

Manapo Tebello  
Mokose &  
Hussein Solomon

Department of Political  
Studies and Governance,  
University of the Free  
State, South Africa;  
E-mail: solomonh@ufs.  
ac.za

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# *How the war economy centred in the eastern region of the Democratic Republic of the Congo is fuelling the conflict in the Great Lakes Region (1998-2016)*

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Millions have been killed in the eastern Democratic Republic of the Congo (DRC). Despite various mediation efforts and having one of the largest United Nations/ African Union peacekeeping forces in the world, the carnage continues to claim more victims. What this paper argues is that the underlying war economy must be seen as the basis of the ongoing violence and only its eradication and replacement by a peace economy will there be any hope for sustainable peace both in the DRC and the broader Great Lakes Region. To this end, the paper provides a historical background to the conflict, and then proceeds to contextualize this economy within the war and peace economy literature. The intricacies in the war economy are then unravelled followed by certain policy recommendations to end the violence.

## 1. Introduction

Modern conflicts on the African continent have largely materialised as multi-faceted in nature, but conflict as witnessed in the Democratic Republic of Congo (DRC) is of a complexity that is yet to be rivalled. Its uniqueness owes its pungency not only to its 20-year tenure but to the competing networks of local rebel groups, insurgents from neighbouring countries, and other African states, all of whom have a stake in perpetuating the conflict. These stakes have much to do with the wealth of the country's natural resources, on the basis of which the Congo should be the richest country in Africa and among the world's wealthiest (Daley 2006: 306). The resources are in the Great Lakes region of Africa, a region whose definition as per composition varies, but which essentially centres on the DRC, Rwanda, Burundi and Uganda.

In the Great Lakes region, we find strategic minerals such as oil, diamonds, gold and the mineral ores of cassiterite, coltan and wolframite (Githaiga 2011: 11), and witness a biodiversity almost unmatched in the world (Daley 2006: 306). Its water resources are similarly abundant, extending over some 3 million square miles of the Congo River basin (Daley 2006: 306). Regrettably, these resources have never been used to enrich the Congolese people, having fallen prey to pillage and exploitation to service a regional and international competition that dates back to 1885 when the DRC was claimed as the personal possession of Belgium's King Leopold II (Arieff 2014: 4). Post-independence, the exploitation of the country's wealth has continued in the context of a protracted conflict the sustaining of which has extended an ease of access to the natural wealth of the country. Minerals of interest in this regard are oil, diamonds, gold and mineral ores, for their convenient portability (Githaiga 2011: 11).

The intricacies of the Congolese War surpasses the liberation wars, post-independence inter-state conflicts, intra-state conflicts, Cold War-assisted conflicts, and post-Cold War conflicts that have characterised the African continent. To the contemporary conflict theorist, the DRC demands reflection beyond explanations for the commencement of armed conflict, requiring an assessment of the underlying premises for its endurance (Naidoo 2000: 28). The notion of 'war economy' becomes relevant here to demonstrate an economic rationale that exposes war and profit to be mutually constitutive. Within this context, the sustenance of war is viewed as a revenue source as well as a desirable circumstance for the actors benefiting from it. In the DRC, we find a demonstration of this concept.

It is the aim of this paper to shed light on the intricacies of the war economy in the eastern regions of the DRC and how it is sustaining the conflict there. A contextual basis will be extended by way of a brief historical background and

conceptual framework provided to unpack the concept that is ‘war economy’ and then juxtapose it with the concept ‘peace economy’. The nature of the war economy in the DRC, particularly in the Great Lakes region, will be presented as well as the efforts taken to try and assuage the conflict there. Challenges faced as constraints against the success of these efforts will be shown and recommendations suggested as to strategies that might better succeed.

## 2. Historical background

The Second Congo War (1998) cannot be properly understood without reflection on the causes and effects of the First Congo War (1996-1997). The First War was couched in matters of ethnicity, a point of commonality between the two key countries in the GLR conflict, Rwanda and Burundi. Their ethnic composition of 80% Hutu, 15% Tutsi, and 5% Twa (Daley 2006: 303) emerged as the platform upon which the region was destabilised, with the DRC as a victim of circumstance. Ethnic control of political power was reversed in the two countries; while the Hutu wielded political control in Rwanda from 1959 to 1994, in Burundi that power has been in the hands of the Tutsi since independence in 1962 (Daley 2006: 306). In Rwanda, a civil war that began on 1 October 1990 between the Hutu-dominated government and the Tutsi-dominated Rwandanese Patriotic Front (RDF) (Reyntjens 2015: 256) was marked by a harsh sectarianism that saw the genocidal mass slaughter of the Tutsi population (Daley 2006: 306). In July 1994, the RDF succeeded in overthrowing the Hutu-dominated regime, forcing 1.5 million Hutus to settle as refugees in neighbouring DRC, then Zaire (Reyntjens 2015: 256). Eight months earlier, there was an influx of Burundian refugees into Zaire following the failure of the democratic transition culminating in the civil war of 1993 (Daley 2006: 306). Against then President Mobutu Sese Seko’s authoritarian and corrupt governance, the settlement of these refugees exacerbated an already volatile situation. While conflicts from neighbouring countries spilled over DRC borders, state institutions and the military deteriorated, giving way to the consequent diversion of state resources and destabilisation of local communities (Arieff 2014: 5). The result was cleavages at local and national level and the consequent “formation of alliances between the Rwandan Hutus now in the Kivus and local Congolese Mai Mai groups against Congolese Tutsis” (Williams 2013: 87). From their refugee camps in the DRC, the Rwandan Hutus, largely ex-FAR soldiers, conducted raids into Rwanda against the new Tutsi-dominated government. As it later transpired, this was with apparent backing from Mobutu Sese Seko, and so Rwanda and Uganda settled on ousting the leader. They legitimised their invasion by fostering the *Alliances des Forces Démocratiques pour la Libération du Congo* (AFDL), a group of exiled Congolese revolutionary parties led by Laurent Kabila. This came to be known as the “First” Congo War, which culminated in

the 1997 seizure of power by Kabila, who then renamed Zaire the DRC Kabila (Williams 2013: 87, Arieff 2014: 5).

Relations between the three countries quickly soured however. Kabila was pressurised by the budding hostility towards Rwanda and Uganda by Congolese civilians, who came to see Rwandan troops as an occupying rather than liberating force and Kabila as a puppet of the two countries. He announced the expulsion of Rwandan troops and soon thereafter (1 August 1998), Congolese soldiers of ethnic Tutsi descent rebelled and Rwanda and Uganda sent troops into the DRC cultivating rebel groups as proxies (Williams 2013: 88, Arieff 2014: 5). This marked the Second Congolese War.

The expectation from invading parties was that this second war, dubbed “Africa’s World War” (Arieff 2014: 5) would be a remake off the first, only much faster. The ensuing events did not meet these expectations however, owing to a spectacular shift in alliances (Reyntjens 2015: 256). Mobutu had sponsored foreign rebel groups and this united much of the continent against him. Contrastingly, Kabila was regarded by many as a useful ally in the complex geopolitical milieu that was Africa (Williams 2013: 89). Rather than back their former allies Rwanda and Uganda, Angola and Zimbabwe sided with Joseph Kabila. Their support compensated for the weakness of the Congolese army, and on 23 August 1998, they managed to beat back Rwandan-Ugandan forces in the lower Congo (Williams 2013: 89, Reyntjens 2015: 256). As the war went on, battle lines slowly took shape. Rwanda and Uganda, now joined by Burundi, occupied much of the eastern DRC, while Kabila, backed by Angola and Zimbabwe, as well as Namibia, Sudan and Chad, held the western of half of the country (Williams 2013: 90).

In July 1999, Angola, Namibia, Zimbabwe, Rwanda and Uganda as well as the DRC signed the Lusaka Ceasefire Agreement, in an attempt to end hostilities between the nations. In November of that same year, the United Nations Security Council (UNSC) established the United Nations Organisation in the Democratic Republic of the Congo (MONUC) tasked with supervising and implementing the agreement. Despite these efforts, however, violence continued until the signing of the 2003 peace accords between Uganda and the DRC. These officially brought the Second Congo War to an end, but a proxy war between Rwanda and Uganda continued until 2008. Key events included the first democratic elections in 2006. Unfortunately, this democratic transition did not bring about the change hoped for and conflict continues. Much of this is attributable to violence between the Forces Armées de la République démocratique du Congo (FARDC, Armed Forces of the DRC) and numerous rebel factions, including the Forces démocratiques de libération du Rwanda (FDLR, Democratic Forces for the Liberation of Rwanda), Maï-Maï Sheka, and M23. This unrelenting violence, coupled with the struggle for

control of the DRC's natural resources, has served to further destabilise an already fragmented nation (International Coalition for the Responsibility to Protect 2015: Internet).

### 3. Theoretical orientation

#### 3.1 War economy conceptualised

The link between conflict and natural resources is both direct and indirect. The former presents itself in a bilateral conflict between two countries that exploit shared natural resources, while the latter lies in the use of earnings from the illegal exploitation of natural resources to finance conflict (Githaiga 2011: 11). The Great Lakes region falls in the latter category and it is that particular circumstance that bestows upon it the classification of war economy. In Pugh, Cooper, and Goodhand's definition, a simple conceptualisation of the term 'war economy' is advanced to mean all economic activities that are carried out during wartime (Pugh et al. in Broodryk & Solomon 2010: 4). Alternatively, a war economy entails circumstances in which specific actors make "money out of a war system rather than out of a peaceful situation" (Fekete quoted in Broodryk and Solomon 2010: 4). Traditionally, the profitability of war has been linked to businesses in the military industry that profit from the sale of arms in times of war. When we talk of war economies however, profit-based interests in continued warfare surpass arms traders to include warring parties, co-operating private companies as well as political and military leaders (Samset 2002: 465). These actors manipulate the war system to access the country's production and distribution capabilities for their own private gains. Thus, in war, these actors – elites, rebel movements, external and warring parties alike – enjoy a flexibility or absence of regulation and state sovereignty that accommodates their expropriation and exploitation of available resources that would otherwise *advance* the particular state's production capabilities and revenue in a peace economy. Therefore, while the war might have been instigated by other factors far removed from revenue generation, the commercial profitability arising from its existence would see the profiting parties necessarily contributing to its continuation.

In the Great Lakes region, conduct qualifying it as a war economy exists in a consolidation of criminal activities that includes theft, embezzlement and diversion of public funds, smuggling, false invoicing, undervaluation of goods, kickbacks to officials, bribery and non-payment of taxes (Reyntjens 2015: 264), all of which are centred around the natural resources in the east of the DRC. Implicated in these activities are neighbouring countries such as Rwanda and Uganda, whose illegitimate military presence within the Congo and funding of

proxies there have made it such that *despite* there being no diamonds in their soil, they have profited from the export of diamonds worth millions of US dollars (Samset 2002: 471). This network runs deeper than regional actors to include national and international players who embrace the conflict for the profit it affords, careless of the corresponding social despair.

### 3.2 Peace economy conceptualised

A rudimentary conceptualisation of the term 'peace economy' is simply the opposite of a war economy. While both host a network of trade and industry, a peace economy is marked by related processes oriented towards socio-economic development. In a peace economy therefore, and pertinent to the definition of economic development, the trade and industry effort is designed to contribute to economic growth that will then be distributed to benefit the majority of the population (Schoeman 2009: 235).

Inherent in this definition of economic development is its inclination towards structural elements that are essentially rooted in Western dogma, as is the case of the liberal peace theory, according to which peace and security are contingent upon democratisation, the rule of law, and economic reconstruction (Pugh 2008: 414). This mainstream view of development advances a top-down approach and lobbies for a free-market system as the preferred avenue through which markets will flourish and will activate the trickle-down effect of wealth to the impoverished at the bottom (Baylis, Smith and Owens 2008: 473). Broodryk and Solomon (2010: 7) contend however that a new understanding of liberal peace is called for so that the views of local populations and the ideas of the international actors involved in the peace processes might be consolidated to accomplish a more effective bottom-up approach.

Pertinent to the instability in the DRC, one has to accept the reality that transforming whole social and political institutions demands post-conflict peace-building processes that cater to the distinctiveness that underlies all conflicts. The application of liberal peace processes towards a peace economy if not fashioned to individuality of context are unlikely to result in an economy that is premised on socio-economic development. In fact, neglecting to do so might reignite the very instability that it is hoped would be tamed.

## 4. The war economy of the DRC

From the DRC's two wars in the 1990s – particularly the second – the world bore witness to the intricate relationship between conflict and mineral resources as well as the convergence of interests, both domestic and international, in the

perpetuation of conflict. Warring parties fought for natural resources as revenue sources that would help to alleviate the financial constraints of war. Once conflict began, various parties derived gains the sustainability of which were secured in a war economy. These gains motivated and fuelled the continuation of the conflict and from the mineral resources that *serviced* those gains, distinctions between economic and politico-military interests were blurred, and economically rational coalitions formed for lucrative purposes. The result was the relative weakening of any conviction to bring an end to the war (Ndikumana and Emizet 2003: 24).

With an economic rationale defined, it became necessary to locate revenue channels through which the conflict situation or rebellion would be sustained (Ndikumana and Emizet 2003: 24). Thus, strategic criminal practices were identified and supporting and “elite networks” were set up to provide structure to an industry that went on to fuel the war economy. Common to these networks was their composition as well as *modus operandi*. Comprised of political and military elites, business people and, in the case of occupied territories, rebel leaders and administrators, its members would consolidate their efforts to generate revenue and, in the case of Rwanda, institutional financial gain (Reyntjens 2015: 264). They sourced their revenues from a variety of criminal activities, among them looting, embezzlement, expropriation, diversion of “public” funds, smuggling, underevaluation of goods, non-payment of taxes, bribery and kickbacks to officials (Reyntjens 2015: 264, United Nations Security Council 2001: 74). Rwandan and Ugandan troops were specifically resourceful here, establishing “a monopoly over the exploitation and commercialization of mineral resources by forcing local entrepreneurs out of business while flooding the region with products imported from Rwanda, Uganda and Burundi” (United Nations Security Council 2001: 74).

An imaginative and lucrative activity emerged in the form of direct taxation. Absent an operative state fiscal function, militias, rebel groups, and Rwandan and Ugandan elite networks took charge of the collection of import and export levies. Toll barriers were erected to extort resources from peasants taking their scanty surplus products to markets. In North Kivu, travellers crossing the zones controlled by two opposing factions of the RCD were ordered to declare goods and pay customs duties at the “border”. For pedestrians, vehicles and traders, fixed tariffs were enforced requiring them to hand over some of their merchandise. In RCD-controlled areas, annual taxes were charged on vehicles and an array of charges imposed for individual journeys, “insurance” and road “tolls”. Specific to the core of the war economy that was mineral resources abundance, the rebel group taxed the coltan trade, selling mining rights, and demanding licence fees, non-refundable deposits, various export taxes, and a “war effort tax” (Reyntjens 2015: 258).

Of the foreign actors in the DRC, Rwanda and Uganda are notable for the sizeable benefits they secured from the pillage of the country's resources. Between September 1998 and August 1999, the exploitation of their occupied territory post-invasion took the form of mass-scale lootings. When the stockpiles of lootable resources were exhausted, the exploitation developed into an active extraction phase (United Nations Security Council 2001: 8-10). Soldiers, locals, and foreigners were deployed by the occupiers to extract resources deemed to be valuable, and in this phase of systematised exploitation, gold and coltan dominated. Diamonds also made their mark however, with their distinctive relevance to the pillage demonstrated in the specifics of Ugandan and Rwandan exports. While diamonds cannot be found in the soil of either country, both went on to export these minerals worth millions of US dollars and from 1997 to 1998 Uganda's exports multiplied by 12, remaining at a high level over the following two years. Rwanda's growth was exponential. By October 2000, its export of diamonds had reached a level 90 times higher than that of the entire year of 1998 (Samset 2002: 471).

#### 4.1 Rwanda

Reyntjens (2015: 264) talks of a link between military engagement and illegal economic activities as a clear trend of the conflict. In this regard, Samset (2002: 477) advises that "war facilitates excessive resource exploitation, and excessive exploitation spurs continued fighting". In the case of the Great Lakes region, nowhere was that as clear as it was in the case of Rwanda. Rwanda's dilemma stemmed from its small size, poverty and lacklustre natural resource and the visible need of the elite to maintain their lavish lifestyle. Its strength lay in a large and efficient army, which would succeed in addressing the deficiencies of their the country.

In 2000, the Rwandan Patriotic Army (RPA) collected significant revenue from coltan in the DRC, believed to amount to US\$80-100 million (Reyntjens 2015: 264), a rough equivalent of Rwanda's official defence expenditure of US\$86 million. Corresponding developments were ascertained by a UN panel in 2001 that between 1999 and 2000, the RPA is likely to have made at least US\$250 million over an 18-month period (United Nations Security Council 2001: 29). Further revenues in 1999 came from the plundering of Congolese diamonds, gold and coltan, whose total value amounted to 6.1% of Rwanda's GDP – an enormous figure in light of its economy –and to 146% of its official military expenditure. The Rwandan government's pillaging of the Congo not only allowed the small country to fortify its military budget but bought much-needed loyalty from the domestic elite.



Rwanda's involvement in the DRC fitted well into what Stephen Jackson calls the "economisation of conflict": a process whereby conflicts are gradually reoriented from their initial goals (which in the case of Rwanda was to secure its borders) towards profit, and through which interested parties capitalise increasingly from the economic opportunities that war avails them (Jackson 2002: 528). In the case of Rwanda, these opportunities were secured in a network that comprised a great deal of interaction between the military, the state bureaucracy, as well as the business community and reinforced in five methods on which the RPA depended to finance its war: "(i) direct commercial activities; (ii) benefits from shares it held in companies; (iii) direct payments from the RCD-Goma; (iv) taxes collected by the "Congo Desk" of the external military intelligence office ESO (External Security Organisation), and other payments made by individuals for the protection the RPA provided for their businesses; and (v) direct uptake by soldiers from the land" (United Nations Security Council 2001: 29). Even in the face of the discreet but intense military pressure that forced its troops out of the DRC in September 2002, the country revised its tactics, seeking alternative allies on the ground and funding autonomist movements. Rwanda also maintained a covert military presence in the DRC, all to shelter its protracted influence in the east and to make the most out of the Kivu region (Reyntjens 2015: 265).

## 4.2 Uganda

Like Rwanda, Uganda benefited significantly from its military/commercial presence in the Congo. Uganda specifically profited from the "re-exportation economy", which in the case of the war economy in the Great Lakes region suggests that natural resources imported from the DRC were repackaged or sealed as of Ugandan origin and re-exported. This was the case for gold, diamonds, coltan as well as coffee. Benefits accruing to Uganda and going towards the financing of its war effort presented themselves in three ways: by increasing the incomes of key businessmen, traders, and other dealers; by improving its balance of payments; and by bringing more money to the treasury through various taxes on goods, services, and international trade (UNSC 2001: 30-31).

## 5. Response to the conflict

the DRC has been party to a large number of efforts to end the protracted conflict in its territory. Common to all of them is a foundation of mechanisms essentially premised on mediation. Key instruments in this regard are the Lusaka Ceasefire Agreement, which created a platform for the Inter-Congolese Dialogue which began in 2001 and which led to the 2002 Sun City Accord (Solomon, Kelly and

Motsi 2008: 46-57). The Inter-Congolese Dialogue was the official designation given to the negotiation processes that were inaugurated for the signing of the Lusaka Agreement. In the agreement, the Heads of States of the DRC, Namibia, Rwanda, Uganda, Zimbabwe and Angola, and the Uganda-backed MLC and RCD, agreed to put to an end to all air-, land- and sea-based attacks within 24 hours of signing (United Nations Security Council 1999: Internet). The agreement however did not include a clear enforcement mechanism (EISA Observer Mission Report 2006: 9), relying on the goodwill and cooperation of the signatories (Kadima 2000: 83). Progress was made with the succession of Laurent Kabila's son, Joseph Kabila, following the former's assassination in January 2001. At his inauguration, Joseph Kabila reaffirmed his desire for the restoration of peace in his country, paving the way for a new objective for the ICD, to establish a transitional government in the DRC until democratic elections were held in 2006 (Rogier 2004: 27). Negotiations took place at Sun City, South Africa, from February to April 2002 (Kadima 2000: 82-83). The discussions assembled five different actors; the Kinshasa government, the two main rebel forces (RCD-Goma and MLC), the unarmed opposition forces and members of civil society (EISA Observer Mission Report 2006: 9). Like the Lusaka Agreement, the Sun City accord was plagued by political disagreement on a range of issues. Most significant was their failure to identify solutions to some of the key issues at the core of the conflict, including citizenship and the legality of commercial contracts signed in war time (Rogier 2003: 13).

Recent efforts have catered to some diversification, hoping to better accommodate the intricacies of the conflict in the Great Lakes region. These all enjoy some distinctiveness but their advancement is essentially based on national, regional as well as international platforms.

### 5.1 National efforts

Nationally, significant strides have been made in the country to address the link between conflict and minerals. Among them is a six-month ban on mining activities that was imposed in Maniema, South Kivu and North Kivu. The basis for this endeavour was to curtail the link between illegal mineral exploitation and the financing of armed groups. In February 2012, the government declared that it would block the export of gold, tin, tantalum and tungsten unless it was certified as conflict free. The initial manifestation of this endeavour saw the suspension of two exporting companies (TTT Mining trading as CMM and Huaying) in May 2012 for failing to adhere to the demands of supply chain traceability (Atta-Asamoah & Githaiga 2012: 1).

Rwanda also embarked on noteworthy developments, issuing regulations on the prohibition of untagged minerals (Atta-Asamoah & Githaiga 2012: 1). It also worked with the German Federal Geoscience and Natural Resources Bureau (BGR) and the International Tin Research Institute (ITRI), implementing initiatives developed by them that resulted in the auditing of five Rwandan mining concessions that are major producers of cassiterite, wolframite and coltan and the establishment of a supply chain traceability system (Githaiga 2011: 15).

## 5.2 Regional efforts

Regional initiatives were also undertaken to find practical solutions. In this regard, the Southern African Development Community (SADC) has availed its services both in its individual capacity and in its contribution to joint action with other key actors. On 9 November 2008, the SADC agreed to deploy a team of military experts to assess the growing violence in the country, as well as an additional team to appraise the situation on the ground, and *indeed* a military team was deployed (Feely and Thomas-Jansen 2008: 6). The SADC also committed itself to support the United Nations 'Intervention Brigade' as empowered by Resolution 2098 of 2013 that 'enables 'offensive' combat force to 'neutralize and disarm' Congolese rebels [and] foreign armed groups (United Nations 2013: Internet).

The main regional initiative however is the International Conference on the Great Lakes Region (ICGLR), an inter-government organisation of 11 states in the Great Lakes region comprising Angola, Burundi, the Central African Republic, the Republic of Congo, the DRC, Kenya, Uganda, Rwanda, Sudan, Tanzania and Zambia (Atta-Asamoah & Githaiga 2012: 1). The ICGLR is one of the aspects of the protocol on the fight against the illegal exploitation of natural resources under the pact on security, stability and development in the Great Lakes Region. The organisation approved the Regional Initiative against the Illegal Exploitation of Natural Resources (RINR) which transfers to these states six obligations; the regional certification mechanism, harmonisation of national legislations, the establishment of a regional database on mineral flows, formalisation, EITI peer learning, as well as whistle blowing (Githaiga 2011: 16).

## 5.3 International efforts

At the international level, the response was vast, from various organisations both private and governmental, as well as dynamic reinforcements from civil society. The Human Rights Council made its contribution in the form of the adoption of Resolution 19/27 on 23 March 2012 encouraging the establishment of a national human rights commission in the DRC and the submission of reports by the High

Commission for Human Rights on its human rights work there. On 12 July 2013, a report was in fact submitted (Human Rights Commission 2013: 1-2).

The Office of the High Commission for Human Rights (OHCHR) offered similar services, compiling several reports on human rights violations, making recommendations, and relaying information on progress made and challenges encountered by the Congolese government (Responsibility to Protect 2015: Internet). The UNSC has been a key fixture in international efforts. On July 2003, it passed Resolution 1493, a sanctions resolution that instituted an arms embargo against militias in North and South Kivu, and Ituri (UNSC 2003: 1, 4). This was the first among a series of DRC sanctions resolutions, which were complemented by MONUC, arguably the most crucial component of the UNSC's engagement in the DRC. Established to implement the Lusaka Ceasefire Agreement, MONUC failed to meet the demands of effective civilian protection and to serve as a credible military deterrent to rebel groups in the country. Key to these failures was an apparent lack of clarity on the rules of engagement as well as on the relationship with the Congolese army (Feeley and Thomas-Jensen 2008: 6). Efforts to address these discrepancies were revealed in the establishment of a successor, the UN Organisation Stabilisation Mission (MONUSCO) in July 2010. MONUSCO also fell short, however, resulting in the establishment of the Force Intervention Brigade (FIB) in March 2013, whose effectiveness was demonstrated in its defeat of the M23 in November of that year (Responsibility to Protect 2013: Internet).

Key initiatives with specific relevance to mineral resources as the source of conflict in the DRC are seen in the due diligence guidelines for responsible supply chains of minerals from conflict-affected and high risk areas, developed by the Organization for Economic Co-operation and Development (OECD) and legitimised by the ICGLR through the Lusaka Declaration of 15 December 2010. The ICGLR also adopted the UN's due diligence guidelines pertaining to minerals from the eastern DRC. These two guidelines are voluntary, but are compensated by section 1502 of the US Dodd-Frank Act of July 2010, that imposes legal implications for US-listed companies whose minerals are sourced from the DRC and neighbouring countries. While companies are not prohibited from sourcing minerals from that region, they are obliged to disclose their origins (Atta-Asamoah and Githaiga 2012: 1-2).

## 6. Challenges

There are numerous challenges for the success of responses to the conflict in the DRC. These expose complex dynamics to the conflict, and these are more powerful than any of the responses. The common thread of the responses is their erroneous effort to apply measures that would be better suited to peace economies, which

the DRC is not. Peace economies are underpinned by liberal peace theory which prescribes that for there to be peace and security, a state must be structured upon democratisation, the rule of law, and economic reconstruction. In the DRC, the specific challenges to the success of peace and security efforts specifically run counter to these pillars, meaning that those efforts are destined to fail.

The primary challenge to achieving a peace economy for the country is the failure of the state apparatus. The government continues to demonstrate ineptitude for the performance of crucial state functions such as territorial control, public taxation, provision of public goods, the monopoly of violence, as well as the rule of law, creating a “shadow state” predominantly controlled by external forces. Georges Nzongola-Ntalaja (2002: 214) writes that “the 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 neighbour.” Effective implementation of the RINR for example demands that the DRC as the epicentre of the natural resource/conflict complex invoke comprehensive strategies that strengthen its internal capacity by addressing matters of weak governance, poor infrastructure and security gaps. These are non-existent in the DRC and as such, success of the RINR seems unlikely (Gaithaga 2011: 16).

State failure is not limited to incapacity but also to a lack of political will, a circumstance not only in the DRC but one that affects the countries comprising the Great Lakes region. We saw this in the Lusaka Ceasefire Agreement as well as the Sun City Accord, where the agreement and negotiations, devoid of a clear enforcement mechanism, fell apart as the parties involved failed to extend the goodwill and cooperation demanded of them. Rwanda provides a good picture of the extent to which general propositions for peace can become irrelevant. The Lusaka Ceasefire Agreement and Sun City Accord had undertones of a liberal peace top-down approach that essentially ignores the distinctiveness of context. While both instruments were viable strategies towards peace, and while the Rwandan government might have appreciated them as such, the fact that Kigali’s economy was virtually disconnected from Rwanda and predominantly linked to the DRC’s was a factor that went far beyond the scope of the two strategies. Thus, Broodryk and Solomon’s submission is worth mentioning, as these instruments would have been better served by a bottom-up approach.

Other constraints to responses include the existing regional challenges of historical injustices pertaining to migration and the rights of transboundary

nationalities; conflict related to use, access and ownership of natural resources; and a lack of adequate infrastructural and economic development. Implementation of due diligence and supply-chain traceability standards, though laudable, again demonstrate a top-down approach, the results of which saw mineral exporters withdrawing from operations in the DRC, Burundi, and Uganda, and refiners and smelters opting out of purchasing from the region. The result was the greater weakening of economic development, with many losing their jobs and purchasing power. The challenge here is that worsening the poverty levels of an already vulnerable population will deepen socioeconomic disenfranchisement and possibly exacerbate the incidence of urban crime (Atta-Asamoah and Githaiga 2012: 2). This particular challenge leads directly to economic reconstruction, which, if these guidelines are to be successful, would have to be undertaken to ensure that existing economic woes are not exacerbated.

Migration and the rights of transboundary nationalities are key constraints that have presented themselves in the form of sectarianism within the Congo, forcing those who have not been integrated into communities to fend for themselves, often through illegal means. Matters of ethnicity are also significant in terms of migration as they have created tensions between countries in the Great Lakes region. We saw this in the DRC's support of foreign rebel groups whose refugee status in the DRC was primarily founded on ethnic exclusion from their respective countries. Within the Congo, Congolese Tutsis face such ostracism and have found a place in the war economy from which they derive greater rewards. Migration and the rights of transboundary nationalities, as challenges to conflict responses, pertain to democratisation, the absence of which has made a significant contribution to the start and perpetuation of the DRC conflict. Thus, minorities should be integrated into the DRC to moderate the threat that is their obsolescence.

## 7. Recommendations

Goodhand (in Broodryk and Solomon 2010: 11) breaks down the concept of war economy into three categories; the combat economy, the shadow economy and the coping economy. While these three economies overlap, Goodhand's categorisation simplifies the concept to clarify the different actors, and their distinct motives and activities during armed conflict. The combat economy is constituted by commanders, "conflict management entrepreneurs", fighters and weapons suppliers. Their stake in the war economy pertains to the maintenance of power, status and wealth, all of which are secured in the combat economy, through looting, asset stripping, aid manipulation, and legal or illegal taxation. Against this backdrop, peace will only be secured if alternative plans encompass viable strategies for livelihoods.

In a shadow economy, actors comprise businessmen, drug traffickers and profiteers, particularly in the field of diamond smuggling and illegal sale of commodities. Operating on the margins, the shadow economy brings together regional and international networks, which if peace is to be maintained, must be directly attacked. Distinct to this economy is its strong links with the shadow state, as it is shadow state actors that create the shadow economy (Broodryk and Solomon 2010: 11-12).

Finally, the coping economy encompasses the poor communities whose survival depends on subsistence or basic services. Any successful reconstruction strategy would have to prioritise job creation, humanitarian and rehabilitation aid, and overall provision of socio-economic rights (Broodryk and Solomon 2010: 12).

This paper recommends that in addressing the conflict in the DRC, these three categorisations of war economy are used as guidelines for appropriate strategies. This proposal is premised on the understanding that external intervention to a conflict must be multi-faceted. The viability of that strategy is that it consolidates structural and distributive approaches so that not only political discrepancies are addressed, but economic inequalities too (Solomon 2006: 229). The legitimacy of this strategy certainly was reinforced by the efforts made by the DRC government to standardise trade in minerals that then exacerbated the economic hardships of the already disadvantaged. While one of these categories of war economy could be deployed in isolation of the others, doing so might undermine the complexity of the context that is the DRC war economy.

## 7.1 Addressing the combat economy of the DRC

In addressing the combat economy, the authors reflect again on the failure of the Lusaka Ceasefire Agreement and Sun City Accord, as well as the proxy war that succeeded the official withdrawal of troops in the DRC following the peace accords. All of these efforts corroborate the need for viable alternatives for livelihood to be identified in conflict resolution. In that regard, this paper suggests that all parties concerned submit to a transitional period that obliges joint ownership of the resources in the Great Lakes region conditional upon the acceptance of well-articulated policy prescriptions that would guide the parties towards legitimising the revenue earned and re-investing it in other sustainable industries that would then mitigate their desire to resume the exploitation of the DRC at the conclusion of the transitional period. Hussein Solomon (2010: 224) offers 10 principles of best practice in conflict resolution and among them are the use of complementary rather than competitive approaches. A competitive approach would essentially result in the exclusion of external parties from the profits of the DRC's natural resource wealth, and while their involvement essentially erodes the DRC's

sovereignty and territorial integrity, this approach, as has been witnessed, would lead to the further exploitation of the DRC, to the country's greater detriment.

## 7.2 Addressing the shadow economy of the DRC

In attending to the shadow economy, the authors observe that international law is frail with regard to the Congo due to its non-binding nature. Despite President Kabila referring his country to the International Criminal Court (ICC) in 2004, a tacit impunity has undermined this commitment, as demonstrated in the non-implementation of the arrest warrant that the ICC issued against General Bosco Ntaganda for crimes committed in Ituri. Ntaganda lives and moves about freely in Goma, with the Congolese justifying their non-execution of the arrest warrant as in the interests of maintaining peace (Reyntjens 2015: 272). With this in mind, the authors recommend that legal developments be strongly redirected towards the domestic arena where laws adopted impose a greater obligation on the parties concerned. The non-implementation of UN resolutions is particularly troubling. In May 2016, the UN Security Council again highlighted how elements of the Congolese army are playing a key role in the looting of the DRC's natural resources. Despite this, the government in Kinshasa has taken no action. Similar the UN notes with concern that the DRC authorities have taken no action against those businesses involved in illicit gold exports. Similarly little action has been taken despite various UN Resolutions on the part of Rwanda, Tanzania, Burundi, Uganda or the United Arab Emirates from stopping their territory being used as an export market for illegal gold smuggled out of the DRC or as a transit point for such gold looted from the DRC (UNSC 2016: Internet). The various geopolitical calculations of state actors in the Great Lakes Region and the Southern African Development Community (SADC) also prevent decisive action from taking place to end the war economy in the DRC since these regional state actors are often allied to one or other party in the war-ravaged state. It is high time that the international community imposes penalties on such states for non-compliance.

Still, the existing legal mechanism can also be strengthened. With regard to the DRC specifically, direction may be taken from the Dodd-Frank Act as the first among many that states enforce in their own localities. Adherence to these laws is more likely because the parties who have a vested interest in the resources coming from the DRC are located in countries where the rule of law is well entrenched. Technology companies are a good example, as their operations, being largely in or associated with developed states, have lesser leeway to contravene the law.



### 7.3 Addressing the coping economy of the DRC

With regard to the coping economy, a multi-pronged approach becomes more relevant to allay the effects of responses targeting the combat as well as shadow economies. The sectarianism that has served as a destabilising factor to all the countries in the region must be addressed to ensure that efforts made can co-exist. Owing to the standardisation of the industry that would arise from the shadow economy, and the consequent economic degradation that has thus far been demonstrated, economic projects designed to bring together various ethnic groups as well as the integration of transboundary citizens, might be of valuable service.

## 8. Conclusion

In this paper, the war economy centred in the eastern regions of the DRC was examined to assess its contribution to the conflict in the Great Lakes region. The region was ascertained as a war economy. The intricacies of the war economy were laid bare, showing that countries along the Great Lakes region, especially Rwanda, have been benefiting from the exploitation of the resources of its neighbouring country. We examined peace efforts in response to the conflict and the challenges they encountered. Our assessment was that the efforts fell short and that greater care must be taken to accommodate distinctiveness and context. Even more relevant is the development of strategies that do not undermine each other.

We refer again to those responses to the DRC war economy that draw from those that would be better suited to peace economies. Peace efforts towards conflict situations are too often oriented towards enforcing the structure of an ideal state on to countries wrecked by conflict. This is a top-down approach. The case of the DRC illustrates well the invalidity of this approach as it neglects the underlying issues that characterise that country, which, if they are not identified and addressed, will fundamentally constrain peace processes. In this regard, the failure of the state apparatus, issues of migration and transboundary nationalities premised on ethnicity, and the weakness of infrastructural and economic developments are matters of particular concern. They should be addressed simultaneously so that efforts made in one area do not frustrate those made in others. Thus, while the reparation of political discrepancies is necessary, related strategies would undermine structural and distributive approaches if the implications of these approaches on each other are not adequately identified. This transpired in the DRC, where standardisation processes meant to legitimise the mineral industry exacerbated the poverty rates of the already disadvantaged. Repercussions

such as these must not be accommodated and greater care should be taken to constrain unfavourable overlaps.

The DRC must be taken and dealt with for what it is – a war economy. The parties involved have secured a dependency that will erode responses to the conflict for as long as the conflict exists. The feasibility of peace then requires an end justifies the means approach in which actors benefiting extra-legally from the wealth of the DRC will be aided in maintaining a good measure of the comfort that they currently enjoy, but within a legitimate context. The notion of territorial integrity and justice as is understood in Western dogma cannot dominate peace processes here, as the prevailing circumstances are not equipped to integrate them. Liberal peace processes can be applied in the wrong run, but conditions for their effective enforcement must first be instituted, until which time, the notion of 'liberal peace' as it is understood in the Western-dominated global political economy, must be redefined to meet the demands of a country that defies its jurisdiction.

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