

CONSULTATION
ON THE
GREAT LAKES REGION OF CENTRAL AFRICA"
WITH
AMBASSADOR MOHAMED SAHNOUN

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EXECUTIVE SUMMARY

At the request of Ambassador Mohamed Sahnoun, special envoy to the Great Lakes region of Central Africa for both the United Nations and the Organization of African Unity, three organizations - the Carter Center, the Center for Preventive Action of the Council on Foreign Relations, and Synergies Africa - convened a meeting of experts, diplomats, representatives of humanitarian organizations, and non-governmental mediators at the Council on Foreign Relations in New York during 6-7 March 1997. The participants sought to reach a common understanding of the interlinked though distinct conflicts in the Great Lakes region and to formulate both a comprehensive strategy and a framework for concertation of the many peace efforts underway. The five-point peace plan set forth in UN Security Council Resolution 1097 provided a framework for the discussion. The meeting divided the strategic problems raised by the plan into three categories (a) cessation of hostilities in Zaire and humanitarian access; (b) political dialogue and the electoral process in Zaire; and (c) an international conference. The participants did not reach a firm consensus on many issues. The main conclusions were:

The most pressing needs are for a cessation of hostilities and humanitarian assistance to thousands of refugees and displaced persons. How or whether a political transition takes place will depend on unpredictable events, as well as action by the international community. Regarding the proposal for an international conference on peace, security, and development for the Great Lakes region, participants agreed that Ambassador Sahnoun should approach governments in order to canvass their views about it, rather than present them a proposal already formulated elsewhere.

Participants also expressed concern that most regional states, including those involved in some peacemaking initiatives, have been allied to, or at least supportive of, particular parties. Further, international organizations, including both the UN political and peacekeeping operations and international humanitarian organizations, have lost some credibility. The creation of the Arusha/Nairobi group of African states represented a major step forward in the international involvement in the Great Lakes region, although African peacemaking initiatives, to some extent, have taken cues from the attitude of major powers and are also affected by local rivalries.

I Humanitarian aid as a priority

- Three options to end the fighting include (a) a cessation of hostilities, (b) a cease-fire, or (c) a peace agreement;
- Assistance should be delivered to refugees and IDPs by either (a) a multinational force, which is accepted by all parties, with a clear mandate, or (b) humanitarian actors protected by de facto powers on the ground.

II. Cessation of Hostilities

- Scenario 1: A negotiated agreement on the cessation of hostilities after the consolidation of Kabila's military position. Kabila should not be built up as the sole alternative to Mobutu. Civil society should be part of any effort to monitor a cessation of hostilities and provide humanitarian assistance. A short term. cessation of hostilities may prepare the way for a permanent cease-fire as part of political. negotiation over transition to a new state structure. In such an eventuality, an international (most likely African) peacekeeping force might be called upon to monitor the cease-fire agreement. The force would include human rights observers and election monitors.
- Scenario 2: An upheaval in Kinshasa. The fall of Kisangani, and even more of Shaba or the Kasai provinces, could set off political turmoil in Kinshasa leading to a military coup or even more anarchic collapse. In this event, it will be more difficult to conclude a cessation of hostilities or to persuade combatants to slow their advance. A negotiated settlement will be almost impossible.

III. Removal of Foreign Forces

Those forces are:

- Rwandan and Ugandan military officers (who may be advising Kabila);
- European mercenaries aiding Mobutu;
- Angola-based fighters of both UNITA and the Katangan gendarmerie; and
- Ex-Forces Armées Rwandaises (FAR) and Interahamwe.

IV Removal of ex-FAR

- Some ex-FAR are war criminals. They are the largest and most combative force on Mobutu's side. One alternative suggests seeking to arrest high level planners of the genocide for prosecution. The remainder of the ex-FAR should be disarmed and resettled as part of a negotiated agreement.

V. Coordination with other activities

- Quiet negotiations about Burundi must continue on their separate track. The tensions from negotiations should not be allowed to facilitate the overthrow of President Pierre Buyoya by extremist factions. East African states from the Nairobi/Arusha group should reconsider the sanctions against Burundi in light of the changing situation, and in particular, of the potential progress in negotiations;
- A strong consensus emerged about Ambassador Sahnoun's focal role as special envoy of both the UN and OAU. The multiplication of forums and conflicting messages from different external actors may undermine peace efforts. Opinions converged on the Nairobi/Arusha process as the best focus for reaching an agreement on the immediate concerns. The Lomé meeting of the OAU central mechanism should seek to support and coordinate the processes rather than launch a new one.

VI. Political Dialogue and Electoral Process

- Civil society has, to a large extent, stepped into the vacuum left by the decay of the state in Zaire. The departure of Mobutu, as a result of political or natural causes, need not create a vacuum, as there are resources for a transition.
- A new president could be chosen by the "haut conseil de transition," or Mobutu could remain as President with reduced powers and a stronger prime minister. The remaining portions of the army could be returned to barracks for the duration of the transition, or some could join in a new national army formed around victorious rebel forces.
- Elections should not be rushed. International actors tend to over-emphasize elections for their own sake, without sufficient attention to whether they are genuinely democratic in character.
- Ambassador Sahnoun and other special envoys should consult with broad sectors of Zairian civil society, including religious leaders, women, labor, and youth.
- Women should be included in international diplomatic teams.
- Issues of population and citizenship may have to be settled before holding an election. A census should be held. The problem of the Banyamulenge might be solved by granting citizenship en masse to those whose ancestors settled in Zairian territory before the country's independence,
- A referendum on a new constitution should be held relatively early;
- Efforts should be made in Zaire, as throughout the region, to end impunity for political violence;
- The international community should provide economic assistance sufficient at least to cushion Zaire from the worst of its economic crisis;
- It is also necessary for parallel processes to take place within Rwanda and Burundi. Electoral processes must ultimately be launched, but international actors must recognize the peculiar difficulties that majoritarian procedures pose to these societies.

VII. International Conference on Peace, Security, and Development

Like the Helsinki process, the conference should take a comprehensive approach to problems of the region. Among the topics suggested for its working groups were:

- Justice and accountability, including both the International Tribunal on Rwanda and national judicial systems;
- Regional and economic development;
- Curbing illegal arms trafficking;
- Citizenship, nationality, and freedom of movement across borders;
- Rights of individuals, minorities, and groups in general,
- Military reform and demobilization, reintegration of combatants;
- Resettlement and reintegration of refugees,
- Regional collective security arrangements; and
- Regional, African, and international monitoring mechanisms.

A STRATEGY FOR THE GREAT LAKES REGION OF CENTRAL AFRICA

SUMMARY OF DISCUSSION: ¹

Nowhere in the world are more people dying of political violence than in the Great Lakes region of Central Africa. This alone should impel the international community to take strong, coordinated, and sustained action both to halt the immediate violence and to seek durable solutions for the inter-related dilemmas of national and ethnic identity, economic development, and the reduction of endemic violence. Furthermore, the crises of this core region of Africa are part of a larger mosaic of conflict. From Sudan's borders with Eritrea, Ethiopia, and Uganda, through northern Uganda and the still blood-soaked heartlands of Rwanda and Burundi, along the border of Zaire with those three countries, into Eastern Zaire, south into Shaba province and along the Zaire-Angolan border, a rift zone of wars splits the continent from the Red Sea to the Atlantic. In recent years millions have died and been displaced along this zone. Simultaneously, in West Africa the conflicts in Liberia and Sierra Leone came to symbolize what one author called "The Coming Anarchy," and the specter of a Nigeria in permanent turmoil has threatened to turn the dissolution of these small states, now precariously averted, into another subcontinental disaster area.

Yet while armies and militias carried out massacres and genocide, new movements for peace, democracy, and development gained force across the continent. The liberation of South Africa helped turn southern Africa into a zone of peace. A new generation of activists has found its voice in movements; for democracy and human rights that some have called the second wave of the independence struggle. Despite Africa's recent record as the only continent with negative economic growth, some countries and regions are finding their way to the international market and expanding opportunities for their people. A new pan-African spirit has revived, based not on a common defense of the elites who inherited the colonial state, but on recognition of shared responsibility for governance and development in the continent as a whole. African states are more than

¹ This summary was prepared by Barnett R. Rubin, Director of the Center for Preventive Action, Council on Foreign Relations, with the assistance and the comments of Hassan Ba, Synergies Africa; Fabienne Hara, Center for Preventive Action, and Ozong Agborsangaya, the Carter Center. It does not represent the views of the Council on Foreign Relations, the Carter Center, Synergies Africa, the United Nations, the Organization of African Unity, or Ambassador Sahnoun.

ever cooperating to seek solutions to conflicts and reaching out for assistance from the international community as full-fledged members and agents of that community.

Yet that so-called community, while necessary to any solutions, is also an intimate part of the problems. Many African conflicts result from cleavages exacerbated or created by the formation of colonial states. Cold War competition aggravated postcolonial conflicts, especially by lavishing upon shaky or predatory regimes or guerrilla movements' weapons that now flood secondary markets at greatly reduced prices. The end of Cold War ideological competition sometimes seems to have brought back more traditional power politics, especially between France and the US. Even efforts to end suffering and prevent violence have unintended consequences: provisioning an

apparatus of killers with aid meant for refugees; provoking violence by threatening to send peacekeeping forces that never arrive; or breathing new life into predatory leaders treated as partners for peacemaking.

At the request of Ambassador Mohamed Sahnoun, special envoy to the Great Lakes region of Central Africa for both the United Nations and the Organization of African Unity, three organizations - the Carter Center, the Center for Preventive Action of the Council on Foreign Relations, and Synergies Africa - convened a meeting of experts, diplomats, non-governmental mediators, and humanitarian actors to consult with Ambassador Sahnoun. The meeting, supported by a grant from the Swiss Confederation to Synergies Africa, took place during 6-7 March 1997, at the Council on Foreign Relations in New York, where Ambassador Sahnoun had come to consult with the Security Council. The participants sought to reach a common understanding of the interlinked though distinct conflicts in Central Africa and to formulate both a comprehensive strategy and a framework for concertation of the many peace efforts underway.

In this report, the meeting organizers present their conclusions from the discussions. As is to be expected from such a broad gathering, while some convergence emerged, the participants did not reach a firm consensus on many issues, and this paper does not claim to represent any such consensus. The authors have, however, greatly benefited from the expertise, experience, and commitment of those present.

CONCEPTUAL FRAMEWORK

The precise definition of the region in question is somewhat arbitrary. The Great Lakes region consists of Uganda, Burundi, Rwanda, Eastern Zaire, and Tanzania. The multifaceted conflicts in Rwanda and Burundi, which have largely become articulated around politicized Hutu and Tutsi identities, have had multiple echo effects on each other for decades. Cross border ethnic links have been used strategically by political leaders, creating a broader circle of ties among regional combatants. At the same time, while we are defining this area as a region, Uganda and Rwanda define their interests in a different context, more linked to East Africa. Uganda's main security problem comes from Sudan.

Background : linkages among the conflicts

A summary of the linkages of the conflicts in the area over the decade independence might go as follows:

Between 1959 and 1961, a so-called "Hutu revolution" in Rwanda swept away the system of Tutsi minority domination, manipulated and reinforced by the Belgian colonizers. The Hutu Republic created by the Revolution empowered not all Hutu but clan-based regional cliques that used the racialist "Hutu power" ideology, the mirror image of the ideology of Tutsi domination, to legitimate their power. Rwandan Tutsi refugees fled into Uganda, Burundi, and Zaire after 1959. From the 1960's, repeated massacres of Hutus by Burundi's Tutsi-dominated military regimes (also controlled by narrow clans) sent waves of Hutu refugees into Zaire and Tanzania. Rwandan Tutsi exiles in Uganda, especially today's Vice President of Rwanda, Paul Kagame, played a key role in the military campaign that brought President Yoweri Museveni to power in Uganda. These exiles formed the Rwandan Patriotic Front (RPF), which also recruited from Tutsi exiles in Burundi and

Zaire, including the Banyamulenge of South Kivu province. The RPF invasion of Rwanda from Uganda in 1990 led to the Arusha process, which provided a framework for resolving the civil war through powersharing monitored by an international peacekeeping force. The most extremist Rwandan Hutu elements reacted to this process by launching the genocide of 1994, to which the international community reacted initially by withdrawing the remaining peacekeepers and evacuating foreigners. The quick victory of the RPF ended the genocide but also led to the flight of over a million Rwandan Hutus to Zaire, Tanzania, and Burundi, including both genuine refugees and perpetrators of the genocide. While the RPF espouses an ideology of non-ethnic government, the core of power is held by Tutsi returnees from Uganda and Burundi.

President Mobutu Sese Seko of Zaire, who was a close ally of the former Rwandan Hutu power regime, allowed the ex-FAR (Forces Armées Rwandaises) and the Interahamwe militia to rearm and reorganize themselves on Zairian territory, from which they launched raids back into Rwanda. The presence of over a million Rwandan Hutus in North and South Kivu provinces of Eastern Zaire disturbed the precarious local equilibrium. The local populations of these regions were largely identified with opposition to Mobutu, who was allied with the leaders of the refugees. The latter's presence polarized the Banyarwanda populations of Zaire more strongly into Hutu and Tutsi, with the former partly amalgamating with the Rwandan new arrivals and the latter subjected to ethnic cleansing in both Mulenge (South Kivu) and Masisi (North Kivu). The ethnic cleansing of Masisi by Hutu militias expelled and killed both Tutsi and other indigenous populations from the area. These conflicts aggravated the internal Zairian issue over the citizenship of the Banyarwanda of Kivu, who included pre-colonial arrivals, descendants of plantation laborers imported by the Belgian colonizers, Tutsi refugees from the early 1960s, and the recent Hutu refugees. The citizenship issue took on new importance in the context of Zaire's electoral process, since the citizenship of Banyarwanda would strongly affect the electoral calculus in the region.

Meanwhile, elements of the Burundian Tutsi military sabotaged a powersharing attempt there by assassinating the country's first Hutu president in November 1993. The ensuing massacres by both sides displaced many Tutsis inside Burundi and drove more Hutu refugees into Zaire (South Kivu) and Tanzania. Burundian Hutu guerrillas benefited from the support of Rwandan Hutus in Zaire and of elements of the Mobutu regime to arm and train for cross-border raids.

In the fall of 1996 Rwanda and Uganda finally reacted to the threat from Zaire (including the flight of Zairian Tutsi refugees to Rwanda) by supporting an uprising initially by the Banyamulenge (Tutsi of South Kivu, including many who had joined the RPF in Uganda and fought with it in Rwanda) led by a non-Tutsi Zairian, Laurent Désiré Kabila, leader of the AFDL (Alliance of Democratic Forces for the Liberation of Congo-Zaire). Kabila, an inveterate leftist opponent of Mobutu, had become close to Museveni when both were exiled in Tanzania in the 1970s. The Mobutu government described the uprising, which quickly spread to neighboring parts of Zaire and came to include an increasing number of non-Tutsi Zairians, as an invasion by Uganda, Rwanda, and Burundi. The Zairian parliament, whose 700 deputies feared losing their seats as the projected electoral process reduced their number to 300, outbid each other in nationalism and ethnic chauvinism, questioning the loyalty and even citizenship of Mobutu-appointed Prime Minister Kengo wa Dondo, not because of his Polish father, but because of his Tutsi grandmother. Threatened Tutsis fled Kinshasa to the Republic of Congo.

As the Zairian army collapsed, Mobutu turned to foreign support, including French, Belgian, Serb, and Croat mercenaries, but above all to the ex-FAR, the only regular military force that still fought for him. Kabila's forces, with Rwandan assistance, attacked the Hutu refugee and military camps. Several thousand Hutu refugees mixed with fighters seem to have been massacred. Most Rwandan Hutus repatriated peacefully, but several hundred thousand fled to the interior of Zaire. Rwandan Hutus also repatriated under severe pressure from Burundi (where they were largely forced out after a Tutsi military coup in July 1996) and Tanzania. Several hundred Burundian Hutus forcibly repatriated from Zaire and Tanzania were massacred by Burundian Tutsi soldiers.

Angola also became involved. Forces of Jonas Savimbi's UNITA, supported by the US through Zaire in the 1980s, crossed into Zaire to support Mobutu. Members or sons of the "Katangan gendarmerie" supported by Angola's MPLA returned to fight in support of Kabila in their native Shaba, where Kabila also originated.

Origin and character of the conflicts

All at the meeting agreed on the close links among these various conflicts and the complexity of their causes. These conflicts are political conflicts over access to power and resources. They have underlying economic causes and are greatly exacerbated by scarcity. The trans-African belt of conflicts largely corresponds to the region that has suffered from the worst deterioration of the population's economic well being. Rwanda and Burundi are the most densely populated countries in Africa. Identities are complex and multi-layered, and their meaning and political relevance changes with the political context. Therefore, despite the intensity of the fears and hatreds articulated in particular around Hutu and Tutsi identities by some actors in the region, these conflicts can in principle be subject to political management and would be affected by economic transformation.

Peaceful management of conflict, however, is strange to the recent history of at least Rwanda and Burundi. Political differences are settled by killing or expulsion. Cycles of massacres have led to the crystallization of ethnic consciousness, rooted in the memory of those killings. The division of political life along ethnic lines has been reinforced by extremists attributing extermination plans to the other ethnic group. The repeated experience of massacres lends credence to their claims, dooming new generations to a cycle of vengeance. Impunity for political crimes has been total. There are neither national nor regional institutions to which people could bring grievances peacefully. This tendency has been aggravated by the vast influx of arms trafficking. Furthermore, by treating only leaders who engage in violence as relevant political actors, the international community may reinforce these trends. Certainly in Zaire, and even to some extent in Rwanda and Burundi, civil society does exist. At each stage of attempts to manage and settle the conflicts, its representatives as well as the militarized actors should be consulted and included.

International involvement

Discussion of attempts by the international community to manage or resolve these conflicts must, however, face the fact that actors outside the region are closely implicated and interested in these conflicts, and that these links and interests may exacerbate conflict. Most regional states, including those involved in some peacemaking initiatives, have been allied to or at least supportive of particular parties. Rivalry among non-African powers, particularly the US and France, has also aggravated these conflicts. Despite some divagations, France has remained committed to Mobutu,

while some in the French government suspect the US of supporting Museveni, Kagame, and Kabila. These affiliations may affect the way these states view the proposal of a multi-national force (MNF), for instance.

International organizations, including both the UN political and peacekeeping operations and international humanitarian organizations, have lost some credibility. They have repeatedly shown themselves unable or unwilling to protect the victims of conflict or to pursue a consistent policy. These rivalries and weaknesses provide opportunities to local leaders to exploit divisions in the international community to their own advantage. They constitute serious obstacles to a peace effort.

The creation of the Arusha/Nairobi group of African states represents a major step forward in the international involvement in the Great Lakes crisis. African heads of state have defined a common agenda and coordinated their efforts to promote negotiated settlements to the conflicts in Burundi and in Eastern Zaire. African peacemaking initiatives to some extent take cues from the attitude of the major powers, however, and so are affected by their divisions as well as by local rivalries.

Several participants raised the difficult question of who the international community's interlocutors should be. In a violent conflict, negotiators naturally seek out and meet with those who are carrying out, and who therefore can end, the violence. Negotiating and consulting only with such leaders, however, sends a message that killing is the only form of political action to which international actors respond. Since war is an almost entirely male activity, women are particularly excluded. A number of recommendations below consequently recommend broad consultation with civil society and non-violent groups in order to avoid unintentionally reinforcing the region's tendencies toward political violence.

Framework for discussion

Bearing in mind the deep roots of the intense conflicts they were confronting, as well as the partial responsibility for these events of some of the institutions they represent, the participants proceeded to consider how the organizations and states they represented could best proceed in an attempt to end the killing and bring some measure of peace, stability, and, ultimately, development to this region.

The five-point peace plan set forth in UN Security Council Resolution 1097 provided a framework for discussion. The meeting divided the strategic problems raised by that plan into three categories:

1 - Immediate concerns, including:

- Cessation of hostilities in Zaire;
- Humanitarian access to Zairian displaced persons and Rwandan and Burundian refugees in Zaire; and
- The disarming or departure from Zaire of all foreign forces, including mercenaries.

2 - Political dialogue and the electoral process in Zaire; and

3 - Convening of an international conference on peace, security, and development in the Great Lakes region.

In addition to these points, largely focused on Zaire, the group also considered relevant measures to deal concurrently with reaching a political settlement in Burundi, stabilization and reconstruction of Rwanda, and ending impunity in all these countries through measures of accountability and justice.

IMMEDIATE CONCERNS

The most pressing needs are for a cessation of hostilities and access to the hundreds of thousands of Rwandan and Burundian refugees as well as Zairian displaced persons in desperate need of humanitarian assistance.

The meeting distinguished different types of agreements to end the fighting

- A cessation of hostilities (temporary halt in fighting while humanitarian and diplomatic efforts continue);
- A cease-fire (negotiated end to fighting while the parties to the conflict seek to reach a settlement); and
- A peace agreement (a permanent agreement stabilizing the situation militarily, politically, and diplomatically)

While the two needs (cessation of hostilities and humanitarian access) are interrelated, in principle neither should be a precondition for the other. In the absence of an MNI, however, a cessation of hostilities is likely to be required before international organizations could help the victims of conflict on the necessary scale.

Many participants warned that efforts to end the violence should not become an internationally sponsored prop for the crumbling Mobutu regime. There is an inherent bias in the activity of international organizations toward sitting governments, however illegitimate, and Western states already have a grave responsibility for having supported Mobutu for strategic reasons during the Cold War. The Mobutu regime does not merit recognition as the sole representative of "Zaire" in international forums. The shock of the revolt has set off a natural process of decomposition of that apparatus, and the international community should do nothing to arrest that long-overdue process. As long as Mobutu still controls an apparatus of power in at least part of the **country**, **international** actors should continue to deal with him as necessary. But that apparatus is neither providing government services to the areas it controls nor engaging in battle with the rebels. Mobutu's government has accepted the peace plan and the cessation of hostilities because it does not have the means to pursue the war. There is much killing taking place by fighters on both sides, mainly of civilians but relatively little fighting among military forces.

Humanitarian assistance and the multi-national force

Efforts to provide humanitarian assistance to refugees and displaced persons must receive the highest priority.

For both humanitarian and political reasons, it is vital that aid go not only to refugees from Rwanda and Burundi but also to the displaced citizens (and would-be citizens) of Zaire. Concentrations of both groups should be identified by all means available, including satellite imaging, and the results made available in a timely fashion to the concerned agencies. Such assistance should attempt to save the lives and health of the victims of conflict while assisting those Rwandan refugees who so wish to return to Rwanda. Refugees from Burundi, which has not yet met even minimal conditions for safe return of refugees, should continue to enjoy international refuge in some form.

While in principle such assistance should not be linked to political measures, each of the different proposals for how to provide such aid has different political implications.

Scenario 1: Send a multinational force to Zaire

One scenario envisages sending a multi-national military force to provide security for humanitarian assistance. Another envisages negotiating access with the local forces in control of the territory. Some at the meeting advocated an MNF, but most who did insisted that it could succeed only if it had a clear mandate and was structured in such a way as to enjoy acceptance of all parties to the conflict. Many argued that such acceptance seemed most unlikely. Hence, desirable as such a force might be in principle, there was no way it could succeed in practice. The MNF is perceived in the region as favoring Mobutu, as it would enable the international community to operate without according a political status to Kabila and his forces and might interfere with the advance of the rebel forces. If the MNF included Western forces, political pressures at home would prevent it from accepting the risk of casualties, and it would be incapacitated in the face of attacks. In any case, it would then become embroiled in the Zairian civil war, which would doom its humanitarian mandate. (The examples of UNOSOM and UNAMIR were cited.) Furthermore, discussing such a force publicly gives incentives to the actors on the ground to accelerate their military activity so as to achieve any essential military goals before the arrival of such a force.

Scenario 2: Send international military and human rights monitors

Whether or not an MNF could provide a solution to the immediate humanitarian problem, a multidimensional peacekeeping force, including both military and civilian components, could be an essential aspect of an internal political settlement in Zaire. Many supported the idea of such a force in the context of a political agreement on a transition in Zaire from civil war to an electoral process and reconstruction. Such a force, however, properly belongs to the second topic rather than to the current discussion.

Regardless of views on the force, however, there was strong and broad consensus on the need for military and human rights monitors, preferably in large numbers, and that these monitors should be deployed for both the immediate emergency and the long term, including as part of the mechanism for implementing a political settlement. Some participants proposed to develop the concept of an African Observer Force. Initially these monitors could have the mandate to report on

the removal of foreign forces, humanitarian access, the cessation of hostilities, and observance of human rights and humanitarian law.

The security of these observers presents a difficult problem. If they are armed, they are likely to be targeted; if they are unarmed, they will lack freedom of movement. There are two possible solutions: the MNF, as discussed above, with the difficulties that entails, or assuring that their presence provides political benefits in the form of de facto recognition to whatever force controls the territory on which they work. An agreement on cessation of hostilities would likely be a necessary precondition for the insertion of observers without an MNF.

Involve civil society in the design of humanitarian assistance

In planning the humanitarian aid mission, the international community should take into account the proven capacities of Zairian civil society. The involvement of local civic groups, including the Catholic Church, would not only make the aid more effective but also affect political processes in Zaire, as discussed below. At all points, international actors should bear in mind the moral hazard of rewarding only violence with political recognition.

Cessation of hostilities

The Kinshasa regime has accepted the cessation of hostilities because it has no means to pursue the war. Only the European mercenaries, the ex-FAR, and UNITA units are still fighting for it. Kabila accepted a cessation of hostilities in principle somewhat later, but only with conditions (such as direct political negotiations with Kinshasa) that will delay it until he has accomplished his immediate military goals. Nothing seems likely to persuade him otherwise.

Scenario 1: A negotiated agreement on the cessation of hostilities after the consolidation of Kabila's military position

Once Kabila has consolidated his hold over North and South Kivu, Haut Zaire (Kisangani), and Shaba, he may be willing to pause in the fighting, especially if he receives some international political recognition in return. This may be the price that must be paid for cessation of hostilities and humanitarian access. By offering to route humanitarian assistance through airports and roads controlled by Kabila's forces and working with both civil administration and civil society in the areas under Kabila's control, international organizations will accord Kabila at least de facto recognition. This could provide him with an incentive to accept intrusion into his realm by humanitarian actors and international observers, and to provide protection for them, despite the limitations this may place on some of his operations.

At the same time, to the extent possible, the international community should resist working solely through Kabila's authorities in these areas. Just as we should not build up Mobutu, we should not build up Kabila as the sole alternative to Mobutu. As noted in the conceptual framework, dealing only with militarized factions and movements reinforces the message that violence alone is effective. Civil society is working again in Kivu, and perhaps elsewhere, and should be part of any effort to monitor a cessation of hostilities and provide humanitarian assistance.

A short-term cessation of hostilities might prepare the way for a more permanent cease-fire as part of political negotiations over the transition to a new government and state structure. In such an eventuality, an international (most likely African) peacekeeping force might be called upon to monitor the cease-fire agreement; assure continued humanitarian assistance; and provide security to the organs of the transition and, ultimately, the elections. This force should then be part of a multi-dimensional peace operation that would also include human rights observers, election monitors, and other forms of support for the transition process.

Scenario 2: Upheaval in Kinshasa

In another scenario, however, the fall of Kisangani and more so of Shaba or Kasai provinces, could set off political turmoil in Kinshasa itself, leading to a military coup or an even more anarchic collapse. In this event, it will be more difficult to conclude a cessation of hostilities or to persuade combatants moving into a vacuum of power to halt or slow their advance. A negotiated political settlement would thus be almost impossible.

Removal of foreign forces

With a cessation of hostilities, greater access to the areas of conflict in Zaire may make possible steps toward the removal of foreign forces. These forces include:

Rwandan military officers who may be advising Kabila (though some RPA officers may be Banyamulenge originally from Zaire); European mercenaries aiding Mobutu; Angola-based fighters of both UNITA and the Katangan Gendarmerie; and (though many discussions of this point exclude them) the ex-FAR and Interahamwe. The Burundian fighters of the CNDD who were based in Uvira, South Kivu, appear to have fled either back into Burundi or into Tanzania.

The developments in the war thus far have done much to meet the security needs that led Rwanda and Uganda to provide the limited but essential aid they have given to Kabila. The camps of the ex-FAR, Interahamwe, Burundian CNDD, and Ugandan dissidents in Kivu have been broken up. Refugees may return to Rwanda, and those remaining in Zaire will be subject to an authority sympathetic, to say the least, to its neighbors' concerns. At the same time, as the war is growing, the rebels will become more and more independent from the political objectives of their allies and will seek to achieve their own political goals. Especially once Kisangani has fallen, the Mobutu government will have hardly any task for the European mercenaries. At this point, therefore, the major foreign actors may be willing to reduce their involvement.

Scenario 1: Stabilization of military situation

The military situation may stabilize, perhaps after the consolidation of Kabila's control over Kisangani and Shaba. At this point it might be possible to implement measures for the removal of foreign forces, as the focus of the struggle might shift to the political scene in Kinshasa.

In this case, diplomatic initiatives have a chance to be effective. Even in this case, since many of those foreign powers aiding forces in Zaire have not admitted that they are doing so, it will be impossible for them to agree to end such interference. Instead, an agreement among the parties to the conflict can state that all interference will end by a certain date and provide for international

inspections and monitoring. (Such measures would not work for the ex-FAR and Interahamwe, discussed separately below.) This is the solution arrived at in the instrument on non-interference and non-intervention in the 1988 Geneva Accords on Afghanistan, although it proved remarkably ineffective there, and it might be advisable to study this experience before copying it.

Scenario 2: Upheaval in Kinshasa

Another possibility is that the Kinshasa power apparatus will crumble after further Kabila victories, inviting further military advances. In this case foreign interference is likely to grow, regardless of diplomatic initiatives.

Future of the ex-FAR ?

The ex-FAR and Interahamwe pose particular problems. Unlike RPA officers, UNITA, Katangans, or European mercenaries, they will not be willing to return to their home country, where they risk arrest or killing. They appear to be the largest and most combative force on Mobutu's side, as they believe (probably rightly) that their alternatives are war or death. Even if a corridor for repatriation is somehow opened for those refugees dispersed from Tingi Tingi and now apparently moving toward Ubundu, the fighters and their families (which could include as many as 100,000 people) will not return willingly to Rwanda. Some of these fighters are war criminals, but at present there is no force capable of arresting them or court capable of judging them. One alternative suggested seeking to arrest high-level planners of the genocide, but the International Tribunal would need more resources to be able to try more than 15 of them. These people should be sought for prosecution by a reorganized international tribunal, while the remaining fighters and families should be disarmed in the context of an offer of permanent resettlement in Zaire. Such an agreement, however, would require difficult negotiations between the ex-FAR and whatever Zairian authorities control the territory where they are to be resettled. They will not accept any guarantees of security from Kabila or his allies.

Coordination with other activities

The political process in Burundi

While these high-profile activities on Zaire are occurring, quieter negotiations about the Burundi conflict continue. These must continue on their separate track. The pressure that events in Zaire have placed on the Hutu-led CNDD guerrillas has balanced the pressure of sanctions against the Tutsi military regime that came to power in a coup last July. It is vital to take advantage of this situation and not to allow the sanctions and the political tensions of the negotiations to facilitate a takeover from President Buyoya by the more extremist Tutsi faction led by General Bagaza. The East African states, many of them now active in the Nairobi/Arusha process, should reconsider the sanctions against Burundi in light of the changing situation, in particular progress in negotiations.

Consensus on the focal role of Ambassador Sahnoun

Participants reached a strong consensus on the focal role Ambassador Sahnoun should play as special envoy of both the UN and the OAU. Many states and international organizations have designated some form of special envoy to deal with this immediate crisis, and a number of NGOs are

also involved. The multiplication of forums and conflicting messages from different external actors may undermine efforts. Opinions seemed to converge on the Nairobi-Arusha process as the best focus for reaching agreement on the immediate concerns, perhaps in collaboration with the South African (or US-South African) initiative. The upcoming meeting of the OAU central mechanism in Lomé should seek to support and coordinate these processes rather than launch another one. If efforts to conclude a cessation of hostilities and humanitarian access succeed, the process can be broadened, including multilateral negotiations and the convening of an international conference.

POLITICAL DIALOGUE AND ELECTORAL PROCESS IN ZAIRE

The conflicts in Zaire should constitute the immediate focus of the international community's efforts. At least temporary stabilization of the situation in that huge country is necessary before addressing the other conflicts and problems of the area. In the medium term, therefore, the international community must seek appropriate Zairian partners with whom to work on the reconstruction of the state and the construction of political institutions in Zaire.

Basic institutions of Zaire

National identity

While Zaire is an artificially constructed colonial state, a "Zairian" identity now exists and is a focus of political mobilization. The provision of Security Council Resolution 1097 calling for reaffirmation of the territorial integrity of Zaire is echoed on the ground by Zairians and is supported by both the Kinshasa regime and Kabila's movement. The emergence of separatist tendencies in Kasai and Shaba was more a reaction to the predation of the Mobutuist state than the result of nationalist or ethnic movements. The links between Kabila's supporters in Kivu and the neighboring states of Rwanda and Uganda are not reflected in separatist demands. The Banyamulenge (or at least the longer established groups of them) demand citizenship in Zaire, not separation from it. Nonetheless, cross-border integration of Zaire's regions with their neighbors should be an integral part of the future pattern of economic and social development.

Legitimacy

In addition, while the Mobutu regime lacks political legitimacy, legitimacy has not disappeared. It now inheres in what Zairians call "les acquis de la conférence nationale." The national conference provided opportunities for participation by wide segments of Zairian society and elaborated a framework for a legitimate transition, even if that framework has now been systematically undermined by years of political maneuvering

State and civil society

Elements of the state persist and function at the demand of civil society, including some courts and administration. Civil society has to a large extent stepped into the vacuum left by the decay of the state. Unlike in Rwanda and Burundi, non-violent ways of resolving problems have persisted in Zaire. The Catholic Church continues to enjoy a prestige that is not challenged as it has been in Rwanda and Burundi, where church personnel have come to be perceived as ethnic or partisan political actors.

Structure of the transition

All of this means that Zaire is not simply a blank space waiting to be filled by the first strong man who arrives. The departure of Mobutu, as a result of political or natural causes, need not create a dangerous vacuum. There are political resources for a transition.

A completed transition will have two essential elements: a transitional government to exercise power until new elections can be held; and an electoral process that will lead to a new and more legitimate government. Nothing guarantees, of course, that such a transition will take place.

How or whether this transition takes place will depend on unpredictable events, as well as action by the international community. The two scenarios for the immediate future described above have different implications for what kind of transition is possible.

Scenario 1: Stabilization of the military situation and negotiated settlement

If the military situation stabilizes after consolidation of Kabila's control over Kisangani and perhaps Shaba, there may be a window of opportunity for negotiation over both elements of a transition

In this case, the key problems that would have to be solved concerning the transitional government would be the choice of the president and the treatment of the army. Presumably in the second case Kabila would become president, and the current army would dissolve, with Kabila's forces forming the new army. Again, this is the same model as in Uganda and Rwanda.

Several alternatives were mentioned for each :

For the president: A new president could be chosen by the Haut Conseil de Transition, or Mobutu could remain as president with reduced powers and a stronger prime minister agreed on by the parties.

For the army: The remaining portions of the army (presumably including the Garde Présidentielle) could either be returned to the barracks for the duration of the transition or agree to remain in place. If both armies are to remain in the field with a cease-fire in place for the duration of the transition, it might be advisable to interpose a peacekeeping force between them, if the lines of separation could be adequately demarcated.

Scenario 2: Disintegration in Kinshasa

If the fall of Kisangani and other successes by Kabila lead to further disintegration of Kinshasa, Kabila may take over the government militarily. In this case Kabila will likely become president (the Ugandan model) or name a weak president while exercising power himself (the Rwandan model). The current army would be dissolved and the AFDL forces would replace it, as in both Uganda and Rwanda. The likelihood of a genuinely contested presidential election would then not be great. The more powerful government that would emerge, which would seek to emulate the strong-state models of Uganda and Rwanda, would probably insist on a more controlled electoral

process, as in the former country. (The refusal of all elections in the medium term in Rwanda results from that country's uniquely dangerous ethnic and political tensions, and is not likely to be emulated by Kabila.) The former case is likely to be more favorable to an extensive international presence on the ground during the transition as well.

Electoral process

These are matters, however, over which the international community is likely to have relatively little influence, at least through official diplomatic channels. Any electoral process in Zaire, however, will require massive international assistance, and the possibility of external leverage exists for good or for ill.

Some participants felt that international actors tended to over-emphasize elections for their own sake, without sufficient attention to whether they were genuinely democratic in character. Without sufficient preparation, elections can precipitate rather than resolve conflict. Participants cited both Burundi in 1993 and the way that the start of the electoral process in Zaire had led to unchallenged ethnic cleansing in Shaba and other provinces. In this regard, it is worth recalling that SC Resolution 1097 does not call unconditionally for elections, but for an "electoral process" as one of the elements of conflict resolution.

Participants proposed two different scenarios for elections: quick ones as in Sierra Leone, or elections held only after a relatively long period of preparation.

Scenario 1: Elections in the short term

The weight of opinion appeared to be against trying to hold quick elections under the situation in Zaire. There was a broad convergence on the rejection of the elections scheduled to be held in July under the current plan of transition, not only because the rebellion made them impossible, but because these elections had been structured by the Kengo government so as to give the Mobutuist elites a chance to make a political comeback. They no longer reflected the decisions of the national conference.

Scenario 2: Elections in the medium/long term

Preparation for a new round of elections should be spread out over a significant period of time: some mentioned two to three years, but there was no firm consensus. There was general agreement that international actors should support processes of consultation with much broader sectors of society in Zaire than the existing political classes and military leaders. There were a number of different suggestions in this vein, none of which reflected a full consensus but which we reproduce here to encourage further discussion:

Suggestions for preparing elections

- Ambassador Sahnoun and other special envoys should consult with a broad cross-section of Zairian civil society, including religious, women's, labor, youth, civic, and other organizations, traditional leaders, former leaders of the independence movement (perhaps pères de l'indépendance), etc.

- In particular, he and other special envoys should seek to include women in their team and assure consultation with and inclusion of women's organizations.
- Public forums should be created to give civil society a hearing. These could take the form of regional consultations or of meetings that reconvene important actors of the national conference. These should both solicit ideas and serve as forums for public education about democracy and electoral processes. The South African model of public forums to air grievances and a public peace process could be examined for lessons.
- An international regional forum for citizens should be established, perhaps as part of the international conference on peace, security, and development.
- As originally provided by the national conference, local and provincial elections should precede national ones. Presidential elections should be held only at the last stage of the process.
- There should be an international presence throughout, at least of monitors, and perhaps even of peacekeepers.
- Issue of population and citizenship may have to be settled before holding an election. A census should be held. The problem of the citizenship of the Banyamulenge should be solved in an equitable way, probably by granting citizenship en masse to those whose ancestors settled in Zairian territory before the country's independence and providing for a choice between repatriation and individual petition for Zairian citizenship for those who arrived after independence.
- In order to provide for mass participation at the beginning of the process and provide it with popular legitimacy, a referendum on a new constitution should be held relatively early.
- Efforts should be made in Zaire, as throughout the region, to end impunity for political violence, by reacting sharply but legally to incidents of ethnic cleansing or political attacks that may be provoked by the electoral campaign.
- Even before the election of a new parliament, some interim representative body will be needed to act as the voice of society.
- The international community should provide economic assistance sufficient at least to cushion Zaire from the worst of its economic crisis and to begin reconstruction of major infrastructure during the transition period

Parallel political processes in Rwanda and Burundi

While the electoral process is being pursued in Zaire, it is necessary for parallel processes to take place in other countries of the region, in particular Rwanda and Burundi. Continued conflict in any of these states can undermine positive developments in the others. Rwanda must continue to receive support for reconstruction, reintegration of the returning refugees, and construction of an equitable legal and judicial system. Burundi will have to continue negotiations so as to find its way

back to the path of national dialogue. In all three countries difficult reforms must be introduced in the military and police institutions in order to subject them to the rule of law and make them more representative of the countries' populations. The process of accountability for the Rwandan genocide, which has barely started, must continue and be expanded to include other war crimes committed by all parties to all conflicts in this region. Justice for one set of crimes should not come to mean impunity for others.

Electoral processes must ultimately be launched in Rwanda and Burundi as well, but international actors must recognize the peculiar difficulties that majoritarian procedures pose to these societies. The minority that controls the military must be made secure against extermination, while the majority must feel it has the power to govern itself in its own country. Designing military, police, judicial, representative, and electoral institutions that empower the majority while protecting the minority will be an almost impossible task. A genuine international framework for security and rights could be helpful in that task, but insensitive pressures in one direction or the other could undermine whatever tentative progress is made.

INTERNATIONAL CONFERENCE ON PEACE, SECURITY, AND DEVELOPMENT

The idea of an international conference on peace, security, and development in the Great Lakes was born of the recognition that all the conflicts in the region are linked, and that the solutions must be linked as well. Transnational flows of population, arms, and trade affect the ideological, political, military, and economic situation in each country in the region. Violence in one country creates insecurity in another. Some countries are densely populated, while others have land to spare. Trade, both legal and illegal, crosses all borders and knits the populations of the region together in a complex set of relationships, some of which underlie the more visible political alliances. In recognition of the imperative of regional cooperation, the countries have been formally linked in a now defunct organization, the Communauté Economique des Pays des Grands Lacs (CEPGL), which perhaps should be revived.

Organizing the conference

There was no dissent from the concept of a regional approach sponsored by the international community as a whole. Some noted, however, that a previous effort to convene such a conference had encountered resistance from some states in the region. Therefore, Ambassador Sahnoun should approach the governments, as well as other actors in the region, in order to canvass their views about such a conference, rather than presenting to them a proposal already formulated elsewhere.

While some urged the quick convening of the conference, most agreed that it should be the culmination of a reasonably long preparation process, particularly in order to assure that all the major political forces in the region support it. Some argued that it should begin only after a cease-fire in Zaire and the start of political dialogue in Burundi. The preparation process should include consultations with all governments, other political forces, a broad cross-section of civil society, and experts from the region and outside. The preparation process could include a series of meetings in the region and elsewhere on specific topics.

Structure of the conference

The concept of the conference itself is still evolving and must be the subject of a broad public debate in the region. Many at the meeting argued that the conference should be conceived not as a single meeting of heads of state or their representatives but as a process of regional problem solving that will include both official and unofficial representatives. One example frequently cited as a possible partial model was the Helsinki conference that led to the Conference on Security and Cooperation in Europe. The CSCE held yearly review conferences and also generated a high level of activity by civil society in support of its goals.

Like the Helsinki process, the International Conference on the Great Lakes should take a comprehensive approach to the problems of the region. Among the topics suggested for its working groups were:

- Justice and accountability, including both the International Tribunal on Rwanda and national judicial systems;
- Regional economic development;
- Curbing illegal arms trafficking;
- Citizenship, nationality, and freedom of movement across borders;
- Rights of individuals, minorities, and groups in general;
- Military reform and demobilization, reintegration of combatants;
- Resettlement and reintegration of refugees;
- Regional collective security arrangements; and
- Regional, African, and international monitoring mechanisms.

Most important, the international conference would seek to institutionalize dialogue and common norms of behavior in a region where differences have too often been settled with violence, begotten by intense fear and insecurity. We intended this meeting as one of many steps preparing the long way to that goal.

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