

May 15, 2003



“THERE WON'T BE LASTING PEACE IN THE CONGO UNTIL THERE IS PEACE IN ITURI.”

(UN NEGOTIATOR FOR THE INTER-CONGOLESE DIALOGUE)

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ACRONYMS

FAPC Forces Armees pour le Congo
FRPI Front Revolutionaire pour l'Ituri (Lendu Combatants)
FNI Forces des Nationales et Integristes ("political wing" of the FRPI)
PUSIC Party for Unity and Safeguard of the Integrity of Congo (South Hema Combatants)
UPDF Ugandan People's Defense Force (Ugandan Army)
UPC Union des Patriotes Congolaise

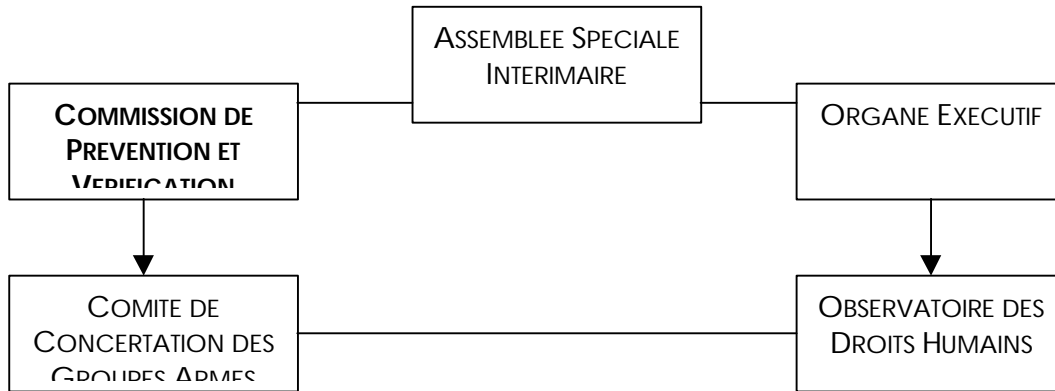
LEGAL FRAMEWORK

- Luanda agreement of September 6: withdrawal plan requested the establishment of a neutral, capable, police force in order to assure the security in Ituri. Also stipulated that Uganda could keep a force in to control the Rwenzori Mountains.
- Global and Inclusive accord signed in Pretoria on the 16th of December on the transitional government in the DRC.
- Cease-fire agreement signed March 18th. Six signatories to the agreement that suspended hostilities: RCD/ML (allied to Kinshasa); two Lendu militia, a Lendu political party Front des Nationaliste et des Integristes (FNI); a Hema political party, Parti pour l'Unite et la Sauvegarde de l'Integrite du Congo (PUSIC); and an Alur political party, Front Populaire pour la Democratie au Congo (FPDC). The UPC did not sign the agreement.

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- Meeting of the Commission of Pacification of Ituri composed of military, political economic and social forces from the 4th to the 14th of April. Legal framework established by Luanda agreement with governments of the DRC, Uganda, and Angola. Creation of the Interim Administration of Ituri.



STAKEHOLDERS

"Nous allons gouverner sur les cadavres des gens de l'est."
 (John Tibasima, Vice-president of the RCD-ML)

Government of Kinshasa

- ❑ The government has sent high-ranking delegations, before, during, and after the work of the Ituri Pacification Commission (Peace Commissar Vital Kamahere, Minister of Human Rights Ntumba Luaba).
- ❑ Public statement asking the possibility to send in the Forces Armees Congolaises.
- ❑ Numerous declarations condemning the upsurge of violence.
- ❑ Up to 700 police sent to Bunia, with the goal of "restoring order using the national government police forces and to make no distinction between Hema or Lendu." (Interview with Lieutenant Colonel in Bunia, May 5th, 2003). No means of communication or transportation were allocated to police force.
- ❑ The majority of police officers have fled to Beni-Butembo or sought refuge at the airport. Reports indicate that around 400 have relinquished their arms to combatants in Bunia town. 140 are still helping to secure the airport in collaboration with the forces of the MONUC (May 13, 2003)
- ❑ The Minister of Human Rights, Ntumba Luaba is currently in Bunia, working with the Interim Administration and attempting to negotiate with different armed groups.

MONUC

"Unfortunately, they [the combatants] may have learned the lesson from Rwanda: if you want the UN peace-keeping force to leave, you simply have to shoot one or two."
 (Interview with Presidential advisor, Kinshasa, 2003)

- ❑ In March 2003, the UN Security Council approved sending 8,700 soldiers and military observers. MONUC has 4,400 soldiers plus military observers currently stationed in the DRC.
- ❑ There are currently 712 military and Observers in Bunia. This represents more than 15% of all MONUC forces in the DRC.
- ❑ The majority of the soldiers stationed in Ituri are Uruguayans, except for the Etat-Major.

- ❑ 12-13 civilian MONUC forces.
- ❑ Some soldiers have been working 36-hour shifts.
- ❑ MONUC has been working to help support the work of the Interim Administration, in combination with UNDP, and has provided a meeting room and will be providing basic office supplies.
- ❑ MONUC's mandate could be defined as a Chapter 6++. It is within their mandate (according to various resolutions of the UNSC) to protect civilians; although they have limited means with which to accomplish this goal. It is not in their mandate (or their means) to act as an interposition force.
- ❑ The UN Secretary General, Kofi Annan, has called on council members to develop a "coalition of the willing" to send foreign troops to help avert an increase in violence.
- ❑ MONUC has only just received the mandate to go into Ituri (which wasn't in the original deployment plans) and there is concern among countries contributing soldiers of a "mission creep."

Four Main Political Movements in Ituri

"While they were in Pretoria and Sun City we were on the battlefield. Now where are we?"

(Combatant on the transition process in the DRC)

Thee following four groups have controlled the region and they have all been both supported and then deserted by the foreign occupying forces.

1) Wamba Dia Wamba's RCD - Kisangani,

2) Jean-Pierre Bemba's short-lived Front de Libération du Congo

3) RCD-K-ML

- ❑ Legally, until the government is fully formed, the RCD-K-ML still controls the territory of Ituri.
- ❑ Neither the president of the movement (Mbusa Nyamwisi), nor the vice-president (Tibasima) was present during the meeting of the IPC.
- ❑ Those that participated in the RCD-ML, that may now be awaiting an attribution of posts by NYAMWISI in Kinshasa.
- ❑ It is unclear what role the RCD-ML will play in the interim administration.

4) Union des Patriotes Congolais - Réconciliation et Paix (UPC-RP)

- ❑ Led by Thomas Lubanga, principally Hema from the North.
- ❑ Lubanga signed a military, social, and economic cooperation agreement with the RCD-Goma on 6 January, 2003.
- ❑ On the 6th of March, the UPDF, in co-ordination with Lendu Combatants, won a relatively easy victory against the UPC. This set up the necessary conditions for the Ituri Pacification Commission to take place.
- ❑ The UPC was not a signatory to the March 18th cease-fire agreement or to the work of the Ituri Pacification Commission

- ❑ The UPC continued to lead sporadic attacks against Lendu combatants from March 8th to April 23rd. The infiltration of UPC forces is claimed to be facilitated by safe passage given by certain members of the UPDF.
- ❑ The UPC has received support from Rwanda, although it is unknown the extent of that support. Lubanga has made several visits to Kigali and has received supplies from Rwanda, landing at Irumu airport.
- ❑ Before the 12th of May take-over, many stated that Lubanga was “the main stumbling block” to peace in the sub-region.
- ❑ On the 13th of May after Rapidly taking Bunia, UPC representative Justin Lokana, made the following declaration *from Kampala*, "We have beaten the coalition of the United Nations, Kinshasa police, the Hemas and the people from Beni who have been killing people in Bunia,"
- ❑ The UPC, through commander Gisembo (Chef Kawa's brother) states their willingness to work with the MONUC and the newly created administration of Ituri.

Other Armed Groups

FNI/FRPI (Forces nationalistes et Integrationnistes/ Front revolutionaire pour l'Ituri)

- ❑ Lendu Combatants led principally by Commander Njabu.
- ❑ Following the take-over of Bunia on 6 March by the Ugandans allied with Lendu combatants, the FRPI/FNI acquired military superiority to other groups.
- ❑ The FRPI lacks good command and control of all the Lendu forces. Ongoing massacres against the Hema in Mbau Tsoro, Largo, and Djugu.
- ❑ Many have fled Bunia in the last 3 days, although exact numbers are uncertain.

PUSIC (Party for Unity and Safeguarding of the Integrity of Congo)

- ❑ Led by chef Kaawa Mandro Mpanga and principally Hema from the South that split with the UPC after the March 6 when the UPC was defeated by the Ugandan army.
- ❑ Re-aligned with the UPC in order to take over control of Bunia.

FAPC (Forces Armees pour le Congo)

- ❑ Led by Commander Jerome Kakawavu Bakonde, a Minyarwanda from Masisi.
- ❑ The FAPC is currently responsible for the strategic towns of Aru and Mahagi, as well as the gold-mining area of Mogwallo. They may be collecting up to 100,000 US dollars/month in tax revenues of which a large proportion are used to feed and clothe over 7000 soldiers.
- ❑ On April 17th, there was a tentative to create a ‘commandant general mixte’ with Commander Jerome as leader. This initiative was done without the support of MONUC or the Congolese Government. Some hypothesise this may have been attempted to deter the arrival of Congolese Armed Forces. The initiative failed.
- ❑ On May 6th, Commander Ally (3rd in command FAPC) reiterated his support for the work of the Ituri Pacification Commission, and the March 18th cease-fire, and stated that he is also willing to work with other groups in order to assure the security of Ituri.

- The position of the FAPC since the taking of Bunia by the UPC has not been made public.

ITURI PACIFICATION COMMISSION AND THE INTERIM ADMINISTRATION

“C’est qui a gagné la guerre en Congo/en Ituri?”

“Personne. Nous sommes tous des perdants.”

(Mme. Petronille, President of the Interim Assembly)

- The interim administration, created by the work the Pacification Commission of Ituri, is seen as legitimate by most of the armed and non-armed groups.
- Members of the Interim Administration were targeted during the attacks from the 6th to the 13th of May,
- The interim governance structures still appear to have strong support among the Ituri population.
- The Administration has no operating expenses, although according to the declaration of the CPI the executive body should « S’assurer de la perception des recettes publiques sur l’ensemble de l’Ituri »
- The MONUC and UNDP have stated that they are ready to support the new administration. The government of Kinshasa has stated that they will purchase mobile phones for members of the administration.
- The interim administration has no control over the military or the security situation in the region. The administration will not be maintaining its legitimacy unless minimal security conditions are met. The control of some form of security apparatus should be put under its control.

Declaration of the Interim Administration on the 7th of May

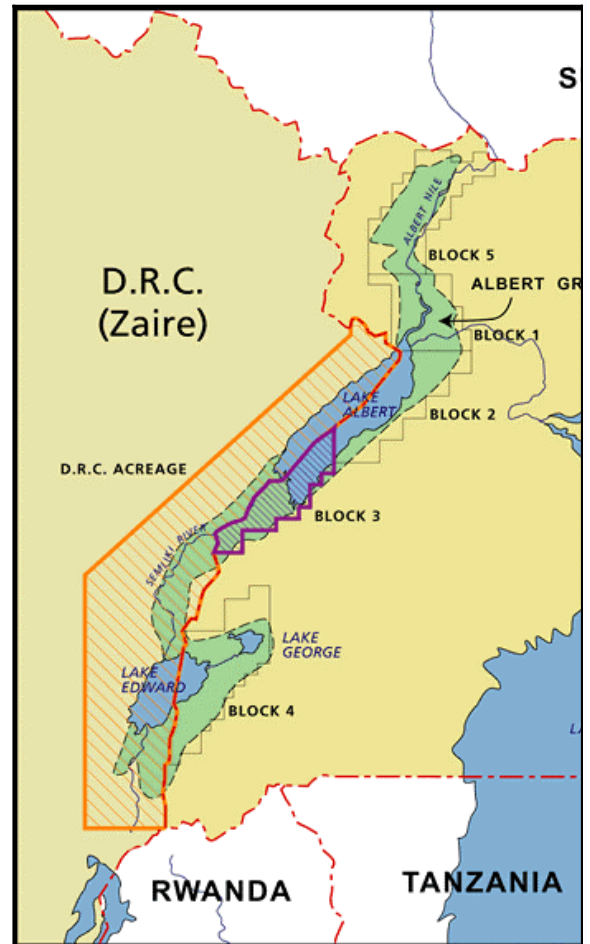
« .Réitérant notre ferme volonté d'appliquer les décisions de la Commission de Pacification de l'Ituri..Déplorons et condamnons les actes d'hostilité et de violence survenus après les assises de la Commission de Pacification de l'Ituri, demandons aux groupes armés de se conformer à l'accord de cessation des hostilités du 18 mars 2003 et aux recommandations de la CPI ; de se cantonner dans leurs quartiers respectifs.. demandons à la police nationale congolaise de se déployer immédiatement sur tous les sites sensibles de Bunia et des environs ..Prenons note avec satisfaction que la MONUC assure déjà le contrôle de l'aéroport national de Bunia et l'encourageons à démilitariser la ville de Bunia, à assurer la sécurité des populations de Bunia et des localités environnantes et à organiser des patrouilles conjointes en coordination avec la police nationale congolaise..Demandons au gouvernement de la RD Congo qu'il envisage la prise en charge des groupes armés aux sites de cantonnement ainsi que les voies et moyens d'intégration de leurs éléments.avec l'assistance de la communauté internationale.».

RESOURCES

Ituri is rich in natural resources, and has been "cursed by its riches." Proceeds from the sale and export of products such as timber, gold, diamonds, and the mineral coltan finance arms purchases and support the coffers of various armed groups. Oil has also recently been discovered in Ituri Province.

Oil

- ❑ Preliminary seismic results show that the target area, which also takes in western Uganda, extends over 7.7 million acres has geological structures pointing toward reserves that run into several hundred million barrels.(Atlantic Oil and Gas Works)
- ❑ Commercial arrangement signed with Kinshasa government in eastern Congo less than 2 months after the Sun City accords (between the government and the Mouvement pour la liberation du Congo (MLC -led by Jean-Pierre Bemba) and the RCD-K-ML (led by Mbusa Nyamwisi). Before signing of the accord the concession was "nominally under the control of the MLC, but was subject to frequent attack by the RCD-ML, which controlled the Orientale and North Kivu Provinces." (Oil and Gas International)
- ❑ Chief Executive of Heritage Oil, Michael Wood described the drilling in East Congo as "frontier exploration," and that his organisation had "not experienced any fighting or security problems whilst we have worked in the area since 1997." He also added that the idea of fighting or security interests being linked to oil was "nonsense."¹



LATEST DEVELOPMENTS

Wednesday 7th May. Looting in town. Fighting between the FRPI and the UPC near the hospital, airport, and market. The withdrawal of Ugandans from Bunia is complete.

Thursday 8th of May. Fighting in the city, aeroplane of the Minister of Human Rights is shot at the airport. Emergency landing in Entebbe. Fighting between UPC and FRPI/FNI.

¹ IRIN. *Oil drilling in east set to start August* June22, 2002

Friday 9th of May. 10,000 people huddled at the different MONUC locations; more than 4000 people at the headquarters of the MONUC. Students demonstrate with slogans, such as "On veut la paix, on veut le pain qu'est-ce qu'il fait le MONUC?" The demonstrations become violent, and appear that they may be manipulated by some of the different armed groups. MONUC fires in the air to disperse the population. 2 hours later, MONUC building is attacked by light weapons. MONUC soldiers respond. No injuries or casualties are reported by the combatants. The UN sector Commander is injured in a machete attack.

Saturday 10th of May. Fighting between Lendu and Hema combatants, near the hospital. Massive fleeing of both communities. The north and the south of the town of Bunia is almost completely empty. Continuing IDPs assembling at the MONUC.

Sunday 11th of May. Distribution of 5.5 tons of wheat at the airport, as well as an undetermined amount of beans and oil. Medical kits and water distributed.

Monday 12th of May. Around 6am, the UPC starts to attack the centre of town with heavy arms. By 10am almost the entire town is controlled. Colonel Mugabo makes a public announcement on the radio, and states that "We are taking control of the town"; there will not be harassment of the population.

Tuesday 13th of May. Local human rights group declares that there are at least a hundred civilians killed within the last 5 days. The UPC is patrolling the town together with some soldiers from the PUSIC. Security Situation is calm except for sporadic fighting at the airport. Tens of thousands of people are reported to be walking southward to Bunia and another 5000 or so are said to be 6km from the town itself. Another 20,000 are reported to be moving on the southern axis towards Beni. Lubanga is rumoured to be coming into town from Kampala.

Wednesday 14th of May. Heavy fighting in the center of town with small and heavy arms resulting in at least 10 civilian deaths and over 100 wounded. Minister of Human Rights leaves Ituri for a meeting with President Kabila in Tanzania.

POSSIBLE WAYS FORWARD: ENTRY-POINTS FOR INVOLVEMENT

The Interim Administration

- It will be necessary to support the work of the Interim Administration, which is still regarded by many of the population as well as various armed and non-armed groups as a legitimate institution.
- The administration needs to work on strategic planning of its activities, as well as a focus on grass-roots reconciliation. If the security conditions permit, and if the administration is still legitimate, it would be advisable to attempt to plan the workshop as soon as possible, in function of evolution of the situation within the next 10 days.

Security

- ❑ The new administration will not be able to function without a minimum of security within at least the town of Bunia. It will not be possible to focus on the rest of the district until the town of Bunia is fully secure.
- ❑ Speed-up the establishment of a local broadcast of Radio Okapi in Ituri. This would create a forum to discuss local problems and fight against misinformation between different communities.
- ❑ Possibilities of putting the control of a security apparatus under the Interim Administration should be discussed with government and like-minded partners.
- ❑ The EU (and other actors) should work for the establishment of a neutral, capable force in order to provide security in Ituri.

- ❑ The EU and other actors should encourage the *timely* creation of an etat-general mixte, in order to consolidate the formation of a national army, before the DRC army/police will be able to intervene in Ituri. The negative role of the police in Ituri was a “warning shot” for disconcerted action. Any other action of this sort should be discouraged.