



CONSULTATIVE CONFERENCE  
ON PEACE AGREEMENTS  
AND CONFLICT MINERALS  
IN THE DEMOCRATIC  
REPUBLIC OF CONGO

*Hotel Sultani, Kinshasa, 2-3 May, 2013*



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## ACRONYMS

<b>CIDA</b>	Canadian International Development Agency
<b>AFRIMAP</b>	Africa Governance Monitoring and Advocacy Project
<b>BEST</b>	Bureau of Scientific and Technical Studies
<b>BGR</b>	Bundesanstalt für Geowissenschaften und Rohstoffe
<b>CRS</b>	Catholic Relief Services
<b>CECI/ACIPA</b>	Centre Canadien d'Etude et de Coopération Internationale
<b>CENADEP</b>	Centre National d'Appui au Développement et à la Participation Populaire
<b>ICGLR</b>	International Conference on the Great Lakes Region
<b>CNONGD</b>	Conseil National des Organisations Non Gouvernementales de Développement
<b>COJESKI</b>	Collectif des Organisations des Jeunes Solidaires du Congo
<b>COMESA</b>	Common Market of Eastern and Southern Africa
<b>CONAFED</b>	Comité National des Femmes et développement
<b>CORDAID</b>	Catholic Organisation for Relief and Development Aid
<b>COSOC/GL</b>	Coalition de la société civile de lutte contre l'exploitation illégale des ressources naturelles dans la région des grands lacs.
<b>CTB</b>	Coopération Technique Belge
<b>DYSOCIV/GL</b>	Dynamique de la société civile sur la paix, la sécurité et le développement dans la région des grands lacs,
<b>FARDC</b>	DRC Armed Forces
<b>EITI</b>	Extractive Industries Transparency Initiative
<b>ITRI</b>	Industrial Technology Research Institute
<b>MONUSCO</b>	UN Mission for the Stabilisation of Congo
<b>OCDE</b>	Organisation for Economic Co-operation and Development
<b>OSISA</b>	Open Society Initiative for Southern Africa
<b>OGP</b>	Observatoire Gouvernance et Paix
<b>PREFED</b>	Programme Régional de Formation et d'Echanges pour le Développement
<b>RECIC</b>	Réseau d'Education Civique au Congo
<b>RENADHOC</b>	Réseau National des Ong des droits de l'Homme
<b>RODHECIC</b>	Réseau des Organisations des Droits de l'Homme et d'Education Civique d'Inspiration Chrétienne.
<b>SAESCAM</b>	Service d'Assistance et d'Encadrement du Small Scale Mining
<b>SARW</b>	Southern Africa Resource Watch
<b>UNAF</b>	Union Nationale de la Femme



## EXECUTIVE SUMMARY

*The Southern Africa Resource Watch (SARW) organised a major consultative conference in Kinshasa on 2-3 May, 2013 to discuss the impact of key peace agreements and the trade in conflict minerals in the Democratic Republic of Congo (DRC). Representatives from Congolese academia, civil society, government agencies and political parties reflected on the different peace agreements and conflict minerals in general and the potential impact of the latest **Framework Agreement on Peace and Security in the Democratic Republic of Congo and the Great Lakes Region** signed in Addis Ababa in particular. The conference also discussed United Nations Security Council Resolution 2098, which established a rapid intervention brigade. The consensus that emerged during the discussions was that to finally end the conflicts engulfing the DRC, it was necessary to first end illegal mining and the illicit trade in minerals, which were fuelling the violence.*

The search for peace in the DRC has already produced numerous reports from UN Groups of Experts, and national and international civil society organisations, which have all highlighted the link between war and minerals. Many UN Security Council resolutions have been adopted and many continental and regional agreements have been signed without bringing an end to the conflicts. The most recent agreement was the one adopted in Addis Ababa in February 2013 by all Great Lakes states.

The conference found that the Addis Ababa Agreement was unlikely to end armed conflicts in eastern DRC because it fails – like many other previous deals – to seriously consider the problems posed by the exploitation of, and trade in, minerals by rebel groups and neighbouring countries. Or to acknowledge that conflict minerals are the main factor fuelling continued conflict in eastern DRC.

The conference proposed several recommendations, including:

- Congolese civil society groups should strive to claim ownership of existing structures that are designed to tackle the conflict mineral trade, and seek to popularise them in order to contribute to the promotion of peace in the Great Lakes Region. Congolese civil society groups should also work with sister organisations from the region, the United States and Europe to ensure greater impact, particularly in terms of demanding more effective mechanisms for monitoring and tracing minerals in Congo and beyond its borders;
- The Congolese government must encourage good government of the natural resources sector, including greater responsibility, transparency and participation in the management of the country's resources;
- The Congolese government must respect – and implement – the various agreements it has already signed and should refrain from signing any future agreement unless they are in the national interest;
- The Congolese must develop their own solutions to conflict minerals rather than adopting solutions that are given to them by the international community without proper consultation, since these are difficult to implement. The DRC government should consult Congolese experts during the conceptualisation of solutions to mineral-driven conflicts and only accept outside ideas if they are based on the best interests of the country;
- The international community should put pressure on the governments in Rwanda and Uganda to initiate inter-Rwandan and inter-Ugandan dialogues in order to find solutions to their own internal political issues, which are one of the main factors behind the continued instability in eastern DRC;
- The government should improve border controls by acquiring modern mineral detection equipment to reduce smuggling at border posts;
- The Congolese national army should be reformed using Congolese expertise and the government should improve the living conditions of soldiers, police officers and other security service personnel;
- Congolese civil society organisations should encourage countries that agreed to deploy troops as part of the UN's Intervention Brigade (which was welcomed by the conference participants) to fulfil their commitments and deploy their troops as planned;
- Women should be given opportunities to play an active role in promoting good management in the mining sector and in helping to resolve conflicts; and
- Civil society organisations should agree a timetable for actions (including integrating civil society groups from neighbouring countries) that are designed to promote – and evaluate – measures to finally resolve the conflicts in eastern DRC.

## INTRODUCTION

The Southern Africa Resource Watch (SARW), which organised the consultative conference, works in ten countries in southern Africa to promote good governance of natural resources through research, advocacy and capacity building of civil society organisations, parliamentarians and journalists. SARW is a project of the Open Society Initiative for Southern Africa (OSISA). Its headquarters are in South Africa with field offices in the Democratic Republic of Congo (DRC), Mozambique and Zambia.

In 2010, SARW organised an alternative summit on the illegal extraction of Congo's natural resources, which involved civil society groups from every country in the Great Lakes Region. The summit's recommendations were communicated

to the region's Heads of States when they met later in the year in Lusaka. SARW has also contributed to the renegotiation of Congolese mining contracts and the review of the country's mining act, while in 2011 it began monitoring gold mining in four eastern provinces and the illicit gold trade that flows from it.

The objective of the conference was to look at the successes and failures of various peace agreements and UN resolutions, and particularly the potential of the recent Addis-Ababa Framework Agreement to bring stability to Congo – as well as the emphasis the various agreements give to combating the illegal extraction of mineral resources, which is one of the main driving forces behind conflict in the DRC.

Indeed, the Addis Ababa Framework does not tackle the crucial issue of the illegal extraction of – or illicit trade in – mineral resources, which is funding rebel and militia groups.

The conference also provided an opportunity to canvas the views of the participants on UN Security Council Resolution 2098, which extended MONUSCO for another year and empowered it with a rapid intervention brigade of 3000 troops – an entirely new departure for the UN mission in Congo.

The conference was also intended to recommend viable and sustainable solutions to the DRC crisis, which could be sold to decision makers at national, regional, continental and international level.

## CONFLICT MINERALS

### 1.1 Key players, issues, initiatives, successes and failures

The DRC extractive sector suffers from not only the impact of armed conflicts but also huge revenue losses due to fraud, tax evasion and corruption, which are all signs of the State's weakness – and which all hinder economic growth and democratic progress.



*Georges Bokonde, DRC SARW Manager and Dr Claude Kabemba, SARW Director*

In relation to conflict minerals, seven key players were identified:

- The Congolese State;
- Armed groups, rebels and the DRC army, who are all perpetuating the illicit trade in various minerals;
- Mining companies that sometimes buy minerals linked to illegal extractions;
- Small-scale miners who supply the raw minerals;
- The international community, which is trying to regulate Congo's mineral trade;
- Neighbouring countries, which are backing armed groups by providing them with weapons, and export Congolese minerals; and
- Civilians who act as middlemen, working as miners, negotiators, buyers, exporters, etc.

It was clearly demonstrated during the discussions that minerals play an important role in the survival of armed groups. Participants also bemoaned the involvement of some senior army officers in the illicit trade in minerals because they are supposed to use their troops to provide security for Congo's people and property.

It was noted that small-scale miners – as well as local communities – constitute an important category of players in the mining sector since they are directly dependent on the extraction of these minerals. They also play an important role in relation to conflict minerals since most of these minerals are extracted by them – with or without profit. They are also the people who suffer at the hands of the armed groups.

There was a serious discussion among participants about the exact definition of conflict minerals. Some defined them as minerals that were mined illegally, were directly linked to the funding of armed groups that were active around mining sites, and whose trade involved intimidation, violence and sometimes murder. A suggestion came out of the discussion that we should invert the usual terminology – transforming the phrase 'conflict minerals' into 'conflict of minerals' – to emphasise the fact that minerals are not conflictual in themselves and that it is the numerous actors in the conflict who use them to support their activities. Therefore, the focus should not be on minerals but rather on the players in conflicts.



On one hand, some argued that the issue was about ‘conflict minerals’ because they were used to sustain conflicts and armed groups through revenue from the sale of these minerals. Therefore, they argue that minerals are at the centre of the various conflicts – sustaining illegal groups and promoting the unjust enrichment of individuals and warlords. However, the common denominator on both sides is that cassiterite, coltan, wolframite and gold contribute to the continuation of conflicts in the Great Lakes Region.

It was also suggested that a range of terms needed clarification – such as ‘illicit trade’ and ‘illegal mining’ – since this will help the Congolese to determine how to react to the multiple initiatives (such as the US Dodd-Frank Law) on minerals and conflict in the DRC that keep coming from outside. Participants also stressed that Congo must be careful when adopting borrowed concepts, such as ‘conflict minerals’ and ‘blood diamonds’, which are often slogans used in a broader, global context and should be adopted only if they are relevant to the local context. But there is also domestic terminology to address.

According to the CEEC, every mineral that is exported outside of the government’s official auction floor is ‘illegal’. But it is critical to distinguish between illegal trade and conflict minerals. While trading in conflict minerals is always illegal, many illegally traded (or smuggled) minerals are not conflict minerals.

Finally, the participants did agree that ‘conflict minerals’ are minerals that are extracted from zones affected by conflict or where serious human rights are ignored. But how to bring an end to the conflicts in the eastern part of the DRC? Professor José Makidi stressed that one important activity, which would contribute to bringing the violence to an end, would be to cut off key sources of funding for rebel groups – particularly halting the illicit trade in minerals coming from the war-torn regions.

In this context, the campaign undertaken in the United States and Europe – firstly encouraging consumers to boycott conflict minerals and secondly convincing legislators to take legal measures to prevent these products from entering European and American markets – should be supported. However, the question is how to separate conflict minerals from others when the production of, and trade in, legal minerals takes place side-by-side with the production of, and trade in, ‘conflict minerals’ in conflict zones? According to experts, identifying the selling or exit points of minerals does not necessarily help to determine the real place of origin.

Talking about factors that encourage various players to continue looting the DRC’s mineral resources, it was observed that there were internal and external factors, including impunity and the weakness of the Congolese State, uncontrolled circulation of weapons and ammunition, absence of state authority across the entire country, and the race for personal enrichment by Congolese politicians and security officials which can compromise state security. In addition, the presence of troops from neighbouring countries – as well as foreign support for armed groups – is also a huge obstacle to the achievement of lasting peace in the DRC.

Participants also noted that negotiations organised by the ‘international community’ under the United Nations usually benefited powerful countries. A targeted advocacy campaign must be undertaken to reconcile the interests of powerful countries with those of the DRC.

And finally, participants agreed that Congolese civil society needs to demonstrate stronger cohesion and more effective collaboration in the search for solutions to the conflict in the DRC.





*While trading in conflict minerals is always illegal, many illegally traded (or smuggled) minerals are not conflict minerals.*

*Alexis Mikandji, General Manager CEEC*

## 1.2 The role of the national and international civil society groups in the search for solutions

The conference recognized the important role that national civil society plays not only in the search for solutions to conflict minerals and bad government in the DRC, but also in the fight against illegal extraction of natural resources in the DRC by working with the government in the Extractive Industries Transparency Initiative (EITI) and Kimberley processes, and in the formalisation of artisanal mining.

Another issue that was addressed related to the contribution of international Non-Governmental Organisations (NGOs) in the search for solutions to

conflict minerals. Before giving his position on the issue, Mvemba Dizolele deplored the lack of the state in the DRC, which encourages many of the evils tormenting Congolese mining communities – such as the presence of children in the mines – due to the state’s inability to provide basic social services, like primary education, job creation, access to health care and security. Mvemba then analysed the fight against conflict minerals that is taking place in the US. On one hand, Western activists are engaged in mobilisation and sensitisation campaigns around conflict minerals. In particular, some international organisations



*Mrs Chantal Malamba, Deputy Governor of Bas-Congo, Mrs Brigitte Kalala, Honorary Minister of Human Rights; and Mrs Faïda Mwangilwa, Honorary Minister of Gender – all are civil society activists*

and their affiliates have launched a vigorous campaign based on a simple premise: minerals are the militias' most important financial source – so that if we can cut off their access to the mines, they will end up bankrupt and unable to continue the conflict, and so peace will ensue.

On the other hand, academicians, researchers, journalists and organizations such as SARW take a more flexible and nuanced position. Even if the illegal trade in these minerals generates huge funds for the militias, these funds are not necessarily the source of the conflicts. Militias can raise funds from other sources, especially since light arms are so cheap and so plentiful in conflict zones. Mvemba proposed a multidimensional approach to resolving the DRC conflict, which must take into account good governance, restoration of the state's authority, and reforming the army, police, security services, and judicial system.



*Mvemba Phezo Dizolele, Stanford University, USA*

*Their activism and campaigning take a simplistic and minimalist approach based on visible symptoms, rather than on deep-rooted causes, which they do not understand or even see.*

For Mvemba, the strength of international organisations stems from their access to legislators and other decision-makers in the United States and England – and the fact that they only need to convince two or three influential legislators to see a resolution or a bill introduced into the legislature. However, he also highlighted their weaknesses. In particular, he emphasised the fact that these organisations show a deep ignorance of Congolese social and political realities. Their activism and campaigning take a simplistic and minimalist approach based on visible symptoms, rather than on deep-rooted causes, which they do not understand or even see. For instance, their campaigns focus on the Kivus but do not consider the complexity of mining elsewhere in Congo. If it were true that minerals were causing conflicts, then there would have been serious fighting by now in Katanga, Kasai etc. He also criticised these organisations because they do not work with Congolese civil society groups. Indeed, they deliberately ignore them since otherwise they would be forced to take into consideration the complexity of the situation – and this would force them to alter their core message. He added that they do not appreciate the work that Congolese civil society has done on reviewing mining contracts and the mining code, advocating for a national dialogue, highlighting the legitimacy crisis caused by the fraudulent 2011 elections, and pushing for reforms of the security and justice sectors.

Participants called on Congolese civil society organisations to carefully analyse their support for initiatives from international CSOs since they are not always neutral and can be designed to benefit the interests of their respective countries. It was also suggested that Congolese CSOs should look to integrate and consolidate their multiple initiatives in the resource sector to ensure better cohesion, and influence opinions and policies more effectively. Women's participation in the issue of 'conflict minerals' must also be enhanced so that they play a meaningful role rather than just fulfilling a 'gender' quota or 'gender' agenda.

In conclusion, Congolese civil society groups were urged to:

- Claim its place at the table alongside international organisations;
- Denounce the occasionally misplaced activism of international organisations - such as around Joseph Kony and the Lord's Resistance Army in 2012; and
- Reinforce partnerships with Western organisations that show a real interest in promoting Congolese civil society.

## PEACE AND SECURITY AGREEMENTS IN THE GREAT LAKES REGION AND THEIR IMPACT ON ILLICIT MINERAL TRADE

### 2.1 The Addis-Ababa Peace Agreement

The new Addis-Ababa Framework Agreement was described by Professor Nzongola as an international tutelage on the DRC. All Congo's neighbouring states – Angola, Burundi, Central African Republic, Congo-Brazzaville, Uganda, Rwanda, South Sudan, Tanzania and Zambia – and South Africa were signatories to this agreement 'to deal with the profound causes of conflicts and put an end to this cycle of recurring violence'. In addition, the agreement was also signed by the United Nations, African Union, International Conference on the Great Lakes Region (ICGLR) and Southern Africa Development Community (SADC) – thereby making it 11+4 (states + international bodies). Under the coordination of an UN envoy, the mechanism is expected to assist the Congolese government to implement security sector reforms, consolidate the state authority's over all of Congo, and promote decentralisation, economic development, structural reform of state institutions, national reconciliation, tolerance, and democratization.

Nzongola identified internal and external causes that make it easy for powerful foreign countries to impose solutions that perpetuate the tutelage of Congo, including:

- Weakness of the Congolese state – the increasing weakness can be traced from the decolonization crisis through the collapse of the state under Mobutu to the subsequent years of conflict;
- Targeted military interventions from Rwanda and Uganda; and
- Rwandan and Ugandan alliances with dominant powers in the international community.

These issues prepared the ground for the participants to tackle the main issue in this session – what are the chances that the Addis-Ababa Agreement will be implemented and will help to bring peace to the Great Lakes Region?

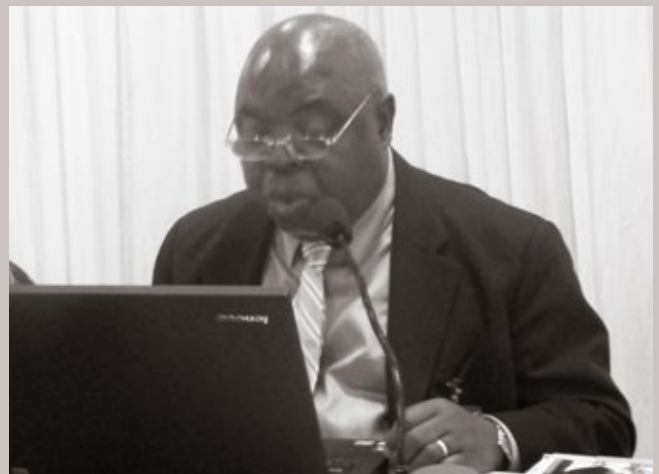
For many Congolese analysts, the agreement was still-born since – due to the delinquency of the Congolese and the hypocrisy of the international community – it refused to tackle directly the on-going aggression by Rwanda and Uganda. Given this, the analysts believe that it will experience the same sad fate as previous agreements – that it will not be implemented. To back up this thesis, Professor Nzongola quoted Section 5 of the Addis-Ababa Agreement, where it talks about 'strengthening regional co-operation, including cooperation through strengthening economic integration and paying particular attention to the extraction of natural resources', to show the pressure being exerted on the DRC

from powerful countries, which would like to ensure that the exploitation of the DRC mineral resources continues under a tutelage regime. Indeed, a substantive analysis shows that the Addis Ababa Agreement legitimises the continued looting of Congolese resources by Rwanda and Uganda.

The participants also discussed why the Congolese government signed this Agreement, which raises the following key questions:

- Why is it that the international community does not show the same interest in national reconciliation, tolerance, and democratisation in other countries of the region, in particular Rwanda and Uganda where opposition leaders are either in prison or in exile?
- Why is the international community fighting to create this new tutelage mechanism for Congo, when it already failed with a previous mechanism known as the International Committee to Accompany the Transition (CIAT) between 2003 and 2006?

In his conclusion, Professor Nzongola noted that after fifty two years of independence, the Addis-Ababa Agreement is a flagrant violation of Congo's national sovereignty and an attack on the dignity of the Congolese people. What Congo needs, he argued, is the restoration of the authority of the state – a task that belongs to Congo's sons and daughters, and not to the international community, regardless of its good intentions.



*Professor Georges Nzongola, University of North Carolina, USA*

The state must be able to fulfil the three most elementary and fundamental functions of any modern State, namely to:

- (1) *Maintain order and security* by ensuring the security of the national territory, the people and their property;
- (2) *Provide public services* by supplying economic, social and cultural services to all the people; and
- (3) *Collect revenue* by mobilising the necessary machinery and resources.

To achieve this, there needs to be a radical transformation of the state from the colonial legacy that exists to satisfy the interests of the new Congolese oligarchy and its foreign allies, to a state whose general policy is governed by the needs and interests of all the people. This is a call for the emergence of a new political leadership, which is patriotic, responsible and attuned to the profound aspirations of the Congolese people.



*Professor Jean Berchmans Labana, Chancellor of the University of Kinshasa*

## 2.2 United Nations Security Council Resolution 2098

The assessment of United Nations Security Council Resolution 2098 was undertaken by Professor Jean Berchmans Labana. He observed that Resolution 2098 of 28 March, 2013 was a new and comprehensive approach by the UN in order to tackle the profound causes of instability in the eastern part of the DRC. In particular, the Resolution creates an intervention brigade with an offensive mandate. Its mission is to:

- Neutralize armed groups and contribute to the reduction of threats from the said groups, strengthen state authority, enhance the security of civilians in eastern DRC, and prepare the ground for stabilisation activities;
- Conduct efficient protection operations to protect civilians threatened by immediate physical violence in the mission's operational areas; and
- Ensure that commitments under the Addis-Ababa Agreement are respected.

For this initiative to be successful, the DRC and other stakeholders agreed to a number of obligations, including implementing reforms of the security sector and the judiciary; encouraging reconciliation and democratisation; holding provincial and local elections; and creating a national structure to control mining activities.

Professor Labana identified the following positive points in Resolution 2098:

- It is binding on all parties and shows the will of the international community to end the conflicts for good and to establish peace and security in eastern DRC;

- The intervention brigade is an innovation for the UN and is the only offensive force established to neutralise active armed groups in the Kivus; and
- The DRC must give a strong signal to the international community of its continuous commitment to the Addis-Ababa Agreement and Annex B of Resolution 2098.

To achieve its expected results, Professor Labana said the following will be needed:

- Real political will to implement commitments at internal and external levels;
- The creation of a rapid response force;
- A comprehensive plan for demobilisation, disarmament, re-integration and repatriation (DDRRR);
- A road map for security and judicial sector reforms; and
- An inter-Congolese dialogue to encourage national cohesion.

In the end, therefore, it seems that chances of Resolution 2098 succeeding depend on:

- (1) The effective contribution of the international community to the deployment and operationalization of MONUSCO's intervention Brigade;
- (2) All states in the region respecting their commitments; and
- (3) The genuine commitment of the DRC to this new initiative, which will only contribute to restoring peace and preserving its territorial integrity if the Congolese claim ownership and demonstrate their determination to support it.

*He defined traceability as being the ability to constitute the ‘history, use or localisation of a product or an activity (or a group of products or similar activities) using recorded information’*

During the ensuing discussion, two groups emerged – for and against the intervention brigade. A large number of participants expressed serious doubts about its effectiveness and argued that the initiative risks diverting the attention away from the real problem in the DRC, which is governance. This group thought that there should rather be more pressure exerted on the authorities in Kinshasa to improve governance in the country, including reforming the army. The second group thought that it was important to resolve once and for all the key source of instability in eastern DRC – namely the presence of rebels supported by neighbouring countries. This group put its trust in the intervention force because it is regarded as an African initiative, while the Addis-Ababa Agreement is an international initiative, which must be treated with caution.

### 2.3 Different traceability processes and the fight against illegal mineral extraction

Paul Mabolia Yenga, the PROMINES project co-ordinator from the Ministry of Mines, gave participants a detailed account of the traceability process from national to regional to international level. He explained the set of tools that were available to improve traceability and ‘clean’ minerals at the point of extraction, implementation deadlines and actual achievements. He defined traceability as being the ability to constitute the ‘history, use or localisation of a product or an

activity (or a group of products or similar activities) using recorded information’ (ISO 8402).

He mentioned that the aim of traceability in the context of conflict minerals was to:

- Fight against the illegal and illicit extraction of natural resources, and so end the funding of armed groups and eliminate conflicts linked to mining; and
- Enable the Congolese state to control financial flows, taxation, the rate of production and the mineral supply chain.

Mabolia highlighted all the different national, regional and international initiatives on traceability before mentioning the six tools of the ICGLR. In his conclusion, he argued that the objective of traceability is to stop the funding of armed groups, control the volume of production, formalise small-scale mining, ensure that mineral extraction meets international standards, and build awareness among all stakeholders on the need to change the prevailing culture in the mineral trade.

Two approaches were suggested – the first aims to establish legitimate control over mining sites, while the second aims to regulate trade to prevent conflict minerals from reaching the international market. These two main approaches build on each other but their current limitations – and ineffectiveness – prove that they need to be accompanied by a profound governance reforms in both the DRC and transit countries.



*Chantal Malamba,  
Deputy Governor Bas  
Congo and Paul Mabolia,  
PROMINES Co-ordinator*

## Options for peace and the promotion of the legal trade in minerals

Professor Philippe Biyoya shared with the participants some possible options to bolster the chances of peace in the DRC and how to promote the legal trade in minerals.

First, a solution to the conflict in DRC must involve negotiations to implement the Addis Ababa Agreement. Since negotiations are necessary and inevitable, he appealed to the DRC government and civil society organisation to be prepared. In particular, civil society should not go into the negotiations ‘empty handed’ or without a common position – or other parties would take advantage.

Second, there has to be an improvement in the relations between regional leaders to bring harmony to the key regional groupings (CEPGEL, ICGLR) and give peace a chance. According to

Biyoya, if all the existing suspicions that are poisoning these relationships are not addressed, there is no chance of any peace agreement being implemented.

Third, he highlighted that the Addis Ababa Agreement lists a number of regional commitments – including building regional cooperation through deepening economic integration with a particular emphasis on the extraction of natural resources – which need to be implemented.

Fourth, the resolution of the conflict will require firm commitments from the international community. The DRC must work with bilateral partners to ensure that the international community remains committed to assisting the DRC and the region in the long term, to supporting the implementation of the Agreement’s

protocols and priority projects on security, stability and the development of the Great Lakes Region, and to revitalising the Economic Community of the Great Lakes Countries (ECGLC).

According to Biyoya, there is a need to end the economy of war and build a peace that frees all the zones containing natural resources that are currently under the control of armed groups, rebels or mercenaries serving the ambitions of neighbouring countries. He argued that securing peace through promoting legal trade in the region requires ‘institutional peace’ within states as well as between states. The role of regional communities also needs to be clarified because their smooth running depends on the normalisation of the political life within states and the re-establishment of trust between states.



*Professor Phillip Biyoya Makutu, Political Analyst*

### 3.1 Peace agreements: challenges and opportunities

Professor Evariste Boshab evaluated the region's many peace agreements with a particular emphasis on the current crisis and the opportunities offered by the Addis Ababa Agreement. He began by pointing out some of the key internal causes of the on-going conflict, including:

- Weakness of the state, particularly the public administration and the army, which dates back to the second Republic;
- Partial and/or poor implementation of multiple peace agreements;
- Crystallisation of ethnic conflicts in eastern DRC because of social economic ills and political manipulation of ethnic groups;
- Unequal distribution of the wealth of the country and lack of basic social services;
- Unequal representation of former combatants in institutions; and
- Struggle to access DRC's natural resources.

Secondly, he stressed that the international community seemed reluctant to blame neighbouring countries whose interventions (either direct or indirect) were fuelling conflict or to accept that natural resources have become central to the violence.

Professor Boshab mentioned that since the mid-1990s, DRC has suffered from a series of armed conflicts interspersed with short moments of peace, which generate hopes for a durable solution. But every time these hopes are killed by fresh fighting, exposing the inherent weaknesses of the various peace agreements, which have all failed because they did not address the root causes of the conflict, were signed after inadequate negotiations, or were fatally undermined by the various signatories hiding their real intentions. The DRC has seen more than a dozen agreements to end the conflict but none have succeeded in securing lasting peace so far.

But Professor Boshab said that it was possible to find a workable solution as long as the real causes of the conflicts in the DRC were seriously addressed. And he provided a few key activities that were essential for peace to stand any chance of breaking out in DRC.

Internally, there is a need to establish an effective national Congolese army, which is well equipped, motivated, disciplined and capable of defending the territorial integrity of the country. As long as rebel groups and foreign governments believe that the Congolese army (and state) will put up no resistance, they will always be willing to turn to armed conflict.



*Professor Evariste Boshab, Member of Parliament and Secretary General of the ruling party, PPRD*



*Evariste Boshab, Chantal Malamba and Paul Mabolya*

And externally, Congo needs to transform its mining sector so that its natural resources contribute to building peace rather than fuelling conflict. For example, instead of blaming multi-national mining companies for purchasing illegally traded minerals, the Congolese government should create conditions – and negotiate with them – so that they sign agreements that benefit the state, the people of Congo and the companies. In addition, instead of negotiating with rebels and insurgents who are merely subcontractors, it is better to have a sincere discussion with the countries that are known to be the sponsors of the conflict. To do this, the DRC must pursue new diplomatic practices, which are economically aggressive and politically persuasive.

## 3.2 Role of key players in fuelling and resolving conflicts

According to the UNC President, Vital Kamerhe, whose presentation was read to the participants, the crisis affecting DRC, which started because of the illegal extraction of natural resources, is the consequence of poor responses by both the international community and successive Congolese governments to the massive presence of Rwandese and FDLR forces on Congolese territory. It is also the result of the lack of sincere dialogue between the Congolese government, civil society and opposition political parties, and between the Congolese government and various armed groups.

He argued that the crisis is exacerbated by the lack of responsible and visionary leadership at the helm of the DRC; the absence of an effective republican army; lack of respect for agreements entered into by the government; bad management; rampant corruption; widespread impunity etc. It is also characterised by the lack of any genuine dialogue between the Congolese government and neighbouring states that could foster 'win-win' regional cooperation through the establishment, for example, of a free trade zone and the development of greater economic integration.

Concerning the role of key players, Kamerhe noted that responsibility for the on-going conflict rests with the DRC, Rwanda, Uganda, Burundi (to a certain extent) and the international community. The UNC President attributes a role to each key player. For Rwanda and Uganda, Kamerhe states that, despite the failure of their strategies, they still believe that they can solve their own security issues by intervening in the DRC – taking advantage of the current leadership challenges in Congo, the disorganisation of the army and the weaknesses of the Congolese state, - to support Congolese rebel groups and illegally extract Congo's natural resources.

Contrary to the opinion of many in Congo who blame the country's crisis on the machinations of the international community and neighbouring countries, Kamerhe thinks that the greatest responsibility for the conflict rests with the Congolese people themselves.

***the DRC is unable to resolve the conflict because the state has become a source of wealth accumulation for politicians and army officers, which contributes to the persistence of armed groups.***



## PANEL DISCUSSION

### 4.1 How to restore stability and protect natural resources



*Phillippe Biyoya, Georgette Biebie, Member of the Congolese women caucus, Professor Rigobert Lelo, Baudouin Hamuli, National Co-ordinator for the ICGLR, and Georges Nzongola*

This panel was moderated by Professor Robert Lelo and included Georgette Biebie from the DRC Women's Caucus, Baudouin Hamuli who is the National Coordinator of CIRL, Professor Philippe Biyoya and Professor Georges Nzongola.

All panellists identified state weakness and disorganisation as the main problem in the DRC. The weakness of the state leads to a failure to effectively deliver social services, administer the country, collect public revenue, pursue new economic policies, deal with corruption, and reform the politicised judicial system, which is one of the main causes of impunity. They also suggested that the DRC is unable to resolve the conflict because the state has become a source of wealth accumulation for politicians and army officers, which contributes to the persistence of armed groups.

The panellists also talked about critical activities such as reforming the army, reforming the culture of the state, improving the management of the mining sector, and developing the gold industry by destroying mafia networks and setting up a refinery or gold exchange market in Congo.

Discussions also touched on one possible hidden agenda – the balkanization of the DRC. In their presentations, panellists argued that it was necessary to build up a national 'spirit'.

It is also critical for people to shout 'No to balkanization of the DRC' and to raise awareness about this potential agenda within the wider population – and to help mobilise the Congolese to play a bigger role in issues of national interest. Panellists also observed that political parties and structures do not perform some of their key functions, so that civil society has become the only hope of building national consciousness and consensus. And given this, it is critical that civil society does not confine itself to merely criticising other players but also provides ideas that can help to overcome the challenges facing the DRC.

We can draw three main observations from this panel:

- (1) The search for peace should be pursued in parallel with economic development. Governments in the sub-region should act to restore confidence between them and adopt developmental policies that target poverty eradication in the sub-region. It is actually Congo that can save the sub-region – since the development of Congo would boost the growth and development of the sub-region.
- (2) To solve the issue of 'conflict minerals' or 'minerals of conflicts' it is necessary to tackle the militias, which are nothing more than groups of bandits. Negotiating with

them is irresponsible and achieves nothing since even when they are integrated into the army, the problems persist and the same groups invariably rebel again. To deal with the militias, it is necessary to have a strong, well-trained and motivated army that can neutralise them.

- (3) Reforming the Congolese army and broader security sector is a recurrent recommendation that has appeared in every peace process but has never been implemented.

### 3.2 Role of key players in fuelling and resolving conflicts

Moderated by Pascal Kambale, this session involved a discussion with Faïda Mwangilwa, Mvembe Dizolele, Professor Rigobert Lelo and Professor Kalele-Ka-Bila.

Faïda Mwangilwa claimed that the persistence presence of women and children on mining sites is due to their extreme poverty. She suggested that there needs to be more political will in the fight against poverty and integration of gender into debates around mineral resources. She called upon the Congolese to take advantage of the opportunity afforded by the Addis Ababa Agreement to secure a sustainable peace.



*Pascal Kambale, Deputy Director, AfriMAP*

Professor Rigobert Lelo stated that it was important to develop a comprehensive understanding of the situation by looking at the production, transport and commercialization of minerals. He also stressed that it was critical to bring impunity to an end and encourage a culture of respect for the law and one's commitments and promises.



*Professor Kalele, Honorary Minister of Mines*

Professor Kalele-Ka-Bila confirmed that the conflict in eastern Congo is an economic war – a war for personal enrichment where everything is looted for the benefit of individuals. He also urged an end to impunity by calling on the state and civil society to fight for justice.

The final panellist, Mvemba Dizolele, recommended the re-establishment of the rule of law and revitalisation of civil society organisations as the only way we secure peace in the DRC.

All the panellists agreed that it was important for the DRC government to respect agreements that had been signed. They also agreed that it was important to build the cohesion of civil society organisations, integrate gender into natural resource issues, and spread information to a larger audience.

Three important observations can be drawn from these reflections:

- (1) The conference accepted that the 'Pact on peace, security, stability and development of Great Lakes countries', which was signed in Nairobi, forms the general framework for the search of peace in eastern DRC, that it stems from the work of the ICGLR, and that any other agreement signed by government must support or build upon the Nairobi agreement.
- (2) The conference emphasised that the ICGLR was the ideal framework for consultation among the countries of the Great Lakes Region because it comprises all state players in the region that are linked to the illicit trade in minerals and to the persistent insecurity in eastern DRC.
- (3) There was a consensus that UNSC Resolution 2098 is an African initiative while the Addis Ababa Agreement is an initiative imposed by some of the world's most powerful players under the auspices of the United Nations.

## CONCLUSION

*During this conference, participants assessed the question of conflict minerals and their destabilising role in the Great Lakes Region as well as the impact of various peace agreements and resolutions designed to try and end the conflicts in the DRC.*

The conference proposed several recommendations, including:

- Congolese civil society organisations should try to claim ownership of existing structures, which were designed to combat conflict minerals. These structures also need to be popularised in order to contribute to the promotion of peace in the Great Lakes Region. Congolese civil society should work with sister organisations from the region, the US and Europe to ensure that its work has greater impact. Civil society organisations must also demand the creation of mechanisms to monitor and trace minerals at the local level and beyond Congo's borders;
  - The DRC government must promote good governance, including responsibility, transparency and genuine participation in the management of the mining sector to tackle the Congo's greatest malaise – bad governance and impunity in relation to natural resources;
  - The DRC government must respect its commitments under the various agreements it has signed, while refraining from signing any new agreements that are not in the best interests of the nation;
  - The DRC government should consult Congolese experts during the conceptualisation of solutions to conflicts and conflict minerals since many previous 'solutions' have been designed by the international community without consulting the Congolese, which causes serious problems during implementation because they do not respond to local realities.
  - Congolese stakeholders must develop their analytical capacity so that they can effectively analyse 'solutions' coming from outside and only accept them if they are really in the best interests of the country;
  - The international community must put pressure on Kigali and Kampala to initiate inter-Rwandan and inter-Ugandan dialogues, like the inter-Congolese one, in order to find solutions to their internal political issues, which are one of the main causes of the on-going instability in DRC. It is clear that the security situation in the DRC is closely linked to political stability in those two neighbouring countries – with Rwanda, in particular, reserving the right to intervene militarily in the DRC to pursue groups they perceive to be harmful to the government in Kigali.
  - Congo's national army must be reformed since the FARDC is currently weak and disorganised – due to a lack of political will to reform it and the un-coordinated integration of rebels into it [including giving some very high ranks] – and is therefore inefficient on the battlefield. The reforms should be conducted using Congolese expertise since the country does boast many competent soldiers, who were trained in reputable military academies around the world. In addition, the government must improve the living standards of not only soldiers, but also police officers and other security service personnel;
  - The DRC government must invest modern mineral detection equipment to reduce smuggling at border posts since the porous nature of Congo's borders hampers the search for peace and attempts to control the trade in minerals;
  - UN Security Council Resolution 2098 must be fully implemented, including the creation of an effective intervention brigade;
  - Congolese civil society organisations must encourage African countries that agreed to support the intervention brigade under UN Resolution 2098 to fulfil their commitments and provide troops as planned despite some internal pressure to withdraw their support;
  - Women must be given opportunities to play a much larger role in promoting good management in the mining sector and in conflict resolution since the participation of women is currently very low; and
  - Congolese civil society organisations should agree upon a timetable for future actions to promote conflict resolution in eastern DRC as well as see how best to integrate civil society organisations from neighbouring countries.
- SARW will establish a task team to ensure that these recommendations reach decision makers at national, regional and international levels.

## Annex: Participants list

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The mission of the Southern Africa Resource Watch (SARW) is to ensure that extraction of natural resources in southern Africa contributes to sustainable development, which meets the needs of the present without compromising the ability of future generations to meet their needs.

SARW aims to monitor corporate and state conduct in the extraction and beneficiation of natural resources in the region; consolidate research and advocacy on natural resources extraction issues; shine a spotlight on the specific dynamics of natural resources in the region and building a distinctive understanding of the regional geo-political dynamics of resource economics; provide a platform of action, coordination and organization for researchers, policy makers and social justice activists to help oversee and strengthen corporate and state accountability in natural resources extraction; and, highlight the relationship between resource extraction activities and human rights and advocate for improved environmental and social responsibility practices.

SARW focuses on 10 southern Africa countries but is also working to build a strong research and advocacy network with research institutions, think tanks, universities, civil society organizations, lawyers and communities in southern Africa, the African continent and beyond that are interested in the extractive industries as it relates to revenue transparency, corporate social responsibility, human rights and poverty eradication.

**[www.sarwatch.org](http://www.sarwatch.org)**

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The Open Society Initiative for Southern Africa (OSISA) is a growing African institution committed to deepening democracy, protecting human rights and enhancing good governance in southern Africa. OSISA's vision is to promote and sustain the ideals, values, institutions and practice of open society, with the aim of establishing a vibrant southern African society, in which in which people, free from material and other deprivation, understand their rights and responsibilities and participate democratically in all spheres of life.

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