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***The DRC Peace
Process without
Laurent Kabila***

by
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The assassination of President Laurent Desiré Kabila was for many a matter of >good riddance=. While this view was to be expected from his enemies, it was soon taken up by some of his closest allies for whom Kabila had proven to be intransigent and erratic. A realisation by the foreign forces that their war efforts were unsustainable may have convinced them of the need to reach a faster resolution to the conflict. But their plans for peace were being inhibited by Kabila=s erratic decision making on the war strategy.

While both sides to the thirty month old conflict were non-compliant to the Lusaka Agreement (LA) and continued with hostilities, Kabila was seen to be the main obstacle to peace. Kabila became uncompromising and immovable on the issues of the deployment of a United Nations peacekeeping force and the facilitator for the inter-Congolese dialogue. Kabila=s intentions in destabilising peace efforts were to prolong the war and hence hold onto power. As a result it increasingly became in the interest of all the parties to the conflict and most of all to the foreign mining companies whose contracts were dissolved as arbitrarily as they were drawn up, to have Kabila removed from the scene. In fact a >progressive coup= had long been considered.

Laurent Kabila seemed to have a tenacious ability to turn friends into enemies and earn great dislike from even neutral forces whose only interest were the welfare of the Congolese people. His departure will indeed be a topic for discussion for many years to come, especially about who actually was behind his assassination B similar to the murder of Congo=s first prime minister, Patrice Lumumba. Nevertheless, the impact of Kabila=s death for a peaceful settlement of the DRC imbroglio, can only be measured by the doings of the successor government of Joseph Kabila in the months that follow.

The swift appointment of Joseph Kabila as the new president of the DRC was as controversial as his father=s rise to power. In the absence of constitutional rules, Joseph Kabila=s appointment as head of state, was challenged by opposition parties and the general population. Given that the DRC is a republic and not a monarchy, questions were instantly raised about the reasons for his appointment. Moreover, recalling Decision 42 on unconstitutional changes of governments adopted by the Organisation of African Unity (OAU) in July 1999, the new authorities faced the possibility of being suspended from the Organisation. However, given that it later turned out not to be a classical >Palace Coup=, but rather a dispute within Kabila=s own house, it would have been technically difficult to impose a suspension on the new DRC government of Joseph Kabila. Moreover, suspending the new Kinshasa authority would have run against attempts to speed up the peace process. Nevertheless, African governments condemned the recourse to political assassination as a means of settling disputes or resolving crises and called for the >speedy and scrupulous

implementation of the Lusaka Ceasefire Agreement as the only viable framework for the settlement of the conflict in the DRC=.

Not being a well known figure, news reports continued to be inconsistent about the new leader=s age. Whether he is 29 or 31 years old, Joseph Kabila is indeed very young to assume such a position. His assumption of power aroused deep concerns about his political maturity and capacity to address the challenges he faced as the head of a fragmented state which was embroiled in a war of unprecedented proportions and complexities.

In the aftermath of his father=s assassination, Kabila Jr and those who are behind him averted any chaos that could have arisen from the Congolese Armed Forces (FAC) and citizenry taking to the streets. There are two reasons for this. First, the Allied Forces that supported his father, in particular Angola, reinforced their troop presence in Kinshasa and secured the area very quickly. According to reports, with the news of Kabila=s assassination reaching enemy lines, Rwanda positioned troops closer to the capital and also infiltrated special forces inside Kinshasa. Angola, reacting by dispatching more troops to protect Kinshasa from possible bombardment, instantly took charge. The allies wasted no time in making their intentions of remaining in the Congo, widely known. According to Zimbabwean President, Robert Mugabe, the allies were to remain in the DRC as long as the sovereignty of the Congo was threatened. A dissolution of Congo=s sovereignty by Rwanda and Uganda must be seen as a threat to the Allied Forces= ability, in particular Angola and Zimbabwe, to be regional military powers.

Second, the majority of the Congolese wanted to see Kabila removed from power. Instead of being their liberator, Kabila increasingly resembled a clone of Mobutu. Beyond the cosmetic alterations to the name of the country and the national flag and anthem, Kabila assumed total power, banned political activity, nepotistically controlled government institutions and displayed no ability to transform an economy based on clientalism and patrimony.

The domestic challenge

The initial challenge for Joseph Kabila has been to legitimise his appointment, both domestically and internationally. His domestic legitimisation of power More crucial during Joseph Kabila=s trip to the US, were the talks with senior officials from the World Bank, the

revolves around his true identity and his ability to distribute power to the different sectors of his government. There are serious allegations that Joseph, whose mother is a Tutsi, was adopted by Kabila and therefore not the true son of the slain Congolese president. This issue has been raised by former >Mobutuists= who have been denounced by Joseph Kabila and his inner circle.

A greater challenge for Joseph will be the distribution of power to the various branches of his government, something that he supposedly would be forced to do. Laurent Kabila=s assassination emanated from within his own inner circle, primarily because he was seen to be sharing the country and not power. Kabila=s accumulation and centralisation of power in himself was a result of his paranoid mistrust of everyone, even his own allies. Kabila controlled everything. He authorized the supply of ammunitions, weapons, gas, spare parts, and food to the FAC. >Nothing got out of a warehouse, big or small, local or national, without Kabila's signed authorization=. Joseph Kabila will be compelled to govern differently.

The International Dimension

Joseph Kabila=s international legitimisation of power had been prompt. Within one week after being sworn in as the DRC=s new president, Joseph Kabila has had talks with major players in the global arena. In reaching out to the United States, France and Belgium, Joseph Kabila attained the endorsement and recognition that he needed as an unconstitutionally appointed head of state. However, such international acceptance must be cautiously embraced. When Laurent Kabila was swept to power the US branded him as one of the >new breed of leaders= in Africa. Within months thereafter this label was refuted once he proved to be uncooperative and arrogant in his relations with the outside world. The US then declared Kabila to be a **A** loose canon that had to be restrained@. Joseph Kabila could meet the same fate if he loses sight of being constructive in his engagement with Congo=s enemies as well as with its international and regional partners.

Corporate Council for Africa and members of the international oil cartel. These moves were designed to

transmit a message that the new authorities in Kinshasa are committed to guaranteeing an investor-friendly Congo. In his address to these audiences, Kabila promised free elections, a liberalized economy and a new investment code to improve the climate for foreign business.

Accordingly, the DRC authorities announced a new liberalisation policy on currency and trade, which has been welcomed by hard-pressed traders and investors in the DRC. Traders importing goods into Congo will no longer have to pay import duties in their native currencies. Joseph Kabila also signed a decree which allows business transactions to be made in both Congolese francs and foreign currencies, in particular the US dollar. The black market value of the franc had fallen to 170 to the US dollar, as opposed to an official exchange rate of 55 francs to the dollar. The latest liberalisation, therefore, appeared to signal his government's acceptance that they could not enforce an unrealistic exchange rate policy.

Moreover, the new DRC government signalled their intention to review the contracts signed by Kabila Sr in a bid to regain the cooperation of big business in managing Congo's economy. The latest moves to terminate the current monopoly on diamond exports enjoyed by the Israel Diamond Institute (IDI), is in accordance with these plans. At a meeting of 300 business leaders, the DRC Minister for Finance, Jean Amisi Mutumbi, said that his government would have to renegotiate its way out of the IDI diamond deal. IDI signed an exclusive export agreement with Laurent Kabila in July 2000.

While these moves will contribute much in the short term to rebuilding the damaged business climate in the Congo, the ultimate challenge for Joseph Kabila is how in the interim to arrest the DRC's economic malaise and at the same time discontinue, what one reporter called: *an old tradition, begun by the Belgian colonial rulers, then repeated at the Kampala-Kigali axis that propelled his father to power to be a mere puppet in Kinshasa to keep the state weak enough to allow outsiders a chance to plunder its mineral wealth.*

Prospects for peace

Although condemned by most heads of state, the assassination of Laurent Kabila has provided an opportunity to breathe new life into the peace process and for a speedier implementation of the Lusaka Ceasefire. It is Rwanda's security concerns that will be difficult to meet. Apprehending, disarming and repatriating the Hutu rebels responsible for the 1994 genocide will require peace enforcement mechanisms and mandates which have not

Agreement. While the the new DRC government announced their aims to >reanimate= the peace process, the opposition forces expressed their readiness to take advantage of the change in leadership in Kinshasa.

Speaking at the UN Security Council, President Joseph Kabila called all those who had taken up arms against his government to >sit around the table with him to talk about peace and rebuilding the country=. He appealed to the international community to support the Congolese people as they moved towards the inter-Congolese dialogue and reconfirmed his commitment to cooperate closely with the UN Observer Mission in the DRC (MONUC). However, upon his return home, Joseph Kabila made it clear that he was not committed to the Lusaka Agreement in its present form. He argued that some of the contents in the agreement were in one way or the other outdated, but declined to specify which aspects of the deal should be reviewed.

In any event, the deployment of peacekeepers, as the UN Secretary-General Kofi Annan observed, goes >beyond the presidency of the DRC and depends also on other governments with troops on the ground and the unstatutory forces who are fighting in the Congo. The deployment of MONUC peacekeepers will therefore depend on the implementation of the Kampala disengagement plan by all warring sides.

While Ugandan President, Yoweri Museveni, hinted about a possible unilateral withdrawal from the Congo, Rwanda's Paul Kagame remains steadfast on the neutralisation of the genocidaries as the precondition for their pull out. Museveni is reported to have said that the two major objectives which warranted sending his forces into the DRC had been fully achieved and as a result Uganda could even declare a unilateral withdrawal from Congo and leave the people of Congo to >solve their own problems=.

yet been discussed. Although, Kofi Annan has proposed that elements of MONUC's >concept of operations= be revised to include the deployment of additional personnel to observe troop disengagement and an extension of the

current mission, which ends on 15 June 2001, it is still not clear who can disarm and repatriate the genocidaries. For the moment the new players in Kinshasa and their allies will have to terminate all support for these forces, which some sources say was agreed to by Kabila and Kagame when they met in the US. As a gesture of goodwill the DRC government dropped its cases at the International Court of Justice (ICJ) which had accused Rwanda and Burundi of armed aggression on its territory.

But now that Kabila Sr is out of the way, the South African contribution to the peacekeeping force would not be impeded. In addition the new Congolese leader has reaffirmed that he is willing to accept the OAU appointed mediator for the inter-Congolese dialogue, Ketumile Masire, whom his father first approved and later rejected, if he proved to be unbiased. There is also now a strong lobby to include a co-facilitator, one from the Francophone community, which is expected to ease concerns of objectivity.

Policy considerations

- 1) Indeed, the momentum for constructive dialogue generated by President Joseph Kabila should not be wasted. Every effort must be made to bring all warring sides to the table as soon as possible to attain their commitment to disengage in accordance with the Kampala plan so that the UN peacekeepers could be deployed. Moreover, engagement with the new DRC authorities must be maintained at all levels to oversee a smooth transfer of power to a transitional government.
- 2) While the proper mechanisms for the expatriation of Rwandan genocidaries operating in eastern Congo need to be achieved, greater pressure must be exerted on the existing authorities in Kigali to achieve a political settlement with the Hutu majority. Such attempts cannot be undertaken in Burundi and ignored in Rwanda. The existing government is a military one and transfer of power to a democratically elected civilian government is the only path to peace.

- 3) As Joseph Kabila argued, the Lusaka Agreement must be backed by binding mechanisms that would punish parties who violated the ceasefire. Moreover, provisions for the inclusion of the Mai-Mai in discussion forums aimed at a political settlement of the conflict, must be put in place. The Mai-Mai, a non-statutory Congolese force, have resisted the Rwandanese occupation of their land and will continue to do so. Their concerns must be addressed for long term peace in the Great Lakes region.
- 4) Members of the Southern African Development Community (SADC) must halt the external removal and installation of presidents in the DRC. Such procedures have prevented the growth of democratic values and institutions in the Congo.
- 5) The UN panel of experts investigating the illegal exploitation of natural resources in the DRC must make a greater effort to expose the plundering of Congo's wealth. There is ample evidence that national governments are guilty of these acts and therefore the necessary recommendations for compensation must be made in the interest of fostering good neighbourliness in this region.

Suggested Reading:

- Chetty, S. *Good start for Kabila*. in Sowetan, February 5, 2001.
- Dludlu, J. *The trail of Joseph K*. in Business Day, January 30, 2001.
- Kornegay, F. *Kabila's death: An opportunity for peace, or another mad scramble?* in The Citizen, January 18, 2001.

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