

3 The Great Lakes Region

Thirty Years of Instability

Filip Reyntjens

Introduction

This chapter examines thirty years of instability, violence, war and extreme human suffering in Central Africa. Considered in the past as peripheral, land-locked, politically and economically uninteresting, in the 1990s the African Great Lakes region found itself at the heart of a profound geopolitical recomposition with continental repercussions. Countries as varied as Namibia in the South, Libya in the North, Angola in the West and Uganda in the East became entangled in wars that ignored international borders. However, the seeds of instability were sown from the beginning of the 1960s: the massive exile of the Rwandan Tutsi, who fled to neighboring countries during and after the revolution of 1959–1961, and the virtual exclusion of Tutsi from public life in Rwanda, the radicalization of Burundian Tutsi who monopolized power and wealth, and the insecure status of Kinyarwanda-speakers in the Congolese Kivu provinces; all these factors were to merge with others to create the conditions for prolonged violence.

I argue that a unique and contingent combination of factors explains the protracted instability and its dynamics. While this combination of factors helps to understand the past, it may also have some value for assessing the future. Indeed, as long as these factors persist, the risk of conflict continues to exist. The factors studied here are: (i) the weakness of the Zairean/Congolese¹ state; (ii) the territorial extension of neighboring countries' civil wars; (iii) the shifting regional alliances; (iv) the profitability of war; (v) the linking up of local stakes; and (vi) the impunity for major human rights violations.

The acute destabilization of the region started on October 1, 1990, when the Rwanda Patriotic Front (RPF) attacked Rwanda from Uganda with Ugandan support. After the collapse of the 1993 Arusha peace accord and following the genocide of the Tutsi and war crimes and crimes against humanity committed by both sides to the conflict, the RPF won a military victory and took power in July 1994. Over a million people died and over two million fled abroad, mainly to Zaire and Tanzania. Eight months earlier, the democratic transition had ended in disaster in Burundi: tens of thousands of people were killed, and the country embarked on a decade-long civil war. At the end of 1993, some 200,000 Burundian refugees inundated the Zairean Kivu provinces, followed in mid-1994 by 1.5 million Rwandans.

This was the beginning of the dramatic extension of neighboring conflicts, most prominently of the Rwandan civil war.

Given the complexity and abundance of events, a brief timeline is proposed here.² After the genocide of the Tutsi and the overthrow of the Rwandan Hutu-dominated regime in July 1994, 1.5 million Hutu refugees settled just across the border in Zaire. Among them were the former government army, the *Forces armées rwandaises* (FAR), and militia. They launched cross-border raids and increasingly became a serious security threat for the new regime, dominated by the mainly Tutsi RPF. First under the guise of the “Banyamulenge rebellion” and later the “AFDL (Alliance des Forces Démocratiques pour la Libération du Congo-Zaire) rebellion”, the Rwanda Patriotic Army (RPA) attacked and cleared the refugee camps during the autumn of 1996. Having security concerns similar to those of Rwanda, Uganda and Burundi joined from the beginning, later to be followed by a formidable regional coalition intent on toppling Mobutu. In May 1997, Laurent Kabila seized power in Kinshasa. During the latter half of 1997, relations between the new Congolese regime and its erstwhile Rwandan and Ugandan allies soured rapidly.

In August 1998, Rwanda and Uganda again attacked, and they did so once more under the guise of a new “rebel movement”, the RCD (Rassemblement Congolais pour la Démocratie) which, just like the AFDL, was created in Kigali. The invading countries expected this to be to be a remake of the first war, only much faster this time. The reason for this failing to occur was the result of a spectacular shift of alliances, when Angola and Zimbabwe sided with Kabila against their former allies Rwanda and Uganda. This intervention made up for the weakness of the Congolese army, thus ensuring military stalemate along a more or less stable frontline that cut the country in two. Considerable pressure from the region led to the signing of the Lusaka Accord in July 1999.³ However, Laurent Kabila blocked its implementation and only after his assassination and succession by his son Joseph in January 2001 was the peace process resumed. Again under great pressure, by South Africa in particular, and after cumbersome negotiations, the Congolese parties signed a “Global and All-Inclusive Accord” (AGI) in December 2002.⁴

It took three-and-a-half more years to implement the accord, along a bumpy road replete with incidents, obstructions, negotiations and renegotiations, and constantly threatened by the resumption of the war. An informal international trusteeship, supported by a large UN peacekeeping force (MONUSCO) and also by the diplomatic community and Congolese civil society, imposed elections on very reluctant political players. These took place in July–October 2006, in an overall free and fair fashion, and were won by Joseph Kabila and his party PPRD (Parti populaire pour la reconstruction et le développement). Kabila was sworn in in December, both houses of parliament were installed in January 2007, and a new government was formed in early February, thus formally ending the transition.

However, the eastern part of the country remained unstable and the Congolese government failed to establish full territorial control. Several local militias, captured under the general heading *mai-mai*, as well as a Rwandan Hutu rebel movement, the *Forces démocratiques pour la libération du Rwanda* (FDLR), remained

active and were hardly hindered by the national army in their violence against local populations and the exploitation of natural resources.⁵ In addition, Rwanda continued to back rebel movements in the DRC. The *Congrès national pour la défense du peuple* (CNDP) was created by Laurent Nkunda in December 2006, followed after it split in rival factions by the *Mouvement du 23 mars* (M23) set up in May 2011. As the UN Group of Experts and Human Rights Watch, among others, published precise information on Rwandan support for the M23,⁶ countries like the US, the UK, Sweden and the Netherlands suspended part of their aid to Kigali. A UN-sanctioned and SADC-backed “Force Intervention Brigade”, made up of troops from South Africa, Tanzania and Malawi and sent in support of MONUSCO, finally defeated the M23 in November 2013. This effectively cut Rwanda’s foothold in the DRC, while pressure from Washington and London prevented Kigali from resuming destabilizing activities there (however, in 2015 it started supporting Burundian rebels, see below). The defeat of the M23 did not, however, signal the full restoration of state control in eastern DRC: illegal exploitation of natural resources, taxation and (cross-border) trade continued to flourish in a region characterized by hybrid governance.⁷ This is still the situation today.

After its defeat, the M23 led a dormant life in Rwanda and Uganda, until at the end of 2021, it resumed operations, again with Rwandan support. Like ten years earlier, Rwanda denied any involvement, even after in December 2022 the UN Group of Experts documented the direct intervention of the Rwanda Defense Force (RDF) on the territory of the DRC and its support to the M23 in detail. It also noted with concern the proliferation of xenophobia and incitement to violence, notably against Rwandophone populations perceived as supporting Rwanda and the M23.⁸ The report confirmed what was widely known, and condemnations of Rwanda’s active involvement became near unanimous. The US, the EU and France openly came out against Kigali.⁹ In November 2022, a Kenyan led East African Community Regional Force (EACRF) started deploying in North Kivu to counter the rebel advance. The evolution in the field is comparable to the one that prevailed in 2012–2013, when the combination of international pressure on Rwanda and the deployment of an international force succeeded in putting an end to the M23 rebellion. Ten years ago, this combination of political and military means however failed to produce a lasting solution to the problem, and it remains to be seen whether that lesson will be learned this time.

State failure

Well before the start of the first war in the fall of 1996, Zaire had ceased to empirically perform a number of essential state functions, such as territorial control, public taxation, the provision of essential services, the monopoly of violence and the rule of law. The gradual failure of the state preceded its collapse, and the first signs of a “shadow state”¹⁰ were visible in the 1970s, after the “Zairianization” measures allowed the transfer of large parts of the economy to political and military elites. This heralded the putting into place of a prebendary and neo-patrimonial exercise of power that profoundly corrupted official institutional norms and frameworks.¹¹

Nzongola writes that

[t]he major determinant of the present conflict and instability in the Great Lakes Region is the decay of the state and its instruments of rule in the Congo. For it is this decay that made it possible for Lilliputian states the size of Congo's smallest province, such as Uganda, or even that of a district, such as Rwanda, to take it upon themselves to impose rulers in Kinshasa and to invade, occupy and loot the territory of their giant neighbor.¹²

Indeed, the void left by the state was filled by other, nonstate actors. Some of these, like NGOs, churches, local civil society or traditional structures—assumed some functions abandoned by the state, but other less benign players also seized the public space left by the retreating state: warlords, (ethnic) militias, and “entrepreneurs of insecurity”, both domestic and from neighboring countries.¹³ This not only explains the extreme weakness in battle of the FAZ/FAC,¹⁴ 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 neighbor. What Achille Mbembe has called the “satellization” of entire provinces by (much) smaller but stronger states was accompanied by the emergence of new forms of privatized governance.¹⁵

In eastern DRC, most functions of sovereignty were thus privatized, as some examples show. In 1996 and again in 1998, the Zairean/Congolese government forces hardly engaged in combat; during the war that started in 1998, foreign and nonstate 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 and MLC (Mouvement de Libération du Congo) proxies. Territorial control, the provision of (in)security and the management of populations were taken over by militia, rebel groups—both domestic and from neighbors Rwanda, Uganda and Burundi—and the armies of neighboring countries (and even the former Rwandan government army).

A UN panel monitoring an arms embargo reported compelling data on the absence of the state in controlling cross-border traffic, including at ports and airports; indeed “irregular aircraft practices are the norm.”¹⁶ The state's fiscal function too, which was limited anyway, was profoundly eroded. 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 markets; so the possession of a gun was a sufficient means to impose internal taxation. In North Kivu, travelers passing between the zones controlled by two opposing wings of the RCD¹⁷ were required to declare goods and pay duties at the “border”. There were annual taxes on vehicles and a panoply of charges for individual journeys, road “tolls” and “insurance”.¹⁸ The RCD taxed the coltan trade, sold mining rights, and demanded license fees, non-refundable deposits, various export taxes and a “war effort tax”.¹⁹ The UN panel documented a number of other examples showing that borders and their control became prized assets for armed

groups and their sponsors in Rwanda and Uganda, allowing them the necessary revenue to maintain and resupply troops.²⁰ It concluded that "as an institutionally weak state, the DRC significantly lacks control over both customs and immigration."²¹ More recent reports by the UN Group of Experts continue to make similar observations.²²

Territorial extension of civil wars

While the sources of instability in the Great Lakes region were, in essence, domestic, reflecting as they did the political conflicts in Angola, Uganda, Rwanda, Burundi, the Kivu and Zaire more generally, their repercussions were increasingly felt throughout the larger region. This regionalization of violence was reinforced by the geographic proximity of conflicts, by the game of alliances and by population flows.

In the mid-1990s, the territory of Zaire was used by insurgent forces of several neighboring countries as a base for attack and retreat. They included the Allied Democratic Forces (ADF) from Uganda, several groups (CNDD-FDD and Palipehutu-FNL in particular) from Burundi and the Angolan UNITA. From mid-1994, the most serious threat concerned Rwanda, after 1.5 million Hutu refugees fled into North and South Kivu after the genocide and the victory of the RPF. Rwanda was facing an increasing security threat since 1995,²³ particularly in the three western prefectures, affected by commando operations emanating, at least in part, from Zairean territory. Then vice-president Kagame candidly told journalist François Mitterrand that "if another war must be waged, we shall fight in a different fashion, elsewhere. We are prepared. We are ready to fight any war and we shall contain it along the border with Zaire."²⁴ Officials from the US and The Netherlands, two countries close to the Rwandan regime, confirmed that they had had to dissuade Kagame on several occasions from "breaking the abscess" of the Rwandan refugees in Zaire the hard way.²⁵ During a visit to the US in August 1996, one month before the start of the "rebellion", Kagame told the Americans that he was about to intervene,²⁶ the more so since, according to some sources,²⁷ the ex-FAR were preparing a large-scale offensive against Rwanda from Goma and Bukavu. Faced with the obvious unwillingness or inability of the international community to tackle this problem, Kigali's patience had reached its limits.

In September 1996, under the guise of the "Banyamulenge rebellion" first and later hiding behind the back of the AFDL created in Kigali, the RPA cleared the refugee camps around Goma and Bukavu. Thousands of civilian refugees were killed in the initial attack, hundreds of thousands were "voluntarily/forcibly" returned to Rwanda, and hundreds of thousands more moved westward, where they became the victims of a phased extermination campaign by the RPA.²⁸ Poutier noted that "the strategic choice (of Kigali) to attack the camps clearly shows the fundamental objectives of a 'rebellion' that was no longer (a rebellion), because what really happened was the extension of the Rwandan civil war into Zairean territory."²⁹

Faced with similar (though less vital) security concerns, Uganda and, to a lesser extent, Burundi participated in the war, thereby destabilizing the bases of their

“own” rebel groups. By the end of 1996 Angola, another country facing a rebellion (UNITA) supported by Mobutu’s cronies and operating in part from Zaire, realized that its security concerns had not been met by the situation created in eastern Zaire and decided to make a difference.³⁰ Luanda’s position, which was to expand the ambitions of the rebellion to the whole of Zaire, eventually prevailed.³¹ Angola provided the crucial impetus through the Katangese Gendarmes, known as the “Tigres”.³² During two weeks in mid-February 1997, several battalions were airlifted to Kigali, and taken from there by road to Goma and Bukavu. This operation was logistically supported by the Angolan army, obviously in close cooperation with Rwanda. The entry of the Gendarmes and, later during the war, of other units of the Angolan army caused the “rebellion” to pick up speed. While it took four months (October 1996–January 1997) to occupy less than one-twentieth of the country, the remainder of Zaire was captured in the three months that followed the arrival of the “Tigres” (mid-February to mid-May 1997). The outcome of the war, namely regime change in Kinshasa, was the consequence of the merger of several civil wars that were intrinsically unlinked, but that came together against the background of a weak state in Zaire, of opportunistic alliances, and of geographical proximity.

The support given later by Rwanda to Congolese rebel groups RCD, CNDP and M23 expressed this same logic of waging war on the territory of a vast but weak neighbor. More recently, in the context of strongly deteriorating bilateral relations³³ and the violent unravelling of political conflict over Burundian president Nkurunziza winning a third, unconstitutional term in office in 2015, Rwanda assisted in the recruitment, training and arming of Burundian refugees on its soil with the intent to topple the Burundian regime. At least some of these insurgents transited through South Kivu.³⁴

Shifting alliances

The players in what became a regional civil war reasoned in the logic of “the enemy of my enemy is my friend”. The fact that Mobutu had made many enemies explains the emergence of the formidable regional alliance that eventually defeated him. But that such a circumstantial alliance is also very fragile was clear during the second war, from 1998, when yesterday’s friends became today’s enemies almost overnight. Indeed, coalitions shifted dramatically.

At the beginning of the resumption of the war in August 1998, Kabila was saved by Angola and Zimbabwe, who turned against their former allies Rwanda and Uganda. Angola was concerned about two developments. Former Mobutu generals Nzimbi and Baramoto had been seen in Kigali before the new war broke out, and some politicians of the Mobutu era openly joined the rebellion, as did some former FAZ units. Because of their support for UNITA in the past, these elements were considered arch-enemies in Luanda. Moreover, Angolan intelligence was aware that there were contacts between UNITA and the rebel leadership and their Rwandan and Ugandan sponsors. Indeed, elements of UNITA later fought alongside rebel forces, the MLC in particular. Given the likelihood of the resumption of the Angolan Civil War (which indeed materialized a few months later), for Luanda

the choice was clear: those supporting UNITA were the enemy, and their enemies merited support.

The motives behind the involvement of Zimbabwe were diverse. The DRC had an important war debt outstanding toward Zimbabwe, and the Zimbabweans were worried about repayment in the event of Kabila being overthrown.³⁵ A second motive was also economic: Zimbabwean business interests had made efforts during the past year to penetrate the Congolese market and to invest in the mining sector, partly at the expense of South African ventures. Some of President Mugabe's business associates and high-ranking army officers stood to lose important assets if Kabila were defeated. Finally, the "old revolutionary" Mugabe saw the Congolese crisis as an opportunity to reassert some of his leadership in the region,³⁶ lost to Mandela's South Africa, and to short-circuit the new leaders of the "African Renaissance", such as Museveni and Kagame,³⁷ who were being promoted, notably by the Americans,³⁸ much to Mugabe's dismay.

Other realignments soon occurred. Thus the local mai-mai militias³⁹ in the east, which 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, an even more spectacular shift brought the ex-FAR and former Interahamwe militia into Kabila's camp, although less than a year earlier, the Rwandan Hutu had suffered massive loss of life during and after the previous rebellion at the hands of Kabila's AFDL and his erstwhile Rwandan allies. FAR were brought in from neighboring countries, rearmed, retrained, and deployed on the northern and eastern fronts.⁴⁰ 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 the ex-FAR and ex-Interahamwe "have now become a significant component of the international alliance against the Congolese rebels and their presumed sponsors, Rwanda and Uganda". The commission found it "profoundly shocking that this new relationship has conferred a form of legitimacy on the Interahamwe and the ex-FAR".⁴¹ Likewise, the Burundian FDD's alliance with Kabila opened access to equipment, weapons, training and bases, and even to a degree of respectability. They were headquartered in Lubumbashi, and troops recruited in Tanzanian refugee camps were transferred to the DRC.⁴² The frailty of the alliances again showed when conflict erupted between Rwanda and a major section of the Banyamulenge, who had earlier sought the protection of Kigali, while at the same time being used as a pretext for the Rwandan invasion in 1996. As early as the autumn of 1996, Banyamulenge leaders had realized that they were being instrumentalized by Rwanda and that, rather than protecting their community, their close association with Kigali further marginalized and threatened them. This feeling of being used increased further when, in October and December of 1996, the RPA attempted to convince Banyamulenge leaders to resettle their entire community in Rwanda, an idea most of them rejected.⁴³ Disagreements with RPA commanders of the FAC over command positions and deployment of troops further exacerbated the tensions in the early months of 1998. When the second "rebellion" started in August 1998, the Banyamulenge were again faced with a crucial dilemma. On the one hand, they knew that they were going to be instrumentalized once again by Rwanda and

that this would worsen their relations with other groups; on the other, however, they needed the physical security provided by the RPA, including for their men in Kinshasa. As the war progressed, it became increasingly clear that those Banyamulenge (like Ruberwa, Nyarugabo and Bizima Karaha) who had joined the RCD were a minority, and that most Banyamulenge opposed the RCD and Rwanda.

The most dramatic shift occurred between the former core allies Rwanda and Uganda. In the words of Charles Onyango-Obbo, chief editor of the Ugandan daily *The Monitor*, in August 1999 “the impossible happened”;⁴⁴ the Rwandan and Ugandan armies fought a heavy battle in Kisangani, and more clashes followed later. In May–June 2000, the RPA and the UPDF again confronted each other in Kisangani; heavy weapons were used and some 400 civilians and 120 soldiers were killed. The rift had several causes. While Uganda wished to avoid repeating the mistake made in 1996–7, when Kabila was parachuted into power without much Congolese ownership, Rwanda preferred a quick military solution and the installation of yet another figurehead in Kinshasa. Prunier noted that Kampala had no problem with an independent and efficient government in the DRC, a vision dramatically opposed to the view of Kigali that wanted to keep its Congolese proxies under control.⁴⁵ In addition, “entrepreneurs of insecurity” belonging to the elite networks in both countries were engaged in a competition to extract Congolese resources (see below).⁴⁶ Finally, Museveni resented the geopolitical ambitions of his small Rwandan neighbor and the lack of gratitude displayed by Kagame, who owed his accession to power to the support of Uganda.

Just like the extension into the DRC of the Rwandan civil war, the conflict with Uganda was fought out on the soil of a weak neighbor and, in part, by proxy. Both countries supported rebel movements and (ethnic) militias in the context of an increasingly fragmented political-military landscape. They continuously traded accusations of supporting each other’s rebel groups, which both sides indeed did. In March 2001, Rwanda was declared a “hostile nation” by the Ugandan government. Despite attempts at appeasement during the following months, on August 28, 2001 Museveni sent a long and bitter letter to the UK Secretary of State for International Development Clare Short “about the deteriorating situation in the bilateral relations between Uganda and the government of Rwanda, led by President Kagame”. As a consequence, Rwandan–Ugandan relations further worsened, and troops were massed on both sides of their common border. On November 6, 2001, Short summoned her two protégés to London to put an end to a situation that risked becoming a fiasco for the UK, just like the Ethiopian–Eritrean war of 1998–2000 had been one for the US. The threat of direct war subsided, and relations markedly improved in the mid-2000s, only to deteriorate again in 2017. The countries again traded accusations of support for each other’s insurgent groups. Uganda accused Rwanda of espionage; Rwanda, in turn, accused Uganda of harassing its citizens. In February 2019, Rwanda closed the common border, ending all legitimate circulation of persons and goods. Despite attempts by the Congolese and Angolan presidents to restore relations between the two countries, an aggressive war of words continued. Although relations improved in the early 2020s, they remain ambiguous.

Profitability of war

A UN panel of experts⁴⁷ set up in 2001 published a number of increasingly detailed reports on the criminal practices of "elite networks", both Congolese and from neighboring countries, and identified elements common to all these networks. They consisted 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-operated to generate revenue and, in the case of Rwanda, institutional financial gain. They derived this benefit from a variety of criminal activities, including theft, embezzlement and diversion of funds, undervaluation of goods, smuggling, false invoicing, non-payment of taxes, kickbacks to officials, and bribery. International "entrepreneurs of insecurity" (among them Viktor Bout) were closely involved in this criminal economy, as the local and regional actors drew support from the networks and "services" (such as air transport, illegal arms dealing, and international transactions of pillaged resources) of organized international criminal groups.⁴⁸

The linkage between military engagement and illegal economic activities was a clear trend. Indeed, pillaging was no longer an unfortunate side effect of war, but economic interests rather became its prime driving force. Dietrich has drawn attention to the dangers inherent in what he calls "military commercialism", whereby a stronger state deploys the national military in a weaker neighboring country, supporting either the sovereign power (as did Zimbabwe) or insurgents (in the cases of Rwanda and Uganda), in exchange for access to profits.⁴⁹ Under these circumstances, economic criteria invade military decision-making, for example with regard to troop deployment and areas of operation.⁵⁰ In addition, if domestic resources are scarce or cannot be illicitly mobilized as a result of the scrutiny of the international community, cross-border predatory behavior, 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. Put simply by Samset, "war facilitates excessive resource exploitation, and excessive exploitation spurs continued fighting".⁵¹ A panel monitoring the UN arms embargo confirmed that "the most profitable financing source for armed groups remains the exploitation, trade and transportation of natural resources. (...) All supply chains from areas controlled by armed groups are compromised".⁵² Crawford Young noted that this "ability to sustain themselves through traffic in high value resources under their control" distinguishes contemporary insurgents from their predecessors.⁵³

Nowhere is this as clear as in the case of Rwanda, a small and poor country with little natural resources, but with a large and efficient army.⁵⁴ 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 defense expenditure (which stood at US\$86 million).⁵⁵ In a similar vein, the UN panel found that in 1999–2000, "the RPA must have made at least US\$ 250 million over a period of 18 months".⁵⁶ Marysse calculated that in 1999, the total value added of diamond, gold

and coltan plundered in the DRC amounted to 6.1% of Rwanda's GDP;⁵⁷ and to 146% of its official military expenditure.⁵⁸ The Kigali economy, which is virtually disconnected from the Rwandan economy as a whole, was largely dependent on mineral and other extraction in the DRC (as well as on international aid). Pillaging the Congo not only allowed the Rwandan government to beef up the military budget in a way that was invisible to the donor community,⁵⁹ but also brought much-needed domestic elite loyalty. Despite international condemnations, these practices continued—albeit on a lesser scale, as noted by the UN Group of Experts in 2015: “Mineral tracing tags (...) continue to be sold on the black market in Rwanda, which can allow minerals sourced in conflict areas in the eastern Democratic Republic of the Congo to enter the international market.”⁶⁰ More recent reports show that these illegal activities persist up to the present day.⁶¹ Jackson calls this the “economization of conflict”: a process whereby conflicts progressively reorient from their original goals (in the case of Rwanda: securing its borders) toward profit, and through which conflict actors capitalize increasingly on the economic opportunities that war opens up.⁶²

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.⁶³ In addition, even after its official withdrawal, Rwanda maintained a clandestine military presence in the DRC.⁶⁴ We have seen earlier that its support for the CNDP and the M23 caused serious conflicts with powerful members of the international community. However, as late as 2020 the UN Group of Experts found that elements of the RDF continued to conduct operations in North Kivu from late 2019 to early October 2020 in violation of the sanctions regime.⁶⁵

Uganda, too, greatly benefited from its military/commercial presence in the DRC. Although, unlike Rwanda, it did not set up an extra-budgetary system to finance its activities there, the UN Panel found that the “re-exportation economy” 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.⁶⁶ By way of example, Ugandan gold exports totaled US\$90 million in 2000, while the country produced practically no gold.⁶⁷

The logic of military commercialism could also be seen in the strategies developed by domestic armed groups. Thus, the Walikale region west of Goma became a battleground between RCD rebels and mai-mai, both supposedly integrated into the FARDC, but who ceased to obey the FARDC's 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 Rwanda, where a smelting plant is located near Kigali, or exported to South Africa.⁶⁸

Clearly, criminal or informal regional integration was very real, and it was certainly more effective than the often-called-for formal integration. Cuvelier⁶⁹ has shown how the support of Rwanda for the RCD heralded a growing co-operation between businesspeople, 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 organization of the Congolese commercial ventures of the Kigali regime. What is novel about what Taylor 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.⁷⁰ Despite attempts at regulation,⁷¹ these practices continue up to the present day. Thus the Canadian NGO Impact documented the export of Congolese gold from Rwanda to Dubai, as well as the use of phantom trading entities that exist only in Rwandan transit documents.⁷² The UN Group of Experts found that, in addition to gold, other minerals (such as coltan and wolframite) continue to be exported illegally to Rwanda, from where they find their way onto the world market.⁷³

Local dynamics

The mega-conflicts developed against the background of several local-level conflicts. Problems related to identity in the Kivu region are ancient. Important migratory flows before, during and after the colonial period, considerable demographic pressure, the uncertain status of (neo-)traditional authorities, the political and economic dynamism of the region, its peripheral situation in the Zairean context and its partial incorporation in the East African space: these factors form the local background to events in Eastern Zaire. The most visible and violent expression of this was the situation of the "Banyarwanda", the Kinyarwanda speakers living in the Kivus. They consisted of several groups: the "natives" established since pre-colonial days, the "immigrants" and the "transplanted"⁷⁴ of the colonial period, the "infiltrators" and "clandestines" before and after independence (1960), and the Tutsi⁷⁵ and Hutu⁷⁶ refugees. This mixture gave birth to conflict in the 1960s during the so-called "Kinyarwanda rebellion", when the Banyarwanda faced the threat of expulsion from the North Kivu region.⁷⁷ After a long period of calm under the regime of Mobutu, whose influential director of the Political Bureau, Barthélémy Bisengimana, was himself of Tutsi origin, the problem came to the fore again during the National Conference (1991-2), when representatives of civil society of North and South Kivu raised the question of the "Zaireans of dual or doubtful citizenship", a coded expression referring to the Banyarwanda.

While the conflicts have older roots, this chapter picks up the story from early 1993 onwards.⁷⁸ The events which started in North Kivu in March 1993 show how fluid ethnic categories are. Indeed, those who became the victims of a wave of violence waged by "indigenous" ethnic groups, such as the Hunde, Nande and Nyanga, supported by their respective militias (the mai-mai and the Bangilima),

were the Banyarwanda, Hutu and Tutsi alike. Only two years later, Hutu and Tutsi confronted each other in "ethnic" strife. There are various reasons for the violence which erupted in early 1993. First, the democratization process underway since 1990 opened up a new way of competing for power. As only nationals exercise political rights, citizenship became important, particularly in regions with a high proportion of Banyarwanda (in the extreme case of the zone of Masisi, they numbered 70% of the population). Second, in this relatively overpopulated part of Zaire, conflicts over land set groups against each other in two ways. On the one hand, as also seen elsewhere, two types of land use, agriculture and stock breeding, entered into competition with each other. On the other, two concepts of land tenure and access to land clashed: land use by members of a group which holds corporate ownership (the customary law regime) as opposed to the concept of individual ownership of the modern law type which allows for contractual transactions in land. A third source of conflict, not unrelated to the previous one, concerned the position of customary authorities. Groups that are immigrant or presented as such tend to try and free themselves from the authority of local chiefs, thus threatening their position and differentiating themselves from "indigenous" populations. This attitude of distancing was more frequently adopted by pastoral communities of Tutsi extraction. Under these circumstances, the denial of citizenship became a means for the political and economic exclusion of the Banyarwanda, and the Tutsi in particular.

The conflict came to the fore again during the Zairean National Conference, and confrontations had already taken place in 1991 and 1992, particularly in the zones of Masisi and Rutshuru. However, conflict spread dramatically in March 1993.⁷⁹ As the casualties show, a real war broke out with many deaths: "indigenous" and "immigrant" communities lost about one thousand each; tens of thousands more were displaced. In late 1993–early 1994, North Kivu was pacified for a brief period through the deployment of the Special Presidential Division (*Division spéciale présidentielle* – DSP) and a successful peace-making initiative by the local Catholic Church and NGOs.

Only a few months after pacification, North Kivu was flooded by over 700,000 Rwandan Hutu refugees who fled the civil war in their country and the victorious RPF, accompanied and to some extent controlled by those responsible for the Rwandan genocide. Concentrated in five huge camps (Katale, Kahindo, Kibumba, Lac Vert and Mugunga) on a limited area close to the Rwandan border, they completely upset the demographic situation, and therefore the politics of the region. At the beginning of the 1990s, approximately 425,000 Banyarwanda lived in the three zones (Masisi, Rutshuru and Goma) where the refugees settled; out of a total population of about one million, this was about 40%. Obviously, as a result of this massive injection of people, the Banyarwanda and the Rwandan refugees suddenly constituted the majority of the regional population. In addition, the Hutu (both the Rwandan refugees and the Zairean Hutu) had now become largely dominant in numbers, thus breaking the fragile balance put in place earlier in the year. The alliance of Hutu and Tutsi Banyarwanda broke up and, as in Rwanda, the two groups entered into violent conflict. The massive arrival of refugees also had other destabilizing effects: the environment was thoroughly disturbed by deforestation,

poaching, and pressure on water supplies; the economy was destabilized by dollarization and the dramatic decrease of livestock; and basic infrastructure, already very weak before the crisis, was badly damaged.

However, large-scale violence did not start until November 1995. Probably unwillingly, the Zairean government contributed to the instability in August 1995 by announcing that the Rwandan refugees were to be expelled; they were given until 31 December 1995 to leave the country. As a result, many refugees left the camps and attempted to settle in the zones of Masisi and Rutshuru, where they inevitably clashed with the "natives" and Tutsi Banyarwanda whose houses and land they threatened to occupy. On a more general political level, these attempts at occupation heightened the fears of many Zaireans that a "Hutu-land" was being put in place in North Kivu.⁸⁰ Incidents of uneven intensity in September and October 1995 were the prelude to a real war that started first in Masisi, but which rapidly spread to Rutshuru and Lubero.

The extension of violence was enhanced by the ambiguous attitude of the local authorities, used to manipulating ethnicity for plutocratic purposes. Thus, in May 1995, the governor of North Kivu, Christophe Moto Mupenda, stated during a public meeting before a Hunde audience in the town of Masisi that "hospitality has its limits" and that it was necessary "to strike and strike now against the immigrants". During the following year, two Goma-based radio stations fueled anti-Tutsi feelings, while megaphones were used to call on residents to chase the Tutsi out of town; Tutsi businessmen were arrested by local authorities without specific charges.⁸¹ In November 1995, FAZ Chief of Staff General Eluki declared publicly that "the Hunde, Nyanga and Batembo are right to fight for the land of their ancestors and to chase the foreigners away from it".⁸²

Autesserre has shown that the relationship between local and national or regional tensions was not merely top-down, and that issues usually presented as regional or national had significant local components, which fueled and reinforced the larger dimensions.⁸³ This reality was particularly strong in the region, as Hutu and Tutsi are found in both Kivus, in Rwanda and in Burundi, a situation that is conducive to cross-border alliances, solidarities and strategies.

Impunity

Although an important factor, the practice of impunity for persistent gross violations of human rights can only be briefly mentioned. The humanitarian consequences of the conflicts in the Great Lakes Region over the last thirty years have been disastrous. Millions have died since 1990, of which well over a million were the victims of direct violence. Generally speaking, those responsible for crimes against humanity, war crimes and even genocide have remained unpunished. The only justice at work in the region has been victor's justice meted out to the authors of the genocide in Rwanda, MLC leader Jean-Pierre Bemba and a few Ituri warlords. However, the RPF, for instance, was not held accountable for the crimes it committed in Rwanda before, during, and after the genocide nor for those perpetrated in Zaire/DRC, particularly at the end of 1996 and the beginning of 1997. While these crimes were well documented,⁸⁴ no prosecutions took place before

the International Criminal Tribunal for Rwanda, before Rwandan or Congolese courts, or before courts in third countries on the basis of universal jurisdiction.⁸⁵

This practice of victor's justice had a dual consequence. On the one hand, as impunity prevailed, it reassured criminals that they could commit new crimes without risk of judicial prosecution. For instance, it is likely that the RPA would not have massacred tens of thousands of civilian refugees in Zaire/DRC had those responsible for crimes committed in Rwanda in 1994 been prosecuted before the ICTR. On the other hand, biased justice caused frustration and resentment among the victims of these crimes, thus creating a fertile breeding ground for new violence. Many Rwandan Hutu and Congolese remember what the RPA did to them, and they make well take revenge if and when the occasion presents itself.

The issue of justice for past crimes remains a controversial topic. When awarded the Nobel Peace Prize in 2018, in his acceptance speech Congolese Dr. Denis Mukwege called on the international community to follow the recommendations of the 2010 Mapping Report by putting into place a justice mechanism to deal with crimes of the past. As Mukwege continued advocating along this line and because the idea gained traction both in the DRC and internationally, this evolution was considered very threatening by the Rwandan regime, which set out to discredit both Mukwege and the Mapping Report. In an interview with a French television station in May 2021, President Kagame went as far as claiming that no crimes had been committed in the DRC, that the Mapping Report was "political", and that Mukwege was a "tool" of invisible forces. Not surprisingly, this led to a unanimous outcry in the DRC, at a time presidents Tshisekedi and Kagame were attempting to normalize relations between their two countries.

Conclusion

This chapter has addressed the combination of factors that allows to understand a long period of war and instability in the Great Lakes Region. While this analysis has an explanatory function, it may also offer clues as to future developments. Indeed, if these factors are still present, one could conclude that a context favorable to continued instability prevails.

Although some steps have been made toward state reconstruction in the DRC, the state remains very fragile, particularly (but not exclusively) in the East where earlier conflicts started. Territorial control is limited, private taxation continues as do violent activities of many armed groups, and the illegal exploitation and the smuggling of natural resources go on.⁸⁶ Against this background, the local populations remain victims of gross human rights abuse, killings, displacement and the destruction of their livelihoods. These phenomena have been reported in detail by the UN Panel and Group of Experts for the last twenty years, but little change in the situation can be observed.

With regards to neighbors' civil wars, the one in Angola came to an end in 2002. The last remaining Burundian rebel movement, Palipehutu-FNL, laid down arms at the end of 2008 to become a political party under the name FNL, and later CNL. After the outcome of the 2010 elections was rejected by several opposition parties, some politicians, including former rebel leaders, went underground or fled

abroad, but most returned later. However, the country again faced renewed violence as a result of protests against Nkurunziza's election for a third, unconstitutional term in 2015. Hundreds of thousands fled the country, and new rebel movements became active. Relations with Rwanda further deteriorated, and both countries accused each other of supporting insurgent groups. The Ugandan ADF continue to operate on both sides of the Congo–Uganda border in the Ruwenzori region. While peace seems to have returned in Rwanda, this is only apparent. Structural violence is widespread, and an authoritarian regime attempts to keep a lid on the volcano.⁸⁷ Dissident Tutsi who once occupied very high positions in the Rwandan political and military establishment fled the country and entered into open opposition in 2010. They created a political structure, the Rwanda National Congress, intent on overthrowing Kagame. The Hutu FDLR continue to be active in both South and North Kivu, and Rwanda has supported Congolese insurgent groups until 2013. It started aiding a Burundian rebel movement in 2015, and has maintained a covert military presence in eastern DRC, where it began supporting the M23 again in late 2021.

Alliances between states have become less prominent, but they have not disappeared. Thus, after Tanzania suggested that Rwanda should engage in talks with the FDLR and played a large part in defeating Rwanda's proxy M23 as a contributor to the Force Intervention Brigade, relations between the two countries soured. They, however, improved after John Magufuli succeeded Jakaya Kikwete as president in 2015. Alliances continue to be concluded at more reduced scales. Thus, the Rwandan RPF dissidents are suspected of having been in contact with armed movements in Eastern DRC and possibly with elements of the FDLR, while at the same time seeking support inside Rwanda.⁸⁸

Shifting alliances in the region continue creating an unpredictable geopolitical landscape. Rivalries often play out in the DRC, where the government continues to struggle to reconstruct a weak state, including by gaining territorial control. This leaves space for neighboring countries' armies and rebel groups, as well as a large number of Congolese non-state armed groups. Rwanda, Uganda and Burundi accuse each other of supporting insurgents across their borders and proxies on Congolese soil. In such a context,

President Tshisekedi's push for the three neighbors to send troops to root out rebels from the DRC is a high-stake gambit (...) heightening risks that neighbors use armed intervention in the DRC to reinforce their own proxies at the expense of their rivals,⁸⁹

a development that would further weaken rather than strengthen the Congolese state.

In the Kivu provinces in particular, the national army, several armed groups, and Uganda and Rwanda continue the exploitation of Congolese resources. Despite attempts to tag some materials and to raise awareness in the business community of due diligence guidelines, conflict around mineral and other wealth remains attractive. The UN panel of experts found that minerals continued to be transported through illegal border crossings between the two Kivus and Rwanda.⁹⁰ A recent UN Group of experts report noted that cross-border smuggling of

untagged tantalum and tin into Rwanda persisted, and that Lake Kivu was used as a smuggling route.⁹¹ Local tensions based on (ethnic) identity remain as intense as before, in Rwanda in particular, and cross-border alignments along these lines are still present. However intra-Tutsi elite differences, as shown by the dissidence of the RNC and by the fact that many Tutsi Banyamulenge are opposed to the regime in Kigali, may alleviate the ethnic divide, though this may be replaced by other lethal alliances and the emergence of new violent strategies. In the meantime, the Banyamulenge remain the victims of sectarian violence at the hands of other groups in South Kivu.

Finally, the issue of impunity has not been addressed seriously. For instance, the 2010 Mapping Report of the UN High Commission for Human Rights has not (yet) been acted upon. However, in March 2013, Bosco Ntaganda, a former warlord in Ituri and later leader of the CNDP and M23, surrendered to the International Criminal Court, where he was convicted and sentenced to thirty years in prison. This is another instance of victor's justice though, as Ntaganda led a faction of M23 that was on the losing side, and he fled to the safety of The Hague in fear for his life. There are, however, signs that the call for transitional justice in the 2010 Mapping Report may be revived.

Clearly, the conflict factors outlined in this chapter have not disappeared, although they have generally decreased in extent and intensity. Two of these factors need to be especially monitored. On the one hand, for both the development of the country and regional stability, state reconstruction in the DRC is an essential condition. Given the colossal nature of this endeavor, putting Humpty Dumpty together again will need to start with the main functions of sovereignty: regaining control over the state's territory and re-establishing links with the population; rebuilding public fiscal capacity, with revenues collected and spent in a transparent, efficient and honest fashion, and resources harnessed as public goods; and restoring legal security and the rule of law. Steps have been made since the end of the transition in 2006, but the DRC is still far from a properly functioning state. On the other hand, the Rwandan regime must address the country's severe problems of political governance and stop aiding and abetting violence in neighboring countries. While the pre-1994 regime generally enjoyed good regional relations, its successor has been involved in military and/or diplomatic conflicts with all of its four neighbors. Rwanda has been at the origin of two major regional wars, and it could be so again if current authoritarian practices at home and aggressive behavior abroad are not amended.

Annex 1. Timeline

- 1993 21 October. Coup d'état in Burundi; beginning of civil war.
- 1994 April–July. Resumption of the civil war in Rwanda; genocide against the Tutsi; RPF seizes power; two million Hutu, including defeated army and militia, flee to neighboring countries, Zaire in particular.
- 1995 Fall. Large-scale violence in North Kivu; hit-and-run operations by Rwandan Hutu refugees, operating from Zaire, against targets in Rwanda.

- 1996 September. Start of the “Banyamulenge rebellion” supported by Rwanda.
October. Creation in Kigali of AFDL, with Laurent-Désiré Kabila as its spokesperson.
October–December. AFDL, supported by Rwanda and Uganda, occupies a buffer zone in Eastern Zaire, stretching from Kalémie to Bunia.
- 1997 February. Angola joins the anti-Mobutu coalition.
17 May. Fall of Kinshasa.
29 May. Kabila sworn in as President of DRC, the new name of Zaire.
- 1998 2 August. Beginning of a new Congolese “rebellion” masterminded by Rwanda.
12 August. RCD rebel movement formally launched.
19 August. Deployment of Angolan, Zimbabwean and Namibian troops in support of Kinshasa regime.
23 August. Fall of Kisangani.
November. Creation of another rebel movement, the MLC, with Ugandan support.
- 1999 May–June, August. Fighting between Rwandan and Ugandan armies in Kisangani.
10 July. Signing of the Lusaka Accord.
- 2000 5–10 June. Heavy fighting between Rwandan and Ugandan armies in Kisangani. Close to 1,000 civilians killed. Widespread destruction.
- 2001 16 January. Assassination of Laurent-Désiré Kabila.
26 January. Joseph Kabila assumes office.
- 2002 25 February. Launch of the Inter-Congolese Dialogue in Sun City (South Africa).
September. Rwanda officially pulls out troops from the DRC, but retains a covert presence.
17 December. Global and Inclusive Accord (AGI) signed in Pretoria.
- 2003 June. European IEMF force deployed in Ituri; replaced by MONUC Ituri brigade in September.
June–July. 1+4 Presidency, transitional government and transitional parliament in place.
- 2005 18–19 December. Constitution adopted by referendum.
- 2006 30 July. First round of presidential elections: Kabila 44.81%, Bemba 20.03%, Gizenga 13.06%; parliamentary elections: PPRD 111 seats, MLC 64, PALU 34, RCD-Goma 15.
29 October. Second round of presidential elections: Kabila 58.05%, Bemba 41.95%.
December. Creation of the CNDP rebel movement headed by Laurent Nkunda.
- 2008 August. Heavy fighting between FARDC and CNDP; Congolese government accused Rwanda of backing Nkunda; Rwanda denies.
- 2009 January. Joint DRC–Rwanda operation against CNDP; Nkunda replaced by Bosco Ntaganda and placed under house arrest in Rwanda.
March. Peace deal between DRC government and CNDP.

- March–August. Joint FARDC-MONUSCO operation “Kimia 2” against FDLR.
- 2010 October. Publication of UN Mapping Report on gross human rights violations 1993–2003; claims a number of acts committed by AFDL/RPA might constitute genocide.
- 2011 January. DRC constitution amended, introducing relative as opposed to the previous absolute majority for presidential election.
November. Presidential elections: Joseph Kabila 48.95%, Etienne Tshisekedi 32.33%; parliamentary elections: PPRD largest party in highly fragmented parliament; legitimacy of elections contested domestically and internationally.
- 2012 April. Creation of rebel movement M23, an offspring of the CNDP.
October. UN Group of Experts accuses Rwanda and Uganda of supporting M23; both countries deny.
November. M23 briefly occupies North Kivu provincial capital Goma.
- 2013 March. Bosco Ntaganda surrenders to the ICC.
July. UN Force Intervention Brigade (FIB) deployed to disarm rebel groups.
November. M23 defeated by FARDC and MONUSCO/FIB.
- 2015 April. Burundi President Nkurunziza candidate for unconstitutional third term; announcement followed by violence; elections take place; hundreds are killed and over 200,000 flee into exile.
December. Constitutional amendment allows President Kagame to run a third time in 2017 and possibly to remain in power until 2034.
- 2016 January. Several reports show Rwandan support for a nascent Burundian rebellion.
December. DRC elections postponed for a year.
- 2017 August. President Kagame elected for a third term with 98.79% of the vote.
November. DRC elections again postponed for a year.
- 2018 30 December. Presidential, parliamentary and provincial elections in DRC. Presidential poll: Félix Tshisekedi 38.5%, Martin Fayulu 34.8%, Emmanuel Shadary 23.8%. Tshisekedi declared the winner despite strong indications of fraud at the expense of Fayulu. Platform of former president Joseph Kabila takes control of National Assembly, Senate and provincial assemblies.
- 2019 March. Uganda–Rwanda border closed. Aggressive verbal exchanges between the two countries.
August. Kagame and Museveni sign a MoU brokered by Congolese and Angolan presidents. However not implemented and relations remain hostile.
- 2020 May. Presidential elections in Burundi: Evariste Ndayishimiye 68.7%, Agathon Rwasa 24.2%.
June. Death of former Burundian president Pierre Nkurunziza.
December. Creation of the Union Sacrée de la Nation (USN) by Tshisekedi. Takes control of assemblies at the national and provincial levels. Kabila sidelined.

- December. UN Group of Experts on the DRC documents covert Rwandan army operations in North Kivu.
- 2021 January. Presidential elections in Uganda: Yoweri Museveni 58%, Robert Kyagulanyi (Bobi Wine) 35%. Electoral campaign marred by protests, intimidation and violence. Polls' validity questioned.
- June. UN Group of Experts on the DRC again finds massive violence against civilians, operation of many armed groups, and illegal exploitation of resources.
- November. M23 rebel movement becomes active again in eastern DRC with Rwandan support.
- 2022 November. East African Community Regional Force deployed in North Kivu with troops from Kenya, Uganda, Burundi and South Sudan to counter the rebel advance.

Annex 2. Main actors

- Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre (AFDL): Rwanda- and Uganda-backed rebel group led by Laurent-Désiré Kabila that overthrew the Mobutu regime in May 1997.
- Banyamulenge: Congolese Tutsi group living in South Kivu; started the war in September 1996 with the support of Rwanda.
- Banyarwanda: Kinyarwanda speakers living in Eastern DRC; both Hutu and Tutsi.
- Jean-Pierre Bemba: Leader of the MLC rebel movement; unsuccessful presidential candidate in 2006; indicted by the International Criminal Court for war crimes committed in the Central African Republic; acquitted on appeal in 2018.
- Congrès National pour la Défense du Peuple (CNDP): Congolese Tutsi militia, formally integrated in FARDC, supported by Rwanda; its leader Laurent Nkunda arrested by Rwanda in early 2009, replaced by Bosco Ntaganda.
- East African Community Regional Force (EACRF): Deployed from November 2022 in North Kivu; troops contributed by Kenya, Uganda, Burundi and South Sudan.
- Force Intervention Brigade (FIB): Deployed from April 2013 in support of FARDC and MONUSCO to neutralize armed groups; troops contributed by South Africa, Tanzania and Malawi; defeated M23 in November 2013.
- Forces armées rwandaises (FAR): Former Rwandan government army that retreated to Eastern Zaire after its defeat in the summer of 1994, and conducted raids against Rwanda from the refugee camps in 1995–1996.
- Forces Armées Zaïroises (FAZ)/Forces Armées Congolaises (FAC)/Forces Armées de la République Démocratique du Congo (FARDC): Successive names of the Zairean/Congolese government army.
- Forces Démocratiques pour la Libération du Rwanda (FDLR): Rwandan Hutu rebel movement operating in Eastern DRC.
- Joseph Kabila: Son of Laurent-Désiré Kabila; succeeded his father as president in January 2001; elected president in 2006, re-elected in 2011.

- Laurent-Désiré Kabila: Leader of the AFDL; became president in May 1997; assassinated in January 2001.
- Paul Kagame: Leader of the RPF/RPA; *de facto* ruler of Rwanda since 1994; became president in 2000; elected in 2003, re-elected in 2010 and 2017.
- Mai-mai: Local militias operating in North and South Kivu; claim to protect local populations against “invaders”.
- Mobutu Sese Seko: President of Zaire from 1965 to 1997; overthrown by Laurent-Désiré Kabila in May 1997; died a few months later in exile in Morocco.
- Mouvement de Libération du Congo (MLC): Uganda backed rebel movement created in November 1998; its leader, Jean-Pierre Bemba, unsuccessfully stood for president in 2006; prosecuted and acquitted on appeal in the ICC.
- Mouvement du 23 mars (M23): Successor to the CNDP; created in April 2012 with Rwandan support; defeated by FARDC and FIB in November 2013; became active again in November 2021.
- Yoweri Museveni: President of Uganda since 1986.
- Bosco Ntaganda: leader of the CNDP and general in the FARDC; indicted by ICC for war crimes committed in Ituri; convicted in 2019 and sentenced to 30 years’ imprisonment.
- Rassemblement Congolais pour la Démocratie (RCD): Rwanda-backed rebel group that started a war against the Kabila regime in August 1998.
- Rwanda Defence Force (RDF): Rwandan national army (formerly RPA).
- Rwanda Patriotic Front/Army (RPF/A): Tutsi-dominated movement that started a rebellion in October 1990 and took power in July 1994; *de facto* single party.
- Félix Tshisekedi: Elected DRC President in December 2018.
- Uganda People’s Defence Forces (UPDF): Ugandan national army.
- União Nacional para a Independência Total de Angola (UNITA): Angolan rebel movement defeated in 2008.
- Union des Patriotes Congolais (UPC): Main Ituri militia group; its leader, Thomas Lubanga, was the first to be convicted by the International Criminal Court in 2012.
- United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO): Known until 2010 as MONUC, peacekeeping force established in 1999.

Notes

- 1 This chapter uses the name of the country at the time of the events that are analyzed, i.e. Zaire before May 1997, Congo or DRC after that date.
- 2 Annex 1 to this chapter summarizes the timeline. Annex 2 offers an overview of the main actors. For a fuller treatment of the war see G. Prunier, *Africa’s World War. Congo, the Rwandan Genocide, and the Making of a Continental Catastrophe*, Oxford, Oxford University Press, 2009; F. Reyntjens, *The Great African War. Congo and Regional Geopolitics, 1996–2006*, New York, Cambridge University Press, 2009; J.K. Stearns, *Dancing in the Glory of Monsters. The Collapse of the Congo and the Great War of Africa*, New York, Public Affairs, 2011; P. Roessler, H. Verhoeven, *Why Comrades Go To War. Liberation Politics and the Outbreak of Africa’s Deadliest Conflict*, London, Hurst, 2016; J.K. Stearns, *The War That Doesn’t Say Its Name. The Unending Conflict in the Congo*, Princeton-Oxford, Princeton University Press, 2021.

- 3 In addition to a ceasefire signed by the DRC, Angola, Namibia, Rwanda, Uganda and Zimbabwe, as well as by the Congolese rebel movements, the Accord provided for an “open national dialogue” involving the government, the rebel groups, the unarmed opposition and civil society. This was to lead to a new political dispensation.
- 4 The AGI provided for a 2–3-year transitional period, during which the executive branch was to be made up of a president, four vice-presidents and a government in which the rebel movements and the unarmed opposition were to be represented. A bicameral parliament included the same entities as those represented in the government.
- 5 In early 2015, the UN Group of Experts found that the Congolese government failed to authorize military operations against the FDLR and refused to tackle the old problem of collaboration, at the local level, between the FARDC and the FDLR (United Nations, Security Council, *Letter dated 12 January 2015 from the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council*, S/2015/19, 12 January 2015, pp. 16–17).
- 6 United Nations, Security Council, *Addendum to the Interim Report of the Group of Experts on the Democratic Republic of the Congo (S/2012/348) concerning Violations of the Arms Embargo and Sanctions Regime by the Government of Rwanda*, S/2012/348/Add.1, 27 June 2012; Human Rights Watch, *DR Congo: Rwanda Should Stop Aiding War Crimes Suspect. Congolese Renegade General Bosco Ntaganda Receives Recruits and Weapons from Rwanda*, Goma, 4 June 2012.
- 7 F. Reyntjens, “Regulation, taxation and violence: the state, quasi-state governance and cross-border dynamics in the Great Lakes Region”, *Review of African Political Economy*, Vol. 41, No. 142, 2014, pp. 530–544.
- 8 United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2022/967, 16 December 2022.
- 9 “US Secretary of State Calls On Rwanda To Use Its Influence on M23 To Bring About Peace in DR Congo”, *HumAngle Media*, 16 December 2022; European Council, “Democratic Republic of the Congo: Statement by the High Representative on behalf of the EU on the publication of the recent UN Group of Experts report”, Press release, 31 December 2022; “France openly accuses Rwanda of supporting DRC’s M23 rebels”, *The East African*, 21 December 2022.
- 10 W. Reno, “Shadow states and the political economy of civil wars,” In M. Berdal, M. Malone (Eds.), *Greed and Grievance. Economic Agendas in Civil Wars*, Boulder-London, Lynne Rienner, 2000, pp. 43–63.
- 11 G. de Villers, “La guerre dans les évolutions du Congo-Kinshasa”, *Afrique Contemporaine*, 2005, No. 215, p. 54.
- 12 G. Nzongola-Ntalaja, *The Congo from Leopold to Kabila. A People’s History*, London-New York, Zed Books, 2002, p. 214.
- 13 The expression is from S. Perrot, “Entrepreneurs de l’insécurité: la face cachée de l’armée ougandaise”, *Politique Africaine*, 1999, No. 75, pp. 60–71. It refers to rational makers of cost-benefit analyses, who realize that war, instability and absence of the state are more profitable than peace, stability and state reconstruction.
- 14 Forces Armées Zaïroises until May 1997, Forces Armées Congolaises between 1997 and 2003. The national army was renamed Forces Armées de la République Démocratique du Congo (FARDC) as a result of the AGI.
- 15 A. Mbembe, *On the Postcolony*. Princeton, NJ, Princeton University Press, 2001, pp. 92–93.
- 16 United Nations, Security Council, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2004/551, 15 July 2004, para. 56.
- 17 In 1999, a wing known as the RCD-ML broke away in protest over Rwandan domination, and placed itself under Uganda tutelage. The RCD-Goma remained a proxy for Rwanda.
- 18 Amnesty International, *Democratic Republic of Congo: Rwandese-controlled East: Devastating toll*, London, 19 June 2001, pp. 16–18.

- 19 *Idem*, p. 33.
- 20 United Nations, Security Council, *Report of the Group of Experts...*, *op. cit.*, para. 44.
- 21 *Idem*, para. 31.
- 22 See United Nations, Security Council, *Letter dated 12 January 2015...*, *op. cit.* Most recently: United Nations, Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo, S/2021/560*, 10 June 2021.
- 23 Thomas Turner (*The Congo Wars: Conflict, Myth and Reality*, London-New York, Zed Books, 2007, pp. 15–16) points out that this threat applied to the regime, but not *per se* to Rwanda as a whole. Indeed, the majority of the population may well have considered those posing this threat to be its allies and potential liberators. Likewise, when Kigali argued that it needed to protect the Congolese Tutsi, this may well have reflected the feelings of many Rwandan Tutsi, but probably not those of many Hutu.
- 24 F. Misser, *Vers un nouveau Rwanda? Entretiens avec Paul Kagame*, Brussels, Luc Pire, 1995, p. 121.
- 25 The then EU Special Representative for the Great Lakes Region Aldo Ajello has confirmed this information to this author.
- 26 According to the then U.S. Ambassador to Kigali, Robert Gribbin, Kagame had already told him in March 1996 that “if Zaire continues to support the ex-FAR/*Interahamwe* against Rwanda, Rwanda in turn could find anti-Mobutu elements to support”, adding that “if the international community could not help improve security in the region, the RPA might be compelled to act alone” (R.E. Gribbin, *In the Aftermath of Genocide. The U.S. Role in Rwanda*, New York, iUniverse, 2005, pp. 144–145).
- 27 The existence of this project was later confirmed by documents discovered in Mugunga camp in November 1996. Although these documents have never been published, some echoes can be found in extracts published in newspapers, e.g. *Le Monde*, 19 November 1996 and *Le Figaro*, 20 November 1996. It is surprising that neither the AFDL nor the RPA have kept these archives; on the contrary, they reportedly burned them (S. Boyle, “Rebels repel Zaire counter-offensive”, *Jane’s Intelligence Review*, 1 April 1997). However, copies of a number of these papers are on file with this author.
- 28 On the fate of the Hutu refugees, see F. Reyntjens, *The Great African War...*, *op. cit.*, pp. 80–101; F. Reyntjens and R. Lemarchand, “Mass Murder in Eastern Congo, 1996–1997”, in: R. Lemarchand (Ed.), *Forgotten Genocides. Oblivion, Denial, and Memory*, Philadelphia, University of Pennsylvania Press, 2011, pp. 20–36.
- 29 R. Pourtier, “Congo-Zaïre-Congo: un itinéraire géopolitique au cœur de l’Afrique”, *Hérodote*, No. 86–87, 3th–4th Term 1997, p. 27.
- 30 The more historical causes for the Angolan intervention in the war are addressed by T. Turner, “Angola’s Role in the Congo War,” In J.F. Clark (Ed.), *The African Stakes of the Congo War*, New York-Houndmills, Palgrave MacMillan, 2002, pp. 77–81.
- 31 Thus, the Angolan weekly *Espresso* of 3 May 1997 affirmed that President Dos Santos insisted that Kabila should pursue his offensive to the end.
- 32 Having fled to Angola after the collapse of the Katangese secession in early 1963, a number of them were eventually integrated into the Angolan army, of which they (or rather their sons) became the 24th Regiment in 1994.
- 33 As expressed by an astonishing post by Kagame on his Twitter account on 8 May 2015: “President #Kagame: If your citizens tell you we don’t want you to lead us, how do you say I am staying whether you want me or not #Burundi”. Coming from a president about the president of a neighboring country, the least one can say is that this is very hostile communication not aimed at appeasing bilateral relations.
- 34 Refugees International, *Asylum betrayed: Recruitment of Burundian refugees in Rwanda*, Washington, DC., 14 December 2015; United Nations, Security Council, *Letter dated 15 January 2016 from the Coordinator of the Group of Experts on the DRC to the Chair of the Committee, S/AC.43/2016/COMM.2*, 15 January 2016.
- 35 The exact amount, due mainly to the state-owned Zimbabwe Defence Industries (ZDI) is unknown, but estimates range from US\$40 million to US\$200 million.

- 36 Zimbabwe happened to chair SADC's Organ on Politics, Defence and Security. As Kabila's Congo had become a member of SADC, it benefited from a defense agreement providing for member states' assistance in case of an attack. However, South Africa and Botswana disagreed with the intervention in the DRC. Although presented as such by the coalition of the willing, it is doubtful whether the operation of Angola, Namibia and Zimbabwe occurred under the SADC umbrella.
- 37 Other members of the club included Eritrea's Afewerki and Ethiopia's Meles Zenawi. All four eventually turned out to be just banal dictators.
- 38 Addressing the Economic Commission for Africa in Addis Ababa on 9 December 1997, Secretary Madeleine Albright stated, without mentioning their names, that "Africa's best new leaders have brought a new spirit of hope and accomplishment to your countries -and that spirit is sweeping across the continent. (...) (Africa's new leaders) share a common vision of empowerment -for all their citizens, for their nations, and for their continent. (...) They are moving boldly to change the way their countries work -and the way we work with them."
- 39 Space prohibits a discussion of the *mai-mai* phenomenon. Suffice it to say that this is a generic term designating a wide array of local groups with very diverse organizational structures and ideologies, all claiming to protect the "indigenous" populations against exactions by "foreigners". A useful treatment can be found in K. Vlassenroot, *The Making of a New Order. Dynamics of Conflict and Dialectics of War in South Kivu (DR Congo)*, University of Ghent, Ph.D. Thesis, 2002, pp. 300-343. Vlassenroot insists on the fact that, while the *mai-mai* were also a resistance movement against foreign occupation, they can only be understood as an indigenous reaction to marginalization and exclusion. The theme of the *mai-mai* militias as an experience of more egalitarian forms of solidarity based social organization, with violence as its main discursive mode, is developed in F. Van Acker, K. Vlassenroot, "Les 'maï-maï' et les fonctions de la violence milicienne dans l'Est du Congo", *Politique Africaine*, No. 84, December 2001, pp. 103-116.
- 40 It is important to restate that, contrary to Rwandan claims (thus "justifying" the invasion by the RPA), this occurred *after* the beginning of the war. In other words, the Rwandan invasion was not a consequence of the involvement of "génocidaires," but rather its cause.
- 41 United Nations, Security Council, *Final Report of the International Commission of Inquiry (Rwanda)*, 18 November 1998, S/1998/1096, paras 86-87.
- 42 International Crisis Group, *Scramble for the Congo. Anatomy of an ugly war*, 20 December 2000, p. 19.
- 43 On this strange episode, see M. Ruhimbika, *Les Banyamulenge (Congo-Zaïre) entre deux guerres*, Paris, L'Harmattan, 2001, pp. 61-63, and K. Vlassenroot, "Citizenship, Identity Formation & Conflict in South Kivu: The Case of the Banyamulenge," *Review of African Political Economy*, Vol. 29, No. 93-94, 2002, pp. 510-511.
- 44 *The East African*, 30 August-5 September 1999.
- 45 G. Prunier, "L'Ouganda et les guerres congolaises," *Politique Africaine*, No. 75, October 1999, p. 47.
- 46 A Congolese acquaintance of this author compared the fighting in Kisangani to two neighbors breaking into his house, and then fighting in his living room over who would steal his television set.
- 47 The Panel's early work was criticized on account of both its focus on the activities of the rebel groups and their sponsors, and its definition of "illegality". While these criticisms were not unfounded, the value of the Panel's work is considerable. It has unearthed a large amount of empirical data and, in the later phase of its work, redressed the balance by inquiring into the predatory practices of the Kabila regime and its allies, Zimbabwe in particular. The Panel's successor, the UN Group of Experts, has continued to produce detailed and thoroughly researched reports twice a year up to the present day.

- 48 United Nations, Security Council, *Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, S/2002/1146, 16 October 2002.
- 49 C. Dietrich, *The Commercialisation of Military Deployment in Africa*, Pretoria, ISS, 2001; C. Dietrich, *Hard Currency. The Criminalized Diamond Economy of the Democratic Republic of the Congo and its Neighbours*, Ottawa, Partnership Africa Canada, Occasional Paper #4, June 2002.
- 50 Several reports point to the direct link between the exploitation of resources and the continuation of the conflict. The UN Panel noted that the control of mineral-rich areas “could be seen primarily as an economic and financial objective rather than a security objective for Rwanda” (United Nations, Security Council, *Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, S/2001/357, 12 April 2001, para. 175); “Most of the fights between Rwandan soldiers and mai-mai have occurred in the so-called ‘coltan belt’” (*idem*, 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” (*idem*, para. 177).
- 51 I. Samset, “Conflict of Interests or Interests of Conflict? Diamonds & War in the DRC”, *Review of African Political Economy*, Vol. 29, No. 93–94, 2002, p. 477.
- 52 United Nations, Security Council, *Final Report of the Group of Experts on the Democratic Republic of Congo, pursuant to Security Council Resolution 1698 (2006)*, S/2007/423, 18 July 2007, para. 37.
- 53 C. Young, “Contextualizing Congo Conflicts. Order and Disorder in Postcolonial Africa”, in: J.F. Clark, *The African Stakes...*, *op. cit.*, p. 25.
- 54 Indeed, post-1994 Rwanda has been called “an army with a state”, rather than a state with an army. In the Kivus, the Rwandan army was nicknamed “Soldiers without borders”, a wink to the international NGO “Médecins sans frontières”.
- 55 Sénat de Belgique, *Rapport fait au nom de la commission d’enquête Grands Lacs par MM. Colla et Dallemagne*, session 2002–3, 20 February 2003, No. 2–942/1, p. 72.
- 56 United Nations, Security Council, *Report of the Panel of Experts...*, *op. cit.*, para. 130.
- 57 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 (International Monetary Fund, *Rwanda: selected issues and statistical appendix*, IMF Country Report No. 04/383, 2004, p. 80).
- 58 S. Marysse, “Regress and war: the case of the DR Congo”, *European Journal of Development Research*, Vol. 15, 2003, p. 88.
- 59 Of course, it was not really invisible, but the international community preferred to turn a blind eye to these practices. US Ambassador Gribbin, for one, candidly acknowledged this reality: “Rwanda had discovered during the first war that war in Congo was relatively cheap –even profitable (...) [W]ell connected Rwandans (...) could seize opportunities (...) to accumulate wealth” (R.E. Gribbin, *In the Aftermath of Genocide...*, *op. cit.*, pp. 282–283).
- 60 United Nations, Security Council, *Letter dated 16 October 2015 from the Coordinator of the Group of Experts established pursuant to Security Council resolution 2198 (2015) addressed to the President of the Security Council*, S.2015/797, 16 October 2015, p. 2.
- 61 United Nations, Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2021/560, 10 June 2021.
- 62 S. Jackson, “Making a Killing: Criminality & Coping in the Kivu War Economy”, *Review of African Political Economy*, Vol. 29, No. 93–94, 2002, p. 528.
- 63 International Crisis Group, *The Kivus: the forgotten crucible of the Congo Conflict*, Nairobi-Brussels, 24 January 2003.
- 64 United Nations, Security Council, *Letter dated 22 January 2014 from the Coordinator of the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council*, S/2014/42, 23 January 2014.

- 65 United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2020/1283, 23 December 2020. As always, Rwanda refuted the allegations and complained about “the lack of good faith” of the experts (“Rwanda dismisses UN experts allegations in DRC Midterm report”, *The New Times* (Kigali), 9 January 2021).
- 66 United Nations, Security Council, *Report of the Panel of Experts...*, *op. cit.*, paras 135–142.
- 67 Sénat de Belgique, *op. cit.*, p. 119.
- 68 United Nations, Security Council, *Report of the Group of Experts on the Democratic Republic of the Congo*, S/2005/30, 25 January 2005, paras 140–146.
- 69 J. Cuvelier, “Réseaux de l’ombre et configurations régionales: le cas du commerce du coltan en République Démocratique du Congo,” *Politique Africaine*, 2004, No. 93, pp. 82–92.
- 70 I. Taylor, “Conflict in Central Africa: Clandestine Networks & Regional/global Configurations,” *Review of African Political Economy*, Vol. 30, No. 95, 2003, p. 48.
- 71 For a recent example, see H. Postma, S. Geenen, L. Partzhs, “Digging for due diligence: The case of non-state mineral supply chain regulation by ITSCI in Rwanda,” *The Extractive Industries and Society*, online 3 May 2021.
- 72 Impact, *The Intermediaries. Traders Who Threaten the Democratic Republic of Congo’s Efforts for Conflict-Free Gold*, September 2020. Also see S. Lezhnev, *Conflict Gold to Responsible Gold. A Roadmap for Companies & Governments*, The Sentry, February 2021.
- 73 United Nations, Security Council, *Midterm report of the Group of Experts on the Democratic Republic of the Congo*, S/2019/974, 20 December 2019.
- 74 The latter category of Rwandans was “imported” between 1937 and 1955 as workers as a result of deliberate policies by the Belgian colonial authorities, which even set up an agency (*Mission d’immigration des Banyarwanda – MIB*) to that effect.
- 75 These arrived mainly in 1959–64, 1973 and 1990–4.
- 76 These arrived massively in mid-1994.
- 77 See J. Gérard-Libois, J. Van Lierde, *Congo 1965*, Brussels, CRISP, 1965, pp. 79–80.
- 78 For details on earlier developments, see e.g. J.-P. Pabanel, “La question de la nationalité au Kivu”, *Politique Africaine*, No. 41, March 1991, pp. 32–40; A. Guichaoua, *Le problème des réfugiés rwandais et des populations banyarwanda dans la région des grands lacs africains*, Geneva, UNHCR, 1992; P. Kanyamachumbi, *Les populations du Kivu et la loi sur la nationalité. Vraie ou fausse problématique*, Kinshasa, Editions Select, s.d. (1993); “Dossier: la ‘guerre’ de Masisi”, *Dialogue*, No. 192, August-September 1996; F. Reyntjens, S. Marysse, *Conflits au Kivu: antécédents et enjeux*, Antwerp, Centre for the Study of the Great Lakes Region of Africa, 1996; J.-C. Willame, *Banyarwanda et Banyamulenge. Violences ethniques et gestion de l’identitaire au Kivu*, Brussels-Paris, Institut Africain-L’Harmattan, Cahiers Africains, No. 25, 1997; P. Mathieu, J.-C. Willame (Eds.), *Conflits et guerres au Kivu et dans la région des grands lacs. Entre tensions locales et escalade régionale*, Brussels-Paris, Institut Africain-L’Harmattan, Cahiers Africains, No. 39–40, 1999.
- 79 For details, see J.-C. Willame, *Banyarwanda et Banyamulenge...*, *op. cit.*, pp. 66–68; 124–131.
- 80 AZADO, *Nord-Kivu: Etat d’urgence*, Kinshasa, April 1996, p. 4; On 3 August 1996, the NGO SIMA-Kivu organized a conference in Brussels around the theme “Zaire-Rwanda-Burundi: Who would profit from the creation of a Hutu-land and a Tutsi-land?”
- 81 U.S. Committee for Refugees, *Masisi, Down the Road from Goma: Ethnic Cleansing and Displacement in Eastern Zaire*, Washington, DC, June 1996, p. 16.
- 82 ANB-BIA, 1 April 1996.
- 83 S. Autesserre, *The Trouble with the Congo. Local Violence and the Failure of International Peacebuilding*, New York, Cambridge University Press, 2010.
- 84 Already in 1998, a UN investigative team concluded that “[t]he systematic massacre of those (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" (United Nations, Security Council, *Report of the Investigative Team Charged with Investigating Serious Violations of Human Rights and International Humanitarian Law in the Democratic Republic of Congo*, S/1998/581, 29 June 1998, para. 96). A Mapping Exercise conducted on behalf of the UN High Commission for Human Rights, published in 2010, confirmed and detailed a long list of atrocities uncovered earlier by UN panels, national and international NGOs and investigative journalists. It concluded that the vast majority of the 617 listed incidents were to be classified as war crimes and crimes against humanity. On the issue of genocide, it noted that "[s]everal incidents listed in this report, if investigated and judicially proven, point to circumstances and facts from which a court could infer the intention to destroy the Hutu ethnic group in the DRC in part, if these were established beyond all reasonable doubt" (United Nations, Office of the High Commissioner for Human Rights, *Democratic Republic of the Congo, 1993–2003. Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003*, Geneva, August 2010, para 31).

- 85 See e.g. T. Cruvellier, *Court of Remorse: Inside the International Criminal Tribunal for Rwanda*, Madison WI, University of Wisconsin Press, 2010; V. Peskin, "Victor's Justice Revisited. Rwandan Patriotic Front Crimes and the Prosecutorial Endgame at the ICTR", in S. Straus, L. Waldorf (Eds.), *Remaking Rwanda. State Building and Human Rights after Mass Violence*, Madison WI, The University of Wisconsin Press, 2011, pp. 173–183.
- 86 A report of the UN Group of experts on the DRC offers ominous reading: United Nations, Security Council, *Letter dated 29 November 2011 from the Chair of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council*, S/2011/738, 2 December 2011. A recent update can be found in United Nations, Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2021/560, 10 June 2021.
- 87 F. Reyntjens, *Political Governance in Post-Genocide Rwanda*, New York, Cambridge University Press, 2013.
- 88 United Nations, Security Council, *Letter dated 29 November 2011...*, *op. cit.*, paras 115–122, 284–288.
- 89 International Crisis Group, *Averting Proxy Wars in the Eastern DR Congo and Great Lakes*, Nairobi-Brussels, 23 January 2020, p. 11.
- 90 United Nations, Security Council, *Letter dated 29 November 2011...*, *op. cit.*, paras 484–492. For instance, the panel found that the house in Goma of "General" Bosco Ntaganda was on a street that crosses the border into Gisenyi, Rwanda, and that the entire area between the official border crossings was controlled exclusively by soldiers loyal to Ntaganda. The minerals were usually brought in vehicles into the neutral zone, after which they were carried to the Rwandan side, where they were loaded onto other vehicles. During smuggling operations, Ntaganda's troops cut off all access to the area. Rwandan soldiers had sentry posts all along the border, and nothing could cross without their knowledge. The panel estimated that Ntaganda made about \$15,000 per week by taxing at this crossing point (*idem*, paras 485–487).
- 91 United Nations, Security Council, *Final report of the Group of Experts on the Democratic Republic of the Congo*, S/2021/560, 10 June 2021, para 74.