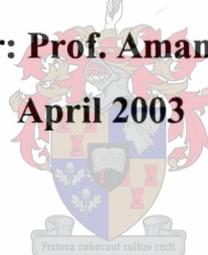


GENDERING CONFLICT RESOLUTION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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Masters of Arts (International Studies) at the University of Stellenbosch**

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I, the undersigned, hereby declare that the work contained in the this assignment is my own original work and that I have not previously in its entirety or in part submitted it at any university for a degree.

Signature:

Date:

The financial assistance of the National Research Foundation (South Africa) towards this research is hereby acknowledged. Opinions expressed and conclusions arrived at, are those of the author and are not necessarily to be attributed to the National Research Foundation.

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This research report is dedicated to my mother, a phenomenal woman whose loving support has never faltered.

I would also like to thank the staff of the department of Political Science at Stellenbosch University, in particular Professors Hennie Kotze and Philip Nel who put so much faith in me that I had no choice but to succeed.

Opsomming

Hierdie navorsingsverslag dokumenteer die uitkomst van 'n studie wat daarna streef om die potensiële bydrae van vroue tot konflik resolusie te ondersoek. Tot hierdie end word die Demokratiese Republiek van die Kongo as 'n gevalstudie gebruik. Die navorsingsontwerp is eksploratories en beskrywend en daar word ekstensief gebruik gemaak van beide primêre en sekondêre bronne van data.

Deur aan te voer dat 'n *gender* perspektief op konflik die wyse waarop vroue verskillend geraak word deur konflik beklemtoon, volg dit logies hierop dat vroue toegelaat behoort te word om hul regmatige plek in te neem ten tyde van pogings tot konflik transformasie. Die toepassing van 'n *gender* perspektief dwing verder ook 'n hersiening van konflik resolusie en beskou konflik bestuur en transformasie as die gepaste maniere om oorlog tot 'n einde te bring. Dit bring mee dat daar 'n verskuiwing van klem plaasvind – vanaf 'n soeke na politieke oplossings na konflik voorkoming en vroeë/tydige waarskuwing as die mees effektiewe instrumente om gewelddadige konflik en die ineenstorting van vredesprosesse te voorkom. In die soeke na die gepaste rol vir vroue in konflik bestuur, herondersoek die studie 'n aantal raamwerke vir die volledige en gelyke deelname van vroue in konflik bestuur op die internasionale, regionale en sub-regionale vlakke van analise. Hierdie raamwerke word dan toegepas op die situasie in die DRK, en praktiese riglyne word voorgehou. Hoewel die studie vind dat daar 'n duidelike gedefinieerde behoefte bestaan om die *gender* vooroordeel in die analise en resolusie van konflik te openbaar, word dit ook aanvaar dat die patriargale aard van die DRK en die internasionale sisteem in die meeste gevalle ware vooruitgang in die daarstelling van 'n nie-patriargale, gelykregtige, vreedsame sosiale wêreldorde sal kniehalter.

Abstract

This research report documents the results of a study that aims at investigating the potential contribution of a gender perspective towards conflict resolution. In this regard, the Democratic Republic of the Congo (DRC) is used as a case in point. The study takes the form of an exploratory and descriptive study and extensive use is made of both primary and secondary sources of data.

By arguing that a gender perspective on conflict will elucidate the way in which women are affected differently by conflict it logically follows that women should be permitted to assume their rightful positions in attempts at transforming conflict. The application of a gender perspective furthermore urges a revision of conflict resolution towards conflict management and transformation as the appropriate ways of bringing an end to war. This implies that the emphasis is shifted from a search for political solutions towards conflict prevention and early warning as the most effective ways of pre-empting violent conflict and the breakdown of peace-processes aimed at resolving violent conflicts. In the search for an appropriate role for women in conflict management, the study revisits a number of frameworks for the full and equal participation of women in conflict management at the international, regional and sub-regional levels of analysis. These frameworks are then applied to the situation in the DRC and some practical courses of action are proposed. While the study concludes that there is a clearly defined need for exposing the gender bias in the analysis and resolution of violent conflict, it notes that the patriarchal nature of the DRC and the international system will in many instances hamper progress towards the achievement of a non-patriarchal and non-gendered peaceful social world order.

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LIST OF ACRONYMS

AAWP	All African Women for Peace
ALiR	<i>Armée du Libération du Rwanda</i>
APR	<i>Armée Patriotique Rwandaise</i> (Rwandan Patriotic Army)
AU	African Union
BPFA	Beijing Platform For Action (Also Beijing PFA)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
DDR	Disarmament, Demobilization and Reintegration
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of the Congo
Ex-FAR	<i>Ex-Forces Armées Rwandaises</i> (former Rwandan Armed Forces)
FAC	<i>Forces Armées Congolaises</i> (Congolese Armed Forces)
FAS	<i>Femmes Africa Solidarité</i>
FAZ	<i>Forces Armées Zaïroises</i> (Zairian Armed Forces)
FDD	<i>Forces pour la defense de la democratie</i>
ICD	Inter-Congolese Dialogue
MLC	<i>Mouvement pour la liberation du Congo</i> (Movement for the Liberation of the Congo)
MONUC	<i>Mission des Nations Unies en RDC</i> (United Nations Observer Mission in DRC)
NEPAD	New Partnership of Africa's Development
NGO	Non Governmental Organisation
OAU	Organisation of African Unity
OCHA	UN Office for the Coordination of Humanitarian Affairs
PACMT	Political Agreement on Consensual Management of the transition in the DRC
PAIF	<i>Programme d'Appui aux Initiatives Féminines</i> (Promotion and Support of Women's Initiatives)
RAC	Regional Advisory Committee
RCD	<i>Rassemblement Congolais pour la Démocratie</i> (Congolese Rally for Democracy)
SADC	Southern African Development Community
SADC OPDS	SADC Organ for Politics Defence and Security

UDPS	<i>Union pour la Démocratie et le Progrès Social</i> (Union for Democracy and Social Progress)
UN	United Nations
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNITA	<i>Uniao Nacional para a Independencia Total de Angola</i>
UPC	<i>Union des patriots congolais</i>
UPDF	Ugandan People's Defence Forces
UPDS	<i>Union pour la democratie et le progress social</i>
WFP	World Food Programme

CHAPTER 1: METHODOLOGY

1.1 BACKGROUND

An estimated 2,8 million people have lost their lives in the war in the Democratic Republic of the Congo (DRC) since 1997 and Conflict Resolution in the DRC is an issue which has certainly found its way onto the world's agenda. The current conflict in the country has defied the contemporary conventional wisdom with regard to inter-state African wars, and it has also proven the inadequacy of conventional conflict resolution strategies.

1.2 THEORETICAL FRAMEWORK AND RATIONALE

It is proposed that an in-depth study be done on the gendering of conflict resolution in the Democratic Republic of the Congo where, what has been called Africa's First World War, has been raging for the last four and a half years (Breytenbach, et. al., 1999: 33 & Lemarchand, 2000: 349, etc.). There have been several attempts at resolving this conflict – none of which have yet proven its sustainable success.

Conflict Resolution has evolved as a distinct sub-field within Conflict Studies under the discipline of International Relations. As such, conflict resolution strategies are invariably rooted firmly in the theoretical frameworks that have evolved and now prevail within International Relations. Critical theory, feminist theory and peace studies (amongst others) have gained increasing prominence in International Relations in lieu of traditional theories (here referring mostly to realism, and the varieties of idealism and liberalism) that could not provide satisfactory explanations of social reality. This has resulted in a number of changes within Conflict Resolution practice, such as a shift towards so-called 'two-track diplomacy', 'second', or 'fourth generation conflict resolution', and so forth (Van Schalkwyk, 2001a). Through the proposed research, it will be argued, however, that, although some positive developments have taken place, it is suspected that some more dramatic changes are needed within the realm of conflict management in order to resolve complex threats to a peaceful and stable world order such as presented by the DRC war.

Using existing theoretical frameworks for conflict and conflict resolution as a point of departure, the purpose of this study is thus to highlight an alternative theoretical framework for conflict management that is based on a process of gendering – of both conflict and conflict resolution theory and strategies. The theoretical component will be embedded in an empirical analysis of the DRC – and the place of gender as an explanatory device within that context – as a specific case in point.

1.3 PRELIMINARY LITERATURE REVIEW

A preliminary literature review has been undertaken in order to reveal some basic factors with regard to the DRC conflict and its dynamics, and to determine whether Gender Theory and/or Feminism have articulated and applied a distinct theoretical framework to conflict resolution. The results of this literature review will elucidate the title of this research project.

1.3.1 GENDERING

Gendering refers to two ongoing “projects”: the deconstruction of gender-biased knowledge claims (revealing androcentrism in fundamental categories, in empirical studies, and in theoretical perspectives) and the reconstruction of gender-sensitive theory (rethinking fundamental relationships of knowledge, power and community and the developing of feminist epistemologies). The idea of gendering is born of the feminist claim that the codification of social scientific knowledge has excluded women to the extent that existing knowledge claims about human experience may be called ‘man’s knowledge’ and as such does not take cognisance of the true complexities of social existence (Peterson, 1992: 6).

1.3.2 CONFLICT RESOLUTION IN THE DRC

Conflict Resolution in the DRC has been problematic to say the least. As mentioned earlier, the current conflict in the country has defied the contemporary conventional wisdom with regard to internal African wars, and has drawn in at least eight of the surrounding African

states. Other external involvement includes the deployment of a 5,000 member strong UN Peacekeeping Force in the DRC, while a number of NGO's, churches and other welfare organisations are active in trying to bring some relief to the war-ravaged population. Many more states and role-players are said to be directly or indirectly and informally involved.

The current war in the DRC is underwritten by a condition of structural violence that extends into the entire Great Lakes Region (Havermans, 2000: 3-5; Lemarchand, 2000, Kabemba, 1999: 1-3). Colonialism has – as elsewhere in Africa – left a mess of arbitrary boundaries and divided peoples. With the withdrawal of the imperial powers and later the two Cold War powers (the United States and the Soviet Union) weak state structures were left exposed to the threats and demands of a strange African concoction of communalism, ethnocentrism, parochialism, patriarchy, corruption(ism) and other ugly monsters. Against this background, some commentators have traced the roots of the so-called 2nd rebellion directly to the 1994 genocide in Rwanda. And there is relative consensus around the citizenship issues of the Tutsi people in the Eastern Congolese Kivu province (known as the Banyamulenge) being central to understanding the conflict dynamics (Van Schalkwyk, 2001a).

The complexity of the DRC war, the extent of the devastation it has wreaked and its track record of failed attempts at achieving a negotiated settlement, urges a critical investigation of the paradigms underlying conceptions of state, security, conflict and peace (Ogunsanya & Mngqibisa, 2000: 1). It would appear that the logic of self-help, and violence and power as the only means to attain security has defined the DRC war in all its dimensions. This has extended into conflict resolution efforts that have been characterised by a state-centric approach operationalised in so-called one-track diplomacy where only the *belligerents* are regarded as legitimate participants (Naidoo, 2000: 1-4). The Lusaka Peace Accords of July 1999 presented a partial departure from peacemaking efforts focussing solely on the belligerents towards a two-track diplomacy whereby *citizens* are to be actively involved in conflict management (Naidoo, 2000: 1-4). The term “capacity-building” has also been widely associated with this paradigm shift in conflict resolution strategies (Ogunsanya & Mngqibisa, 2000: 3).

1.3.3 FEMINISM AND GENDER THEORY

As will become clearer in the ensuing chapters, this study contends that the value of feminist contributions to conflict resolution lies in the application of a gendered approach as opposed to a purely feminist analysis. Related to this is an implied shift from thinking about conflict resolution towards rather thinking about conflict management – an all-inclusive, realistic and continuous process.

Ellen Berg (1994: 2, 3 & 10) who has done groundbreaking work in the field of feminist theorizing about conflict resolution came to the conclusion that the contemporary contribution of feminism to conflict resolution and peacemaking is found, above all, in feminist theory. Feminism presents a distinct way of looking at how people make sense of their social world. A feminist perspective may suggest that neither changing societal institutions nor changing its socialization of new members is sufficient; *our very mode of knowing (of perceiving and conceiving) must be changed if the aspiration for peace is to be fulfilled.*

Following another strand of feminist theory, Berg (1994: 9) contends that “*the psychologically grounded dedication to verbal engagement and reconciliation attributed to femininity has profound implications for conflict resolution, especially when wedded to the principle that Gilligan (in Berg, 1994: 9) finds ultimately guides the ethic of care: to do the least harm*”. It is difficult to envision the DRC belligerents worrying more about doing less harm, than more. However, if they are made aware of the fact that there are connections between parties, prompted to understand each party’s interests and emotions (particularly with regard to the issue of the Banyamulenge and other non-indigenous Tutsi people in the DRC who have been living there for decades), and encouraged to keep communications open, some common ground may emerge where they can realise that continued fighting harms everyone’s interests unnecessarily (Berg, 1994: 9).

As mentioned before, structural conditions – ethnically and historically embedded – form the basis of conflict and violence in the Great Lakes region. Feminist social construction theory reminds that there is little to be gained by the age-old game of nationalist and sectarian politicians of shifting the burden of guilt and has incessantly and vigorously fought the perception of permanence and inertia associated with structural conditions (Thompson, as quoted in Burguières, 1990: 10 & Berg, 1994: 5-6). This kind of analysis ends the depiction

of one party as victims, helpless to shape their destiny, and of the other party as evil oppressors, helpless to stop their victimizing activity, forcing both parties to assume responsibility for their past and future without the escape hatch of blaming the whole sorry mess on abstract, immutable social forces. In a similar vein, feminist social construction theory reveals the complicity of both men and women in sustaining militarism and posits a strong counter-position on peace, building a strong feminist framework based on a common, ungendered¹ foundation for peace. It argues for the role of feminism in dismantling the imagery that underlines patriarchy and militarism – assigning responsibility to both men and women for opening paths to non-violent interaction.

Other feminist contributions to conflict resolution discourse can be found in their rejection of the dichotomous theoretical constructs that permeate international relations thinking. Clear-cut distinctions between private/public, war/peace, and them/us are not regarded by feminism as representative of social reality. Wide citizen involvement and the humanitarian impact of the fighting in the DRC have been indicative of this fading distinction between public and private, battleground and backyard.

1.4 RESEARCH PROBLEM AND OBJECTIVES

Despite attempts at track two diplomacy and the wide participation of domestic and international NGOs in peace building processes in the DRC, conflict resolution efforts to date appear to remain grounded in the realist/patriarchal perspective that still greatly underlies not only conflict resolution discourse, but also the understanding of international relations in general. As a result, conflict management processes remain, in essence, attempts at conflict resolution, and significant groups remain outside mainstream processes while deep-rooted structural issues remain ignored by official negotiators. Top-down approaches also tend to dominate, and a lack of capacity-building and attention to the imperatives for early warning and other preventative mechanisms to be established in anticipation of future relapses continue to characterise peace-making efforts.

¹ Indicating a situation where gender differences do not provide a basis for discrimination

Hence it will be asked whether prospects for lasting peace can be enhanced by gendering conflict resolution in the DRC. The application of gendered perspectives provides a coordinating framework for addressing many of these problems and hence, some of the causes of the repeated failure of conflict resolution attempts in the Congo. It urges analysts and practitioners to look beyond political power dynamics, revealing the true sources of power, the un-sustainability of those sources of power; and uncovers options for establishing a society based on principles of inclusivity and resource expansion.

This study hopes to clarify the relevance of a gendered approach to International Relations and Conflict Resolution through expanding the practical application of theory. A limited literature review has not revealed any prior attempts at merging the wealth of work done on a theoretical and practical level with the analysis of a specific case within the African context.

1.5 RESEARCH DESIGN

Against the above background, it is proposed that the present study be conducted within the qualitative paradigm and the choice of research design is consequently prescribed by the specific nature of the research question to be answered. An amalgamation of a thorough literature review and empirical case-study evidence is envisioned to result in some limited non-empirical conceptual analysis and incidental theory building. The units of analysis are thus drawn from both 'Worlds' as referred to by Mouton (2001: 51). World 1 objects are of an empirical nature, indicating empirical problems – in this case the resolution of the conflict in the DRC – while World 2 objects include references to the non-empirical world of scientific concept or notions, theories and models and schools of thoughts, or world-views. This implies an exploratory study rather than one that is aimed at description or explanation. Non-empirical meta-analytic, conceptual, theoretical, and philosophical or normative questions are thus to be asked throughout the project (Mouton, 2001: 55).

This study will be exploratory in as far as the basic objective is concern, but will inevitably take a number of 'descriptive' turns as it attempts to outline the context of conflict resolution within the DRC and seeks to determine why previous efforts have failed to yield the expected peace dividends.

1.6 RESEARCH METHODOLOGY AND METHODS

Data for the literature review will be gathered from a variety of textual sources such as books, monographs, conference proceedings, reference materials, journal articles, newspapers, magazines, reports, theses and dissertations. Official governmental sources and primary sources, such as copies of treaties and personal interviews are to be used to supplement the secondary data. Most of these (documentary) sources are available or obtainable through the university information service and extensive use will also be made of the Internet and other computer-based sources of information. Potential interviewees are identified through these means and approached by the researcher on a personal and individual basis or via electronic means.

Based on the chosen means of data collection, specific care will be taken to avoid some of the common errors associated with the use of secondary and textual data as warned against by Mouton (2001: 106). These may include researcher distortion based on pre-conceptions and prejudices, and personal bias with regard to the selection of data and interviewees. When attempting to answer a specific research question (and thus implicitly support a specific hypothesis), as is the case here, research expectancy² must be guarded against.

The theory-building aspect of the study presents particular obstacles and care is to be taken to formulate postulates which make plausible claims on reality, are conceptually coherent, consistent, and relatively flexible (Mouton, 2001: 177). The chosen research design implies an exercise in inductive reasoning and grounded theory (Mouton, 2001: 150 & 177). This will be pursued at the hand of three broad 'projects' within the study:

1. The conflict in the Democratic Republic of the Congo has many dimensions. A complex range of actors are involved and the conflict has taken various forms (Kabemba, 1999: 1-3 & Ibeiki-Jonah, 2002). The impact on the society and living standards has been devastating and the situation is worsening with every day that the conflict drags on. The first phase within this research would thus be to 'map' the relevant conflict and conflict

² Research expectancy results when the researcher or interviewer subtly communicate an expectancy that the subject fulfils – this may both in the case of personal interviews, observations and the use of documentary sources (Mouton, 2001: 106)

resolution processes through scrutinizing documentary data sources. Specific areas of focus would include the historical context, perceived causes, participants, duration, ethnicity and its role, the intensity of the conflict, and the impact of the war on women and children.

2. A gendered analysis of conflict resolution processes will then ensue. There is a considerable and growing body of literature on feminism and gender theory and conflict and conflict management/resolution. Theorists and practitioners have been looking at the role of women in conflict and conflict management and have also looked at how the principles entrenched in gender theory is a rich resource for conflict resolution (Berg, 1994: 3). The other side of gendering implies a reconstruction – of theory and practice – to include the gender dimension, and it is proposed that this be applied to conflict resolution in the DRC.
3. In the last section the focus shifts towards the ultimate goal of the research. By contextualising the case study within its broader environment and assessing the role of various actors in implementing the lessons learnt from the application of a gendered perspective, a range of policy directives are expected to manifest.
4. In conclusion, research findings and future scenarios will be summarised.

CHAPTER 2: CONFLICT AND CONFLICT RESOLUTION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

2.1 INTRODUCTION

The conflict in the Democratic Republic of the Congo, in its current form, originated in the Rwandan- and Ugandan-backed rebel onslaughts in Eastern Congo on the 2nd of August 1998. Within a month a further five African states and more than a dozen rebel groups were drawn into the conflict, earning it the genus of Africa's first world war³. Since the start of the conflict it is estimated that nearly three million lives have been lost⁴, nearly half the population left malnourished, two million internally displaced and a further 300 000 forced to seek refugee status in neighbouring countries (UN OCHA, 2002).

Although a number of recent events, starting with the death of Laurent Kabila and the accession of his son, Joseph Kabila, have brought about a number of positive developments, the simmering conflict in the DRC continues to pose some real threats to the success of the newly created African Union and also threatens the realisation of Mbeki's African Renaissance and the New Partnership for Africa's Development (NEPAD).

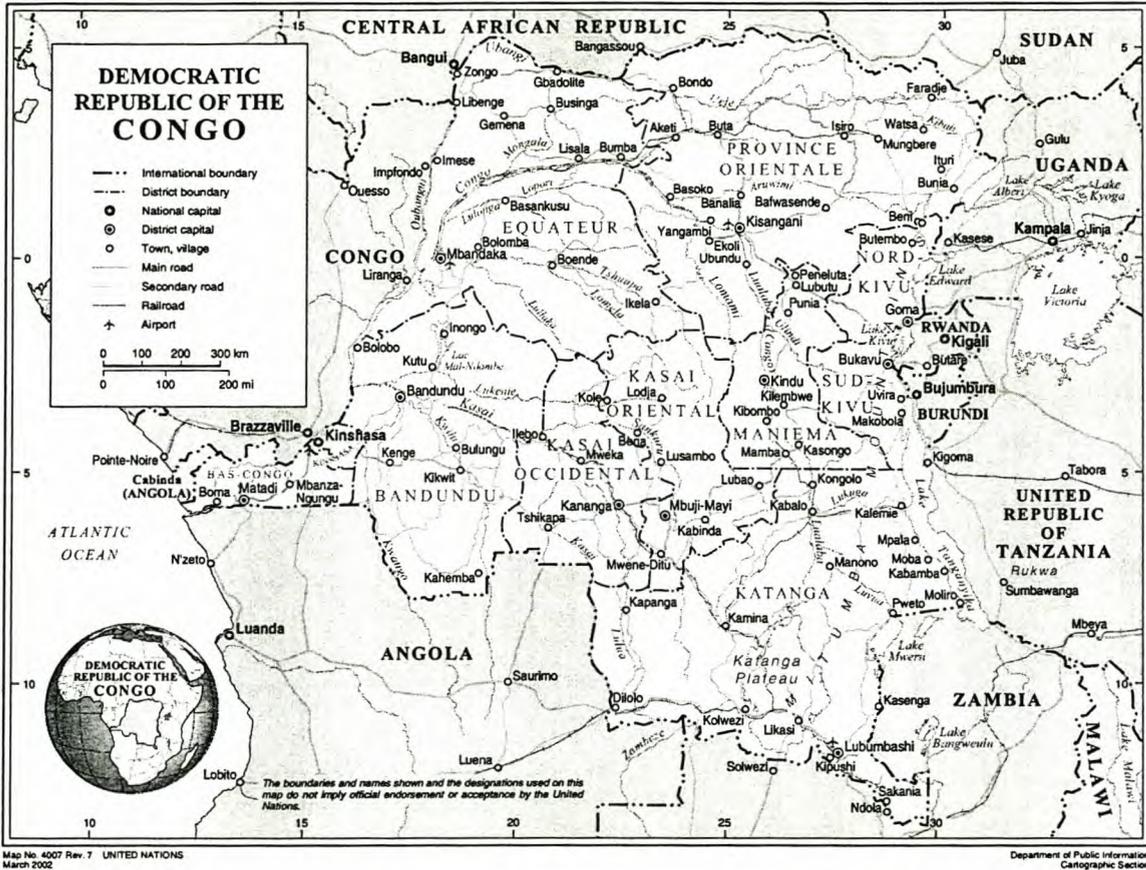
The aim of this section is to provide a broad overview of the most salient aspects of the conflict in the Democratic Republic of the Congo in order to be able to appraise conflict resolution efforts since the beginning of the current conflict.

By means of an introduction, the first sub-section will comprise a brief overview of the conflict in the DRC positioning it as an ethnic or identity conflict. However, it is characterised by particularities such as the unprecedented involvement of multiple and varied external forces, coupled with the geopolitical and historical contexts. The following section

³ A phrase ascribed to former US Secretary of State, Madeleine Albright.

⁴ At the end of 2001 the Office for the Coordination of Humanitarian Affairs (OCHA) stated that over two and half million people had died since August 1998 in eastern DRC, largely as a result of economic insecurity (Institute for Security Studies, 2002a). It is projected that this figure had reached nearly three million by the end of 2002.

will be dedicated to the chronological ‘mapping’ of conflict resolution processes and an attempt will be made to integrate practice and theory in preparation for the final section, which will identify some of the challenges associated with the past peace processes and outline some future scenarios/prospects.



Map 1: The Democratic Republic of the Congo

2.2 UNDERSTANDING THE CONGO AND PLACING THE SECOND REBELLION IN PERSPECTIVE

Roughly double the size of South Africa and similar in size to Western Europe, the Congo is probably the most difficult country in Africa for outsiders to comprehend. Its population

(49,8 million according to 1999 World Bank estimates) is very diverse in ethnic terms with sharp regional differences. The DRC shares common borders with no less than nine other African states and its range of precious raw materials makes it highly attractive to many of the large corporations of the developed world – and as will soon be elucidated, so too for private interests in the guise of state action (Institute For Security Studies, 2001).

Emerging from a tumultuous colonial past, which was defined by the ruthless practices of Belgian King Leopold II, Zaire fell prey to the autocratic and self-indulgent rule of Mobutu Sese Seko. When his corrupt military regime was overthrown by rebel forces led by Laurent Desiree Kabila and the country renamed as the Democratic Republic of the Congo, hopes were high that the military will stand back to allow the democratic elections, promised by Kabila in his accession to power, to take place. Hopes of peace in a democratic society were soon dashed. Kabila's promises of political and social reform failed to realise. Instead he clamped down on political rights, banned all political activities and failed to install an efficient administration. Kabila's reluctance to honour his promise became a primary cause of the war. Furthermore, the alienation of his minority countrymen resulted in the estrangement of erstwhile supporters, Uganda and Rwanda, who now became his most powerful adversaries (Hartley, 1998 & Qwelane, 1999). The military remained in power and it remains to be seen whether Joseph Kabila will make good his father's original promises under more stable internal conditions in the future.

State failure and the inability to provide security and protection for its citizenry stands at the heart of the continuation of the conflict. Warring (internal) parties have, in many instances, become so immersed in the conflict that major adjustments need to be made before the costs of continuing conflict would exceed those of negotiation or surrender. Former fighters also have little prospect of the opportunity to realise their 'normal' potential in a war-torn country where socio-economic and infrastructural development was placed on the backburner while Government treasuries were exhausted to support and sustain the Sese Seko and then Kabila regimes.

In the aftermath of the conflict it is not only the Congolese who will pay the price, but also the citizens within other states who disregarded international outcries to withdraw their forces from the Congo and allow the internal process of reconstruction to proceed unfettered.

2.3 THE SECOND REBELLION: PARTIES, ISSUES AND IMPLICATIONS FOR CONFLICT MANAGEMENT

The current bout of conflict in the DRC started with Rwandan and Ugandan-backed rebels taking up arms against Kabila (senior) on the 2nd of August 1998. They quickly made major gains all over the country, also capturing the Inga dam that supplies Kinshasa with electricity (*Saturday Argus*, 1999). Within two weeks of the first attacks, Zimbabwe and Namibia, under the guise of the Southern African Development Community Organ for Politics, Defence and Security (SADC OPDS) sent troops to assist Kabila. Angola joined forces on the 24th of August and Kabila's troops managed to recapture Inga dam and clamp down on the rebel threat in the West. By the end of August the UN responded with calls for a cease-fire and the withdrawal of all foreign forces in the Congo. Meanwhile the *Rassemblement Congolais pour la democratie* (RCD) consolidated their gains in the east of the country (*Saturday Argus*, 1999). The expeditious escalation of the conflict was further helped along by Chad's deployment of troops into northern Congo.

2.3.1 PARTIES

As an internal war with external intervention, the war in the DRC highlights the fallacy of the common conjecture that inter-state wars are being replaced by intra-state wars in the post-Cold War era (Solomon, 2000b as cited in Van Schalkwyk, 2001a). It serves as a reminder of how goal incompatibility extends across artificial boundaries and, at the same time, of the importance of external support for successful internal insurrection (Van Schalkwyk, 2001b).

At the height of the conflict the Congolese Government forces were thus supported by five states in the region: Angola, Namibia, Chad, Zimbabwe and Sudan. The *Mouvement pour la liberation du Congo* (MLC), led by Jean Pierre Bemba, enjoyed the support of Uganda, while the RCD-GOMA (RCD) and RCD-Kisangani were backed by Uganda, Rwanda and Burundi respectively. The involvement of states on all sides was officially legitimated by security concerns, but in actual fact it would appear that it was only Namibia that was truly motivated as such. Chad and Sudan soon withdrew from the conflict and the prolonged involvement of Rwanda, Angola and Zimbabwe has frequently been ascribed to their commercial interests within the resource-rich DRC (Braeckman, 2001).

Other major non-statutory/rebel forces in the Great Lakes region (and active in the Congo) include the Interahamwe (Hutu militias), *Armée du Libération du Rwanda* (AliR), former *Forces Armee Rwandaise* (ex-FAR), Mayi-Mayi⁵, *Forces pour la defense de la democratie* (FDD), Ngilima, *Uniao Nacional para a Independencia Total de Angola* (UNITA). The *Union pour la democratie et le progress social* (UDPS) of Etienne Tshisekedi is the major grouping representing the unarmed opposition in the DRC. (See *Appendix B* for a more complete list of parties involved in the DRC war.)

2.3.2 ISSUES

The question of the Banyamulenge (ethnic Rwandese Tutsis living in the Kivus) remains central and partially explains the involvement of at least some of the external forces in the DRC domestic war (Kabemba, 1999). Formally brokered peace agreements may provide temporary reprieve, but for Tutsis – the principal targets of the 1994 genocide – their very survival as a people is at stake. “*A way must be found to convince Tutsis that the vast expanse of forests and mountains of Congo will not and cannot be used as a base for those (Interahamwe) who want to exterminate them...until the Tutsis believe that they are safe there will be no peace in the Congo*” (Wende, 2001).

Although the war has domestic roots, it has an even stronger regional character. Foreign powers are seeking access to the mineral riches of the DRC⁶ and control of the territory to prevent rebel movements from attacking across national borders from bases in the DRC – an issue of national security for Rwanda and Uganda. Braeckman (2001) claims that Rwanda, Uganda and Burundi, the main ‘defenders’ of the rebel/Tutsi cause and their own borders, are also deliberately fuelling ethnic rivalries in order to justify their *de facto* annexation of the mineral rich northern and northeastern parts of the Congo. As Deodatte (2002a: 3) puts the

⁵ A local (Congolese) militia group opposed to the Banyamulenge, a group of Congolese nationals who are ethnic Rwandese

⁶ In 2000 the UN Security Council mandated a panel of experts to investigate the “Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo”. The panel’s report was published on 21 October 2002.

general ethos among Congolese people, “*the wealth of the Democratic Republic of Congo explains this unrestrained desire that our rich and beautiful country undergoes from its neighbours*”. The return of peace and stability to the region will also harm commercial interests of Rwanda based on customs free Congolese exports currently channelled through Rwanda to Europe and the US. In fact, Braeckman (2001) goes as far as to argue that the security situation in Kivu province served as a pretext for the war from the outset.

These factors and issues indicate “*wars within the war*”⁷ and hint at the complexity of any conflict resolution efforts in the DRC. Because of the varied and persistent attacks on its sovereignty and legitimacy, state power held by the DRC Government has decreased to levels indicative of state collapse. The protracted and intense conflicts – spread over just about the entire territory – have also brought to an effective halt the delivery of most basic services, the maintenance of infrastructure and the collection of Government revenue. Whether this situation could have been averted by the timely implementation of democratic reforms by Laurent Kabila is questionable (and unlikely). But it is certain that the accomplishment of economic liberalisation and opening of the market as envisioned by Joseph Kabila will be hampered by the deficits of the past – remote and recent (Braeckman, 2001).

Through the prolonged duration of the conflict, leaders like Mugabe and Museveni find the stability of their own regimes wrapped up in the Congo war. The real fear is that the fight inside the Congo will become a fight for the Congo, a struggle to carve up the nation and assign new borders. In Michaels (1999), John Peleman, director of Belgian-based International Peace Information Service, warns that players become increasingly politically and economically involved in the territory they are occupying as the conflict drags on. This hypothesis has been borne out in the case of the eastern part of the Congo where the *de facto* annexation by Rwanda has in some places resulted in take-over of administrative functions such as vehicle licensing, telephone services, and so forth (Rose Mpsi, personal communication, 24 September 2001).

⁷ To name but a few, there have been reports of armed clashes between Uganda and Rwanda armies; the government of Sudan and various armed groups; the government of Angola and UNITA, the government of Uganda and the Mayi-Mayi; the government of Burundi and the FDD; and the FLC and Mayi-Mayi (Banda Mbombo & Hemedi Bayolo, 2002).

2.4 CONFLICT RESOLUTION PROCESSES – NEGOTIATION AND BARGAINING⁸

In an internal conflict such as that in the DRC, the logic of the zero-sum outcome is inconceivable. Instead, outcomes should be perceived in terms of a positive sum (rather than merely non-zero sum), where all parties can benefit from the agreement reached. This necessitates broad and inclusive participation from the earliest stages of the process.

According to Mark Malan (2000), “[t]he present conflict in the DRC spawned a variety of incoherent ‘peacemaking’ responses at different levels of the layered response hierarchy. These have included armed intervention by neighbouring states on both sides of the conflict, and a host of diplomatic efforts by SADC member states and a plethora of other actors. Indeed, military hostilities had hardly commenced on 2 August 1998 before the first of a number of increasingly complicated responses to the conflict occurred”. The intervention by Zimbabwe, Angola and Namibia claimed legitimacy as an exercise in regional conflict resolution although it was never officially endorsed by Heads of State and Government within SADC who favoured a path of peacemaking (as opposed to peace enforcement⁹).

2.4.1 THE LUSAKA CEASEFIRE AGREEMENT

A meeting of regional leaders, held in Pretoria on 17 June 1999, brought together leaders from the fourteen SADC member countries, as well as Rwanda, Uganda, Libya and Kenya, and paved the way for a DRC summit with the purpose of signing a cease-fire agreement. Following several delays and troubled pre-negotiations, a Ceasefire Agreement was signed by the six African states involved in the war. However, the Congolese rebel groups refused to sign because they were excluded from the ceasefire negotiations (Masire, 2001 & Malan,

⁸ A more complete timeline of conflict resolution efforts is contained in *Appendix C*. This section will briefly review the most significant and prolific proceedings.

⁹ Within UN parlance, peacemaking refers to the non-violent efforts at resolving a conflict. This includes negotiation and arbitration. Peace enforcement, on the other hand, would involve the employment of troops in order to force parties towards the cessation of hostilities.

2000). The MLC agreed to sign the Lusaka peace deal only six weeks later and the leadership struggle within the RCD further retarded the process until the 31st of August 1999. The main provisions of the Lusaka agreement are contained in *Appendix D*.

Efforts to get the process going were thwarted, slowing down progress towards an inter-Congolese dialogue. Although there was a ceasefire in place, countless violations persisted from all sides. Meetings to stop the fighting and implement the agreement came to naught. The result was that the conditions stipulated by the UN for a realistic deployment of the UN Peacekeeping Mission were not met. There were intensified demands for changes to the *Lusaka Agreement*, in particular from the side of the non-signatories and the Government, threatening the basis of the peace process. The DRC remained mired in civil war and a deepening humanitarian crisis (Masire, 2001, Van der Bij, 2000, *Saturday Argus*, 1999 & Malan, 2000).

The impasse in the peace process since the signing of the Lusaka Agreement appears to have been brought to an end by the death of Laurent Kabila in January 2001. His departure presented an adjustment of the equation in the DRC, which had previously been tilted heavily against a peaceful, political solution to the protracted conflict. According to Shannon Field (2000), his son and successor, Joseph Kabila “...has committed himself to the implementation of the Lusaka Peace Agreement, cooperating with the UN and MONUC, and forging ahead with the internal dialogue”.

The current DRC Government, other signatories and outside commentators have understandably expressed reservations about aspects of the *Lusaka Agreement*. Some feel that it is principally a ceasefire agreement, with the democratisation process purely an appendix. Others maintain that the agreement gives too much say to foreigners on how the peace process should proceed and how the DRC should ultimately be administered. Some believe that the exclusion of civil society and the opposition from the agreement is a weakness. The omission of reparations to the victims of war from the agreement is also regarded as unacceptable by some.

Sir Ketumile Masire, former Botswana President and official facilitator contended, however, that the Lusaka Agreement has its strengths, and it has indeed formed the foundation of further attempts at restoring peace and order to the DRC.

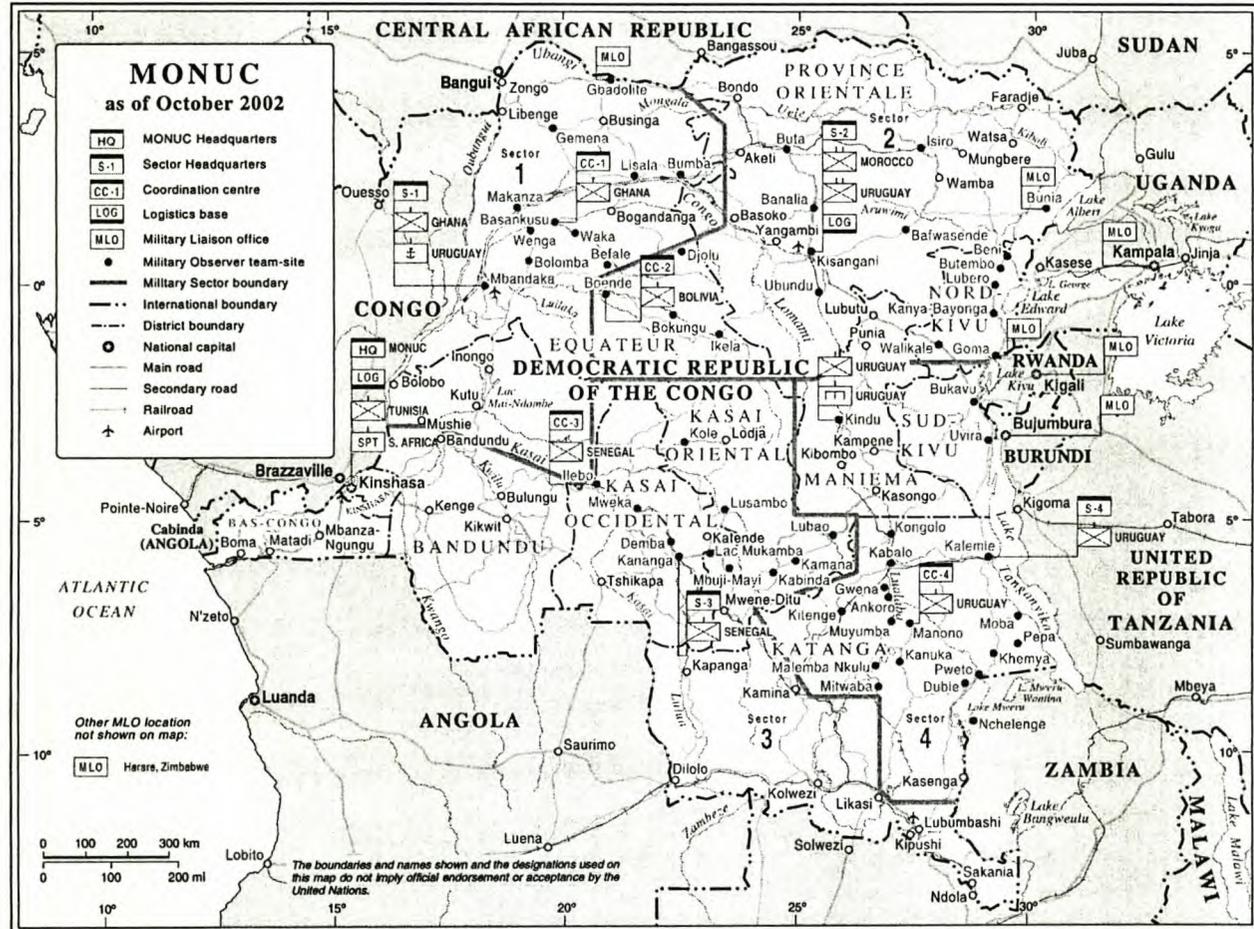
2.4.2 THE MISSION DE L'OBSERVATION DES NATIONS AU CONGO/MONUC

“Although very much a ‘home-grown’ agreement and the product of a regional peacemaking process, the Lusaka cease-fire accord did place a heavy burden of expectancy on a UN peacekeeping force” (Masire, 2001). In March 1999, UN Secretary-General Kofi Annan voiced hopes that the Security Council will send peacekeepers to the DRC. Subsequently the UN Security Council passed a resolution for the deployment of 500 observers and 5,000 troops in the Congo in January 2000 (Mills, 2002).

Strident calls by African leaders for the deployment of a ‘full-fledged UN peacekeeping mission’ was met with caution and delays. Annan’s announcement that Chapter VII of the UN Charter would not be invoked further depressed these high demands. A major reason for this being the seeming inability of the UN to secure troops to allow it to exercise coercive disarmament, demobilisation and reintegration of armed groups that would have been required (Malan, 2000).

The UN finally started the deployment of troops and observers in March 2001, and the deployment has been in force since April 2001. Security Council Resolution 1355, passed on 15 June 2001 extended the mandate of MONUC until 15 June 2002, and on 14 June 2002 Resolution 1417 further extended MONUC’s mandate until 30 June 2003 with a commitment to review progress every four months on the basis of reports of the Secretary General (Annan, 2002a). MONUC’s activities in the DRC are structured into three phases – MONUC I, II and III (see *Appendix E* for more details of the MONUC force and its mandate). On 4 December 2002 the UN Security Council passed resolution 1445, enlarging the strength of MONUC to 8,700, specifically requesting the UN Secretary General to place more MONUC resources in the Ituri region¹⁰ (IRINNews, 2002).

¹⁰ The Ituri district of Orientale Province, bordering Uganda, is one of eastern DRC’s least stable and most conflict-affected areas. It sees the *Union des patriots congolais* (UPC), who are in control of the regional capital Bunia, pitted against the UPDF, RCD-N, RCD-K-ML and various other forces. According to an IRIN report (IRINNews, December 2002), the tensions in Ituri result from several factors, including historical landownership and tension between the Hema and Lendu communities, and have been fanned by military, commercial and political forces. The humanitarian situation in Ituri is dismal with aid workers facing various obstacles and security threats (sometimes directly targeted) in the execution of their tasks.



Map 2: MONUC Deployment in the DRC

Lacking powers under Chapter VII of the UN Charter and despite recommendations from the UN Secretary General, new MONUC troops would be deployed to Kindu and Kisangani, instead of Ituri. Troop deployment in support of the DDRRR (Disarmament, Demobilisation, Repatriation, Resettlement and Reintegration) programme is mainly intended for the foreign armed groups and does not as such make provision for addressing the situation in Ituri (where local groups are at odds).

Following the 17 December Pretoria Agreement (discussed later on under paragraph 2.4.6) which provides for a transitional period and the formation of various state institutions, Amos Namanga Ngongi, head of MONUC, called for a new mandate for the mission to be support the state-building exercise in the country.

2.4.3 THE INTER-CONGOLESE DIALOGUE

After much delay and a few false starts, the Inter-Congolese Dialogue (ICD) finally got underway at Sun City, South Africa on the 25th of February 2002 with more than 300 participants from different parties, movements, groups and organisations from the DRC. During seven weeks of negotiations delegates reached agreements on the integration of the opposing armed forces, the economic reconstruction of the country, national reconciliation and a humanitarian assistance programme. However, an agreement on an all-inclusive transitional Government remained elusive.

Outside the framework of the ICD, a partial agreement was reached on 19 April 2002 between Jean-Pierre Bemba's MLC and the DRC Government. The agreement, labelled the *political agreement on consensual management of the transition in the DRC* (PACMT), consolidated power sharing between the signatories but excluded major political players. Subsequently Ketumile Masire called for a continuation of the ICD in a reduced form (Naidoo, 2002).

A commitment to install a transition Government in Kinshasa on 15 June and the commitment for continued negotiations with the RCD and Rwanda, bode well for sustainable peace in the DRC. President Thabo Mbeki of South Africa received a mandate to lead the

process. South Africa's apparent support for the RCD (now in an alliance with the UDPS) at Sun City however, brought into question its neutrality.

An apparent step on the way to regional peace and security, the ICD provided a framework for power sharing in the Congo while putting the issue of Rwanda's security on the table. It also opened the door for discussion of the reconstruction of the Congolese state.

2.4.5 PRETORIA AND LUANDA

The Pretoria Agreement, between the Governments of the DRC and Rwanda, was signed in Pretoria on the 30th of July 2002. It makes provision for the complete withdrawal of Rwandan forces from the DRC on the condition that Kinshasa rounds up the Interahamwe¹¹ and ex-Far militias operating in the east of the country, safeguarding the Rwandan border. The Agreement provides for a verification mechanism to be administered by South Africa and MONUC (see *Appendix F* for the provisions of the Agreement). Although the agreement was widely hailed as a watershed, analysts were quick to point out the difficulties that may be encountered in meeting unrealistic deadlines and the failure of the agreement to address some of the issues associated with the large-scale withdrawal of Rwandan troops from the areas under their control (Malan & Boshoff, 2002). A well-publicised withdrawal of Rwandan forces under the watchful eye of MONUC resulted in the departure of 23,400 RPA forces – verified by the Third party Verification Mechanism on 24 October 2002.

Under the auspices of the Angolan Government, the DRC and Uganda entered into a wide-ranging agreement in September 2002. Recognising the volatile situation in Ituri as in need of special attention before pullout, Uganda committed itself to withdrawing its troops completely from the DRC by the end of 2002, leaving only some border patrols. The Luanda Agreement made provision for the establishment of an Ituri Pacification Committee (IPC)¹²

¹¹ Rwandan Hutu extremist militias

¹² The IPC provides for representatives of parties, political, military, economic and social forces and local communities in the Ituri district of Orientale Province, to get together to make peace in the region, with support from MONUC.

to pave the way for the Ugandan pullout. Deadlines regarding the establishment of Kinshasa's control over the Ituri region and the Ugandan pullout have been missed, and the ICP's structure, composition, programme of work and leadership remain unresolved.

Regional analysts fear that the withdrawal of Ugandan forces could lead to a power vacuum which would result in an upsurge in conflict with parties excluded from the Pretoria agreement scrambling for territory to secure concessions in future negotiations. Both Kinshasa and the UN have, however, since the signing of the agreement, asked Uganda to watch out for the civilian population in and around Bunia and avoid a premature departure (IRINNews, 2002). Meanwhile, allegations of Uganda's commercial interest in the DRC continue to abound and officers have been accused of deliberately fuelling the crisis in order to justify its continued presence in the region (IRINNews, 2002).

2.4.6 PRETORIA II

Preliminary consultations on a global and inclusive agreement ended on 4 November 2002. On 9 December stakeholders were reconvened, and on 17 December 2002 an agreement was signed in Pretoria – the culmination of three years of peacemaking efforts, the ICD and follow-up talks mediated by the UN and South Africa. It makes provision for power-sharing arrangements that determine the composition of the transitional Government and sets out preparations for multi-party elections that are scheduled to take place in two years' time. Under this deal, Joseph Kabila will stay on in his post for two years, while the rebel forces and the political opposition will be given Government portfolios, including three of the four vice presidential positions.

Although Pretoria II signals an official cessation of hostilities, many challenges remain on the road to peace. The transitional Government will have to deal with ongoing conflicts such as those plaguing the Ituri region. *“The UPC [Union des patriots congolais] which holds Bunia and some surrounding towns, was not among the rebel groups which signed the Pretoria agreement. Lubanga's earlier requests for a seat at the table were declined, a diplomat familiar with the process told IRIN. ‘It will be up to the Congolese to sort out the mess,’ the diplomat said.”* (IRINNews, 2002)

2.5 CHALLENGES ASSOCIATED WITH THE PEACE PROCESS

The peace process in the DRC has been fraught with a number of difficulties. Apart from the lack of willingness from the side of the previous Kabila Government to accept the external efforts to ameliorate the situation in the Congo, frequent violations of ceasefire agreements from both sides and insufficient resources on the side of MONUC never bode well for lasting peace.

A theoretical challenge posed by the situation in the DRC is the need for a comprehensive framework relating to the abundance, rather than the scarcity of resources. The DRC conflict indicates that competition over resources have more dimensions than those studied by Homer-Dixon (1991 & 1993) and his ilk. The DRC's domestic situation with regard to control and power is reminiscent of the images conjured of the anarchical system by many theorists of international relations where self-help becomes the guiding principle of forces of varied might. While the main responsibility for agreeing on acceptable formulae for the sharing of the DRC's resources rests on the shoulders of internal powers, the international community has to accept its shared responsibility and take appropriate steps to effect measures that will bring to justice those forces who have been involved in the illegal exploitation of the natural wealth of the Congo and the prolonging of the conflict.

CHAPTER 3: GENDERING CONFLICT RESOLUTION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

3.1. INTRODUCTION

There is a considerable and growing body of literature on feminism/gender theory, conflict and conflict management/resolution, and peace studies. Theorists and practitioners have been looking at the role of women in conflict and conflict management and have also looked at how the experience of, and principles entrenched in gender theory is a rich resource for conflict resolution.

The idea of gendering is born of the feminist claim that the codification of social scientific knowledge has excluded women (and their experiences) to the extent that existing knowledge claims about human experience may be called 'man's/androcentric knowledge' and as such does not take cognisance of the true complexities of social existence (Peterson, 1992: 6). Gendering thus refers to a process of epistemological revision. Such a process takes place on a theoretical and intellectual level, but the revisions and contributions that translate into new frameworks of knowledge and understanding are not born purely out of philosophical meandering divorced from social reality. Instead, it refers to the revision also of the ontological, based on experiences of, and interpretations by, specific groups within specific social and historical contexts.

3.2 A CRITICAL REVIEW OF CONFLICT RESOLUTION THEORY

Following the end of the Cold War the focus of analysts shifted towards protracted conflicts that have become largely internal and relatively devoid of external intervention. But such a generalisation does not do justice to the complexity of conflicts currently ravaging African soil. Traditional conceptions of conflict based on the centrality of states as actors and rational choices based on strategic thinking need to be supplemented by more sensitive and particular approaches to the understanding and analysis of modern day conflicts. In situations such as that in the Democratic Republic of the Congo, where battles are of a lower intensity and much longer duration than traditionally, the rules of war are of little relevance. Military

technology and superiority no longer assures victory in battles waged on the psychological level as much as on the ground. Furthermore, the state as belligerent cannot rely on excessive force harnessed by such instruments as nuclear power and massive military deployment as leverage against enemies who are often child soldiers, women and small bands of career rebels inspired by desperation/ destitution and led by warlord-like leadership (Van Creveld, 1991: Chapter 1-2, Monroe, 2001 & Tomlinson, 1998).

The war in the Congo provides a striking example of some of the complexities with which scholars and theorists have to contend. Situated in a less developed region where poverty and basic human insecurities threaten the existence of citizens even in the absence of actual violent conflict. Regular armies – as conceived and developed within the Western European state system – are often absent, as are sophisticated technologies and the formulation of effective strategy. But the battle itself is every bit as bloody as ever with civilians being rendered legitimate targets of political violence. In protracted, low-intensity conflicts such as in the DRC, identities are formed around rebel or victim status, and the process of implementing and maintaining the peace once it has been brokered amongst elites, is often the most daunting challenge. The conflict is further imbued with particular political significance in a very localised and often individual sense. Such a war is total and the traditional boundaries between soldier and citizen, ‘public’ and ‘private’ no longer serves as protection from injury and loss of life (Van Creveld, 1991). To further complicate matters, the colonial era and the Cold War have left a legacy of the ‘right to revolt’, an abundance of freely available small arms and armed civilians, ineffective and unresponsive governance structures, and pronounced ethnic divisions.

Realist and Liberal-Democratic solutions elaborated within the western context certainly have relevance to conflict resolution processes in such cases. However, the uncritical, inflexible application of explanatory frameworks and supposedly fitting solutions often lead to outcomes plagued by spoilers, post-settlement violence and a deepening of societal cleavages. To arrive at lasting resolutions of violent conflict and establish effective management of regular societal conflict through appropriate institutions it is thus necessary to engage in sensitive and thorough investigation of:

- the root structural and superficial ‘trigger’ causes of conflicts;
- the ever-changing dynamics of the actual conflict situations; and

- the nature and motives of the parties involved (as well as, often, the precise definition of the many belligerents in such conflict situations).

This needs to take place within a historical and geopolitical framework that takes into consideration not only the past, but also the present and immediate future in structural and systemic terms. As a final caution it should be noted that a total rejection of traditional approaches and understandings might be as perilous as being unquestioningly wedded to them. Developing regions often display a disjointed array of traditional and modern, western and non-western approaches. Treating such regions in isolation of the global political economy would also be naïve and counterproductive and critical intellectual revisions and practical conflict resolution processes need to be grounded within the greater global community.

3.3 GENDER THEORY

Obviously the popular image of feminism's role in society and feminism's own self-image are at odds. Moreover, the current popular association of feminism with gender-bashing, and less radical forms of gender conflict, is particularly ironic in light of feminism's long association with pacifism, and less radical forms of peacemaking. Feminists from the nineteenth century forward have asserted that when women attain full and equal participation in society they will make a distinctive and vital contribution to conflict resolution and a peaceful social order (Berg, 1994: 6)

While this romanticised notion of the potential feminist contribution to conflict resolution has obvious appeal, I favour a gendered approach as it overcomes some of the limitations and dangers inherent in stereotyped perspectives about women and peace as well as gender-blind analyses.

While the different feminist schools broadly and incompletely categorised as liberal feminism, difference feminism and post-modern feminism all provide partial explanations for gendered war roles, at least two of these unquestioningly accept male and female stereotypes as part of their premises for the broader participation of women in society. Liberal feminists

reject the female stereotype and argue for women's inclusion into positions of power and decision-making based on their equality in ability. They do not believe that the inclusion of women would fundamentally change the international system or war itself and reject the idea that women are more peaceful than men by nature (Goldstein, 2002). In contrast, difference feminists "*believe that women's experiences are fundamentally different from men's. In this view, the problem is not that men and women are different but that sexist cultures devalue "feminine" qualities instead of valuing, celebrating, and promoting them. Regarding war, difference feminists argue that women, because of their greater experience with nurturing and human relations, are generally more effective than men in conflict resolution and group decision-making, and less effective than men in combat...Thus, according to difference feminism, women have unique abilities as peacemakers...Some difference feminists see such gender differences as biologically based, whereas others see them as entirely cultural, but they agree that gender differences are real, and not all bad*" (Goldstein, 2002: 41). This has led to accusations of essentialism, which serve to reinforce the gendered stereotypes that underpin women's oppression. Others who take a less biological deterministic position see women's values as learned skills and argue that men too, can learn to nurture.

Post-modern feminist theory provides an aperture into a gendered perspective in that it rejects both male and female stereotypes. "*Post-modern feminism questions the assumptions about gender made by both liberal and difference feminists. Rather than take gender as two categories of people that really exist...post-modern feminists see gender itself, and gender roles in war, as fairly fluid, contextual and arbitrary. Gender shapes how both men and women understand their experiences and actions in regard to war. Therefore gender is everywhere, and some scholars reveal and deconstruct the implicitly gender-laden conceptual frameworks of both theorists and practitioners of war*" (Goldstein, 2002: 49)

A gender perspective based on post-modern feminism allows for the bridging of some of the differences in feminist schools, and finds meaning in its application to a practical situation. It does argue for the equality of opportunity for women and the inclusion of women into positions of power, it argues for the participation of women in peacemaking and it argues for a more peaceful social order based on egalitarianism. But it does not do so based on essentialist claims related to specific qualities possessed by women (or men for that matter). Instead, a gender perspective looks at the socially constructed and maintained roles assumed by both men and women in time and space with equal importance. As such, a gendered

approach implies an investigation of the stereotyped roles of both men and women within the conflict, and conflict resolution processes, and ways of overcoming these stereotypes through practical actions in order to produce a more egalitarian society wherein power relations are fundamentally (and structurally) altered and prospects for sustainable peace are substantially improved.

Inevitably a gendered approach in this instance will focus on women more than men. This is not because women are more important than men, but because women and their experiences have, through history, categorically been excluded from discourse and theory, for no reason other than that they are women. But women and their experiences are not to be treated as a homogeneous group, obscuring the diversity of identities and the extended range of experiences and meanings available not only to men, but also to women.

3.4 A GENDER PERSPECTIVE FOR CONFLICT MANAGEMENT

According to Christene Sylvester (1991), 'war and peace' is one of the International Relations topics that have elicited most interest by gender-aware researchers across the spectrum of empiricist, standpoint, and post-modern feminism. This interest has certainly grown over the past decade as violent conflicts have proliferated, protracted conflicts remained unresolved and the peaceful, egalitarian world order failed to emerge out of the ashes. For reasons that should become self-evident in the ensuing analysis, a gendered perspective on conflict, peace and security implies a shift in focus from conflict resolution to conflict management.

Conflict is defined by Bercovitch (1984: 125) as "*a perception of incompatibility between two or more actors and the range of behaviour associated with such perceptions*". He continues to emphasise that conflict thus abounds in all social systems and various levels and require resolution or management. Conflict resolution refers to the long-term proposition whereby the causes as well as the manifestations of a conflict between parties are removed and sources of incompatibility in their positions are eliminated (Zartman & Rasmussen, 1997:11). Accepting that conflict is an integral and inevitable part of all social relations – under certain conditions a positive force – conflict management then rather refers to eliminating the violent and violence-related means of pursuing the conflict, leaving it to be

worked out on a purely political level. Such an approach implies a much more realistic and achievable goal – that of re-channelling conflict through institutional arrangements such as regular elections or recourse to arbitration. A related concept is that of conflict transformation which means replacing conflict with positive relationships, such as satisfaction, cooperation, empathy and interdependence between parties. Accordingly, this shift in emphasis provides for a view of bringing an end to violent expressions of conflict (i.e., war) not as an event, but as a process that opens up a space for the timely and continuous consideration of post-war reconstruction imperatives.

To apply a gender perspective to conflict management is to recognize that women and men are differently (but not uniformly so) involved in and affected by armed conflicts. As Dalak (2002) puts it: “...*women are often targets and victims of violence in war perpetuated by men*”. While numerous instances of women as instigators and reproducers of violent conflict have been cited, generally speaking, women as civilians are more likely to be killed than soldiers during armed conflicts in which they are not actively taking part. Women and girls furthermore face the risks of being raped and sexually assaulted or abused. In addition, women are often hardest hit by the trauma of losing relatives and of having to take the responsibility for the care of surviving family members in societies that are more often than not hostile and discriminatory in their treatment of women as economic and political actors. Because of the brutal interplay of these factors, women also constitute the majority of refugees and displaced persons (Dalak, 2002).

Women should not, however, be viewed primarily as the victims of armed conflict. Their potential as agents of preventive diplomacy, peace-building and conflict resolution deserves recognition. Their primary tasks at grassroots level – through practical tasks such as trauma therapy, information and advocacy, and alternative income-generating activities – allow them to create and sustain dialogue between conflicting groups, and building constituencies of peace. “*Nonetheless, politicians, policy makers, and practitioners have assumed that questions of gender were not relevant to this area of policy. Thus women are generally absent from official initiatives (track 1) to end conflicts dominated by military men and their voices are missing from decisions on priorities in the peace processes*” (Dalak, 2002). Because of this persistent exclusion of women from formal peace negotiations, peace-building and post-conflict reconstruction processes, the skills, confidence and knowledge-resources remain an undervalued and untapped resource.

Important to remember, at this point, is that a gender perspective does not support stereotypes of women as peace-builders based on their supposed 'natural' capacities and assumed biological traits. Instead, their strength as peace-builders derive from certain experiences within specific and bound contexts, just as their ability to participate is circumscribed by space and time. Neither of these situations thus constitutes inflexible and universal truths and human agency is recognised as an important ingredient in creating, recreating, mediating and contesting gendered identities. A gendered perspective of post-war reconstruction recognises the potential for change and/or conflict that is created where social relations tend to be in enormous flux. Radically new sets of experiences allow some actors to attempt to introduce new ways of being while others attempt to retain the *status quo*.

3.5 GENDERING CONFLICT RESOLUTION IN THE DRC

Louise Vincent (2001) argues that, from a gendered perspective, it is important to consider pre-war experiences, as they will affect the way that gendered roles are reconfigured in the post-war period. The structural and situational factors that are present in a society characterised by gender inequality and discrimination, wherein women are excluded and disadvantaged for no other reason than that they are women, the social significance of women's experiences in post-war situations allows for some generalisation. "*So, for example, to say that someone is a "widow" has social, economic and political implications and resonances which are not present if one refers in gender-neutral terms to "someone who has lost a spouse". But these resonances only exist because of a prior set of social structures which are gendered*" (Vincent, 2001). Equally significant is the fact that these factors also play a decisive role in defining the motivations as well as the constraints on women's involvement as social actors in the political process towards sustainable peace (Sørensen as cited in Vincent, 2001).

In this section, the propositions of a gendered perspective are applied to the situation in the DRC consistent with Vincent's assertions (Vincent, 2001). Most importantly – applying such a gender perspective highlights how, and why women contribute to the reproduction of relations of dominance and militarised attitudes in the Congo, rather than challenging them.

“Some commentators have seen this gendered role definition as having the potential to place significant power in women's hands. In war-torn societies, education is often regarded as an important agent of socialisation in alternative norms to prevailing attitudes of hostility. There are many examples of women's self-help groups (in Somalia, Rwanda, Uganda and elsewhere) that focus on trying to increase women's awareness of their indirect roles in conflict through their primary responsibility for socialisation of children and of the possibilities for change. Such programmes however are premised on the idea that the disempowered are through their very disempowerment able to challenge social structures. They take as given women's predominance in certain social roles and responsibilities and fail to challenge some of the bases for war and violence in relations of gender domination which alienate men from children, result in an absence of positive male role models performing functions of caring and nurturing, deny women access to power or authority, marginalise attitudes of peaceableness and valorise violence. Under these structural conditions women are far more likely to fulfil their socialised "responsibility" of reproducing relations of dominance and militarised attitudes than they are to challenge them” (Louise Vincent, 2001).

3.5.1 THE SITUATION OF WOMEN IN THE DRC

The raging war has taken its toll on the general Congolese population in the country. Women¹³ are the most vulnerable group in the war context. Internal displacement, losses of property, malnutrition, high mortality levels, and hard labour tasks for survival, prostitution and poor health facilities have increased. Rape is used as a weapon against women, and HIV/AIDS also presents a major threat to women's health and well-being.

3.5.1.1 WOMEN'S POLITICAL AND SOCIAL STATUS IN CONGOLESE SOCIETY

The Congolese society is patriarchal. Patriarchal practices are entrenched in the local culture and women's rights are not acknowledged or recognized. Women's political participation is limited and their point of view is neither sought for, nor considered. *“There is no clear provision for women to participate in politics and women themselves are not demanding for it*

¹³ Women make up 46 percent of the Congolese population

[sic]" (Deodatte, 2002b: 9). But to merely assert that Congolese women do not desire political participation is to be ignorant of some stark facts. In the DRC, "...women are forbidden to make any kind of demonstration to assert their rights" (Deodatte, 2002b: 8 & Rose Mpisi, personal communication, 24 September 2001 & 14 January 2003).

Women in the DRC enjoy no sexual or reproductive rights in a country where family planning is considered a taboo – "*the value of a woman is measured through the number of children she has*" (Congo Country Report: 5 as cited in Deodatte, 2002a: 4). When parents separate, women have no access to their children. Furthermore, while adulterous women are heavily penalised, patriarchal practices neither disapprove of, nor punish men for the same misdemeanour, putting women at great risk of sexually transmitted diseases such as HIV/AIDS.

Other manifestations of the patriarchal culture in the Congo include the following:

- Forced widow inheritances, and disinheritance of pregnant girls.
- Unpunished sexual harassment of women in the workplace.
- Women face arbitrary arrests and punishment.
- Women are excluded from succession or heir status, and where they have or own property, their own heirs remain unknown.
- Women's right to work is also violated. Women are required to provide husbands' permission letters as a prerequisite for employment. Women workers furthermore have no social benefits such as housing or medical care.
- The patriarchal culture is enforced through beliefs and attitudes that regard women as childbearing machines. If a woman does not have children to the expectations of the husband, he may terminate the marriage contract.

"Under the conflict situation, women in the DRC live in misery and fear, dominated by insecurity, abductions, rape and forced sexual slavery. Unless peace is obtained in the DRC, women's lives will continue to be dominated by the above-mentioned evils and other atrocities, and they cannot begin to enjoy their rights as human beings" (Deodatte, 2002a: 4).

While there is a state structure in charge of women and family affairs at provincial level in the DRC, its effectiveness is severely curtailed by the conflict, which has rendered many areas (at times estimated at more than 50% of the territory) under rebel control. According to

Deodatte (2002b: 9), humanitarian organizations in these areas do not fill the gap and it is only through NGOs and umbrella groups “*that women can be actively involved in promoting their rights through peaceful demonstrations, petitions, and open dialogue, as well as through the media and other debates*”.

3.5.1.2 WOMEN’S WAR EXPERIENCES

The long running conflict in the DRC has taken a severe toll on women. Although the DRC is party to the Convention on the Elimination of All Forms of Discrimination Against Women, the Geneva Conventions and the Convention relating to the Status of Refugees, women and girls continue to be targets of sexual violence, rape and other forms of torture. (Sir Ketumile Masire, UNIFEM, 2001)

A recent report by the US-based Human Rights Watch (2002) documents the increased suffering of children and women in the Congo in the past four years. The report, titled *War Within the War: Sexual Violence Against Women and Girls in Eastern Congo*, says rape and other forms of sexual violence are frequent and sometimes systematic in areas occupied by the rebels and their allies (Kamuz, 2002). The main perpetrators of sexual violence against women and girls are soldiers of the Rwandan army, its ally the RCD, as well as armed groups opposed to them – Congolese Mai Mai rebels and Rwandan and Burundian armed groups (the FDD and FNL). However, such war crimes have been committed against women and girls by forces on all sides.

According to the report (Human Rights Watch, 2002), and supported by evidence from other reports¹⁴, violence against women has taken the following forms:

¹⁴ The International Centre for Human Rights and Democratic Development, a Canadian NGO, issued a report, documenting the horrors experienced by women during a three-year period of ongoing war in the DRC, entitled “Women’s Rights Violations During the Conflict in the Democratic Republic of the Congo From August 2, 1998 to September 30, 2001”. Available at: www.irinnews.org/print.asp?ReportID=29301 (UN OCHA Integrated Regional Information Network/IRIN, 2002). This report also includes an extensive list of studies that have attempted to document the experiences of women and girls in the DRC.

- Combatants raped women and girls during military operations to punish the civilian population for allegedly supporting the “enemy”.
- In some cases, soldiers and combatants raped women and girls as part of a more general attack in which they killed and injured civilians and pillaged and destroyed their property.
- Mai-Mai rebels and other armed groups abducted women and girls and forced them to provide sexual services and domestic labour, sometimes for periods of more than a year.
- Some rapists attacked their victims with extraordinary brutality. In two cases, assailants inserted firearms into the vaginas of their victims and shot them. In other cases combatants mutilated the sexual organs of the women with knives or razor blades. Some attacked girls as young as five and women as old as eighty.
- Assailants often attacked women and girls engaged in the usual activities necessary to the livelihood of their families: cultivating their fields, collecting firewood, or going to the market. By doing so, the assailants further disrupted the already precarious economic life of the region.

But the woes of the women of the Congo do not end here. Other major threats are posed by the collapse of health services and other infra-structural facilities, notably educational institutions and the intransigence of traditional customs. In eastern Congo, less than 25% of the population has access to health services, while the financial crisis in the country renders the small number of health services and scarce medicines available unaffordable to the afflicted population. This leaves most victims of rape and other sexual torture with little hope for treatment of injuries and sexually transmitted diseases. With estimates of HIV/AIDS prevalence amongst military forces at above 50%, rape can in these circumstances be a death sentence.

The report also documents the rejection of some women and girls by their husbands, families, and the wider communities because they were raped or because they are thought to be infected with HIV/AIDS. As one such ostracized woman told Human Rights Watch researchers, “*My body has become sad. I have no happiness*” (Human Rights Watch, 2002). While women do have recourse to the courts, and there have been some convictions, it remains true that women have little chance of seeing the criminal condemned and hence seldom bring cases against their rapists. Extreme poverty also forces women, who provide for

their families, to continue going into the fields to cultivate, to the forest to make charcoal, and to the market to sell their goods, despite the life-threatening risks they thus incur (Kamuz, 2002).

3.5.2 THE ROLE OF WOMEN IN CONFLICT RESOLUTION IN THE DRC

As always, when the time comes to restore peace and return to normal, women are marginalized, and even excluded from negotiations. And yet there is nothing utopian about the notion of women as a promoter of peace. The authors identify the judiciary, medical, psychosocial and institutional conditions for the “effective participation of women in the peace process” (Angélique Sita Muila Akele in Banda Mbombo & Hemedi Bayolo, 2002).

While women’s organisations and coalitions continued to fight for peace at grassroots level, their involvement in formal conflict resolution processes remained grossly inadequate, and gender issues remained off the negotiating table. This section reviews the involvement, and lack thereof, of Congolese women in the Inter-Congolese Dialogue (ICD), also looking at the various efforts to ensure the equal participation in the process since 2001.

3.5.3 GENDERING CONFLICT RESOLUTION PROCESSES IN THE DRC – THE ICD

“Without women’s full participation in the Dialogue, peace will neither be inclusive nor sustainable” Noeleen Heyzer, UNIFEM’s Executive Director (EuropaWorld, 2001).

Following consultation with UNIFEM (the United Nations Development Fund for Women) and a representative of the SADC’s Gender Desk, the office of Sir Ketumile Masire, facilitator of the Inter-Congolese Dialogue released an urgent press statement, urging the signatories to the Lusaka Agreement to ensure women’s equal representation at the Preparatory Meeting of the Inter-Congolese Dialogue. At the time, the DRC’s *forces vives* (civil society) had designated only one woman to represent them at the preparatory committee meeting for the Inter-Congolese Dialogue to be held in Gaborone, Botswana, from

20-24 August 2001. Masire's main concern was to address the serious imbalance and ensure that gender issues are addressed at the Dialogue. Masire further appealed to the UN Secretary-General and to the Security Council for urgent support in this regard. UNIFEM Executive Director, Noeleen Heyzer stressed the urgency by noting that this represented the first real test of the Security Council's watershed resolution 1325 on women and peace and security (UNIFEM, 2001).

The following actions were proposed (UNIFEM, 2001):

- ❑ Specialized training for women delegates to the Preparatory Meeting and Dialogue and capacity building for women's organisations in the DRC.
- ❑ A substantive item on the agenda of the Dialogue to be discussed at the preparatory meeting dealing with gender issues, and particularly with respect to the constitution, the electoral system, the judiciary, the humanitarian and human rights situation of women and girls, and the threats to peace and security posed by HIV/AIDS.
- ❑ Closer cooperation with MONUC on the protection of women and girls in the DRC, their disarmament, demobilization, reintegration and repatriation.

In support of these initiatives, the *Femmes Africa Solidarité* (FAS), in consultation with the African Women Committee for Peace and Development (AWCPD), Organisation of African Unity (OAU) Ambassador Said Djinnit and Masire, organised a Solidarity Mission to the DRC from 17-23 December 2001 to encourage and support the women of the DRC in their efforts towards reconciliation and peace in the country. This formed part of a broader two-year sub-regional program in the Great Lakes region, also including Burundi and Rwanda. The objectives of the Mission (PeaceWomen, 2001) was to:

- ❑ Sensitise women leaders of the DRC on the important role they should play in the peace initiatives for a pacific settlement of the crisis in their country.
- ❑ Support the women of the DRC to develop a common platform and agenda for peace.
- ❑ Encourage the co-operation between the women leaders taking part in the ICD.

The Solidarity Mission aimed to support the women in their preparations for effective participation in the ICD at Sun City, providing training focussed on building the negotiating skills of the women involved and, finally to support the women for participation in the peace negotiations themselves. This support took the shape of the creation of a caucus that would

advocate the women's platform and strengthen partnerships between women and men involved in the negotiations.

Despite all these efforts and support from the region and international community women remained a minority in the formal peace talks. Only 5 out of the 74 participants in Botswana were women. At the preparatory talks in Addis Ababa there were only 7 women amongst the 80 participants, and during the ICD deliberations in Sun City only 24 women were scheduled to form part of the 330 delegates.

Consequently, another positive development in support of the participation of women in the ICD took place in Nairobi in mid-February 2002. The Assistant Coordinator of Rights & Democracy's Women's Rights Programme, Isabelle Solon Helal, met with Congolese women representatives from civil society, the government, the political opposition and the RCD in a meeting organized by the Congolese chapter of Women as Partners for Peace in Africa (WOPPA-DRC). As a result, the participants adopted the Nairobi Declaration (see *Appendix H*) and a common platform representing the concerns of women from the DRC to be used as a lobbying tool during the peace negotiations (Libertos, 2002).

In South Africa, the All African Women for Peace (AAWP) organisation played a major part in the establishment and empowerment of the caucus. Despite severe financial constraints, the caucus organised non-violent action in support of the women participants at the ICD – printing T-shirts, pamphlets and posters – and ensuring adequate coverage of their efforts in the local media (personal communication with Rose Mpisi, Director of AAWP, 14 January 2003).

In the end, more than 60 Congolese women participated in the ICD at Sun City, united to defend and fight for women's rights in the Congo despite their political differences. Women from the Women's League of the African National Congress (ANC), the ruling party in South Africa, came out in public support of the women at the ICD on 4 April 2002. The Solidarity Mission, supported by UNIFEM, urged the Congolese women to fight the system of gender discrimination and not their male counterparts (Pambazuka, 2002).

But the ICD did not end at Sun City, and neither did the challenges of ensuring the participation of women in ongoing negotiations. Various organisations continued their efforts to unite Congolese women and training workshops were held to build women's skills and

capacity as negotiators. Towards the end of 2002, when the Congolese delegation met again, this time in Pretoria, for further discussions aimed at reaching an all-inclusive settlement to the conflict, the women's caucus continued their efforts. More than 50 women were brought together from 24-29 November 2002 for a workshop funded by UNIFEM and AAWP. Many participants also paid their own way. Apart from training, women again took part in non-violent actions to draw attention to their plight. It is not known exactly how many women actually took part in the negotiations that resulted in the signing of Pretoria II, but the numbers were far from the 30% target (Rose Mpisi, personal communication, 14 January 2003).

3.6 CONCLUSION

Infusing a gender perspective on conflict management allows for structural obstacles to peace to be exposed while it also has the ability to create a more accurate objectivity and rationality for conflict management epistemology. Gender theory acknowledges feminism that, in many of its manifestations, searches for unifying factors, rather than factors extracted from their environment and social constructions, allowing for women and men alike to search for common grounds for peace.

An approach of feminism versus militarism, borne out by gender theory, rejects both masculine and feminine stereotypes, arguing for a role of feminism in dismantling the imagery that underlines patriarchy and militarism. This approach charges both men and women with the responsibility for changing existing structures in which warfare is a central component and for opening paths to non-violent interaction. While women have no superior moral claim to being bearers of peace, through their empowerment, they can begin to set mechanisms of transformation in motion.

Given the effect of conflict on women, it is inevitable that the meaningful management of conflicts should include a significant role for women. But it is even more important that rhetorical commitment in this regard be translated into firm action in the area of capacity building. Within a society where gender is accorded sufficient importance as an analytical category and where gender equality and non-discrimination become political goals of the

entire population, violence can be renounced and war as an institution can be replaced by mechanisms to ensure the safety and security of the people.

The effect of the war on the women of the DRC has been devastating. Regardless, Congolese women have been the backbone of their society, persevering in their role as nurturers and peacemakers throughout the difficult periods.

On the other hand, uniting women in peace efforts is not an easy task. The suspicion and distrust that characterises the Congolese society also affects its women. This is one of the reasons why external support is of such cardinal importance in supporting the efforts of women in the Congo to unite and fight for a sustainable peaceful social order based on the rejection of gender discrimination and all other forms of exclusion. The gains that have been recorded in ensuring women's participation in peacemaking processes now need to be consolidated through the sustained support of their efforts from the international community. Their brothers and sisters on the continent and in the sub-region (SADC) clearly have the most vital role to play.

CHAPTER 4: THE WAY FORWARD – GENDERING POST-CONFLICT RECONSTRUCTION AND NATION-BUILDING IN THE DRC

In spite of fierce resistance by traditionalists (and many modernists too), the key role of gender in peace-building processes is an important issue. For example, threats to peace and security tend to remain as long as women remain marginalised and vulnerable to violence. As a scholar has pointed out, "women cannot be equated with peace, but there cannot be meaningful peace in a society which oppresses and excludes women (Van Nieuwkerk, 2000).

4.1 INTRODUCTION

Now that a virtually all-inclusive agreement has been reached, and the Inter-Congolese Dialogue formally concluded, negotiations and external support will have to continue until the sensitive matters related to the transitional Government, constitution-writing, military reform, elections and nationality have been satisfactorily resolved. The disarmament, demobilization and reintegration (DDR) of militias also still pose significant challenges to the transitional authority.

While these substantive matters are expected to continue enjoying the attention of negotiators and contenders for political power in the post-war Congolese state, gains can only be consolidated and sustained in a country where socio-economic problems also receive sufficient attention. Democratic processes do not guarantee, nor provide, quick fixes to problems related to delivery and reconstruction. Because it is based on principles of broad consultation and the protection of and respect for individual human rights, it forecloses certain avenues. Democratisation is not, however, optional in the current global order. But along with the demands for responsible and accountable governance, the international society needs to provide a safety net for post-conflict communities and commit itself to long-term support of fledgling democracies to prevent a slide back into conflict. Global peace and welfare needs to be regarded by greater powers in the developing world as a global public good and the costs of its provision needs to be compared to the costs of its converse – large-

scale poverty, protracted conflict (with the potential of spilling over into other countries), refugee crises and debt and other financial defaults.

The following section will focus on the importance of extending a gendered perspective to post-conflict reconstruction and peace building in the Congo. To this effect, the various frameworks for guiding and ensuring equal participation of women in society at sub-regional, regional and international level will be recalled. The purpose of this final chapter is to propose some options for the pro-active engagement of the international community in the reconstruction of the DRC and the nurturing of a non-violent, post-patriarchal state where women take their rightful position in building sustainable peace.

4.2 FRAMEWORKS FOR ACTION

The precarious situation of the women in the DRC, as sketched in the preceding chapters, makes it clear that they cannot be expected to fend for themselves without any outside support. The international community has developed a variety of frameworks (at official level) that aim to elucidate the plight of women in armed conflict and to ensure greater gender equity and the full participation of women in society. The DRC provides a test case for many of these frameworks.

4.2.1 INTERNATIONAL – UN

Much progress has been recorded over the last decade in terms of the promulgation of measures to advance women. The UN has been a driving force behind this progress, adopting a number of measures aimed at putting “*an end to the institutionalised impunity surrounding such abominable practices, including classifying acts of rape and other forms of sexual assault, including prostitution, forced pregnancy and sexual slavery as crimes against humanity when used as part of a systematic and large-scale campaign against a given population*” (Banda Mbombo & Hemedi Bayolo, 2002).

The first major step taken by the international community towards the recognition of women’s special status during and after conflict was the Beijing Declaration and Platform for

Action (BPFA or PFA, 1995), where women and armed conflict was singled out as one of the critical areas of concern. Other concerns highlighted in this document, signed by 188 countries, included the inequality observed in economic structures and policies, productive activities, and access to resources; inequality between men and women in the sharing of power and decision-making at all levels; insufficient mechanisms to promote the advancement of women; and the stereotyping of women and the inequality in women's access to and participation in communication systems, especially the media (UN, 1995).

This engagement was further demonstrated by a number of events, in the run-up to the adoption of Resolution 1325 (2002). The following deserve mention:

- International Women's Day (8 March) in 1999 had the theme "Women Uniting for Peace". On this occasion, several UN entities emphasised the importance of women's involvement in peace activities. The President of the Security Council, on behalf of the Security Council, stressed the need for adequate representation of women at all decision-making levels with regard to conflict resolution.
- The Beijing+5 process where progress in terms of the implementation of Resolution 1325 was assessed by both the UN and independent experts (Women Building Peace, 2000).

Despite agreement on a number of actions, the document, intended for adoption at the Beijing+5 Special Session, did not address some concerns highlighted by NGOs. There is no mention of the need for peace and tolerance education and non-violent conflict resolution training; the need for research and policy development on conflict prevention, gender sensitive indicators, women's peace building efforts, and gender-sensitive post-conflict recovery programmes, and other issues relating to conflict and peace is not acknowledged; and, no progress has been made on arms reduction or measures to limit the proliferation of arms and landmines that primarily harm women and children (Women Building Peace, 2000).

On October 23-24, 2000, the Security Council convened to debate the role and experience of women in situations of conflict, peacekeeping and peace building. As a result, Resolution 1325 (2000), adopted on 31 October, calls for:

- Increased protection of women and girls during war;
- Prosecution of violent crimes against women;

- The appointment of more women to UN peacekeeping operations and field missions;
- Actions by Governments and all UN agencies to ensure that more women participate in decision-making to end conflict and build peace at the national, regional and international level (See *Appendix I* for more details).

Resolution 1325 specifically calls for all actors involved to adopt a gender perspective in all phases of conflict resolution, with specific emphasis on the implementation phases, which, in effect, translates into post-conflict reconstruction. More specifically, it calls for “*measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary*” (UN Security Council, 2000). It provides guidelines for infusing a gender perspective in dealing with issues such as repatriation of refugees and other displaced persons, DDR, amnesty provisions, and humanitarian assistance – all of which are particularly relevant to the DRC.

In October 2002, the UN Secretary General released a study on women, peace and security as mandated by paragraph 16 of Resolution 1325 and prepared in cooperation with the Special Adviser on Gender Issues and Advancement of Women and the Inter-agency Taskforce on Women, Peace and Security. This study documents the impact of armed conflict on women and girls, the role of women in peace building, and the gender dimensions of peace processes and conflict resolution. It indicates that while women and girls share experiences with men and boys during armed conflict, the culture of violence and discrimination against women and girls that exists during peace times is often exacerbated during conflict and negatively affects women’s ability to participate in peace processes, ultimately inhibiting the attainment of lasting peace. The report outlines a number of proposed actions for the attention of the Security Council. These will be discussed in a later section on the role of the international community in the DRC.

4.2.2 REGIONAL – OAU/AU and NEPAD

Both the African Union (AU) and NEPAD call for gender equality. One of the 16 principles of the AU Constitutive Act is the promotion of gender equality. African Heads of State further endorsed a set of recommendations allowing for 50 per cent participation of women in the work of the new Union (Vimla Huree-Agarawal, quoted in UN Security Council 2002).

This principle extends to the posts of Commissioners of the African Union – where 5 out of the 10 appointees should be women. In a statement by the OAU Secretary General, Amara Essy, to the 76th Ordinary Session of the Council of Ministers held in Durban, South Africa in July 2002, he also specifically refers to the challenge of bringing peace to the continent while women continue to be marginalized in the management of African countries and Institutions (Essy, 2002). The Durban Declaration in Tribute to the OAU on the Occasion of the African Union (2002) acknowledged the importance of women's contributions: *"We reaffirm, in particular, the pivotal role of women in all levels of society and recognise that the objectives of the African Union cannot be achieved without the full involvement and participation of women at all levels and structures of the Union"*.

The AU protocol furthermore stipulates that at least one woman from every country should be represented in the proposed pan-African parliament, one of the 17 institutions of the African Union. In an interview with a reporter from All Africa, Frene Ginwala, South Africa's Speaker of Parliament, goes further to suggest that all five members of the AU's Peace and Security Council – intended to help curb continental conflict – should be women *"because women don't make war"*. However, most of the delegations of the 54 African States were virtually devoid of women – a fact that does not bode well for the implementation of these commitments.

Promoting the role of women in all activities is one of the two long-term objectives of NEPAD (NEPAD, 2001, Paragraph 67). In the section on the "New Political Will of African Leaders", NEPAD talks of *"promoting the role of women, by ensuring their participation in the political and economic life of African countries"*. Furthermore, in the Declaration on Democracy, Political, Economic and Corporate Governance (NEPAD, 2002), the signatories furthermore reaffirm their full and continuing commitment to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Declaration (par. 4); acknowledge that women and children bear the brunt of conflicts and undertake to *"end the moral shame exemplified by the plight of women"* (par. 10); accept the *"binding obligation to ensure that women have every opportunity to contribute on [sic] terms of full equality to political and socio-economic development"* (par. 11); and vouch to *"work with renewed vigour to ensure gender equality and ensure the full and effective integration of women in political and socio-economic development"*.

4.2.3 SUB-REGIONAL – SADC

As recognised partners in the efforts of both the AU and NEPAD, regional organisations play an important role in the implementation of the objectives and aims of these two African initiatives. The Southern African Development Community (SADC) is such a regional organisation and recently accepted the DRC as its youngest member.

In 1997 SADC Heads of State adopted the Declaration on Gender and Development as a result of extensive lobbying by the Regional Advisory Committee (RAC), created out of the pre-Beijing task force of stakeholders in the region. The Declaration aims at:

- Achieving at least a 30 per cent target of women in political and decision-making structures by 2005;
- Promoting women's full access to, and control over productive resources to reduce the level of poverty among women;
- Repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination;
- Taking urgent measures to prevent and deal with the increasing levels of violence against women and children.

Along with the Declaration, SADC adopted a policy and institutional framework for gender mainstreaming. This resulted in the establishment of a Gender Unit at the SADC Secretariat, a Committee of Ministers responsible for Gender or Women's Affairs, the RAC – made up of Government and NGO representatives – and Gender Focal Points in the Sector Co-ordinating Units.

The agenda at regional level was determined by the identification of national priorities derived from the 12 critical concerns of the Beijing PFA. Four priority areas were identified at regional level: education, health, power and decision-making, poverty and violence against women. In support of the implementation of measures to address these concerns, the "SADC Gender Monitor: Monitoring Implementation of the Beijing Commitments by SADC Member States", was launched. Published annually by SADC and the Southern African Resource and Documentation Centre (SARDC), the Gender Monitor aims to track and highlight progress made on implementation while also facilitating the exchange of ideas and experiences and highlighting obstacles hindering the realisation of the goals set in the PFA (SADC, 1999).

By adopting the Addendum to the Declaration on Gender and Development, entitled “The Prevention and Eradication of Violence Against Women and Children”, in 1998, SADC Heads of State further recognised the gendered nature of violence at all levels, including during armed conflict, and adopted measures aimed at improving the legal, social, economic, cultural and political situation of women to combat this scourge. Further emphasis was placed on the provision of services, education, training and awareness-building, integrated approaches and sufficient budgetary allocations.

4.3 APPLYING THESE FRAMEWORKS TO THE DRC

The importance of the full participation of women in the reconstruction of the DRC has been acknowledged in a wide range of forums. For example:

- At a conference held on “Electoral perspectives and the process of democratisation in the DRC: Lessons from SADC Countries” (EISA, 2002), special concern was expressed for the recognition of the rights of women, their role in the election process, and the provision of skills and education. Participants further agreed that it was vital that the gender principle be taken into account at the time of appointing members to the Electoral Commission and in the compilation of party lists (in the event of a closed list proportional system).
- In a recent workshop, entitled ‘Rethinking Peace, Coexistence and Human Security in the Great Lakes Region’ (April 16 – 19, 2002 Kigali, Rwanda), sessions on Coexistence Projects and Peace building approaches focused specifically on Women’s groups/associations.

With this in mind, a layered but coordinated response to the situation of women in the DRC, in the post-conflict period, needs to be guided by the above frameworks. There is clearly no lack of acknowledgement of the importance of gender equality in the different forums, but it is also evident that implementation has all but stalled in many instances and that the positive impact on women’s lives remain marginal. However, sufficient overlap and shared purpose between the various initiatives would allow for the coordination of efforts in the case of the Congo while avoiding duplication and the waste of precious resources. If the theory holds up, such cooperation would substantially alter gender relations within the DRC and considerably

improve the chances of lasting peace in the war-torn society. What should be remembered is that, at this point in time, there is not yet peace and security in many parts of the DRC and intervention strategies need to consider the delicate balance and reciprocal relationship that exists between advancement (of women's rights, and in the broader sense) and peace (conceived in terms of true human security).

4.3.1 EMPOWERING WOMEN IN THE DRC

“Revindications [sic] of the sub-region of the Great Lakes

We the women of the sub-region of the Great Lakes, are tired of living in a world where injustice reigns; a world of gender-based inequalities, a world where wealth is concentrated in the hands of a few.

We the women of the sub-region of the Great Lakes, are left to live in a world where our rights are regularly negated by compliant local authorities and the national, regional and international community.

We, the women members of the Network of Womens' [sic] Collectives and Associations of the sub-region of the Great Lakes, are hungry for a better world where wealth is shared, where women are respected for their integrity as well as physically and mentally.

We, the women members of the Network of Womens' [sic] Collectives and Associations of the sub-region of the Great Lakes, request the following from our states and the International Community:

- 1. Recognition of women as an integral part and focal point in the search for peace in the Great Lakes region.*
- 2. An end to wars which ravage life in the sub-region of the Great Lakes*
- 3. The development of mechanisms of conflict prevention and identification of resources supporting the sale of arms. We say 'STOP' to countries, which hide behind their economic interests leaving the sub-region under fire and bloodstained.*
- 4. The establishment of mechanisms which can condemn and punish all crimes committed in*

the sub-region of the Great Lakes

5. *The adoption of measures, which unconditionally absolve debt in favor of socio-economic rehabilitation programmes of countries in the Great Lakes sub-region.*
6. *The revision of national and international legislation and development of mechanisms, which ensure the elimination of all inequalities based on gender.*
7. *The adoption of severe and rigorous legislation against rape and sexual abuse*
8. *The adoption and support of realistic programmes to improve the education of girls.*
9. *The support of self-development efforts of women in the Great Lakes region*
10. *That the struggle against HIV/AIDS be made a high priority in the sub-region of the Great Lakes”*

(PeaceWomen, 2002)

Congolese women's calls for help resound loud and clear. They are ready and waiting to be empowered. But homegrown initiatives desperately need the support of outside partners in this country where women are still regarded as sex objects and where fetching clean drinking water can be a life-threatening activity. Democratic elections are scheduled to take place in the DRC within two years from December 2002. Whether women will be able to actively take part in these elections in order to fill their rightful place in the decision-making structures of the Congolese society will be a function of political will, responsibility, and good common sense on the parts of all those with a stake in the future of the DRC.

The transitional Government will have to play a particularly important role in enabling women to become partners for peace in the Congo. At the end of January 2003 a transitional constitution will be made public. It can only be hoped that the importance of gender issues and women's rights compelled those who drafted it to enshrine non-discrimination and human rights (as the special rights of all people based on their differences and similarities) in the country's primary legal instrument. Due consideration ought to also be given to the introduction of a quota system for party lists and Government seats (locally, regionally as well as nationally) to ensure compliance with the SADC goal of 30 per cent representation of women in positions of responsibility. Furthermore, sufficient checks and balances need to be built into the system to avoid the relapse of the newly created Ministry For the Situation of

Women and the Family (which, according to the Pretoria II Agreement, ironically has fallen into the hands of the perpetrators of some of the worst and most systematic violations of women's rights, the RCD) into inaction, while the Ministry for Regional Cooperation should be constantly engaged by regional institutions.

4.3.2 WOMEN'S ORGANISATIONS IN THE DRC

In the DRC a number of organisations have been formed in support of women's rights and advancement. Examples include the *Conseil National de la Femme* (National Women's Council), the *Association des Femmes pour le Progrès* (AFEPRO) and AFECEF, an umbrella organization for 49 community-based organisations in South Kivu province. These groups are collaborating on issues that:

- Provide leadership and human rights training for member associations;
- Organize peaceful demonstrations, peace and human rights conferences and seminars;
- Set up psychological therapy for women victims of rape and other sexual violence while advocating against sexual violence;
- Create networks with regional women groups such as Burundi and Rwanda as a way of strengthening the lobby for peace and conflict resolution in the region (Deodatte, 2002a).

More recently a newly formed women's group, "Amazons for Peace", launched a petition calling for the retreat of Rwandan troops from the DRC. "*We are exhausted by this war,*" member Aena Takwaulu said. "*Our men have not succeeded in bringing peace so, in line with tradition, the Amazons have come out of the forest,*" she said and added: "*When the men fail, the women unite to impose their own solutions in the interest of the community*" (AFP, 2002).

Women's organisations do not, however, operate in a secure environment in the DRC. Suspicion and distrust between women from different ethnic and political groupings often create friction. But much worse still is the suspicion that various belligerents, and in particular the Government, harbours with regard to the attempts of women to organise themselves for peace or empowerment. The Special Rapporteur on the Situation of Human

Rights in the DRC notes in his report to the UN High Commissioner for Human Rights that the situation in the country is particularly grim for women in this category. The Rapporteur mentions, *“there have been systematic violations of the rights of women’s groups and their leaders to freedom of association and assembly, expression and opinion, as well as their right to life, physical integrity and individual liberty. In the eyes of the Government, for example, NGOs are in the service of political parties and on the payroll of the aggressor states and rebels, whereas the RCD regards them as a grouping of extremist political parties. Seen through the distorting lens of ideology, these views are responsible for the mistreatment reserved for women who are social advocates or human rights activists by the two main sides in the ongoing war in the DRC.”* (Banda Mbombo & Hemedi Bayolo, 2002)

4.4 THE ROLE OF OUTSIDE ACTORS

4.4.1 THE ROLE OF THE INTERNATIONAL COMMUNITY

The UN peacekeeping mission in the DRC, MONUC, is one of the five recent operations of the UN Department for Peacekeeping Operations (DPKO) where the resolutions regarding women and armed conflict are being tested. A gender section is charged with raising the gender awareness of MONUC personnel, agency partners and the population. Already in 2002 the gender section convened a strategic planning meeting with the Mission’s military and civilian staff to create an action plan for integrating the concept of gender into all MONUC activities (Annan, 2002). In addition, induction programmes are offered to incoming military, civilian and police staff and gender awareness training for trainers of local police. This is complemented by the holding of meetings with Congolese civil society organisations, media and church organisations across the country to discuss views of the peace process. *“The major outcome of such work is to harmonize the vision of women’s groups from the east and west so that they can work out strategies to ensure their full participation in the implementation of the Nairobi Declaration adopted prior to the inter-Congolese dialogue. A plan of action to address the reports of violence against women in the east was also discussed by various stakeholders”* (Annan, 2002). Many of these initiatives are still in the early stages, and substantial reports on progress have not yet been publicly released.

The recent study of the Secretary-General on Women, Peace and Security (UN Secretary-General, 2002) provides some insights into the situation in the Congo, and it is of cardinal importance that such documentation is widely distributed and well publicised in order to raise awareness of the efforts of the UN across the globe. Raised awareness in all countries might aid attempts at ensuring greater gender equality in peacekeeping operations by compelling troop contributing states to increase the number of women forming part of the military and civilian components made available to the UN for this purpose.

Despite the apparent successes of the UN in implementing Resolution 1325, independent assessments have found that a gender perspective is not yet sufficiently incorporated into peacekeeping operations and that collective efforts to implement Resolution 1325 had not been as good as they could be (UN Security Council, 2002). Of the 46 special representatives of the Secretary-General there has been only one female, and only three deputies out of 12.

Apart from its responsibilities in terms of gendering the peacekeeping missions dispatched under its auspices, the UN and its composite member states carry a number of other responsibilities in ensuring an improvement of the situation of the women in the DRC. Measures to be adopted could include the following

- The creation of a senior gender adviser within DPKO and the appointment of more female special representatives of the Secretary-General.
- The development of a code of conduct to prevent and punish abuses committed by peacekeepers or members of the humanitarian community. This will necessitate the creation of a Rape Tribunal.
- Revision of standard operating procedures to include gender perspectives and gender awareness training packages intended for peacekeeping personnel.
- The stimulation of debate from the top. The men who ran most of the missions should possess the right sensitivities and priorities. It is therefore important that they are engaged at the highest level.
- With regard to MONUC: “*Equip MONUC with a specialist conflict resolution team to assist humanitarian aid agencies in gaining access to the Kivu and Ituri regions and to establish reconciliation programs between local communities*” (ICG, 2002: 17).
- Go beyond abstractions and provide straight facts. Both of the effects of conflict on women and women’s role in conflict settlement and reconstruction to date. With

regard to the situation in the DRC, “...it is urgent that the independent commission of inquiry be set up by the UN based on the relevant Security Council Resolutions (RS.1243 (1999) point 7, RES. 1304 (2000) point 13) and the UN Commission on Human Rights (56th and 57th sessions) to determine the full magnitude of the violence and identify all those responsible (perpetrators, co-perpetrators, accomplices, commanding authority...), regardless of their status (political, military civilian, official, non-official, national or foreign) ” (Banza Mbombo & Hemedi Bayolo, 2002). Such a project has to run hand in hand with a critical reassessment of security issues, with parties looking beyond the military dimension (specifically Uganda, Rwanda) to search for real solutions.

- The annual appointment of one of the Security Council representatives to follow the progress made by the Security Council on the implementation of Resolution 1325: Women, Peace and Security.
- The full inclusion of women in DDR programmes.
- The tireless support, financial and otherwise, of NGO activities from the international community in attempts to strengthen the legitimacy of their roles in the eyes of the regimes in power. One such important initiative, worthy of direct UN support is the international coalition formed in support of the women of the DRC and the Nairobi Declaration. According to Solon Helal (2002) the mandate of the coalition is to:
 1. Ensure the visibility and presence of the women in the processes of the consolidation of peace in the DRC.
 2. Work towards obtaining the participation of women in all the components of the ICD with the objective of arriving at a 30% target.
 3. Apply UN Security Council Resolution 1325 to the situation in the DRC
 4. Defend women’s rights in situations of conflict and to put an end to impunity.
- Implement urgent measures to limit the proliferation of small arms and light weapons in the Great Lakes region;
- Develop a systematic means of employing women as planners and beneficiaries of collective efforts (UN SC, 2002);
- Creating channels in the international media for highlighting the plight of the women in the DRC in order to garner support, establish solidarity and raise funds for the implementation of empowerment programmes.
- Spare no effort in maintaining basic social services, especially for the women and

children of the DRC in the post-conflict situation;

- ❑ The SC should seek to identify best practices and encourage their promulgation;
- ❑ Creating a line of finance for gender issues from within the regular budget of the UN rather than relying on voluntary contributions;
- ❑ Financial support of regional and sub-regional as well as individual efforts to engender peace-building in the DRC, or coordinate such efforts;
- ❑ The UN should, furthermore, coordinate plans with regional and sub-regional organizations and NGOs, in order to sensitise everyone involved about gender-based violence and avoid duplication and the waste of precious resources;
- ❑ And ensure that involvement on the part of Western countries is better coordinated and more consistent.

In an interview with Rose Mpisi, Director of a South African based organisation, All African Women for Peace (AAWP), the importance of cooperation with regional and sub-regional organisations, and local women's groups is self-evident in the case of the DRC. Because of the particularities of the situation of women – before, during and after conflict – in countries such as the DRC, the impact of the efforts of UNIFEM are often limited if not mediated by women who have had personal experience of the circumstances in the country or in similar situations.

4.4.2 THE ROLE OF THE AU AND NEPAD

Within the African Union and NEPAD, it is a matter of urgency to implement the good intentions voiced by Heads of State in public forums in the past year. Gender mainstreaming should form an integral part of the operationalisation of both these initiatives from the outset. Both bodies should furthermore accept, with immediate effect, their responsibilities towards the DRC and the attainment of a lasting peace in the country. Success in this regard will go a long way towards proving the seriousness of the intent that has been expressed with regard to good governance and regional responsibility. The DRC is a country rich in resources that has the potential for playing an important role in the future of the continent. By ensuring that the peace-building process in the country is gendered, the AU and NEPAD can assure that the DRC can quickly attain its rightful status in improving the situation of all on the continent.

Unfortunately, the reality has thus far been a lot different. Representatives from the DRC did not attend the African regional symposium on gender, politics, peace, conflict prevention and resolution held in London in 1998, and neither was the DRC on the agenda (Women's International News, 1998).

At the regional level, the AU should implement measures to improve the monitoring and evaluation of progress towards the BFPA. In this regard, training workshops should be held and the AU Gender Desk should commission national evaluation reports.

A standing committee or committees need to be established between various groups on the management of some of the contested areas, such as the eastern parts of the Congo, with Rwanda. Such constant engagement once again signals a 'feminist' preference for cooperation rather than competition. A regional standing committee on the general situation in the Great Lakes District is a logical parallel process. Because of the overlapping areas of sub-regional organisations and the lack of a clear mandate and authority in this regard, as well as the severe lack of capacity experienced by most organisations, this is an issue that could be best addressed at continental level.

The AU and NEPAD should coordinate efforts at the regional level and provide institutional as well as financial support to such efforts while acting as a go-between with international efforts. Acting as a clearing-house for information, the AU could furthermore play an important role in allowing various sub-regional organisations to share experiences and intangible resources.

4.4.3 THE ROLE OF SADC

Within the SADC framework, many countries in Southern Africa have increased the number of decision-makers in formal positions, while training programmes and policies reflect a greater emphasis on gender equality. Legislation has also been changed in most countries to outlaw discriminatory practices and make provision for affirmative action and equal representation. Up until now, the DRC did not, however, take part in these processes and no initiatives were forthcoming from the regional organisation to bolster the efforts of women in the DRC to improve their situation. The SADC Sectoral Report on Women and Gender

(2000-2001) only once makes mention of the DRC, and that is to report that a centre for the counselling of women and children survivors of violence has been established in the DRC (such centres have also been established in most other SADC countries: Angola, Botswana, Malawi, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania and Zambia). While, in terms of the promotion of peace and stability in the SADC region, the report merely laments, in general terms, the lack of information on the situation of women from countries in the region that are experiencing conflict, as well as the limited role of women in conflict resolution.

The DRC has basically been excluded from all regional (SADC) attempts at mainstreaming gender and achieving gender equity. When the SADC Gender Unit commissioned a book series on the status of women and men in the SADC region, the DRC was excluded from the countries on which a national gender profile were compiled. It is the responsibility of the regional body to change this situation.

While the DRC geographically fits more comfortably into the Central African region, and overlapping membership with other regional institutions creates further problems, the fact that the country was allowed to join the SADC in 2000 is a reality, and with an end to the conflict in sight, SADC needs to take decisive action to ensure that the potential benefits of DRC membership of the organisation can be realised. One area for action is immediate integration of the DRC, and in particular its women, into regional efforts at mainstreaming gender at all levels of society. Specific avenues for action include the following:

- Undertaking research studies on gender and related issues, while ways to improve the use and distribution of information in the region need to be identified.
- Supporting civic organisations and women's NGOs to increase women's capacity to participate in decision-making leadership and encourage the cooperation between Governments and civil society on a broader scale.
- Exerting pressure upon the transitional authority in the DRC to develop a National Gender Policy, create sufficient institutional mechanisms to design, promote, monitor, advocate and mobilise support for policies to advance the status of women, and establish a documentation unit in the Ministry for Women and Family to accurately record women's experiences and empowerment.
- Adopt legally binding instruments and protocols at regional level that encourage

member states to incorporate them into their constitutions and legislation. This applies in particular to those protocols and issues related to the rights and needs of women as a social group, and needs to be supplemented by some form of enforcement mechanism to compel countries to carry out obligations.

- ❑ Consult with other regional organisations on the issue of gender mainstreaming to learn from shared experiences.
- ❑ Organise regional workshops and training exercises in order for Governments to share experiences and build capacity.
- ❑ Promulgate a set of best practices and indicators for gender empowerment.
- ❑ Support a national audit on women's participation in decision-making aimed at the development of a coordinated approach to increasing participation to the desired levels of 30 per cent.
- ❑ Coordinate political education programmes to increase the number of women in decision-making positions. This should be supported by workshops for prospective women political candidates in lobbying, advocacy and campaign management.
- ❑ Integrate Congolese women into regional projects such as a Regional Caucus of Women Parliamentarians to ensure that women's issues are put on the agenda of decision-making institutions at the regional level;
- ❑ Establish trans-border standing committees on integrating a gender perspective into all the activities of the region;
- ❑ With regard to the economic empowerment of women in the post-conflict phase in the DRC, SADC should assist the drawing up of a gender budget and other initiatives at improving women's access to resources and economic decision-making capacity;
- ❑ Conduct legal literacy campaigns for counselling women on legal issues, raise awareness of their rights and responsibilities and the sensitisation of the general public on legal issues through radio programmes and publications also falls within the scope of SADC's responsibility towards the women of the DRC;
- ❑ A need has been expressed by women in the region that SADC should establish the human rights tribunal provided for under article 16 of the SADC Treaty and that this should deal with violations of women's rights;
- ❑ Assist the DRC in the rebuilding of its educational institutions with the specific aim of eliminating the gender gap in primary and secondary education by 2005;
- ❑ As a regional block, SADC should unite to lobby for gender issues in other forums;

- In the last instance, the other SADC states need to lead by example and take immediate actions to ensure the full implementation of the Declaration on Gender and Development and the freedom of action of civil society within their own countries.

4.5 CONCLUSION

From the evidence presented in this chapter, we can see that it is not for a lack of bureaucracy and intent that the situation of the women many countries in the world remain abhorrent. What is now needed is efficient and cooperative collaboration between structures at various structures to stretch limited resources. It is also apparent that the various institutions share a common goal, and the empowerment of Congolese Women could provide a common medium-term goal to guide strategic interaction between these different bodies.

CHAPTER 5: CONCLUSIONS AND RECOMMENDATIONS

5.1 INTRODUCTION

The President of the *Association des Femmes pour le Progrès* (AFEPRO), Marthe Tshisekedi, describes the main daily activities of a typical African women, and, thus, of a Congolese woman, as follows:

...if one observes a typical day in the life of an African woman one realizes that she is engaged in a daily race against the clock. She is not only a mother, wife, and housewife, but also a teacher, merchant or nurse...She takes on several roles at once...However, despite their active role, instead of being liberated, African women – even those living in urban areas – are governed by customs that turn them into little more than “an erotic complement to men” and relegate them to the informal sector...In the state of conflict affecting our country, this woman easily becomes not only a “sexual slave” used against her will by combatants from all sides for their own recreation, but also, by virtue of her status as a keeper of traditions, a prime target of deliberate efforts to destabilize the socio-cultural foundations of the communities whose synergy makes up the Congolese nation (Banda Mbombo and Hemedi Bayolo, 2002).

5.2 WOMEN’S EXPERIENCES IN WAR AND PEACE

The evidence presented here indicates that the experiences of women during times of war are neither homogenous, nor easy to comprehend and address. While mostly perceived as victims of armed conflict, women and girls can also be combatants and perpetrators, and in such cases they must be brought on equal terms with men into the process of disarmament, demobilisation, resettlement and capacity-building after the conflict ended. This is true also of girl soldiers, a category of combatants often disregarded in post-war efforts and left out of agreements between political brokers. But this does not negate the urgent need for a gendered approach to studying the effects of conflict, as it remains true that there are differences in the ways that women and men take part in and are affected by violent conflict. This fact has been acknowledged in a wide range of forums and is enjoying increasing attention from various sources.

Social construction theory teaches us the fallacy of essentialist notions of men and women based on theories of biological (pre-)determination. At the same time it highlights the pervasive and often destructive effects of stereotyping and role fulfilment. When applied to conflict situations in the form of gender theory, it exposes the complexity of the linkage between peace and gender. Women and girls share similar experiences with men and boys during conflicts, but the differences that exist in society in times of peace are exacerbated during periods of conflict. Women's vulnerability during times of crisis is thus not a result of women's nature, but rather a result of the social structures and mechanisms that turn women into victims and reproduce or even increase their vulnerability in times of crisis. There is also a narrow definition of who a soldier or fighter is, which often discriminates against women and girls involved in fighting. This forces the realisation that the protection of women in times of armed conflict must begin during times of peace.

If it is accepted that periods of war are usually followed by periods of relative peace, with the ever-present potential for further eruptions of violent conflict, the DRC is currently posed on the knife's edge. Unless the structures and mechanisms that increase the vulnerability of women and supports and legitimises war, violence, inequality and aggression are not challenged and deconstructed as gendered, and replaced by alternative social institutions, initial gains in post-war reconstruction are likely to eventually result in the reinforcement of the relations of domination which makes war more likely in the first place. What happens now in the DRC will have significant implications for the sustainability of peace and the creation of adequate mechanisms for empowerment of the disenfranchised, with effective preventative mechanisms in place to prevent a relapse into war.

5.3 FROM WAR TO PEACE IN THE DRC

In lieu of adequate measures to bring to justice those perpetrators of gender-based violence against women and redress gender imbalances in the fabric of the Congolese society, it is likely that violence against women and girls during armed conflict will persist as domestic violence when the conflict is over.

In the post-war social milieu of heightened uncertainty about gender role definition, the conditions for both challenge and conflict are created. The experiences of women who have

been forced by conditions in the DRC to step out of the traditional gender roles and assume new responsibilities as, for example, head of household or demobilised militia fighter do not bode well for the creation of a post-patriarchal, non-discriminatory society in the DRC. Intense frustration and distress is often accentuated by the hostile and suspicious attitudes that these women are confronted with in their home villages. Where men have also been traumatised and uprooted by the conflict, the situation takes on an even darker hue as many women also experience increases in domestic violence and abuse linked to male insecurity. Women who have been the victims of sexual acts of violence are often ostracized by their communities and find themselves forced to turn to prostitution and other activities outside the dominant frameworks of wife, mother or virgin daughter.

Post-conflict reconstruction needs to be sensitive to the redefinition and renegotiation of gender roles that is likely to characterise the post-conflict society and avoid the pitfalls of perpetuating unhelpful stereotypes. This process affects men and women differently and an exclusive focus on either sex will be grossly counterproductive. A differentiated focus, on the other hand, will acknowledge the role that women continue to play as custodians of culture and tradition in their role as carers for children and the concentration of their activities around the home. If gender-equality becomes a long-term process, men's socialisation will start playing an increasingly important role in influencing culture and tradition at the early phases of childhood development as social roles become more fluid and men take on child rearing responsibilities while women keep on pursuing the careers that they took up during the conflict. A gender perspective would thus aim at exposing the gendered nature of social institutions, assigning responsibility for those structures and their reconstruction to both men and women.

5.4 PROSPECTS FOR A GENDERED APPROACH TO CONFLICT MANAGEMENT

Never before has the plight of women in conflict situations or the importance of infusing a gender perspective into peace-building enjoyed as much attention as at the present. The modern global society furthermore has all the means at its disposal to launch massive campaigns towards implementing the principles and mechanisms for gender mainstreaming

so eloquently expounded in (male dominated) political forums. Now the issue becomes one of political will and careful auditing to determine whether required inputs will deliver desired returns in a world that is split between the capitalist moguls on the one side and corrupt autocrats on the other. As with any long-term investment into the future of an organisation or society, the dramatic changes that are required will unsettle existing power-relations to such an extent that the short-term benefits will probably appear insufficient to spur the required political will. Despite public proclamations to the contrary, the most likely situation into the future is not one in which dramatic changes will take place and where the current generations will benefit substantially from the gains. In fact, the slow, but incremental process can be expected to continue at more or less its current pace, with occasional bursts of enthusiastic action. What can, at best, be hoped for, is that the situation in the DRC will be regarded as a sufficiently cost-effective experiment for gender-based approaches and the implementation of the plethora of overlapping bureaucratic frameworks that they have spurned.

Ruddick points to the potential of maternal practice to develop ways of dealing with conflict that are consistent with the goals of mothering. Such practices are marginalised as a result of women's marginal position in society's power structure. As Enloe (1993:246) puts it, militarisation occurs because some peoples' fears are allowed to be heard, and to inform agendas, while other peoples' fears are trivialised or silenced. The point is that attitudes of peace and caring are marginalised and that this arises from a social milieu in which war, violence, inequality and aggression have come to be legitimised; and unequal gender relationships and socially constructed gender stereotypes are very central to the process of legitimisation. By uncritically adopting these stereotypes, those with an interest in peace-building become part of the problem. As Ruddick (1995:xviii) points out, "neither women nor mothers, nor for that matter men nor fathers, are 'peaceful'". Instead, we need to understand that to the extent that a politics of peace, care and justice is possible, it must be created and actively fostered." (Vincent, 2001)

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APPENDIX A: DRC FACT FILE

GENERAL INFORMATION	
Official Name:	<i>République démocratique du Congo</i> , or Democratic Republic of the Congo (formerly Zaire)
Capital:	Kinshasha – population 5,1m (1997 est)
Chief of State, Head of Government & Min. of Defence:	President Joseph Kabila - 24 th January 2001 appointed by the Government.
National Currencies And Current Exchange Rates:	Congolese francs (FC) = 100 new zaires; Average exchange rate in 1999: FC4.1:US:\$1; Exchange rate on 29/4/2001 – FC50.5:US\$1 (fixed official rate); FC255.5:US\$1 (parallel rate). There is a marked difference between the exchange rate in the east and the west of the country. Note: the exchange rate has been falling steadily on the parallel market since Laurent Kabila's assassination in January 2001, despite the liberalization of exchange transactions in February.
System Of Government:	Unitary republic
Population:	53,6m
Ethnic Groups:	Over 200 African ethnic groups. The largest is the Kongo, which predominates in Bandundu province. The Mongo are mainly found in the heavily forested north and north-west. The Luba predominate in the two Kasai provinces and the Shabans and Bemba live mainly in Katanga (formerly Shaba) province. Other large ethnic groups include the Zande, the Bwaka, the Lulua and the Songe. There are a large number of people of Nilotic origin, mainly concentrated in the eastern North Kivu province.
Languages:	French (official), Lingala and Monokutuba (lingua franca trade languages), Kingwana (a dialect of Kiswahili), Kikongo (most users), Tshiluba
Religions:	Animist beliefs around 50%; Christian 40% (of whom the majority are Roman Catholic); Muslim 10% (mainly in northern Kivu province) ¹⁵
GEOGRAPHY	
Total Area:	2,345,410sq km
Land Area:	2,267,600sq km
Water:	77,810 km
Coastline:	37 km

¹⁵ These figures are from the Institute for Security Studies (2002a). An Agence France-Presse DRC Country Profile puts the figure at 80% Christian with small minorities of Muslims (10%) and animists. In further contrast, the Office for the Coordination of Humanitarian Affairs (OCHA, 2002a) gives the following breakdown: Roman Catholic 50%, Protestant 20%, Kinganguist 10%, Muslim 10%, other sects and indigenous beliefs 10%.

Climate	Varies widely - lowlands in the western region are tropical; hot & humid in equatorial river basin; cooler and drier in southern highlands; cooler and wetter in eastern highlands
Physical Description	Large and diverse, country straddles the equator. Vast central basin in a low-lying plateau covered by dense tropical rain forest; central river basin with a large number of rivers flowing into the Congo River which provides a major transport system. Mountains in the east, falling gradually to a very narrow strip of land that controls the lower Congo River which is the only outlet to South Atlantic Ocean. The southern part of the country is savannah grassland
PHYSICAL INFRASTRUCTURE	
Communication: per 1,000 Inhabitants (1997)	Daily newspapers 3 Radio receivers 376 Television receivers 135 Main telephone lines 0
Transportation:	Railways 5,138 kms Roads 157,000 kms; 2,400 of which are surfaced Waterways 5,000 km including the Congo, its tributaries, and unconnected lakes. Inland navigation is important, particularly for freight on the Congo River between Kinshasa and Kisangani and the Kasai River from Ilebo to the Congo River north of Kinshasa. However, all routes around Kisangani have been disrupted by the civil war. Airports with paved runways 24 Ports and harbours The main port is Matadi, about 150km inland on the Congo River. Kinshasa is the main inland river port and the ferry crossing point from Brazzaville.
Energy Provision:	5,74 bn kWh (1998). By source: fossil fuel 2.61%; hydro 97.39%. Total hydroelectric potential is estimated at 100,000 mw thanks to the Congo River; total installed generating capacity is only 2,470 mw.
NATURAL RESOURCES AND THE ENVIRONMENT DRC, the third largest country in Africa, is endowed with vast potential wealth. It is rich in minerals, has fertile land and enormous areas of rainforest (more than 74% of the country is forested, although the forests are shrinking fast), and its rivers offer abundant hydroelectric potential.	
Mineral Resources	Cobalt (65% of the world's reserves), copper, cadmium, petroleum, industrial and gem diamonds, gold, silver, zinc, manganese, tin, germanium, uranium, radium, bauxite, iron ore, coal
Other:	Hydropower (total potential estimated at 100,000 mw, enough to meet at least all of Southern African needs); timber; oil reserves of 180 million barrels
Water Resources and Management:	Annual internal renewable water resources: 19,001 cu m Per Capita (1998); Sectoral withdrawals Domestic 61%; Industrial 16%; Agricultural 23%.
Key Environmental Concerns:	Poaching threatens wildlife populations; water pollution; deforestation - refugees who arrived in mid-1994 were responsible for significant deforestation; soil erosion; and wildlife poaching in the eastern part of the country
Environmental Policy and Manifestation	International agreements - Biodiversity, climate Change, Desertification, Endangered Species, Hazardous Wasters, Law of the Sea, Marine Dumping, Nuclear Test Ban, Ozone Layer Protection, Tropical timber 83 and 94, Wetlands
Natural Hazards	Periodic droughts in south; volcanic activity
ECONOMY	

Size of the Economy /GDP	US\$3,900 billions
GNP per capita	US\$110 (World Bank, 1998), under US\$80 by 2002
GDP Growth Rate	-15% (2000), -4,1% (IMF 2001 est.)
Inflation/CPI (% annual change)	511% (2000), estimated at 135% in 2001 Projected to be down to 12,7% in 2002
Reserves (US\$m)	52 covering 2.2 weeks (2000)
Exchange Rate (end of period in US\$)	310 (2001)
Economic Sectors	<p>Agriculture & Forestry: Despite being an agriculturally rich country that has diverse climates, rich soils, numerous rivers and abundant rainfall, DRC is unable to meet its food needs. This is largely attributable to neglect of the sector by past governments, emigration of labour into mining, supply and transport problems, the war and the influx of refugees. The main cash crops are coffee and timber, followed by palm oil, cotton, cocoa, rubber and tobacco.</p> <p>Mining: The contribution of mining has shrunk in recent years (from 24% of GDP in 1987, to 5.9% in 1994), although it remains a key generator of export earnings. Copper, cobalt, diamonds and zinc are the main minerals. Cadmium, cassiterite, gold, silver and wolframite are mined on a smaller scale.</p> <p>Industry: Contribution to GDP has dropped from a high of 33% in 1980 to some 15%, well below the sub-Saharan average of 30%. Depressed demand, widespread looting, a lack of foreign exchange, and political instability are the main constraints. Goods produced are mainly for the local market.</p>
Trade	<p>Today the narrow export base is based mainly on minerals, with some agricultural cash crops. This has made the DRC's balance of trade susceptible to the vagaries of world commodity markets. Under-investment and regular strikes have further weakened the mining industry. Principal exports are copper (typically 60% of total), diamonds (14%), cobalt (11%), crude petroleum (9%), coffee (6%). In 1998 the services sector contributed 31.4 % of GDP in 1998, up from 25.2 % in 1997. Diamonds, cobalt, gold and timber have continued to be produced throughout the war, with diamonds bringing in the most income, although production has dropped in almost all sectors. Revival of operations on the copper belt are vital for the republic's economic future.</p>
Foreign Aid and Donors:	<p>The DRC is one of the most heavily indebted countries in Africa - total debt stock is estimated to be US\$7.86bn, exceeded by arrears of US\$9.5bn. The Government has long since ceased to service its debts.</p> <p>In June 2001 the DRC received a US\$50m grant from the World Bank, one of the biggest aid donations obtained by the country in two years, as well as a US\$2,5m grant from the African Development Bank aimed at supporting macroeconomic and sectoral reforms.</p>
External Debt:	11.9 billion dollars (World Bank, 1999)
Regional and International economic grouping/alliances:	<p>African Union EU-ACP Convention Southern African Development Community (SADC) Common Market for Eastern and Southern Africa (Comesa)</p>
POPULATION	
Human Development Index (HDI)	0.479
HDI Rank	141/174

Health	There are more than 900 hospitals with a total capacity of over 75,000 beds, but many of these are not operating due to a lack of resources and unpaid staff. There are an estimated 1,900 physicians working in DRC. In the area of Bunia, near the border with Uganda, there are only 11 doctors for three million people, and there have been outbreaks of bubonic plague.
Food Security:	In October 2000 the UNHCR warned that the humanitarian situation in the DRC was heading towards catastrophe and appealed for urgent international financial aid. It was estimated that one third or some 16 m people did not to have enough to eat. Infrastructure was non-existent, areas that used to produce surplus food were no longer producing any, and the transport infrastructure had been destroyed. According to the UNDP, by 2002 more than 70% of the population are living absolute poverty.
Education	School is compulsory for children between six and 11, but attendance is estimated at 66% for male and 51% for female children – and of these only about 40% complete the period. Secondary education, which is not compulsory, begins at the age of 12 and also lasts for six years. Enrolment in secondary school is less than 25 % of the relevant age group. There are three universities - at Kinshasa, Kisangani and Lubumbashi. The literacy rate is estimated at 83% for males and 54% for females, but is thought to be much lower outside urban areas.
Unemployment	Around 85%
Sources: Mostly Institute for Security Studies, 2002a. Also consulted: Agence France-Presse, 2002; Mills, 2002; UN OCHA (2002)	

APPENDIX B: PARTIES TO THE CONFLICT IN THE DRC

	Involvement/Current Status
Forces on the Government side	
DRC Government Headquarters: Kinshasa President: Joseph Kabila	Controls the western and southern parts of the country
Angola	Angola, which contributed significant military support to the Government, now maintains 500 policemen in Kinshasa.
Namibia	Namibia has completely withdrawn from the DRC.
Zimbabwe	Zimbabwe deployed troops in the DRC in 1998 to support the Government of the late Laurent Kabila, and subsequently his son Joseph. By 29 August 2002 Zimbabwe Defence Force spokesman Col Mbonisi Gatsheni announced that all of Zimbabwe's troops in the DRC will be withdrawn. While it is claimed that only 3,000 troops remain, independent estimates range from 9,000 to 12,000.
AliR Alliance of <i>Interahamwe</i> (Rwandan Hutu extremist militias) and ex-FAR (<i>Forces armées rwandaises</i>), Rwanda's former army	30-40,000
FDD <i>Forces pour la defense de la Démocratie</i>	Believed to total, at peak, around 15,000, split between the DRC and Tanzanian refugee camps.
Forces on the rebel side:	
Burundi	At peak around 2,000 troops, but announced their withdrawal in January 2001. According to the UN, 700 troops had been withdrawn as at 11 October 2002.
Rwanda, RPA <i>Armée Patriotique Rwandaise/Rwandan Patriotic Army</i>	Rwanda supports the rebel <i>Rassemblement congolais pour la Démocratie</i> (RCD-Goma), which has been fighting Kinshasa since August 1998. Kigali has justified its presence in the DRC as a measure to prevent the ex-FAR and <i>Interahamwe</i> from attacking Rwanda from bases in the DRC Total troop strength at its peak in the DRC is estimated at 18,000. Forces in the DRC are made up of local Tutsi and Hutu (ex-Far) elements. Rwanda's area of operation covers Eastern DRC, mostly the areas of South Kivu, North Kivu and Maniema, the Eastern province, part of Katanga and Kasai The recent Pretoria Agreement between the DRC Government and Rwanda provides for the complete withdrawal of Rwandan troops from the DRC to be verified by MONUC. According to MONUC, as at 11

	<p>October 2002, a total number of 20,941 RPA forces had been withdrawn from the DRC. This implies a discrepancy of 2,819 according to RPA figures. A formal explanation is still pending.</p>
<p>Uganda, UPDF Uganda People's Defence Forces</p>	<p>Uganda has been involved in the DRC war since 2 August 1998. By early 2000 Ugandan involvement totaled more than 13,000 troops (in 14 army battalions).</p> <p>Uganda mainly supports the RCD-N and RCD-K-ML</p> <p>In August 2002 the DRC and Uganda concluded an agreement providing for the complete withdrawal of Ugandan forces from the DRC. According to the signatories to the accord, Uganda had, at the time, 2,500 soldiers in the DRC. With Angola serving as the third party to this accord, it would be allowed to use its forces in the DRC to verify the Ugandan withdrawal, Kamerhe said.</p> <p>By September 2002 Uganda had officially withdrawn all its forces from the Democratic Republic of the Congo (DRC), except for two battalions which would remain to safeguard civilian security in the troubled city of Bunia, northeastern DRC (at the request of the United Nations) official Radio Uganda reported.</p> <p>Uganda has committed itself publicly to withdrawing the last of its troops based in the DRC before 15 December 2002.</p>
<p>MLC <i>Mouvement de Liberation Congolais</i>/Congolese Liberation Movement Headquarters: Mobutu's former 'pink palace' at Gbadolite, northwestern DRC. Leader: (businessman) Jean-Pierre Bemba</p>	<p>Formed in November 1998 in Equateur Province with extensive Ugandan backing.</p> <p>Estimated between 6,500 and 9,000 troops Following the ICD, Bemba threw in his lot with the Government in April 2002</p> <p>Controls the North.</p>
<p>MLC-Renove A group claiming to comprise the original members of the Ugandan-backed <i>Mouvement de liberation du Congo</i> (MLC) rebel movement has declared the creation of a new faction to be known as MLC-Renove.</p>	<p>The group issued a communique on 27 August 2002 in which it denounced Uganda's influence on the MLC, accusing Uganda of pillaging the Democratic Republic of the Congo's (DRC) natural resources, and of dictatorship. It also accuses those it calls the sponsors of rebellion in the DRC, namely neighbouring Rwanda and Uganda, of massacres</p>
<p>RCD <i>Rassemblement Congolais pour la Democratie</i> Congolese Rally for Democracy Also known as RCD-Goma Rwandan-backed rebel group. Created out of a split of the RCD in May 1999, when Wamba dia Wamba broke away to form the RCD Kisangani, Headquarters: Goma President Adolphe Onusumba (a South African-educated doctor) who replaced Emile Illunga in late 2000.</p>	<p>17,000-20,000 troops</p> <p>By August 2002 the RCD held about a third (eastern DRC) of the war-ravaged country.</p>
RCD-Kisangani	

Wamba dia Wamba formed this party when he was ousted from the original RCD in May 1999. It was short-lived and became the RCD-ML in September 1999	
RCD-K/ML <i>Rassemblement congolais pour la Démocratie-Kisangani-Mouvement de liberation</i> Kisangani faction of the RCD-ML led by Mbusa Nyamwisi. Allied with Mayi-Mayi and Kinshasa. Also the party of Jean-Baptiste Tibasima. Headquartered in Bunia (also known as RCD/Bunia) Armed wing: <i>Armée du peuple congolais/Armée populaire congolaise</i>	Around 2,500 troops Control of areas in North Kivu and Ituri (by December 2002).
RCD-ML <i>Rassemblement congolais pour la démocratie-Mouvement de liberation</i> Formed in September 1999 by Wamba dia Wamba after he and Ugandan forces were ousted from Kisangani by Rwanda	Not in control of any territory by December 2002
RCD-National Formed during the splintering of the RCD-ML in mid-2000. Originally based in Bafwasende, Now allied with the MLC. Leader: Roger Lumbala	
RCD-K/N <i>Rassemblement congolais pour la Démocratie-(Kisangani)National</i> Rebel group created in January 2000 following a fissure within the RCD-K/ML. Allegedly supported by Rwanda	
FLC <i>Front de Libération du Congo/Congolese Liberation Front</i> Formed on 16 January 2001, combining Bemba's MLC and RCD-ML, as well as Lumbala's RCD-National. Supported by Uganda. Armed wing, the <i>Armée de Liberation Congolaise</i> Collapsed in August 2001 Leader: Jean-Pierre Bemba	
Unarmed Opposition:	
UDPS <i>Union pour la Démocratie et le progres social</i> Political opposition party Leader: Etienne Tshisekedi	
PALU <i>Parti Lumumbiste Unifié/Unified Lumumbist Party</i>	
Other Forces:	
Mayi-Mayi Also Mai-Mai, a local militia group opposed to the Banyamulenge (a group of Congolese nationals who are ethnic Rwandese. – living in North and South Kivu)	
UPC <i>Union des patriots congolais</i> A Hema dominated group that came to prominence after taking Bunia in August 2002. Sometimes referred to as UPC-FRP (Front for Reconciliation and Peace). Ongoing internal power struggle between Thomas Lubanga (current leader – allied to Rwanda) and Chief Kahwa Mandro (allied to Uganda). Controls the regional (Ituri) capital of Bunia. Not a signatory to the 17 December Pretoria accord	
NGILIMA	

The Ngilima is a grouping of warriors from different ethnic groups in the Kivu provinces, concentrated in the Rutshuru area, who see themselves as defending the population against foreigners. They opposed Mobutu and later also the ex-FAR and Interahamwe who had been settled in the UNHCR camps. Many of their recruits were Nande and the language spoken among them tends to be Kinande. Their number is estimated at between 1000 and 1400 fighters.

ZAIRIAN HUTU (MAGRIVI or Militia)

Another group of Hutu is the Zairian Hutu, who having joined forces with the Rwandan Hutu, is often included under the general 'Hutu' label. However, care should be taken to distinguish between these two groups as they have different political objectives which temporarily coincided. The Zairian Hutus have been in Zaire for generations and consider themselves to be Zairian. Local authorities estimated the Hutu population at some 4-500,000 in North Kivu. Since the ADFL take-over in the DRC, much of these Hutu militiamen have disappeared from the public eye. It is possible that they are hiding in the rainforest or form part of number of rebel and splinter groups currently fighting in the DRC.

FNLK

Front de Liberation Nationale du Katanga or Katanga_Tigers and the FLNC (Front de Liberation Nationale du Congo)

UPR

Union pour la Republique

The UPR is a movement of neo-Mobutuists of Mobutu's old MPR (*Mouvement Populaire de la Revolution*). They also claim to have a military wing, consisting mainly out of ex-FAZ. None of these claims have, as yet, manifested on the ground.

Leader : Charles Ndaywel

FLOT

Front de Liberation Contre L' Occupation

FLOT is the remnants of an anti-Tutsi movement in South Kivu created in 1977. It is made up of people who used to follow the leadership of Charles "Simba", a Bembe who was once allied to Kabila but has broken away and has opposed the *Alliance des forces democratiques pour la liberation du Congo-Zaire* (AFDL). He moved on to Tanzania to co-form the ARD to liberate eastern Congo from Tutsis and foreigners. After "Simba" has left the area, people who were disappointed in his leadership created FLOT. Some of the FLOT members seem to be from the educated "upper-echelons" of the Southern Kivu and Northern Katanga. It is however difficult to determine exactly how representative the movement is, since they operate in strict secrecy. They frequently broadcast anti-Tutsi/AFDL programs over a mobile FM sender called "Radio des Patriots".

ARD

Alliance pour la Resistance Democratique

The aim of the ARD is to liberate Eastern DRC from Tutsis, and consists mainly out of Bembe militia. Anzuluni Bembe succeeded in grouping together opposition forces from the DRC, Burundi, Rwanda and Uganda, in a loose alliance against Tutsi domination. The movement was initially based in Tanzania. Africa Confidential also reported that another Bembe-dominated opposition group -- the *Conseil de resistance et de liberation du Kivu* -- was recently set up in Kigoma. In Fizi, the rebels are thought to be local people in alliance with Burundian Hutus from the CNDD's armed wing, the *Front pour la defense de la Democratie* (FDD), supplemented by some former soldiers from the *Forces Armees Rwandaises* (ex-FAR), and their allies from the Interahamwe militia. One leader of the Fizi group, and reputed to be a founding member of the ARD, has taken the name of Simba and is known as Charles Simba. (See FLOT)

Leader: Celestin Azuluni Bembe

FRP

Forces Republicaines et Federalistes

The FRP seems to be self-defence cum political alliance of Banyamulenge distancing itself from the RCD (because the RCD is not by definition specifically representing the Banyamulenge). The FRP is concerned with the survival of the Banyamulenge that are not only threatened by the Kabila regime, but also by the various anti-Banyamulenge militias operating in Katanga and parts of South Kivu. Very little is known about the defence structures of the FRP, but it is believed to consist mainly out of Banyamulenge citizens organised in a type of "citizens-militia" protecting localities under threat. No known offensive action has yet been undertaken by the FRP.

Leader: Joseph Mutambo

<p>Ex-Mobutu Generals And Ex-FAZ/DSP Troops <i>Forces Armées Zaïroises/Zairian Armed Forces</i> <i>Division Spéciale Présidentielle/Special Presidential Division</i></p>
<p>UNITA National Union for the Total Independence of Angola</p>
<p>LRA Lord's Resistance Army</p>
<p>SPLA Sudan People's Liberation Army</p>
<p>UNAREL <i>Union des Nationalistes Républicains pour la Libération</i></p>
<p>MSPD <i>Mouvement pour la Sécurité, la Paix et le Développement</i></p>
<p>FNUA Former National Ugandan Army</p>
<p>WNBF West Nile Bank Front</p>
<p>NALU National Army for the Liberation of Uganda Ugandan rebel group Now largely wiped out</p>
<p>ADF Allied Democratic Forces A western Uganda rebel group with rear bases in the DRC. Now thought to have been largely wiped out</p>
<p>Sources: IRINNews (2002), Deodatte (2002a & b), Banza Mbombo & Hemedi Bayolo, (2002)</p>

APPENDIX C: CONFLICT RESOLUTION TIMELINE

Date and Place	Event	Contents/Provisions/Comments
23 August 1998 Pretoria, South Africa	Emergency Summit of SADC Leaders	Endorse the legitimacy of the DRC Government, call for an immediate ceasefire to be followed by political dialogue and a peaceful settlement to the crisis. Frederick Chiluba appointed as mediator.
7 September 1998 Victoria Falls, Zimbabwe	First peace talks organised by the Congo's neighbours	An immediate ceasefire; a standstill by troops; and a withdrawal of foreign troops, modalities to be worked out by the Secretary-Generals of the UN and OAU. The DRC Government rejected any negotiations or ceasefire until Rwandan and Ugandan troops withdraw.
22 October 1998	Talks aimed at seeking a diplomatic end to the conflict Nelson Mandela & Paul Kagame (Rwanda)	Ceasefire Withdrawal of foreign troops and formation of a national unity Government to embrace the rebels, with Kabila as President
29 October 1998 Pretoria, South Africa	Meeting between Nelson Mandela & DRC rebel leader Wamba Dia Wamba	
March 1999	UN Secretary-General, Kofi Annan	Voices hopes that the Security Council will send peacekeepers as part of a peace settlement
5 April 1999	UN Secretary-General, Kofi Annan	Appoints former Senegalese Foreign Minister, Mustapha Niasse, Special Envoy to the DRC.
9 April 1999	UN Security Council	Adopts Resolution 1234 demanding "an immediate halt to the hostilities"
18 April 1999 Sirte, Libya	DRC/Uganda Ceasefire Accord Kabila and the Presidents of Uganda, Chad and Eritrea	Provided for the deployment of peacekeepers, the withdrawal of foreign troops and the initiation of a national dialogue. Both the RCD and Rwanda refused to be bound by the agreement.
5 May 1999 Dodoma, Tanzania	Presidents of Rwanda, Uganda and Tanzania	Call for ceasefire after summit
26 May 1999	Chad pulls out its troops from Congo	
28 May 1999	Rwanda proclaims unilateral ceasefire	
17 June 1999 Pretoria, South Africa	Meeting of Regional Leaders – leaders from 14 SADC member countries as well as Rwanda, Uganda, Libya and Kenya	DRC Summit scheduled for 25 June 1999 in Lusaka
10 July 1999 Lusaka, Zambia	Lusaka Ceasefire Agreement signed by six African states involved in the war (DRC, Angola, Namibia, Rwanda, Uganda and Zambia)	Congolese rebel groups refused to sign because they were excluded from the ceasefire negotiations.

July-August 1999	Local peace efforts, including the Catholic Church and rebel administration, assemble 450 delegates	
1 August 1999	Jean-Pierre Bemba signs the Lusaka Agreement on behalf of the MLC	
6 August 1999	UN Security Council authorises deployment of UN liaison personnel in support of the Lusaka agreement	
31 August 1999	All 50 founding members of the RCD signed the Lusaka Cease-fire Agreement	
18 September 1999, Rethy, DRC	Lendu and Alur community leaders sign a non-aggression pact.	
29 October 1999 Windhoek, Namibia	4 hours of talks between Mandela & Nujoma	Agreed to ensure that a ceasefire was signed and peace was restored in the DRC
30 November 1999	UN Security Council resolution 1279 establishes MONUC	
December 1999	Former President of Botswana, Ketumile Masire, appointed to serve as facilitator of the ICD provided for in the Lusaka agreement	
January 2000	The UN Security Council passes a resolution for the deployment of 500 observers and 5,000 troops in the Congo	
24 January 2000	MONUC announces first phase of deployment of liaison officers to Bunia	
24 February 2000	UN Security Council expands MONUC in resolution 1291	
18 March 2000	Kabila reportedly requests meeting with Mbeki	
26 March 2000	Mbeki & Kagame (Rwanda) meets for "confidential" talks	
29 March 2000	UNSC to send mission to DRC	
9 May 2000	Ugandan MPs call for Withdrawal of troops from Congo	
2 June 2000	DRC: Joint military committee to set up office in Kisangani	
5 June 2000, Kenya	Rwanda-DRC talks	
15 June 2000	UNSC begins 2-day meeting on DRC	
22 June 2000	DRC Opposition slams govt as peace mediator's office sealed	

28 June 2000	OAU Mediator Masire meets with Rwandan President on DRC conflict	
29 June 2000	RSA discussions on DRC Peacekeeping mission	
30 June 2000 Kisangani	Belgian Foreign Minister to meet DRC Rebels in Kisangani	
2 July 2000	Ugandan, Rwandan leaders end reconciliation talks, to demilitarize Kisangani	
12 July 2000	DRC Rebel Leader Bemba says Government forces violate truce	
19 July 2000	UN observers urge Govt troops, rebels to end fighting in northwest	
24 July 2000	SADC Defence Committee discuss Angola, DRC conflicts	
1 August 2000	OAU calls for collective actions to end DRC conflict	
14 August 2000 Lusaka, Zambia	Peace Talks between Government Leaders and Rebels	Fail to reach agreement
16 January 2001	Laurent Kabila assassinated	
15-16 January 2001, Brussels, Belgium	Unarmed opposition political parties in the Democratic Republic of met. "The Kinshasa Government and rebel groups in the Congolese Rally for Democracy (RCD) and the Movement for the Liberation of Congo (MLC) will not be invited to that meeting but may attend as observers," Vervaeke told journalists during a weekly news briefing ¹⁶ .	
Sunday before 25 January 2001, Luanda, Angola	Summit: Angola, Namibia and Zimbabwe	Called for new peace moves in the DRC while announcing that their troops would remain there to ensure stability
25 January 2001	Joseph Kabila sworn in as DRC President (32-year old)	
February 2001, Ituri, DRC	A peace pact is signed between Hema and Lendu community leaders	Bemba, now the most senior rebel leader in the region states: "The militia will have to be disarmed and dispersed" A follow-up

¹⁶ Pan African News Agency (PANA), (2001), Unarmed DR Congo opposition groups to meet in Brussels. <http://www.reliefweb.int/w/rwb.nsf/s/D3131784AB0FD15485256B13006B2AEA> (12 August 2002)

		commission is to monitor and move the process forward
13 Feb 2001, Lusaka, Zambia	Several heads of state Hosted by Frederick Chiluba	To discuss the revival of the Lusaka Peace Accord, signed 18 months ago but since violated by all the signatories. Stumbling blocks identified included the disagreements between South Africa and Zambia and the reduction of UN troops from 5000 to 4000.
March 2001	UN (MONUC) troops and observers commence deployment.	
21 & 22 April 2001	Meeting of Foreign Ministers of signatory countries to the Lusaka Accord, scheduled by the UN	Issues: key issues which lie at the root of the crisis, such as Rwandan concerns over its national security & UN deployment along the Rwanda-DRC border
26 May 2001	An economic liberalisation programme is launched	
20-24 August 2001, Botswana	Preparatory meeting for the ICD held	
15 October 2001, Addis Ababa, Ethiopia	First, abortive, meeting of the ICD	
16-20 November 2001, Kinshasa, DRC	Subregional Conference on the Protection of Women and Children in Armed Conflict	
November 2001 – February 2002, New York, Geneva and Abuja	Informal consultations between parties to the conflict to exchange views	
January 2002	Foreign Ministers of the UK and France, Jack Straw and Hubert Vedrine on a whistle-stop tour of the DRC, Rwanda, Burundi and Uganda in an attempt to convince Kampala and Kigali to withdraw their armies from the DRC	
4 January 2002, Geneva, Switzerland	4-day consultations between the Government, MLC and RCD	
7 January 2002	Burundian Minister of Foreign Affairs, Thérene Sinunguruza visits the DRC and meets with President Kabila	In a joint communiqué issued on the occasion of the visit both Governments agree to restore the climate of mutual confidence. Burundi agreed to proceed with the withdrawal of its troops and a technical meeting in this regard was set up for February.
8 January 2002, Luanda, Angola	Meeting between high-level representatives of the DRC, Angola, Rwanda and Uganda	Discussions on how countries could add momentum to the Lusaka Agreement

14 January 2002, Blantyre, Malawi	SADC Extraordinary Summit held to discuss the situation in the Congo. Uganda also present	No substantive issues were discussed
14-17 January 2002, Brussels, Belgium	Informal meeting of representatives of political opposition and civil society by invitation from the Government of Belgium and in the presence of observers from the facilitation, the UN, the OAU and EU	To harmonise their views on transitions, elections, citizenship, the Constitution and armed forces.
26 January 2002	Speech by Joseph Kabila to commemorate the first anniversary of his ascent to power	Emphasised the commitment of the Government to the ICD, cooperation with MONUC for phase III deployment and requests the Security Council to establish an international commission of enquiry into the nature of Rwandan armed groups in the DRC
February 2002, Nairobi, Kenya	Meeting of Congolese women from various parties.	The adoption of the Nairobi Declaration
5 February 2002	A press statement released by representatives of the Mayi-Mayi.	Calling for a peaceful resolution of the conflict and demanding for the Mayi-Mayi the same representation to all negotiations as the signatories to the Lusaka Agreement
25 February 2002	Inauguration of the United Nations Radio, Radio Okapi	
25 February – 19 April 2002 Sun City, South Africa	Inter-Congolese Dialogue (ICD)	
19 March 2002	Adoption of Resolution 1399 (2002) by the UN Security Council	
April 2002 Sun City, South Africa	The Sun City Accord, signed at the end of the ICD by the Kinshasa Government, the Ugandan-backed <i>Mouvement de liberation du Congo</i> (MLC), a majority of unarmed political opposition groups, civil society organisations, and Ugandan-backed dissident factions of the Rwandan-backed rebel <i>Rassemblement congolais pour la Démocratie</i> (RCD-Goma).	Under that agreement, the Kinshasa Government of DRC President Joseph Kabila agreed to a power-sharing arrangement with the MLC, a majority of unarmed political opposition groups, civil society organisations, and dissident factions of the pro-Rwandan <i>Rassemblement congolais pour la Démocratie</i> (RCD-Goma) armed opposition movement. The MLC leader, Jean-Pierre Bemba, would serve as prime minister of a transitional Government leading to democratic elections. The mainstream RCD-Goma, the <i>Union pour la Démocratie et le progres social</i> and a number of other unarmed political opposition groups refused to sign the Sun City accord, calling it “a big joke” Kinshasa later denounced the accord followed by the MLC threatening to resort back to force.
26 April 2002	RCD-Goma and UDPS announces the creation of the Alliance for the Safeguard of the Inter-Congolese Dialogue	

27 April – 7 May 2002	A UN Security Council mission comprising representatives of all 15 members conducts a tour of South Africa, the DRC, Angola, Uganda, Tanzania, Burundi and Rwanda	Aims to give new impetus to the peace process in the DRC, to support MONUCH in the country and to support parties to the conflict to fulfil their obligations on the basis of the Lusaka agreement and resolutions passed by the Council.
May 2002	France submits a proposal for a Great Lakes conference to the UN	
5 June 2002 Nairobi, Kenya	Haile Menkarius of Eritrea and Moustapha Niasse of Senegal, both of whom worked closely with Masire at the ICD, nominated to help Ketumile Masire, facilitator of the inter-Congolese dialogue (ICD), conduct "shuttle diplomacy" to bring all parties back to the negotiating table.	
6 June – 5 July 2002, Matadi, DRC	Talks on a transitional Government which would also include the RCD, UPDS and other opposition parties	The Roman Catholic bishops have seized on the impasse reached at the talks, held in Matadi, western DRC, from 6 June to 5 July, to call for expanded discussions on a transitional Government which would also include the Rwandan-backed rebel <i>Rassemblement congolais pour la Démocratie</i> (RCD), Etienne Tshisekedi's <i>Union pour la Démocratie et le progrès social</i> and other opposition parties
12 June 2002	Former Senegalese Prime Minister, Moustapha Niasse appointed as UN Special Envoy to help push the ICD forward.	
14 June 2002	Adoption of UN Security Council Resolution 1417 (2002)	Extends MONUC's mandate until 30 June 2003
9 July 2002	Moustapha Niasse's second mission to the DRC	To collect the views of the Congolese negotiating partners on the power-sharing during the transition
30 July 2002, Pretoria, South Africa	Kabila and Rwandan President Paul Kagame.	Under that Pretoria Agreement, signed on July 30, Kabila pledged to stop supporting and to disarm and regroup Rwandan Hutu rebels based in the east of the DRC, in return for which Kagame pledged to pull more than 20,000 Rwandan troops from the DRC.
August 2002		Consultations on the implementation of the Sun City Agreement lead to agreement on 167 articles of the transitional constitution.
14-15 August 2002, Luanda, Angola	Negotiations between representatives of Uganda and the DRC under the Angolan Foreign Ministry, Joao Miranda good offices.	Culminated in a memorandum of understanding that was signed on August 15 by Ugandan vice-prime minister and foreign Affairs, James Waapkabolo and Congolese foreign minister Katumba Muanke. The document foresees the retiring of Uganda soldiers in Congo (all Ugandan troops are to be withdrawn by 15 December 2002) and the

		adoption of a set of mechanisms for normalizing the two countries' bilateral relations.
16 August 2002	UN S-G Annan says UN Role in DRC unclear	
16 August 2002	RSA Foreign Minister Zuma in Uganda for Talks on Defence Cooperation and other issues	
16 August 2002	Rwanda Accuses Kabila of Obstructing Ceasefire Deal and suggests a blockade	
16 August 2002	Uganda and South Africa discuss failed DRC talks	
16 August 2002	France to Give \$ 3,000,000 to OAU for DRC Peace Brokering Efforts	
28 August 2002, Kinshasa, DRC	A peace conference held for Ituri.	The Government has flown 24 regional leaders and traditional chiefs from Ituri to Kinshasa to attend the meeting - aimed at ending repeated outbreaks of inter-ethnic hostilities in the country's northeast. Fighting among different ethnic groups in the Ituri city of Bunia from 5 to 9 August resulted in at least 110 deaths. The Hema, a traditionally pastoral people, and the Lendu, a traditionally agricultural people, have frequently clashed over leadership in the region. Uganda is accused of arming the Hema. Only two traditional chiefs with real authority in their communities are participating in this conference. Other principal leaders of ethnic groups involved in the conflict chose to boycott the event in favour of meetings due to be organised in Ituri. Further meetings planned
30 and 31 August 2002, Kigali	A meeting of members of parliament from Rwanda and Uganda	Uganda and Rwanda resolve to hold regular meetings – at least once every three months – as a means of promoting closer cooperation around issues such as the repatriation of refugees and dealing with alleged criminal fugitives in their respective countries
3 September 2002	Open letter to Kabila by Bemba	Jean-Pierre Bemba, leader of the <i>Mouvement de liberation du Congo</i> (MLC), has urged DRC President Joseph Kabila to put aside their differences in the interests of the country. In an open letter to the President, he requested a meeting at Kabila's convenience to end their standoff and move the peace process forward.
6 September 2002, Goma, DRC	United Nations envoy Moustapha Niasse met leaders of the Congolese Rally for Democracy (DRC)	
6 September 2002, Luanda	Ugandan President Yoweri Museveni and the leader of the Democratic	Provides for the withdrawal of Ugandan troops from the north of the DRC and the

	Republic of Congo (DRC), Joseph Kabila, on Friday signed a peace agreement aimed at ending the war in the vast central African nation. The agreement was brokered by President Jose Eduardo dos Santos of Angola	normalisation of relations between the DRC and Uganda. Other details were not immediately disclosed.
17 September 2002	Beginning of the withdrawal of Rwandan forces from the DRC. MONUC confirms the withdrawal of 20 941 soldiers from 21 assembly points	
2 October 2002, Pretoria, South Africa	Representatives of the political opposition and civil society held consultations under the auspices of the Government of South Africa	
21 October 2002	Publication of the report on the United Nations Experts Panel on the illegal exploitation of natural resources of the DRC.	
4 November 2002	End of consultations on a global and inclusive agreement: Pretoria II	
4 December 2002	Adoption of the Security Council resolution 1445 (2002) reinforcing MONUC	
9 December 2002	Renewal of consultations on a global and inclusive agreement: Pretoria II	
17 December 2002	Signing of the Pretoria Accord	Comprehensive peace deal signed at ICD talks in Pretoria by the DRC Government, five armed groups, the political opposition and civil society
30 December 2002	Signing of a ceasefire agreement in Gbadolite between MLC, RCD-N and RCD-K/ML for a cessation of hostilities in Ituri	

APPENDIX D: KEY PROVISIONS OF THE LUSAKA CEASEFIRE AGREEMENT

The Lusaka agreement recognizes the internal and external aspects of the conflict by linking the following: internal democratization and national reconciliation in the Democratic Republic of Congo; respect for its sovereignty; withdrawal of foreign forces and accommodation of the legitimate security interests of neighbouring states. Its clauses include:

- ❑ Cessation of hostilities within 24 hours of the signing of the cease-fire agreement; a ban on disseminating hostile propaganda, harassing civilians, inciting ethnic hatred and moving arms and war material to the field
- ❑ Establishment of a Joint Military Commission (JMC) comprising representatives of the belligerents. Working with UN and OAU observers, it is to oversee troop disengagement, develop procedures for disarming, demobilizing and reintegrating combatants, and ensure compliance with the cease-fire until UN peacekeepers arrive
- ❑ Release of prisoners and hostages; establishment of safe corridors for moving and distributing humanitarian aid
- ❑ Re-establishment of Government administration, resumption of health, education and other services, and free movement of people and goods throughout the country
- ❑ Selection of a mediator and beginning of an inclusive inter-Congolese dialogue based on mutual respect and equality before the law for all ethnic groups and nationalities within the DRC. Out of this dialogue shall emerge agreement on the composition of a new national army, a new constitution and free elections
- ❑ Deployment of an "appropriate" UN peacekeeping force (within 120 days of the signing of the agreement) to monitor the cease-fire, investigate violations with the JMC; disarm, demobilize and reintegrate armed groups; arrest perpetrators of crimes against humanity, including people suspected of involvement in genocide in Rwanda; and oversee the withdrawal of foreign forces from the DRC
- ❑ Cooperation in security matters along common borders; no arming, training or harbouring of armed opposition groups intent on destabilizing neighbouring states

APPENDIX E: MONUC STRUCTURE AND MANDATE

Headquarters
Kinshasa; Democratic Republic of the Congo. Liaison offices in Addis Ababa (Ethiopia), Bujumbura (Burundi), Harare (Zimbabwe), Kampala (Uganda), Kigali (Rwanda), Lusaka (Zambia) and Windhoek (Namibia)
Duration
30 November 1999 to present
Authorisation
15 June 2002 to 30 June 2003 (UN Security Council Resolution 1417, 14 June 2002)
Special Representative of the Secretary-General and the Democratic Republic of the Congo and Chief of Mission
Amos Namanga Ngongi (Cameroon)
Force Commander
Major-General Mountaga Diallo (Senegal)
Strength
Authorised strength: 5,537 military personnel, including up to 500 military observers, supported by specialists in human rights, humanitarian affairs, public information, child protection, political affairs, medical and administrative support. Strength (10 January 2002): 4,309 total uniformed personnel, including 445 military observers, 51 civilian police and 3,803 armed troops. These are supported by 549 international and 636 local civilian personnel.
Contributors of military and civilian police personnel
Algeria, Argentina, Bangladesh, Belgium, Benin, Bolivia, Burkina Faso, Cameroon, Canada, China, Côte d'Ivoire, the Czech Republic, Denmark, Egypt, France, Ghana, Guinea, India, Indonesia, Ireland, Italy, Jordan, Kenya, Malawi, Malaysia, Mali, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Norway, Pakistan, Paraguay, Peru, Poland, Portugal, Romania, the Russian Federation, Senegal, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tunisia, Turkey, Ukraine, the United Kingdom, Uruguay and Zambia.
Financial aspects
Method of financing: Assessments in respect of a Special Account Appropriations: 1 July 2002 – 30 June 2003: US\$608.3 million (gross)

The United Nations is now posed to implement Phase III of the MONUC plan. Phase I involved the arrival of the UN team and the stabilisation of the security environment. Phase II has seen the pulling back of warring parties to new defensive positions approximately 30 kms apart according to a plan signed in February 2001 and the insertion of 54 static UN monitoring posts and 41 mobile teams.

Phase III, due to be implemented by mid-2002, will attempt the voluntary disarmament of militias in the east – the so-called DDRRR (Disarmament, Demobilisation, Repatriation,

Resettlement and Re-insertion). In terms of UN Security Council Resolution 1376 of 2001, this involves the establishment of forward deployment areas in Kisangani and Kindu, creating between ten and fifteen reception/assembly areas for the rebel armed groups. This envisages a UN force of around 10,000 (up from the January 2002 levels of 3,500) present for at least two years.

Key features of the MONUC mandate

- ❑ Monitoring compliance with and investigating violations of the ceasefire agreement.
- ❑ Establishing and maintaining continuous contact with the field headquarters of the parties' armed forces.
- ❑ Developing a plan of action for the disengagement, disarmament, demobilization and reintegration of armed groups and the withdrawal of foreign forces.
- ❑ Facilitate humanitarian assistance and human rights monitoring.
- ❑ Providing technical assistance and support for the facilitator of the inter-Congolese dialogue, Sir Ketumile Masire; working for the release of prisoners of war and assisting UN and non-governmental agencies in humanitarian activities.
- ❑ Developing a national de-mining programme and conducting de-mining operations.
- ❑ MONUC is authorized under Chapter Seven of the UN Charter to take "necessary action" to protect UN and JMC personnel and facilities, ensure its freedom of operation and protect civilian populations under threat of attack "in the area of deployment of its infantry battalions and as it deems within its capabilities.

(Mills, 2002 & MONUC, 2002)

APPENDIX F: THE PRETORIA AGREEMENT – DRC/RWANDA

PEACE AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF RWANDA AND THE DEMOCRATIC REPUBLIC OF THE CONGO ON THE WITHDRAWAL OF THE RWANDAN TROOPS FROM THE TERRITORY OF THE DEMOCRATIC REPUBLIC OF THE CONGO AND THE DISMANTLING OF THE EX-FAR AND INTERAHAMWE FORCES IN THE DEMOCRATIC REPUBLIC OF THE CONGO (DRC).

The Lusaka Cease-fire Agreement of 1999 sets out modalities for the tracking down and disarmament of ex-FAR and Interahamwe forces in the territory of the DRC. To date, it has not been possible to effectively implement the decisions relating to these armed groups.

The Governments of the Democratic Republic of the Congo and the Republic of Rwanda have sought to find an expeditious manner of implementing these decisions.

The Parties acknowledge that there have been numerous attempts to implement agreements reached between them with regard to this matter. The Parties also acknowledge that the launch of the African Union, recent UN resolutions and the involvement of a third party present a window of opportunity to urgently resolve this matter.

By third party, both Parties understand this to refer to the Secretary-General of the United Nations and South Africa, in its dual capacity as Chairperson of the African Union and facilitator of this process.

The Parties further acknowledge that the resolution of this matter will be a process and not an event.

The Government of the Democratic Republic of the Congo reaffirms its stated legitimate right that the forces of the Government of Rwanda withdraw from the territory of the DRC without delay.

The Government of Rwanda reaffirms its readiness to withdraw from the territory of the DRC as soon as effective measures that address its security concerns, in particular the dismantling of the ex-FAR and Interahamwe forces, have been agreed to. Withdrawal should start

simultaneously with the implementation of the measures, both of which will be verified by MONUC, JMC and the third party.

The Interahamwe and ex-FAR armed groups fled to various countries, including the DRC, after participating in the 1994 genocide in Rwanda. The DRC Government states that it does not wish to have these armed groups present in the territory of the DRC. The DRC Government does not want its territory to be used as a base for attacks against its neighbouring countries.

The DRC Government is ready to collaborate with MONUC, the JMC and any other Force constituted by the third party, to assemble and disarm the ex-FAR and Interahamwe in the whole of the territory of the DRC.

In this regard, the Parties agree as follows:

The DRC Government will continue with the process of tracking down and disarming the Interahamwe and ex-FAR within the territory of the DRC under its control.

The DRC Government will collaborate with MONUC and the JMC in the dismantling of the ex-FAR and Interahamwe forces in the DRC.

The Rwandan Government undertakes to withdraw its troops from the DRC territory, following the process outlined in paragraph 5. This will be according to measures as detailed in the implementation programme.

That MONUC, acting together with all relevant UN Agencies, should be requested to immediately set up processes to repatriate all Rwandese, ex-FAR and Interahamwe to Rwanda, including those in Kamina, in co-ordination with the Governments of Rwanda and the DRC.

The Governments of the DRC and Rwanda would provide the facilitator of this meeting and the UN Secretary-General with all the information in their possession relating to these armed groups.

The third party will take responsibility for verifying whatever information received, through whatever measures deemed necessary.

The Parties agree to accept the verification report from the third party.

That the UN considers changing the mandate of MONUC into a Peace-keeping mission.

MONUC should immediately proceed to implement Phase 3 of its DDRR and finalise its deployment in the DRC, especially in the eastern part of the territory.

The Parties agree that their respective Governments would put into place a mechanism for the normalisation of the security situation along their common border. This mechanism may include the presence of an International Force to cooperate with the two countries, in the short term, to secure their common border.

That a bilateral team, facilitated by South Africa and the UN Secretary-General, work on a detailed calendar to implement this agreement.

Both Parties commit themselves to accepting the role and findings of the third party in the process of implementing this agreement, and further accept that the commitments and agreements reached in this Peace Agreement are binding.

(Government of South Africa 2002)

APPENDIX G: SUMMARY OF THE PROVISIONS OF PRETORIA II

I – The Cessation of Hostilities:

1. All parties to the accord commit themselves to the immediate cessation of hostilities in accordance with previous agreements and pertinent UN Security Council Resolutions;
2. All parties commit themselves to engage in the formation of a unified national army in conformity with the Resolution adopted on the 10th of April at the plenary to the ICD in Sun City;
3. All parties commit themselves further to fully support the immediate implementation of all UN Security Council Resolutions related to the withdrawal of foreign troops and the disarmament of armed militias in order to safeguard the sovereignty and integrity of the territory of the DRC;
4. The formation of a Government of National Unity to permit the organisation of free and democratic elections;
5. The parties accept responsibility for the enactment of all measures necessary to ensure the security of the population, the representatives to the transitional Government in Kinshasa and the newly formed institutions.

II – Objectives of the transition

1. The reunification, pacification and reconstruction of the country, the restoration of its territorial integrity and the re-establishment of central authority over the national territory;
2. National reconciliation;
3. The formation of a national restructured and integrated defence force;
4. The organisation of free and transparent elections to put in place a democratic regime;
5. The creation of the necessary structures for a new political order.

IV – Duration of the Transition

The transition period takes effect from the investiture of the transition Government. The election of a new President marks the end of the transition period. The election of the President takes place after the legislative elections. The elections are to be held in the 24

months that follow the start of the transition period. By reason of the problems specifically linked to the organisation of elections, this period may be extended by 6 months, renewable only once for a period of 6 months.

V – Institutions of the Transition

The President of the Republic

An Executive Government

A National Assembly

A Senate

The Courts and Tribunals

Institutions in support of democracy:

An Independent Electoral Commission

A Human Rights Observer

The high authority of the media

A Truth and Reconciliation Commission

A Commission of Ethics and Anti-Corruption

Commission/ Vice- Presidencies	Government	RCD	MLC	Political Opposition	Civil Society	RCD-ML	RCD-N	Mai-Mai
Commission politique (RCD)	1. Intérieur, Décentralisation et Sécurité 2. Presse et Information	1. Défense, Démobilisation et Anciens Combattants 2. Condition feminine et famille	1. Affaires Etrangères et Coopération Internationale	1. Justice 2. Solidarité et Affaires Humanitaires	1. Droits humains	1. Coopération régionale		
Commission économique et financière (MLC)	3. Energie	3. Economie 4. Portefeuille	2. Plan 3. Budget 4. Agriculture		2. Fonction Publique		1. Commerce Extérieur	
Commission pour la reconstruction et la développement (Government)	6. Santé 7. Cultures et Arts	5. PTT	5. Travaux Publics et Infrastructures			2. Urbanisme	2. Tourisme	1. Développe- ment Rural 2. Environne- ment
Commission sociale et culturelle (Political Opposition)		6. Travail et Prévoyance Sociale 7. Enseignement Supérieur et Universitaire	6. Enseigne- ment Primaire et Secondaire 7. Jeunesse et sports					

Table 1: The Ministries**National Assembly**

Entity	Number of representatives
RCD	94
MLC	94
Government	94
Political Opposition	94
Civil Society	94
RCD-ML	15
RCD-N	5
Mai-Mai	10
Total	500

Senate

Entity	Number of Representatives
RCD	22
MLC	22
Government	22
Political Opposition	22
Civil Society	22
RCD-ML	4
RCD-N	2
Mai-Mai	4
Total	120

APPENDIX H: THE NAIROBI DECLARATION

We, women of the Democratic Republic of Congo, representing the different components in the Inter-Congolese Dialogue, that is, Government, the *Rassemblement Congolais pour la Democratie (RCD)*, the political opposition and civil society, meeting in Nairobi, Kenya, from 15th to 19th February 2002,

Conscious of the fact that we represent 52 per cent of the Congolese population, which constitutes an inescapable force in the restoration and the maintenance of peace and the development of our country;

Considering the real impact of atrocities of the war on the entire population;

Considering women, children, the aged, the sick and the handicapped under their care, are the most vulnerable groups and victims of this war;

Profoundly pained by the blind violence against women and the girl child, such as rape, forced prostitution, abductions, mutilations, and the killings, looting, psychological and mental traumas, HIV/AIDS infections and sexually transmitted diseases;

Noting the tribal wars, massive dislocation of populations;

Deploring the recruitment of child soldiers in the armed conflict and the difficulties related to their social and familial reintegration;

Considering the terrible consequences of the war on displaced and refugee populations, the growing number of orphans and children resulting from rape;

Convinced of our wish and determination to become active in peace-building in our country,

Considering that, as mothers of the nation, we have a right, a duty and a responsibility towards the Congolese people;

Considering the innate capacities in mediation, as mothers and spouses, and as custodians of our traditions and our cultural values;

Reaffirming our total support for all initiatives geared to reestablishing total and sustainable peace in the DRC, and to its reconstruction and development;

Saluting the multidimensional efforts engaged by Congolese women themselves, the development partners and all those who have demonstrated their solidarity to these struggles (the African Women's Peace Committee, *Femmes Africa Solidarite* (FAS), UNIFEM, the agencies of the United Nations, diplomatic missions,);

Convinced that women's rights are human rights;

Considering about the under-representation of women in decision-making;

Convinced about the effective holding of the Inter-Congolese Dialogue;

We thus appeal to all parties involved in the Congo crisis to take account of the ardent wishes of Congolese women, expressed in this Declaration and the attached Action Plan.

We call for the immediate halt to the hostilities and the immediate and effective withdrawal of foreign troops from the Congolese territory;

We insist on the reunification of the country and respect for its territorial integrity;

We demand the application of good governance and the stability of the institutions;

We demand the Convention on the Elimination of all forms of Discrimination Against Women, ratified by the DRC, is mentioned in the preamble of the new constitution to be adopted by the DRC;

That access to land and resources for women be legislated and instituted;

That affirmative action, such as a 30 per cent quota recommended by the Beijing Platform of Action, be instituted as demonstration of good governance and democracy in order to guarantee significant representation of women in all instances of decision-making;

That gender-sensitivity be mainstreamed across the entire Inter-Congolese Dialogue and that its various components accept to take this into account.

We demand the institution of an emergency humanitarian programme, which should include women's organizations at all levels of its implementation.

We exhort all delegates to secure the reintegration and the rehabilitation of demobilized child soldiers, street children and orphans, and the care of women and girls victims of the atrocities described above.

We commit ourselves to address the priorities of women, children and other vulnerable groups in all points in the agenda of the Inter-Congolese Dialogue, to ensure that there is no impunity for all criminal acts, and that rape is legislated as a crime against the humanity of women.

We ardently appeal to the international community to appropriately take charge of the Declaration and Action Plan of the women of the DRC, with budgets for its implementation.

We demand that the facilitator, His Excellency KETUMILE MASIRE, to incorporate the Declaration of Nairobi and the Action Plans of the Congolese women in the Agenda of the Inter-Congolese Dialogue.

Adopted in Nairobi: Tuesday, February 19, 2002

APPENDIX I: BRIEF OUTLINE OF UNSC RESOLUTION 1325

In the 18 point resolution, the Security Council:

- ❑ Urges member states to ensure increased representation of women at all decision-making levels.
- ❑ Encourages the Secretary General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes.
- ❑ Urges the Secretary General to appoint more women as special representatives and envoys.
- ❑ Urges the Secretary General to expand the role and contributions of women in UN field-based operations, including among military observers, civilian police, human rights and humanitarian personnel.
- ❑ Requests the Secretary General to provide training guidelines and materials on the protection, rights and particular needs of women.
- ❑ Urges member states to increase their voluntary financial, technical and logistical support for gender sensitive training efforts.
- ❑ Calls upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls, especially as civilians.
- ❑ Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse.
- ❑ Emphasizes the responsibilities of all states to put an end to impunity and to prosecute those responsible for genocide crimes, including those related to sexual and other forms of violence against women and girls.
- ❑ Calls upon all parties to armed conflict to respect the civilian and humanitarian characters of refugee camps and settlements with particular attention to women's and girls' special needs.
- ❑ Invites the Secretary General to carry out a study to be presented to the Security Council on the impact of armed conflict on women and girls, the role of women in peace-building, the gender dimensions of peace processes and conflict resolution, and progress on gender mainstreaming throughout peacekeeping missions.

APPENDIX J: THE SADC DECLARATION ON GENDER AND DEVELOPMENT
PREAMBLE

We, the Heads of State or Government of the Southern African Development Community,

A. NOTING THAT:

- i) Member States undertook in the SADC Treaty (Article 6 (2)) not to discriminate against any person on the grounds of gender, among others;
- ii) All SADC Member States have signed and ratified or acceded to the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), or are in the final stages of doing so;

B. CONVINCED THAT:

- i) Gender equality is a fundamental human right;
- ii) Gender is an area in which considerable agreement already exists and where there are substantial benefits to be gained from closer regional co-operation and collective action.
- iii) The integration and mainstreaming of gender issues into the SADC Programme of Action and Community Building Initiative is key to the sustainable development of the SADC region.

C. DEEPLY CONCERNED THAT:

- i) While some SADC Member States have made some progress towards gender equality and gender mainstreaming, disparities between women and men still exist in the areas of legal rights, power sharing and decision making, access to and control over productive resources, education and health among others;
- ii) Women constitute the majority of the poor;
- iii) Efforts to integrate gender considerations in SADC sectoral programmes and projects have not sufficiently mainstreamed gender in a coordinated and comprehensive manner.

D. RECOGNISING THAT:

- i) The SADC Council of Ministers in 1990 mandated the SADC Secretariat to explore the best ways to incorporate gender issues in the SADC Programme of Work, and approved in 1996 that gender issues at the regional level be coordinated by the Secretariat;
- ii) In execution of this mandate, the SADC Secretariat has developed and maintained working relations with key stakeholders in the area of gender, which resulted in the approval and adoption of the SADC Gender Programme by the SADC Council of Ministers in February 1997;

WE THEREFORE:

E. REAFFIRM our commitment to the Nairobi Forward Looking Strategies, the Africa Platform of Action and the Beijing Declaration and Platform for Action.

F. ENDORSE the decision of Council on:

- i) The establishment of a policy framework for mainstreaming gender in all SADC activities, and in strengthening the efforts by member countries to achieve gender equality.
- ii) Putting into place an institutional framework for advancing gender equality consistent with that established for other areas of cooperation, but which ensures that gender is routinely taken into account in all sectors.
- iii) The establishment of a Standing Committee of Ministers responsible for Gender Affairs in the region.
- iv) The adoption of the existing Advisory Committee consisting of one representative from Government and one member from Non Governmental Organisations in each Member State whose task is to advise the Standing Committee of Ministers and other Sectoral Committees of Ministers on gender issues.

v) The establishment of Gender Focal Points whose task would be to ensure that gender is taken into account in all sectoral initiatives, and is placed on the agenda of all ministerial meetings.

vi) The establishment of Gender Unit in the SADC Secretariat consisting of at least two officers at a senior level.

G. RESOLVE THAT:

As leaders, we should spearhead the implementation of these undertakings and ensure the eradication of all gender inequalities in the region;

AND

H. COMMIT ourselves and our respective countries to, inter alia,

i) Placing gender firmly on the agenda of the SADC Programme of Action and Community Building Initiative;

ii) Ensuring the equal representation of women and men in the decision making of Member States and SADC structures at all levels, and the achievement of at least thirty percent target of women in political and decision making structures by year 2005;

iii) Promoting women's full access to, and control over productive resources such as land, livestock, markets credit, modern technology, formal employment, and a good quality of life in order to reduce the level of poverty among women;

iv) Repealing and reforming all laws, amending constitutions and changing social practices which still subject women to discrimination, and enacting empowering gender sensitive laws;

v) Enhancing access to quality education by women and men, and removing gender stereotyping in the curriculum, career choices and professions;

vi) Making quality reproductive and other health services more accessible to women and men;

- vii) Protecting and promoting the human rights of women and children;
- viii) Recognising, protecting and promoting the reproductive and sexual rights of women and the girl child;
- ix) Taking urgent measures to prevent and deal with the increasing levels of violence against women and children;
- x) Encouraging the mass media to disseminate information and materials in respect of the human rights of women and children.