COUNCIL on FOREIGN RELATIONS

Center for Preventive Action

CONTINGENCY PLANNING MEMORANDUM NO. 11

Crisis in the Congo

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May 2011

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The Council on Foreign Relations acknowledges the Rockefeller Brothers Fund for their generous support of the Contingency Planning Roundtables and Memoranda.

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INTRODUCTION

The government of the Democratic Republic of the Congo (DRC) led by President Joseph Kabila faces the prospect of collapse. Popular disaffection has grown as a consequence of endemic corruption and a failure to provide broad and sustained economic growth. The possibility of widespread violence around national elections scheduled for November 2011 as well as the emergence of antigovernment movements in the Kivus, Bas Congo, Katanga, or Equateur provinces could precipitate a major political and humanitarian crisis with destabilizing consequences for the region. Having provided billions in foreign assistance and UN peacekeeping support to the DRC and eager to avoid another violent catastrophe in central Africa, the United States faces a looming foreign policy challenge.

THE CONTINGENCY

Although there are many conceivable scenarios by which the current Congolese government could collapse, two of the most plausible stem from large-scale violence surrounding the upcoming elections and renewed provincial rebellions.

Electoral Violence

Five years after the largely credible 2006 elections, President Kabila has squandered the support of the Congolese people. Living standards remain stagnant, while pervasive corruption and political violence continue to taint the Kabila government. Delays in voter registration and continued manipulation of the current electoral process threaten to further undermine the government's legitimacy. Should the November 2011 vote come to be widely perceived as rigged in Kabila's favor or fail to take place before December 6, 2011—the end of the president's mandate—public protests are likely to occur and factions inside and outside the president's political alliance could challenge his rule. In response, Kabila would likely resort to intimidation, violence, and bribes—tactics that have worked for him before and which he may believe are even more necessary in light of recent developments in Uganda and the Greater Middle East. Opposition candidates such as Vital Kamerhe, Étienne Tshisekedi, and even the imprisoned Jean-Pierre Bemba could react to such suppression by instructing their followers to reject the election's outcome and protest against the regime's authorities. At the same time, armed groups associated with these political parties or other politically motivated groups, such as Bundu Dia Mayala and the Gendarmes Katangais, could attack government targets. If the state cracks down on this dissent, civilian casualties could quickly mount and violence could spread, as it did in Equateur in 2010 after a local conflict broadened to include general antigovernment grievances and spread to other parts of the province. In such circumstances, it is not certain that the government would retain the continued support of its security forces. Paltry and irregular pay as well as weak allegiance to the regime among the army's rank and file could motivate many soldiers to turn against the government. In Katanga province, for example, Katangan members of the Republican Guard that is tasked with protecting the president and his premises could initiate a revolt that spreads to other Katangan police and military units. Encouraged by presidential ally John Numbi or another politically ambitious elite with influence in the security forces, these elements could then launch a violent coup in Kinshasa, throwing into disarray President Kabila's personal security detail and possibly

deposing him.

Renewed Rebellion

Local resentments and financial opportunity in the DRC can quickly mobilize an array of domestic actors, attract foreign support, and spark provincial rebellions. The instability in Equateur mentioned above arose from a dispute over local fishing rights and political power but resulted in hundreds of deaths, the displacement of some two hundred thousand people, and the government briefly losing control over the airport in the provincial capital of Mbandaka. The waning power of Tutsi elites in North Kivu province similarly led to the creation of the pro-Tutsi armed group Congrès National pour la Défense du Peuple (CNDP) that attained broad appeal, benefited from substantial military and financial backing from Rwanda, and threatened to bring down Kabila in 2008.

In the east, Kinshasa's recent attempts to wrest control of profitable mining and extortion activities away from some armed groups could create a similar escalatory dynamic, provoking a potent alignment of rebel forces that have lost support from their former benefactors in Kinshasa and Kigali. Estranged members of the Congolese army (FARDC), some factions of the CNDP, the Mai-Mai militias (especially the Resisting Congolese Patriots, or PARECO), and the Hutu-extremist-run Forces Démocratiques de Libération du Rwanda (FDLR) stand to lose from the regime's efforts. If a combination of these groups banded together, they could launch attacks against government forces in North Kivu province and assume further control over mining areas and profitable trade routes. The UN peacekeeping force in the area, known by its French acronym MONUSCO, would be unable to quell this fighting given its reduced size and limited military assets. It would most likely concentrate on protecting itself and limiting the threat to civilians living in Goma and other population centers. A rebellion of this sort would cut off access to revenue streams for Kinshasa and some Rwandan and Ugandan business interests in North Kivu province, but it probably would not spur an advance on Kinshasa akin to the rebellions in 1996 and 1998. Competing interests between Rwandan- and Ugandan-supported proxy forces and the recent rapprochement between Rwandan president Paul Kagame and President Kabila would prevent this.

In Bas Congo province, another broad-based insurrection could form if the politico-religious movement Bundu dia Mayala (BDM) is joined by anti-Kabila members of the security forces in responding violently to Kinshasa's repeated attempts to disband BDM. As it did in 2007, members of BDM (then called Bundu dia Kongo) could denounce the Kabila government's corruption and organize a general strike in towns with strong BDM support. In response, the national army, national intelligence agency, and police might arrest, torture, and kill suspected BDM leaders to suppress the strike. Elements of the local police and military that share protestors' grievances and have communicated with anti-Kabila groups in the region, including in Angola, could seize the opportunity to defect and join the uprising. Large parts of the province, which supplies Kinshasa with most of its energy and agricultural goods, could then fall outside government control.

Faced with a serious threat emanating from either the west or the east, the Kabila government would find few allies in Katanga and Kivu provinces, its traditional strongholds. In these areas, as elsewhere, support for Kabila has plummeted or is premised on fragile, patronage-based alliances that may unravel as Kabila's position weakens. As the government's inability to put down these revolts becomes increasingly apparent, foreign investment could also halt and mining revenue could dry up, as it did during the economic crisis of late 2008. President Kabila's government could thus find itself collapsing, unable to respond to attacks on multiple fronts.

WARNING INDICATORS

There are several warning indicators that could signal a new crisis in the coming months:

- *The electoral registration process ends with large numbers of people unregistered and therefore unable to vote.* The national independent electoral commission could forego establishing registration centers in parts of the Kivus, the Kasais, Equateur, and the vast Orientale province. This decision could add considerably to election day violence if millions of citizens who voted in 2006 are turned away from polling stations.
- *Parliament approves a constitutional revision to extend the president's mandate.* Although President Kabila has stated that he will not revise the constitution to extend his presidency, the March 2010 findings of a commission he assembled to explore this issue indicate that he is considering ways to extend his power. This maneuver could galvanize popular and political opposition to his presidency and set off electoral unrest.
- *A broad coalition of opposition parties boycotts the elections.* In 2005–2006, the elections boycott by longtime opposition party Union pour la Démocratie et le Progrès Sociale (UDPS) led to heightened tensions and sporadic fights between election workers and party members in the Kasais and Kinshasa. Many feared that this violence would prevent the elections from taking place in some areas. A boycott by all three major opposition parties (i.e., the UDPS, the Mouvement de Libération du Congo, and the Union pour la Nation Congolaise) and other opposition platform parties would discredit the entire election results and the winner's legitimacy, possibly leading to widespread revolt.
- *Kabila orders a major redeployment of ostensibly integrated army brigades from the Kivus.* Several armed groups in the east that have accepted superficial integration into the national army now profit from the illegal extraction of minerals in the Kivus. Past attempts to redeploy these groups have resulted in their outright refusal to move since the warlords who lead them depend on revenues from local mines and ethnic groups' support to maintain their power. Without major concessions to these units, Kabila's insistence could provoke armed conflict.
- *The government is implicated in assassinations of high-profile opposition or civil society leaders.* If the public believes that the government is responsible for the assassination of a well-known opposition figure, such as BDM leader Ne Muanda Nsemi or former Kabila confidant and presidential candidate Vital Kamerhe, popular revolts could erupt in opposition strongholds and catalyze broader instability.

IMPLICATIONS FOR U.S. INTERESTS

U.S. interest in the prospect of acute political instability in the DRC derives from the attendant risk of a massive humanitarian crisis that worsens further the plight of Congolese women—whom Secretary of State Hillary Rodham Clinton herself has pledged to assist—and destabilizes neighboring countries in the region. Given the recent history of violence in the DRC that has directly or indirectly claimed the lives of several million people and at times involved nine neighboring states' armies, these risks cannot be dismissed lightly. The failure of the UN mission in the DRC—one of its largest missions ever, which receives nearly one-quarter of its funding from the United States—would also be a major blow to the credibility of the United Nations. This would also not be in the U.S. interest.

On a commercial level, U.S. private investment in the DRC is currently limited; a notable exception being U.S.-based Freeport-McMoRan's $2 billion contribution to a joint investment in Katangan copper and cobalt concessions. The potential for future investment in timber, cobalt, and other minerals, which are abundant in the Congo, is nevertheless significant. The DRC produces 40 percent of all unrefined cobalt in the world and as much as 20 percent of the world's tantalum, an important element used in the capacitors found in mobile phones and other electronics. For these reasons, the United States seeks to promote a stable, democratic government in the DRC that respects the rights of its citizens (especially women) and can act to stabilize the rest of central Africa, eventually removing the need for U.S. aid.

PREVENTIVE OPTIONS

Washington can take several bilateral and multilateral steps to reduce the risk of violent instability in the Congo.

Adjust U.S. Electoral Support

The United States can take one of several approaches to restructuring its electoral assistance to Kinshasa as a means of reducing the likelihood of violent and destabilizing elections. One option would be to add significantly to the $10 million of electoral aid committed over the next two years and convert the program to a broader-based democracy support package. Covering both the national elections as well as provincial and local elections scheduled for 2012 and 2013, respectively, the new aid package could include support for civic education, greater civil society involvement in the elections, electoral observer teams, security training, and independent media programs. If it becomes clear that the ruling party and its platform is suppressing political dissent in pursuing its goal of dominating in the presidential and national assembly elections, these programs could offer constructive, nonviolent outlets for the local population to vent its frustrations.

Alternatively, the United States could condition continued financial assistance on a credible electoral process in the hope that this would deter serious misconduct and pressure the government to expedite current preparations for elections. Being more vocal about the need for a free and fair electoral environment and denouncing intimidation against candidates and civil society activists could also yield dividends, especially if the Obama administration uses its leverage with other donors to coordinate a uniform message.

Finally, should it become clear that a significant portion of voting centers will be unequipped for November elections, the United States could request that the government postpone legislative elections. Although a delay might trigger popular protests, this risk is judged to be less than if the elections proceeded and the results were perceived as fundamentally flawed. Such a suspension could also buy time for other like-minded donor countries to push for a fairer electoral environment in the DRC.

Suspend Aid

The United States must be prepared to discontinue its bilateral and multilateral assistance to Kinshasa and perhaps pursue targeted sanctions if the Kabila government perpetrates acts of violence and intimidation. Similar preparations must be made with respect to neighboring countries that may

create or exploit instability in the Congo. Rwanda, Angola, and Uganda could all be made to face stiff penalties for manipulating Congo's regional or national politics via armed groups with which they retain robust ties; in 2010, foreign assistance made up over 40 percent of Kigali's government revenue and nearly 30 percent of Kampala's.

In the DRC, ending assistance could be pursued in a gradual manner by first suspending the country's participation in less consequential programs. Removing the Congo's most-favored-nation status under the African Growth and Opportunity Act (AGOA), for example, had a minor impact on the Congo in December 2010 but clearly signaled Washington's disquiet over its deteriorating state of affairs. In 2011, such measured actions could motivate the regime to scale back any attacks against opposition and civil society and tolerate a freer atmosphere for political parties.

In cases of egregious abuse by the regime in Kinshasa, such as widespread assassinations of civil society leaders and politicians, the U.S. secretary of state could invoke Section 116 of the Foreign Assistance Act, which prohibits assistance to any country that "engages in a consistent pattern of gross violations of … human rights," and suspend all non-humanitarian bilateral programs. At the World Bank, the United States could use its influence to suspend current projects and postpone consideration of future ones. Expanded targeted UN sanctions of responsible individuals' assets and travel documents could also be sought. If President Kabila suddenly lost this more substantial assistance or felt the pressure of sanctions against his regime's inner circle, he and other political elites would find it more difficult to ignore the United States' concerns.

Improve Multilateral and Regional Engagement

The above actions would be considerably more effective if they were implemented in coordination with other interested states. The Great Lakes Contact Group—which consists of representatives from Belgium, France, the Netherlands, the United Kingdom, the United States, the EU, and the UN—is one potential vehicle for such multilateral engagement. The United Nations Security Council is another. Either body could reduce the risk of violent instability in the Congo along the lines described above by reinvigorating support for a relatively free and safe electoral environment, a professional security sector, improved governance and rule of law, and other priorities articulated in the International Security and Stabilization Support Strategy that currently guides international assistance in the DRC.

Through these two bodies, the United States could also make greater overtures to China, South Africa, and the African Union (AU) to coordinate their efforts with existing ones. China and South Africa in particular provide security sector support to Kinshasa and invest large sums in the extraction of the country's natural resources yet have remained uninvolved in major foreign donors' efforts to harmonize their interactions with the regime. Eliciting these countries' active participation in future multilateral initiatives to deter or punish violent and destabilizing regime behavior, while not absolutely necessary for such efforts to succeed, would nevertheless bolster the United States' and the rest of the international community's leverage.

The U.S. government could also use its influence through the office of the World Bank's U.S. executive director to check the deterioration of the electoral environment in the DRC by conditioning the approval of bank projects on clear efforts by Kinshasa to improve governance, including specifically the management of election funds. In central Africa, the United States could limit opportunities for states along Congo's border to facilitate violent insurrection by reviving elements of the Tripartite Plus process that was established in 2004 as a confidence-building measure for the Great Lakes

region. In its new incarnation, this forum could permit ad hoc, closed-door dialogues between Rwanda, Uganda, Burundi, and the DRC and, separately, between the DRC, the Republic of the Congo, and Angola. Playing the role of facilitator, the United States could encourage meetings on issues such as the emergence of insurgent groups on Congolese soil and the illicit trafficking of minerals and weapons.

Ensure a UN Presence

Although it is accused of fecklessness and waste, MONUSCO remains the most important international actor for averting war in eastern Congo. When negotiations for a renewal of MONUSCO's mandate begin in spring 2011, the United States and France can push for a renewal of MONUSCO's mandate for another year and press existing troop-contributing countries to maintain their current commitments. It will be especially important that India recommit its utility and attack helicopters, which provide essential air cover to MONUSCO. Another option would be to make a concerted effort at the UN Security Council to enlarge the current force with 2,500 additional blue helmets, bringing the mission closer to its mandated ceiling of 22,016 uniformed personnel.

MITIGATING OPTIONS

There are several ways the United States can help minimize the risk that an election-related crisis or provincial rebellion will trigger wider instability and violence.

Coordinate a Withdrawal of Diplomatic and Financial Support

In the event of a severe crisis of the government's making, the Obama administration might better serve U.S. interests by temporarily curtailing all interaction with Kinshasa in concert with other major donors. Emphasizing multilateral engagement through the Contact Group or UN Security Council in the preventive stages will lay the groundwork for pursuing this course, allowing all relevant parties to quickly convene and convey their displeasure through a joint communiqué or Security Council resolution. More concrete collective action could include suspending all funding accounts except those for urgent humanitarian aid and recalling embassy personnel. Such a concerted withdrawal of international support might convince the Congolese government of the need to make concessions on priorities articulated by the United States and its partners. It might also better position the international community to begin anew with the Congo should a political crisis lead to a change in government.

Deploy a Crisis Response Team

As it did in late 2007 during a violent flare-up in the east, the United States could dispatch a small team of State Department personnel with conflict resolution experience in central Africa. Using the promise of supporting further debt relief and bilateral assistance programs as carrots and the threat of the suspension of aid as a stick against government actors supporting armed groups in the conflict, the team could be tasked to persuade the conflicting parties to cease hostilities and create a framework for resolving their differences. If better relations among Great Lakes Contact Group members are established ahead of time, a team under the leadership of the assistant secretary of state for Afri-

can Affairs could orchestrate a coordinated approach with like-minded international actors, including Great Britain, Canada, Belgium, the European Union (EU), and possibly China.

Support an AU-led Bridge Force

Although the EU deployed forces to the DRC in 2004 and 2006, current events and a more guarded European foreign policy make another such mission unlikely. In the event of a crisis, the African Union could serve as an alternative source of military support to MONUSCO. South Africa, which wants to assume a greater continental role, may even be willing to lead such a mission. Some other countries belonging to the Southern African Development Community, including Botswana and Mozambique, could also be solicited to contribute, as could Benin and Ghana, two major African contributors to the current UN mission. The resource constraints that characterize the AU as a whole would nevertheless necessitate considerable international financial assistance and political support. AU member states' divergent interests in the DRC would also require any forces to come from non-neighboring countries. Once in theater, AU troops could conduct operations to secure cities that would support the UN mission until it mustered enough political will and peacekeepers to stabilize the situation. The U.S. military could play a supporting role in this phase, as it has already done in joint operations against the Lord's Resistance Army, a brutal insurgent group in the region, by providing intelligence, conducting psychological operations, and helping move personnel and materiel.

RECOMMENDATIONS

- *Immediately review the State Department's Congo policy and, if needed, appoint a special envoy.* President Barack Obama should direct Secretary Clinton to determine whether the State Department's African Affairs Bureau can immediately provide additional leadership and personnel to direct U.S. Congo policy. If the bureau currently lacks this capacity, Secretary Clinton should appoint a special envoy who reports directly to her and meet the staffing needs for this post by reallocating personnel from the office of the special envoy to Sudan or other units with staff who have Africa experience. The prime directive for either a new special envoy or a better-staffed and empowered central Africa office should be to facilitate multilateral and interagency cooperation in preventing another major conflict in the Congo. Under either arrangement, the United States should also work closely with Congo's neighbors, American ambassadors in the subregion (including the Great Lakes countries, Angola, Central African Republic, and the Republic of the Congo), and like-minded foreign donors.
- *Reinvigorate the Great Lakes Contact Group*. The United States should begin refocusing its diplomatic efforts and financial assistance through the Contact Group by sending the assistant secretary of state for African Affairs or a new special envoy to meet with his or her counterparts in the group. The U.S. representative should seek from them a commitment to press Kinshasa on an agenda that includes promoting a democratic electoral space ahead of national elections and, in the future, genuine security sector and justice reforms. Multiparty coordination of this sort represents the best opportunity to overcome the Kabila government's tendency to play donors against one another and prevent them from leveraging their assistance for positive reforms. Moreover, even if coordination fails to prevent the onset of electoral violence or armed rebellion, a revived Contact Group (possibly renamed to include South African and AU representation) could present more effective incentives and deterrents to limit aggression by the Congolese gov-

ernment and its neighbors in the context of these contingencies.

- *Create a broad-based, multiyear elections assistance package for national and local elections in coordination with the Contact Group, European Union, MONUSCO, and the UN Development Programme.* In addition to the roughly $10 million for the election cycle that the United States has already committed, this package should devote additional funds to long-term national and international monitoring of the electoral process; electoral education through international NGOs and local civil society; logistical and staff support for the electoral commission beyond 2011; UN efforts to train vetted police in election-related security; and a long-term national media program that includes the use of new low-tech technologies and encourages equal access to media and responsible coverage of election-related abuse.
- *Spearhead the immediate creation of a multilateral elections monitoring committee.* With the participation of Contact Group members and representation from the World Bank, South Africa, and the African Union, the United States should help set up a technical committee to monitor the electoral process in the Congo. The committee should establish clear threshold indicators for the electoral environment that, if crossed, would trigger a coordinated and temporary suspension of several bilateral and multilateral programs supporting democracy and governance, the security sector, and economic development. Mutually agreed-upon trigger points for suspension should be based on reliable field assessments and include a clear pattern of government-linked attacks and assassinations of politicians and civil society leaders; widespread fraud and disenfranchisement in the revision of the electoral register; and indisputable evidence of systematic government suppression of free speech. Establishing these trigger points will help allay donors' fears that their electoral assistance is supporting state oppression and a fraudulent process and may consequently increase their readiness to adequately fund the elections.
- *Use U.S. influence in the UN Security Council and MONUSCO to improve the mission's civilian protection and supplement its elections support budget.* The United States should work to renew MONUSCO's mandate, encourage it to place more emphasis on civilian protection, and pressure other UN member states to contribute sufficient troops and equipment for the mission to perform its core functions. In particular, it should demand that the mission streamline the approval process to respond to attacks; continue to push for the prosecution of serious human rights abusers; improve its ability to analyze information from its community liaison units by increasing the number of qualified desk officers; and increase night and foot patrols in vulnerable communities.
- *Increase support for targeted security sector reform and temporarily withhold funding for some basic military training.* After years of poorly coordinated security sector support with questionable effectiveness, the United States should intensify efforts for a harmonized approach to security reform through a revamped Contact Group, the World Bank, and the UN. Areas of cooperation and greater support should include helping the Congolese government arrive at a common military doctrine and concept of operations, establishing a reliable means of delivering soldiers their pay, supporting a common system to vet soldiers, and increasing technical and financial support to prosecute military commanders accused of serious human rights abuses.

Mission Statement of the Center for Preventive Action

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– Building networks with international organizations and institutions to complement and leverage the Council's established influence in the U.S. policy arena and increase the impact of CPA's recommendations.

– Providing a source of expertise on conflict prevention to include research, case studies, and lessons learned from past conflicts that policymakers and private citizens could use to prevent or mitigate future deadly conflicts.