

# Mapping Conflict Motives: *Province Orientale (DRC)*

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POUR LA RECONSTRUCTION DE LA RDC TOUS  
LES INDIVIDUS DOIVENT CONTRIBUER AU  
FINANCEMENT DU BUDGET DE L'ETAT EN  
PAYANT LIBREMENT LEURS IMPOTS



# Editorial

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**Caption photo Front Page:** The building of the *Direction Générale des Impôts* in Bunia ( IPIS, 2009)



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# Summary

The districts of Ituri, Haut-Uele, Bas-Uele and the territory of Bafwasende continue to suffer from armed groups. Generally speaking, the strength of the armed groups throughout *Orientale* is limited and their effectives are few. Moreover, there is a considerable presence of the Congolese army.

The Uele districts are the two most northern districts of *Orientale* bordering the Central African Republic and Sudan. In the course of 2009, they have repeatedly come to the fore of news coverage on the DRC because of the hunt for the LRA rebels. This hunt chased the LRA from its bases within the Garamba Park. It caused the break-up of the armed group in a number of smaller units that took flight in different directions and perpetrated a seemingly endless series of serious human rights violations against the civilian population.

The LRA seems to be almost exclusively focused on survival. It does not attack strategic targets, does not fight over the control of natural resources and if it was ever driven by a political or social agenda, such grievances are no longer reflected in its behaviour in the field.

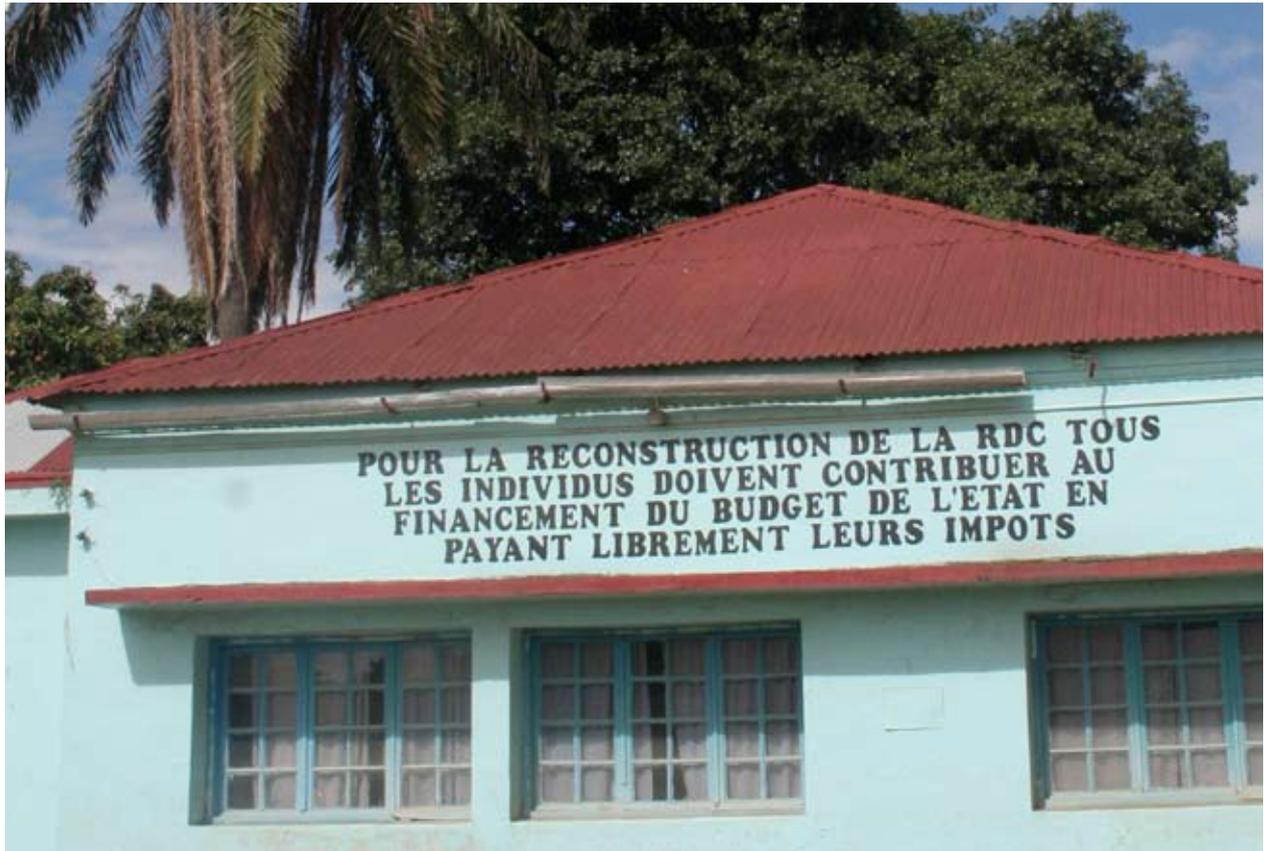
The remaining militias in the Irumu and Djugu territories of the Ituri district have also been targeted by military operations and they have been considerably weakened. In November 2009, only two groups remained. The most important group is the FRPI that has its headquarters in the territory of Irumu. The FRPI numbers about 200 combatants. The militia may well be hiding but it remains close to its tribal areas. Although the FRPI are practically surrounded by the FARDC, it seems that they feel little threatened in their precarious position. They have no clear agenda but can be used to advance the agenda of others.

Compared to all other eastern provinces of the DRC, only few active Mayi-Mayi militias remain in *Orientale*. Two significant groups continue to operate and they both hold positions in the southeast corner of the vast Bafwasende territory, where the Maiko National Park is located. Until recently they were not really threatened and they seemed to be primarily motivated by greed for natural resources.

Somehow these groups outlive the FARDC operations and continue to cause insecurity. Just looking at the numbers of government soldiers versus rebels, this is startling. Many of the FARDC rank and file, who are badly paid and maintained, are not really motivated to engage the armed groups and tackle the problem. They prefer to hold their positions and deter rebel activity by their mere presence, rather than risk their lives in a gunfight. Moreover, several FARDC units, especially in Ituri, are (or have been) implicated in profitable trafficking of minerals and timber. Such units, their commanders in the first place, have an interest in prolonging their deployment.

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The building of the *Direction Générale des Impôts* in Bunia ( IPIS, 2009)

## Introduction

With the publication of its fourth mapping report 'Mapping Conflict Motives: *Province Orientale* (DRC)', IPIS links two areas it has studied and mapped in the past: the Kivu provinces of the Democratic Republic of the Congo and the Central African Republic. IPIS is trying to complete the jigsaw puzzle of a conflict-ridden region. The following report constitutes a new piece fitting into this puzzle. As the work advances, ever more linkages will appear and facilitate regional analysis.

As a consequence, some of the armed groups that already figured in previous IPIS publications reappear in the text below. Some of these groups that received only little attention before (the LRA, the Mayi-Mayi Simba) are now discussed in detail.

The *Orientale* province is the largest of all Congolese provinces. With a surface area of 503.239 square km, it comprises more than 20% of the total surface of the DRC.<sup>1</sup> It is also the province that, during the Congo wars, hosted the largest number of distinct armed groups. Virtually all rebel groups controlled a part of its territory during the 1998-2003 rebellions. The RCD (Goma) controlled the city of Kisangani and a part of the Tshopo district, the RCD/N parts of the Haut-Uele and Tshopo districts, the RCD/KML controlled the Ituri district for a while, and the MLC held Bas-Uele and parts of Tshopo and Haut-Uele. After the rebellions, the Ituri district continued to suffer from armed conflict with ethnic militias (supported by state patrons) fighting a most violent war.

This report describes the presence of armed groups and army units in Congo's largest province during the second half of 2009 (July-November) and analyses their behaviour and motives. Special attention is given to the most recent months of this period.

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<sup>1</sup> Unité de Pilotage du Processus DSRP du Ministère du Plan, *Monographie de la Province Orientale*, March 2005, p. 8.

In a first part, the different armed groups are presented and some background is given. Their strength is discussed as well as their structure and leadership. A short summary of their genesis is given and their official agenda is discussed.

Like all IPIS mapping reports 'Mapping Conflict Motives: *Province Orientale* (DRC)' includes a set of interactive maps showing the information used in the analysis below and more. An explanation of the different maps, their contents and the sources on which they are based constitute the second part of this text. Because military operations are being executed against all of the armed groups, the situation on the ground is very variable and information gathering is hindered. Consequently, the maps contain only few fixed positions of the armed groups, but rather zones of control.

The third and final part is an analytic chapter that uses data from the maps and combines them with information gathered from interviews and existing documentation. While putting together these elements, the text tries to answer the question why a specific armed unit operates in a specific area. It takes into account a number of factors including grievances, profit and self-defence.<sup>2</sup>

In all, more than four weeks of field research by a team of two IPIS researchers and several months of consultation of existing sources preceded this report.

Reliable (security) information on a conflict area is hard to find. Therefore the data on our maps are not exhaustive, although they give a clear indication of the situation. IPIS welcomes any additional information or corrections that could be added to our maps ([mapping@ipisresearch.be](mailto:mapping@ipisresearch.be)). The maps are not only intended to provide answers but also to raise important questions. We invite others to use them as a framework for further thinking and action.

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<sup>2</sup> For more information on the IPIS mapping methodology consult the draft handbook at: [http://www.ipisresearch.be/maps/Handbook\\_Aug2008.pdf](http://www.ipisresearch.be/maps/Handbook_Aug2008.pdf).



MONUC patrol coming from Bogoro (IPIS, 2009)

## Part 1: The conflict actors

### 1.1. Lord's Resistance Army

**The titles in the white boxes refer to the map that should be consulted while reading the text**

The Lord's Resistance Army (LRA) is one of the most infamous armed groups in recent history. It has had the dubious honour of being the first warring party subject to indictment by the International Criminal Court in The Hague. Acts of violence by the LRA, often characterised by their extreme brutality, have become textbook examples of human rights violations.

The principal leader of the LRA is Joseph Kony. He is an 'Ajwaka' or diviner (also: spirit healer/witch doctor) of the Acholi people in Northern Uganda. Kony has been leading armed militias in Uganda since the 1980s.<sup>3</sup>

The first LRA units that came to the DRC to establish a base arrived in September 2005. Initially, the LRA presence in the DRC was barely noticed. The armed group had installed itself in the Garamba Park where it farmed, poached and mined. Until September 2008, the LRA were not challenged militarily<sup>4</sup> and they committed relatively few acts of violence against the Congolese people.<sup>5</sup> In September 2008, MONUC assisted the Congolese armed forces with the launch of the first *Opération Rudia* (Operation Return) against the Ugandan rebels. As a consequence, the LRA started targeting the local Congolese population. On the 14<sup>th</sup> of December 2008, an all-out offensive spearheaded by the Ugandan army was launched against them. This operation called 'Lightning Thunder' led to further LRA

<sup>3</sup> T. Allen, *Trial Justice. The International Criminal Court and the Lord's Resistance Army*, Zed Books, London, 2006, pp. 25-52.

<sup>4</sup> The sole exception was a secret operation by Guatemalan Special Forces that was executed in January 2006 and ended dramatically with the death of 8 blue helmets.

<sup>5</sup> They did however conduct several operations in the neighbouring countries of Sudan and CAR. Moreover, it has to be noted that during most of this period a series of peace negotiations were being held in Juba (South Sudan). These talks ran from July 2006 until November 2008. An agreement was reached and peace seemed within reach but Kony failed to show up at the signing ceremony. New ceremonies were planned but Kony never showed up. The last time he stayed away was on the 29<sup>th</sup> of November 2008.

reprisals, which culminated a few days later in a series of large-scale killings that came to be known as the 'Christmas Massacres'.<sup>6</sup> Operation 'Lightning Thunder' chased the LRA from its bases within the Garamba Park. It caused the break-up of the armed group in a number of smaller units that took flight in different directions and perpetrated a seemingly endless series of serious human rights violations against the civilian population. The operation officially ended on the 15<sup>th</sup> of March 2009 and was succeeded by 'Rudia II' two months later. The latter was proclaimed to be an operation executed solely by Congolese combat forces.

### Armed Groups

The current strength and structure of the LRA are difficult to find out. The areas where they hide are remote and scarcely populated. Its fighters are currently dispersed over at least three different countries (the DRC, the Central African Republic [BOX 1] and Sudan). Moreover, 4 different armies are fighting them (the UPDF, the FARDC, the SPLA and the FACA). Each of them has only partial intelligence and tends to spread information that fits within its own agenda.

Before the Rudia II operation started, the intelligence on LRA strength and positions was rather univocal. The rebels were based in the DRC and were about 700 fighters strong. They possessed more than 500 firearms, a few machine guns and about 5 rocket launchers. Their troops were organised in five major units, two of which were protection units and the other three constituted the LRA's operational 'division'. The movement was led by a high command of officers with specific competences (for example, training, supplies intelligence but also 'religious affairs'). Besides General Kony, the overall commander, the other most important commanders were: Major General Okot Odhiambo (army commander) and Brigadier Dominic Ongwen (G3, Commander in Chief of military operations).<sup>7</sup>

Estimates of the total LRA strength and their cross-border positions in November 2009 vary. Some sources mention a total number of combatants of 200 or less. Other sources believe the number to be 300 or higher.<sup>8</sup> In any case, the capacity of the LRA has clearly diminished. Although the air strikes launched on the 14<sup>th</sup> of December 2008 did not result in LRA casualties, they forced them to abandon the 5 camps they had installed on DRC territory.<sup>9</sup> In the meantime, their forces are divided into smaller groups, they have sustained significant losses and several important commanders have been killed or have surrendered.<sup>10</sup>

### BOX 1: The LRA in the Central African Republic

Although small groups of LRA combatants remain in both Haut-Uele and Bas-Uele districts of DRC, it is believed that the bulk of the LRA are currently in the Central African Republic. In January 2010, it was reported that small groups of LRA remain active in the Central African Haut Mbomou prefecture, near Obo and the Gbassibiri forest. The main group however, which includes Kony and is estimated to be 150 combatants strong, has moved further north. According to some sources, Kony might have already crossed into Darfur after passing through the no man's land south of the town of Sam-Ouandja. Others indicate the group might still hide in that uninhabited area. Either way, the UPDF has deployed between 200 and 500 soldiers in Sam-Ouandja.<sup>1</sup> Whereas Odhiambo is believed to have crossed into the CAR too, Ongwen has supposedly remained in the DRC.<sup>2</sup>

<sup>1</sup> E-mail correspondence by IPIS with UN and humanitarian sources in the CAR, January 2010.

<sup>2</sup> Confidential written UN source, October 2009.

<sup>6</sup> Human Rights Watch, *The Christmas Massacres. LRA attacks on Civilians in Northern Congo*, February 2009, p. 17.

<sup>7</sup> Confidential sources.

<sup>8</sup> The lowest estimates systematically come from the FARDC. Several sources interviewed by IPIS concur in the observation that the FARDC tend to minimise the LRA effectives and its capacity. Moreover, the FARDC completely downplay the LRA presence on Congolese territory. They claim that the Ugandan rebels have no bases left in the DRC and that they only appear in the area when they are on a specific mission.

<sup>9</sup> A main cluster of four camps south of Suke (immediately W from Garamba National Park) and an arrear base further to the west, north of Pilipili.

<sup>10</sup> To our knowledge, out of six active Brigadiers and Generals before the start of the Lightning Thunder operation, only three remain at large. The Brigadiers Ocan Bunia and Bok Abudema have been killed, while Brigadier Nixman Oryang (Opuk) has been captured. However, it has to be noted that the three most important leaders (see above), all ICC indicted, are believed to be still active.

## 1.2. Ituri militias

Post-independence Ituri has been characterised by several flare-ups of violent ethnic conflict, the most recent in the period 1999-2003. The protagonist peoples in these conflicts have always been the same: the Hema and the Lendu. Their ethnic antagonism has its roots in the struggle over land (and land usage) and the preferential treatment of the Hema by the Belgian colonisers.<sup>11</sup>

Although the Hema-Lendu conflict appears to be disconnected from the broader Congo wars, it is not. Between 1999 and 2003, Kinshasa, Kampala and Kigali all backed at least one of the Ituri militias. The genesis of the militias is a tangle. New movements were created, old movements were dissolved, groups splintered, alliances shifted etc. The most important armed groups that existed when a third (and last) DDR programme was launched in July 2007 were the FNI, the FRPI and the MRC (BOX 2).

Similar to DDR processes in the rest of the DRC, the demobilisation of the Ituri militias was executed with great difficulties. After the conclusion of two DDR phases (September 2004-June 2005 and June-September 2006 respectively), some militias had still not demobilised. A third phase was organised in July 2007, in which UNDP played a key role. The success of this operation was again only partial. Out of three remaining militias, one (FRPI) did not show up at the transit sites and another (FNI) showed up with only half of the numbers expected.<sup>12</sup>

Because of the incomplete DDR process, a clear risk exists that some of these groups might be revived. This is exactly what happened when in October 2008 suddenly a new militia, the FPJC (*Front Populaire pour la Justice au Congo*), appeared. Sharif Manda, the FPJC leader, tried to rally under his authority some of the remaining militia chiefs in Ituri. Exceptionally for the region, his movement was multi-ethnic. Initially his attempt seemed rather successful.<sup>13</sup> He was able to exert influence over several commanders in the field.<sup>14</sup> At the time of writing though, he has clearly lost the little control he had. Sharif resides in Kampala, far away from the fighters in the field he claims to represent. He is broke and in permanent need of medication because he has severe diabetes. It is reported that Sharif has tried to link up his movement with some of the other armed groups in the wider region but that he has failed.<sup>15</sup>

### **BOX 2: Short overview of the most important remaining Ituri militias before the start of the 3<sup>rd</sup> phase of the DDR programme.**

#### **FNI (*Front des Nationalistes et Intégrationnistes*)**

- Most important leader(s): Peter Karim (now in FARDC); Joseph Désiré Tchura (present chairman)
- Ethnic composition: Lendu
- Proclaimed number of remaining combatants: 602

#### **FRPI (*Forces de Résistance Patriotique de l'Ituri*)**

- Most important leader(s): Cobra Matata (now in FARDC), Germain Katanga (on trial before the ICC, The Hague)
- Ethnic composition: Ngiti (Lendu Bindi)
- Proclaimed number of remaining combatants: 3.495

#### **MRC (*Mouvement Révolutionnaire Congolais*)<sup>1</sup>**

- Most important leader(s): Mathieu Ngudjolo (on trial before the ICC, The Hague)
- Ethnic composition: mixed
- Proclaimed number of remaining combatants: 568

<sup>1</sup> The UPC (*Union des Patriotes Congolais*) does not figure in this list. Its best known leader, Thomas Lubanga, had already been arrested in March 2005 and was subsequently sent to The Hague a year later. Some of the remaining UPC fighters joined the MRC that was created in June 2006. Bosco Ntaganda, the CNDP leader who ousted Laurent Nkunda, was also a member of the MRC.

<sup>11</sup> International Crisis Group, *Maintaining Momentum in the Congo: The Ituri Problem*, ICG Africa Report, No 84, August 2004, p. 2.

<sup>12</sup> International Crisis Group, *Congo: Four Priorities for Sustainable Peace in Ituri*, ICG Africa Report, No 140, May 2008, pp. 3-4.

<sup>13</sup> Although all sources consulted by IPIS on the matter agree that currently there is no Ugandan support for any of the Ituri militias, it is less clear if such support might have existed when the FPJC was created.

<sup>14</sup> Interviews by IPIS with MONUC officials in Bunia, conducted in October and November 2009.

<sup>15</sup> Interviews by IPIS with international observers in Bunia, conducted in October 2009.

Almost a year after the sudden rise in militia activity in October 2008, the FARDC have

**Armed Groups**

launched the military operation 'Iron Stone' to restore security in the Ituri District. By the end of 2009,

the militias in Irumu and Djugu territories have been considerably weakened. In November, only two groups remained. The first and most important group has its headquarters in the Poto Poto area near Fichama (Irumu). It is the only group that has the fighting strength of a company (around 200). Its leader is Mbadu Adirobu. It has operated in the area for several years.

Before the emergence of the FPJC, the group was known as the FRPI. Mbadu is one of those militia leaders who temporarily seemed to accept the authority of Sharif Manda, but afterwards rejected it. The FRPI has no clear political objectives. At times it has demanded the liberation of some of its arrested officers but it has also expressed grievances about the neglect of Ituri.<sup>16</sup> Mbadu himself is reported to be dissatisfied with the rank he would receive were he to join the FARDC.<sup>17</sup>

A second remaining group is a much smaller militia led by 'Colonel' Baraka Ngona. The radius of action of the Baraka group is the eastern part of Djugu territory. Its base of operations is located in the Gogo/Tchey area near Lake Albert. Baraka controls a group of 25-40 Hema combatants. It is estimated that his group has 1 assault rifle for every three fighters.<sup>18</sup>



Ruined SOKIMO plant at the gold mines of Mongbwalu (IPIS, 2009)

### 1.3. Mayi-Mayi

**Armed Groups**

**Province  
Orientale**

Compared to all other eastern provinces of the DRC, only few active Mayi-Mayi militias remain in *Orientale*. Two significant groups continue to operate and they both hold positions in the far southeast corner of the province where the Maiko National Park is located. The Park covers areas of the provinces of North Kivu, Maniema and *Orientale* (where it lies completely within the borders of the vast Bafwasende territory).

The most active Mayi-Mayi group is an ethnic militia of the Kumu people. It is led by Major Luc Yabili.<sup>19</sup> As with most Mayi-Mayi groups, estimating the exact number of combatants is difficult but, considering the fact that Major Luc has recruited from all villages in the Bakumu D'Angumu sector, their numbers could be considerable. He has armed followers in at least 21 villages.<sup>20</sup> The 'Mayi-Mayi Kumu' have existed for almost 40 years and in that time they have advanced different motivations for taking up arms.<sup>21</sup> They

<sup>16</sup> Interviews by IPIS with MONUC officials in Bunia, conducted in October and November 2009.

<sup>17</sup> Interview by IPIS with FARDC officer in Bunia, conducted in October 2009.

<sup>18</sup> *Ibidem*.

<sup>19</sup> 'Major Luc' became the commander of the Mayi-Mayi Kumu in 2004 when he was the only leader who refused to leave the bush and integrate the FARDC.

<sup>20</sup> Confidential unpublished report by regional expert on Bafwasende, June 2009.

<sup>21</sup> They have also changed in composition. They have formed and broken alliances in the past and many fighters have been demobilised.

have asked for compensation for the local people when the Maiko Park was created, they have claimed to protect the land against the intrusion of the 'foreign' (Rwandan) AFDL, they have been involved in an ethnic conflict against the neighbouring Rumbi people etc.<sup>22</sup> Currently, they make no secret of their intent to bar all 'foreigners' (including FARDC) from mining in 'their' areas.<sup>23</sup>

In November 2009, the Mayi-Mayi Kumu were under pressure from an FARDC operation against them. They had already lost the town of Opienge they had captured in March of the same year. Intelligence on the continuation of the FARDC operation is very scarce because the fighting has shifted to remote park areas.<sup>24</sup> Before the operations started, the Mayi-Mayi headquarters was reported to be in Bayangana.<sup>25</sup> In the past, other strongholds were Balobe and Elonga.<sup>26</sup>

A second Mayi-Mayi group active within Bafwasende territory are the Mayi-Mayi Simba. The Simba are present in the southwestern part of Maiko National Park. Their radius of action includes the territory of Lubutu in Maniema province where its headquarters are located.<sup>27</sup>

The origins of the Mayi-Mayi Simba go as far back as 1964. Pierre Mulele was their initial leader. He was a Lumumbist who had returned to the DRC in 1963 to launch one of the first revolutionary struggles against a neocolonial state in Africa.<sup>28</sup> The Simba's ambitions at that time were countrywide. Their present-day agenda is unclear but obviously much more narrow.

The current ethnic composition of the Mayi-Mayi Simba is predominantly Kumu. Consequently, the Simba seem to enjoy some discreet support among the Kumu people, who are reputed to be eager miners. Tensions can regularly be observed between the Kumu and Songola people, an immigrated tribe with several intellectuals and executives.<sup>29</sup>

The Mayi-Mayi Simba are led by 3 non-integrated collaborating warlords, named Mando, Mila and Bukuyu. Estimates of their strength vary from about 800 to more than 1.000.<sup>30</sup>

More than once the Simba have announced they would engage in the brassage process, but every time they quit. In March 2009, for example, Colonel Mando and 276 of his combatants were supposed to integrate into the FARDC, but the Colonel fled the centre and reports of his men harassing people in Lubutu territory continued.<sup>31</sup>

## 1.4. FARDC

### FARDC

Both the FARDC land forces and navy are deployed in Orientale. The contingent of the former is considerable. The equivalent of up to seven Congolese army Brigades is deployed throughout the different districts. Some of these units are quartered at certain strategic positions, but the large majority participates in ongoing operations against armed groups. Currently, there are three zones of military operations in *Orientale*. The largest operation is Rudia II against the LRA, for which nine battalions have been deployed in the districts of Haut-Uele and Bas-Uele. Each of these battalions was given the name of a dangerous animal or creature. The operational command of Rudia II is located in Dungu.<sup>32</sup>

<sup>22</sup> Confidential unpublished report by regional expert on Bafwasende, June 2009.

<sup>23</sup> Interview in Kisangani by IPIS with local NGO working in Opienge, conducted in November 2009.

<sup>24</sup> Telephone interviews by IPIS with NGO worker in Opienge, conducted in November 2009.

<sup>25</sup> Confidential unpublished report by regional expert on Bafwasende, June 2009.

<sup>26</sup> Confidential written UN report, May 2008.

<sup>27</sup> In the village of Silisa in the Bitule sector.

<sup>28</sup> G. Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History*, Zed Books Ltd., London, 2002, pp. 121-140.

<sup>29</sup> Interview by IPIS with MONUC officials in Kindu, conducted in October 2009.

<sup>30</sup> *Ibidem*.

<sup>31</sup> Confidential written UN source, September 2009.

<sup>32</sup> Liaison officers of the 9<sup>th</sup> Military Region are present in Dungu and are obviously quite influential. When IPIS researchers visited the FARDC base and interviewed a Colonel who was one of the Rudia 2 commanders, their questions were mostly answered by another officer present in the room. Although this officer was inferior in rank to the colonel, he cut him short several times. The subordinate was not an operational commander of Rudia 2 but turned out to directly serve under the 9th Military Region.

A second ongoing FARDC operation is called 'Iron Stone' and is directed against the remaining militias in Ituri. The Iron Stone headquarters are located in Bunia. Officially, one FARDC Brigade (the 13th) and two separate battalions are deployed in the framework of the operation. They hold a number of positions in the territory of Irumu. In reality, two other Brigades in territories further north seem to take orders from the Bunia headquarters too (instead of Kisangani, where the headquarters of the Military Region is located). They may not participate in the Iron Stone operations but they fall within its chain of command.<sup>33</sup>

A third and final military operation in *Orientale* is running against remaining Mayi-Mayi groups in the Maiko Park and some surrounding villages. Less than a full brigade is participating in this action.

The FARDC navy has a number of positions along the Congo river and along the shores of Lake Albert.

More details on the composition and the history of some of these units are added below.



FARDC soldiers walking back to their base in Bambu (IPIS, 2009)

## **1.5. UPDF**

Officially there are no more operational units of the Ugandan army deployed on Congolese soil. They are all reported to have left by the end of March 2009 and only some liaison and intelligence officers remained. In reality however, some Ugandan combat units continue to be quartered in the DRC in the framework of the anti-LRA operation.

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<sup>33</sup> Interviews by IPIS with FARDC officers in *Orientale*, conducted in October and November 2009.



Number plate *Province Orientale* (IPIS, 2009)

## Part 2: Presentation of the map collection

Below we discuss the different digital maps which are an integrated and essential part of this analysis.<sup>34</sup> They can be consulted on the IPIS website: [http://www.ipisresearch.be/mapping\\_orientale.php](http://www.ipisresearch.be/mapping_orientale.php).

On the same webpage some technical instructions are added on how to operate the web maps and how to use their different interactive features.

### 2.1. Cartographic sources

The best cartographic source for the Democratic Republic of the Congo is the *Référentiel Géographique Commun* (RGC) ([www.rgc.cd](http://www.rgc.cd)). Its vector data is based on old topographic maps, so it is not very precise, complete or up-to-date, but it is regularly updated with additions and more accurate data (from GPS recordings or digitisation).

IPIS added several places (towns and villages), often on the basis of descriptions from local or UN sources (approximate location).<sup>35</sup> Some places already present in the RGC were relocalised when GPS recordings or recent digitisations were available from other sources.<sup>36</sup>

<sup>34</sup> For more information on the use of maps in IPIS reports see the draft methodological mapping handbook at: [http://www.ipisresearch.be/maps/Handbook\\_Aug2008.pdf](http://www.ipisresearch.be/maps/Handbook_Aug2008.pdf). In this book it is explained how the different maps are used to build and sustain certain arguments that are made in the text. Also, some concepts, such as the distinction between dynamic and static maps, are further refined.

<sup>35</sup> Some of the added places were found on older topographic maps from the USA and the Soviet Union, consultable on the Harvard website 'AfricaMap' (<http://africamap.harvard.edu>).

<sup>36</sup> Geographical source and 'origin' (old base, digitisation, GPS, approximation) are indicated in the information window that appears when clicking on a location (at SCE\_GEO and Origine respectively).

Other, more specific sources are mentioned below in the discussion of the separate maps.

## **2.2. The basic map ‘Province Orientale’**

### **Province Orientale**

The *Orientale* map is a standard geographical map showing the vegetation, hydrography, administrative divisions, road system and places of the province. In addition, information on airstrips and protected areas is included. This map is an essential source of background information that can, for instance, be used to identify the location of certain events.

The *Orientale* map was built with the vector data of the RGC, supplemented with land cover data from the Royal Museum for Central Africa (Tervuren) (RMCA).

## **2.3. The ‘dynamic’ maps**

Some of the maps show a specific situation or development that is not permanent. They provide information that is only valid for the period studied in this report. These are the dynamic maps. They mostly show information related to warfare and troop deployments.

### **Armed Groups**

A first dynamic map shows the positions of the different armed groups. There are three main areas in *Orientale* where rebels and militias are active. All groups are militarily (to a certain extent) under pressure. They have withdrawn or fled, some have dispersed and their chains of command have become opaque. Mapping such units is not an easy task. Therefore the armed groups map shows radii of action rather than exact positions and deployments. In the case of the Mayi-Mayi and the Ituri militias the radii are based on the location of their headquarters and the violent incidents in which they have been implicated. In the case of the LRA, the most dispersed group and currently without HQ, the reported human rights violations by the LRA in October 2009 serve as the most important basis.

### **FARDC**

A second dynamic map shows the deployment of the FARDC in the province. Here, the position of battalions, companies and some smaller units is given. The deployment of the FARDC often changes. The map reflects the situation as it was in October 2009.

### **Incidents**

A third map gives an overview of the military confrontations between the warring parties as well as the human rights violations in which they have been implicated. The human rights abuses are represented on the map with different symbols according to the perpetrator. For each event additional information is given on the exact date, place and the parties involved. The incident layer serves a double purpose. On the one hand, it shows where armed elements have been active, on the other, it gives us the opportunity to examine some specific events that may give an indication of the motivation of the combatants involved. The events included in the incident layer are based on data from several UN organisations and other available reports on human rights violations and confrontations in the region. For each incident, the type of source is mentioned.

### **Land Conflict**

A final dynamic map of this report provides information on existing land conflicts in the province. It shows where disputed areas are located and distinguishes between different types of conflict. Most of these conflicts occur in the densely populated Ituri district. In the two Uele districts, conflicts over land exist between the local population and the foreign Mbororo. The map shows the settlement areas of these nomadic pastoralists (cf. below). The information on Ituri was taken from extensive reports by specialised international NGOs<sup>37</sup>, supplemented with some elements gathered through field research. For the Mbororo, sources are cited below in the chapter ‘Motives of the Mbororo’.

<sup>37</sup> Mongo E., Nkoy Elela A.D. & van Puijenbroek J., *Conflits fonciers en Ituri. Poids du passé et défis pour l’avenir de la paix*, IKV Pax Christi & Réseau Haki na Amani, December 2009; RCN Justice & Démocratie, *Les conflits fonciers en Ituri: de l’imposition à la consolidation de la paix*, September 2009.

## 2.4. The ‘static’ maps

Quasi-permanent geographical features are presented on the static maps. Maps within this category contain information on characteristics of the region that might attract the presence and/or activity of armed groups.

### Natural Resources

An issue that receives a lot of attention in the context of the DRC is war profiteering from the country’s natural resources. To check where such resources could attract the presence of armed groups, a static map showing the location of mining areas is added. The map is based on information gathered from offices of the Congolese mining administration<sup>38</sup>, supplemented with elements from interviews with other people active in the sector. Besides extraction areas of mineral resources, the resource map also shows where industrial logging concessions are located in *Orientale*.

### Ethnic

Another map that can be very insightful when trying to explain the positions and behaviour of armed groups, is an ethnic map. It is a very difficult map to build, especially in countries such as the DRC, where recent and comprehensive demographic data are scarce, and where many ethnic groups live side to side, especially in the most densely populated areas. For the Tshopo, Bas-Uele and Haut-Uele districts, IPIS used the data of the ‘People’s Atlas of Africa’<sup>39</sup>.

### Land Conflict

The part covering the Ituri district, the most populated, was built according to the predominant ethnic group of each collectivity (chiefdom, sector)<sup>40</sup>. More detailed ethnic information for every Ituri collectivity, on the different peoples living side to side with the main one, can be found on our ‘Land conflicts’ map in the information window that pops up when clicking on a collectivity.

### Hideout

A last static map included in this study shows the areas where armed groups can most easily hide. On the map the most important jungle areas (‘dense vegetation’) are highlighted. We have also added a buffer zone of 20 km around major towns and of 10 km around important roads, because we can assume these areas are regularly patrolled by the FARDC or the police.

## 2.5. The report map

### Report

The report map serves as the cartographic version of a column ‘further reading/ further reference’. It comprises a single layer displaying a number of hyperlinks. The links are connected to specific places and redirect the user to reports, analyses, articles and other written material on that particular area. Hyperlinks to documents on security-related issues in *Orientale* as a whole were attached to the provincial capital of Kisangani.

<sup>38</sup> The Mining Division of *Province Orientale* provided IPIS with lists of villages (and rivers) where minerals are mined. No GPS coordinates of the actual mining sites are available, so the geographical precision of the location of a site depends on that of the village where it is situated. For several areas the Mining Division’s data is limited, so we added an item ‘Area of reference’ in the information window of each mining area. Only when it says ‘site(s)’ (i.e. the smallest area of reference), one can be sure that the actual mining sites are very close to the symbol on the map.

<sup>39</sup> *People’s Atlas of Africa*, by M. Felix and C. Meur, Brussels, 2001. The paper atlas was digitised by Harvard University’s Center for Geographic Analysis and made available on <http://africamap.harvard.edu>.

<sup>40</sup> Data mainly from: Mongo E., Nkoy Elela A.D. & van Puijenbroek J., *Conflits fonciers en Ituri. Poids du passé et défis pour l’avenir de la paix*, IKV Pax Christi & Réseau Haki na Amani, December 2009.



Artisanal gold miners (IPIS, 2009)

## Part 3: Analysis

### 3.1. The Uele districts

#### Province Orientale

The Uele districts are the two most northern districts of *Orientale* bordering the Central African Republic and Sudan. In the course of 2009, the slighted districts of Bas Uele and Haut Uele have repeatedly come to the fore of news coverage on the DRC. The main reason for this was the hunt for the LRA by the UPDF/FARDC coalition and the ensuing reprisal attacks by the rebels on the civilian population. The area also struggles with some older security problems, most importantly the presence of armed Mbororo pastoralists coming from the Central African Republic and Sudan.

#### A. Motives of the LRA

#### Armed Groups

The LRA fighters remaining in the DRC are dispersed all over the North of *Orientale*.

Throughout 2009 they have continued to be a thorn in the flesh of the local population. During the period September-October 2009, to which this study gives particular attention, the following areas have been affected by LRA violence.

In the eastern part of the northern region, scattered LRA elements have conducted attacks in the towns or vicinity of Faradje, Watsa and Aba.

In the central part, some LRA attacks took place close to the border with Sudan. Setting aside a few isolated incidents, it seems the LRA activity in this area has declined compared to the summer months of 2009.

In the west, Bangadi and surroundings were most affected. Moreover, violent incidents against civilians indicate that a group has headed far to the west of the province. In the beginning of October, for example, the town of Digba came under LRA attack and even as far as the town of Bili LRA activity has been reported. It has to be noted that in that last area there is virtually no presence of the FARDC.

Ever since its first arrival on Congolese territory in September 2005, the LRA has never advanced a specific agenda regarding the DRC. The demands of the movement have always been directed at Kampala. Manifestos and radio broadcasts from earlier years clearly show the movement putting forward grievances with respect to political, economic, religious, educational and judicial matters in Uganda.<sup>41</sup> Many LRA fighters continue to believe they are fighting for their people, the Acholi, whom they believe are being marginalised by an oppressive regime. The discourse continues to be used in political writings and it prominently figured during the latest round of negotiations in Juba that ran until November 2008.<sup>42</sup>

<b>Incidents</b>
<b>Hideout</b>

From studying LRA movements in the DRC in 2009 and the incidents in which they have been involved, it can be concluded that it is an armed group on the run, fighting for its survival. Its political agenda regarding Kampala is clearly less important than its will to survive, otherwise it would not flee many hundreds of kilometres further away from the Ugandan border. Moreover, whereas initially it left the Congolese population mostly undisturbed, it specifically and systematically started to target them later. The extent of the LRA brutalities needs to be emphasised (BOX 4). How could terrorising the population in a neighbouring country ever advance the LRA's political agenda?

The survival motivations of the LRA are not only inspired by the opposition it faces on the battlefield. Kony, Odhiambo and Ongwen are well aware they are under ICC indictment. Therefore negotiations with the Ugandan government do not offer them a watertight exit strategy. This was one of the major reasons why the Juba peace process ultimately failed.

The LRA's survival mode makes it an easy prey for regional patrons who could make good use of the rebels' tendency to wreak havoc on their surroundings, in exchange for some supplies. Consequently, possible further movements of the LRA in the direction of Chad or Darfur should be monitored closely.<sup>43</sup>

#### **BOX 4: The extent of the LRA attacks against civilian populations**

The 'incidents' map attached to this report clearly illustrates the extent and incessancy of human rights violations committed by the LRA. However, it only shows incidents that took place during the period June–November 2009, when both the Rudia I and Lightning Thunder operations had officially ended. Arguably by then the worst had already passed for the DRC population.

Indeed, it is worth repeating and stressing that some of the most serious human rights abuses had happened during the 9 months before. In a special report, the United Nations Joint Human Rights Office (UNJHRO) writes that in that period it has recorded **at least**:<sup>1</sup>

- 1.200 killings of civilians, sometimes preceded by rape.
- 1.400 abductions among which at least 630 children and 400 women.
- Thousands of buildings destroyed and/or looted, including schools, hospitals and churches.
- 200.000 IDPs who fled the violence.

It has to be kept in mind that the crimes listed above were perpetrated by a group of presumably less than 600 combatants in a region that is scarcely populated.

<sup>1</sup> United Nations Joint Human Rights Office, *Summary of fact finding missions on alleged human rights violations committed by the Lord's Resistance Army (LRA) in the districts of Haut-Uélé and Bas-Uélé in Orientale province of the Democratic Republic of Congo*, Special Report, December 2009, 24 p.

<sup>41</sup> T. Allen, *Trial Justice. The International Criminal Court and the Lord's Resistance Army*, Zed Books, London, 2006, pp. 43–44.

<sup>42</sup> Van Puijenbroek J. & Plooijer N., *How EnLightning is the Thunder? Study on the Lord's Resistance Army in the border region of DR Congo, Sudan and Uganda*, IKV Pax Christi Report, February 2009, p. 4.

<sup>43</sup> During several interviews by IPIS in Kinshasa and Kampala in October and November 2009, military and political observers

## Natural Resources

There are no recent reports of war profiteering by LRA units and it is highly unlikely that it is implicated in the exploitation of natural resources. Presumably, greed can be excluded as a motivation driving LRA behaviour. The only possible indication to the contrary is the presence of LRA elements at the outskirts of the Durba/Watsa mining area. At the end of September 2009 LRA combatants were reported to have attacked a number of villages in the area.

Because of the movement of LRA elements further west and south, in 2009, nickel from this area was announced as 'the new blood resource'.<sup>44</sup> The area described as 'Ganga Latina' (in fact, it should be 'Gangala Tina' or Mount Tina) is indeed known as a mineral rich zone. It is situated in the south of Dungu territory, close to the border with Watsa territory, and lies within concession PR 7514 (iron and gold) owned by Sanzetta Investments Ltd. Nevertheless, the circulating rumours on a possible link with armed conflicts in the wider area have never been confirmed.

## B. Motives of the Mbororo

During the second Congo war the MLC rebel movement occupied the Uele districts and created a specific problem for Congolese farmers that continues to affect them today. In 2002, the rebel administration allowed Mbororo nomadic pastoralists coming from the CAR to cross the Oubangui river and enter the DRC territory to graze their herds.<sup>45</sup> Ever since, the Mbororo have become used to crossing into the DRC and many have settled. They had attempted to use the Congolese territory before in the early 1980s but at that time they were repulsed by Mobutu's *Division Spéciale Présidentielle* (DSP).<sup>46</sup>

## Land Conflict

The Mbororo have a significant impact on both agricultural activity and environment in the area. Their presence is concentrated in the territories of Ango, Poko and Dungu (western part). The grazing herds cause considerable damage, especially to crops and water resources.<sup>47</sup> Moreover their presence and destructions provoke classic farmer/pastoralist conflicts with the local population who does not accept them.

In a census organised in the first half of 2008 by the Governor of *Province Orientale* more than 6.000 Mbororo pastoralists were counted owning more than 100.000 head of cattle altogether. The large majority of them were identified as Chadian nationals but more than 1000 were found to be Central African and Sudanese.<sup>48</sup> In the framework of the same census, many Mbororo were regrouped at four sites: Banda, Dakwa and Ango in Ango territory and Bosso in the territory of Poko. However, it had not been decided yet what to do with them when the LRA arrived in the region. A massive displacement and scattering of the regrouped Mbororo ensued.

Many of the Mbororo are armed. They have supplied themselves with weapons at a firearms market in the Mboki prefecture in the CAR.<sup>49</sup> They use the guns to protect their herds from wild animals, which they are also reported to actively hunt,<sup>50</sup> but they do not hesitate to use them against the local Congolese population either. In the neighbouring CAR, the Mbororo have even engaged Central African security forces on several occasions in 2007 and 2008.<sup>51</sup>

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mentioned that such movements had been reported. It seems, however, that these reports have never been confirmed.

<sup>44</sup> Le Potentiel, *Après le diamant, l'or, le coltan... La guerre du « nickel » en RDC*, 12 October 2009.

<sup>45</sup> *Procès-verbal de négociation entre la collectivité/chefferie de Sasa et les éleveurs Mbororo*, 22 July 2002.

<sup>46</sup> The District Commissioner of Bas-Uele, *Rapport circonstancié adressé à la délégation de l'Union africaine en mission officielle dans notre juridiction sur le dossier Mbororo (éleveur ouest africaine)*, 12 December 2007.

<sup>47</sup> Interviews by IPIS with several customary chiefs of Haut-Uele chiefdoms, conducted in Isiro in October 2009; Assemblée provinciale - Province Orientale, *Rapport synthèse de la mission effectuée dans les districts du Haut-Uele et du Bas-Uele sur le phénomène Mbororo et LRA du 29 janvier au 07 février 2008*, April 2008.

<sup>48</sup> Interview by IPIS with provincial deputy from Poko territory, conducted in Kisangani in October 2009.

<sup>49</sup> The District Commissioner of Bas-Uele, *Rapport circonstancié adressé à la délégation de l'Union africaine en mission officielle dans notre juridiction sur le dossier Mbororo (éleveur ouest africaine)*, 12 December 2007.

<sup>50</sup> *Les migrations transfrontalières des Mbororo au nord-est de la République Démocratique du Congo. Etude de cas au Haut Uélé et au Bas Uélé*, IKV Pax Christi report, April 2007; Assemblée provinciale - Province Orientale, *Rapport synthèse de la mission effectuée dans les districts du Haut-Uele et du Bas-Uele sur le phénomène Mbororo et LRA du 29 janvier au 07 février 2008*, April 2008.

<sup>51</sup> Spittaels S. & Hilgert F., *Mapping Conflict Motives: Central African Republic*, IPIS Mapping report, February 2009, p. 19.

In the course of 2009 a rumour ran that the Mbororo and the LRA were collaborating. The Mbororo were said to supply the LRA, possibly with arms. These rumours have never been independently verified. Clearly the LRA fighters were no friends of the Mbororo in the spring of 2009, because when the retreating rebels arrived in the area, the Mbororo fled their regrouping sites in a panic. It is possible though that afterwards there have been (individual) contacts and exchange.<sup>52</sup>

### C. Motives of the FARDC

#### FARDC

The FARDC deployment within the framework of operation Rudia II is considerable. Except for the west of the Bas-Uele district, the FARDC are deployed all over northern *Orientale*, with most of their troops concentrated between Dungu and Faradje. Until October 2009, the Republican Guard spearheaded the operation. When they were deployed in Dungu relatively few human rights incidents were reported.<sup>53</sup> Besides, they really seemed to be engaged in tackling the LRA problem, at least initially.<sup>54</sup> Throughout the entire Rudia II operation, it was consistently reported by the local population of the Uele districts that the FARDC did indeed attack LRA positions but that they often fired a few rounds in the air before approaching the enemy and that they almost never pursued them. Such an approach serves more to minimise the risk of personal harm and to chase the enemy than to defeat him. In October, a rotation of troops was initiated and the Republican Guard was replaced by the 93<sup>rd</sup> Brigade. This Brigade is reported by several independent sources to be a mixture of 'non-ex-rebel troops', (many) ex-CNDP soldiers and even a number of

#### BOX 5: A note on the FARDC's self-esteem

The Congolese army is often criticised by both the local population and international observers because several of its units commit grave and repeated human rights violations. Although army officers seem to be well aware of their bad reputation, they seem to care very little. A striking example of this attitude was observed by IPIS researchers during an interview with two of the commanding officers of an army brigade deployed in the operations against the LRA.<sup>1</sup>

As was pointed out above, the FARDC has a policy to deny the presence of LRA army units on Congolese territory. Apparently this position is even more important to some than to safeguard the honour of the institution they represent. No less than three times during the aforementioned interview, the FARDC officers preferred to slander their own men rather than acknowledge that the LRA retained a presence on Congolese soil.

The interview took place after IPIS researchers had been informed by MONUC that two LRA combatants were being held by the FARDC. When IPIS arrived at the army base and asked if it could interview the LRA captives, the commanding FARDC officers denied the existence of these prisoners and explained that they had arrested two of their own soldiers who had had a violent argument one with the other. When IPIS insisted that it had been assured that they had LRA captives at their base, the FARDC replied that there must have been some confusion. Maybe MONUC was referring to some other FARDC soldiers who had been arrested for harassing civilians and who were also detained at the camp.

At a later stage, the conversation was joined by a UN official who asked the FARDC commanders if they could provide more information on a recent LRA attack further west. Again, the FARDC officers waved aside any reference to the presence of LRA units on the territory of the DRC. They replied that the incident only involved two different FARDC units that had exchanged fire. Because of bad coordination, they had not recognised each other for what they were.

<sup>1</sup> Interview by IPIS in Dungu, November 2009.

<sup>52</sup> One source claimed during an interview by IPIS in Isiro in October 2009 that he had heard the testimony of an LRA escapee who stated that Joseph Kony had explicitly forbidden his soldiers to attack the Mbororo.

<sup>53</sup> Interviews by IPIS with UN officials in Kisangani, conducted in November 2009.

<sup>54</sup> Interview by IPIS in Kinshasa with MONUC analyst, conducted in October 2009.

FDLR.<sup>55</sup> In the short period since their deployment in the Dungu area, they have already established a considerable

### Incidents

record of human rights violations.<sup>56</sup> It is noteworthy that in October 2009 much less military confrontations between the LRA and the FARDC were reported. Apparently, the relief of FARDC troops did not boost the FARDC operations against the LRA, on the contrary.

The considerable deployment of the FARDC in the Uele districts could also be explained from an ethnic perspective. Whereas the Congolese army did not always succeed in preventing LRA violence, it successfully undermined the authority of several customary chiefs in the region.

### Ethnic

Several local and international sources interviewed by IPIS agree that Kinshasa feared the creation of a new armed group or even a popular uprising in the border region of the Uele Districts with Sudan and the CAR.<sup>57</sup> Across the three borders this area is inhabited by the same tribe: the Azande. Traditional authority among the Azande is still strong and in the months prior to the start of the Rudia II operation, they had clearly voiced certain grievances (BOX 6). Moreover, because of a lack of firm response from both the DRC government and MONUC against the LRA incursions, several self-defence units had been established in Azande towns.<sup>58</sup> Initially, these units had armed themselves with traditional weapons and hunting rifles, but they quickly expanded their arsenal with assault rifles. Some of the arms were bought or recovered on the battlefield, others taken by force from the Congolese police. There are even reports of some deliveries by the SPLA.<sup>59</sup>

### BOX 6: The Azande people

Before independence, it was estimated that around 500.000 Azande were living in the DRC.<sup>1</sup> More recent estimates mention a number of around 700.000 out of a total of 1.000.000 Azande living in the DRC, South Sudan and the CAR.<sup>2</sup> Historically, the Azande have been a tribe ruled by warriors and nobles. They were organised in a number of kingdoms ruled by a noble class called the 'Avungara'. The tradition of strong chiefdoms among the Azande persists until today.<sup>3</sup> The Azande living in the DRC, the CAR and Sudan have several grievances in common. Firstly, they all suffer from the extreme violence of the LRA. Secondly, they all feel insufficiently protected by their central governments. Thirdly, they feel neglected and politically powerless. A strong feeling of solidarity exists among the Azande living in the three different countries.<sup>4</sup>

The feeling of abandonment has especially surfaced among the Congolese Azande, who claim their interests are not promoted in Kinshasa. The Azande have one elected deputy in national parliament who is reported to hardly participate in any political process.<sup>5</sup>

Within the DRC, the Azande are concentrated in the territories of Dungu, Niangara, Ango, Poko, Bondo, Bambesa, Buta and Aketi.<sup>6</sup>

<sup>1</sup> Baxter P.T.W. & Butt A., *The Azande, and related peoples of the Anglo-Egyptian Sudan and Belgian Congo*, London, International African Institute, 1953, p. 13.

<sup>2</sup> Impens K., Essai de bibliographie des Azande, in: *Annales Aequatoria*, No 22, 2001, pp. 449-514.

<sup>3</sup> Van Puijenbroek J. & Plooijer N., *How EnLightning is the Thunder? Study on the Lord's Resistance Army in the border region of DR Congo, Sudan and Uganda*, IKV Pax Christi Report, February 2009, p. 20.

<sup>4</sup> Interviews by IPIS with Azande in Isiro and Bangui, conducted in October 2009 and November 2008 respectively.

<sup>5</sup> Interviews by IPIS with several traditional chiefs of Haut-Uele chiefdoms, conducted in Isiro in October 2009.

<sup>6</sup> Unité de Pilotage du Processus DSRP du Ministère du Plan, *Monographie de la Province Orientale*, March 2005, pp. 35-36.

<sup>55</sup> Interviews by IPIS in Kinshasa, Kisangani and Dungu, conducted in October and November 2009.

<sup>56</sup> Interviews by IPIS with UN officials in Kisangani and Dungu conducted in November 2009.

<sup>57</sup> Interviews by IPIS in Kisangani and Dungu, conducted in November 2009.

<sup>58</sup> United Nations Joint Human Rights Office, *Summary of fact finding missions on alleged human rights violations committed by the Lord's Resistance Army (LRA) in the districts of Haut-Uélé and Bas-Uélé in Orientale province of the Democratic Republic of Congo*, Special Report, December 2009, p. 14.

<sup>59</sup> Van Puijenbroek J. & Plooijer N., *How EnLightning is the Thunder? Study on the Lord's Resistance Army in the border region of DR Congo, Sudan and Uganda*, IKV Pax Christi Report, February 2009, p. 16.

In general, the self-defence units were quite successful in providing security to the local population against the LRA. Their effectiveness led to an uneasy cooperation with the FARDC and to several contacts with the Congolese government. The Prime Minister visited Dungu and a Zande delegation visited him in Kinshasa.<sup>60</sup> The relations were soon clouded though because of distrust. The Azande were accused by the FARDC of preparing a rebellion and even of conspiracy with the LRA. Their traditional chiefs were forced to use their influence over their people to convince them to disband the self-defence groups and leave all security matters to the FARDC.<sup>61</sup> By November 2009, most of the self-defence units had ceased their activities.

The combination of a strong customary power structure, explicit grievances and the formation of tribal fighting units may very well have convinced the political and military powers in Kinshasa to firmly establish their authority in the area.

<b>Natural Resources</b>
<b>FARDC</b>

The north of the *Orientale* province holds many precious minerals and other natural resources that seem to attract certain FARDC units, especially those that do not participate in 'Rudia II'. Information is scarce but FARDC units are known to have positions at mining sites near Buta, Isiro, Niapu and Watsa-Durba. It is notable that, except for Watsa, where an FARDC unit operation in the framework of 'Rudia II' is deployed, in those towns 'special' or 'independent' units operate.<sup>62</sup>

### 3.2. Ituri

The Ituri district is one of the most densely populated areas of the DRC. It borders Uganda with which it has strong economic and social ties. In terms of business and trade, Ituri is almost exclusively oriented towards Uganda. Furthermore, several of the ethnic groups living in Ituri have kinsmen across the Ugandan border.

<b>Province Orientale</b>
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The district is composed of five territories: Aru, Mahagi, Djugu, Irumu and Mambasa. Of these areas, Irumu and the Djugu are the ones still suffering from the presence of a considerable number of active and armed militia fighters.

#### **A. Motives of the militias**

The Baraka group has tried to recruit additional fighters but failed.<sup>63</sup> The fact that it has tried to boost its numbers indicates that it is still motivated to go on. The question is what their motivation could possibly be. The little information available seems to suggest certain greed motivations. The Baraka militiamen are reputed to be mere 'coupeurs de route' (road bandits) and they are known to traffic timber across Lake Albert to Uganda.<sup>64</sup>

<b>Armed Groups</b>
<b>Incidents</b>
<b>Hideout</b>
<b>Incidents</b>

The FRPI are cornered in the Poto Poto forest area. From a strategic viewpoint this is one of the most sensible areas to hide in a densely populated region. The looting raids they organise from time to time suggest that the FRPI are in constant need of supplies. The fact that the militia fighters seldom engage the FARDC indicates that they are on the defensive. That said, the FRPI are clearly much less in a survival mode than the LRA further north. They might be hiding but they are surely not on the run. The FRPI fighters remain close to their tribal areas. Remote areas further west would provide even better surroundings to hide and avoid the FARDC. Moreover, although the FRPI are practically surrounded by the FARDC, there are no reports of increased diplomatic activity from their side. They are apparently in no hurry to surrender. It seems that they feel little threatened in their precarious position. Looking at the limited number of (small) actions that the FARDC took against them after August

<sup>60</sup> Interviews by IPIS with several traditional chiefs of Haut-Uele chiefdoms, conducted in Isiro in October 2009.

<sup>61</sup> Interview by IPIS in Kisangani with MONUC official, conducted in November 2009.

<sup>62</sup> The chain of command of these units is difficult to establish but likely to be quite 'special' or 'independent'.

<sup>63</sup> Interview by IPIS in Bunia with an FARDC officer, conducted in November 2009.

<sup>64</sup> *Ibidem*.

2009, this is not surprising. Keeping in mind the behaviour described above, it is possible that the militia expects to demobilise but that it wants to hold out to cut a better deal before it actually does.

On the other hand, it should not be excluded that the FRPI are kept alive by certain patrons. Both UN and local sources have reported that the FRPI have received several visits from a helicopter in October-November 2009. It is not clear if the helicopters made any deliveries to the militia, but at least on one occasion it picked up an FRPI commander and flew him back and forth to a hotel across the Ugandan border.<sup>65</sup>

#### Natural Resources

The militia does not control any large mining site. It is however possible that militiamen still generate an income from mining activities. FRPI fighters are known to have come to work at the gold mining area of Bavi wearing civilian dress.<sup>66</sup> They were quite influential at the site. When the FARDC arrived in the area in March 2009, the FRPI miners mobilised their fellow militiamen to chase them away.<sup>67</sup> In the meantime their indirect control over the mining activities has considerably diminished. It is therefore unlikely that profit would be an important motivation for them.

#### Land Conflict

Issues of land and ethnicity are no longer the driving forces behind the FRPI. Land conflicts are an important issue in Ituri, which has known population pressure since colonial times.<sup>68</sup> The Congo wars have been a contributing factor to this problem: when they ended, large numbers of IDPs and refugees came back and had to compete with new inhabitants over the available space to live, cultivate and graze their herds. The territory of Mahagi is most affected by conflicts over land (it is also the territory with the highest population density). Djugu, Irumu and Aru have similar problems. The problems cannot be solved easily because of the lack of legal clarity on the attribution of land (BOX 7). In some cases in

#### BOX 7: Land conflicts and Congolese law

The issue of land attribution is not clearly regulated under current Congolese law.

Nevertheless, since the 'Bakajika law' of 1966 a clear basic legal principle was established and confirmed in further legislation. It stipulates that the Congolese state is the sole owner of the country's land and its underground resources. Following this principle, any private owner is deemed to have obtained a concession from the State and he has to have this registered at the land register. The State can assign any parcel that is not used for public purposes to a private owner. Only Congolese natural persons can acquire permanent land ownership<sup>1</sup>.

This straightforward principle is in direct contradiction with traditional systems of land allotment. In a traditional system, the distribution of land of a community is managed by its chief. The traditional chief is considerably restricted in his choices by a number of customs but still this responsibility is one of the main pillars on which his authority is founded<sup>2</sup>.

In theory, the principle of the State as the sole owner abolishes the traditional system, because, under Congolese law, 'custom' is a source of law in as far as it does not contradict the law. However, the Congolese legislator decided in 1973 to maintain the traditional system in anticipation of a specific Presidential Decree. This Decree would regulate past and future land allotment in areas under traditional authority but until today it has never been promulgated. Therefore a situation of legal uncertainty persists.

<sup>1</sup> RCN Justice & Démocratie, *Les conflits fonciers en Ituri: de l'imposition à la consolidation de la paix*, September 2009, pp. 23-26.

<sup>2</sup> *Ibidem*, pp. 26-27.

<sup>65</sup> Confidential interview by IPIS, conducted in November 2009.

<sup>66</sup> Bavi is a modest mining area but it is very well known all over Ituri because the exploited gold is reputed to be of the purest quality to be found in the district.

<sup>67</sup> Interview by IPIS in Bunia with a priest working in the Bavi-Gety area, conducted in November 2009.

<sup>68</sup> In fact, the Belgian colonisers had provided for expansion areas in the forested west of the District, where new generations could establish themselves. Several areas were cleared but a basic infrastructure was never built. Therefore the 'enclaves' were never used and the population pressure was not relieved.

recent years the conflicts have become violent, but there seems to be little to no interference from the militias.

### Ethnic Incidents

As a final note on the FRPI, it seems unlikely they would continue to be driven by ethnic motivations. The attacks they have executed at the end of 2009 do not show any ethnic logic. Whereas the FRPI used to be a Ngiti (Lendu Bindi) militia, they have attacked many towns that are traditionally Lendu, including for example the town of Gety, where people are fed up with the insecurity caused by the militias<sup>69</sup>.

## B. Motives of the FARDC

### FARDC

Considering the total estimated number of militiamen that is causing security problems in Ituri, the rather massive deployment of FARDC troops in the district raises some suspicion, especially since several sources indicate that the FARDC deployed in the framework of operation Iron Stone are only lukewarm to attack the militia's last remaining positions.<sup>70</sup> The FARDC's behaviour in Ituri hints at greed motivations.

In the first chapter, it was pointed out that all FARDC units deployed in Ituri respond to the 'Iron Stone' chain of command (Bunia-Kinshasa). The composition of this command structure is seriously out of balance, indicating the existence of a separate network within the army. The 13<sup>th</sup> Brigade is the only unit that has no ex-RCD officers among its top commanders. The other two brigades, the two independent battalions and the central command in Bunia number at least two ex-RCD officers among their top 3 commanders. Bearing in mind that the Bunia command answers directly to the Land Force command in Kinshasa, led by General Amisi (also ex-RCD), it is clearly not a unified Congolese army that is providing security in Ituri.<sup>71</sup> The existence of such a network within the FARDC is suspicious and raises the question whether it might serve certain 'business' interests.

### Natural Resources

Indeed, there are many reports of FARDC elements implicated in all kinds of lucrative activities. A clear example is the forestry sector in the Ituri District. With the exception of one official operator (ENRA<sup>72</sup>) all logging in Ituri is done by individuals and informal networks.<sup>73</sup> On the one hand, the large majority of wood from logging is used for firewood or to produce charcoal, which are very important energy sources for the local population. On the other hand, a significant amount is exported to Uganda and Kenya, sometimes in the form of trunks but often as sawn planks. The export of informal timber is considerable. Figures indicate that it is worth several times the official trade in terms of volume.<sup>74</sup>

Armed men, principally the FARDC, continue to make a profit from informal logging.<sup>75</sup> They are especially active in facilitating the smuggling of timber across the border. Inspectors and other officials do not dare to interfere with the cross-border movements of FARDC transports because they are intimidated, implicated or both. Most of the timber is transported to North Kivu, where it crosses the Ugandan border at Kasindi.<sup>76</sup> The bulk of the Ituri timber leaves the country without ever being registered. Congolese officials estimate the fraudulent exports to be as high as 66% or even 80% of total exports.<sup>77</sup> In some areas, the FARDC involvement goes further than facilitating the business and they function as the main operators. In the recent past, teams of FARDC workmen (soldiers and civilians who were sometimes forcibly recruited)

<sup>69</sup> Interviews by IPIS in Gety with Walendu Bindi chiefdom administrator and local population, October 2009.

<sup>70</sup> Several interviews by IPIS in Bunia with military experts, conducted in October and November 2009.

<sup>71</sup> When IPIS raised the issue with a member of the Congolese government in Kinshasa in 2009, the person confirmed and added: "This area was given to them as a present."

<sup>72</sup> In October 2008, it seemed that ENRA would no longer be allowed to continue its logging activity in its two concessions because they had not been accepted for conversion during the legal review of forestry titles. After the appeal procedure, however, they managed to retain one of them.

<sup>73</sup> Confidential report by international NGO, 2007.

<sup>74</sup> Debroux, L., Hart, T., Kaimowitz, D., Karsenty, A. & Topa, G. (Eds.), *Forests in Post-Conflict Democratic Republic of Congo: Analysis of a Priority Agenda*. A joint report by teams of the World Bank, CIFOR, CIRAD, AWF, CNONGD, CI, GTF, LINAPYCO, SNV, REPEC, WCS, WHRC, ICRF and WWF, 2007, 82 p.

<sup>75</sup> Interviews by IPIS at the District Bureau of the Ministry of the Environment in Bunia, November 2009.

<sup>76</sup> Interviews by IPIS with NGO workers, traders and civil servants in Beni and Kasindi, conducted in December 2007.

<sup>77</sup> Confidential report by international NGO, 2007.

were known to be logging in the areas of Zeu and Nioka in the territory of Mahagi.<sup>78</sup> Reportedly, FARDC units still ran such a timber exploitation and trafficking scheme near the town of Bukiringi in Irumu territory in October 2009.<sup>79</sup> In November 2009, Ituri's civil society have denounced similar practices in the village of Makofi (Djugu territory).<sup>80</sup>

Logging activities in Ituri are widespread but the timber resources are depleting fast. The most important area for current and future logging is the territory of Mambasa.<sup>81</sup>

Recently, more and more people from North Kivu are settling in the area.

Another business where the FARDC have been known to interfere is gold mining. One of the most striking examples is the profit the FARDC derive from gold mining activities in Bavi earlier in 2009. Especially the officer running the scheme catches the eye (BOX 8).

#### Natural Resources

Ituri's richest area in terms of gold is the Mongbwalu-Kilo region. Within this area the 4<sup>th</sup> Brigade, led by Colonel Bonane, has set up its headquarters in the town of Bambu.<sup>82</sup>

#### BOX 8: Major Massamba

Massamba (ex-RCD) is a former bodyguard of General Amisi, the Commander-in-Chief of the Congolese land forces. Before the Major's posting in Ituri, he was stationed in both Katanga and South Kivu. Both of his previous deployments were characterised by profiting from mining activities, serious human rights violations against civilians and insubordination against (some of) his superiors.

In Katanga, he was for a while (October 2006-June 2007) the interim commander of a Brigade based in Pweto. He was known to operate several mining pits at the mining site of Kapulo.<sup>1</sup> A series of complaints about human rights violations (committed by himself and his troops) were filed against him by civil society and other state services. He resisted several attempts to remove him. At a certain moment, he even ordered his soldiers to empty the heavy weapons depots and to position pieces of artillery around his residence.<sup>2</sup>

He was eventually discharged and sent to Kinshasa. After his suspension and forced stay in Kinshasa, he was sent to Kamituga in South Kivu. After being accused of violence against gold miners in December 2007 there, he was referred to the military prosecutor.<sup>3</sup>

In the summer of 2009, Massamba reappeared in another mining area. As the second in command of a battalion of the 13<sup>th</sup> Brigade he was stationed in Bavi. He was reported to commit several acts of violence and to force civilians to work for him in the mines.<sup>4</sup> During an argument with his superior he punched the latter, after which both were suspended.<sup>5</sup> In November 2009, Major Massamba was believed to be in Bunia waiting to be reassigned.

#### Natural Resources

<sup>1</sup> Spittaels S. & Meynen N., *Mapping Interests in Conflict Areas: Katanga*, IPIS Mapping report, August 2007, pp. 35-37.

<sup>2</sup> *Ibidem*.

<sup>3</sup> Radio Okapi, *Kamituga : les militaires interdits dans les zones aurifères*, 13 December 2007.

<sup>4</sup> Confidential interview by IPIS in Bunia, conducted in November 2009.

<sup>5</sup> Interviews by IPIS with FARDC officers in Bunia, conducted in October and November 2009.

<sup>78</sup> *Ibidem*.

<sup>79</sup> Interview by IPIS with MONUC official in Bunia, conducted in October 2009.

<sup>80</sup> Radio Okapi, *Ituri : certains officiers FARDC imposent à la population des travaux forcés, la société civile dénonce*, 15 November 2009.

<sup>81</sup> Mambasa is a bit of an odd man out compared to the other Ituri territories. Its surface area is bigger than those of all other territories in Ituri together. Its population, on the other hand, is, with almost 300.000 people, more than 3 times smaller than that of Aru territory, the second least populated. Finally, Mambasa is much less elevated than the rest of the District.

<sup>82</sup> IPIS could not find any proof of systematic profiting from the gold mining activities in the region by the 4<sup>th</sup> Brigade but it is certain that they have a massive presence and that soldiers frequent the mining areas, allegedly in search of deserters (source: interviews by IPIS in Mongbwalu, conducted in November 2009).

## Province Orientale

FARDC soldiers do not need expensive resources intended for export to make a profit. A good illustration is fishing. Ituri's largest fishing ground, Lake Albert, is in a deplorable state after more than a decade of armed conflict.<sup>83</sup> The loss and destruction of traditional fishing equipment during the war years and the fast growing number of new fishermen afterwards, have led to overfishing of the lake. Possibly the biggest wrongdoers are the Congolese Navy and their families. The soldiers sometimes fish themselves but they also have crews of fishermen 'under their protection'.<sup>84</sup> These crews feel free to use unauthorised equipment or to go fishing in reserve zones. The techniques these fishermen continue to apply, although forbidden by law, have a devastating effect on fish stocks. One example is night fishing with the use of electric lights. The lights attract insects and the insects attract the fish that swim to the surface. Another example is the widespread use of mosquito nets for fishing, to make up for the lack of suitable fishing nets. The meshes of mosquito nets are much too fine for sustainable fishing. Every fish gets caught in them, irrespective of size or age. The catching of too many small fish is pernicious for the survival of fish species and the fish stock in general.<sup>85</sup>

It is difficult for other state services to reprimand the FARDC because they fear their reaction.<sup>86</sup> The soldiers' wives often trade the catch of their husbands at the marketplace. Officially it is not allowed to catch and sell (too) small fish on the market and those who do can be punished. The people involved in the FARDC fish business, however, do not bother about these regulations.<sup>87</sup>

Bush meat is another important source of income for the FARDC. Widespread poaching by the FARDC has been reported by other state services.<sup>88</sup> There are indications that poaching is sometimes combined with the trafficking of ivory. Although there is insufficient evidence

### BOX 9: Treasure hunting

Mining profits certainly motivate certain individuals, commanders and entire units of armed groups to continue to be deployed, wield guns and sustain a climate of insecurity. Sometimes they will even be a deciding factor for them to launch certain attacks or to reinforce certain positions.

It should always be kept in mind though that all of the rank and file rebels (and FARDC) and the majority of their commanders are poor men with poor and needy families. These men try to generate some income that will get them and their families through the month and, because they know their situation will not structurally improve in the near future, they dream of getting rich.

An excellent but cynical illustration is the practice of treasure hunting. Treasure hunting is done by both civilians and armed groups, who regularly work in collaboration. The hunters look for forgotten caches of gold or other precious materials left by Belgian colonists after they fled the country. It is believed that many of these treasures exist and therefore some people systematically search for them. The FARDC have been implicated in some of these eager search parties. Often they are tipped off by local civilians about a certain location. The FARDC and their informants agree on how to split the potential loot, after which they launch an expedition. On the Bunia-Bogoro road, a broken statue of Stanley bears witness to this practice. Its concrete base was blown up with a missile during a search for a hidden treasure.<sup>1</sup>

<sup>1</sup> Interviews by IPIS with priests in Bunia, November 2009.

<sup>83</sup> Interview by IPIS with the provincial agricultural inspector in Bunia, conducted in October 2009.

<sup>84</sup> For this protection they are obviously paid or rewarded through other means.

<sup>85</sup> A recent scientific study by 'Agro Action Allemande', that IPIS unfortunately was not allowed to consult, indicates that since a few years at least 17 out of 47 recorded fish species in Lake Albert are no longer spotted.

<sup>86</sup> Interview by IPIS with the provincial agricultural inspector in Bunia, conducted in October 2009.

<sup>87</sup> *Idem*.

<sup>88</sup> Ministère de l'Environnement, Conservation de la Nature, Eaux et Forêts, Province Orientale, District de l'Ituri, Coordination de district, *Rapport Annuel 2008*.

to support the possible existence of an organised trade, at least two recent cases of ivory trafficking by the FARDC have been reported.<sup>89</sup>

#### FARDC

#### Incidents

Finally, FARDC officers in Ituri make a profit through purely criminal activities. One example is the systematic theft of vehicles across the Ugandan border.<sup>90</sup> Another is the embezzlement of public money.<sup>91</sup> The 1<sup>st</sup> Brigade deployed in the north is particularly infamous for its criminal activities and human rights violations committed against the local population. Especially cases of extortion are reported but also sexual violence.

The 4<sup>th</sup> Brigade, that has positions further south, also has a worrying human rights record.

#### Incidents

Although in this text a lot of emphasis is put on greed motivations within the FARDC, their economic activity should not only be seen as enrichment. For many, it is also a matter of survival (BOX 9). Furthermore, greed or survival are not the only drivers of their behaviour. At several occasions they have engaged the Ituri militias and thereby protected the local population. However, considering their total strength in the area and the limited action they have taken in the second half of 2009, protection of the population does not seem to be their main concern at the time of writing.

### C. Motives behind the DRC/Uganda border conflict

#### Province Orientale

In recent years, a limited number of violent incidents took place at the border between Ituri and Uganda on Lake Albert involving Congolese and Ugandan security forces and resulting in several casualties.<sup>92</sup> Officially, the incidents were caused by a border conflict between the two countries, possibly indicating power motivations of (one of) the two contending parties. At the centre of the dispute was the status of Rukwanzi Island off the southern shore of Lake Albert. Rukwanzi is inhabited by Congolese fishermen but Uganda claimed it was part of its territory. A ruling by a border demarcation commission in September 2008 decided that the island indeed belongs to Uganda and an agreement was signed by the Presidents of both countries.<sup>93</sup> However, other border disputes remain unresolved. More recently, the border south of Lake Albert has become a moot point. The Semiliki River, that was established in colonial times as the border between the Belgian Congo and the British Protectorate of Uganda, has since then significantly shifted its course.<sup>94</sup> Finally there are also tensions north of Lake Albert.<sup>95</sup>

#### Natural Resources

Behind the border disputes, though, another issue is at stake: oil. The demarcation of the border between the two countries could have a significant impact on oil exploitation activities. Oil is a resource that has never been exploited in *Orientale* before but will be in the near future. Significant reserves have been discovered in the Tanganyika Rift valley, and they are believed to be commercially viable. The oil fields are shared with Uganda where exploration activities have advanced much further.<sup>96</sup> The lack of progress on the Congolese side is caused by a series of unpredictable changes regarding contracts and concession holders made by successive Ministers of Hydrocarbons.<sup>97</sup>

Considering the oil issue, it seems the DRC and Uganda are rather interested in boosting their economic power than expanding their territories.

<sup>89</sup> Confidential interview by IPIS in Bunia, conducted in November 2009.

<sup>90</sup> Confidential written UN source, August 2009.

<sup>91</sup> Confidential written UN source citing Ituri MPs, October 2009. The embezzlement of money intended for the soldiers' pay within the FARDC was confirmed to IPIS during several interviews and some cases were given as example.

<sup>92</sup> International Alert, *Harnessing Oil for Peace and Development in Uganda*, Investing in Peace Briefing Paper, No 2, September 2009, pp. 74-75.

<sup>93</sup> Bloomberg, *Congo, Uganda Resolve Row Over Oil-Rich Island in Lake Albert*, 10 September 2008.

<sup>94</sup> Interview by IPIS with Belgian diplomat in Brussels, December 2009.

<sup>95</sup> Radio Okapi, *Pétrole : l'Ouganda accuse la RDC d'agression et de provocation*, 11 June 2009.

<sup>96</sup> Reuters, *Congo, Ugandan leaders boost oil, security ties*, 5 March 2009.

<sup>97</sup> International Alert, *Harnessing Oil for Peace and Development in Uganda*, Investing in Peace Briefing Paper, No 2, September 2009, pp. 68-72.

A related matter, although of a much lower profile, that might add to the tension is the demarcation of fishing grounds. On the Congolese side of the lake fishing grounds are seriously depleted, whereas on the Ugandan side fish stocks are much less affected. Ugandan waters have already started to attract Congolese fishermen.<sup>98</sup> As a result, tensions between the fishermen communities, which already existed,<sup>99</sup> are on the rise.

### **3.3. The territory of Bafwasende**

#### **A. Motives of the Mayi-Mayi**

Both Mayi-Mayi groups in the Maiko National Park seem to be primarily motivated by greed for natural resources.

##### **Incidents**

Major Luc's troops have no foreign aggressors left to fight. One exception might be the FDLR but IPIS does not know of any reported military confrontation between the two groups. If there is no aggressor, then there is no need to defend anything. A second motivation that can be ruled out is survival since until recently they were not really threatened. In the first half of 2009, military pressure on the armed group was not particularly high. The Mayi-Mayi even managed to chase the FARDC from Opienge in an offensive operation in March. Moreover, Major Luc, who does not seem to have to fear for prosecution, has had several opportunities to surrender peacefully and to undergo *brassage*.<sup>100</sup>

##### **Natural Resources**

Revelatory is the presence of Luc's Mayi-Mayi at mining sites. In the recent past his men occupied mines in Balobe, Angumu and Elonga. They were known to tax artisanal miners and they were sometimes used to protect the interests of certain businessman in the area through the use of force.<sup>101</sup>

The behaviour and motivation of the Mayi-Mayi Simba is similar. Forty years after their creation, their initial grievances have been long forgotten and toppling the regime in Kinshasa is clearly no longer a priority.

##### **Incidents**

It is also unlikely that survival motivations would drive Simba behaviour. Despite their proclamations, the Mayi-Mayi group is not defending any local community against external aggression. Throughout 2009 not a single incident was reported in which the Simba would have been reacting to armed aggression against the local population. On the contrary, a series of reports on extortion at roadblocks and the imposition of local taxes through customary chiefs indicate that they are a source of insecurity themselves.<sup>102</sup> In February 2009, for example, the Simba rebels erected numerous barriers. They claimed they wanted to stop FDLR arrivals, but instead they continuously harassed the local population.<sup>103</sup>

##### **Armed Groups**

The Simba are present in the park because they can profit from its natural resources in relative tranquillity and this might be the only remaining motivation for their existence. In Maniema, in the vicinity of Silisa, gold, diamonds, coltan and cassiterite are exploited. The Simba control the access to these mines and make artisanal miners (*creuseurs*) pay illegal taxes. A second important area for mineral exploitation controlled by the rebels is located in Punia territory (Maniema) where the Kasese area is known for its rich subsoil. The biggest part of Kasese is controlled by the FARDC, but the Simba rebels control a profitable part too.<sup>104</sup>

<sup>98</sup> *Ibidem*, pp. 76-77.

<sup>99</sup> Ugandan and Congolese fishermen have been known for example to regularly steal fishing equipment from each other.

<sup>100</sup> He even went to the *brassage* centre in Lukusa to return to Bafwasende afterwards.

<sup>101</sup> Confidential written UN report, May 2008.

<sup>102</sup> Confidential written UN source, February 2009.

<sup>103</sup> *Ibidem*. Recently even FDLR elements have been spotted among Simba ranks, indicating a possible alliance.

<sup>104</sup> Interview by IPIS with MONUC officials in Kindu, October 2009.

Finally, in the beginning of 2009 the Mayi-Mayi Simba even opened up their own mineral trading business in Lubutu territory when they forced the employees of mining company GEMICO to leave.<sup>105</sup>

Because of the remoteness of the park areas where they operate, local authorities and international observers agree that the Mayi Mayi cause only limited humanitarian problems.<sup>106</sup>

## **B. Motives of the FARDC**

Two FARDC battalions are deployed in Bafwasende territory, the 103<sup>rd</sup> and the 908<sup>th</sup>. Information on the military operation against the Mayi-Mayi is scarce. However, between August and November 2009 a number of incidents involving the FARDC have been reported. The alleged army abuses include forced labour, illegal taxation and the occupation of houses of the local population. Consequently, even if the FARDC operations against the Mayi-Mayi would be successful, the security and well-being of the local population seem of secondary importance.

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<sup>105</sup> Confidential written MONUC source, February 2009.

<sup>106</sup> Interview by IPIS with the Governor of Maniema, conducted in October 2009.



View from the MONUC base in Dungu (IPIS, 2009)

## Conclusion

The districts of Ituri, Haut-Uele, Bas-Uele and the territory of Bafwasende continue to suffer from armed groups. Whereas Ituri has been the major battleground at the end of the Congo wars, in 2009 the Uele districts were the scene of most of the warfare in the province.

Generally speaking, the strength of the armed groups throughout *Orientale* is limited and their effectives are few. Moreover, there is a considerable presence of the Congolese army. Most of the FARDC soldiers are deployed in military operations against these small groups. Their operations have dislocated the various rebels and weakened them. It is not excluded that the Ituri militias and the LRA might still be supported by outside patrons, but even should such a support still exist, it would be rather limited. The armed groups have stolen and plundered throughout 2009 indicating they are short on food and other supplies.

Nevertheless, the armed groups are not finished. Somehow they outlive the FARDC operations and continue to cause insecurity. Just looking at the numbers of government soldiers versus rebels, this is startling. There are several explanations for how this is possible.

First, all of the armed groups, the LRA in particular, seem to be almost exclusively focused on survival. They do not attack strategic targets, they do not fight over the control of natural resources and if they were ever driven by the political or social agendas they once formulated, such grievances are no longer reflected in their behaviour in the field in 2009. The LRA has divided itself in several groups, fleeing in all directions. The Ituri militias are hiding in a forest area. The Mayi-Mayi of Bafwasende retreated further into the Maiko Park that they know very well. All of these groups have a number of veterans among their ranks.

Secondly, the FARDC rank and file, who are badly paid and maintained, are not really motivated to engage the armed groups and tackle the problem. They prefer to hold their positions and deter rebel activity by their mere presence, rather than risk their lives in a gunfight. Besides, with the lack of payment, gaining a livelihood for them and their family often becomes a priority over waging war.

Thirdly, several FARDC units, especially in Ituri, are (or have been) implicated in profitable trafficking of minerals and timber. Such units, their commanders in the first place, have an interest in prolonging their deployment.

The principal motivation driving the remaining armed conflicts in *Orientale* is security. The FARDC is the most offensive warring party and is deployed to restore security in the area. Unfortunately, this motivation clashes with certain survival and greed motivations they have developed. In the case of the armed groups, survival is the main motivation for fighting, with possibly additional greed motives for the Mayi-Mayi groups of Bafwasende.<sup>107</sup>

Meanwhile, the local population suffers. Members from all warring parties commit serious human rights violations. On the one hand, the armed groups seem to have become rebels without a cause. The LRA and the Ituri militias specifically target the local civilian population during their attacks or raids. Without any doubt, the LRA is by far the most brutal violator of human rights. What cause could ever justify killing and abducting scores of Congolese civilians?

On the other hand, the FARDC fail to provide sufficient protection. Worse still, they even betray their mission of protecting their fellow citizens by committing many human rights violations themselves, particularly extortion and sexual violence.

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<sup>107</sup> The role of the UPDF was not discussed. Partly because their deployment has been seriously reduced since March 2009, but also because little information on them is available. IPIS regrets it was not able to compare UPDF positions and behaviour with other geographic data.



Children at the outskirts of Gety (IPIS, 2009)

## Recommendations

The following recommendations are suggestions on:

- How the motives of the armed groups could be removed.
- How the FARDC could be brought to retain the single motive they should have, protecting the country and its people.

### With respect to the LRA

The war effort of the UPDF should be continued and Kony has to be captured.

DDRRR efforts need to be stepped up because the LRA combatants need to be convinced that they have a far better chance to survive by surrendering than by continuing to run.

The FARDC should actively hunt down the dispersed LRA remaining on its territory, not allowing them to recover and reconnect with their fellow combatants in the CAR and/or Sudan.

A good working relationship will have to be established between the Azande population and the Congolese security forces for they need each other. A number of Azande fighters could for example be officially integrated into the Rudia II units.

The LRA needs to be deterred from re-entering the DRC. Therefore the border has to be closely monitored.

### **With respect to the Ituri militias**

The militias should be offered a deal to surrender and should be held to a clear, irrevocable and short deadline.

It could be considered to provide for their maintenance during the period preceding this deadline.

If they do not comply, resolute and immediate action should be taken.

### **With respect to the Mayi-Mayi**

Complementary to the ongoing operation, the Mayi-Mayi should be offered a deal to surrender. They could for example be offered the possibility to work as artisanal miners in sites under state control.

The 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Military Regions should cooperate in this operation.

In the long term, complete ICCN authority over the Maiko Park should be re-established. International support is needed.

### **With respect to the FARDC**

A clear and unified chain of command should be established as to make clear responsibilities.

The FARDC urgently need further reform at all levels to improve discipline and morale. Additional international support may be required. Regular and sufficient payment is a prerequisite.

A nationwide policy has to be adopted towards FARDC units involved in illegal profiting from the extraction of natural resources. Clear examples have to be set among commanders as well as rank and file soldiers.



(Wreck of an old Kilo Moto company truck at Nizi, IPIS, 2009)

## Abbreviations

AFDL	<i>Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre</i>
CAR	Central African Republic
CNDP	<i>Congrès National pour la Défense du Peuple</i>
DDR	Disarmament Demobilisation and Reintegration
DDRRR	Disarmament Demobilisation Repatriation Resettlement Reintegration
DRC	Democratic Republic of the Congo
DSP	<i>Division Spéciale Présidentielle</i>
ENRA	Enzyme Refiners Association
FACA	<i>Forces Armées Centrafricaines</i>
FARDC	<i>Forces Armées de la République Démocratique du Congo</i>
FDLR	<i>Forces Démocratiques de Libération du Rwanda</i>
FNI	<i>Front des Nationalistes et Intégrationnistes</i>
FPJC	<i>Front Populaire pour la Justice au Congo</i>

FRPI	<i>Forces de Résistance Patriotique de l'Ituri</i>
GEMICO	<i>Générale des Mines du Congo</i>
ICC	International Criminal Court
IDP	Internally Displaced Person
IPIS	International Peace Information Service
LRA	Lord's Resistance Army
MLC	<i>Mouvement pour la Libération du Congo</i>
MONUC	<i>Mission de l'Organisation des Nations Unies en République Démocratique du Congo</i>
MRC	<i>Mouvement Révolutionnaire Congolais</i>
NGO	Non-Governmental Organisation
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OKIMO	<i>Office des mines d'or de Kilo-Moto</i>
RCD	<i>Rassemblement Congolais pour la Démocratie</i>
RCD-N	<i>Rassemblement Congolais pour la Démocratie-National</i>
RCD-KML	<i>Rassemblement Congolais pour la Démocratie-Mouvement de Libération</i>
RGC	<i>Référentiel Géographique Commun (www.rgc.cd)</i>
RMCA	Royal Museum for Central Africa (Tervuren, Belgium)
SPLA	Sudan People's Liberation Army
UN	United Nations
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNJHRO	United Nations Joint Human Rights Office
UPC	<i>Union des Patriotes Congolais</i>
UPDF	Uganda People's Defence Force