

**WEAK STATES IN AFRICA—U.S. POLICY OPTIONS
IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

HEARING
BEFORE THE
SUBCOMMITTEE ON AFRICAN AFFAIRS
OF THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
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WEAK STATES IN AFRICA—U.S. POLICY OPTIONS IN THE DEMOCRATIC REPUBLIC OF THE CONGO

TUESDAY, APRIL 9, 2002

U.S. SENATE,
SUBCOMMITTEE ON AFRICAN AFFAIRS,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The subcommittee met at 2:31 p.m., in room SD-419, Dirksen Senate Office Building, Hon. Russell D. Feingold (chairman of the subcommittee), presiding.

Present: Senator Feingold.

Senator FEINGOLD. I will call this hearing to order. Good afternoon.

I want to thank all the witnesses for being here to testify at this hearing on “Weak States in Africa—U.S. Policy Options in the Democratic Republic of the Congo.” This is the second in a series of hearings that share two primary aims.

First, the subcommittee hopes to examine those characteristics of Africa’s weakest states that draw international criminal activity to the region, focusing on issues such as illicit air transport networks and trafficking in arms and gem stones and people.

Second, the subcommittee seeks to identify long-term policy options for changing the context in these states such that they are no longer as appealing to criminal opportunists.

Broadly, I am hoping that we can apply some of the lessons that have been learned from South Asia recently to the sub-Saharan context, lessons about the very serious consequences of disengagement and neglect while states collapse and institutions falter.

We began this series with a very useful hearing on Somalia, and today we proceed to the Democratic Republic of the Congo [DRC]. Of course, the situations of Somalia and the DRC are dramatically different. I hope that this subcommittee will go on to look at Liberia in this same broad context, and there too, the situation on the ground is distinct from other cases. In fact, the particulars of each case are part of the point I hope to make: we need to craft careful, nuanced, and long-term policies tailored to each situation if we are to avoid the prospect of sustained state failure.

Today I hope that we will hear from our witnesses about the prospects for international criminal activity to flourish in Central Africa and the relationship between this activity and Congo’s instability. We are also interested in a status report on the implementation of the Lusaka Accord, the MONUC mission, and the inter-Con-

golese dialog. What are the current obstacles to progress, and what steps can the United States take to help address these problems?

Finally and most importantly, we are seeking prescriptions for a long-term policy toward the DRC. What steps can the United States take to bolster a peaceful Congolese state? What kind of development plan will be required to give a peaceful Congo a chance at stability? How can a coherent, long-term DRC policy strengthen state capacity and curtail criminal opportunities within the DRC's borders? Even if the very ambitious goal of a national election is achieved in the Congo, how can we continue to work to shore up stability? As experience has shown, perhaps most recently in Nigeria, elections are not a finish line for policy aimed at improved governance, and they are certainly not guarantors of stability.

Finally and critically, is the United States currently devoting the appropriate level of attention and resources to this complex conflict at the heart of Africa? Are we making this urgent problem a priority and maximizing U.S. leverage to help stabilize the situation?

In late 1999, I traveled to 10 countries, including Angola, Namibia, South Africa, Zimbabwe, Zambia, Rwanda, Uganda, and Congo itself, in the company of then-U.S. Ambassador to the United Nations, Richard Holbrooke. We worked together to try to get the parties to the conflict to agree on a facilitator for the crucially important inter-Congolese dialog. The trip and the process of trying to unravel the situation and understand all of the interests at stake was unforgettable. And ever since, I have been trying to follow developments in Congo with deep concern, and I feel that calling attention to this situation is critically important. The spillover effects, criminal and otherwise, of sustained chaos in Congo are simply too serious to ignore.

I want to add one additional point. I am concerned that by focusing on the serious problem of weak and failing states in sub-Saharan Africa, the subcommittee, to a little degree, runs the risk of painting an inaccurately gloomy portrait of the region. I wish there were time to run a series of counterpoint hearings, focusing on the promise of states like Senegal, Ghana, Mozambique, and Botswana, and the ways in which the United States can help support all of the positive developments in these countries, as this is an equally important part of our policy in Africa. That is certainly a topic that I will continue to focus on in all my interactions with my colleagues and with the administration.

I also want to make it clear that even the difficult cases that are the focus of the current series are not hopeless situations. They are simply tough ones. In several cases, and in the case of Congo in particular, I actually think that there is a real opportunity for the United States to make a significant difference in terms of regional peace and stability and in terms of shutting down criminal networks and therefore bolstering our own security. And today I expect that we will hear more about some of the courageous and energetic Congolese individuals and organizations working to build a better future, living proof that there is reason to hope that Congo can recover and one day prosper.

So, I look forward to the testimony today, and when Senator Frist, the ranking member of the subcommittee, arrives, as he certainly intends to do, I will ask him to make some remarks.

I also want to mention that my friend Howard Wolpe is here in the audience. He traveled with us for part of that exciting trip in Africa. And I certainly do not mean to embarrass him, but it is good to see him. His knowledge and his expertise in this area were incredible, and it is good to see you. Thank you.

[The prepared statement of Senator Feingold follows:]

PREPARED STATEMENT OF SENATOR RUSSELL D. FEINGOLD

I want to thank all of the witnesses for being here to testify at this hearing on “Weak States in Africa—U.S. Policy Options in the Democratic Republic of the Congo.” This is the second in a series of hearings that share two primary aims. First, the subcommittee hopes to examine those characteristics of Africa’s weakest states that draw international criminal activity to the region, focusing on issues such as illicit air transport networks and trafficking in arms, gem stones, and even people. Second, the subcommittee seeks to identify long-term policy options for changing the context in these states such that they are no longer as appealing to criminal opportunists. Broadly, I am hoping that we can apply some of the lessons that have been drawn from South Asia recently to the sub-Saharan context—lessons about the very serious consequences of disengagement and neglect while states collapse and institutions falter.

We began with a very useful hearing on Somalia, and today we proceed to the Democratic Republic of the Congo. Of course the situations of Somalia and the DRC are dramatically different. I hope that this subcommittee will go on to look at Liberia in this same broad context, and there too, the situation on the ground is distinct from other cases. In fact, the particulars of each case are part of the point I hope to make—we need to craft careful, nuanced, and long-term policies tailored to each situation if we are to avoid the prospect of sustained state failure.

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In late 1999, I traveled to ten countries—including Angola, Namibia, South Africa, Zimbabwe, Zambia, Rwanda, Uganda, and Congo itself—in the company of then-U.S. Ambassador to the United Nations, Richard Holbrooke. We worked together to try to get the parties to the conflict to agree on a facilitator for the crucially important inter-Congolese dialog. The trip, and the process of trying to unravel the situation and understand all of the interests at stake, was unforgettable. Ever since, I have been following developments in Congo with deep concern, and I feel that calling attention to this situation is critically important. The spill-over effects, criminal and otherwise, of sustained chaos in Congo are simply too serious to be ignored.

I want to add one additional point. I am concerned that by focusing on the serious problem of weak and failing states in sub-Saharan Africa, the subcommittee runs the risk of painting an inaccurately gloomy portrait of the region. I wish that there were time to run a series of counterpoint hearings, focusing on the promise of states like Senegal, Ghana, Mozambique and Botswana, and the ways in which the United States can help support all of the positive developments in these countries, as this is an equally important part of our policy in Africa. That is certainly a topic that I will continue to focus on in all of my interactions with my colleagues and with the administration.

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opportunity for the United States to make a significant difference in terms of regional peace and stability—and in terms of shutting down criminal networks and therefore bolstering our own security. And today I expect that we will hear more about some of the courageous and energetic Congolese individuals and organizations working to build a better future—living proof that there is reason to hope that Congo can recover and one day prosper.

I look forward to the testimony today.

Senator FEINGOLD. Let me begin by hearing from our first panel from Mr. William Bellamy, currently the Acting Assistant Secretary of State for African Affairs, as Walter Kansteiner is away. Mr. Bellamy, thank you, and you may proceed.

STATEMENT OF WILLIAM BELLAMY, ACTING ASSISTANT SECRETARY OF STATE FOR AFRICAN AFFAIRS,¹ DEPARTMENT OF STATE, WASHINGTON, DC

Mr. BELLAMY. Chairman Feingold, members of the committee, thank you for inviting me to testify today on the situation in the Democratic Republic of the Congo, which is the scene of a complex and devastating war involving six nations, two Congolese rebel groups, local Congolese militias, and Rwandan and Burundian Hutu rebels.

The war has produced a major humanitarian crisis with some 2 million people displaced and an estimated 2.5 million deaths from war-related causes. Government and rebel troops have perpetrated gross abuses of human rights. The conflict has generated large refugee flows into neighboring countries, such as the Republic of Congo, and diverted scarce economic resources to military expenditures, particularly in the Congo, Rwanda, Uganda, and Zimbabwe.

The United States supports implementation of the Lusaka cease-fire agreement as the best means to achieve a just and stable peace in the region. The Lusaka agreement calls for a cease-fire, a national dialog leading to a new political dispensation, the disarmament and repatriation of armed groups in the Congo, and U.N. monitoring of the withdrawal of foreign troops.

Mr. Chairman, we are working with the parties to the Lusaka cease-fire agreement, the United Nations, the Organization of African Unity, our European allies, and key regional leaders to help implement this agreement.

President Bush met with President Kabila last fall to discuss ways to end the conflict. Secretary Powell has urged implementation of the agreement in meetings with Presidents Kabila and Kagame and other regional leaders.

I was in Kinshasa 2 weeks ago and reiterated to the Congolese Government the importance of finding a negotiated settlement to the conflict. Walter Kansteiner, Assistant Secretary for African Affairs, visited the Congo and Rwanda in January. In his discussions with Congolese President Kabila and Rwandan President Kagame, Mr. Kansteiner also urged both leaders to support the Lusaka cease-fire agreement. We will continue to make peace in the Great Lakes region a top priority of the administration.

Of the non-Congolese signatories to the agreement, only Rwanda and Zimbabwe retain significant numbers of forces in the Congo.

¹Mr. Bellamy is Principal Deputy Assistant Secretary for African Affairs. He was Acting Assistant Secretary during the absence of Assistant Secretary Walter Kansteiner.

A cease-fire among the signatories has mostly held, except in the eastern Congo. Fighting in the east involves, among others, Rwandan-backed Congolese rebels, local Congolese militia, the Rwandan Army, and Congolese-supported Burundian Hutu rebels.

We have provided \$2 million for the Joint Military Commission, a commission of the signatories to the Lusaka agreement, whose duties are to resolve military problems connected with the agreement, including cease-fire violations. We intend to notify Congress shortly that we will provide additional assistance in fiscal year 2002.

The inter-Congolese dialog is currently taking place in Sun City, South Africa. The participants include all the Congolese signatories to the Lusaka agreement, as well as representatives of Congolese opposition political parties and civil society. The United States has provided \$1.5 million to support the work of former Botswanan President Masire, who is the facilitator of the dialog.

We hope that when the meeting ends in Sun City this week, the participants will have charted a way forward to further negotiations and to a comprehensive and enduring settlement.

With regard to demobilization and disarmament, progress has been limited. We believe that a broad-based agreement between Presidents Kagame and Kabila will be necessary before any general demobilization and disarmament can occur. The Congolese Government continues to give some supplies to the Rwandan rebels and to anti-Rwandan militias, while the Rwandan Government continues its support to Congolese rebels in the eastern Congo.

In February 2000, the United Nations Security Council established the U.N. mission to the Congo, MONUC. Former President Laurent Kabila consistently blocked deployment of MONUC. Following his father's assassination in January, Joseph Kabila reversed this policy. MONUC now has deployed 3,688 observers in the Congo and has effectively monitored the cease-fire in accordance with its mandate.

In his February 15 report to the Security Council, Secretary General Kofi Annan recommended an increase in MONUC's troop ceiling from 5,537 to 6,387. The Secretary General said this increase is needed to support MONUC's deployment to Kisangani and Kindu in advance of a voluntary demobilization and disarmament program.

At this time, we do not see the need for an increase in the troop ceiling. However, if events on the ground should move forward, a more robust MONUC could be useful.

Mr. Chairman, in terms of humanitarian and development assistance to the Congo, the United States provided in fiscal year 2001 about \$98 million in assistance. That included \$6 million of developmental assistance. This aid was mostly directed at emergency food relief, including operation of humanitarian aircraft outside areas of government control, food security programs, and improved health services. We have also provided money for programs targeting refugees and internally displaced persons in the DRC.

We expect total U.S. assistance in fiscal year 2002 to the DRC to be about the same order of magnitude as last year. USAID's development assistance for fiscal year 2002 is estimated at about \$21 million. Projects will concentrate on improving primary health care

services in rural areas, increasing immunization coverage, combating HIV/AIDS and malaria, enhancing food security, promoting a peaceful transition process, and protecting the environment.

With regard to international crime and terrorism in the DRC, we do not have hard evidence of links between groups operating out of the Congo and international terrorism. However, both the war and the lack of an effective central government create an environment that is conducive to international crime. The Congo is rife in illegal trade in mineral wealth and arms. The foreign armies and rebel groups in the Congo steal diamonds, coltan, gold, and timber and use the proceeds to finance the war and line the pockets of government officials and army officers.

Moreover, the Congolese Government grants concessions to its allies, most notably Zimbabwe, in order to win their military support. The Congolese Government has conceded to the Zimbabweans the right to set up commercial ventures to explore, research, exploit, and market mineral, timber, and other resources. Zimbabwean troops provide the military muscle to secure these commercial activities. Top Congolese officials also have personal financial interests in these concessions to the Zimbabweans.

In summary, let me just reiterate, Mr. Chairman, that the United States has a strong interest in bringing a lasting peace to the Congo. We must use our influence to guide the belligerents to a political agreement. The Congolese people deserve stability, good government, and economic prosperity. I believe they have the ability to achieve this, and the international community has a duty to help them do so.

Thank you very much.

[The prepared statement of Mr. Bellamy follows:]

PREPARED STATEMENT OF WILLIAM BELLAMY, PRINCIPAL DEPUTY ASSISTANT
SECRETARY OF STATE FOR AFRICAN AFFAIRS

INTRODUCTION

Chairman Feingold, Members of the Committee:

Thank you for inviting me to testify today on the situation in the Democratic Republic of the Congo (DRC), the scene of a complex and devastating war involving six nations, two Congolese rebel groups, local Congolese militias, and Rwandan and Burundian Hutu rebels. The war has caused a tremendous loss of life, property, and economic development opportunities in a potentially rich country.

The central African conflict has produced a major humanitarian crisis with some two million people displaced and an estimated 2.5 million deaths from war-related causes. Government and rebel troops have perpetrated gross abuses of human rights. The conflict has generated large refugee flows into neighboring countries, such as the Republic of Congo, and diverted scarce economic resources to military expenditures, particularly in the Congo, Rwanda, Uganda and Zimbabwe.

U.S. INTERESTS

U.S. interests are to:

- 1) End the conflict;
- 2) Restore stability in the Great Lakes region;
- 3) Ameliorate the humanitarian and HIV/AIDS crises;
- 4) Promote a democratic government and respect for human rights;
- 5) Promote economic development and reform.

THE LUSAKA CEASE-FIRE AGREEMENT

The U.S. supports implementation of the Lusaka Cease-Fire Agreement as the best means to achieve a just and stable peace in the region. The Agreement—signed in 1999 by the Congo, Rwanda, Angola, Namibia, Rwanda, Zimbabwe, and the Con-

golese rebel groups known as the Congolese Liberation Movement (MLC) and the Congolese Rally for Democracy (RCD)—provides a framework for resolution of the DRC conflict. It calls for a cease-fire, a national dialogue leading to a new political dispensation, the disarmament and repatriation of armed groups in the Congo, and UN monitoring of the withdrawal of foreign troops.

Mr. Chairman, we are working with the parties to the Lusaka Cease-Fire Agreement, the United Nations, the Organization of African Unity, our European allies and key regional leaders to help implement this agreement.

President Bush met with President Kabila last fall to discuss ways to end the conflict. Secretary Powell has urged implementation of the agreement in meetings with Presidents Kabila and Kagame and other regional leaders.

I was in Kinshasa two weeks ago and reiterated to the Congolese government the importance of finding a negotiated settlement to the conflict. Walter Kansteiner, Assistant Secretary for African Affairs, visited the Congo and Rwanda in January. In his discussions with Congolese President Joseph Kabila and Rwandan President Paul Kagame, Mr. Kansteiner also urged both leaders to support the Lusaka Cease-Fire Agreement. We will continue to make peace in the Great Lakes region a top priority for the Administration.

Cease-Fire

Of the non-Congolese signatories, only Rwanda and Zimbabwe retain significant numbers of forces in the Congo. A cease-fire among the signatories to the Lusaka Agreement has mostly held, except in eastern Congo. Fighting in the East involves, among others, Rwandan-backed Congolese rebels, Congolese-backed Rwandan rebels, local Congolese militia, the Rwandan Army, and Congolese supported Burundian Hutu rebels.

We have provided two million dollars for the Joint Military Commission, a commission of the signatories to the Lusaka Agreement whose duties are to resolve military problems connected with the Agreement, including cease-fire violations. We intend to notify Congress shortly that we will provide additional assistance in FY '02.

The Inter-Congolese Dialogue

The Inter-Congolese Dialogue is currently taking place in Sun City, South Africa. The participants include all the Congolese signatories to the Lusaka agreement, as well as representatives of Congolese opposition political parties and Congolese civil society. The United States has provided \$1.5 million to support the work of former Botswana President Ketumile Masire, the facilitator of the Dialogue.

We are pleased that the talks in Sun City have occurred and hope that when the meeting ends this week, the participants will have charted the way forward to further negotiations and to a comprehensive and enduring political settlement.

At the same time, we believe that to end the war, meaningful demobilization and disarmament of militias and rebel groups—most importantly of Rwandan Hutu rebels—and a cessation of foreign support to Congolese rebels must occur.

Demobilization and Disarmament

Progress on demobilization and disarmament has been limited. We believe that a broad-based agreement between Presidents Kagame and Kabila will be necessary before any general demobilization and disarmament can occur. The Congolese Government continues to give some supplies to the Rwandan rebels and the Congolese Mai-Mai militia, while the Rwandan Government continues its support to Congolese rebels and its occupation of most of Eastern Congo. Both countries are reluctant to make the first move in fear that the other threatens their national security.

The UN Observer Mission for the Congo

The UN Security Council established in February 2000 a United Nations Mission in the Congo (MONUC). Former President Laurent Kabila consistently blocked deployment of MONUC. Following his father's assassination in January, Joseph Kabila reversed this policy. MONUC has now deployed 3,688 observers in the Congo and has effectively monitored the cease-fire line in accordance with its mandate.

In his February 15 report to the Security Council, Secretary General Kofi Annan recommended an increase in MONUC's troop ceiling from 5,537 to 6,387. The Secretary General said this increase is needed to support MONUC's deployment to Kisangani and Kindu in advance of a voluntary demobilization and disarmament program.

At this time we do not see the need for an increase in the troop ceiling. However, if events on the ground should move forward, a more robust MONUC could be useful. For example, an agreement among the Congolese parties over an interim government or a complete or partial withdrawal of foreign troops, could yield opportuni-

ties for demobilization and disarmament of irregular forces and the need for monitoring the withdrawal of foreign forces in larger areas of the Congo.

HUMANITARIAN ASSISTANCE

The United States provided about \$98 million in humanitarian assistance to the Congo in FY 2001. This aid was mostly directed at emergency food relief, including operation of humanitarian aircraft outside areas of government control, food security programs, and improving health services. We have also provided money for programs targeting refugees and internally displaced persons in the DRC. We expect total U.S. assistance in FY02 for the DRC to be about the same as last year.

USAID's Development Assistance for FY 2002 is estimated at \$21 million. Projects will concentrate on improving primary health care services in rural areas, increasing immunization coverage, combating HIV/AIDS and malaria, enhancing food security, promoting a peaceful transition process, and protecting the environment.

The cease-fire has created an increased opportunity for humanitarian assistance to reach previously isolated populations. Nonetheless, the war continues to restrict aid organizations and normal economic activity. As a result, the condition of Congolese civilians, especially in the East, remains truly horrific.

INTERNATIONAL CRIME AND TERRORISM IN THE DRC

We do not have any hard evidence of links between groups operating out of the Congo and international terrorism. However, the United States has an interest in a just and strong Congolese Government that can contribute to the war on terrorism.

Both the war and the lack of an effective central government create an environment that is conducive to international crime. The Congo is rife in illegal trade in mineral wealth and arms. The foreign armies and rebel groups in the Congo steal diamonds, coltan, gold, and timber and use the proceeds to finance the war and line the pockets of government officials and army officers.

Moreover, the Congolese Government grants concessions to its allies—most notably Zimbabwe—in order to win their military support. The Congolese Government has conceded to the Zimbabweans the right to set up commercial ventures to explore, research, exploit, and market mineral, timber, and other resources. Zimbabwean troops provide the military muscle to secure these commercial activities. Top Congolese officials also have personal financial interests in these concessions to the Zimbabweans.

The Congolese Government lacks the ability to control trade in these minerals or to set up a legal buying system that offers attractive prices to buyers. As a result, dealers take the goods over international borders, wherever they perceive they will get the best price. The Congolese Government liberalized the legal diamond trade in April 2001, which may help steer more diamonds through legal channels. Nonetheless, smuggling in diamonds and other Congolese natural resources will continue to be a problem.

A FEW FINAL THOUGHTS

In summary, let me just reiterate, Mr. Chairman, that the United States has a strong interest in bringing a lasting peace to the Congo. We must use our influence to guide the belligerents to a political agreement. The Congolese people deserve stability, good governance, and economic prosperity. I believe they have the ability to achieve this, and the international community has a duty to help them do so.

Senator FEINGOLD. Thank you very much, Mr. Bellamy. I will begin with some questions for you.

At a recent hearing that this subcommittee held regarding Somalia, I was really kind of appalled to discover how little we know about the situation on the ground there and the key players. It is always difficult to gather solid intelligence about a situation that is so insecure and remote. You sort of alluded to this already in your remarks, but I would like you to say a little bit more, to the extent that you can in an open format, about the degree to which the United States really has an understanding of what is going on inside Congo's borders.

Mr. BELLAMY. Mr. Chairman, you are quite correct in pointing out the difficulty of developing reliable intelligence, reliable information from an area as vast and conflicted as the Congo. I think it is safe to say that we have a number of means at our disposal. We have a very capable and a very active embassy on the ground in Kinshasa, headed by a senior and experienced ambassador. Our embassy personnel, to the extent that they can, travel outside Kinshasa, and we have an active program in country of information gathering.

But clearly, there are still large gaps in our data base. We have only an imperfect knowledge of the military situation in the remote north and eastern areas of the Congo. We have spotty coverage of those areas, and we are often forced to rely, particularly when it comes to assessing potential terrorist and criminal threats, on secondhand reports. So, it is not a completely satisfactory situation from an information gathering standpoint.

Senator FEINGOLD. Thank you.

The Army for the Liberation of Rwanda, or AliR, is designated on the terrorist exclusion list of the United States Patriot Act. Is the Congolese Government in Kinshasa providing support to this organization? And if so, what are the implications of that activity for our Government's relationship with the Kabila Government?

Mr. BELLAMY. The AliR organization is a matter of great concern to us, along with a number of other armed formations fighting in the eastern Congo. There have been credible reports of government support to those organizations, including AliR. We have, on a number of occasions, made it very clear to the government in Kinshasa that that sort of support ought to cease. We think that, in the context of an overall understanding or settlement between President Kabila, the government in Kinshasa, and President Kagame and the government in Rwanda, the issue of support to AliR and other armed movements has to be very much at the top of the agenda.

Senator FEINGOLD. Thank you.

Sometimes press reports have surfaced about a North Korean presence in Congo. To the extent you can, what can you tell us about those reports in this setting?

Mr. BELLAMY. To be quite honest, Mr. Chairman, I do not have information with me concerning a North Korean presence in the Congo. I do not, in fact, recall specific reports, but I will be happy to look into that.

[The following information was subsequently supplied.]

NORTH KOREA PRESENCE IN THE CONGO

Chairman Feingold, at the subcommittee's hearing on the Congo on April 9, you noted press reports about a North Korean presence in the Congo and asked me to comment on those reports. I said I did not recall specific reports concerning North Koreans in the Congo, but promised to research this issue further. I have since looked into the issue. I am prepared to discuss details with you and other subcommittee members in closed session.

Senator FEINGOLD. Thank you.

Let me return to the previous question for a second and ask you if Mr. Kabila has responded to our exhortations to stop support to AliR.

Mr. BELLAMY. President Kabila, without necessarily acknowledging that the government in Kinshasa may be supplying rebel groups in the east, has on a number of occasions expressed an interest in sponsoring investigations of alleged supply to rebel formations in the east, suggesting that a commission be established by the United Nations for this purpose. He has been, I believe, responsive when we have discussed with him the need to end any such assistance, should it be occurring in the context of a settlement with Rwanda.

Senator FEINGOLD. Let us talk a bit about the conflict diamonds problem. What role do the so-called conflict diamonds play in the DRC conflict and what steps is the United States taking to address the problem in Congo?

Also, specifically I would like you to comment on reports that al-Qaeda and other terrorist organizations have used diamonds purchased in DRC to hide assets and increase their resource base. We have been tracking reports in this regard, as well as reports about Sierra Leone and other places. It would be very helpful if you could comment on that.

Mr. BELLAMY. Mr. Chairman, there is no doubt whatsoever that conflict diamonds have played a large role in fueling this conflict. Diamonds are perhaps the most spectacular but not the only resources that are being stripped from Congo. I think it is fair to say that we are never going to be able to break this cycle of arms being used to seize resources, which then are being used to purchase more arms, which are being used to seize more resources until we are able to bring peace to the country and enable the government in Kinshasa to extend its effective control over all of its territory.

With regard to al-Qaeda, we do not have specific indications, Mr. Chairman, of al-Qaeda operating in the Congo or profiting from diamonds being drawn out of the Congo. I cannot exclude that as a hypothesis or as a possibility, but I do not have specific indications that that sort of activity is occurring.

Senator FEINGOLD. Let me ask you again. Perhaps you answered it. But what exact steps is the United States taking to address the conflict diamonds problem in Congo?

Mr. BELLAMY. Well, aside from the larger goal of working to promote a peaceful settlement and to end the conflict in the Congo, which is the ultimate solution, we are also very actively supporting the Kimberley process, a worldwide process whereby certificates of origin will be issued and the diamond trade will be better regulated at its source.

Senator FEINGOLD. Thank you.

You mentioned arms. I wonder if you can comment on arms trafficking in Congo. I took notice of the recent press reports regarding Victor Bout's arms trafficking network and its role in the diamonds for arms transactions in the Congo. Could you say a little bit more about how these networks operate and is there any capacity to monitor or track their activities?

Mr. BELLAMY. Mr. Chairman, it is clear to us and I think clear to most observers in the Congo, that the Congo is, indeed, a very fertile area for illicit arms trafficking. You mentioned Victor Bout. He is well known and perhaps the most notorious of the arms traf-

fickers operating in Central Africa. No doubt there are others as well.

Yes, we do have some capacity for tracking the movements and the activities of some of these arms traffickers. We rely heavily on information sharing with other governments, with friendly governments, who share our concerns, and where it is possible, we seek to undertake or encourage others to undertake law enforcement actions, where laws have been broken, to curtail this form of activity. It is not an easy intelligence target, but we do devote resources to it. We do not have a complete picture, but we have enough of a picture to know that this is a major problem in the Congo.

Senator FEINGOLD. Of course, one of the problems with this kind of an issue is the long borders not only of Congo, but of so many of the African countries. Of course, we are having the same problems here in the United States.

Mr. BELLAMY. We do.

Senator FEINGOLD. So, this is a subject that comes up much more frequently than it has in the past, but in particular, considering the Congo, what kind of border security is possible for a vast, centrally located country like Congo, and what, if anything, can the international community do to help?

Mr. BELLAMY. Well, obviously border security in an area as vast as the DRC is at this point only an aspiration or a hope or an ambition.

The first thing that has to happen clearly is that the Congo and its neighbors have to come to a mutual understanding and recognition that they are all better off with secure borders than they are allowing groups to operate across those borders and allowing those borders to be porous. There needs to be a clear regional understanding about the sanctity and the importance of borders.

But beyond that, the government in Kinshasa needs to be able to develop the means to extend control over its territory. And part of the answer to that question, quite frankly, Mr. Chairman, probably not in the too far distant future, will be the eventual formation of an army in the Congo. President Kabila is handicapped to a certain extent by the lack of a professional or competent army or armed forces, hence the requirement that he rely on foreign forces or on ill-disciplined and poorly trained and often unpaid militia and rebel groups. So, at some point in this equation, it will be important that a professional army be formed in the Congo that is capable of making progress in terms of defending the borders.

Senator FEINGOLD. Mr. Bellamy, you of course have talked about the fact that the Lusaka Accord calls for the withdrawal of all foreign forces from Congo. I believe you said that has been achieved except with regard to Zimbabwe and Rwanda. Is that what you said? In large part?

Mr. BELLAMY. In large part. There remain Angolan forces. A small number of Angolan forces are still deployed, I believe, in the Congo. There are some Ugandan forces that are still there. But both of those nations have withdrawn sizable contingents from the Congo. The large foreign contingents remaining are Rwandan and Zimbabwean.

Senator FEINGOLD. In those two cases, is the potential domestic problem presented by demobilization a significant factor in dis-

suading them from withdrawing their forces, or would you not rank that as a significant reason?

Mr. BELLAMY. Mr. Chairman, it may well be. It is not a suitable excuse, clearly, for keeping their forces in the Congo, but it is often alleged that returning those forces either to Rwanda or Zimbabwe could pose some political problems for those governments' leadership. But I think that we, in terms of pursuing our policy, simply have to insist that that is obviously not an adequate reason for maintaining their forces in the Congo.

Senator FEINGOLD. Have we offered to help them with demobilization? Have we thought about that?

Mr. BELLAMY. The demobilization issue, to be quite honest, has not to this point focused on demobilizing regular troops. Zimbabwe, for its part, has not proposed demobilizing any of its regular armed forces that are present in Congo. In the Rwandan case, I do not believe this issue has specifically come up, Mr. Chairman, of actually demobilizing regular Rwandan forces who might be returning from the Congo. But it is an idea certainly that has some merit and may be worth pursuing.

Senator FEINGOLD. I hope it will be, as appropriate, pursued so that we can find out if it is merely a justification that is not the real story or whether we really could facilitate that.

The Lusaka agreement calls for the disarmament of the armed factions or negative forces operating in the DRC. What has been done in that regard and what role will MONUC play in the disarmament of negative forces?

Mr. BELLAMY. MONUC's role, Mr. Chairman, is to facilitate and to assist the parties in achieving disarmament and demobilization. MONUC is charged with drawing up a game plan for disarmament and demobilization, and I understand that that game plan, that report, is in the process of being prepared and should be ready shortly. MONUC has undertaken a number of forward deployments to be in a position to assist with demobilization and disarmament, but the reality is that there has not been, up to this point, sufficient political will at the higher levels in our view to begin to spark a serious disarmament and demobilization process.

We have a particular case of 1,500 Hutu fighters, ex-Rwandan armed forces or Interahamwe, who are cantoned in the town of Kamina. This is an obvious target group for demobilization and eventual repatriation to Rwanda. Some considerable effort has been spent in trying to focus on that group as an initial tranche of returnees to Rwanda to demonstrate that, in fact, disarmament and demobilization can work.

Senator FEINGOLD. Is that just an example of the efforts that are being made, or are there efforts being made in general to achieve this? Is there really a plan for getting this done?

Mr. BELLAMY. The U.N. is working on a plan for demobilization and disarmament. In Rwanda itself, which will be the destination of the largest number of disarmed fighters, there is a repatriation program underway. There clearly is a willingness on the part of Rwandan Government to accept returned fighters and to, in one way or another, reintegrate them into Rwandan society.

Now, this has happened largely as a result of Rwandan forces surrendering, not through an organized disarmament and demobili-

zation program, but by soldiers who have surrendered, who have laid down their arms involuntarily or otherwise gone back to Rwanda. They have gone through a reintegration process that suggests to us that Rwanda is willing to undertake reintegration if the soldiers can be returned to them.

Senator FEINGOLD. That helps me with those who have shown some willingness to voluntarily do this.

What is the plan for those who are not voluntarily willing to disarm?

Mr. BELLAMY. I think, Mr. Chairman, our plan has to focus on generating the political understanding and will at the senior levels, the political will at the senior levels to begin a real process of disarmament. We do not expect the fighters in the field to voluntarily lay down their weapons or to come in from the bush without clear indications from their leaders that this is what is expected of them and this is what they want them to do.

So, the answer I believe to your question, Mr. Chairman, is that is a redoubling of our efforts principally with President Kabila and President Kagame to encourage them to embark on perhaps a series of mutually reinforcing confidence building measures, reciprocal gestures, whereby the two parties will work toward a more comprehensive disarmament and demobilization and repatriation program.

Senator FEINGOLD. Thank you for that answer.

I want to return once again to the question of the Kabila government's relationship to AliR. Has the Kabila government shown any willingness to turn over individuals wanted by the ICTR, and has the Kabila government been asked to do so?

Mr. BELLAMY. Speaking just on behalf of the U.S. Government—and I cannot speak on behalf of the U.N. or others in the conversations they may have had with President Kabila—we have discussed these issues with President Kabila. While I think it is correct to say he has not formally agreed to hand over individuals to the ICTR, and we have not made detailed or formal requests, I believe there is a willingness and a readiness on his part to consider taking steps along these lines. But, again, this likely would be in the context of perhaps a series of confidence building measures vis-à-vis Rwanda.

Senator FEINGOLD. I appreciate that. That is going to be an ongoing interest of mine. I think it is consistent with policies that our President has indicated that I think should apply in this situation as well.

Obviously, working on Africa, one of the challenging—it is sometimes fascinating, but always challenging—things is the interrelationship of the political situations in other countries to the country you are focusing on. So, I am wondering if you could talk a little bit about the effect, if any, of a couple of the recent developments, one being the cease-fire agreement and peace process in Angola. What effect will that have in the situation in Congo? And will Zimbabwe's recent election affect Harare's policy in Congo?

Mr. BELLAMY. Mr. Chairman, it is clear that one of the major reasons, if not the major reason, for Angola's involvement in Congo was its concern that the Congo was being used by UNITA as a staging area and as a rear base. With the cease-fire process gath-

ering momentum and with most of the indications in Angola being very positive, the main reason for Angola's involvement in the Congo is diminishing.

At the same time, we recognize—and I think the U.N. and others in their reports on the Congo have recognized—that the Angolan role in Congo has been somewhat different than that than most of the other external players. We do not really see much evidence of Angolan exploitation of Congolese resources in the same way that this has occurred with the Zimbabwean and the Rwandan presence. We have also seen a willingness on the part of the Angolans to gradually draw down their forces. So, I think there is a real possibility that Angola may be headed toward a complete withdrawal in the Congo, although I cannot say for sure.

It may also be that a continued Angolan presence in the Congo of one kind or another could play a positive and stabilizing role, given their behavior up to this point. I think it is important to keep an open mind on that score.

With regard to the Zimbabwean presence, when I was in Congo a couple of weeks ago, we had credible reports that Zimbabwe was planning to withdraw about half its forces in the Congo. Now, we have had such reports before. They have turned out to be unfounded. There have been rotations of Zimbabwean forces but no large-scale drawdown.

I do not believe that political events in Zimbabwe itself, including the failed election, are going to have an impact on the Zimbabwean deployments in the Congo. I think the determination is likely to be that Zimbabwean forces there are providing an important source of off-line revenue for the Government of Zimbabwe. Whatever calculations may be made in Harare about force levels in the Congo, I do not think it will be based on political events at home.

Senator FEINGOLD. Thank you for that answer.

Many observers have suggested that one of the greatest obstacles to peace is the distrust between Joseph Kabila and Rwandan President Paul Kagame. What role can the United States play in terms of trying to build confidence between Kinshasa and Kigali?

Mr. BELLAMY. I think that observation, Mr. Chairman, is absolutely accurate. Shortly after he came into office after his father's assassination, Joseph Kabila visited the United States and met with Secretary Powell, President Kagame happened to be here at the same time as Kibila. The two leaders took the opportunity to meet here in the United States and they have met on subsequent occasions. But it is clear that there is not a good chemistry between these two leaders. They have not been able to reach a mutual understanding, much less an agreement on ways forward, to end this conflict.

We have given some thought to this. We believe that that is a very important relationship in terms of breaking the current deadlock in the Congo. We think that there are a number of measures that can perhaps be put on the table, discussed, combined, and sequenced in the right way so that if the two were able to see perhaps a series of reciprocal confidence building measures, it might be possible to start a dialog and to generate some momentum. So, we are actively looking at ways that we can put some of these ideas

on the table and see if we cannot draw the two leaders into a more productive discussion.

Senator FEINGOLD. I am pleased to hear that. I want to know what it will take to address Rwanda's security concerns and thereby eliminate the justification for the Rwandan presence in the Congo. In these conversations that you referred to, has the United States really received clear information from the Kagame government about their bottom line needs? And do you really think they intend to leave? And do you think we need to put more pressure on Rwanda?

Mr. BELLAMY. I think the government in Rwanda has always said that it will leave when its security concerns in the Congo are adequately addressed. It has always said too that it will be the sole determinant of when its security concerns have adequately been addressed. There are skeptics and critics of Rwanda that do not accept that. They believe that the Rwandans are there for other reasons and have other criteria.

I think simply that it is time again to test both sides, and I think that there are a number of ways that that could probably be done.

Senator FEINGOLD. Very good. You have been patient in answering many questions. I have many more, but that was very helpful.

Senator Frist is not going to be able to make it to the hearing, but I want to say very clearly that he has been incredibly devoted to these issues and has a strong interest and has put great time into it. He is involved in matters relating to the cloning debate, and frankly I am glad I am here rather than trying to deal with that.

So, thank you very much, Mr. Bellamy.

Mr. BELLAMY. Thank you, Mr. Chairman.

Senator FEINGOLD. We will move to the next panel. Will the second panel please come forward? Thank you.

We have an excellent panel here before us today. Ms. Fabienne Hara is the co-director of the Africa Program at the International Crisis Group. She is currently based in Brussels but previously worked for the ICG in Nairobi and Burundi. She previously served as the project director for the Great Lakes Project of the Council on Foreign Relations, Center for Preventative Action, and she has worked with Doctors Without Borders, the United Nations High Commissioner for Refugees, and the French Foreign Ministry.

Mr. Learned Dees is currently program officer for Africa at the National Endowment for Democracy where he works to assess and monitor projects supporting nongovernmental organizations. Before coming to the endowment, Mr. Dees worked as a journalist in Africa filing stories for NPR, BBC, and VOA from Kinshasa. Earlier he served as a Peace Corps volunteer in rural Zaire.

Ms. Anne Edgerton is an advocate with Refugees International for whom she has covered conflicts in the Horn as well as the Great Lakes region of Africa. She brings 10 years' experience in international nongovernmental organization management, as well as program management experience in international emergency coordination and humanitarian assistance in the Great Lakes.

I want to thank all of you for being here today. What we will do is hear from all of the witnesses and then I will have an opportunity to ask you some questions. Ms. Hara, would you please begin with your testimony.

STATEMENT OF FABIENNE HARA, AFRICA PROJECT CO-DIRECTOR, INTERNATIONAL CRISIS GROUP, BRUSSELS, BELGIUM

Ms. HARA. Thank you, Mr. Chairman, and thank you very much for inviting me here to testify on behalf of the International Crisis Group. I have just returned from Rwanda and Burundi. Over the 7 years that I have been working on Central Africa, I have lived there for 3 years, visited the Democratic Republic of Congo dozens of times, and met several times with President Joseph Kabila of the DRC and repeatedly with President Pierre Buyoya of Burundi. I am also in direct contact with most of the rebel groups in the region.

After 4 years of war, the DRC has become one of Africa's most fertile grounds for criminal economic activities. It is a humanitarian catastrophe of staggering proportions, a distortion to the governments of the DRC's neighbors, and a major threat to African stability. At a time where the United States is so focused on the roots and effects of international disorder and terrorism, the DRC demands a much higher place on the U.S. agenda.

The presence of armed insurgencies, including perpetrators of the Rwandan genocide, on the DRC's territory, has already led to two wars: the first in 1996 and 1997 that led to the overthrow of President Mobutu; the second which began in 1998 and continues today. The result has been a 3½-year occupation of the DRC territory by six foreign armies, the partition of Congo into three separately administered territories, and the death of more than 2 million people, mostly civilians, from war, famine and disease.

Despite the halt of the conventional war since the signing of the Lusaka cease-fire agreement in 1999, and a series of high level contacts since then, Angola, Zimbabwe, Rwanda, Uganda, and Burundi are still occupying the DRC and have so far failed to agree on a timeframe for their departure. Rwanda and Zimbabwe still have massive troop deployments in the DRC.

In effect, the fighting has shifted to eastern Congo where Rwandan and Burundian Governments continue to battle their own rebels on Congolese soil and the Kinshasa Government continues to support those rebel groups. In the Kivus region of eastern Congo, military operations by the Rwandan Army, as well as attacks by Rwandan, Burundian, and Congolese armed groups, are currently being carried out. The Rwandan-backed rebel group, RCD-Goma [Congolese Rally for Democracy], recently launched an offensive on the town of Moliro. RCD-Goma and Rwandan troop movements in Katanga province have, in turn, put Zimbabwean and Angolan troops on alert. All these unsettling developments have resurrected the threat of a possible resumption of war. As a matter of fact, today MONUC reported that there is a high concentration of troops in Katanga.

In the meantime, the war has contributed to the complete collapse of state authority across the DRC. This has led to the destruction of economic infrastructure and generated predatory behavior from the occupying armies and factions, as well as from regional and international corporations. The violence committed by multiple armed factions and the generalized communal division and hostility have encouraged the emergence of warlords and illegal trade networks of diamonds, minerals, arms, and drugs, as doc-

umented by the U.N. panel reports on the illegal exploitation of DRC natural resources.

The bigger war has aggravated several local sub-conflicts, particularly in eastern Congo, leading to destruction of local authority, inter-ethnic killings, the fragmentation of rebel groups, and new tensions between Rwanda and Uganda. New local groups have recently challenged the RCD and the Rwandan occupation forces in the Kivus. As inter-ethnic fighting continues, the fragmentation of the country increases and there will be a need for local reconciliation processes parallel to any national agreement.

Now, I am going to focus the rest of the presentation on the peace process.

The Lusaka agreement, as was already mentioned, mandated a three-part interlocking process: disarming the non-Congolese armed groups, the withdrawal of foreign forces, and inter-Congolese dialog. None of these steps is proceeding smoothly.

The Rwanda Hutu militias remain a fundamental stumbling block to peace. All sides have acknowledged that they must be disarmed, demobilized, repatriated to Rwanda, reintegrated and resettled there or in a third country. To move the process forward, all the latest U.N. resolutions on the DRC conflict have mentioned the necessity of a direct dialog between President Kabila and Rwandan President Kagame. However, despite several meetings between the two Presidents, no agreement has been reached and there have been no institutional followup. The talks failed mainly because of the lack of trust and intransigence of the belligerents and the lack of a sustained, single mediation process between the two leadership. Rwanda still accuses the DRC of harboring and supporting the Hutu militias and refuses to withdraw until a new government is established that can disarm these groups. The DRC government has acknowledged the presence of the Hutu fighters on its territory, but has not been able to demonstrate that total support to these groups has stopped.

The U.N. observer mission, MONUC, has 55 military observer teams deployed, but its so-called phase III deployment to the east in Kindu and Kisangani has been delayed mainly due to RCD-Goma and Rwandan opposition. As a result, voluntary operations of disarmament have not yet started. MONUC has finally produced an assessment of the number and strength of armed groups, which is the first step to establishing DDRRR programs. Eventually the MONUC presence will include 2000 troops in the east for DDRRR and a deployment to fill the security gaps when Kisangani, the third largest city in the DRC, is demilitarized.

On the political side, the inter-Congolese dialog is intended to prepare for a new political dispensation that would rebuild national Congolese institutions and create the conditions for restoration of full sovereignty and territorial integrity. The inter-Congolese dialog is currently taking place in Sun City in South Africa, but it is deadlocked. The first obstacle to progress is a dispute over the status of President Joseph Kabila and on the principles of a constitutional transition. The rebels and part of the civilian opposition, backed by Rwanda and Uganda, insist that a new President be appointed in Sun City for the transition period. President Kabila and his backers have agreed in principle to share power with the rebels,

but they would exempt the Presidency and key security institutions, and insist that the rebels first return territories under their control to the Kinshasa administration. The second contentious issue is the format of the security forces. The government proposes that the rebel armies be integrated in the Congolese Armed Forces, while the rebels want to see the creation of a completely new national army and claim its high command.

The deadlock in the dialog can be explained by two factors: first, neither side has won the war and can impose a solution; and neither feels that its situation is hopeless and that it must now compromise. Second, the states that have intervened in the Congo have all unsatisfied political, security, and economic needs that have not been satisfied and they do not want to see a strong and legitimate regime emerge in Kinshasa, which could jeopardize these interests. Many neighboring governments have actually grown dependent on the economic benefits of their presence in the DRC, while the security concerns that began the conflict over Rwandan genocidaires have not been resolved.

The scenario that is now emerging in Sun City is a source of concern. There seems to be a deal emerging between Kabila and one of the rebel groups, the MLC, the unarmed opposition and civil society. This deal would marginalize the RCD-Goma. There are already signs that RCD-Goma is splitting. If this deal materializes in isolation of the hard core of RCD-Goma and of Rwanda, then there are two risks. The first risk is that Rwanda will resume war in Katanga, and then the second risk is that the new government will bring a number of individuals together in a Mobutu type of regime.

Because the stalemate is so dangerous for Africa as a whole, it is time for the U.S. Government to reverse its approach on the DRC. Rather than exclusively focusing on the needs of external actors, the starting point should be to make the Congolese state self-sustaining, giving the Congolese themselves the strength to better carry out their obligations to protect their own citizens and to ensure border security with the neighbor countries. This means again that Congo will have to be governed in a very different way than it has been. Both Mobutu and Laurent Kabila ruled with little interest in building domestic institutions and heavy reliance on foreign military support.

First, in the short term, the U.S. Government should immediately consult with France, the U.K., Belgium, and South Africa and build support for a two-step process in order to make the inter-Congolese dialog successful.

The first step should be to press the participants to produce a framework agreement on a transitional constitution and administrative reconstruction of the government, as well as a basic program for the transition period before the end of the Sun City session. The future transitional government must commit to the proper policing of its territory and the ban of all armed groups operating on DRC territory. Then the United States will need to press the key players to find an agreement on a government of national unity. The U.S. Government should put heavy pressure on all the foreign countries to start withdrawing as soon as the new transi-

tional government is appointed and to publicly commit to support it.

Second, the U.S. Government needs to take a leadership role in seeing that Rwanda and the DRC sustain their direct dialog and meet their commitments. President Kabila must be convinced to fulfill international obligations, allow the arrest of the key leaders of the Rwandan genocide, with assistance of his allies or third parties, and transfer them to the ICTR. At the same time, Rwanda should be pressured to come up with a concrete plan of withdrawal. The sides should reach an interim agreement on border security to allow withdrawal to proceed.

Third, the United States should press for the appointment of a high profile U.N. representative to be charged with implementing the future Sun City agreement, coordinating regional and international action on DDRRR, and helping harmonize the strategies of donors and the international financial institutions for the reconstruction of the country. Up to now, no one has been in charge of the overall Lusaka process, and the lack of coordination has been a significant drag on progress.

Fourth, the U.S. Government should work with the U.N. to prepare MONUC to become not just observers, but a genuine peacekeeping force throughout the territory to fill the gaps when a new Congolese Government is in place and foreign forces begin to withdraw. In parallel it should begin consultations with other nations on security sector reform.

Finally, the United States could play a special role in reconstruction by helping establish a regulatory environment and codes of conduct for business in Congo in order to destroy the international channels for illicit trade and to establish a tax system that would benefit the reconstruction of the country and help give the central government a regular source of income.

The deadly stalemate in the DRC risks turning the country into a no-man's land of crime, smuggling, and violence. It is undermining development and democracy in at least half a dozen nations in Central and Southern Africa. It is making a mockery of regional efforts to slow the spread of HIV/AIDS. And it is ensuring that tens of millions of people will spend their lives utterly dependent on humanitarian aid. Long-term, this region needs to move from being a set of countries at war to being a set of countries in partnership with free trade, free circulation of people and goods, and security cooperation. This post-Lusaka security architecture might look like another SADC to the north of SADC, Southern African Development Community. This would very much be in the United States' interest, but it cannot happen without U.S. involvement.

Thank you.

[The prepared statement of Ms. Hara follows:]

PREPARED STATEMENT OF FABIENNE HARA, AFRICA PROJECT CO-DIRECTOR,
INTERNATIONAL CRISIS GROUP, BRUSSELS, BELGIUM

Thank you, Mr. Chairman, and thank you very much for inviting me here to testify on behalf of the International Crisis Group. I have just returned from Rwanda and Burundi; over the seven years that I have been working on Central Africa, I have lived in the region for three years, visited the Democratic Republic of Congo dozens of times, and met several times with President Joseph Kabila of DRC and repeatedly with President Pierre Buyoya of Burundi.

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In effect, the fighting has shifted to eastern Congo, where Rwandan and Burundian governments continue to battle their own rebels on Congolese soil—and the Kinshasa government continues to support those rebel groups. In the Kivus region of eastern Congo, military operations by the Rwandan army as well as attacks by Rwandan, Burundian and Congolese armed groups are currently being carried out. The Rwandan-backed rebel group RCD-Goma recently launched an offensive on the town of Moliro. RCD-Goma and Rwandan troop movements in Katanga province have in turn put Zimbabwean troops on alert. All these unsettling developments have resurrected the threat of a possible resumption of war.

In the meantime, the war has contributed to the complete collapse of state authority across the DRC. This has led to the destruction of economic infrastructure and generated predatory behavior from the occupying armies and factions as well as from regional and international corporations. The violence committed by multiple armed factions, and the generalized communal division and hostility, have encouraged the emergence of warlords and of illegal trade networks of diamonds, minerals, arms and drugs, as documented by the UN panel reports on the illegal exploitation of DRC natural resources.

The bigger war has aggravated several local sub-conflicts, particularly in eastern Congo, leading to destruction of local authority, inter-ethnic killings, the fragmentation of rebel groups and new tensions between Rwanda and Uganda. New local groups have recently challenged the RCD and Rwandan occupation forces in the Kivus. As inter-ethnic fighting continues, the fragmentation of the country increases, and there will need to be local reconciliation processes parallel to any national agreement.

STATUS OF THE PEACE PROCESS

The Lusaka Agreement mandated a three-part interlocking process: disarming the non-Congolese armed groups in eastern Congo; the withdrawal of foreign forces; and an Intercongolose Dialogue among government, rebels, unarmed opposition and civil society. None of these steps is proceeding smoothly.

The Rwandan Hutu militias, which set off the conflict in 1998, remain a fundamental stumbling block to peace. All sides have acknowledged that they must be disarmed, demobilized, repatriated to Rwanda, reintegrated and resettled there or in a third country—a UN process known as DDRRR. To move the process forward, all the latest UN resolutions on the DRC conflict have mentioned the necessity of a direct dialogue between President Kabila and Rwandan President Kagame. However, despite several meetings, no agreement has been reached and there has been no institutional follow up. The talks failed mainly because of the lack of trust and intransigence of the belligerents and the lack of a sustained, single process of mediation between the two leaderships. Rwanda accuses the DRC of harboring and supporting the Hutu militias and refuses to withdraw until a new government is established that can disarm these groups. The DRC government has acknowledged the presence of these Hutu fighters on its territory but has not been able to demonstrate that total support to these groups has stopped.

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MONUC presence will include 2000 troops in the east for DDRRR and a deployment to fill the security gaps when Kisangani, the DRC's third-largest city, is demilitarized.

On the political side, the Intercongolese Dialogue is intended to prepare for a new political dispensation that would rebuild national Congolese institutions and create the conditions for restoration of full sovereignty and territorial integrity. The Intercongolese Dialogue is currently taking place in Sun City in South Africa, but it is deadlocked. The first obstacle to progress is a dispute over the status of President Joseph Kabila and on the principles of a transitional constitution. The rebels and part of the civilian opposition, backed by Rwanda and Uganda, insist that a new president be appointed in Sun City for the transition period. President Kabila and his backers have agreed in principle to share power with the rebels; but they would exempt the Presidency and key security institutions, and insist that the rebels first return territories under their control to the Kinshasa administration. The second contentious issue is the format of the future security forces. The government proposes that the rebel armies be integrated in the Congolese Armed Forces, while the rebels want to see the creation of a completely new national army and claim its high command.

The deadlock in the dialogue can be explained by two factors: first, neither side has won the war and can impose a solution; but neither feels that its situation is hopeless and that it must now compromise. Second, the states that have intervened in the Congo all have unsatisfied political, security and economic needs and don't want to see a strong and legitimate regime emerge in Kinshasa, which could jeopardize these interests. Many neighboring governments have grown dependent on the economic benefits of their presence in the DRC; while the security concerns that began the conflict, over Rwandan genocidaires, have not been resolved.

A STRATEGY FOR THE U.S. GOVERNMENT

Because this stalemate is so dangerous for Africa as a whole, it is time for the U.S. government to reverse its approach on the DRC. Rather than exclusively focusing on the needs of external actors, the starting point should be to make the Congolese state self sustaining, giving the Congolese themselves the strength to better carry out their obligations to protect their own citizens and to ensure border security with the neighbor countries. This means that Congo will have to be governed in a different way than it has been. Both Mobutu and Laurent Kabila ruled with little interest in building domestic institutions and heavy reliance on foreign military support.

First, in the short term, the U.S. government should immediately, consult with France, the U.K., Belgium and South Africa and build support for a two-step process in order to make the Intercongolese Dialogue successful. The first step should be to press the participants to produce a framework agreement on a transitional constitution and administrative reconstruction of the government, as well a basic program for the transition period before the end of the Sun City session. The future transitional government must commit to the proper policing of its territory and the ban of all armed groups operating on DRC territory. Then the U.S. will need to press the key players, both the Congolese and their backers, to find an agreement on a government of national unity. The U.S. government should put heavy pressure on all the foreign countries to start withdrawing as soon as the new transitional government is appointed and to publicly commit to support it.

Second, the U.S. government needs to take a leadership role in seeing that Rwanda and the DRC sustain their direct dialogue and meet their commitments. President Kabila should first be convinced to fulfill international obligations, allow the arrest of key leaders of Rwandan genocide operating on his territory, with assistance of his allies or third parties, and transfer them to the International Criminal Tribunal for Rwanda. At the same time, Rwanda should be pressured to come up with a concrete plan of withdrawal. The sides should reach an interim agreement on border security, to allow withdrawal to proceed.

Third, the U.S. should press for the appointment of a high-profile UN representative, to be charged with implementing the Sun City agreement, coordinating regional and international action on DDRRR, and helping harmonize the strategies of donors and the international financial institutions for the reconstruction of the country. Up to now, no one has been in charge of the overall Lusaka process, and the lack of coordination has been a significant drag on progress.

Fourth, the U.S. government should work with the UN to prepare MONUC to become not just observers but a genuine peacekeeping force throughout the territory, to fill the gaps when a new Congolese government is in place and foreign forces

begin to withdraw. In parallel it should begin consultations with other nations on security sector reform.

Finally, the U.S. could play a special role in reconstruction by helping establish a regulatory environment and codes of conduct for business in Congo, in order to destroy the international channels for illicit trade and to establish a tax system that would benefit the reconstruction of the country and help give the central government a regular source of income.

This deadly stalemate risks turning the DRC into a no-man's land of crime, smuggling and violence. It is undermining development and democracy in at least half a dozen nations in Central and Southern Africa. It is making a mockery of regional efforts to slow the spread of HIV/AIDS. And it is ensuring that tens of millions of people will spend their lives utterly dependent on humanitarian aid. Long-term, this region needs to move from being a set of countries at war to being a set of countries in partnership, with free trade, free circulation of people and goods, and even security cooperation. This post-Lusaka security architecture might look like another Southern African Development Community—SADC—to the north of SADC. This would be very much in the United States' interest—but it cannot happen without U.S. involvement.

Senator FEINGOLD. Thank you for that very helpful testimony.
Mr. Dees.

STATEMENT OF LEARNED DEES, PROGRAM OFFICER FOR AFRICA, NATIONAL ENDOWMENT FOR DEMOCRACY, WASHINGTON, DC

Mr. DEES. Thank you, Mr. Chairman, for inviting me to testify today and for having concern about the issue in the Congo. I have prepared a full text and I ask that it be entered into the record and I will give a short summary of it.

As a former Peace Corps volunteer who served in Zaire about 15 years ago, I give my testimony as a personal testimony, not as a representative of the organization. I had an opportunity to return to the village where I was a Peace Corps volunteer about 15 years ago recently, and when I got to the village, I am haunted by what I heard. I met with my best friend, and I said, how are things going? How do you feel? And he said to me in the local language, "beto ke bauumbi," and that means "we are the walking dead." And in Congo, a nation of 60 million people, it is a nation of the walking dead that the international community has forgotten. I am haunted by those words, and I have prepared my testimony with that in mind.

The National Endowment for Democracy is a nonprofit grant-making organization created in 1983 to strengthen democratic institutions around the world through nongovernmental efforts. With its annual congressional appropriation the endowment makes hundreds of grants each year to support pro-democracy groups in every region.

NED's program supporting civil society organizations in what is now the Democratic Republic of Congo began more than a decade ago. The first grants were made in 1990 to organizations which documented the abuses of the government of Mobutu Sese Seko. Among the first international funding organizations to support these efforts of nascent Congolese human rights pioneers, NED has provided assistance to human rights groups and pro-democracy groups in almost every region of the Congo. In fiscal year 2001, Congo was the No. 1 priority for NED's Africa grants program, and more than 30 grants were awarded to human rights groups and pro-democracy groups.

This assistance to civil society organization in Congo has taken place in the context of political chaos, state collapse, and war, but the slow, steady deterioration of the state under Mobutu, to the war launched in 1996 to overthrow Mobutu, to the invasion in 1998 by Rwanda and Uganda aimed at toppling his successor, Congo has been caught in a cycle of war, violence, and retribution.

I will speak briefly about the human rights situation. The impact of this conflict on 60 million people that live in the Congo has been nothing less than calamitous. Indeed, the conflict in the Congo has led directly and indirectly, as you have heard before, to the deaths of 2.5 million people. More people have died as a result of the conflict in the Congo in the last 6 years than any other conflict in the world.

The collapse of the country's health infrastructure, the destitution of millions of internally displaced people fleeing the conflict, and the availability of arms has exacerbated a desperate situation, especially in the eastern portion of the Congo.

In the east of the country, the human rights situation is extremely poor. Soldiers from Uganda and Rwanda, allied with local Congolese forces, operate with impunity. The three rebel movements have no popular support for their political or military aims in the regions they occupy. According to the 2001 State Department report on human rights and local reports from human rights organizations, these rebels and foreign troops from Rwanda and Uganda are responsible for a long list of abuses, including deliberate, large-scale killings, disappearances, torture, rape, dismemberment, extortion, arbitrary arrest and detention, and the forcible recruitment of child soldiers.

Human rights activists and journalists face severe restrictions and are often targets for abuse. Many human rights activists, including some supported by NED in Kisangani, Goma, Uvira, Beni, and Butembo, have themselves been victims of human rights abuses, including torture.

A significant and underlying cause of continued conflict in the east is the presence of the Rwandan soldiers and militias associated with the Rwandan genocide in 1994. Estimates on their numbers vary from 10,000 to 20,000. Regardless of their number, their mere presence in the east is a destabilizing force. They have been armed by and allied to the Kinshasa Government and, on occasion, allied with local militia against the Rwandan-backed rebels. Thus, the resulting conflict between Rwandan combatants on Congolese soil victimizes first and foremost innocent Congolese civilians caught in the middle. Many innocent civilians have been killed after allegations of assisting one side or the other without a clear resolution to the fundamental disposition of these culpable armed combatants from Rwanda who have escaped justice, conflict is likely to continue.

In the Congo, human rights abuses are not limited to one portion of the country. Significant abuses, in fact, also occur in the government-held territory. According to local human rights reports, the administration of Congolese President Joseph Kabila, which rules by decree, uses arbitrary arrest, torture, and detention as weapons against its critics. The government security forces operate with

complete impunity. Also among its targets are journalists, human rights activists, and political opponents.

Complicating this picture, as you have already heard, is the connection between conflict and control of precious natural resources. This has been the subject of two United Nations Security Council reports. The panel concluded that the exploitation was systemic and systematic involving networks of government officials, military officers, military-owned companies from Rwanda, Zimbabwe, Uganda, and Congo and the involvement of European and American businessmen and companies.

It is clear that the Congo provides fertile ground for any criminal network in the world wishing to launder money in exchange for illicit goods such as diamonds. There is, in conclusion, a strong financial disincentive for ending the war.

A quick note on MONUC, the United Nations mission. It has played an important role in verifying and maintaining the fragile cease-fire. With a mandate of slightly more than 5,000 troops, staff members, and monitors, MONUC has been deployed to the front line, and many Congolese consider their presence important and reassuring. In a fluid and complex conflict, MONUC has provided an independently reliable source of information, and despite its size, an effective force of interposition. In many ways, this thin blue line is all that separates Congo from chaos.

The inter-Congolese dialog is the discussion that is going on now in South Africa to bring together the various forces in the Congo to come up with a solution. Now in its final week, the participants appear some ways away from the essential agreement on the most important points, although progress has been made on some of the issues. Among the sticking points are the dates and time of retreat of foreign troops, the structure and identity of the individuals who will lead the transition, and a strategy for reconstituting the army. These, of course, are the most important points. With just days to go to bring peace, there is a real fear that dialog which does not deliver at least some substantive agreement pointing to the direction of peace, will in effect mean a maintenance of the status quo in the best case scenario and a return to war in the worst.

It is the maintenance of the status quo which the majority of the Congolese people reject. The status quo means the continued division of the country, continued violence, the continued misery of 60 million people who, for all practical purposes, are stateless and depend on themselves. The status quo means continued repression against ideas which are not in sync with those who are in control of the various areas.

Of course, for the belligerents, the perspective is different. It means the ability to control the levers of coercion. It means the ability to control the abundant and precious resources in their areas.

Urgent action is required to prevent this return to war. I would like to highlight just a couple of recommendations.

First and foremost, given the gravity of the situation and the status of the talks in Sun City, it is imperative that the U.S. Government engage to play a leadership role in ensuring that an inconclusive end to the talks this week are not an excuse for a return to war. Specifically this means that the United States get the U.N. to

endorse a followup process to be coordinated by an international personality with a profile and support commensurate with the gravity of the crisis. This person would coordinate, as was mentioned by Fabienne, the implementation of the three main elements of the Lusaka Accords: the reunification of the country, the withdrawal of foreign forces, and the demobilization process.

You asked the speaker on the previous panel about the demilitarization program. I think it is a priority that the U.S. Government should provide leadership in devising a realistic program which will focus on disarming the AliR forces and bringing the culpable members of its leadership to justice, while providing at the same time assurance to the other members that they can be re-integrated back into the Rwandan society.

With that I would like to finish my testimony and thank you once again for calling the hearing.

[The prepared statement of Mr. Dees follows:]

PREPARED STATEMENT OF LEARNED DEES,¹ PROGRAM OFFICER FOR AFRICA,
NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. Chairman and Members of the Sub-Committee:

Thank you for inviting me to testify on the topic of Weak States in Africa-U.S. Policy Options in the Democratic Republic of the Congo.

The National Endowment for Democracy (NED) is a nonprofit, bipartisan grant-making organization created in 1983 to strengthen democratic institutions around the world through nongovernmental efforts. With its annual Congressional appropriation, the Endowment makes hundreds of grants each year to support pro-democracy groups in every region of the world. Endowment programs in the areas of labor, free-market and political party development are conducted by four core institutes: the American Center for International Labor Solidarity (ACILS), the Center for International Private Enterprise (CIPE), the International Republican Institute (IRI) and the National Democratic Institute for International Affairs (NDI). The discretionary grants program assists pro-democracy organizations in other countries doing work in areas such as human rights, civic education and political participation, independent media and the free flow of information, the rule of law and democratic governance and conflict resolution.

The National Endowment for Democracy has been providing support for civil society organizations in what is now the Democratic Republic of Congo (formerly Zaire) for more than a decade. The Endowment's first grants there were made in 1990 to human rights organizations which documented the abuses of the Mobutu Sese Seko regime. Among NED's first grantees was the Voice of the Voiceless, the country's oldest human rights group, which was founded by idealistic college students in the late 1980s. In 1993, the Endowment made a grant to the International Human Rights Law Group for human rights training and capacity building in the east of the country. It was the first international assistance specifically for human rights capacity building and contributed to the training of a generation of human rights activists, many of whom have assumed leadership positions in the human rights movement, including Inimaculee Birhaheka, the 2000 winner of the Martin Ennals Award, a prize awarded annually by the world's 10 leading human rights organizations. The Endowment was among the first international funding organizations to support the efforts of these Congolese human rights pioneers and over the years Endowment assistance has helped human rights groups in almost every region of the country. In FY 2001, Congo was the number one priority for NED's Africa grants program and more than 30 grants were awarded to human rights and pro-democracy groups.

NED's direct assistance to civil society organizations in Congo has taken place in the context of political chaos, state collapse and war. From the slow but steady deterioration of the state under Mobutu Sese Seko, to the war launched in 1996 with the aim of overthrowing Mobutu, to the invasion in 1998 by Rwanda and Uganda, aimed at toppling his successor, Laurent Kabila, Congo has been caught in a cycle of violence, retribution and war.

¹The views reflected in this document are my own.

THE HUMAN RIGHTS SITUATION AND THE ROLE OF CIVIL SOCIETY

The impact of this conflict on Congo's 60 million people has been nothing less than calamitous. Indeed, the conflict in the Congo has led, directly and indirectly, to the deaths of more than an estimated three million people. More people have died as a result of the conflict in the Congo in the last six years than from any other conflict in the world.

The collapse of the country's health infrastructures, the destitution of hundreds of thousands of internally displaced people fleeing the conflict and the continued availability of arms have exacerbated a desperate situation, especially in the Eastern portion of the Congo now under control of various factions seeking to overthrow the current government of Joseph Kabila in Kinshasa.

This vicious cycle of war and retribution has filtered down from cities to towns to villages. Innocent civilians are at the mercy of numerous armed groups who roam the countryside. Both international human rights groups and local groups have documented numerous massacres of civilians by marauding combatants who make no distinction between other armed combatants and innocent bystanders, including women and children. In this context of conflict, clearly the human rights situation is grave. Numerous human rights organizations have detailed the extensive use of arbitrary arrest, imprisonment and torture.

In the east of the country, the human rights situation is extremely poor. Soldiers from Uganda and Rwanda, allied with local Congolese forces, operate with impunity. The three rebel movements, the Congolese Rally for Democracy (RCD/Goma), the Movement for the Liberation of the Congo (MLC), and the Congolese Rally for Democracy—based in Bunia (RCDIML)—have no popular support for their political or military aims in the regions they occupy. According to the 2001 State Department report on human rights, and local reports from human rights organizations, these rebel groups and foreign troops from Rwanda and Uganda are responsible for a long list of abuses including deliberate, large scale killings, disappearances, torture, rape, dismemberment, extortion, arbitrary arrest and detention, and forcible recruitment of child soldiers.

Human rights activists and journalists face severe restrictions and are often targets for abuse for disseminating human rights reports or news stories critical of local military or political officials. Many human rights activists, including some supported by NED in Kisangani, Goma, Uvira, Beni and Butembo, have themselves been victims of human rights abuses, including torture.

In addition to these abuses local military and political leaders have manipulated and exacerbated ethnic tensions with disastrous consequences. One such example is the conflict between people from Hema and Lendu ethnic groups in North Kivu. Since the fighting began in 1999, nearly 8,000 people have been killed and 200,000 displaced. Both local and international reports implicate Ugandan army commanders in causing or exacerbating the conflict.

In South Kivu, fighting has broken out recently between the RCD and members of the Banyamulenge ethnic group. This conflict has serious consequences for this vulnerable Tutsi community which has had its nationality questioned and been the target of ethnic attacks for the better part of the last decade. The Banyamulenge community has requested that UN peacekeepers visit the High Plateau area of South Kivu to verify the gravity of the situation.

A significant and underlying cause of continued conflict is the presence of Rwandan soldiers and militias associated with the Rwandan genocide in 1994 (formerly known as Interahamwe now known as ALIR forces). Estimates on the number of these Rwandan combatants range from 10,000 to 20,000. Regardless of the numbers, their mere presence in the east of the Congo is a destabilizing force. They have been armed by and allied to the Kinshasa government and, on occasion, allied with local militias against the Rwandan-backed rebels. Thus, the resulting conflict between Rwandan combatants on Congolese soil victimizes first and foremost innocent Congolese civilians caught in the middle. Many innocent civilians have been killed after allegations of assisting or siding with one or the other of these armed groups. Without a clear resolution to the fundamental disposition of these culpable armed combatants from Rwanda, who have escaped justice, conflict is likely to continue.

Another substantial armed force operation in the east of Congo is the local self-defense militias, known as Mai-Mai, who are likewise responsible for human rights abuses against civilians including killings, rapes, torture, kidnapping and the arbitrary arrest and detention of civilians.

In Congo human rights abuses are not limited to one portion of the country. Significant abuses, in fact, are also occurring in government held territory. According to local human rights reports, the administration of Congolese President Joseph Kabila, which rules by decree, uses arbitrary arrest, torture and detention as a

weapon against it critics. The government security forces operate with complete impunity. Among its many targets are journalists, human rights activists and political opponents. One such victim was Golden Misabiko, a staff member of the African Association in Defense of Human Rights (ASADHO), who was detained for alleged complicity in the assassination of the head of state, Laurent Kabila, tortured and later released. The government, like the rebel movements, often forcibly recruits child soldiers.

Further complicating this all around dismal human rights picture is the connection between the conflict and control over precious natural resources. This was the subject of two reports last year conducted by the United Nations Security Council appointed Panel of Experts on the Illegal Exploitation of Natural Resources. The panel concluded that exploitation of resources was systematic and systemic, involving networks of government officials, military officers, and military owned companies from, Rwanda, Zimbabwe, Uganda, and Congo with the involvement of European and American businessmen and companies.

According to a recent Oxford Analytica brief on the Congo, illegal exploitation of the country's mineral resources including diamonds, timber, coltan and gold continues despite increased international attention. The report draws a connection between fighting and resources, noting that recent outbreaks of fighting in eastern Congo have been highly localized around key coltan mining areas. It is clear that Congo provides fertile ground for any criminal network in the world wishing to launder money in exchange for illicit goods such as diamonds. There is, in conclusion, a strong financial disincentive for ending the war.

The United Nations Peace Keeping mission (MONUC) has played an important role in verifying and maintaining the fragile cease-fire. With a mandate of slightly more than 5,000 troops and support staff and monitors, MONUC has deployed to the front lines and many Congolese consider their presence important and reassuring. In a fluid and complex conflict MONUC has provided an independently reliable source of information, and despite its limited size, an effective force of intervention. In many ways this thin blue line is all that separates Congo from complete chaos.

Yet, despite this bleak environment and great hardships borne by the majority of the Congolese, civil society continues to fill the space left vacant by inaction and war. Efforts to rebuild Goma, for example, which was almost completely destroyed by the recent eruption of a volcano, are being led by local NGOs whose grassroots links have made distribution of humanitarian assistance possible. NGOs and religious organizations based in Catholic and Protestant churches are filling gaps in the health, developmental, and agricultural sectors. Although their self-reliance skills are finely honed, these NGOs are now greatly tested by the war and economic collapse. Regardless of the outcome of the current political discussions and military situation, civil society, including religious institutions, nongovernmental organizations, professional associations, and trade unions will continue to play a significant role in the country's future, if properly supported.

The Inter-Congolese Dialogue

After the assassination of Congo's President Laurent Kabila in January 2001, at the hands of his own bodyguards, the moribund peace process was given new life. Kabila's son Joseph took over and articulated a desire for peace. The Lusaka Accord, which was brokered with U.S. assistance and first signed in 1999 was suddenly back in play. The agreement itself included a cease-fire, the introduction of United Nations peacekeepers, provisions for a roundtable discussion bringing together the government, civil society, political parties and rebel groups. This discussion, known as the Inter-Congolese Dialogue, was set up to be the central forum in which Congolese leaders would devise a plan of action for moving the country from war to peace.

The meeting was charged with, among other things, devising a legal framework for a transitional government, and the institutions for the transition, creating a national army, and establishing a timetable for the withdrawal of all foreign forces as well setting a timetable for future elections. So far the 400 Congolese participants, including representatives of the Congolese government, armed and unarmed opposition members and members of civil society have divided up into five commissions aimed at presenting final recommendations for the group's final approval this week. The commissions are 1) the political commission, which is tasked to examine the causes and consequences of war, the new political institutions and the leaders of the transition, 2) the humanitarian social and cultural commission assigned to examine modalities and timing for humanitarian relief and setting up a peace and reconciliation committee, 3) the defense and security commission, assigned to determine the timing of the withdrawal of foreign troops, constituting a new army, and disarmament of armed groups, 4) economic and financial commission assigned to look at

how to jump start the economy, the impact of economic decisions made during the war as well as economic revitalization, and 5) the commission of peace and reconciliation.

The discussion was slated to begin February 25 and run through April 12, a length of 45 days. The meeting, however, was initially delayed because of a dispute over the participation of specific participants. That dispute was eventually resolved but precious time was lost and now in the final week participants appear some ways away from the essential agreement on the most important issues. As one of the biggest contingents at the dialogue civil society or *la force vive* is playing a pivotal role in trying to bridge the divide that separates the various protagonists. But significant issues continue to divide the delegates.

Among the sticking points are the dates and timing for the retreat for foreign troops, the structure and identity of the individuals who will lead the transition, and a strategy for reconstituting the army. These, of course, are the most important points for a transition to peace. Recent African led-efforts to dislodge the blockage surrounding some of these issues have failed. With now just days to go before the conclusion of the discussion to bring peace, there is a real fear that dialogue which does not deliver at least some substantive agreement pointing in the direction of peace, will in effect, mean a maintenance of the status quo in the best case, and a return to war in the worst case.

It is the maintenance of the status quo which the majority of the Congolese people reject. The status quo means the continued division of the country, continued violence, the continued misery of 60 million people who, for all practical purposes are stateless, with only themselves to depend upon. The status quo means continued repression against ideas not in synch with those who control the various areas.

For the belligerents, of course, the perspective is different. It means the ability to maintain control over the levers of coercion. It also means the ability to maintain control over the abundant and precious resources in the areas under their control.

Urgent action is required to prevent the return to war. The following is a list of recommendations which could help avert the looming disaster.

RECOMMENDATIONS

Engagement by the U.S. government to play a leadership role in insuring that an inconclusive end to the Inter-Congolese Dialogue does not become an excuse for a return to war. Specifically, this means insuring that the UN endorse a follow-up process to be coordinated by an international personality with a profile and political support commensurate with the gravity of the crisis. This person would coordinate implementation of the three main elements of the Lusaka Accords: the re-unification of the country, withdrawal of all foreign forces, and the demobilization process.

The UN Security Council, with strong support and leadership from the U.S. government should endorse the call for strengthening of the MONUC peacekeepers when its mandate is up for renewal this summer. The mandate should support an increase as well in MONUC's human rights monitoring programs and provide political support for deployment of MONUC observers to Bunia and Minembwe.

The U.S. government should provide leadership in devising a realistic Demilitarization Demobilization Reintegration Reconstruction and Reconciliation (DDRRR) program which will focus on disarming ALIR forces and bringing culpable members of its leadership to justice, while providing assurances to other members that they will be reintegrated back into Rwanda society.

The United States should strongly and regularly denounce violations of international human rights and humanitarian law by all parties involved in the DRC war. This would also include vigorous condemnation of recruitment, abduction and training of children. Exert strong and constant pressure on all foreign countries involved in the war to abide by UN Security Council resolutions.

Significantly increase the level of funding for humanitarian assistance in the DRC generally and in eastern Congo specifically.

Senator FEINGOLD. Well, thank you too, Mr. Dees, for your good testimony and the personal observations and the recommendations as well. It is very helpful.

Ms. Edgerton.

**STATEMENT OF ANNE EDGERTON, ADVOCATE, REFUGEES
INTERNATIONAL, WASHINGTON, DC**

Ms. EDGERTON. Thank you. I want to thank the chairperson of the Subcommittee on African Affairs, Senator Russell Feingold, and the members and the staffers of the subcommittee as well for providing the opportunity for Refugees International to testify at this hearing.

Since 1999, Refugees International [RI] has completed seven humanitarian assessment missions to eastern DRC.

At the outset of my testimony, I want to stress two points. First, unless the prevailing insecurity is halted, there can be no sustainable development in the east. Security is the single most important area for the international community to address. Second, I see no reason, based on my most recent trip to the DRC, to modify RI's conclusion based on our earlier mission in December 2000, that nowhere in the world is the gap between humanitarian needs and the response of the international community greater than in the DRC. The efforts of the international community appear feeble and ineffective, dwarfed by the scale of the suffering that they are intended to mitigate. Only if peace is achieved and humanitarian assistance substantially increased can this gap be bridged.

After many interviews over the past 3 years, RI has found that Congolese civilians in the eastern portion of the country are increasingly at the mercy of armed groups, including rebel forces backed by regional powers, the Mayi-Mayi and the Interahamwe, who murder civilians, rape women, capture children, and steal crops with impunity. In the shadow of insecurity, the village economy has given way to a war economy which drives boys and young men to become child soldiers where they get a gun. Much of the violence that is still occurring in the east today is totally devoid of a political or strategic rationale. It is banditry to allow unpaid soldiers to survive. This makes the violence endemic and resistant to amelioration through political action.

The insecurity and lack of a functioning government opens the eastern Congo to foreign interests involved in exploitation and smuggling of primary products such as coltan, diamonds, and timber.

The insecurity severely and directly hampers the delivery of emergency assistance. Access to war-affected civilians is limited by two great factors: the enormous territory of the Congo, which lacks a functioning transport network, and the rampant insecurity, which further complicates delivery in the eastern portion of the country and often prevents access to vulnerable populations for months at a time.

The United States and the international community have supported various cease-fire and peace agreements through several measures, including U.N. Security Council resolutions, the deployment of the United Nations Organization Mission to the Congo, or MONUC, and dedication in name to the process of the inter-Congolese dialog.

If and when a real cease-fire is achieved, a requirement for maintaining the peace will be the demobilization of armed personnel. MONUC's mandate includes the creation of a disarmament, demobilization, and reintegration plan. But the concern is whether the

international community will provide the timely financial support that will be required to make the plan a reality. As we have seen in Angola, for example, when the demobilization is underfunded, it takes very little time for the conflict to resume.

The United States remains one of the largest donors to the Congo. Nonetheless, in fiscal year 2001, donor response came to only 60 percent of the funds requested by the U.N. Consolidated Inter-Agency Appeal, and fiscal year 2002 does not look more promising.

Individual development organizations have since 1994 changed the focus of their programs to include humanitarian and emergency assistance. These organizations continue to be involved in humanitarian work, particularly in the eastern parts of the country, which are most affected by the war and mass displacement. Oxfam finds that countrywide 65 percent of the population has no access to safe water and 40 percent of primary school-age children have no access to education. In a recent survey conducted by World Vision staff in North Kivu province in January, 2 of 16 villages chosen could not be included at the last minute because of prevailing insecurity. Of the villages assessed for health and nutrition, a 30 percent global malnutrition rate surfaced, with 14 percent or almost half of that being severe malnutrition. Such numbers have not been seen by the humanitarian community since the 1998 famine in Sudan.

Through local NGO's and church-affiliated networks, numerous Congolese are attempting to ease the suffering of their people. Some of the most effective associations have been the local peace committees.

Given the strength of Congolese civil society, development assistance must support local organizations, thereby enhancing effectiveness by being more responsive to local input and conditions. Only by putting local communities in the driver's seat while avoiding local armed elements, can development be sustainable. Donors need to respond to the requests from the community structures that remain intact after years of war.

One way to measure the level of community involvement in bridging the gap to development is to talk with women. Women's groups have consistently advocated a stop to the conflict and urged all sides to try to return to peace. Traditionally, development and assistance programs only include women in the gender or soft social programs. But donors and beneficiaries could both benefit from involving women in the planning stages of infrastructure and public policy programs.

Given the above, Refugees International would like to make the following recommendations to the U.S. Government.

Commit to high profile, U.S. attention to the implementation of the Lusaka Peace Accords, with special attention to stopping the atrocities.

Consider applying targeted economic sanctions, such as the freezing of bank accounts of those benefiting from the economic exploitation of Congolese resources, on governments and individuals that continue to block the implementation of the Lusaka Accords.

Identify ways, either through the U.N. or through U.S.-based NGO's to channel assistance to small-scale Congolese peace building, humanitarian, and development efforts.

In addition, RI makes the following recommendations to the United States as a member of the international community.

Ensure that MONUC fulfills its current mandate and support the expansion of its troop presence in the Congo, as called for by the U.N. Secretary General on February 15.

Increase investment in the U.N. Consolidated Inter-Agency Appeal, with particular focus on infrastructure improvements throughout the country and support for humanitarian assistance in the east.

Reassess the modes of delivery of development assistance to ensure that community-based organizations are the driving force in the design and implementation of development projects.

Appoint a senior U.N. humanitarian coordinator for the eastern Congo, a high profile official who would work under the direction of Kinshasa, but would have the necessary weight and authority to advocate for a greater humanitarian response in the east and for greater access from the belligerents.

Ensure that women directly gain access to development assistance at the local level.

Support improvement in public expenditure management to ensure that the revenues generated in foreign exchange sectors benefit the Congolese people.

I thank you.

[The prepared statement of Ms. Edgerton follows:]

PREPARED STATEMENT OF ANNE C. EDGERTON, ADVOCATE, REFUGEES
INTERNATIONAL

I want to thank the Chairperson of the Subcommittee on African Affairs, Senator Russell Feingold, and the members of the Subcommittee, for providing the opportunity for Refugees International (RI) to testify on the current humanitarian crisis unfolding in the Democratic Republic of Congo (DRC), and to comment on the kind of assistance the U.S. could provide to contribute to a peaceful, stable Congo. Since 1999, Refugees International has completed seven humanitarian assessment missions to eastern DRC. Our most recent mission, in January 2002, was punctuated by the eruption of Mount Nyiragongo.

At the outset of my testimony I want to stress two points. First, unless the prevailing insecurity is halted, there can be no sustainable development in the east. *Security is the single most important area for the international community to address.* Second, I see no reason based on my most recent trip to the DRC to modify RI's conclusion based on our earlier mission in December 2000: *nowhere in the world is the gap between humanitarian needs and the response of the international community greater than in the DRC.* The efforts of the international community appear feeble and ineffective, dwarfed by the scale of the suffering they are intended to mitigate. Only if peace is achieved and humanitarian assistance substantially increased can this gap be bridged.

The 1999 Lusaka Peace Accords provided the framework for an ordered withdrawal of foreign troops from Congolese soil, the disarmament of rebel groups, including the *Interahamwe*, and an inter-Congolese dialogue leading to the formation of a unity government for the country. While lines of demarcation were agreed upon, and a cease-fire line has nominally held for the past year, fighting nonetheless continues in the eastern portion of the country. Current flare-ups in South Kivu and Ituri provinces, under the control of rebel forces backed respectively by Rwanda and Uganda, are two examples of fighting between these rebels and the indigenous population. An armed Congolese movement is the *Mayi-Mayi*, a military local defense force with a current political objective of representation within the inter-Congolese dialogue.

After many interviews over the past three years, RI has found that Congolese civilians in the eastern portion of the country are increasingly at the mercy of armed groups, including rebel forces backed by regional powers, the *Mayi-Mayi*, and the *Interahamwe*, who murder civilians, rape women, capture children, and steal crops with impunity. In the shadow of insecurity, the village economy has given way to

a war economy which drives boys and young men to enlist in the army, where they are not paid or fed, but at least they get a gun. Much of the violence that is still occurring in the east today is totally devoid of a political or strategic rationale; it is banditry to allow unpaid soldiers to survive. This makes the violence endemic and resistant to amelioration through political action.

The insecurity and lack of a functioning government opens the eastern Congo to foreign interests involved in exploitation and smuggling of primary products such as coltan, diamonds, and timber. The local population benefits tangentially by assisting these foreign business interests, either as owners, beneficiaries of bribes and other financial dealings, or as workers hoping to gain the means to live by selling primary products.

The insecurity severely and directly hampers the delivery of emergency assistance. Access to war-affected civilians is limited by two great factors: the enormous territory of the Congo, which lacks a functioning transport network, and the rampant insecurity, which further complicates delivery in the eastern portion of the country and often prevents access to vulnerable populations for months at a time.

The U.S. and the international community have supported the various cease-fire and peace agreements through several measures, including UN Security Council resolutions, the deployment of the United Nations Organization Mission to the Congo (MONUC), and dedication in name to the process of the inter-Congolese dialogue. Currently, there are 5,500 MONUC troops approved by the UN Security Council, although only about two-thirds have been deployed. The Secretary General has requested an extension and expansion of MONUC. Even if all MONUC troops and observers were to be deployed, their effectiveness would be limited, because their mandate allows them to serve only as observers of a cease-fire and prevents them from responding to the violence that swirls through the eastern portion of the country. At the very least, MONUC should be more aggressive in disseminating information widely on the security situation and the human rights abuses that its personnel observe. MONUC could do this within its existing mandate.

If and when a real cease-fire is achieved, a requirement for maintaining the peace will be the demobilization of armed personnel. MONUC's mandate includes the creation of a disarmament, demobilization, and reintegration plan, but the concern is whether the international community will provide the timely financial support that will be required to make the plan a reality. As we have seen in Angola, for example, when the demobilization process is underfunded, it takes very little time for the conflict to resume.

Child soldiers are prevalent in the Congo. All parties to the conflict employ them. In the context of the Lusaka Peace Accords, the international community has had some success in stigmatizing the recruitment of child soldiers, but the commitment of the parties to demobilizing them has thus far been largely a public relations exercise. It is a collective responsibility of the international community to make sure that the acceptance of children in the ranks of soldiers delegitimizes a government or rebel force. Because of the special needs and vulnerabilities of child soldiers, the demobilization plan should contain provisions for the separation of child soldiers from other combatants and for their rapid exposure to education and other services. Programs also need to focus on reintegrating these children into their communities and assuring that support for child soldiers is in the context of programs that reaches all vulnerable children.

The U.S. remains one of the largest donors to the Congo. In fiscal year 2001, the U.S. donated almost \$100 million in development and humanitarian assistance, and remains the largest bilateral creditor to the Congo, providing 21% of the Congolese external debt. Nonetheless, in fiscal year 2001 donor response came to only 60% of the funds requested by the UN Consolidated Inter-Agency Appeal, and FY 2002 does not look more promising. As such, the UN humanitarian operation is made more difficult due to severe under-funding.

The UN and NGO humanitarian network is attempting to manage a complex and daunting humanitarian challenge for the entire Congo from Kinshasa. While this approach is understandable in that it supports the principle of the territorial unity and integrity of this vast country, the practical consequence is the relative neglect of the eastern region of the country where the needs are greatest.

In addition to attempting to respond to humanitarian needs, the UN is also addressing infrastructure needs by rehabilitating the internal transportation network, especially rail lines and river barges. This can help to recommence the flow of commercial goods and allow humanitarian supplies to reach isolated areas.

Individual development organizations have, since 1994, changed the focus of their programs to include humanitarian and emergency assistance. These organizations continue to be involved in humanitarian work, particularly in the eastern parts of the country, which are most affected by the war and mass displacement. Oxfam

finds that, country-wide, 65% of the population has no access to safe water, and 40% of primary school-age children have no access to education. In a recent survey conducted by World Vision staff in North Kivu province in January, two of sixteen villages chosen could not be included at the last minute because of prevailing insecurity. Of the villages assessed for health and nutrition, a 30% global malnutrition rate surfaced, with 14%, or almost half of that being severe malnutrition. Such numbers have not been seen by the humanitarian community since the 1998 famine in Sudan.

The Congolese are impressive organizers. Through local NGOs and church-affiliated networks numerous Congolese are attempting to ease the suffering of their people. Some of the most effective associations have been the local "peace committees." These are inter-ethnic associations that attempt to mobilize community response around a shared goal, such as building a school or repairing a road. These organizations draw primarily on local resources, however, so they lack capital to undertake many projects. These all-volunteer committees would benefit from an infusion of small amounts of resources to give them the means to expand their efforts.

Given the strength of Congolese civil society, development assistance must support local organizations, thereby enhancing effectiveness by being more responsive to local input and conditions. Only by putting local communities in the drivers' seat, while avoiding local armed elements, can development be sustainable. Donors need to respond to the requests from the community structures that remain intact after years of war.

One way to measure the level of community involvement in bridging the gap to development is to talk with women. Women's groups have consistently advocated a stop to the conflict and urged all sides to try to return to peace. Traditionally, development and assistance programs only include women in the "gender" or soft social programs. But donors and beneficiaries could benefit from involving women in the planning stages of infrastructure and public policy programs.

Refugees International makes the following recommendations to the US government:

- Commit to high profile, U.S. attention to the implementation of the Lusaka Peace Accords, with special attention to stopping the atrocities.
- Consider applying targeted economic sanctions, such as the freezing of bank accounts of those benefiting from the economic exploitation of Congolese resources, on governments and individuals that continue to block the implementation of the Lusaka Accords.
- Identify ways, either through the UN or through U.S.-based NGOs, to channel assistance to small-scale Congolese peace-building, humanitarian, and development efforts.

In addition, RI makes the following recommendations to the U.S. as a member of the international community:

- Ensure that MONUC fulfills its current mandate and support the expansion of its troop presence in the Congo.
- Increase investment in the UN Consolidated Inter-Agency Appeal, with particular focus on infrastructure improvements throughout the country and support for humanitarian assistance in the east.
- Reassess the modes of delivery of development assistance to ensure that community-based organizations are the driving force in the design and implementation of development projects.
- Appoint a senior UN humanitarian coordinator for the eastern Congo, a high-profile official who would work under the direction of Kinshasa, but would have the necessary weight and authority to advocate for a greater humanitarian response in the east and for greater access from the belligerents.
- Ensure that women directly gain access to development assistance at the local level.
- Support improvement in public expenditure management to ensure that the revenues generated in foreign exchange sectors benefit the Congolese people.

[RI Bulletin—Jan. 28, 2002]

EASTERN CONGO: BEYOND THE VOLCANO, A SLOW MOTION HOLOCAUST

The eruption of Mount Nyiragongo in the eastern Congo on January 17th destroyed half of Goma, a city of 500,000 people, caused over 100 deaths, and sent thousands of the town's residents across the border into Rwanda to seek temporary shelter. As destructive as the volcano was, the devastation of its impact pales in

comparison to the consequences of the on-going conflict in the region. This war is a human disaster of unimaginable proportions, the equivalent of *daily* volcanic eruptions, but with far greater social and economic consequences.

Refugees International just completed a two-week humanitarian assessment mission to the eastern Congo, a mission capped by the eruption of Mount Nyir gongo. After many interviews with Congolese children, local NGO leaders, and the staff of UN organizations and international NGOs, the picture that emerges is a tapestry of pain for the Congolese people, who are at the mercy of armed groups who steal crops, murder civilians, rape women, and capture children with impunity. The efforts of the international community appear feeble and ineffective, dwarfed by the scale of the suffering they are intended to mitigate.

The 1999 Lusaka Peace Accords nominally provide the framework for an ordered withdrawal of foreign troops from Congolese soil, the disarmament of rebel groups (the so-called "negative forces," including the *Interahamwe*, the Hutu militia responsible for the 1994 genocide in Rwanda), and an inter-Congolese dialogue leading to the formation of a unity government for the country. While a few gestures have been made to withdraw foreign forces to lines of control and achieving a ceasefire, the critical steps towards genuine peace have not been taken. Indeed, fighting in the east has actually increased in recent months as Congolese parties to the conflict, especially the Rwandan-backed Congolese Rally for Democracy (RCD) and the *Mayi-Mayi* (the armed group contesting the Rwandan occupation) try to demonstrate their strength to gain greater representation within the inter-Congolese dialogue.

The most plausible scenario for reducing the conflict would involve the Rwandans agreeing to withdraw their troops from the Congo in exchange for international security guarantees along their border and the cessation of the Kinshasa government's support for the *Interahamwe* and the *Mayi-Mayi*. *Neither Paul Kagame, the President of Rwanda, nor Joseph Kabila, the President of the Democratic Republic of the Congo (DRC), appear willing to reach such an accommodation, leaving the Congolese people caught in an endless cycle of violence that is justified by the intransigence of the other party. The Foreign Ministers of Britain and France just completed a joint tour of the region, and they admitted on departure that the political picture was bleak.*

The UN Observer Mission to the Congo (MONUC) has been deployed to monitor the implementation of the Lusaka Accords. MONUC merely observes the violence that swirls through the country, while frustrated and bewildered Congolese hope for more aggressive action from the international community to stop the conflict.

Since access to embattled communities is so difficult, RI can only provide isolated examples to describe the catastrophe in the eastern Congo:

- In Shabunda, the *Mayi-Mayi* use rape as a tactic of war to prevent displaced women seeking shelter in the town from accessing their fields; as reported on ABC News Nightline, in one incident alone last year 40 women were raped;
- In north Katanga province women were unable to bring their children for a vaccination day because they had no clothes and could not be seen in public in daylight hours; men in the community work only in the pre-dawn hours for the same reason;
- Child prostitution and sex slavery are proliferating. In Goma, a preliminary survey by a local NGO found that 38 out of 41 child sex workers were displaced from the countryside due to the war and economic hardship;
- All the armed groups have a systematic policy of pillaging fields at harvest time and stealing crops from farmers trying to bring it home or to market;
- In Kindu, the capital of Maniema province and once the breadbasket of the Congo, the impossibility of marketing agricultural products means that a bag of rice has no more value than a bar of soap; unmilled rice is used on muddy roads to give traction to trucks.

Much of the violence derives directly from the collapse of the state. With the government barely functioning, commerce impeded by insecurity, and the only viable economy resting on the exploitation and smuggling of primary products such as coltan, diamonds, and timber, there is no way for large segments of the population to make a living. The breakdown in the village economy drives boys and young men to enlist in the army, where they are not paid or fed, but at least they get a gun. Much of the violence in the east is totally devoid of a political or strategic rationale; it is banditry to allow soldiers to survive. According to a human rights officer for MONUC, the best way to achieve an immediate reduction in the level of violence would be for the rebel government in the east, the RCD, to begin paying its soldiers and providing them with one meal per day.

Despite the obstacles, courageous humanitarian personnel attempt to work with Congolese authorities and local communities to gain greater access and respond to

the needs that they find. A promising approach being taken by the UN system is to focus on rehabilitating the internal transportation network, especially rail lines and river barges, to ease the flow of commercial goods and allow humanitarian supplies to reach isolated areas. The simple task of repairing a bridge can have an immediate humanitarian impact. International and local NGOs are working with community-based peace committees that try to negotiate access for relief supplies with the local commanders of the armed groups. These all-volunteer committees would benefit from an infusion of small amounts of resources to give them the means to expand their efforts.

While MONUC's logistical support to humanitarian efforts is appreciated, it is interpreting its limited mandate too conservatively. Especially lacking is a public communications effort to disseminate information widely on the security situation and the human rights abuses that its personnel observe. Previous large-scale peace-keeping efforts in Kosovo and Cambodia, for example, have used radio broadcasts aggressively to build awareness among the public of the critical challenges faced by the respective missions. MONUC needs to clearly explain its mission to the Congolese people and make a conscious effort to increase its overall credibility through a public information campaign.

Already there are reports of MONUC soldiers raping women and demanding the services of child prostitutes in Kisangani and Goma. After embarrassing episodes in Cambodia, where such behavior was condoned, the UN had made public commitments that these actions by peacekeepers in the future would not be tolerated. Given the Congolese frustration with MONUC's apparent indifference to their suffering, the commanders and civilian personnel of MONUC have no choice but to implement a zero tolerance policy for inappropriate behavior by its personnel. RI raised this issue with a MONUC child protection officer, who informed us that one rape case is proceeding and MONUC is cooperating with the investigation. She stressed that MONUC is willing to take action if credible evidence of misconduct is presented.

The UN humanitarian system is attempting to manage the response to the emergency in the Congo from Kinshasa. While this approach is understandable in that it supports the principle of the territorial unity and integrity of this vast country, the practical consequence is the relative neglect of the eastern region of the country where the needs are greatest. In the east regional humanitarian coordinators have to divide their time between their agency duties and their overall coordination tasks, while waiting for key decisions to be made in remote offices more than one thousand miles distant in the capital. RI believes that the UN needs to appoint a high profile humanitarian coordinator for the eastern Congo, a senior official who would work under the direction of Kinshasa, but who would have the necessary weight and authority to advocate for a greater humanitarian response in the east and for greater access from the belligerents.

What is taking place in the eastern Congo at the moment is nothing less than a slow-motion holocaust. Yet RI cannot recommend a massive external intervention to stop the violence because the political will necessary to bring a halt to the war is lacking both internationally and among regional and local actors. The humanitarian community is left to make the best of an awful situation, bringing relief where temporary openings appear.

Refugees International therefore recommends that:

- The international community, especially the United States, Britain, France, and Belgium, put greater pressure on the leaders of Rwanda and the Democratic Republic of the Congo to implement the Lusaka Peace Accords. After an appropriate interval, economic sanctions, including the freezing of the overseas bank accounts of those benefiting from the economic exploitation of Congo's resources, should be the penalty for continued intransigence.
- The United Nations appoint a senior official to serve as humanitarian coordinator for the eastern Congo, based in the region, but working under the direction of the overall humanitarian coordinator for the country.
- MONUC implement a large-scale, sustained public information campaign, primarily through radio, to explain its mission and report its observations to the Congolese public.
- Donors provide greater funding support for infrastructure improvements, especially for the continued rehabilitation of transportation networks throughout the Congo.
- UN agencies and international NGOs provide funding to community-based peacebuilding efforts, especially supporting local committees that are creating humanitarian space through negotiations with armed groups.

- MONUC adopt a zero tolerance policy for soldiers having sex with minors and raping women.

Senator FEINGOLD. Well, I want to thank you not only for your excellent testimony, but for your enormous patience. We have some infrastructure problems too obviously, and I apologize for the problem with the microphone.

I will probably have to leave in a minute to vote, and so I will ask some questions now until the vote starts but then I will come back and conclude. Maybe we can figure out, at least, which is the best microphone while we are gone and pass it around. Thank you very much for putting up with that.

Let me first ask you something that you really all already answered, but I really want it on the record from each of you. And that is, from your perspective as observers of this crisis, is the United States devoting enough high level attention to the Democratic Republic of Congo? Are we sufficiently engaged?

Ms. Hara, I know you have answered this, but I would like to get these three answers just next to each other in the testimony. Ms. Hara.

Ms. HARA. Thank you, Mr. Chairman. I think that the crisis in the Democratic Republic of Congo has not got the attention that it needs, that it deserves. Certainly the U.S. Government, as well as the European governments, have supported the implementation of the Lusaka process, but we are now at Lusaka plus 3½-years, and I think it is really time to focus on outcomes of the process.

Senator FEINGOLD. Mr. Dees.

Mr. DEES. Yes. I would give a practical answer to that question. We can see a benchmark this week. The meeting in Sun City is ending on Friday. What the U.S. Government does in the next week is an indication of how seriously they are taking that. So, I will leave that for us to see.

Senator FEINGOLD. Ms. Edgerton.

Ms. EDGERTON. While there has been significant attention at various levels within the U.S. Government, I find that high level attention is very much lacking, given the magnanimity of the crisis in the Congo today. I find that the kind of high level attention that is required from the U.S. Government to actually generate a response within the ranks is not there.

Senator FEINGOLD. I agree with those comments. I would just make one comment before I ask more questions. Today I wake up and realize I am doing a hearing on the Congo. You look at CNN and you see the crises in the Middle East and Afghanistan, and it looks like India and Pakistan, and all the problems around the world. But that is sort of the whole point, which is if we are going to be a world leader, we have to learn how to stay engaged in places that are very important but are not getting enough attention or are not directly on our radar screen all the time. We have to be able to focus on more than one thing. We are a great nation.

For example, during the cold war, we had one clear objective in dealing with the problem with the Soviet Union and sort of defined everything that way. But what we are finding out, and one of the reasons that we are having these hearings, is if we sort of focus on one thing over here and completely neglect another major problem, it is not only very problematic for the people in the country

affected but that it also affects us. So, I am very pleased that we are having this hearing at this time.

That brief comment led me up to the vote time. So, I will go vote. I will come back as soon as possible, and I have a few more questions. I appreciate the panel's patience. It should not be too long. The hearing is in recess.

[Recess.]

Senator FEINGOLD. I call the subcommittee back to order. Thank you for waiting.

I would like to ask some questions. Let me just say that although I am just one Senator here, I hope you realize again that not only Senator Frist but others are very interested in this and I want to communicate to you how important we consider this subject of the Congo and the related issues. It is my intention and I think the intention of others to stay engaged in it. So, we want you to realize your words and your efforts on this are certainly not wasted.

Ms. HARA, let me ask you a more specific question about the MONUC mandate. You began to refer to this. MONUC troops can protect themselves and their colleagues, but they have no mandate to stop violence targeted at Congolese civilians or in fact to protect civilians in any way. At most they can simply, as I understand it, monitor and report on abuses that may occur. Now, is that accurate, and has this situation created a distrust or anger directed at MONUC on the part of the Congolese population?

Ms. HARA. I believe, Mr. Chairman, that your description is accurate. Indeed, there are some reports from the Congolese population, from certain specific places in Congo, that MONUC is not doing enough, is not deployed in enough places and it is not doing enough. Certainly they are not asking for protection, but also to witness at least the violence that is committed against civilians.

In Kisangani, for example, there were reports that some MONUC troops also misbehaved with the Congolese population.

Senator FEINGOLD. So, it is partly that people do not understand the limitations on MONUC, and some of it may be inappropriate behavior in some cases.

Ms. HARA. Yes, indeed.

Senator FEINGOLD. Let me followup by commenting that monitoring and reporting can only really have a deterrent effect on attacks on civilian populations if there are some consequences associated with being publicly identified as a force that targets civilian populations. Currently are there meaningful consequences in this regard? What can the United States do to increase the costs of abusing civilians? And is there any mechanism for accountability that is being considered by the inter-Congolese dialog in this regard?

Ms. HARA. I do not think that there are mechanisms considered by the inter-Congolese dialog for violence committed against civilians. But there are certainly ways, and the U.S. Government certainly can help in that respect. There are ways to insist with the Rwandan and Ugandan and all the occupation forces that human rights be respected. Certainly one of the things that the U.S. Government could do is insist on the respect of the Geneva Convention.

Ms. EDGERTON. Senator Feingold.

Senator FEINGOLD. Yes, if you would like to comment, Ms. Edgerton.

Ms. EDGERTON. If I may. One MONUC human rights officer did tell us that one sure way to decrease the violence committed against civilians tomorrow would be to pay the RCD, the rebel forces, a wage and give them one meal a day.

Senator FEINGOLD. Let me go back. Ms. Hara, in talking about RCD-Goma, I understand that RCD-Goma has a strained relationship with many of the civil society organizations in the east and that it is very unpopular with large swaths of the civilian population in the area it controls. Could you comment on what this means for the political dynamics in the east? Does the RCD's bad reputation increase ethnic polarization in the Kivus? Is there evidence such as hate radio broadcasts of escalating ethnic tensions?

I also understand that some Banyamulenge associations are at odds with the RCD in part because they want to disassociate themselves from the RCD practices.

What can be done to ease ethnic tensions in eastern Congo in the next few years? If you can just sort of talk about some of those issues, Ms. Hara.

Ms. HARA. That is a big—

Senator FEINGOLD. A small item.

Ms. HARA. I think the first thing that I would like to mention is that ethnic polarization is not new in eastern Congo. Eastern Congo has always been a trouble spot. It has always itself been extremely difficult for the Kinshasa Government to control, to administer this territory partly because there are lots of issues, land and cattle, inter-community issues, that have been very acute for a long time.

Now, of course, the Rwandan refugees that have come out of Rwanda after the Rwandan genocide have certainly aggravated the local tensions, and the two wars, the 1996 and the 1998 wars, have again aggravated this local violence.

There is an issue of RCD administration of this territory. The RCD has definitely failed to acquire legitimacy with the Congolese population and has failed to provide most of the services that this population needs.

Now, the issue of the Banyamulenge is also a very complicated one. Some Banyamulenge are part of the RCD movement and others have refused to join the RCD, have refused to participate in the second Congo war, and have now created organizations that challenge the occupation of Rwandan forces and the RCD-Goma. As we talk, there is very heavy fighting going on between some of the RCD troops and the local Banyamulenge groups associated with Mayi-Mayi groups as well.

Senator FEINGOLD. Thank you, Ms. Hara.

Mr. DEES. May I comment on that question?

Senator FEINGOLD. Yes, Mr. Dees, go ahead.

Mr. DEES. I have a little different take, having lived in the eastern Congo in 1988. I think it is a problem that exists across Africa and across the world, ethnic tensions. I think in 1988 the problem did not exist to a degree that was destabilizing in the east. But the thing that we find is poor leadership and opportunistic leadership causes ethnic conflict, and that is the cause of the conflict in the

east currently. It is not a historical problem, but it can reappear in any African country or even here in the United States. So, I think that is an important point.

In terms of what can be done, obviously one of the key issues is demilitarization because the relationship between civil society and the RCD is a function of one group having force over the other, and that can never be balanced until that balance of force is taken into account. There are a number of local efforts underway, and a lot of those efforts are being undermined by the RCD. So, there is a great willingness after, as you can imagine, 6 years of warfare to return to peace, and communities are trying to get along but that is being destabilized by the RCD.

Senator FEINGOLD. If there was a peace agreement, what kind of programs do you envision that we could actually put into place that would help ease these ethnic tensions? What do you think could be done?

Mr. DEES. There are a number of efforts that can be helped. I think one of the things that the Congolese are already looking at is inter-community dialogs where folks from one community are getting together talking to members of a community that is neighboring.

One of the things that can be done is support for local radio programs which send a positive message that this is the direction we are going to take. Left to their own means, I think the Congolese can return to the situation I knew in 1988 which was peaceful co-existence. I think one of the most important things we can do is support radio programs that send out that message.

Senator FEINGOLD. Mr. Dees, I am going to ask you a couple more, and if either of you would like to chime in on this, please do.

Mr. Dees, I understand that the field office of the U.N. High Commissioner for Human Rights has some 20 human rights officers in the Congo and that MONUC has some human rights observers on the scene as well. Are these efforts coordinated and are they sufficient to monitor conditions in such a vast country?

Mr. DEES. I think that is one of the recommendations I would have. It is obviously insufficient and coordination in the Congo is a difficult concept. There can be improvement on the coordination.

There was a particular human rights monitor in Kisangani who I met with last year when I was there. An effective human rights monitor makes a difference, and I think that the number of human rights monitors connected with MONUC and supported by the U.N. could easily double or triple and they could have the same impact where they are located.

Senator FEINGOLD. Mr. Dees, what incentives can compel the parties to the conflict to make a just and lasting peace? For example, what about RCD-Goma? Surely they do not believe that they are going to prevail in a national election. What is to stop RCD or other actors from throwing up obstacles to peace as soon as the prospect of losing power becomes apparent? And what kind of disincentives would there be to that kind of obstructionism? And how is the United States and the international community helping to craft that incentive structure?

Mr. DEES. Yes. I think it is an important question because obviously the Rwandan Government, as we heard in earlier testimony, said it is there primarily for security reasons. I think if we take them at their word and there are security interests, it is important to focus on what they are specifically and to eliminate those issues. As I alluded to in my testimony, the AliR forces being isolated and encouraged in terms of isolating the leaders and encouraging the rank and file to go back is an important issue. That is if we consider that they are willing to leave the Congo.

There is the other possibility, of course, that they are not willing to leave the Congo. The only thing that can force them to leave is international pressure, and there are various levers, including those of the U.S. Government, which provides a lot of their support, to do exactly that.

Senator FEINGOLD. Let me just follow on that. Understandably, RCD-Goma is backed by Rwanda. When you talk about leaving, you are not referring to the actual Congolese members of that leaving. What is the future with regard to those people?

Mr. DEES. Well, I think in the context of process of local people making decisions about their local leaders, the RCD does not have very much of a future. They do not have popular support, and I think they would see the handwriting on the wall.

Senator FEINGOLD. Let me ask all of you to just think about an optimistic hypothetical situation. What if, in a few years into the future, all foreign troops have withdrawn from the Congo, the negative forces are no longer engaged in military activity within Congo's borders, and a successful inter-Congolese dialog has paved the way for a legitimate government? The country must deal with tremendous infrastructure problems and desperate social needs. Let me start with Ms. Edgerton by asking what steps should the United States take at this point to help ensure that stability lasts in Central Africa.

Ms. EDGERTON. In fact, when I was last there in January, a Congolese said to me if the war were to end tomorrow, it would be "une bonne tragedie" because there is not the infrastructure in place. There are not the plans that are currently being sought out that could, in essence, start taking place tomorrow to replace what has become a war economy. Kids are not going to school and this has been for the past 5 or 6 years that the national education infrastructure has crumbled, not to mention the physical infrastructure of road, rail, and barge as well. When you get that kind of isolation in the communities and then all of a sudden everyone says, well, there is an end to the war and that is the only way anybody knew how to make any money, what is in place?

What needs to be in place is what Mr. Dees mentioned. We need to be thinking in the mid- to long-term right now, radio programs that are nationwide that reinforce Congolese nationality and let citizens know that it is not just their area that is undergoing hardship but all over the Congo, that foreign troops are not just occupying our village or our town, but it is actually rife throughout the Congo that this is occurring. OTI has taken up this initiative and is looking at a comprehensive radio program, as has MONUC and several NGO's.

In addition, rehabilitating not only the crumbling health infrastructure, but the crumbling educational infrastructure, these large infrastructure programs that are being looked at right now by the World Bank. The United States is not exactly stepping up to the plate as one of the large donors or pledgers to these programs. These are the kind of programs that can start now to be implemented in areas of security and then slowly, as peace does reign, can spread out to other areas.

But at the same time, there needs to be a recognition that emergency assistance is needed in areas that are undergoing active war right now, that there needs to be an international presence that responds to the needs of civilians only, giving them other options.

Senator FEINGOLD. Mr. Dees, do you want to add to that?

Mr. DEES. Just to make a connection between opportunity and stability. I think my experience in the village where people were, for all practical purposes, destitute, the ability to see opportunity is perhaps the greatest stabilizing force. In Congo, I think to encourage that stability of which—the motor is really the resources that exist. So, it is not necessarily outside resources coming in to develop the Congo. It is using what is there. So, making a connection between giving Congolese an opportunity see and use this opportunity perhaps by discouraging the militarization of the society is perhaps the best way we can do that.

Senator FEINGOLD. Ms. Hara.

Ms. HARA. I just want to make a point about the economy. I think there is a need obviously for a major economic recovery strategy for the whole of Congo, but there is also a need, as I was pointing out in my testimony, to establish an environment in which people can do business safely. I think that is one of the big problems in Congo right now. Violence is used to do business, and the business that is being done has no rules. An informal economy has always been there in Congo, but the new thing now is that violence is used against the civilians. So, I think a major international effort would need to be focused on establishing rules, establishing a business code of conduct for companies.

Senator FEINGOLD. Thank you.

Let me ask each of you, if you like, to what degree does the history of the United Nations in Congo and, for that matter, the history of the United States in Congo hamper our efforts to make MONUC as effective as possible and to resolve the current crisis? Do you want to start, Ms. Edgerton?

Ms. EDGERTON. One of the wonderful things about the Congolese is their ability to recognize what is happening today. The arrival of MONUC troops, which I witnessed in eastern Congo, was one of the most celebratory times for the Congolese. Everything else aside, they thought the international community was going to save them from the war. Only as time has gone on and they have seen the limitations not only of MONUC, but of the lack of international attention to their plight, has their dissatisfaction with the United States and the international community grown again. It is not that, oh, yes, there is a history of our being treated this way. They were truly willing to embrace MONUC troops, the idea of U.N. soldiers on their soil. They thought that they were coming as their liberators. But given the limited actions that have actually taken

place, including when civilians report human rights abuses or cease-fire violations and those reports going nowhere and having absolutely no effect, this has a very disheartening effect on the Congolese. So, I think that they are willing to take us at our word and at our action, and that we owe that at the very least.

Senator FEINGOLD. So, it is pragmatic.

Ms. EDGERTON. Absolutely.

Senator FEINGOLD. Despite the history and the problems, if we are able to perform, they will be open to that.

Ms. EDGERTON. I believe so.

Senator FEINGOLD. Mr. Dees.

Mr. DEES. I would agree.

Senator FEINGOLD. Ms. Hara.

Ms. HARA. It is only bad leadership who try to use the U.N. image. The U.N. was involved in an operation in the 1960's and it is only Laurent Kabila who tried to use that and to manipulate that, manipulate public opinion against the U.N.

Senator FEINGOLD. And you do not feel that that succeeded.

Ms. HARA. But I think I agree with the two other remarks.

Ms. EDGERTON. If I may give another example. While I was there in January, the Belgians came to apologize for their role in the assassination of Patrice Lumumba, and the Congolese on the media and to me personally and in the streets were saying, they came here now and that is what they were talking about? That is the kind of practicality that you find in the Congolese.

Senator FEINGOLD. That is very interesting, and that is of interest to me as well because it is something I have tried to get a sense of, to what extent our own Government's actions, which were obviously nothing to be proud of, are something that still causes problems for us in that country.

Finally, Mr. Dees, the last question. In a country so devastated by mismanagement and conflict, the notion of rebuilding functioning institutions is daunting. Give me a sense of what current institutions in Congo are still functioning today, and to what extent has civil society taken over some of the traditional functions of the state? How strong is that civil society, and is it capable of uniting or is it so polarized along regional, ethnic, or political lines that it is not possible?

Mr. DEES. That is a very fair question. In terms of institutions that exist that could take off, I would say the only existing institutions are religious institutions, the various churches. They are nationwide and they are respected across ethnic and regional lines.

There was an old joke during the end of the Mobutu years about an article 15 in the constitution, and that article was imaginary, but basically it said, take care of yourself. So, that is what many of the Congolese have been doing for the last 25 years, taking care of themselves.

One of the key issues in the Congo is the generation issue. The political leaders in the Congo that are still active represent the independence generation of 1960. Some of the names, if you look at those competing for power, with the exception of Kabila, are the same people in the history books from 1960. So, civil society represents that next generation. They will be the leaders. They will be

the politicians. They will be the hope of the Congo. So, if one is optimistic, one believes that they can take up the challenge.

Senator FEINGOLD. I want to thank all of you. As a member of this committee for almost 10 years, I work on many different issues and many different countries, but I want you to know that there are few situations that I find more compelling and few that I want to be involved in more than the plight of the Congolese people, their seemingly endless struggle for real self-determination and to have a future and a recognition of the central importance of this country for Central Africa, all of Africa, and much of the world.

So, I admire your work and I look forward to working with you, and I thank you for your testimony today.

That concludes the hearing.

[Whereupon, at 4:28 p.m., the subcommittee was adjourned.]

