



# Policy Briefing Paper

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## Will Democracy Take Root in the Congo?

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*This briefing paper highlights concrete steps that Canada can take toward ensuring peace and democracy in the Democratic Republic of the Congo. Elections are just the start. The international community, including Canada, needs to prioritize peace with justice in the traumatized heart of Africa.*

It has been over 40 years since Mobutu Sese Seko, with the help of U.S. and Belgian security agents, overthrew the Congo's last elected government and killed its leader, Patrice Lumumba. The elections held this year in the Democratic Republic of the Congo (the Congo) are meant to put an end to an era of dictatorship and war. However, elections will ensure a better future for Congolese only if Congo's international partners in the transition to democracy decide to play a more positive role in the country.

Canada provided \$12 million in support of the recent elections in the Congo. By all accounts, the money was well spent. But Canada and the international community supporting the Congo still

have a long way to go to ensure a new democratic state becomes a peaceful one which protects people's rights rather than one which rewards only privilege.

If Canada wants to help stabilize post-election Congo, it needs to encourage the remaining presidential candidates to be more conciliatory during the final round, as well as after the results are announced. The country remains divided.

Canada should also work to discourage the illegal trade in weapons and goods across the Congo's borders as well as help the new authorities to prosecute violations of human rights, particularly if Canadians are involved. Finally, Canada needs to regulate its mining companies, companies which at times have been accused of making the human rights situation in the Congo worse.



*The ink-stained fingers of young Congolese voters*

## Who will win the 50 Votes?

*... the business of throwing pebbles into bowls with the most pebbles winning an election ... was peculiar. To the Congolese... it seems odd that if one man gets fifty votes and the other gets forty-nine, the first one wins altogether and the second one plumb loses.*

-Leah's Gospel, *The Poisonwood Bible*.

It appears that the Congo is headed for a too-familiar democratic outcome: winner take all, loser nothing. Irrespective of the final outcome of the 2006 election for president, the new leader will remain unpopular with a large part of the population he has been elected to serve, a potentially dangerous outcome for the Congo and the region where no fewer than nine African nations were involved in the fighting in the Congo which ended in 2003.

The election has pitted President "war bus", Joseph Kabila, from the East against Jean-Pierre Bemba Gombo, an alleged war criminal from the West, with the loser unlikely to give up power very quickly. Violence has already broken out

1 <sup>st</sup> ROUND RESULTS
Joseph Kabila: 45%
Jean-Pierre Bemba: 20%
Antoine Gizenga: 13%
Nzanga Mobutu: 5%
Oscar Kashala: 4%
Other: 13%
Turnout: 70%

Source: Independent Electoral Commission (CEI)

between the rival factions and neither candidate has enough support throughout the country to establish stability by themselves.<sup>1</sup> The international community needs to urge the victor toward conciliation, to relinquish the hope of absolute power to ensure a peaceful transition for all Congolese. Without sustained pressure, a peaceful outcome is unlikely.

Jean-Pierre Bemba Gombo (the alleged war criminal) is from Equateur province in the north and is very popular both in his home province and in western Congo. He was sworn in as one of four vice-presidents in the transitional government in July 2003, as the son of a prominent

businessman and friend of former President Mobutu Sese Seko, one of Africa's most brutal dictators.

Bemba, as he is known, established the Movement for the Liberation of Congo (MLC) in 1998 and stood as the party's candidate in the election. During the 1998-2002 civil war, the MLC, then a rebel movement backed by Uganda, controlled vast areas in the north of the country, committing atrocities there, including several reported cases of cannibalism. Bemba is unpopular throughout the Congo's eastern provinces, in the Kivus, Haut Zaire and Ituri, for example.

The other candidate, 35 year-old Joseph Kabila had only given two news conferences in Kinshasa before campaigning began and had made very few speeches, despite being president for more than five years. He remained largely unknown outside eastern Congo, his home region, prior to the elections. Born in the mountains of Fizi, South Kivu, Kabila became the world's youngest head of state in January 2001, after the assassination of his father Laurent-Desire Kabila, a hero to many Congolese for having liberated the country from Mobutu.

The younger Kabila grew up in exile in Tanzania, learning Swahili and English rather than Lingala and French, the main languages of Kinshasa. His schoolmates in Dar es Salaam nicknamed him "war bus" because of his love of war films and martial arts. Kabila ran as an independent.

## Consolidating the Elections

The idea of holding fair elections across a country as large and diverse as the Congo seems almost inconceivable. Throughout the national territory, there were 50,000 polling stations and 260,000 electoral staff watched by over by 17,600 United Nations' peacekeepers, 80,000 national police, 1000 European troops, and thousands of domestic and international observers during the first round. All of this in an area four times the size of France with no more than 500 kilometres of paved roads. Moving people and polling material about was a nightmare for the Independent Electoral Commission (CEI).

<sup>1</sup> IRIN, "DRC: Battling it out in Kinshasa," August 22, 2006.

In a country which has not held elections in over 40 years, simply putting together a voters' list of the more than 25 million eligible voters was a daunting task. While there were numerous omissions from the list, and challenges for officials on election day, most people who wanted to seemed able to vote.<sup>2</sup>

By most accounts, election day went rather smoothly. While some materials went missing, and while most polling station workers were given no food or water throughout the day, people worked incredibly hard to make election day a success.

The challenge for the international community now is to ensure acceptance of the final results once they are released. There are many potential spoilers, not least among them the supporters of the losing candidate, as well as the media, which are already stirring up trouble.<sup>3</sup>

The international community, including the members of the International Committee for Support of the Transition (CIAT), needs not only to discourage the spoilers but also encourage Kabila and Bemba to use more conciliatory language during the next round, focussing on policy rather than the inflammatory rhetoric used during the first round.

### **Controlling the Armed Groups**

Stability in the Congo is dependent upon the stability of the country's neighbours, and vice-versa. Eastern Congo is critical in this regard as it borders Uganda, Rwanda and Burundi. All of these countries have their own internal conflicts. And all of them, in one way or another, have intervened militarily in the Congo.

But Rwanda is the key. Despite its small geographical size, it has one of the most powerful armies in the region. It has intervened directly in the Congo at least twice on the grounds that the

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<sup>2</sup> Institute for Security Studies, "Democratic Republic of Congo Update: A second round of elections?" *Situation Report*, August 16, 2006

<sup>3</sup> Television stations associated with the candidates have been shut down for attempting to "incite trouble and violence among the security services and the population ..." according to Congo's media authority. Alertnet, "Congo heads for runoff as Kinshasa votes drip in," August 17, 2006.

remnants of the ethnic Hutu army which committed the Rwandan genocide are still a coherent force hiding in the forests of the Congo.

As of October 2005 there were still an estimated 8,000 to 10,000 FDLR (Rwandan Hutu rebels) in eastern Congo, and tens of thousands more refugees.<sup>4</sup> A primary goal should be to effectively repatriate these people back to Rwanda, urging the government to negotiate with the rebels, even if many are "criminals".<sup>5</sup>

The UN needs to increase its efforts to disarm and rehabilitate combatants, including the estimated 30,000 child soldiers, many of whom have been abused and the girls raped by their commanders. The international community also needs to stem the flow of weapons into the territory. Too many weapons continue to flow into the country and too many "ex-fighters" are returning to their units.

Congo's national army (FARDC) has also been accused of committing abuses.<sup>6</sup> This force needs stabilizing by purging and trying soldiers who have committed atrocities and establishing more professionalism throughout the ranks. To encourage the latter, both the FARDC and Congolese police need guaranteed salaries (and focused human rights training) to encourage them to stop their abuse of civilians.

### **Regulating Resource Extraction**

While the tragic events in Rwanda have resonated with Canadians through our connection to the leader of the UN peacekeeping mission, Lt. Gen. Romeo Dallaire, there is a strong but little-spoken of Canadian connection to the present state of affairs in the Congo.

The Congo is home to several of the world's most valuable trading commodities: gold, oil, diamonds, coltan and cassiterite. Canada is home to some of the world's largest mining corporations – several of which have investments in the

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<sup>4</sup> International Crisis Group, "A Congo Action Plan," *Africa Briefing* no. 34, October 19, 2005, p. 6.

<sup>5</sup> International Crisis Group, "The Congo: Solving the FDLR Problem Once and for All," *Africa Briefing* no. 25, May 12, 2005, p. 1.

<sup>6</sup> Human Rights Watch, "D.R. Congo: Civilians Killed as Army Factions Clash," New York, July 1, 2005.

Congo. There is a strong relationship between the continued instability in Congo and the exploitation of its natural resources.<sup>7</sup>

Canadian firms operating in the Congo include TSX-listed American Mineral Fields, Inc., which has been closely linked with Kabila's father, SouthernEra Diamonds, a Canadian diamond firm, and Banro Corporation, a Canadian-based gold exploration company now operating in South Kivu. According to the Canadian publication Corporate Knights, over half of all global mining operations raise their capital in Toronto: "Bay Street is where you go if you want money to mine – anywhere."<sup>8</sup>

In 2003, the Lutunda Commission was set up by the peace accords to assess the legality of mining deals entered into by the former armed belligerents in the war, including the transitional government. The Commission included representatives from all the major parties to the conflict. Its first report recommended that sixteen contracts be ended or renegotiated, that twenty-eight Congolese and international companies be investigated for violations of Congolese law, and that seventeen persons be prosecuted for fraud, theft and other charges. To date, nothing has been done.<sup>9</sup>



*Local miner sifting Coltan, a mineral used in cellphones*

In order to ensure that Canadians and Canadian-based companies are not complicit in fraud and/or human rights abuse, the Canadian government needs to establish mandatory corporate accountability standards as a precondition for both financial and political assistance, while helping the Congo do the same. As well, Canada needs legislation to hold Canadian companies and their directors accountable in Canada when found complicit in human rights abuses and environmental destruction abroad.

## Conclusion

Elections in themselves do not ensure democracy. Democracy is also a system of rights. In the Congo, as elsewhere, without the protection of the rights of all citizens there can only be more hardship. If Canada and its international partners are serious about wanting to bring about a better future for Africans, they need to give as much attention to the human rights on the continent as they have to trade and elections.

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<sup>7</sup> In 2005, Human Rights Watch published a report in 2005 that documented massacres, arrests, torture, summary executions and forced labour in gold mines by various armed groups. In Mongbwalu, local residents attest to the direct link between changes in regional control by various armed groups, and renewed digging for gold. "The Curse of Gold," June 2005.

<sup>8</sup> Toby Heaps, "The Heart of Darkness," *Corporate Knights*. CK16, June 5, 2006.

<sup>9</sup> International Peace Information Centre, "The State vs. the People," Antwerp: 2006.