

UNDERSTANDING THE FDLR IN THE DR CONGO:

KEY FACTS ON THE DISARMAMENT & REPATRIATION OF RWANDAN REBELS

In light of the history and current political situation in the Great Lakes region, innovative strategies are needed to address the situation of the Rwandan rebels. Military operations will continue to face severe limitations and lead to continued humanitarian consequences for the local Congolese population.

- Consistently linked to the Rwandan genocide of 1994, the FDLR are better understood in relation to the massive revenge killings of Hutu refugees in the eastern Congo from 1996 to 1999. Following the destruction of the refugee camps in the Kivus, the RPF systematically hunted down, often bating with promises of humanitarian aid, and slaughtered over 300,000 Hutu civilians. The survivors of these massacres constitute the young officer corps and rank and file of the FDLR today. These forgotten massacres strengthened Hutu extremists who provoked the genocide through inciting fear the RPF would be this brutal. Many FDLR claim their arms are a defense for the remaining refugees who have not received any assistance for over a decade. Furthermore, while only a small percentage of the FDLR actually participated in the horrors of 1994, the Rwandan government has been reticent to collaborate with MONUC regarding FDLR leaders not implicated in the genocide.
- The FDLR must be viewed in light of the regional history of armed rebellions formed by refugees and/or political exiles who have eventually taken power back from undemocratic regimes. While Paul Kagame's Ugandan-based RPF is the most notable example of this, both Joseph Kabila and Pierre Nkurunziza (Burundi) reached the Presidency in their respective countries through organizing rebel groups from Tanzania. The FDLR represent a threat to the Kigali regime only in so far as they follow this largely successful strategy of exile rebellions in the region. Moreover, the international community has consistently supported direct political negotiations with all cross-border rebel groups in the region including most recently the LRA in Uganda and the FNL in Burundi, both with notorious human rights records.
- While an undeniable increase in the repatriation of Rwandan refugees and ex-combatants has resulted from recent joint operations, **The FDLR's command structure and military capacity remains almost entirely intact.** Since the RDF was welcomed into the Congo on January 20th, over 500 FDLR combatants have been repatriated by MONUC's DDRRR program. However, DDRRR's attempts to broker individual deals between certain high-level commanders and the Rwandan government have proven ineffective. Besides the capture of one Lt. Col and the ambush killing of another, no significant members of the FDLR leadership have deserted in recent months. The majority of those who have presented themselves to the MONUC are rank and file soldiers responsible for small commercial activities in outer rebel positions in North Kivu alone. Having previously decided to seek repatriation to Rwanda, these combatants took advantage of the rebels' evacuation of certain positions to escape their commanders. While low profile FDLR pose no threat to the Rwandan government, FDLR officers remain the backbone of the military structure.
- **Serious questions remain regarding the UN's ability to monitor the reintegration of refugees and ex-combatants following repatriation.** In 2001, UNHCR was threatened with expulsion after it increased monitoring of Rwandan returnees, some of which had recently been "refouled" from Tanzania. UNHCR has expressed their significant concerns about sending over nearly 4,000 civilians back to Rwanda with little capacity to follow-up on their reintegration into local communities. With regards to ex-combatants, DDRRR's personnel constraints and inconsistent cooperation with Rwandan authorities have led to sporadic visits limited to mostly the Mutobo re-education center. The World Bank funds the entirety of the Rwandan Demobilization & Reintegration Commission's activities, which was recently accused of sending hundreds of Tutsi soldiers to fight with the CNDP. Its close partnership with the government undermines the Bank's capacity to provide objective and independent monitoring. The FDLR have insisted that their failure to fulfill the promises to repatriate outlined in the Rome Declaration of 2005 is due to the absence of an International Monitoring Committee (IMC) to ensure their safety upon return.
- The recent Gacaca conviction and subsequent life sentence for former FDLR General Amani Amahoro will deter many officers from voluntarily disarming. General Amani led a splinter group in mid 2005 seeking to comply with the Rome Declaration. Despite no assurances of an IMC, he returned with over 150 loyal soldiers in the largest repatriation since 2002. At the time, the Rwandan government told MONUC that General Amani was not suspected of participation in the genocide. Nevertheless, a traditional court judge recently found him guilty for killings committed by his Army brigade during the civil war against the RPF, well before the genocide. Despite previous assurances of his safety upon return, the UN was powerless to intervene in his defense in the controversial Gacaca process.
- The failure of a recent go-and-see visit of FDLR officers to Kigali, due to reported intimidations, raises significant doubts regarding the **Rwandan Government's real will to promote repatriations.** In mid 2008, over 150 members of a longstanding splinter faction

FDLR-RUD, had voluntarily been disarmed by MONUC. Following lengthy negotiations in Kisangani, a trip was organized for some of its leadership to visit Kigali along with MONUC staff and embassy representatives. The same week the RDF had entered the Congo, the FDLR officers were brought to genocide memorials and refused entry to observe a Gacaca hearing although they noted from a distance that the accused were not allowed to defend themselves. Upon returning to the Congo, the entire group of ex-combatants and their dependents fled from the MONUC camp. Had the Rwandan government truly wanted their operations to facilitate voluntary repatriations, they would have seized the opportunity to ensure this delegation shared a positive impression of the current situation in Rwanda with other combatants.

- The overwhelming RPF victory in recent local elections legitimates FDLR claims that space for any political opposition is non-existent in Rwanda. Informal reports from an EU electoral observation mission have emerged alleging that although the RPF officially claimed nearly 79% of the vote, their actual tally may have been over 98%. In order to give the appearance of a more balanced democracy, they apparently distributed votes to two other loyal parties. Economic and political power remains resoundingly concentrated in the hands of the Ugandan Tutsi elite from the RPF.
- Although the Nairobi Communiqué included the possibility of relocating FDLR ex-combatants and refugees fearful of returning to Rwanda, the Congolese government has made no provisions for this option. For years, many young FDLR combatants, who faintly recall Rwanda or are married to Congolese women, have expressed serious interest in disarming but remaining in the Congo. While in December 2007 the Rwandan and Congolese governments agreed on offering asylum and relocation of FDLR combatants, neither government appears interesting in seeing this happen. The FDLR are also hesitant to trust the Congolese government who made similar promises to large numbers of disarmed combatants in 2002 at Kamina and then attempted to forcefully repatriate them. Furthermore, the over 4,000 refugees fleeing the joint operations have only been presented with the option of returning home when they arrive to UNHCR reception centers. Their repatriation out of fear of being killed by the RPF borders on refoulement.
- The FDLR feel deeply betrayed by the Congolese government's new collaboration with Rwanda and this will continue to negatively impact their treatment of the local population. Were it not for the military expertise of ex-FAR officers, who trained the majority of Mai-Mai groups in the Kivus, the RPF might have toppled the government of Laurent Kabila. Throughout the recent conflict with Rwanda's proxy army of the CNDP, the FDLR's role as a principal defender of the Congo was reaffirmed. Retribution against those communities whose Mai-Mai forces recently sided with the FARDC/RDF cannot be ruled out. Furthermore, while the operations claim to have dislodged the FDLR from main villages, history proves that the disruption of their regular commercial and subsistence activities often leads to increased exactions on civilians.
- The FDLR will be eager to demonstrate that these joint operations had little impact on their military strength and that the FARDC cannot defeat them alone. Reports have already emerged that the Congolese army has not retained certain positions taken over by the RDF. During previous operations against the FDLR, the FARDC have often only remained in important commercial centers and mining areas which they could control and tax. With nearly fifteen years mastering the geography of the Congo, the FDLR can also easily relocate to positions where military offensives by an undisciplined former ally will prove too difficult. Moreover, the FDLR has recently limited the movement of the local population so as to use the presence of civilians to complicate the RDF's offensive and lure them into committing atrocities. Given that the FDLR would benefit from any public outcry for regarding the humanitarian consequences of future operations against them, they may employ strategies to assure that this occurs.
- The narrative focusing on the FDLR as the source of all regional conflict fails to recall the countless other profound underlying issues to be addressed. "Eradicating" the armed political opposition of the FDLR, would not be a guarantee that political freedom would magically appear in Kigali. Analysts have said for years that this political arrangement is untenable. Diverted by these operations against the FDLR, sight cannot be lost of the near non-existence of the Congolese state, the brutal and under-resourced FARDC, natural resource management, pervasive gaps in infrastructure, as well as ethnic tensions. Moreover, another main source of regional tension, Rwanda's economic interests and ties in the Congo may have been strengthened by their recent operations in North Kivu.
- While benefiting from the revenue generated from certain mines in the eastern DRC, the FDLR sustain themselves through a wide variety of economic sources. In addition to participating in the mineral commerce pervasive throughout the Kivus, the FDLR also take part in mundane activities such as agriculture and selling small products like soap in local markets. In Mwenga, they are well known for traveling great distances to purchase and resell cows from Congolese Tutsis. Consequently, even if the FARDC were to retake control of the mines under FDLR control, the rebels would not financially disintegrate. Furthermore, no legitimate Congolese government structure exists to administer mines and ensure that their wealth translates into roads, schools, and hospitals. The FARDC often control mines in the same brutal fashion as other armed groups.
- The FDLR have not constituted a military threat to Rwanda for over five years. Although not respected, the Rome Declaration of May 2005 represented a definitive recognition of the FDLR's incapacity to threaten military Kagame's tight grip on political power in Kigali. The Rwandan government publically recognized this reality in 2004 and the FDLR has done nothing to alter this analysis. The FDLR would rather wait for political negotiations when international opinion eventually sours on the Rwandan regime.