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Issue Paper DEMOCRATIC REPUBLIC OF CONGO THE AUGUST 1998 REBELLION AND AFFECTED GROUPS December 1998

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See original.

Source: *Jeune Afrique* No. 1948, 12-18 May 1998, p. 151

GLOSSARY

AFDL

Alliance of Democratic Forces for the Liberation of Congo-Zaire (Alliance des forces démocratiques pour la libération du Congo-Zaire)

ASADHO

African Human Rights Association (Association africaine de défense des droits de l'homme)

ANR

National Intelligence Agency (Agence nationale de renseignements)

CADDHOM

Action Collective for the Development of Human Rights in Congo-Kinshasa (Collectif d'actions pour le développement des droits de l'homme au Congo-Kinshasa)

DRC

Democratic Republic of Congo (République démocratique du Congo—RDC)

FAC

Congolese Armed Forces (Forces armées congolaises)

FAR

Rwandan Armed Forces (Forces armées rwandaises)

FAZ

Zairian Armed Forces (Forces armées zairoises)

OAU

Organization of African Unity

PDSC

Christian Social Democratic Party (Parti démocrate social chrétien)

RCD

Congolese Coalition for Democracy (Rassemblement congolais pour la démocratie)

SADC

South African Defence Community

RTNC

Congolese National Radio and Television (Radio Télévision Nationale Congolaise)

UDPS

Union for Democracy and Social Progress (Union pour la démocratie et le progrès social)

UNESCO

United Nations Educational, Scientific and Cultural Organization

VSV

Voice of the Voiceless for the Defence of Human Rights (Voix des sans voix pour la défense des droits de l'homme)

Note:

English translations of the names of Zairian/DRC organizations are provided above for the reader's convenience. The English names are not official since English has no official status in the Democratic Republic of Congo and did not have official status in Zaire.

1. INTRODUCTION

This paper is a follow-up to the Issue Paper *Democratic Republic of Congo: Situation of Selected Groups*, ^[1] published by the Research Directorate of the Immigration and Refugee Board (IRB) in April 1998. It reviews the situation in the Democratic Republic of Congo (DRC) starting with the events of 2 August 1998, when the country [translation] "was once again plunged into war" (*Le nouvel Afrique-Asie* Sept. 1998a, 6; *Libération* 7 Aug. 1998, 2; *Info-CongoKinshasa* 31 Aug. 1998, 2; AFP 31 Aug. 1998). It attempts to clarify the reasons for the conflict, identifies the national and regional players involved, and describes the situation of members of political opposition groups, ethnic groups and human rights groups, as well as of journalists. Finally, it takes a look at the future considerations for this country located in the troubled African Great Lakes region.

NOTE

[1] This paper is available on the REFQUEST database, in the Regional Documentation Centres and on the IRB's Internet Web site at <<http://www.irb.gc.ca>>. [\[back\]](#)

2. BACKGROUND

In October 1996, a rebellion fomented by the Banyamulenge (Tutsi Congolese of Rwandan origin) and spearheaded by the Alliance of Democratic Forces for the Liberation of Congo-Zaire (Alliance des forces démocratiques pour la libération du CongoZaire — AFDL) broke out in the Kivu region of Zaire (*Africa Research Bulletin* 28 Nov. 1996, 12419-20; *Africa Confidential* 1 Nov. 1996, 1-4; *Keesing's* 22 Nov. 1996, 41302). After less than seven months of a [translation] "liberation" war (*Le nouvel Afrique-Asie* Sept. 1998a, 6), the rebels seized power in Kinshasa and ended the 32-year reign of Joseph-Désiré Mobutu (*Country Reports* 1997 1998, 67; *Libération* 7 Aug. 1998, 3). Laurent-Désiré

Kabila, who was the spokesman for the AFDL, proclaimed himself president of the Democratic Republic of Congo (DRC), the new name given to Zaire (ibid.). The August 1997 Research Directorate paper *Zaire Democratic Republic of Congo: Chronology of Events January-July 1997* provides a detailed account of the various stages of the rebellion and the circumstances that brought the AFDL to power in Kinshasa. After coming to power, the AFDL banned all other political parties from engaging in any activities and became the only political organization able to function freely (*Country Reports 1997 1998*, 67-68; *La Voix du CDH* 27 Aug. 1998, 6). Paradoxically, President Kabila promised at the same time to hold free elections in 1999 (*Country Reports 1997 1998*, 67-68). The Issue Paper *Democratic Republic of Congo: Situation of Selected Groups* (see Section 1 above) gives a concise overview of the Kabila regime's record in the area of human rights and fundamental freedoms from the time it took power until April 1998.

3. CIVIL WAR

3.1. Origins of the Conflict

On 27 July 1998, President Kabila decided to end the Rwandan military presence in DRC territory (*Info-CongoKinshasa* 31 Aug. 1998, 2; AFP 31 Aug. 1998; *Jeune Afrique* 11-17 Aug. 1998, 12-13). This presence consisted of the Rwandan military personnel who, after fighting alongside Kabila in the 1996 [translation] "liberation" war (*Le nouvel Afrique-Asie* Sept. 1998a, 6), had stayed behind in the DRC to train the Congolese Armed Forces (Forces armées congolaises — FAC) (*Jeune Afrique* 4-10 Aug. 1998, 14-15; *Le nouvel Afrique-Asie* Sept. 1998a, 7; *Africa Research Bulletin* 1-31 Aug. 1998, 13221).

A week later, on 2 August 1998, the Banyamulenge launched a rebellion against the Kabila regime in two towns simultaneously — Goma (North Kivu) and Bukavu (South Kivu) (*Info-CongoKinshasa* 31 Aug. 1998, 2; AFP 31 Aug. 1998; *Libération* 4 Aug. 1998, 6). At the same time, Banyamulenge soldiers in Kinshasa were fighting other Congolese soldiers who had remained loyal to President Kabila (*Info-CongoKinshasa* 31 Aug. 1998, 2; AFP 31 Aug. 1998; *Libération* 4 Aug. 1998, 6). Some observers consider that the conflict was triggered by President Kabila's decision to expel the Rwandan soldiers (*Jeune Afrique* 11-17 Aug. 1998, 12-13; *Le nouvel Afrique-Asie* Sept. 1998a, 7; *Christian Science Monitor* 13 Oct. 1998).

At first, the Kabila government blamed the insurrection on [translation] "armed elements claiming to be unhappy with the departure of the Rwandan soldiers" (*Info-CongoKinshasa* 31 Aug. 1998, 2) and on [translation] "collaborators [who had] taken up arms in order to disturb the peace" (AFP 31 Aug. 1998, *Le nouvel Afrique-Asie* Sept. 1998b, 12). However, two days after the start of the insurrection, President Kabila accused Rwanda and Uganda of [translation] "instigating the troubles [in his country] and taking part in them" (*Le Monde* 7 Aug. 1998, 4; ibid. 11 Aug. 1998, 3; AFP 31 Aug. 1998; *New African* Oct. 1998a, 12). (See Section 4.2 for Rwanda's and Uganda's official reactions to this accusation.) President Kabila even threatened to [translation] "export the war to Rwanda" if the [translation] "aggressors" did not leave the DRC (*Le Monde* 7 Aug. 1998, 4; Reuters 24 Sept. 1998). Both Rwanda and Uganda had provided military assistance to Kabila in his offensive against the Mobutu regime in October 1996 (Nyankanzi 1998, 76; AP 13 Oct. 1998).

To justify their armed insurrection, the Congolese rebels accused President Kabila of nepotism, despotism, corruption and bad government, and claimed that he had stirred up hatred among the country's various ethnic groups (*Le Monde* 5 Aug. 1998, 4; AP 27 Sept. 1998; *Africa Confidential* 28 Aug. 1998, 4-6). In a radio broadcast in Goma on 3 August 1998, the commander of the 10th battalion of the FAC rejected President Kabila's authority and called for his departure (*Le Monde* 5 Aug. 1998; *Info-CongoKinshasa* 31 Aug. 1998, 2). The 10th and 12th battalions had been present in Goma and

Bukavu respectively at the start of the rebellion and had thrown their support behind the rebels (*Jeune Afrique* 1-7 Sept. 1998, 16).

Etienne Tshisekedi wa Mulumba, leader of the democratic opposition forces and president of the Union for Democracy and Social Progress (Union pour la démocratie et le progrès social—UDPS), in a 4 September 1998 [translation] "Memorandum of the Democratic Opposition Forces of the DRC" addressed to the UN Secretary General, maintained that the causes of the civil war that had broken out on 2 August 1998 were essentially internal ones such as [translation] "the absence of democracy and the rule of law, violations of human rights and fundamental freedoms, chaotic and non-transparent management of the state's affairs, corruption, nepotism, the notorious incompetency of the country's leading officials, etc." (Congonline 28 Sept. 1998).

After less than three months of fighting, this new Congolese rebellion had taken root in the Katanga, Maniema and Eastern provinces, in addition to North and South Kivu regions (*Jeune Afrique* 22-28 Sept. 1998b, 11; AFP 15 Oct. 1998; Reuters 16 Oct. 1998).

3.2. Opposing Forces

3.2.1. Pro-Kabila Forces

According to official figures, there were 140,000 men in the Congolese Armed Forces before the start of the rebellion (*Le Soir* 28 Aug. 1998; Reuters 16 Oct. 1998; *Info-CongoKinshasa* 31 Aug. 1998, 2). However, it is not clear how many of these are still loyal to Kabila, since at least two battalions (the 10th and the 12th) have thrown their support behind the rebels (*Jeune Afrique* 1-7 Sept. 1998, 16; see also *Le Monde* 5 Aug. 1998; *Info-CongoKinshasa* 31 Aug. 1998, 2). Kabila has also announced the creation of an armed self-defence militia made up of some 25,000 youths (*Info-CongoKinshasa* 30 Sept. 1998, 1; Reuters 16 Sept. 1998). A number of former Mobutu-regime generals also offered Kabila their services soon after the start of hostilities (*Jeune Afrique Économie* 14 Sept.-4 Oct. 1998, 22; Reuters 15 Sept. 1998).

In addition to the FAC, Kabila has reportedly obtained the support of numerous armed militias in the African Great Lakes region (*Africa Confidential* 28 Aug. 1998, 6; *Africa Research Bulletin* 1-31 Aug. 1998, 13223-25; Reuters 20 Oct. 1998a). The major pro-Kabila militia groups are those associated with the Mai-Mai, the Wangilima and the National Liberation Resistance Council (Conseil de résistance pour la libération nationale) (*Africa Confidential* 28 Aug. 1998, 6; *Africa Research Bulletin* 1-31 Aug. 1998, 13223-25). Solidly supported by the Nandé, Hundé, Bashi and Bembé ethnic groups of North and South Kivu, these militia groups are all opposed to the presence of Tutsis in the region (*ibid.*). The Forces for the Defence of Democracy (Forces pour la défense de la démocratie—FDD), a Burundian Hutu movement waging an armed struggle against the Burundian regime, have also thrown their support behind Kabila (*Le Soir* 16 Sept. 1998; Reuters 20 Oct. 1998a; International Crisis Group 21 Oct. 1998, 2). The Interahamwe Hutu militia force and the former Rwandan Armed Forces (Forces armées rwandaïses—FAR) are also fighting alongside the pro-Kabila forces (*ibid.*; Reuters 24 Sept. 1998; AFP 26 Sept. 1998; International Crisis Group 21 Oct. 1998, 2). The Interahamwe Hutu militia force and the ex-FAR are considered to be the primary perpetrators of the 1994 genocide in Rwanda (Reuters 24 Sept. 1998; AFP 26 Sept. 1998).

In a 25 September 1998 press release, the office of the United Nations High Commissioner for Refugees (UNCHR) stated that it was particularly disturbed by reports that [translation] "a significant number" of Rwandan asylum seekers were leaving the refugee camps in various Central African

countries and rejoining the war in the DRC (UNHCR 25 Sept. 1998; United Nations OCHA IRIN-CEA 11 Nov. 1998; AFP 26 Sept. 1998). The newspaper *Libération* estimated that 2,000 refugees were recruited by Kabila in the camps located to the north of Brazzaville (30 Sept. 1998).

3.2.2. Rebel Forces

The Forces of Liberty (Forces de la liberté), the armed branch of the Congolese rebellion (AFP 15 Oct. 1998), are primarily made up of Banyamulenge and disaffected elements of the FAC (AP 24 Sept. 1998; International Crisis Group 21 Oct. 1998, 3-5). The 10th and 12th battalions of the FAC, stationed in North and South Kivu, were the first to throw their support behind the rebels (*Jeune Afrique* 1-7 Sept. 1998, 16; *Info-CongoKinshasa* 31 Aug. 1998, 2). On 4 August 1998, two days after the start of the fighting, several thousand of the 20,000-30,000 members of the former Zairian Armed Forces (Forces armées zairoises—FAZ) in the Kitona military base located on the southwest coast of the country joined the rebellion (*Africa Confidential* 28 Aug. 1998, 5; *New African* Oct. 1998a, 11) when a rebel commando hijacked a plane at the Goma airport and flew it to the Kitona military base in a bid to win over the soldiers, who were undergoing a [translation] "reeducation" programme there (*Africa Research Bulletin* 1-31 Aug. 1998, 13222; *Info-CongoKinshasa* 31 Aug. 1998, 2; *Africa Confidential* 28 Aug. 1998, 5). Sources estimate that early in the war, the rebel forces had 50,000-60,000 members (*Le Soir* 28 Aug. 1998; *Info-CongoKinshasa* 31 Aug. 1998, 3; Reuters 16 Oct. 1998).

On 16 August 1998, the Congolese rebels set up a political wing called the Congolese Coalition for Democracy (Rassemblement congolais pour la démocratie—RCD) (*Africa Research Bulletin* 1-31 Aug. 1998, 13223; AFP 31 Aug. 1998, 1; *Info-CongoKinshasa* 31 Aug. 1998, 4). A number of sources provide information about various RCD leaders.

Ernest Wamba dia Wamba, the RCD president (*Jeune Afrique* 1-7 Sept. 1998, 17-18; *New African* Oct. 1998a, 13), is a native of Lower Congo (*ibid.*; *Info-CongoKinshasa* 31 Aug. 1998, 6) and formerly a professor at Dar es Salaam University in Tanzania (*ibid.*; *Jeune Afrique* 1-7 Sept. 1998, 17-18; *Info-CongoKinshasa* 31 Aug. 1998, 6). Jacques Depelchin, the executive secretary of the RCD (*ibid.*), was formerly a professor at a Protestant university in Kinshasa (*ibid.*).

The RCD also includes several former dignitaries of the Mobutu regime: Lunda Bululu, a Katanga native (*ibid.*; *New African* Oct. 1998a, 13; *Jeune Afrique* 1-7 Sept. 1998, 17-18) who was prime minister from 1990 to 1991 (*ibid.*; *Jeune Afrique* 1-7 Sept. 1998, 17-18; *Info-CongoKinshasa* 31 Aug. 1998, 6), Alexis Thambwe Mwamba, a Maniema native (*Jeune Afrique* 1-7 Sept. 1998, 17-18; *Info-CongoKinshasa* 31 Aug. 1998, 6; *Africa Confidential* 28 Aug. 1998, 5) and former transportation minister (*ibid.*; International Crisis Group 21 Oct. 1998, 5-7), and Tryphon Kin-Kiey, a former Reuters correspondent (*Africa Confidential* 28 Aug. 1998, 5) who was the information minister in 1994 (*ibid.*).

In addition, the RCD includes three Tutsis from the Kivu region who were high-ranking officials in the Kabila regime before the rebellion: Déogratias Bugera, Bizima Karaha and Moïse Nyarugabo (International Crisis Group 21 Oct. 1998, 6). Bugera, a founding member and former secretary general of Kabila's AFDL (*ibid.*; *Jeune Afrique* 1-7 Sept. 1998, 17-18), was a minister of state without portfolio (*Africa Confidential* 28 Aug. 1998, 5; International Crisis Group 21 Oct. 1998, 6). Karaha, also a former AFDL member, was the minister of foreign affairs (*Africa Confidential* 28 Aug. 1998, 5; *Jeune Afrique* 1-7 Sept. 1998, 17-18), and Nyarugabo, another former AFDL member, was President Kabila's private secretary (*Africa Confidential* 28 Aug. 1998, 5; International Crisis Group 21 Oct. 1998, 6) and, according to one source, his political adviser (*Info-CongoKinshasa* 31 Aug. 1998, 6).

Two other former AFDL members in the RCD who occupied high-ranking positions under the

Kabila regime are Kalala Shambuwi, a native of Kasai (*Africa Confidential* 28 Aug. 1998, 5) and Joseph Mudumbi of South Kivu (*Info-CongoKinshasa* 31 Aug. 1998, 7).

Other high-profile RCD leaders mentioned by the sources consulted include Arthur Zahidi Ngoma, a native of Maniema and former UNESCO official who is the founding president of the Forces of the Future (Forces du futur) opposition party (*Africa Confidential* 28 Aug. 1998, 5; *Jeune Afrique* 1-7 Sept. 1998, 17-18; *Info-CongoKinshasa* 31 Aug. 1998, 6), and Émile Ilunga, a former leader of the "Katangese gendarmes" (*Africa Confidential* 28 Aug. 1998, 5; *Jeune Afrique* 1-7 Sept. 1998, 17-18; *Info-CongoKinshasa* 31 Aug. 1998, 7).

3.3. Role of Mobutu-era Civil and Military Officials in the Current Conflict

The sources consulted by the Research Directorate provide little information on the role and place of Mobutu-era civil and military leaders in the conflict that erupted on 2 August 1998. Apart from the former ministers identified in the preceding section as being official members of the RCD's political leadership, most of the former high-ranking officials of the Mobutu regime have maintained a low profile since the start of the war.

Africa Confidential reports that former prime minister Kengo wa Dondo and generals Kpama Baramoto Kata and Nzimbi Ngbale Kongo wa Bassa have visited Kigali, an act that suggests they have decided to side with the rebels (28 Aug. 1998, 5). Members of the former FAZ who were undergoing "reeducation" in the Kitona base were reportedly urged by the two generals to join the rebellion (*ibid.*). In its 11 September 1998 issue, the same magazine reports that members of Mobutu's Special Presidential Division (Division spéciale présidentielle—DSP) played a crucial role in the rebels' capture of the town of Kalemie (*ibid.* 11 Sept. 1998, 4).

However, a number of other former FAZ generals threw their support behind President Kabila early in the conflict (*Jeune Afrique Économie* 14 Sept.-4 Oct. 1998, 22; Reuters 15 Sept. 1998). One of them is General Kalume, who was the chief of military operations in mid-September 1998 (*Jeune Afrique Économie* 14 Sept.-4 Oct. 1998, 22). According to Reuters, three other former FAZ generals—Mulimbi Mabilo, Bekazwa Bakundulo and Ngwala Panzu—were, as of mid-September 1998, leading the fight against the rebellion in Katanga province (15 Sept. 1998). In August 1998, General Eluki Monga Ahundu, former chief of staff of the FAZ, urged the soldiers who had formerly served under him to support the Kinshasa government in its war against the rebels in the eastern part of the country (*Africa No. 1* 8 Aug. 1998).

At the same time, several former FAZ soldiers have reportedly been targeted by the authorities as a result of the war (ASADHO 9 Sept. 1998, 2). The African Human Rights Association (ASADHO) claimed in a 9 September 1998 press release that the government had arrested more than 500 ex-FAZ soldiers in Kinshasa (*ibid.*). The press release adds that some of them have disappeared (*ibid.*). According to *Info-CongoKinshasa* (see Notes on Selected Sources), an eye-witness apparently reported seeing the summary execution of 30 ex-FAZ soldiers (31 Aug. 1998, 7). These ex-FAZ soldiers were reportedly arrested and accused of complicity with the rebels purely on the basis of suspicion (*ibid.*).

4. FOREIGN INTERVENTIONS

What initially appeared to be a simple mutiny rapidly escalated into a regional conflict with the direct involvement of countries including Rwanda, Uganda, Angola, Namibia, Zimbabwe and Chad (*Xinhua* 8 Oct. 1998; *Le Soir* 28 Aug. 1998; AP 22 Sept. 1998; International Crisis Group 21 Oct. 1998, 1-10; *Mail&Guardian* 29 July 1998). This section will try to clarify who supports whom and why

these countries have become involved in the DRC conflict.

4.1. Pro-Kabila Interventions

By 13 August 1998, two weeks after the start of the war, the rebels controlled all the towns on the country's southwestern coast (Muamba, Banana, Boma and Matadi); in addition, they had captured the Inga dam, the main source of electricity for Kinshasa and other localities (*Africa Research Bulletin* 1-31 Aug. 1998, 13222; AFP 31 Aug. 1998; *New African* Oct. 1998a, 11).

According to sources, analysts believe that without the intervention of Angola, Zimbabwe and Namibia, Kinshasa would have been captured by the rebels (Xinhua 8 Oct. 1998; *Africa Research Bulletin* 1-31 Aug. 1998, 13222; *New African* Oct. 1998b, 14-15). These three countries are, like the DRC, members of the South African Development Community (SADC) and have officially acknowledged their military intervention in support of Kabila (AFP 29 Sept. 1998a; *Libération* 30 Sept. 1998; International Crisis Group 21 Oct. 1998, 1-10). They justify their intervention by the need to defend a fellow SADC member from the aggression of Rwanda and Uganda, two non-SADC countries (*Africa Research Bulletin* 1-31 Aug. 1998, 13222; AFP 20 Oct. 1998a).

However, some observers suggest that Angola, Zimbabwe and Namibia each has its own reasons for intervening. In the case of Angola, the primary objective was to prevent Jonas Savimbi's National Union for the Total Independence of Angola (UNITA), the main armed opposition to the Luanda regime, from using Congolese territory as a base for its operations (Reuters 3 Oct. 1998, 2; *Jeune Afrique* 22-28 Sept. 1998a, 13; International Crisis Group 21 Oct. 1998, 10-11). Zimbabwe and Namibia have economic interests in the DRC that they wish to defend, safeguard and promote (AFP 7 Oct. 1998, 1-2; International Crisis Group Oct. 1998, 8-9; Reuters 3 Oct. 1998). In addition, Zimbabwe President Robert Mugabe's [translation] "concerns about his personal prestige" played a role in his intervention (*ibid.*).

Other countries such as Chad and Sudan subsequently joined the pro-Kabila coalition (AFP 29 Sept. 1998a; *Libération* 30 Sept. 1998; AP 22 Sept. 1998; Reuters 3 Oct. 1998; *ibid.* 24 Sept. 1998). Chad has admitted sending soldiers to the DRC to support Kabila (AFP 29 Sept. 1998a; *Libération* 30 Sept. 1998; Reuters 3 Oct. 1998). In addition, several sources report that Sudan too has been supporting the Kabila regime's efforts to put down the rebellion (AP 22 Sept. 1998; Reuters 3 Oct. 1998; *ibid.* 24 Sept. 1998; International Group Crisis 21 Oct. 1998, 6).

4.2. Pro-rebel Interventions

The Ugandan government admits sending soldiers to eastern DRC, but claims that it did so to ensure its own security by preventing Ugandan rebels based there from infiltrating into Uganda (Reuters 3 Oct. 1998; *Africa Research Bulletin* 1-31 Aug. 1998, 13223; International Crisis Group 21 Oct. 1998, 5-6). It denies that Ugandan troops are involved in the Congolese conflict (*ibid.*). The Rwandan authorities, after their initial categorical denials of any intervention in the DRC (*Jeune Afrique* 22-28 Sept. 1998a, 13; Reuters 3 Oct. 1998; AP 13 Oct. 1998), eventually acknowledged three months after the start of the war that they were maintaining a military presence in the DRC for the purpose of ensuring Rwandan security (AFP 6 Nov. 1998; AP 6 Nov. 1998). Eye-witnesses had already reported the presence of Rwandan soldiers among the rebel forces when the rebels captured of the town of Kindu (AP 13 Oct. 1998; Reuters 14 Oct. 1998; AFP 14 Oct. 1998).

Rwanda and Uganda share similar border security concerns (*Jeune Afrique* 22-28 Sept. 1998a, 13; Reuters 3 Oct. 1998, 2). The Rwandan authorities feel threatened by the Hutu Interahamwe militia force and former FAR soldiers based in the Kivu region who continue to make deadly raids into

Rwandan territory (*Le Soir* 16 Sept. 1998; Reuters 24 Sept. 1998). Similarly, Uganda claims that rebels fighting to overthrow the Yoweri Museveni government in Kampala are making deadly raids into western Uganda from their base in the DRC (*Africa Research Bulletin* 1-31 Aug. 1998, 13223; International Crisis Group 21 Oct. 1998, 5-6).

In addition, Belgium has accused Burundi of sending soldiers to the Uvira area in South Kivu with the intention of supporting the anti-Kabila rebels (*Le Soir* 16 Sept. 1998, 2). Colonel Songolo, a former army commander in Katanga who has joined the rebels, states that Kabila has obtained the support of members of the Burundian Hutu militia forces that are fighting to overthrow the Burundian government in Bujumbura (Reuters 20 Oct. 1998a).

5. IMPACT OF THE CONFLICT ON VARIOUS GROUPS

Congolese civilians in general have suffered from the war that broke out on 2 August 1998; among other things, sources report that aerial bombing by the Angolan forces during their intervention on the southwestern front caused thousands of civilian deaths (*Africa Confidential* 11 Sept. 1998, 4; ASADHO 9 Sept. 1998, 2). More than 5 million Kinshasa residents were deprived of electricity and drinking water for several weeks following the rebel capture of the Inga dam (*Info-CongoKinshasa* 31 Aug. 1998, 7; ASADHO 9 Sept. 1998, 2; *La Voix du CDH* 27 Aug. 1998, 12).

In the eastern and western regions of the country, the war has displaced significant numbers of people. According to a mid-October 1998 UNHCR press release, more than 11,000 Congolese refugees had already fled to Tanzania and more than 6,000 to Burundi (13 Oct. 1998). All these people were from the town of Kalemie in Katanga province (*ibid.*). A number of sources report that several people were killed by rebel soldiers, some of them because they had refused to support the rebels (CADDHOM 5 Oct. 1998, 1; *La Voix du CDH* 27 Aug. 1998, 12)

This section looks at the situation of individuals and groups who have been targets of ill-treatment by the warring parties because of their ethnicity, political opinions or positions.

5.1. Ethnic Groups

5.1.1. Tutsis

From the beginning of the conflict, the DRC government labelled the Rwandans and Banyamulenge as [translation] "aggressors" (*Le Monde* 26 Aug. 1998, 4). According to sources, this explains the [translation] "Tutsi hunt" subsequently organized by the Congolese authorities in Kinshasa (*ibid.*; *Info-CongoKinshasa* 31 Aug. 1998, 3). Several hundred ethnic Tutsis, people of Rwandan origin or their spouses, and rebel sympathizers were arrested and detained in Kinshasa as a result (AI 7 Aug. 1998; US Newswire 7 Aug. 1998).

In its 9 September 1998 press release, ASADHO reports that [translation] "several people of Tutsi origin were arbitrarily arrested and detained in Camp Kokolo, Tshatshi, in various intelligence service prisons [...] and in the Kin-Mazière prison in Kinshasa Gombe" (2). Sakombi Inongo, who was Kabila's communications adviser at that time, was reportedly quoted in the 24 August 1998 issue of *Soft International* as saying that [translation] "'To the Tutsis [...] I announce that the time of perdition, expiation, eternal exile, great misfortune and greatest torments has arrived'" (*ibid.*). Other sources mention that an undetermined number of ethnic Tutsis detained in Kinshasa have been summarily executed (HRW 18 Aug. 1998; PANA 17 Sept. 1998; US Newswire 7 Aug. 1998).

The US Department of State has expressed its concern at the mass arrests of Tutsi Congolese and their ill-treatment at the hands of the Kabila government (M2 Presswire 10 Aug. 1998). Foreign diplomats in the DRC have indicated similar concerns, and are trying to find out the number of places of detention and get permission to visit them (AFP 13 Aug. 1998).

Sources also report that DRC authorities have used the official media to stir up hatred against ethnic Tutsis (HRW 13 Aug. 1998; AI 14 Aug. 1998). In the eastern town of Bunia, for example, the government-controlled radio broadcast an appeal urging people to kill Rwandan Tutsis using any tools at their disposal, from machetes to barbed wire (AFP 14 Aug. 1998; HRW 13 Aug. 1998; BBC 13 Aug. 1998).

According to the 27 August 1998 issue of *La Voix du CDH*, about 300 Tutsis in the town of Lubumbashi (Katanga province) had been arrested since the start of the war and were being detained by the local authorities in a convent run by the Backita congregation (10). Further information on this issue was not available to the Research Directorate at the time of publication of this paper. The report adds that several Banyamulenge in Kalemie, including Sekimonio (an executive of the Bralima brewery and lemonade company) and his family, were executed by the FAC (ibid., 12). The Integrated Regional Information Network for Central and Eastern Africa (IRIN-CEA) of the UN Office for the Coordination of Humanitarian Affairs (OCHA) estimated in mid-October that 8,000 to 10,000 Banyamulenge displaced from the Vyura area of Katanga province had reached Kalemie and Uvira or were on their way to these towns (United Nations OCHA IRIN-CEA 13 Oct. 1998). About 250 displaced persons had been killed in Vyura or on the way to Kalemie (ibid.)

In the Eastern Province town of Kisangani, a Christian human rights association called the Justice and Liberation Group (Groupe Justice et Libération) published a 18 September 1998 report entitled *La guerre du Congo à Kisangani et les violations des droits de l'homme du 2 août au 17 septembre 1998* in which it reported several cases of summary executions and disappearances of Tutsis and other Rwandans perceived to be colluding with the rebels (Groupe Justice et Libération 18 Sept. 1998, 6-7).

According to a Reuters report, the Congolese authorities were trying in mid-September 1998 to find a country willing to accept the ethnic Tutsis detained in various Kinshasa military barracks, ostensibly "to protect them from public reprisals" (21 Sept. 1998).

5.1.2. People from Katanga

Information on the situation in rebel-controlled zones is difficult to obtain, particularly since several international organizations and human rights activists were forced to leave the region immediately after the war began (*Info-CongoKinshasa* 30 Sept. 1998, 2; HRW 23 Oct. 1998, 1-7). In the zones they control, the Congolese rebels have appropriated all means of communication, food reserves, stocks of medicine and other items belonging to UNICEF and the UN World Food Programme (Reuters 20 Oct. 1998b; United Nations DPI 20 Aug. 1998).

A number of sources report that some Congolese—particularly Katangans—have been captured on the Uvira-Bukavu-Goma road, and taken by force to Rwanda, either because they would not support the rebels or in retaliation for the detention of Tutsis in Kinshasa (*La Voix du CDH* 27 Aug. 1998, 13; ASADHO 9 Sept. 1998, 2; *Info-CongoKinshasa* 31 Aug. 1998, 3). According to *La Voix du CDH*, 356 people were killed between 2 and 8 August 1998 (27 Aug. 1998, 13). In addition, 40 to 50 officers of Katangan origin were summarily executed by the rebel forces in Kavumu during the same period (ibid.; *Info-CongoKinshasa* 31 Aug. 1998, 3).

In the Eastern Province, people who fled the Katangan town of Kisangani before the arrival of the

rebels live in hiding in difficult conditions due to a hate campaign waged against them on the radio by a man named Wale Sombo Bolene (Groupe Justice et Libération 18 Sept. 1998, 9). Further information on Wale Sombo Bolene was not available in the sources consulted by the Research Directorate.

5.2. Journalists

Accused of [translation] "setting up a support committee for the rebels in Kinshasa, creating an active and dynamic centre of subversion, rejoicing over each rebel advance and, finally, colluding with the enemy," Semy Dieyi, César Lokate Itoko, Ekofo Isawoso, Prantom Binois, Martin Mazambe and Désiré Kanyama, all journalists with the Congolese National Radio and Television (Radio Télévision Nationale Congolaise—RTNC), were arrested on 8 September 1998 and held at the provincial police inspectorate in Kinshasa for three days before being released (*Droits de l'homme Hebdo* 21-28 Sept. 1998, 2). According to the same source, César Lokate Itoko, Ekofo Isawoso and Prantom Binois were rearrested, along with Bertrain Etenda Bafenda, on 17 September 1998 and imprisoned in a cell of the Military Detection of Anti-Motherland Activities Unit (Détection militaire des activités anti-patrie—DEMIAP) (*ibid.*). Other sources report that seven journalists with the official Congolese radio broadcaster Voix du peuple were arrested and detained for the second time on 18 and 19 September 1998 by the military for setting up a welcoming committee for the rebels and colluding with the enemy (United Nations OCHA IRIN-CEA 30 Sept. 1998; AFP 29 Sept. 1998b). Six of the seven journalists were later released "on the personal orders" of President Kabila (*ibid.*). Information on the seventh journalist could not be found among the sources consulted by the Research Directorate.

The editor of the newspaper *Umoja*, Raymond Luaula, was arrested by four special service officers of the National Intelligence Agency (Agence nationale des renseignements—ANR) on 23 September 1998, but was later released (*Droits de l'homme Hebdo* 21-28 Sept. 1998, 3). He was accused of [translation] "sowing panic among the population of Kinshasa" by publishing an article, entitled "Bukavu n'a pas jamais été bombardée" (Bukavu has never been bombed), which contradicted the government's claim that rebel-held Bukavu had been bombed by pro-government forces (*ibid.*).

On 5 November 1998, the security forces arrested three journalists employed by the daily newspaper *Le Soft*, Awazi Kharomon, Lubamba Lukoto and B. B. Ediya, confiscated their equipment and shut down the newspaper's offices (RSF 6 Nov. 1998). They were accused of publishing falsehoods concerning conversations between Kabila and US officials regarding the situation in the country and were detained in the Kinshasa office of the National Security Council (Conseil national de sécurité) (*ibid.*). Jean-Marie Nkanku, a journalist with the weekly *L'Alerte*, was arrested on 30 October 1998 by the police for publishing a photo of Interior Minister Gaëtan Kakudji in the company of Z'ahidi Ngoma, a rebel leader (*ibid.*; *La Référence Plus* 30 Oct. 1998). According to Reporters sans frontières, he is being held by DEMIAP (11 Nov. 1998). Two journalists employed by *La Flamme du Congo*, Gustave Kalenga and Kabongo Mbaya, were arrested on 29 October 1998 by plainclothes soldiers in connection with the newspaper's publication, a short time before, of an article about bribery allegations implicating President Kabila's office chief of staff (CPJ 6 Nov. 1998; RSF 6 Nov. 1998). The same day, Beya Mukoto, a journalist with the weekly *Destinée*, published in Kananga, Kasai province, was arrested in Kananga. A week later, he was still in police detention for translating and publishing an article critical of Kasai's governor that had previously appeared in *Le Potentiel* (RSF 6 Nov. 1998).

Several foreign journalists were also arrested and detained by Congolese police in August 1998 (Reporters sans frontières 28 Aug. 1998, 1; South African News Agency 25 Aug. 1998; Xinhua 24 Aug. 1998). Among them were Lara Santoro, an Italian journalist working for *The Christian Science Monitor*, and AFP correspondent Hugh Neville, both of whom were arrested by Congolese officials at the Kasumbalesa border post on the DRC-Zambia border on 20 August 1998, accused of spying and

expelled from the country after being detained for several days (Xinhua 24 Aug. 1998; RSF 28 Aug. 1998). Other foreign journalists who were arrested include World Television News and Reuters correspondents (South African News Agency 25 Aug. 1998; RSF 28 Aug. 1998). The World Television News correspondents, identified by Reporters sans frontières as Australian Mike Huggins, German Michael Pohl and Congolese Jonathan Kolonio, were arrested by police on 23 August 1998 as they were filming a scene in the streets of Kinshasa; they were released on 25 August 1998 (ibid.). The Reuters correspondents, identified as Roger Koy and Sip Maseko, were held in custody for several hours on 24 August 1998 on the orders of the information minister (ibid.).

In another case, on 7 August 1998, Jean Hatzfel, a special correspondent of the French newspaper *Libération*, was [translation] "violently accosted by two [Congolese] soldiers, thrown to the ground several times, beaten up and threatened with summary execution before being taken to barracks"; he was accused of spying (*Libération* 8 Sept. 1998). However, he was released the same day on the orders of the information minister (ibid.).

5.3. Political Opposition

As mentioned earlier (see section 2 above), President Kabila, after taking power, banned the activities of all political parties except the AFDL (*Country Reports 1997* 1998, 67-68; *La Voix du CDH* 27 Aug. 1998, 6). This ban was still in effect as of October 1998 (*Info-CongoKinshasa* 30 Sept. 1998, 5; Mwene Kabyana 14 Oct. 1998; Tchibeya 9 Oct. 1998; Ngefa 8 Oct. 1998). In addition, President Kabila had UDPS leader Etienne Tshisekedi wa Mulumba placed under house arrest in his native village in February 1998 (AFP 1 June 1998, 1). Tshisekedi was able to return to Kinshasa only in early July 1998, after four months under house arrest (AFP 19 July 1998; *Info-CongoKinshasa* 31 Aug. 1998, 1).

In general, however, although the documentary sources consulted provide little information on the situation of political party members since the start of the war, oral sources report that no party member has been ill-treated, arrested or detained either by the authorities or by the rebels simply for belonging to a particular political party (Mwene Kabyana 14 Oct. 1998; Tchibeya 9 Oct. 1998; Ngefa 8 Oct. 1998).

As far as the political parties' attitude towards the war that began on 2 August 1998 is concerned, UDPS president Etienne Tshisekedi has called for negotiations involving the warring parties as well as all the democratic opposition movements (*Jeune Afrique* 29 Sept.-5 Oct. 1998, 9; *Info-CongoKinshasa* 30 Sept. 1998, 6). The authorities, however, confiscated Tshisekedi's passport (AP 30 Oct. 1998; Reuters 26 Oct. 1998; *La Référence Plus* 26 Oct. 1998), thus preventing him from accepting the European Parliament's invitation to a meeting held in Europe on 26 October 1998 (AP 30 Oct. 1998; *Le Soir* 27 Oct. 1998).

In an 18 September 1998 press release, Damien Simbi Musema, the secretary general of the Christian Social Democratic Party (Parti démocrate social chrétien—PDSC), called for [translation] "a dialogue among all the forces of change 'in order to achieve increased national cohesion and arrive at a solution to the problem of the war, a concerted management of the transition, and the reconstruction of the country'" (*Info-CongoKinshasa* 30 Sept. 1998, 6).

5.4. Human Rights Activists

In the rebel-controlled zones, [translation] "human rights associations operate clandestinely for fear of possible retaliation by the new occupants" (*Droits de l'homme Hebdo* 28 Sept.-3 Oct. 1998, 5). In a 23 October 1998 memorandum, Human Rights Watch (HRW) listed several human rights activists forced into exile after receiving death threats from rebel soldiers for informing the rest of the

population about the situation in the rebel-occupied zones (23 Oct. 1998, 1-4). Even humanitarian agencies have had to leave the rebel-controlled zones since all their equipment was confiscated, including the communications equipment they used in their work (Reuters 20 Oct. 1998b).

In its report on human rights abuses committed by the warring parties between 2 August and 17 September 1998, Groupe Justice et Libération writes that in Kisangani, however, [translation] "as far as the activities of human rights associations are concerned, nobody was directly harassed by either the government forces or the insurgent forces (18 Sept. 1998, 5). At the same time, according to the president of the human rights organization Voice for the Voiceless for the Defence of Human Rights (VSV), human rights activists are finding it increasingly difficult to work in Kinshasa as a result of the war (9 Oct. 1998). However, VSV was not aware of any cases of human rights activists being arrested or intimidated by the authorities (ibid.).

5.5. Other Groups

5.5.1. Children

According to Human Rights Watch, the DRC authorities have urged children between 12 and 20 years of age to join the FAC, which are involved in fighting against the rebellion in the DRC (AFP 12 Aug. 1998; *Info-CongoKinshasa* 31 Aug. 1998, 7). As of early September 1998, many children were already serving as soldiers, both in the FAC and in the rebel forces, and both sides were continuing to recruit children to fight in the war (ibid.; ASADHO 9 Sept. 1998, 3).

In its report on human rights violations committed by the two sides between 2 August and 17 September 1998, the Groupe Justice et Libération, indicates that the government forces in Kisangani [translation] "have used anti-Rwandan propaganda and the promise of good wages to enrol numerous youths, including children under 15 years of age" (18 Sept. 1998, 11). The report adds that the rebel forces also included children under 15 (ibid.). Rebel military leaders estimated that a total of some 5,000 children were fighting in the current war for one side or the other (AFP 8 Oct. 1998; M2 Presswire 24 Aug. 1998).

5.5.2. Family Members and Close Collaborators with Rebel or Government Leaders

In a 5 October 1998 report, The Action Collective for the Development of Human Rights in Congo-Kinshasa (Collectif d'actions pour le développement des droits de l'homme au Congo-Kinshasa —CADDHOM) lists kidnappings, disappearances and killings carried out by the rebel forces in South Kivu province, particularly in the town of Bukavu (1). CADDHOM adds that the targets are [translation] "Congolese of Hutu origin, students, civil society leaders, members of the clergy and former officials of the Kabila regime who are suspected of collusion with Kinshasa" (5 Oct. 1998, 1-2). Former South Kivu governor Jean-Charles Magabe was forced to flee the country after refusing to obey the rebels; he has taken refuge in Belgium (*Libération* 21 Oct. 1998). According to Human Rights Watch, the traditional chiefs in South Kivu who have refused to collaborate with the rebels have gone underground to avoid being arrested (23 Oct. 1998, 3). The source cites the cases of Chief Désiré Kabare, who lives in the town of the same name, Chief Pierre Ndadabaye of Walengu, King Longangi of Kitutu and King Kalenge of Mwenga (ibid.).

Family members of current RCD coordinator Lunda Bululu have been arrested and detained by the National Intelligence Agency (ANR) in Lubumbashi for varying periods (*La Voix du CDH* 27 Aug. 1998, 10). FAC soldiers pillaged Lunda Bululu's residence in the Jamaïque district of Kintambo

Commune as well as the residence of former prime minister Kengo wa Dondo, who was suspected of being a rebel collaborator (*Droits de l'homme Hebdo* 28 Sept.- 3 Oct. 1998, 3).

6. FUTURE CONSIDERATIONS

The current situation in the DRC is such that it is difficult to make predictions about the outcome of the war and the country's future. After close to three months of civil war, two different administrations ruled the country, with the rebels occupying South and North Kivu, the Eastern Province, Maniema, and a part of Katanga province and the Kabila government controlling the rest of the country (*Jeune Afrique* 22-28 Sept. 1998b, 11; AFP 15 Oct. 1998; Reuters 15 Oct. 1998). This section presents some of the possible scenarios as discussed by various sources.

The Current Balance of Power Continues

Several sources warn that in the absence of a peaceful resolution of the conflict or a victory by one side or the other, the country is at risk of falling apart (AFP 18 Sept. 1998; *ibid.* 18 Oct. 1998; *Jeune Afrique* 29 Sept.-5 Oct. 1998, 9; *Info-CongoKinshasa* 30 Sept. 1998, 4; International Crisis Group 21 Oct. 1998, 15).

One Side or the Other Wins a Military Victory

A victory by either side would carry the risk of reinforcing the distrust between the two groups without ending the threat of destabilization that hangs over the entire region; in particular, as the International Crisis Group points out, a military victory by the government forces would reinforce [translation] "Kabila's desire not to share power and [would] encourage him to become more authoritarian" (21 Oct. 1998, 14).

The Fighting Ends and Negotiations Begin

The cessation of hostilities and the start of negotiations among the various parties, including the democratic opposition, seem to offer the best prospects for the DRC (International Crisis Group 21 Oct. 1998, 16). This kind of peaceful negotiated resolution of the conflict is favoured by a number of groups, including political parties such as the UDPS (*Jeune Afrique* 29 Sept.-5 Oct. 1998, 9; *Info-CongoKinshasa* 30 Sept. 1998, 6) and the PDSC (*Info-CongoKinshasa* 30 Sept. 1998, 6), the Conference of Catholic Bishops in the DRC (CNN 7 Nov. 1998) and human rights organizations such as ASADHO (ASADHO 8 Nov. 1998). Under the auspices of the UN and the Organization of African Unity (OAU), such negotiations could lead to the establishment of a transitional government, followed by free and democratic elections (*ibid.*; CNN 7 Nov. 1998).

NOTES ON SELECTED SOURCES

***Droits de l'homme Hebdo* (Kinshasa)**

Droits de l'homme Hebdo is a weekly bulletin on human rights in the DRC. Founded in 1998, it is co-published by the Congolese human rights NGOs Voice of the Voiceless for the Defence of Human Rights (Voix des sans-voix pour la défense des droits de l'homme—VSV), Human Rights League Kinshasa (Ligue des droits de l'homme [LDH] Kinshasa) and Friends of Nelson Mandela for Human Rights (Amis de Nelson Mandela pour la défense des droits de l'homme—ANM) Kisangani-Eastern Province, as well as the Association of Prison Managers of Congo Kinshasa (Association des cadres pénitentiaires du Congo—ACPC) Kinshasa.

Collectif d'actions pour le développement des droits de l'homme au Congo-Kinshasa (CADDHOM).

Founded in 1991, this independent human rights organization, whose name can be translated as the Action Collective for the Development of Human Rights in Congo-Kinshasa, has its headquarters in the mining town of Kamitunga and a coordination office in the South Kivu town of Bukavu, and is also represented by offices in various regions of the country. It publishes reports and press releases on the human rights situation in the DRC.

Groupe Justice et Libération (Kisangani)

This Christian human rights association, whose name can be translated as Justice and Liberation Group, is based in Kisangani, in the Eastern province, and was founded in 1990 with the aim of monitoring human rights conditions in the Eastern province. In addition to its annual reports, it also publishes other documents.

Mwene Kabyana, Kadari

A native of Congo, Mwene Kabyana has a master's degree in political science from the University of Montréal and is doing research for a Ph. D. in the same field at Laval University in Québec. Since 1994, Mwene Kabyana has been contributing to *Info-Zaire* (later renamed *Info-CongoKinshasa*), a monthly publication produced in Montreal by the Roundtable on Human Rights in the DRC (Table de concertation des droits humains en RDC). In addition, he is a spokesman for the UDPS, a prominent DRC political party.

Ngefa, Guillaume

Guillaume Ngefa is the president of the African Association for Human Rights in Congo-Kinshasa (Association africaine de défense des droits de l'homme au CongoKinshasa-ASADHO), formerly known as the Zairian Association of Human Rights (Association zairoise de défense des droits de l'homme—AZADHO). The Association was created in 1991 and publishes a human rights bulletin as well as an annual report that reviews the human rights situation in the country. Banned by the Kabila regime in February 1998, ASADHO has gone underground, and some of its leaders, including its president, have been forced into exile.

Tchibeya, Floribert

Floribert Tchibeya is the president of Voice of the Voiceless for the Defence of Human Rights (Voix des sans voix pour la défense des droits de l'homme—VSV), a Kinshasa-based human rights organization. Founded in 1983, VSV investigates matters related to human rights and provides legal and medical aid to prisoners.

La Voix du Centre des droits de l'homme et du droit humanitaire (CDH) (Lubumbashi)

This monthly periodical about human rights in Katanga province is published by the Lubumbashi Centre for Human Rights and Humanitarian Law, founded in 1993.

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