

April 13, 2010

Peace Strategy For the DRC

In the Democratic Republic of the Congo (DRC), peace and prosperity remain elusive. In 2009 and through the first half of 2010, rebel groups (notably the CNDP, FDLR, and the Mai Mai) continued to fight for access to Congo's natural resources while some rebels were rapidly integrated into the national army (FARDC). In the northeastern Orientale Province, the Ugandan rebel group the Lord's Resistance Army (LRA) continues to attack civilians indiscriminately. Violence erupted in Equateur over access to land and fishing rights, resulting in the displacement of at least 100,000 civilians. In other parts of the country, such as the Katanga province, American (FreePort McMoran, OM Group and Blattner Group and multi-national corporations mine for copper and other minerals, and clear cut the rainforest as they log with little compensation to the local population. From 1998 – 2007, according to International Rescue Committee an estimated 5.4 million civilians died, making the ongoing instability in the DRC the world's deadliest conflict since World War II. There are an estimated 2 million internally displaced people in the DRC, and 300,000 Congolese refugees in neighboring countries.

Based on the ongoing violence against the civilian population, resource exploitation, and environmental degradation, the following organizations support and urge the U.S government to include the following recommendations in its DRC 2010 policy objectives:

Implementation of public law 109-456, Democratic Republic of the Congo Relief, Security and Democracy Promotion Act of 2006

This bill was introduced by President Obama when he was a Senator and signed into law in 2006. This bill requires the US to, among other things; withhold assistance from governments who are "taking actions to destabilize the Democratic Republic of the Congo".

- *We ask Congress to fully fund the actions outlined in this law and hold a hearing on the status of its implementation and extend law beyond 2011.*

Violence Against Women and Children: End the Impunity

Efforts by the DRC government and MONUC have been ineffective at stopping violence against women, as well as arresting and prosecuting the perpetrators of these crimes. Congolese women are being raped as a tool of war in alarming numbers, especially in the Kivu Provinces and the Orientale Province.

- *The U.S. must help strengthen and empower the judicial structures in Congo in order to prosecute cases of violence against women.*

Comprehensive Security Sector Reform

Members of FARDC are responsible for violating human rights and are involved in illegal exportation of minerals. The Congolese military and police forces face numerous challenges including lack of funding, proper training, and chronic supply shortages. The rapid and hasty integration of former rebel groups into the FARDC has resulted in a national army that is heavily infiltrated by members of the Rwandan and Burundian armies and human rights violators. This has been documented by the UN Group of Experts in its November 2009 report.

Additionally, many of the former rebel group leaders have been promoted to high ranking positions within the FARDC despite their documented history of human rights abuses and war crimes.

- *FARDC personnel who have committed human rights abuses, such as Bosco Ntaganda who is indicted by the International Criminal Court, must be arrested and prosecuted.*
- *The Congolese military and police must receive human rights training and be held responsible for violations of codes of conduct.*
- *Increased support for civil institutions working to protect civilians and punish criminals.*
- *Refuse to provide support for political entities that are responsible for regulating the military and judicial system until those regulations are in place.*
- *Support the separation of FARDC funding and wages from the military chain of command.*

Inclusive Peace Negotiations

In order to achieve peace, regional governments must be held accountable for their destabilizing involvement in Eastern Congo. Peace can be achieved through negotiations that involve all stakeholders in the region. The Rwandan government must guarantee voluntary and safe return for refugees still living in the Congo and open political space to members of the Democratic Front for the Liberation of Rwanda (FDLR) once they return.

- *The US should initiate and encourage sustained and comprehensive regional diplomacy that engages all parties, including Congolese women's organizations and representatives.*

Democracy Benchmarks for 2011 Elections

To continue the progress made in 2006, the DRC will need support and resources for the 2011 national elections. We ask the US to support the democratic process through voter education, civil society empowerment, fair and uniformly applied candidacy laws and independent observers, and the respect for the rule of law by ensuring that elections are held at all levels, as required by the constitution.

- *Provide resources and trainings as necessary to encourage free and fair elections in 2011.*
- *Encourage MONUC to remain to protect civilians.*

Independent Auditing Mechanism for Conflict Minerals Supply Chains

The DRC government currently lacks the capacity to monitor the mining and exportation of its minerals. Numerous rebel groups and the Congolese national army continue to illegally trade, and export minerals. Armed groups use the revenue to finance their activities. Myriad electronic, military, and medical products are made throughout the world with components of legally and illegally minerals mined in the DRC.

International corporations are also implicated in human rights violations and environmental degradation while making huge profits in DRC. One of the most egregious cases of this is in the copper belt, where copper and cobalt are mined by American company Freeport McMoran. Civil society organizations have researched many contracts established between the Congolese government and mining corporations and have concluded that most of these contracts not only inhibit state development, but also fail to compensate the government or local populations at market parity. Rwanda makes more money from the trade in illicit minerals than any one or grouping of rebel groups. For mineral extraction and trade to become legal and generate revenue for the Congolese people instead of armed groups and foreign corporations the US should consider the following actions:

- *Place equal emphasis on the role of neighboring countries (Rwanda and Uganda in particular) and armed groups in reform.*
- *Assess all US companies involved in fueling the conflict since 1996. The US should assess the myriad studies over the past 13 years to determine which companies have violated Organization for Economic Co-operation and Development (OECD) guidelines and what penalties or sanctions should be imposed on violators of these guidelines.*
- *Enforce Section 105 of Public Law 109-456 Democratic Republic of the Congo Relief, Security and Democracy Promotion Act of 2006.*
- *Pass and implement S.891 Congo Conflict Minerals Act of 2009 and H.R. 2478 Conflict Minerals Trade Act of 2009 upon incorporation of recommendations in the above bullets.*
- *Pass S. 1700: Energy Security Through Transparency Act of 2009 which would require companies to, among other things, publish the payments they make to foreign governments not only for oil and gas, but also for minerals.*

Stop VULTURE Funds from Profiteering from Congo's Debt

Financial corporations, including US funds, are purchasing defaulted debt of countries such as the Congo for pennies on the dollar and in turn are exploiting legal loopholes in IFI and US government sponsored debt cancellation programs to try and obtain judgment for payments far in excess of the original debt. Such companies have been dubbed vultures as they scour the globe seeking to collect on sovereign debt of underprivileged countries. Congresswoman Maxine Waters has sponsored the *Stop Vulture Fund Act, (H.R. 2932)* which calls for prohibiting of any US person from profiteering from sovereign debt of underprivileged countries.

- *We ask that members of Congress support and pass this bill.*

Endorsing Organizations & Individuals

Africa Action

Africa Faith and Justice Network

Congo Global Action

Friends of the Congo

Mennonite Central Committee U.S

Sisters of Notre Dame de Namur Justice and Peace Office

Great Lakes Restoration

Foreign Policy In Focus

Congo Coalition of Chicago

Volonte Congolaise Pour une Vie commune