

# ***The privatisation and criminalisation of public space in the geopolitics of the Great Lakes region***

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## ABSTRACT

The Great Lakes region has been in profound turmoil for the past 15 years. Through the game of shifting alliances, and because of geographic proximity in an area with porous borders, conflicts have tended to merge, thus giving rise to a huge zone of instability. Conflicts have been compounded by the export of war to neighbouring countries, and the extreme weakness of the Congolese state has led to the ‘satellisation’ of large parts of its territory. This has in turn led to the privatisation and criminalisation of public space, to the advantage of both neighbouring countries and local, regional and international ‘entrepreneurs of insecurity’. From political, ideological, ethnic or security-induced, violence has become predominantly predatory, with loyalties and alliances essentially based on the search for personal or factional enrichment. In human terms, the damage caused by the occupation and plunder of eastern DRC has been colossal.

## INTRODUCTION

The Great Lakes region has been in profound turmoil for the last 15 years. Conflicts have expanded into ever increasing circles, becoming what Susan Rice termed the ‘first African world war’ in 1998. Through geographical/geopolitical proximity and the game of often fragile alliances, conflicts with no intrinsic links have merged into larger wars, thus creating a complex, shifting and unpredictable geopolitical landscape. The sheer number of actors – ranging from (former) government armies to local warlords – and their motives – ranging from genuine security concerns to a logic of plunder – have added to this complexity. The extension of violence is indeed formidable: there is a clear though

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convoluted line from the small-scale invasion of Rwanda by the Rwanda Patriotic Front (RPF) in October 1990 to the second Congo war, which started in August 1998 and at one time dragged in nine countries. As a result, the old 'anthropological' boundaries of the region<sup>1</sup> have extended into the 'Greater Great Lakes Region', which now, geopolitically speaking, comprises the whole DRC and most of its neighbours.<sup>2</sup>

With elections in view in both the DRC and Burundi, and given the destabilising role Rwanda continues to play despite its 'democratic transition', it is worth attempting to make some sense of a seemingly intractable situation. Four major threads form the basis of the analysis proposed here: the conflicts affecting countries neighbouring the DRC, most prominently Rwanda; the making and unmaking of alliances, based on the short-term logic of 'the enemy of my enemy is my friend'; the extreme weakness of the Zairean/Congolese state; and the criminalisation of the region's states and economies. This analysis tries to capture an extremely complex situation in a limited space, and therefore does not pretend to be sophisticated. Rather, it attempts to offer a synthetic background for understanding. For the same reason, domestic processes of political transition, including in the DRC, will not be explicitly addressed. Although a number of issues discussed here concern the entire DRC and indeed the larger region, this article focuses mainly on the east of the country and its relation to two of its neighbours, Rwanda and Uganda. This geographical space is indeed at the heart of the regional conflict.

#### THE EXTENSION OF THE RWANDAN CIVIL WAR

The late Fred Rwigema, leader of the RPF in 1990, and Paul Kagame, its current leader and Rwanda's president, were among the 26 'originals' of Yoweri Museveni's National Resistance Army (NRA) in 1982. When Museveni took power in January 1986, Banyarwanda were estimated to constitute between 20 and 25 % of the NRA (Prunier 1992: 45). Museveni repaid his debt by giving them important functions, particularly in the army and intelligence services, which allowed them to prepare their armed return to Rwanda. On 1 October 1990, the RPF invaded from Uganda with the obvious complicity of the Ugandan authorities. This was the beginning of the Rwandan civil war, which culminated in the genocide and seemed to have ended with the RPF's military victory in July 1994.

However, this was not the real end of the conflict, which was to continue extraterritorially. Two million Hutu fled to Tanzania and Zaire (as it then was); in the latter, the defeated *Forces armées rwandaises* (FAR) and

the *Interahamwe* militia maintained their structures. Settled in camps close to the Rwandan border, they remained a threat to Rwanda's security. On several occasions, Vice-President (as he then was) Kagame raised this problem with the international community, threatening to deal with it himself if no action was taken. As the Mobutu regime was, at least passively, supporting its erstwhile allies in the refugee camps, Kagame needed to kill two birds with one stone. He could not be seen to overtly violate Zaire's territorial integrity, and therefore actively stimulated and supported the so-called 'Banyamulenge rebellion',<sup>3</sup> bringing in Laurent Kabila to give the uprising a non-Tutsi and 'truly Congolese' face. Kabila, who led a rebel movement on the shores of Lake Tanganyika in the 1960s and 1970s before converting into shady business activities in Tanzania, was brought to Kagame's attention by Museveni, who knew him from his days in exile in Dar es Salaam. The AFDL (*Alliance des Forces Démocratiques de Libération du Congo-Zaire*) eventually toppled Mobutu; that was the first bird. As soon as the 'rebellion' got underway, Kagame went for the main target. He brought in the RPA (Rwanda Patriotic Army) to deal with the 'refugee warriors' issue, denying until after the end of the war that Rwandan troops had crossed the border. While Kagame gave his American and European allies assurances that the operation would be 'clean', it was in fact very messy, leaving tens of thousands of civilians dead.<sup>4</sup>

While the initiative of the war was primarily a Rwandan affair,<sup>5</sup> Uganda was confronted with a similar – though less vital – security problem. Just like Rwanda, it faced a rebel movement, the ADF (Allied Democratic Forces), operating in part from Zairean territory. Both the Mobutu regime and the ADF received support from the Sudanese government, which was involved in a civil war against the southern Sudanese rebellion spearheaded by the SPLA (Sudan People's Liberation Army), supported by Kampala.<sup>6</sup> Apart from the old friendship and, to some extent, the shared ideology linking Museveni and Kagame, an objective alliance therefore united Uganda with Rwanda in the resolve to intervene in the DRC and, eventually, to topple Mobutu.

In addition to its proclaimed security concerns on this and later (1998, 2004) occasions, Kigali advanced the threat of genocide against the Congolese Tutsi as a justification for intervening.<sup>7</sup> At the beginning of the first war Rwanda also created a great deal of confusion by suggesting that it 'reclaimed' territory in eastern Zaire. On 28 October 1996, President Bizimungu stated that 'if Zaire wants to send the Banyamulenge back (to Rwanda),<sup>8</sup> it should also give us back their lands that used to be Rwandan'. The fact that he showed maps of the 'greater Rwanda',<sup>9</sup> and



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that Paul Kagame called for the organisation of a ‘Berlin II’ conference, fuelled the suspicion that Rwanda had territorial ambitions and reinforced the myth of the ‘Tutsi-Hima Empire’.

Although Mobutu was replaced by Kabila in May 1997, this did not herald the end of the Rwandan civil war. Between the second half of 1997 and mid-1998, Hutu rebels who called themselves ALIR (*Armée pour la libération du Rwanda*) launched attacks in northwestern Rwanda, using assault and retreat bases in the DRC. Indeed these operations were much more intense and widespread inside Rwandan territory than prior to the 1996 war. At the same time, for domestic legitimacy purposes Kabila needed to be seen to liberate himself from what many Congolese saw as Rwandan overrule. Contrary to Rwandan claims, he did not however show any hostility to Tutsi. Quite the contrary: in January 1998, he went to Bukavu where anti-Rwandan and anti-Tutsi feelings ran high, and in a speech criticised ‘these mai-mai who tell you to sympathise with the *Interahamwe* who have come here exporting their ethnic hatred and divisions’ (quoted in *Le Peuple Souverain*, February–March 1998). And, again contrary to Rwandan claims, only *after* the beginning of the second war did Kabila recruit the support of ex-FAR/*Interahamwe*.

Relations between the new Congolese regime and Kigali soured rapidly, a new war broke out in August 1998, and – in the logic of ‘the enemy of my enemy is my friend’ – an objective alliance developed between Kabila and ALIR. Although similar security concerns to 1996 prompted the Rwandan intervention, this was not a remake of the first war. Other countries stepped in on both sides, thus giving rise to the ‘first African world war’. Despite early successes, the new ‘rebellion’ failed to overthrow the regime in Kinshasa. In addition, the logic of the plunder of Congolese resources soon overtook the initial security considerations (see *infra*).<sup>10</sup>

Contrary to the first war, this became a protracted conflict, with a huge frontline stabilising along the axis Mbandaka-Mbuji-Mayi-Pweto.<sup>11</sup> Several errors committed by Rwanda and Uganda accounted for this stalemate. First, in the words of Willame (1999: 219), ‘a great deal of illusion and arrogance<sup>12</sup> (made them) believe that the stunt of the first Congolese rebellion could be re-edited, i.e. that Kabila could be overthrown in the same way as Mobutu back in 1996’. Second, again the fruit of arrogance, Rwanda and Uganda grossly underestimated the reaction of Angola and Zimbabwe, which they did not care to contact before invading the DRC. Probably as a result of insufficient knowledge of and interest for regional geopolitics, they acted as if they were the only players in the field. Third, the quality of their Congolese proxies was very poor:<sup>13</sup> their autonomy was limited, their leadership incompetent and divided, and their domestic legitimacy minimal. Last but not least, the national – indeed nationalist – feelings of the Congolese, maybe the only positive legacy of the Mobutu era, were ignored at the invaders’ peril, again partly as a result of the arrogant belief that the Congolese were irrelevant actors in this play; on the contrary, the widespread phenomenon of a people fighting a common external enemy has proved a decisive glue for Congolese resistance, even though this glue might disappear once the war has ended.

Nevertheless, although the ‘rebellion’ did not make it to Kinshasa, the Lusaka ceasefire agreement (July 1999) which came about as a result of the military stalemate, offered two useful assets to Rwanda and Uganda. On the one hand, the withdrawal of foreign troops was linked to the disarmament of ‘negative forces’, thus acknowledging Rwandan and Ugandan security concerns and offering them a basis to maintain a military presence in the DRC. On the other, it confirmed for the time being (until a new political dispensation was put in place in the DRC) the *de facto* partition of the Congo between the RCD (*Rassemblement Congolais pour la Démocratie*)/Rwanda, the MLC (*Mouvement pour la Libération du Congo*)/Uganda and the government side/Zimbabwe/Angola. This allowed each

side to administer the area under its control, including the exploitation of natural resources (Grignon 2004: 45).

The Rwandan army (now called the Rwanda Defence Forces – RDF) officially remained in the DRC until September 2002, but later maintained a covert presence both directly and indirectly through its proxy, the RCD-Goma. The presence of Hutu rebels on Congolese soil, and their suspected alliance with the Kabila regime, continued to offer a pretext for intervention. Rwanda's stake again became clear on two occasions in 2004, as the DRC appeared to be heading towards elections and making some progress in state reconstruction. These processes threatened Rwandan economic and political control of the Kivu provinces. A UN group of experts discovered direct and indirect support by the Rwandan army to the mutinous troops of Colonel Mutebutsi and General Nkunda during their operations in South Kivu in June 2004 (UNSC 2004: paras 81–101). In addition, the RDF remained active inside North Kivu, where they maintained semi-fixed positions at least from October 2003, despite their official withdrawal in September 2002 (*ibid.*: paras 107–16). In November 2004, barely a few days after subscribing to a pledge, along with ten leaders of the region, to ‘fully support the national peace processes in the region and refrain from any acts, statements or attitudes likely to negatively impact them’,<sup>14</sup> Rwanda again intervened in the DRC, ostensibly to root out the threat posed by rebels, by now known as FDLR (*Forces Démocratiques pour la Libération du Rwanda*). As in the past, the RDF operation was in part direct, in part indirect through the renegade wing of the RCD-Goma in North Kivu. Although presented by Kigali as the continuation of the Rwandan civil war, the main aim may well have been to derail the Congolese transition process.<sup>15</sup>

The Rwandan presence has been accompanied by colossal human rights abuse. As already noted, during the 1996–7 war Rwandan Hutu refugees were the victims of crimes against humanity and war crimes.<sup>16</sup> During the second war, Amnesty International (2001) accused the RPA and its proxy, the RCD-Goma, of attacking and killing tens of thousands of Congolese civilians, pointing out that many massacres took place in areas rich in minerals. A painstaking review covering the period from August 1998 to the end of 2000 conveys a dramatic picture of large-scale systematic and deliberate atrocities (Migabo Kalere 2002).

#### CIRCUMSTANTIAL ALLIANCES

Together with the extreme weakness of the Zairean state (cf. *infra*), the operation of a formidable regional coalition accounted for the ouster of

the Mobutu regime by the Kabila 'rebellion'. The cement of this alliance was the logic of 'the enemy of my enemy is my friend': the Mobutu regime supported the Khartoum government in its war against the southern Sudanese rebellion, which was in turn supported by the United States, Uganda, Ethiopia and Eritrea; Zairean territory served as a rear base for attacks by armed movements against Uganda, Rwanda and Burundi; and the support offered by Mobutu's cronies to the Angolan rebel movement UNITA had not ceased with the 1994 Lusaka peace accord. Therefore, several distinct wars met in Zaire, and virtually everyone had an interest in toppling Mobutu, a resolve shared by the United States.<sup>17</sup>

The frailty of the alliance immediately showed when the second war started, and yesterday's allies became enemies. On the front west of Kinshasa, which the Rwandan army opened through a daring airborne operation, Kabila was saved by the intervention of an Angolan expeditionary force. Angola turned against its erstwhile Rwandan ally, because former Mobutist generals were in Kigali just before the resumption of the war, and Angolan intelligence was convinced that there were contacts between UNITA and the RCD leadership and their Rwandan sponsors. In the likely perspective of the resumption of the Angolan civil war (which materialised a few months later), for Luanda the choice was clear, even though relations with Kabila were far from perfect. The motives behind the involvement of Zimbabwe were both economic<sup>18</sup> and political (Mugabe saw the second war as an opportunity to reclaim some of the regional leadership lost to South Africa; in addition, he deeply resented being presented as a 'dinosaur' compared to the 'new leaders' of the 'African Renaissance' like Museveni and Kagame). The Sudan, which had supported the Mobutu regime at the beginning of the first war, now supported Kabila against the new rebellion; the context here was, of course, the conflict opposing Khartoum and Kampala.

Alliances also shifted wildly inside the DRC. The *mai-mai* militias in the east, who had been fighting Kabila even before he came to power, now aligned with him in the context of an 'anti-Tutsi' coalition. Within the same logic, a similar shift brought the ex-FAR and former *Interahamwe* militia inside Kabila's camp, although less than a year earlier, these Rwandan Hutu had suffered massive loss of life at the hands of Kabila's rebel forces and their allies from Kigali. A UN report noted that 'the changing alliances in and around the DRC have unexpectedly worked to the advantage of the former Rwandan government forces (because) they have now become a significant component of the international alliance against the Congolese rebels and their presumed sponsors, Rwanda and Uganda' (UNSC 1998b: paras 86–7). Another local re-alignment brought

many though not all Banyamulenge into the anti-Rwanda alliance, and thus into Kabila's camp. Together with *mai-mai* and government forces, Commander Patrick Masunzu's troops engaged the RCD-Goma and the RPA. When renegade troops of General Nkunda and Colonel Mutebutsi launched attacks with Rwandan support in mid-2004, a circumstantial alliance was again formed in South Kivu between *mai-mai* integrated in the FARDC (*Forces Armées de la République Démocratique du Congo* – the provisional name of the 'unified' national army), Masunzu's Banyamulenge, the FDLR and the Burundian rebel movement FNL (*Forces Nationales de Libération*) (UNSC 2005: paras 158–69).

Yet another spectacular shift occurred during the second war, indeed as a result of it. Despite the old friendship between Museveni and Kagame, the Rwandan and Ugandan armies clashed on several occasions inside the DRC. After some incidents during the preceding months, in mid-August 1999 the RPA and the UPDF (Uganda People's Defence Forces) waged a major battle in Kisangani, leaving hundreds of civilians dead and causing severe destruction in the city centre. The fighting occurred just after the signing, on 10 July 1999, of the Lusaka peace accord, in a context that gravely worried Kigali: the Ugandan proxy rebel movement MLC was formally created in July; Uganda supported the RCD leader ousted under Rwandan pressure, Ernest Wamba dia Wamba, who proved very popular in Kisangani; Uganda just created the province of Kibali-Ituri in the northeast; and the Ugandan Chief of Staff General Kazini challenged the *de facto* partition of Kisangani between Rwanda and Uganda. Other confrontations took place between the former allies in and around Kisangani, as well as in the north-eastern Ituri region through local proxies. In March 2001, Rwanda was formally declared a 'hostile nation' by the Ugandan government.<sup>19</sup> Several causes are at the root of the enmity between the two countries, or more accurately their leaders. Already during the first war, and more visibly during the second, Museveni disagreed with the quick military fix and the parachuting into power of a figurehead in Kinshasa. In addition, he resented the geopolitical ambitions of his small neighbour, as well as the lack of gratitude displayed by Kagame, whose accession to power would not have occurred without Ugandan support. Probably the most important factor eventually became the competition between elite networks in both countries to extract resources from the DRC. As in the Rwandan civil war, the Ugando-Rwandan conflict was fought out extraterritorially, in the Congo.<sup>20</sup>

This became very clear again when Rwanda intervened in Ituri, a region without a direct geographical link with Rwanda and until then considered by the Ugandans as their 'backyard'. Seeking to control the

region's resources, Ugandan officers exploited a long-standing local conflict and played militia leaders against each other, thus contributing to intense fragmentation and massive violence. During 2002, the *Union des Patriotes Congolais* (UPC) militia shifted from Ugandan to Rwandan support, a change marked by an agreement signed in January 2003 between the UPC and the RCD-Goma. Throughout 2002, Rwanda airlifted arms, ammunition and even some troops to Ituri. To Uganda, the extension of territory held by the RCD-Goma (and therefore Rwanda) from the southern part of North Kivu northwards to Ituri was a mortal threat, to both its security and its economic interests (HRW 2003; ICG 2003b).

Both countries would probably have engaged in direct war, had it not been for repeated efforts by the United Kingdom, and Clare Short in particular, to avoid it. The central role of the DRC as the real stake appeared again clearly in November 2004, when the RDF started new operations in the Congo. Rwandan–Ugandan relations soured immediately: both countries traded accusations of reciprocal subversion, they expelled some of the other's diplomats, and their troops briefly clashed. The British 'godfather' was again able to ease the tension, and following considerable pressure from the UK and the US, Rwanda withdrew most of its troops from the DRC.

#### STATE COLLAPSE AND THE PRIVATISATION OF PUBLIC SPACE

In addition to the formidable regional coalition mentioned earlier, the extreme weakness of the Zairean state was the second main contributory factor to the outcome of the 1996–7 war. As a result of decades of Mobutist misrule, empirically speaking the Zairean state had virtually disappeared, leaving a 'black hole', characterised by the near absence of territorial control, porous borders, no effective public administration or national army, very poor communications between centre and periphery and between peripheries, and an essentially informal economy. Just like nature, geopolitics abhors a void, which tends to be filled by other, non-state actors. Some of these – like NGOs, churches, local civil society or traditional structures – assume some functions abandoned by the state. Other less benign players also seize the public space left by the retreating state: warlords, (ethnic) militias, and 'entrepreneurs of insecurity' both domestic and from neighbouring countries.<sup>21</sup>

This explains not only the extreme weakness in battle of the FAZ (*Forces Armées Zaïroises*), which were the mirror of the collapsed state, but also why a small country like Rwanda was able, without much of a fight, to establish extraordinary territorial, political and economic control over its vast

neighbour. What Achille Mbembe has called the ‘satellisation’ of entire provinces by (much) smaller but stronger states is accompanied by the emergence of new forms of privatised governance. It is worth quoting Mbembe (2001: 92–3) at length, because he perfectly captures the situation in the Great Lakes region:

a new form of organizing power resting on control of the principal means of coercion (armed force, means of intimidation, imprisonment, expropriation, killing) is emerging in the framework of territories that are no longer fully states. For, in these states, borders are poorly defined or, at any event, change in accordance with the vicissitudes of military activity, yet the exercise of the right to raise taxes, seize provisions, tributes, tolls, rents, *tailles*, tithes, and exactions make it possible to finance bands of fighters, a semblance of a civil apparatus, and an apparatus of coercion while participating in the formal and informal international networks of inter-state movements of currencies and wealth (such as ivory, diamonds, timber, ores). This is the situation in those countries where the process of privatizing sovereignty has been combined with war and has rested on a novel interlocking between the interests of international middlemen, businessmen, and dealers, and those of local plutocrats.

In eastern DRC, all functions of sovereignty are thus privatised, as some examples may show. In 1996 and 1998, the Zairean/Congolese government forces hardly engaged in combat; during the war that started in 1998, foreign and non-state forces faced each other – the Angolan and Zimbabwean (and, at one point, Chadian and Namibian) armies, and Rwandan and Burundian rebel groups on Kabila’s side, and on the other the Rwandan and Ugandan armies with their RCD proxy. Territorial control, the provision of (in)security and the management of populations were taken over by militia, rebel groups – both domestic and from neighbours Rwanda, Uganda and Burundi – and the armies of neighbouring countries (and even the former Rwandan government army).

A UN panel monitoring an arms embargo reported compelling data on the total absence of the state in controlling cross-border traffic, including at ports and airports; indeed ‘irregular aircraft practices are the norm’ (UNSC 2004: para 56). An extreme illustration occurred in January 2004, when access to Gbadolite airport was denied to the official aviation authorities while aircraft ferrying weapons and ammunition on behalf of Congolese Vice-President Bemba, leader of the MLC, were unloaded (*ibid.*: para 64–9). In the summer of 2004, Bemba seized the opportunity of renewed fighting in the east to expand his private war business. Formally integrated into the FARDC, MLC troops were airlifted to North Kivu between June and October 2004 by aircraft owned by the vice-president. Not only did the MLC troops remain separate from other FARDC soldiers based in Beni, thus suggesting that Bemba continued to

consider them his private militia, but in addition he charged the government twice the market price for the use of his planes, whereas other air operators were forced to transport FARDC troops and provisions without payment (UNSC 2005: paras 149–51).<sup>22</sup>

The fiscal function too, which was limited anyway, was lost by the state.<sup>23</sup> Import and export levies collected by militias, rebel groups and Rwandan and Ugandan ‘elite networks’ funded the wars and lined the pockets of individuals. Toll barriers (*péages*) were put up to extract resources from peasants taking their meagre surplus products to market; so the possession of a gun was a sufficient means to impose internal taxation. In North Kivu, travellers passing between the zones controlled by the RCD-Goma and the RCD-ML (*Rassemblement Congolais pour la Démocratie – Mouvement de Libération*) were required to declare goods and pay duties at the ‘border’. There were fixed tariffs for pedestrians and vehicles, and traders were required to hand over some of their merchandise. In areas controlled by the RCD-Goma, there were annual taxes on vehicles and a panoply of charges for individual journeys, road ‘tolls’ and ‘insurance’ (AI 2003: 16–18). The RCD-Goma taxed the coltan trade, sold mining rights, and demanded licence fees, non-refundable deposits, various export taxes and a ‘war effort tax’ (*ibid.*: 33).

A UN report offers a good illustration, not just of the privatisation of the fiscal function, but even of ‘fiscal competition’ between private political/military entrepreneurs: ‘[Chief] Kahwa had been able to establish a financial and logistical network spanning both (DRC and Uganda) sides of the lake (Albert) to support his political and military agendas. Using his political and business muscle, Kahwa has tried to compel merchants to use Kasenyi port as an entry point into the DRC rather than Tchomio, because if Tchomio was used he would lose out on taxes on imports collected there by Chief Kisémbó. In addition to normal import taxes, a special “Kahwa tax” was levied on merchants trading in Kasenyi’ (UNSC 2004: para 41). The panel documented a number of other examples showing that borders and their control have become prized assets for armed groups and their sponsors in Rwanda and Uganda, allowing them the necessary revenue to maintain and resupply troops (*ibid.*: para 44). It concluded that ‘as an institutionally weak state, the DRC significantly lacks control over both customs and immigration’ (*ibid.*: para 31).

#### CRIMINALISATION OF STATES AND ECONOMIES

There is of course a strong link between the privatisation of public space and the criminalisation of states and economies in the region. A UN panel

put in place in 2001 published a number of increasingly detailed reports on the criminal practices of 'elite networks', both Congolese and from neighbouring countries, and identified elements common to all these networks. They consist of a small core of political and military elites and business people and, in the case of the occupied territories, rebel leaders and administrators. Members of these networks co-operate to generate revenue and, in the case of Rwanda, institutional financial gain. They derive this financial benefit from a variety of criminal activities, including theft, embezzlement and diversion of 'public' funds, under-evaluation of goods, smuggling, false invoicing, non-payment of taxes, kickbacks to officials and bribery. International players are closely involved in this criminal economy, as the local and regional actors draw support from the networks and 'services' (such as air transport, illegal arms dealing, and international transactions of pillaged resources) of organised international criminal groups (UNSC 2002).<sup>24</sup> Thus, two different UN panels pointed out that Viktor Bout, a notorious and internationally sought arms dealer and transporter featuring prominently in illegal activities in the region, operated from Kigali, among other places.<sup>25</sup>

The linkage between military engagement and illegal economic activities is a particularly worrying trend. Dietrich (2001) has drawn attention to the dangers inherent in what he calls 'military commercialism', whereby a stronger state deploys the national military in a weaker neighbouring country, supporting either the sovereign power (as did Zimbabwe) or insurgents (in the cases of Rwanda and Uganda), in exchange for access to profits. Under these circumstances, economic criteria invade military decision-making, for example with regard to troop deployment and areas of operation.<sup>26</sup> In addition, if domestic resources are scarce or cannot be illicitly mobilised as a result of the scrutiny of the international community, cross-border predatory behaviour, out of sight and/or hidden behind political and military concerns, provides an alternative resource. Finally, when control over resources has become a military objective in itself, this is a strong disincentive for troop withdrawal, simply because the 'expeditionary corps' and those they support, whether rebels or governments, need each other.

Nowhere is this as clear as in the case of Rwanda, a small and very poor country devoid of natural resources, but with an elite needing to maintain a lavish lifestyle and possessing a large and efficient army.<sup>27</sup> In 2000, the revenue collected by the RPA in the DRC from coltan alone was believed to be US\$80–100 million, roughly the equivalent of official Rwandan defence expenditure (which stood at US\$86 million) (Sénat de Belgique 2003: 72). In a similar vein, a UN panel report found that in 1999–2000,

'the RPA must have made at least US\$250 million over a period of 18 months' (UNSC 2001: para 130). Marysse (2003: 88) calculated that in 1999, the total value added of plundered diamond, gold and coltan amounted to 6.1 % of Rwanda's GDP,<sup>28</sup> and to 146 % of its official military expenditure. The Kigali economy, which is virtually disconnected from the Rwandan economy as a whole, is largely dependent on mineral and other extraction in the DRC (as well as on international aid). Pillaging the Congo not only allows the Rwandan government to beef up the military budget in a way that is invisible to the donor community,<sup>29</sup> but also buys much needed domestic loyalty.

The Rwandan military and civilian elites thus benefit directly from the conflict.<sup>30</sup> Indeed a UN Panel noted a great deal of interaction between the military apparatus, the state (civil) bureaucracy and the business community. It found that the RPA financed its war in the DRC in five ways: (i) direct commercial activities; (ii) benefits from shares it holds in companies; (iii) direct payments from the RCD-Goma; (iv) taxes collected by the 'Congo Desk' of the external military intelligence office ESO (External Security Organisation),<sup>31</sup> and other payments made by individuals for the protection the RPA provides for their businesses; and (v) direct uptake by soldiers from the land (UNSC 2001: para 126). After officially withdrawing its troops from the DRC in September 2002 as a result of discreet but intense international pressure, Rwanda therefore changed tactics by seeking alternative allies on the ground and sponsoring autonomist movements, in order to consolidate its long-term influence in eastern Congo and make the most out of the Kivu region (ICG 2003a). In addition, even after its official withdrawal, Rwanda maintained a clandestine military presence in the DRC.<sup>32</sup>

The unpublished part of the UN Panel's final report of October 2003 (UNSC 2003) is particularly revealing in this respect. At the request of the Panel this section was to remain confidential and not to be circulated beyond the members of the Security Council, as it 'contains highly sensitive information on actors involved in exploiting the natural resources of the DRC, their role in perpetuating the conflict as well as details on the connection between illegal exploitation and illicit trade of small arms and light weapons'.<sup>33</sup> The findings show an ongoing presence of the Rwandan army in the DRC. It had, the Panel found, continued shipping arms and ammunition to the Kivus and Ituri, provided training, exercised command, supported North Kivu Governor Serufuli's militia, and manipulated ex-FAR/*Interahamwe* by infiltrating RDF officers into them. The 'Rwanda Network' was considered by the Panel 'to be the most serious threat to the Congolese Government of National Unity. The main

actor in this network is the Rwandan security apparatus, whose objective is to maintain Rwandan presence in, and control of, the Kivus and possibly Ituri.<sup>34</sup> Rwandan support for dissident forces went on throughout 2004, while the DRC was engaged in its delicate and fragile political transition. A later UN Panel was concerned that ‘the territory of Rwanda continues to be used for recruitment, infiltration and destabilisation purposes’ (UNSC 2005: para 185), and it observed a ‘residual presence’ of the RDF in North Kivu (*ibid.*: paras 199–200).

Uganda, too, has greatly benefited from its military/commercial presence in the DRC. Although, unlike Rwanda, it did not set up an extrabudgetary system to finance its activities there, the UN Panel found that the ‘re-exportation economy’ has had a significant impact on the financing of the war, in three ways: by increasing the incomes of key businessmen, traders and other dealers; by improving Uganda’s balance of payments; and by bringing more money to the treasury through various taxes on goods, services and international trade (UNSC 2001: paras 135–142). By way of example, Ugandan gold exports totalled US\$90 million in 2000, while the country produces practically no gold (Sénat de Belgique 2003: 119).

The logic of military commercialism can also be seen in the strategies developed by domestic armed groups. Thus the Walikale region west of Goma became a battleground between RCD-Goma rebels and *mai-mai*, both supposedly integrated into the FARDC, but who ceased to obey the FARDC eighth military region commander, an RCD general who himself refused to obey orders from Kinshasa. In their fight for control over Walikale’s cassiterite mines, these *ex-mai-mai* units co-operated with FDLR troops. Small aircraft based in Goma collected the cassiterite ‘caught’ by the RCD for purchasing agents; once it arrived in Goma, shares were distributed to local military and political authorities before being transported across the border to Gisenyi (Rwanda), where a smelting plant is located, or exported to South Africa (UNSC 2005: paras 140–6).

Clearly, criminal or informal regional integration is very real, and it is certainly more effective than the often-called-for formal integration. Cuvelier (2004) has shown how the support of Rwanda for the RCD-Goma has heralded a growing co-operation between business-people, politicians and high-ranking military on both sides of the border. The establishment of SOMIGL (*Société minière des grands lacs*) and of the CHC (Congo Holding Company) were instruments set up by the rebel group and Rwanda to get as much financial benefit as possible out of the international interest in Kivu’s natural resources. Two Rwandan

companies with close links to the RPF and the army, Rwanda Metals and Grands Lacs Metals were key in the organisation of the Congolese commercial ventures of the Kigali regime. What is novel about what Taylor (2003: 48) suggests are ‘neo-imperialist’ regional networks of violence and accumulation is that they are managing to develop their own links and ties to the international arena, often on their own terms. The type of alliances and transboundary networks currently reconfiguring Central Africa may well, in his view, offer a prophetic vision of what may be in store for vulnerable and peripheral areas of the world (*ibid.*: 52).

That said, while this article focuses on local and regional players, international actors have had their part. The 1996–7 war was launched with the approval and support of the US, and France intervened briefly (and inefficiently) on the side of Kinshasa. Acting as a patron for Rwanda and the AFDL, and later the RCD, the US replaced the former neo-colonial powers France and Belgium,<sup>35</sup> subcontracting a number of clientship functions to South Africa, which has emerged as a regional sub-hegemonic power showing increasing political, military and economic muscle. Speculative international mining companies called ‘juniors’ attempted to seize the opportunities offered by Laurent Kabila’s ‘rebellion’. Juniors like America Mineral Fields (AMFI) and Banro negotiated mining contracts with the AFDL well before it seized power; AMFI even put a private jet at Kabila’s disposal during the war. For reasons that were both financial (the diminished availability of risk capital) and political (the chaos in Congo deterred even the most daring speculators), this outside influence decreased considerably as the second war unravelled.<sup>36</sup>



While several factors help to explain the war that started in 1996, two are predominant: on the one hand, the extreme weakness of the Zairean/Congolese state (including its army); on the other, the unfinished Rwandan civil war. The latter could only continue extraterritorially because of the former. The second war came about, again, as a result of genuine Rwandan (and Ugandan) security concerns, which were addressed on the territory of a neighbour that had not become any stronger. Two new factors considerably complicated the picture: on the one hand, the siding with Kinshasa of Angola and Zimbabwe, thus compensating for Congo’s weakness and creating a military stalemate; on the other, the exploitation of the DRC’s natural resources as an additional and increasingly determining motivation for the invading neighbours.

The successive wars have exposed realities that existed well before, but that have become more apparent and devastating than ever before: political-military fragmentation is extreme; international frontiers are theoretical, as is the relation between territories and states; the criminalisation of states and economies, and the privatisation of public space have increased exponentially; from political, ideological, ethnic or security-induced, violence has become predominantly predatory, with loyalties and alliances essentially based on the search for personal and factional enrichment; human rights abuse has been colossal, as a result of massive direct killings of civilians, the destruction of local trade, health, education and security assets, and large-scale displacements of populations.<sup>37</sup>

Looking at the two main factors at the heart of the instability, two major challenges need to be addressed, although they may be contradictory. On the one hand, the Congolese state needs to be rebuilt almost from scratch after decades of implosion. This is a colossal task and a long process in light of the extent of decay, the sheer size of the country, the degree of fragmentation, and indeed the nature of the political-military leadership and of political culture more generally. However, the immensity of this task should not allow the issue of statehood to be struck from the agenda. State collapse literally kills, and there will be no development or stability in the region unless the Congolese state recovers its minimal functions. On the other hand, the concerns and interests of the eastern neighbours must be addressed. While Uganda can probably live with a stable Congo, this is less certain for Rwanda, which considers the Kivus as a zone of demographic expansion and a source of wealth. It may feel that it simply cannot afford the emergence of a stable and democratic DRC, which would not only deprive it of much needed resources, but also put pressure on its own political system, which is far from democratic and inclusive (Reyntjens 2004).<sup>38</sup>

#### APPENDIX: A NOTE ON PLAYERS

*AFDL: Alliance des Forces Démocratiques pour la Libération du Congo/Zaire.* Congolese rebel movement launched in September 1996 by Rwanda and Uganda. Its leader, Laurent-Désiré Kabila, became president of the DRC after overthrowing Mobutu in May 1997 with decisive military support from Rwanda, Uganda and Angola.

*ALIR: Armée pour la Libération du Rwanda.* Rwandan Hutu rebellion based in the DRC, composed of elements of the defeated government army, *Interahamwe* militia and new recruits; absorbed by the FDLR in 2000.

**FDLR:** *Forces Démocratiques pour la Libération du Rwanda*. Hutu political-military opposition organisation which incorporated the armed rebellion of ALIR, but deployed political activities from 2000.

**Mai-Mai:** Congolese militias without a centralised command or clear political loyalty; those in the Kivus are generally locally embedded and wish to ‘protect the populations against foreign invaders’; part of the current political dispensation in Kinshasa.

**MLC:** *Mouvement de Libération du Congo*. Congolese rebel movement created late in 1998 with Ugandan support, in order to counter Rwandan support for the RCD; part of the current political dispensation in Kinshasa – DRC Vice-President Jean-Pierre Bemba belongs to the MLC.

**RCD:** *Rassemblement Congolais pour la Démocratie*. Congolese rebel movement created in August 1998 by Rwanda, with lukewarm support from Uganda, which went through several splits and changes in leadership. The main wing, the RCD-Goma, became a proxy for Rwanda in 1999. Apart from a renegade wing holed up in Goma, part of the current political dispensation in Kinshasa. DRC Vice-President Azarias Ruberwa belongs to the RCD-Goma.

**RDF:** Rwanda Defence Forces. Current name of the RPA.

**RPA:** Rwanda Patriotic Army. Military wing of the RPF, which became the Rwandan government army after its victory in July 1994.

**RPF:** Rwanda Patriotic Front. Tutsi-led organisation that started the Rwandan civil war in October 1990 and took power after its military victory in July 1994, in the wake of the genocide.

#### NOTES

1. The ‘interlacustrine region’ was formerly limited to Rwanda, Burundi, and parts of the DRC, Uganda and Tanzania.

2. This appeared clearly when the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region, held in Dar-es-Salaam on 19–20.11.2004, brought together the Heads of State of 11 countries (Angola, Burundi, CAR, Congo, DRC, Kenya, Rwanda, Sudan, Tanzania, Uganda and Zambia), in addition to six other African heads of state and representatives of the UN and the AU acting as ‘witnesses’.

3. This is not to say that the Banyamulenge had no cause for revolt. Quite the contrary: during 1995–6 they came under increasing threat from both so-called ‘autochthonous’ populations and public officials. Nevertheless, their plight was exacerbated and exploited by Rwanda, and what was presented as the ‘Banyamulenge rebellion’ was in reality a war prepared by Rwanda and Uganda, supported by international players, the US in particular. This explains the subsequent shift of alliance by many Banyamulenge, who soon realised that they were actors in a ‘foreign play’ (see below).

4. In June 1998, a UN secretary general’s investigative team concluded that the RPA had committed large-scale war crimes and crimes against humanity. The report even went further by suggesting that genocide might have occurred: ‘The systematic massacres of these (Hutu refugees) remaining in Zaire was an abhorrent crime against humanity, but the underlying rationale for the decision is material to whether these killings constituted genocide, that is, a decision to eliminate, in part, the Hutu ethnic group’ (UNSC 1998a: para 96). An erstwhile sympathiser of the RPF, Belgian journalist Colette Braeckman, wrote: ‘I admit it is in the Congo, when seeing the behaviour of

Kagame's men, that I have understood the accusations of war crimes levelled against the RPF for its acts during the (1994 Rwanda) genocide – and even during the preceding years. Seeing the violence unleashed across its borders and the disdain shown to the Congolese whose life or death were without value, the credit given to the RPF (for defeating the forces of genocide) has disappeared' (Braeckman 2003: 216, author's translation).

5. By the end of 1996, Rwanda and Uganda had achieved their primary security objectives by putting into place a buffer zone across their borders in the DRC, stretching from Kalemie in the south to Bunia in the north. Angola then intervened to lead the 'rebellion' to its ultimate conclusion, i.e. regime change in Kinshasa.

6. On the alliances in the Uganda-Sudan-Congo triangle, see Prunier 2004.

7. Each time, Rwanda announced a 'possible' intervention, but denied the presence of its troops in the DRC. This practice of denial was extreme during the first war, when Kagame admitted and indeed claimed the central role played by the RPA well after the end of the conflict (Pomfret 1997).

8. It later appeared that Kigali attempted to convince the Banyamulenge to settle in Rwanda. At a meeting held in November 1996, they refused the 'offer'. This was one of the causes of the rift between many Banyamulenge and the Rwandan regime (cf. *infra*).

9. We have shown elsewhere that this claim is contrary to history. Indeed pre-colonial Rwanda was smaller than its present-day territory (Reyntjens & Marysse 1996: 17–18).

10. That exploitation eventually became more important than security was shown by the fact that, with the aim of extracting coltan, the Rwandan army entered into alliances with armed groups it was supposedly fighting, including *interahamwe* and *mai-mai* (AI 2003: 13). A variety of forced labour regimes were found at sites managed by RPA mining *détachés*. Several accounts reported the widespread use of prisoners from Rwandan jails as indentured labour (UNSC 2002: para 75; AI 2003: 37). In addition, during its long presence in the DRC, the Rwandan army never significantly engaged the Hutu rebels. Also, the deployment of the RPA over 1,000 km. from the Rwandan border indicated that security was not Kigali's main concern. A UN panel bluntly concluded that the real long-term purpose of the RPA's presence in the DRC was to 'secure property', and not to establish security (UNSC 2002: para 65).

11. The notion of a 'frontline' suggests that the opposing forces were holding neatly demarcated territories. In reality, no party consolidated its hold on a contiguous area, and the frontline was very blurred. In addition, smaller 'frontlines' developed inside the occupied territories, particularly in Ituri and the Kivu provinces. 'Frontlines' also emerged at an even more local level in areas where extractive activities took place.

12. Likewise, Longman (2002: 137–9) insists on the 'political triumphalism' of the RPF. The undeniable successes of the movement have bred a strong sense of entitlement and military dominance among its leaders. At the same time, this feeling of invincibility has blinded the RPF leadership to the impact of their actions on how the Tutsi are perceived. Indeed, rather than protecting them, in the longer term the RPA's behaviour may well have heightened the vulnerability of Congolese (and maybe Rwandan) Tutsi.

13. This proxy nature is very visible in the fact that, in both 1996 and 1998, 'rebel movements' (the AFDL and the RCD respectively) came out with a name, a leadership and statements well *after* the beginning of hostilities. The mere fact that Rwanda launched its daring airborne attack on Kitona (west of Kinshasa) on 4 August 1998, hardly two days after the start of the 'rebellion', shows the extent of the preparation and the central role of Rwanda. While the initial plan was to stage a *coup d'état* in Kinshasa and assassinate Kabila, 'plan B' was to launch what Lanotte calls a *Blitzkrieg* (Lanotte 2003: 99).

14. *Dar-es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region*, First Summit of Heads of State and Government, Dar-Es-Salaam, 19–20.11.2004. The signatories also committed themselves to 'prevent any direct or indirect support, delivery or any form of assistance to armed groups operating in the region'.

15. Indeed most observers agreed that the FDLR did not pose an imminent military or political threat. The International Crisis Group (2004: 4) even noted that while the new Congolese army (*Forces Armées de la République Démocratique du Congo* – FARDC) began to conduct limited offensive operations against the FDLR in April 2004, Rwanda's attack turned the clock back, thus achieving exactly the opposite of what Kigali claimed to pursue. Human Rights Watch (2004) agreed: 'Rwanda and ... the RCD-Goma have for several years hindered efforts by MONUC to disarm and repatriate Rwandan rebel combatants in Congo. ... Recent threats by Rwanda will only further hamper efforts to disarm these groups.' In the same vein, see UNSC 2005: paras 206–9.

16. By late 1997, compelling evidence was available from a large number of reports and testimonies. See, for example, AI 1997; HRW 1997; UNSC 1998a. A list of sources can be found in Reyntjens 1999: 113–16.

17. On the active US support for Kabila's rebellion and its main sponsors, see Reyntjens 1999: 75–90.

18. Among other reasons, Kabila's DRC owed Zimbabwe an estimated US\$80 million for its support during the first war, a debt unlikely to be repaid in the event of Kabila being overthrown; at the end of 1997, Kabila signed contracts worth some US\$200 million with Zimbabwe.

19. In a letter sent to the British Secretary of State for International Development Clare Short on 28 August 2001, Museveni wrote that 'we have no doubt that Rwanda is planning aggression against us either using proxies or, even, directly' and he denounced 'the ideological bankruptcy of their leadership'.

20. On the steady worsening of Ugandan–Rwandan relations, see Leloup 2000, 2003.

21. The expression is from Perrot 1999. It refers to rational makers of cost-benefit analyses, who realise that war, instability and absence of the state are more profitable than peace, stability and state reconstruction.

22. One of the aircraft used in this operation was linked to Viktor Bout, previously a business partner of Bemba (UNSC 2005: para 151).

23. The use of the past tense in the following paragraphs does not suggest that these realities have disappeared.

24. The Panel produced another 'Final Report' in October 2003 (see *infra*).

25. UNSC 2000: para 26; UNSC 2002: paras 72–3. Aircraft owned by Bout and his frontmen continued to operate in the region during 2004 (UNSC 2005: paras 67, 69, 73, 151).

26. Several reports point to the direct link between the exploitation of resources and the continuation of the conflict. The UN Panel notes that the control of mineral-rich areas 'could be seen primarily as an economic and financial objective rather than a security objective for Rwanda' (UNSC 2001: para 175); 'Most of the fights between Rwandan soldiers and mai-mai have occurred in the so-called "coltan belt"' (*ibid.*: para 176). Under the title 'Rwanda's unusual tactics', the Panel found that 'attacks (by the RPA) seem to coincide with the period when coltan has been extracted and put in bags for evacuation by the mai-mai. Attacked, the mai-mai abandon their coltan, which is then taken away by small aircraft' (*ibid.*: para 177).

27. Indeed, post-1994 Rwanda has been called 'an army with a state', rather than a state with an army. Incidentally, in the Kivus the Rwandan army is nicknamed 'Soldiers without borders', a wink to the international NGO 'Doctors without borders'.

28. This may seem a modest figure, but in light of the structure of the Rwandan economy, it is gigantic. Indeed in that same year, the production of export crops (mainly coffee and tea) only accounted for 0.4% of GDP (IMF 2004: 80).

29. Of course, it is not really invisible, but the international community prefers to turn a blind eye to these practices.

30. Marysse (2003: 89) adds that 'as military spending ... was limited as a condition for access to financial flows provided by the Bretton Woods institutions ... wartime plunder has helped finance the conflict'. He denounces the 'ostrich policy' of a number of bilateral donors and the International Financial Institutions which, by continuing to fund the invading countries (Rwanda and Uganda) in the knowledge that their aid is fungible, indirectly supported the continuation of the war.

31. The 'Congo Desk' has an office called 'Production' which oversees the 'economic' aspects of Rwandan activities in the DRC.

32. Many civil society sources in North and South Kivu reported Rwandan troop movements, and MONUC openly suspected the presence of the Rwandan army on Congolese soil (see, for instance, 'DRC: MONUC denounces obstruction of verification missions in east', Nairobi, IRIN 29.10.2003).

33. Letter dated 20.10.2003 from Mahmoud Kassem, chairman of the Panel, to UN Secretary General Kofi Annan.

34. Para 2 of the unpublished Section V.

35. For instance, from 2002 onwards, the US made clear to Kigali that Rwanda must refrain from derailing the transition process in the DRC. The US was instrumental in the official withdrawal of the Rwandan army in September 2002, and on several occasions called a halt to RDF/RCD military offensives (e.g. when the RDF/RCD took Lubero in June 2003). It appears that, in exchange, Rwanda is allowed to do as it pleases inside its own borders.

36. An excellent analysis of the recent political economy of the mining sector in the DRC can be found in Kennes 2000.

37. In Rwanda, Burundi and the Kivus, 5 to 6 million people have died violently since 1994. The International Rescue Committee found that at least 3.8 million people died in eastern DRC alone from August 1998 as a result of the conflict (IRC 2004).

38. Similarly, the current political transition in Burundi is viewed with a great deal of concern in Kigali. If successful, the Burundian 'anti-model' (expression used by the RPF spokesman Servilien Sebasoni) based on power-sharing and the acknowledgment of ethnicity might challenge the Rwandan dispensation based on concentration of power and ethnic amnesia.

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