies – the government's support being a grave violation of the *Lusaka Accord*. Did the Mayi-mayi have the capacity to resist Kinshasa's entreaties to keep fighting? Further, discussions with the Mayi-mayi legitimized them, letting

Kinshasa off the hook. Some questioned whether the Mayi-mayi could separate themselves from the Interhamwe and ex-Rwandan armed forces.

There was also a deep lack of trust within the RCD leadership over the Lusaka process. They believed that too much was being given up for a problematic deal with a government they felt had demonstrated bad faith by supporting the Mayi-mayi, and worse, the genocidal forces represented by the Interhamwe and ex-Rwandan military. Finally, some elements in the RCD pushed to keep the status quo. The status quo was desirable for security and for economic and political reasons:

- they would continue to control the ancestral lands of the Congolese Tutsis, the ethnic group of much of the senior RCD leadership;
- they felt secure with their Rwandan allies on the border and the vast, trackless Congolese rain forests and mountains lying between them and Kinshasa;
- they controlled significant wealth in natural resources, including coltan, diamonds, gold, timber and agricultural land.

Delay and resumption of the process

Five months elapsed between the initial meetings and the second effort in May 2003. There were two reasons: (1) a lack of funding; and (2) our attempts to persuade the US embassy in Kinshasa to support local peace talks. The US State Department funded the second mission, but discussions with the embassy revealed their concern that local peace talks before the transitional government was formed could result in Congo's partition.

The embassy also did not want our team involved with the national peace process, at least while travelling on US government funding. There had been some differences and misunderstandings over our track two efforts. They felt that we were only going to work on local peace processes and thus should stay away from the RCD leadership while in Goma. However, we felt meeting the RCD was advisable both for the success of the mission and for our own security: it would be impossible to achieve our objectives without the RCD's comprehension and active support. In addition, we knew the RCD leadership from our track two efforts, and for us to travel to Goma and not meet them would have been both insulting and unwise politically. From a security standpoint, we could not expect to meet with Mayi-mayi representatives without the RCD security services knowing. Attempting the mission while avoiding the RCD would have endangered others' lives

as well as our own, and in any event we would have been 'invited' to meet the RCD in a way that we could not refuse. We were unable to resolve the difference of opinion with the embassy and would later be haunted by that failure.

The May 2003 mission began in Kinshasa with meetings with the US Ambassador and political staff. We then proceeded to Goma. By this point, the RCD had begun its long-anticipated offensive to retake areas occupied by the Mayi-mayi. We met with RCD President Onasumba, Vice President Ruberwa and military chief of staff Sylvain Buki. We urged them to consider a ceasefire with General Padiri and to continue their support for the overall peace process. We also met representatives of the Mayi mayi, although due to the fighting we were unable to meet with Padiri directly. Both sides reiterated a guarded willingness to stop fighting.

Tensions with track one: a critical decision

We returned to the US and presented our findings to the State Department, strongly recommending that urgent follow-up discussions between the Mayi-mayi and RCD be undertaken. We waited for feedback from the embassy on our report, but a week later we received a clear message: the embassy intervened with the State Department to block any future funding of our efforts. They had complained that we had exceeded our terms of reference during the mission.

We never fully understood the basis for this decision. Not everyone viewed a halt to the fighting in the east as positive: credible reports indicated that elements within the Kinshasa government were using the Mayi-mayi and ex-Rwandan armed forces and militias to fight a proxy war in the east in order to weaken the RCD and force them into a transitional government on Kinshasa's terms. Successful local peace negotiations would have undercut that strategy and brought the RCD into the government in a stronger position. Kinshasa was even more alarmed about the possibility that some Mayi-mayi elements might join with the RCD and threaten the capital with military action.

It is doubtful that that local peace accords would have led to Rwanda and the RCD advancing upon Kinshasa. All sides were exhausted and wanted an end to the fighting, albeit on their terms. We felt reducing the violence would strengthen moderates on all sides and facilitate the RCD's entry into a transitional government. Key RCD leaders repeatedly emphasized how attacks upon their positions had eroded confidence and made it more difficult to continue the peace process. Further, serious differences existed within the RCD on whether to pursue negotiations or warfare, and it was clear that

Kinshasa's continued support to the Mayi-mayi and ex-Rwandan forces strengthened the pro-war faction in the RCD.

We were presented with a dilemma: the RCD and Mayi-mayi were committed to entering into dialogue on a ceasefire, but it was clear that we could expect no help and probably active opposition from the US embassy. We decided that we could not allow the conflict to continue to burn when the parties were willing to discuss stopping it.

Lacking US government or private support, I returned to Congo in July 2003 using personal funds. I informed the State Department and embassy of my decision, and met with the RCD leaders in Goma where they agreed to cease hostilities to permit discussions with General Padiri. Romkema organized a trip to see Padiri at his headquarters in South Kivu. We spent two days with Padiri and his senior staff, including all of his senior officers and political leadership from the front lines. I ran a training seminar in negotiations and conflict resolution for most of the staff. Most of the participants' questions were on a possible integrated army and whether the RCD would keep their word. Hans Romkema worked with General Padiri on the details of the Mayi-mayi ceasefire offer. The evenings were spent in long conversations with the senior officer corps. After two days, we had a ceasefire offer in hand and returned to Bukavu to deliver it to the RCD and MONUC (United Nations Observer Mission to Congo). Our meeting with MONUC was brief: both the US embassy and UN headquarters instructed MONUC's Bukavu office to have nothing to do with it.

The next day we watched the Congolese national flag raised in Bukavu for the first time in five years, marking the fact that the country was now in theory united. We then went back to Goma and delivered the ceasefire proposal to the RCD. They accepted it and the fighting between Padiri and the RCD subsided.

Eventually, MONUC became involved in formal ceasefire negotiations between Padiri and the RCD. These ended with General Padiri taking a position in the new Congolese army. The violence was reduced, although fighting continued and still does with other Mayi-mayi groups yet to be formally inducted into the peace process.

Reflections on the track one - track two relationship

The track two team's relations with the UN in New York and the US State Department in Washington were open and professional, based on constant dialogue and trust established over a long period. We provided ongoing analysis and recommendations to both organizations as well as to the facilitator of the Inter-Congolese dialogue President Masire. Members of the track two team were present for the dialogue in Sun City, South Africa. However, our relationships with both the US embassy and MONUC were more problematic. Early on the State Department had requested that they handle communications on our track two efforts with the embassy, and we respected that request. In retrospect, much misunderstanding may have been avoided and the overall peacebuilding effort strengthened if a direct channel of communications between our team and the embassy existed. We may have had more success in persuading the embassy of our position on the need for local peace accords and, more importantly, built up a greater degree of trust between us.

It appeared that MONUC headquarters was taking a similar line to the embassy. Our team had direct contact with the Goma and Bukavu offices of MONUC, but little with the Kinshasa office. This again hampered our efforts. The Life and Peace Institute's relations with the Bukavu office of MONUC were especially difficult, although I made several interventions with the head of the office and his staff, which met with some success and ultimately a key MONUC officer decided to become actively involved.

Relations with the US embassy in Kinshasa never got on track and this conflict caused the embassy to oppose our mission in eastern DRC. The case illustrates the difficulties that can occur when track two actors try to work closely with track one actors when there is a fundamental disagreement. But it would be wrong to conclude that this case means that track two should distance itself from track one. Rather, our relationships with track one actors were, in sum, helpful for us. Our interlocutors at the State Department and the UN with whom we had most contact also said they found our relationship helpful to them. If anything, the case shows the need for stronger engagement between track one and track two actors, as long as both sides respect each other's right to disagree in good faith.