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WORLD DEVELOPMENT REPORT 2011

BACKGROUND CASE STUDY

DEMOCRATIC REPUBLIC OF THE CONGO

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I. Background and Overview of Recent History

Although the specific topic of this paper is eastern Congo, the present situation in that portion of the country is incomprehensible without an understanding of two additional subjects: first, the overall situation in the Democratic Republic of the Congo (DRC), and, second, the relationship of eastern Congo with its neighbors, most importantly, with Rwanda.

General Background: The Shrinking of the State

The DRC has been described by one senior African diplomat at the United Nations as a "state in the making; it is not yet a state."[1] Further, this "state in the making" also is a state that, with few exceptions, has been in decline since the early 1970s. This brief excerpt summarizes Congolese history through the lens of state building (and decline):

> The colonial era, from 1885 until 1958, was a period of nearly uninterrupted state construction; the hegemony of the Belgian colonial apparatus steadily deepened. In its final two years, the colonial edifice progressively lost control over civil society to a tumultuous and fragmented nationalist movement, which was unable to capture intact the colonial infrastructure. The result was five years of turbulent state deflation, generally known as the "Congo crisis." The Mobutu coup of 1965 inaugurated a new cycle, with eight years in which a rising tide of state ascendancy seemed to dominate the political process. After 1974 currents of decline again began to flow strongly, progressively eroding the superstructure of hegemony.[2]

Decline is clearly seen by comparing per capita GDP across time.[3] I have chosen five data points: 1960, 1974, 1991, 2001, and 2008. The first marks independence; the last is the most recent year for which data are available. 1974 is the high point for per capita GDP; 2001 the low point; and 1991 marks the first round of large-scale rioting and pillaging in Kinshasa and elsewhere in the Congo by the Congolese Army and the start of the final decline of the Mobutu regime.

Year	Per capita GDP (constant 2000 US$)	% change from 1960
1960	$323.15	0
1974	342.69	6
1991	178.19	-45
2001	81.01	-75
2008	98.51	-70

[1] Comment to author, November 2008.
[2] Young, Crawford and Turner Thomas, The Rise & Decline of the Zaïrian State, 1985, p. 7. This and other works referenced in this paper are discussed in greater detail in the Congo Literature Review paper (not public).
[3] All data come from the World Bank data set prepared for the World Development Report.

The data show a vertiginous decline, including a 55% decline in ten years, between 1991 and 2001. Even with growth restarting in 2001, after Joseph Kabila's ascendance to the Presidency upon the assassination of his father, Laurent, Congo today remains desperately impoverished.

President Mobutu ruled the Congo from 1965 to 1997. He attained – and retained – his presidency by positioning himself as an ally of the West. In the context of the Cold War, the stability brought by Mobutu's dictatorship was seen by Western governments as a success. With the end of the Cold War, the West lost interest in the Congo, largely withdrawing its assistance programs and maintaining only minimal diplomatic missions. Mobutu retreated to a houseboat on the Congo River, engaging in nearly no governance of this huge country, as big as all of western Europe or the United States east of the Mississippi River.

The actual purpose of the Zaïrian government under Mobutu was not to fulfill basic state functions; rather, the government existed as a structure for individual enrichment and patronage. Officials at the highest levels stole large amounts of money, usually from mineral or customs revenues, sometimes through extremely straightforward strategies, such as literally pocketing gem diamonds and having them sold for personal gain in Antwerp or elsewhere. Given this mindset, the private sector was seen as something to be exploited for bribes, rather than as the potential motor of development progress. During the final decades of Mobutu's rule, civil servants throughout the country – soldiers, doctors, customs officials, judges, teachers – became accustomed to extremely low salaries (which they regularly did not even receive, since they were stolen by other government officials). Over time, these officials developed more or less successful coping strategies to try to accumulate at least the minimum required for the basic survival of themselves and their dependents. Those strategies necessarily involved turning sharply away from effective performance in their official capacity.[4]

1997-2001: Mobutu Falls, Decline Continues

Rwanda intervened in the Congo in late 1996 to end the threat posed by tens of thousands of armed Rwandan Hutus involved in the 1994 Rwandan genocide. The soldiers involved in the genocide, their supporters, and others had perched on the DRC side of the border since 1994 and were aided by the Mobutu Government. At the same time, Laurent Kabila, a minor rebel leader in the Congo in the early 1960s, now supported by Rwanda and Uganda, reemerged in late 1996 as the leader of a rebellion against President Mobutu. With the Cold War over, no Western state supported Mobutu.

The roots of the Congolese rebellion lay in Rwandan actions against their enemies, and with large-scale assistance from Rwanda and Uganda, Laurent Kabila easily seized control of the entire Congo in May 1997. The United States chose to engage with Laurent Kabila's government, albeit without providing much in terms of foreign assistance, but European states kept Laurent Kabila's government at arm's length. The World Bank, whose staff responsible for Central Africa was keen to reengage in the Congo, was unable to do so because of Congo's huge debt to the Bank, the IMF, and other International Financial Institutions (IFIs), as well as

[4] See Young, Crawford and Turner Thomas, The Rise & Decline of the Zaïrian State, 1985, for a more detailed, thorough analysis.

European reluctance to endorse the necessary steps. China, extremely active in Africa today, including a high level of involvement in the Congo, was hardly engaged in the Congo at all beyond a small diplomatic mission. African governments, particularly Congo's eastern neighbors Rwanda and Uganda, took on the role of supporting the Kabila government.

By the spring of 1998, nearly all of these states were discouraged by the erratic, unproductive behavior of Kabila and many of his senior advisers. The extreme volatility of this situation was fully revealed in August 1998 when another war began that ultimately drew in African armies from Chad to Zimbabwe. Congo's neighbors split, with Angola supporting President Kabila, and Rwanda and Uganda each supporting different rebel movements.

Western states and the UN Security Council were immediately concerned by the danger posed by the magnitude of the war. The lack of interest in stabilizing the Congo, which had characterized Western actions in 1997 and most of 1998, changed radically. A ceasefire agreement, reached with support from Western and African nations, was signed in Lusaka, Zambia, in the summer of 1999. A few months afterward, in November, the UN Security Council authorized the creation of the UN Organization Mission in the Democratic Republic of the Congo, generally known by its French acronym, MONUC. MONUC's initial mandate was to monitor the implementation of the Lusaka Ceasefire Agreement. The ceasefire cemented the division of the Congo into three large pieces: one controlled by the government, the other two by different rebel groups.

It is a difficult counterfactual exercise to assess whether other choices by outside actors, particularly donors, may have led to a more peaceful trajectory for the Congo. The extreme ideological positions of some key Kabila Cabinet Ministers, the record of human rights failures, and many other problems suggest that too many fundamental conditions were missing to permit the massive level of international engagement necessary which may have stabilized the situation in 1997-1998. Further, it is now clear that the rotted Congolese state was propped up during this period by non-Congolese advisers, such as Rwandan General James Kabarebe, who, in effect, controlled the Congolese Army during this period.[5] Therefore, it is unlikely that timelier and better-focused international assistance during this period would have made an appreciable difference.

[5] Although throughout this period General Kabarebe was portrayed as a Tutsi from eastern Congo. Therefore, he used a different form of his actual name, first just "James," and, then, a "Congolized" form of Kabarebe – "Kabare." General Kabarebe actually is of Rwandan origin, although he was raised, studied, and began his military career in Uganda. He currently serves as the Rwandan Minister of Defense.

2001-2006: Things Start to Go Right

By the beginning of 2001, the Congo appeared stuck in an intractable civil war, with armies from five other African states still deeply involved. This situation only began to change after the assassination of President Laurent Kabila in mid-January 2001. Kabila's son, Joseph, became president after his father's death and swiftly moved to lead the Congo toward reconciliation, transition, elections, and more positive engagement with the West, including the IFIs.

The West responded positively to these surprising developments. Effective diplomacy by the international community engaged in the Congo, coupled with large-scale intervention by MONUC, supported President Kabila's rapprochement with rebel leaders.[6] This combination of factors led to the creation of a transitional government of national unity in 2003, and, ultimately, successful national elections in 2006. It was in this context that substantial aid flows, from bilateral and multilateral sources, were restarted.

In the context of myriad constraints, the 2006 elections were reasonably free and fair. The period leading up to the installation of a democratically elected national government in Kinshasa was characterized by heavy engagement by the international community, including the UN, the European Union (EU), the Southern African Development Community (SADC), a number of SADC member states, Britain, Belgium, France, and the United States. The EU committed approximately $500 million dollars toward elections and deployed troops in Kinshasa to ensure stability during the electoral period. MONUC provided logistical support and deployed its forces aggressively throughout the country to ensure calm. In retrospect, the elections of 2006 look like a high water mark in recent Congolese history.

2007-2010: Things Start to Go Wrong Again

Donors consciously deferred all non-electoral medium-term legitimacy and state-building issues until after elections. What actually transpired, though, is that the major bilateral donors substantially reduced their political (although not their financial) engagement rapidly following successful elections.[7] Research on fragile states strongly suggests that states like the Congo regularly become more, not less, fragile, after elections, and are acutely vulnerable in the period following elections.[8] Instead of seeing the period following elections as one for heightened engagement, key donors, naïvely and against all empirical analysis, saw the 2006 national elections as an "exit strategy" from heavy political/diplomatic involvement in the Congo.

After elections, the Congolese national government continued to struggle to exercise the essential functions of an effective state. The full superstructure of failed governance behaviors in the Congo was bequeathed by Mobutu to Laurent Kabila, who made no serious modifications to it before war broke out again in August 1998. No fundamental changes could happen during wartime, nor could they occur during the politically complex and messy transition, when power

[6] Gambino, Anthony W., "Congo: Securing Peace, Sustaining Progress," Council on Foreign Relations, Center for Preventive Action, Council Special Report No. 40, October 2008, p. 12.
[7] Author's discussion with various bilateral donor representatives.
[8] Collier, Paul, Wars, Guns, and Votes, HarperCollins, 2009, p. 20 ff.

was divided largely according to corrupt access to resources and patronage principles, with Ministries often assigned to officials lacking even the most basic competencies to undertake their functions.

The Congolese state was left with monumental tasks. MONUC laid out conditions under which it could withdraw successfully.[9] They include:

- The Congolese Army and Police achieve levels of capacity that enable them to assume responsibility for the country's security, including duties now performed by MONUC;
- Establishment of an independent, functioning judicial system;
- Establishment of essential State institutions at the national, provincial and local level, and
- Progress made towards decentralization.

In each of these areas, the stated goal remains remote. The parameters of this paper do not permit a detailed discussion of how to address each of these important areas, but in the final section of this paper I offer a series of suggestions adumbrating what I believe to be a promising way to approach these challenges, even under current conditions.

Filip Reyntjens puts more flesh on the bare bones of MONUC's list of conditions. His list is a more comprehensive set of essential tasks that remain unfinished (hardly begun) in the DRC:

> (R)econstructing a polity which can perform minimal state functions is an essential condition for both national development and regional stability. In light of the extent of state decay, the sheer size of the country, the degree of fragmentation, and indeed the nature of the political leadership and of the political culture more generally, this is a colossal task. Obviously, a collapsed state cannot be entirely reconstructed overnight. The cost will be immense and the effort will take many years. Therefore, putting Humpty Dumpty together again will have to happen sequentially, starting with the main functions of sovereignty. First, the state must regain control over its territory and re-establish links with its population. Territorial control means physical control, together with the presence of an effective administration. Physical control requires the rebuilding of a truly national army and police force. … (T)he Congolese military mirrored the failed state, and it continues to do so. … Physical control also requires overseeing borders, including effective customs and immigration services both at land/river crossings and at airports and airstrips. Beyond physical security, territorial control means creating an effective administration …
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> Second, the state must simultaneously recover its funding capacity. … (T)he fiscal capacity of the state must be rebuilt, with revenues collected and spent in a transparent, efficient and honest fashion, and resources (mines, forests, hydropower and agriculture) harnessed as public goods. This presupposes that the criminalisation and privatisation of the state and the economy come to an end, again a matter of state capacity.

[9] The United Nations Secretary General has submitted dozens of reports to the Security Council on MONUC (and now has begun to issue reports on MONUSCO) and the situation in the Congo. These reports regularly contain important information and insightful commentary. The benchmarks are discussed in many of these, beginning with the "Twenty-fourth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo," S/2007/671, November 14, 2007. The discussion of the benchmarks begins at paragraph 58 on p. 14.

> A third priority is legal security and the rule of law, essential not only for the protection of the Congolese people's fundamental rights and for the fight against impunity, but also because considerable domestic and international investments will be needed for Congo's reconstruction. However, venture capital will be attracted only if, for instance, contracts are honoured, and, when they are not, if contract parties can rely on a well-functioning, predictable and honest judicial system to offer relief. In a similar vein, entrepreneurs will need a reliable judiciary in their dealings with the state, for example, in the areas of tenders, taxation and investment initiatives.[10]

Donors, however, adopted the collective attitude after elections that, since the post-elections state was now legitimate and sovereign, it was fully in charge and donors could only respond to state-initiated requests. This attitude appears to have emanated from various Western capitals, most of which had extreme cases of "Congo fatigue." After years of serious diplomacy to help the Congolese transition succeed, it appears that key international actors succumbed to wishful thinking: a sense that surely things were finally good enough in the Congo now that so many years had passed and successful elections had taken place. This conclusion was reached despite evidence to the contrary both from the Congo itself and from careful international research on the trajectory of conflicts.

Levels of aid actually increased during this period, but assistance was given based on loose understandings of governmental priorities (such as those contained in the PRSP), rather than a focus on key tasks required to create a functional state. This was a radically different attitude than that held by key international actors just months earlier, and proved improvident as the Congolese state took a different path. Instead of focusing on peace-building and effective decentralization of state authority in eastern Congo, the state during 2007 and 2008 focused on warfare, which proved ineffectual at best, followed by half-hearted peacemaking, directed at rogue militias in eastern Congo. At the same time, the dominant ruling party moved to further concentrate and centralize its power.[11] Furthermore, despite general agreement that effective decentralization is essential for improved governance in the Congo and strong decentralization provisions in the Congolese Constitution, eastern Congo's provincial governments as of mid-2010 still struggle to perform basic governance tasks.

Another central, unaddressed question relates to justice and/or truth-telling over the widespread war crimes and crimes against humanity committed by various sides during the Congolese conflict. Such abuses continue today, despite a public statement by President Kabila in 2009 that his government would have "zero tolerance" for such crimes. However, the Congolese state has not shown the willingness to act decisively on this issue, with Congolese officials stating publicly that "stability" trumps "justice," at least for the time being. In addition, various rebel

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[10] Reyntjens, Filip, The Great African War: Congo and Regional Geopolitics, 1996-2006, pp. 284-286.

[11] See, for example, International Crisis Group, "Congo: A Stalled Democratic Agenda," April 8, 2010, which states: "Kabila … promised to fix a collapsed state and fight corruption; elaborated a program to rebuild the Congo through five strategic priorities – infrastructure, health, education, housing and employment; and pledged further democratization, notably by respecting the rule of law and holding local elections. Nearly four years on, however, the record is abysmal. His presidency is seeking to impose its power on all branches of the state and maintain parallel networks of decision-making."

groups, often led by well-known human rights abusers, have obtained senior political posts in the government and, in some instances, amnesty for their groups' actions. [12]

Donors have, in effect, accepted the "stability over justice" formula. For example, the international community has not put strong pressure on the Congolese leadership to arrest CNDP leader Bosco Ntaganda, who has been indicted by the International Criminal Court. Bosco today remains a public figure in the eastern Congo provincial capital city of Goma.[13] Further, various actions, including disarmament, demobilization, and reintegration (DDR) under the World Bank managed Multi-country Demobilization and Reintegration Program (MDRP), as well as MONUC support to the Congolese Army during 2009, occurred without any vetting to remove at least the most egregious abusers of human rights from the benefits provided by the international community.

With the present reality of widespread tacit acceptance of impunity, an atmosphere of tolerance for the most brutal violations has become the norm, particularly in rural areas of eastern Congo. Girls and women have suffered the most as a result of this. As noted below, MONUC did stop support in late 2009 to one unit of the Congolese Army known for particular brutality. But, beyond this isolated action by MONUC and an occasional minor arrest by the government, no major, effective actions to address this situation and begin reducing the scale of violence have been taken by either the government or the international community.[14] The dilemma, found across-the-board in the Congo, is what international actors should do when the state is not fulfilling its basic functions – in this case, to take measures to drastically reduce sexual violence by ending impunity and creating a reasonably functional system of justice.

The overall situation remains deeply unsettling for the international community. The international community has encountered severe difficulties in its efforts to help the Congolese state emerge from this period of conflict and crisis. Reyntjens offers this summary of the situation and the role of the international community:

> (E)ntrepreneurs of insecurity … engaged in rational cost-benefit analyses, and … realized that war, instability, and the absence of state offer more opportunities than state

12 See, for example, "UN Expert expresses grave concern for civilian security in the Democratic Republic of the Congo," Press Release, Geneva, Switzerland, June 2, 2010. The release quotes Philip Alston, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions: "In the Kivus, Alston said that NGOs and the UN have documented extensive abuses by senior commanders currently serving in the Congolese army. 'Their names have been provided to the Government, but the Government still refuses to investigate and arrest them. This is a travesty'. Alston singled out the DRC's failure to arrest senior military commanders Innocent Zimurinda and Bosco Ntaganda (who is wanted by the International Criminal Court), as 'emblematic of the failures in accountability that permit extrajudicial executions and other gross human rights violations to continue'."

13 Two Congolese are presently held by the International Criminal Court (ICC). Thomas Lubanga, an Ituri war lord accused of using child soldiers, was arrested by Congolese authorities in 2006 and is in the custody of the ICC. Lubanga, however, was never a central figure in recent Congolese political struggles. He was the easiest, most expendable prominent person for the Congolese state to turn over to the ICC. Jean-Pierre Bemba, former leader of the MLC rebel group, also is in ICC custody, accused of war crimes committed by his forces in the Central African Republic. He was arrested while in Europe.

14 See "Report of the Special Rapporteur on Extrajudicial, summary or arbritary executions, Philip Alston," Human Rights Council, June 1, 2010 for extensive supporting documentation.

reconstruction, stability and peace. Nevertheless, the relative absence and the impotence of the international community remain striking …[15]

[15] Reyntjens, op. cit., p. 283.

II. Eastern Congo

In the absence of effective security forces, rebel groups dominate much of North and South Kivu (and remain active in Ituri province, immediately to the north of North Kivu; further, the Lord's Resistance Army (LRA) has long been active in the Congo, responsible for the destabilization of large parts of Orientale Province in the far northeast of the Congo and the brutal massacres of thousands of Congolese).[16] The Forces Démocratiques de Libération du Rwanda (FDLR)—a rebel group consisting of Rwandan Hutus who participated in the 1994 Rwandan genocide, other Rwandan Hutus, and Congolese—operates across South and North Kivu. The Congrès National pour la Défense du Peuple (CNDP), an armed group led by Laurent Nkunda until early 2009, has been operating inside and outside of the Congolese government for a number of years, at one moment seen as rebels, the next as members of the Congolese Army and civil service. Nkunda himself and many CNDP members are Congolese Tutsis. The international community has long been searching for a way to end the instability resulting from the marauding and myriad abuses of the FDLR and various militia groups.

The distrust between President Kabila's government and members of the major Congolese rebel groups and countless militia organizations was not dispelled by the transition process. During the transition, and after elections, the new government remained unable to extend its authority over the entire territory of the Congo. In particular, the CNDP asserted control over large, important parts of North Kivu as well as parts of South Kivu, particularly some areas rich in minerals.

As the newly democratically elected government of the DRC looked at eastern Congo in 2007, it focused on eliminating the threat of the CNDP. As the government of Rwanda looked at eastern Congo, it focused on the threat posed by the FDLR. The governments of the DRC and Rwanda signed an agreement in Nairobi, Kenya, in late 2007, the stated intent of which was to take steps to end the threat of the FDLR. The Congolese government and various rebel groups—including the CNDP—signed an agreement in Goma, DRC, in early 2008 with the stated intent to end their fighting in eastern Congo. The various militias agreed on paper that their fighters would enter into a process either of disarmament, demobilization, and reintegration (DDR) or of integration into the regular Congolese army. The United States played a central role in the negotiation of both the Nairobi and Goma agreements.

However, the Goma Agreement's ceasefire provision was violated before the ink was dry, and continual ceasefire violations by all groups occurred constantly during 2008. Resumption of heavy fighting occurred in North Kivu province in late September 2008. This destroyed any sense that the Goma Agreement could by itself bring peace to eastern Congo.

The government's behavior toward Laurent Nkunda's CNDP rebels has been inconsistent. In December 2007, the government of the Congo launched a military offensive to defeat the CNDP. The offensive was a total failure, exposing once again the incapacities of the Congolese Army. Immediately thereafter, in the wake of this failure, and heavily pressured by the international

[16] For the purposes of this paper, I define eastern Congo as North and South Kivu Provinces, so I will not discuss in any detail either the complicated situation in Ituri, the continued presence of the LRA in the northern areas of Orientale Province, or the more peaceful situation in Katanga Province.

community, the government moved to negotiate, signing the Goma Agreement with the CNDP and other Congolese rebel groups.

The Goma Agreement was an attempt to fill the security vacuum created by the ineffectual Congolese police and army. However, both the Goma and Nairobi Agreements failed to produce results because no rogue armed group had any incentive to work seriously with the government, given that the government's security forces posed no serious threat to their continuing ability to control territory and exploit Congo's vast natural wealth. Further, many of these militias exist, at least partially, to protect the local interests of their ethnic group against those of other groups. These issues are profoundly important in the Congo and cannot be resolved in the absence of an effective state.

Efforts by the Congolese Government to dislodge Nkunda's CNDP, first by force, then via negotiations, failed. Finally, in late 2008, the Rwandan Government reached a new agreement with the Congolese Government under which the Rwandan Army crossed into eastern Congo and arrested Laurent Nkunda, bringing him to Rwanda, where he remains under loose house arrest. After removing Nkunda from the Congo in early 2009, the CNDP was rapidly integrated into the Congolese Army. This was done in effect by CNDP units agreeing to become Congolese Army units, without any major alterations (something which had occurred repeatedly over the previous six years). The newly-integrated CNDP units became the main force in a Congolese military offensive against the FDLR.

In exchange for Rwandan assistance in ending the imminent threat posed by the CNDP under Nkunda, the Congolese Government ended its longstanding covert support to the FDLR. Other aspects of this agreement remain private; there is no public treaty or other type of public document between the Congolese and Rwandan Governments on these highly sensitive issues.

As of mid-2010, it appears that the intent of this military action was to disrupt the FLDR and move them away from its control of mining areas in North and South Kivu. The FDLR appears to have been significantly weakened, although it remains a disruptive, brutally abusive force in eastern Congo, although now pushed away from population and major mining centers. The CNDP units, for the moment operating as part of the Congolese Army, control portions of North and South Kivu. The Congolese Army continues to commit horrible abuses against civilians, including sexual violence. The present situation of CNDP control over these areas remains a potentially highly destabilizing factor. Some Congolese militia groups opposed to the CNDP are newly resurgent.

The 140,000 person national military of the Congo remains incapable of defeating the 4,500 member CNDP (which for the moment is "integrated" into the Congolese Army). The CNDP, with its military and political arms, sees itself as the protector of the threatened Tutsi population of the southern portion of North Kivu. It is therefore unlikely to cede control of those areas it deems important to any other actor, including the Congolese state. No solution to this conundrum has yet been found. Despite an agreement on paper,[17] the fundamental situation remains tense and unresolved.

[17] The Congolese Government and the CNDP signed a "peace agreement" in Goma on March 23, 2009.

Although the CNDP has been nominally integrated into the Congolese Army, it is not yet firmly a part of the Congolese state, operating uneasily with one foot inside the state and one foot outside as an independent militia group. Today, the CNDP is in control of much of the mineral wealth of the southern part of North Kivu and portions of South Kivu. The situation, therefore, remains unstable for the Congolese state. For the moment, the Congolese government considers it a success that the CNDP is no longer fully independent and hopes to progressively co-opt the CNDP leadership further within the structure of the Congolese state.

In a piece of genuine good news for Congo and the region, The FDLR looks to be on its way to becoming a decidedly secondary issue for both the Congolese and Rwandan states, a point generally missed by the international media. That said, localized violence by the FDLR continues to exact a terrible human toll.

Having been left out of the deal between Rwanda and Congo, and left out of the Rwandan military operations (and planning) inside the Congo in early 2009, MONUC decided it had to reinsert itself by collaborating with the Congolese Army's actions in North and South Kivu. Starting in March 2009, MONUC provided food, logistics assistance, and other support to army units operating in North and South Kivu. It has since been shown that the assistance given during 2009 was provided without any human rights vetting, and without human rights conditionality.

MONUC, despite a clear mandate underscoring that its primary mission was the protection of civilians, and that MONUC could take action against any actor, including the Congolese Army, that abused civilians, erred in 2009 by choosing to unconditionally support the army's move across North and South Kivu. Various units, such as the 213th Brigade, committed widespread, well-documented violations during their operations in the course of 2009.

Finally, under great international pressure, Alain LeRoy, the head of UNDPKO, withdrew MONUC support to the army's 213th Brigade during his visit to the Congo in November 2009.[18] In December 2009, the UN Security Council added even stronger language emphasizing the primacy of civilian protection in the resolution which presently governs MONUC's activities in the Congo: "The Security Council ... (a)cting under Chapter VII of the Charter of the United Nations, (d)ecides that … MONUC, working in close cooperation with the Government of the Democratic Republic of the Congo, shall have the following mandate, in order of priority: (a) Ensure the effective protection of civilians. … (The Security Council) (e)mphasizes that the protection of civilians … must be given priority in decisions about the use of available capacity and resources, over any … other tasks …"[19] However, despite all these efforts, close observers believe that human rights abuses, including sexual violence, committed against civilians in eastern Congo continue at a level no lower than that of previous years. What has changed with the diminution of FDLR capacity is that the primary perpetrator of these abuses today is the Congolese Army itself.

[18] There were multiple press reports on LeRoy's action. MONUC's press story on this can be found at http://monuc.unmissions.org/Default.aspx?tabid=1042&ctl=Details&mid=1096&Itemid=6433

[19] United Nations Security Council, Resolution 1906 (2009), Adopted by the Security Council on December 23, 2009.

Eastern Congo is more stable in 2010 than in 2008 and the FDLR has been weakened. However, donor efforts to strengthen provincial structures have not greatly progressed. In the overall picture, some inchoate Congolese democratic structures are buckling. Many in the governmental leadership in Kinshasa appear focused on maintaining power and centralizing control in an attempt to recreate Mobutu's authoritarian control and the *de facto* reality in all of Congo's most important neighbors, including Angola, the Republic of Congo, Rwanda, and Uganda.

The only long-term solution to this situation is the re-creation of effective state structures in the context of a state that becomes increasingly democratic. In the absence of adequate state structures, the only effective solution is the interposition of alternative structures for force projection, justice provision, and service delivery. This is a concise summation of the logic behind MONUC's continued presence in the Congo, and the dilemma of when it should withdraw. As long as the Congolese state is unable/unwilling to fulfill such essential state functions, violence, instability, and continued state decline become inevitable.

Eastern Congo: The Human Cost

The enormous human cost of insecurity in eastern Congo has been widely reported and analyzed. Brutal sexual violence – including rape, mutilation, and murder – have characterized the behavior of the FDLR, CNDP, Congolese Army, and other armed groups active in eastern Congo. The precise scale of the tragedy is not known, since most of the victims are in remote areas with little or no access to assistance from the international community. In mid-October 2009, a major coalition of international and Congolese NGOs stated the following:

> Since the start of military operations against the FDLR militia in January 2009, more than 1,000 civilians have been killed, 7,000 women and girls have been raped, and over 6,000 homes have been burned down in the eastern provinces of North and South Kivu. Nearly 900,000 people have been forced to flee their homes and live in desperate conditions with host families, in forest areas, or in squalid displacement camps with limited access to food and supplies.[20]

A recent report by the Harvard Humanitarian Initiative with support from Oxfam America describes the situation in South Kivu regarding sexual violence. Their description holds equally for the southern part of North Kivu and other areas of eastern Congo:

> Women in South Kivu are not safe anywhere; they are attacked not only while they farm their fields or collect firewood in the forest but also in the supposed safety of their own homes, often while sleeping at night with their families. Just over half of all perpetrators (52%) were identified as being armed combatants. Although another 42% were identified only as "assailants", analysis of the patterns of violence, strongly suggests that this group is

[20] Congo Advocacy Coalition, "DR Congo: Civilian Cost of Military "Operation Is Unacceptable," October 13, 2009. Eighty-four humanitarian and human rights groups signed the letter, including Human Rights Watch, Oxfam, and many Congolese NGOs, including important umbrella organizations such as the Conseil Régional des Organisations Non Governmentales de Développement (CRONGD)–North Kivu.

also comprised largely of armed combatants. Thus, the sexual violence in South Kivu is largely militarized.[21]

The International Rescue Committee's (IRC) estimate of 5.4 million excess deaths in the Congo between August 1998 and April 2007 has become a regularly cited figure in the press and by diplomats and others. Appendix II contains a note discussing the estimates of excess mortality made by the IRC.

[21] Harvard Humanitarian Initiative, "'Now the World Is Without Me': An Investigation of Sexual Violence in Eastern Democratic Republic of Congo," April 2010, p. 2.

III. Regional and Global Dimensions: Conflict Drivers and the Role of Natural Resources

Congo is a classic case of the effects of the resource curse. Those in power at all levels have only experienced the system created under Mobutu, which continued after Mobutu departed and Laurent Kabila took office. For well-placed individuals, this system provides rapid access to riches, based on corruption linked to the enormous mineral wealth the Congo possesses.

Professor Séverine Autesserre offers a detailed assessment of conflict drivers in one part of eastern Congo. Most of her analysis can be generalized to the conflict zones of eastern Congo:

> Tensions at the level of the individual, the family, the clan, the village, and the district are a critical source of instability and violence in Congo. … Land matters because for many people it is the key to survival and feeding one's family. For many more, it is … a means of securing natural resources. … There are centuries-old antagonisms among native Congolese communities such as the Hundes, the Nandes, and the Nyangas (in the southern part of North Kivu). … But the fiercest disputes oppose them to Congolese of Rwandan descent. In the early part of the twentieth century, Belgian colonial administrators relocated over 85,000 people, both Hutu and Tutsi, from overpopulated Rwanda to the sparse Kivu provinces in Congo, and in the 1960s and 1970s various waves of Tutsis fled there to escape pogroms in Rwanda. Today, Congolese of Rwandan descent, especially the Tutsi among them, own most of the land, but the Hundes and the Nyangas continue to claim it as their own on the grounds that it was never rightfully sold or given away.
>
> These competing claims have gotten far more complicated since the 1990s, as the 1994 genocide in Rwanda and various wars, invasions, and refugee movements caused multiple shifts in the ownership or control of land in the Kivus. … (L)and ownership is at the core of the current fighting in North Kivu. Throughout eastern Congo, historical grievances of this kind also fuel battles between (and within) dozens of mini factions from different tribes, clans, and families …
>
> Control over land is also a ticket to natural resources. …
>
> In most cases, economic tensions feed politically motivated hostilities, and vice versa. Access to resources means the ability to buy arms and reward troops, and thus to secure political power; political power, in turn, guarantees access to land and resources. …
>
> For decades, these local tensions have also fueled broader struggles at the regional and national levels – and, at times, the other way around. …
>
> Thus, for much of the 1990s and early years of this century, local tensions in the Kivus have repeatedly prompted outbreaks of ethnic violence, with so-called indigenous groups forming alliances with Rwandan Hutu militias and, in response, the Rwandan government supporting Congolese fighters of Rwandan ancestry and intervening in the name of national security.[22]

The International Peace Information Service (IPIS), a research institute based in Antwerp, Belgium, has published an interactive web site showing mining sites in the Kivus with data on

[22] Autesserre, Séverine, "The Trouble with Congo: How Local Disputes Fuel Regional Conflict," Foreign Affairs, May/June 2008. For a more complete discussion of these issues, see her book: Autesserre, Séverine, The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding, Cambridge University Press, 2010.

what is mined and which armed group benefits. Their map of militarized mining areas in the Kivus (MiMiKi) is found at: http://www.ipisresearch.be/maps/MiMiKi/Areas/web/index.html. The IPIS map dramatically illustrates the richness of North and South Kivu Provinces. IPIS also provide valuable analysis, including on the importance of gold:

> The Eastern DRC's best known (conflict) resources are coltan and cassiterite. Officially, the gold sector is almost nonexistent in the Kivus. Of all major trading towns, only in Bukavu there are two recognised comptoirs that can export gold, and their exports showing up in official statistics are negligible. However, the MiMiKi map shows that a lot of gold mining is going on. Relying on the numbers of the MiMiKi map we find that more than 20 000 people are working in the gold mines listed on the map. Moreover, the areas with gold mining activities include many zones controlled by armed groups.[23]

International Alert recently released a comprehensive study of natural resource exploitation in eastern Congo.[24] This excellent study provides a wealth of detail on this issue. First, regarding how trade in minerals is organized within the Congo:

> Since 2000, there have been two systems for the commercial trading of "conflict minerals": informal trading by purchasing agents and trading by the military. Even after the official withdrawal of foreign armed forces from Congolese soil, military trading has not completely disappeared. The FARDC (Congolese Army) and the various armed groups have militarised, brutalised and bled dry artisanal mining, extracting handsome profits. Mining is therefore an important issue for security and conflict resolution.
>
> The substantial involvement of the FARDC in mineral trading makes the army a "selfgenerating revenue agency." The high-level beneficiaries of these illegal activities ensure that they stay below the radar. The FARDC's involvement has also led to the creation of a criminal network of senior army officers who act in collusion with those in senior governmental positions. The FARDC's major involvement in the mining trade, and the desire to maintain the status quo, is a factor that has slowed down the army's "integration" efforts, and thus army reform.[25]

The report also describes regional trading networks in these key minerals:

> Burundi, Rwanda and Uganda profit greatly from the trade in Congolese minerals, which constitute a major source of income. Specialisation applies here too: gold moves through Burundi and Uganda and minerals from the tin group pass through Rwanda. Their spheres of economic influence in eastern DRC have remained fairly stable since 2000. The "mining question" therefore represents major stakes in the geo-economy of the whole region.[26]

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[23] Spittaels, Steven and Hilgert, Filip, "Accompanying note on the interactive map of militarized mining areas in the Kivus," IPIS, August 2009, p. 11.
[24] International Alert, "The Role of the Exploitation of Natural Resources in Fuelling and Prolonging Crises in the Eastern DRC," January 2010.
[25] Ibid., p. 6.
[26] Ibid., p. 7.

In terms of trafficking and links to military structures outside of the Congo, the report says the following about Rwanda:

> The Rwandan army organised its natural resources grabbing in a highly rational way, while the less disciplined Ugandan army quickly fell into the trap of this pillage, its officers taking part straight away as both "public" and private operators. In Rwanda, from the beginning of the first war, Congolese mineral imports were controlled by the "Congo desk", an offshoot of the intelligence services. They are said to have registered US$64 million of coltan in 2000 and US$44 million in 2001 (according to IPIS) and to have reinvested between 60% and 70% of the profits in financing the war effort. The grabbing of natural resources was directly organised by the Rwandan army: during the coltan boom (from November 1999 to March 2001), direct flights were made from the production sites in South Kivu to Kigali. In addition, Rwandan trading companies often included high-ranking military officers in their staff (Rwanda Metals, Prime Holdings, Caldar Holdings, TriStar, Rwanda Investment Group). According to the Expert Group, the coltan boom, which lasted only 18 months, brought in US$250 million to the Rwandan army.[27]

The above citation discusses past involvement of the Rwandan army; various credible sources suggest that such systems of exploitation continue today, although this is vigorously disputed by senior Rwandan leaders, including President Kagame. Finally, the report discusses the wider international network of trade in these minerals:

> The investigations carried out by the UN and NGOs have brought to light the ultimate recipients in the trade of "conflict minerals" in Europe, the United States, the Middle East and Asia, as well as the pivotal role of certain groups of businessmen (Lebanese, Indo-Pakistani, Russian, etc.).[28]

As a conceptual framework, it is useful to consider the situation in the Congo as subject to six interrelated levels of violence at the international, continental, regional, national, provincial, and local levels:

- International: The Cold War set the parameters for East-West competition over states, including the Congo, until about 1990. During the Cold War, the West, as patron of the Congo, intervened at various times, including twice during the late 1970s, to shore up the faltering Mobutu regime. However, with the end of the Cold War, the West has taken a new stance, and is unwilling to use violence (military intervention) beyond humanitarian or basic stabilization forms. The East, particularly China, is similarly unwilling to resort to force over its interests in the Congo. Today, international actors outside of Africa appear willing only to intervene militarily in the Congo in the context of UN-sanctioned peacekeeping missions, such as that of MONUC, or short-term, sharply defined missions in support of international peacekeeping activities, as was the case with the French-led European intervention in Ituri in 2003.
- Continental: As the Congolese state faded in the 1990s and the Cold War ended, regional competition over the Congolese state and its riches intensified. In particular, Rwanda's

[27] Ibid., p. 35.
[28] Ibid., p.7.

attempt to overthrow Laurent Kabila's government in 1998 prompted another of Congo's neighbors, Angola, to intervene swiftly and decisively against Rwanda. This led to a protracted war that involved African armies, ranging from Congo's neighbors Angola, Rwanda, Burundi, and Uganda to Namibia, Zimbabwe, Chad, and Libya. Although South Africa did not intervene militarily, it played a heavy diplomatic role.

- Regional: Conflicts in Congo's neighbors, ranging from continued low intensity conflict in Angola's enclave of Cabinda, located north of Congo's short arm of territory which reaches the Atlantic Ocean; insecurity and instability in the Central African Republic and southern Sudan; spillover from the Lord's Resistance Army's rebellion in northern Uganda; and continuing effects of the Hutu-Tutsi conflicts in Rwanda and Burundi all play roles in fostering violence inside the Congo. These conflicts intersect with violent competition over Congo's massive lode of easily-obtained natural resources, which range from copper and cobalt to gold, tin, diamonds, and many other valuable commodities. Conflict over resources is at the root of interstate disagreement over large oil fields in the Atlantic on the Angolan-Congolese borders, new oil fields in the eastern Congo on the Congolese-Ugandan border, and valuable methane in Lake Kivu on the Congolese-Rwandan border. More destructively, conflict over Congo's easily-obtained resources, particularly in the provinces of North and South Kivu and the district of Ituri have led to continuing involvement of trafficking networks emanating from Uganda, Rwanda, and Burundi.
- National: Although the great majority of the population of the Congo continues to see itself as Congolese, this national identity is situated within other identities, particularly that of ethnic group. Congolese tend to strongly identify themselves as members of an ethnic (and, often, sub-ethnic) group, and many of those groups have come into conflict not just since independence, but during the centuries preceding Western dominance and colonial rule. Such issues are present in every province of the Congo, and were at the core of the various rebellions that broke out across the country in the early 1960s. Ethnicity remains highly important for most of the various militia movements, often organized along ethnic lines, which continue to fight in eastern Congo. These ethnic links then intersect and overlap with economic interests over resources. An intriguing reality of the Congolese conflict is that sharp ethnic differences have not, in general, interfered with economic interests. Enemies as bitter as the FDLR and the CNDP (see below for details) have at times engaged in peaceful trade of minerals to their mutual economic benefit. The trafficking networks based in Uganda and Rwanda, usually heavily military themselves, intertwine with informal, powerful Congolese structures, reaching back to various shadowy, powerful figures, often military, based in Kinshasa. These trafficking networks then link in a crazy quilt to international networks of trade in Congo's resources.
- Provincial: Competition over provincial power is another cause of conflict in the Congo. Particularly in eastern Congo today, various groups see themselves as rightfully dominant in certain provinces. For example, competition between the Banande, an ethnicity centered in the northern part of North Kivu and Tutsis (and, often, Hutus, sometimes allied in a complex way with Tutsis), centered in the southern part of North Kivu, both consider themselves as the rightful economic powerhouse of the region. This conflict over political and economic power has spilled over into violence in the last decade.

- Local: Competition over land and other resources lies at the bottom of this vast pyramid of interconnected interests. Longstanding, unresolved disputes over who owns what in the enormously rich Congo continue to spur violent conflict. For example, deep tensions among the Hunde, Hutu, and Tutsi groups (and others) in the Masisi territory of North Kivu, led to large-scale outbreaks of violence in the early 1990s, unrelated and prior to the Rwandan genocide. The Congolese state actively contributed to this explosive mix by its actions over decades which confused land tenure issues. The state remains unable to assert effective control over most of these areas.

All these layers interact in a multi-dimensional maze. To take Autesserre's example from above: Hunde-Hutu-Tutsi conflict over land at the local level in the Masisi area of North Kivu relates to competition for control at the provincial level. These are embedded in continuing efforts at the national level by the Congolese state to assert control over areas presently dominated by the Tutsi-led CNDP. At the regional level, Hutu FDLR fighters from Rwanda continue to operate in and near this region, engaging Rwanda's interests. Rumors abound that Tutsis from Rwanda are presently filtering across the Congo-Rwandan border and into this area, as part of an organized effort to cement CNDP control. Further, this area is resource-rich, engaging the various shady regional economic actors interested in profiting from the Congo's wealth. At the continental level, Uganda warily eyes Rwandan actions in North Kivu, where it, too has strong economic interests. And all interested continental actors, from Angola to South Africa to Tanzania, watch Rwandan actions, concerned over the potential that Rwanda, the militarily strongest power in the sub-region of Africa on Congo's eastern border, may choose to intervene yet again more aggressively and unilaterally in eastern Congo. Finally, at the international level, MONUC has hundreds of peacekeepers based throughout this local area, thousands more in the province of North Kivu, all with a mandate to help prevent violence and restore state authority, but often without the resources, capabilities, or understanding to do so. And this is a highly incomplete list of the major factors!

Sorting and combining the relations across all these layers, issue by issue, place by place, across the massive Congo, into an intellectually coherent sense of Congolese reality is a humbling, daunting intellectual undertaking. This final point is important at a number of levels, for it implies that various actors, even those most knowledgeable, regularly miscalculate, further tangling this already near-impenetrable analytical web.[29]

[29] Gérard Prunier's magisterial work, Africa's World War, exhaustively analyzes these issues, particularly for the 1994-2007 period.

IV. What Could Have Been Done Better: A Proposal

The history of international efforts to help create stability and sustainable development in the Congo since independence is not promising. At independence in 1960, the departing colonial power, Belgium, thought it could maintain a substantial level of *de facto* control in the Congo by placing Belgian technical advisers at the side of all key Ministers and other essential officials. This model broke down almost immediately after independence when Congolese, led by the Army, revolted against the obvious, heavy-handed effort by Belgium to maintain control.[30] Next, other outsiders, led by the UN Mission to the Congo (ONUC), adopted a more benign version of the "technical adviser" model. It ultimately failed, because of the dearth of trained Congolese that plagued the country after independence.[31]

As Mobutu took dictatorial control in the mid-1960s, the international community continued to supply technical advisers, but also increasingly accepted weak governance. However, as economic mismanagement turned into extraordinarily bad management of the country's foreign debt obligations in the 1970s, the international community attempted once again to aggressively insert itself into the governance problems at the heart of the Congolese state's weakness. In the late 1970s, the IMF recruited "a team of experts to assume direction of the Bank of Zaïre; the team leader, Erwin Blumenthal, was a former head of the international department of the German Bundesbank. … (I)n November and December 1978 he embargoed foreign exchange to some fifty companies tied to members of the politico-commercial class … A Belgian team was to take over management of the Customs Service, notoriously riddled with corruption, yet responsible for collecting the greater part of state revenues. To square the circle, external personnel were obtained to control the Finance Ministry. … But … by the fall of 1979 (Blumenthal) had left in disgust. … He said: The root cause 'which destroys all possibilities' of recovery was "the CORRUPTION (emphasis in the original) of the ruling group."[32]

The next method attempted by the international community was to work on service delivery, and to minimize the role of the state by using reliable, reputable international NGOs and church/missionary structures for direct service delivery. While this model produced impressive results in the health sector, it did nothing to improve state competence. To the contrary, adoption of this methodology tends to contribute to the further withering of the state. Some World Bank approaches, such as the setting up of a separate agency for Bank projects in an attempt to minimize corruption and to ensure accountability, also fall into this trap. This method characterizes the primary approach utilized by donors over the last twenty years in the DRC.

I do not believe that approaches that focus on service delivery regardless of the government's role, beyond essential humanitarian interventions, are most appropriate at present. Further, I do not believe that effective service delivery by NGOs (particularly international NGOs) mitigate the most fundamental underlying aspects of conflict in any important way.

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[30] The key anecdote that drives home this point is when a Belgian military officer, at independence, wrote "Before Independence = After Independence" on a blackboard during a meeting with Congolese soldiers.

[31] The key, oft-repeated anecdote here is that at independence there were fewer than 20 Congolese college graduates (out of a population of 15.45 million).

[32] Young and Turner, pp. 383-385.

None of these older ideas will lead to the resolution of the present Congolese crisis. The Terms of Reference for this paper state: "(C)onfidence in the legitimacy of government actions is essential to any sustained success. This requires strong and responsible local and national leadership; international assistance programs play an important supporting role, but are not determinant. The key elements in building local/national legitimacy appear to include dealing with destructive elite competition, the provision of justice and security (which includes the prevention of predatory behavior and discrimination and the control of corruption), creating adequate forms of public accountability (including appropriate political representation); offering economic hope (in particular, access to basic social and economic services, and opportunities for employment); and forging acceptable relations with external powers. Confidence is essential if positive choices are to be made: by citizens, who may otherwise flee, pursue illegal livelihoods or condone rebellion; by potential leaders, who may reject public office or take up arms; by entrepreneurs, whose money may disappear abroad; and by donors, who may lose patience and turn their attention elsewhere." Almost none of these conditions exist in today's Congo. In this context, many citizens in eastern Congo pursue illegal livelihoods and participate in armed rebellions.

The essence of what must change in states like the Congo is for the state sector to become at least minimally functional. Therefore, I agree with authors like Merilee Grindle on the need to focus on "good-enough governance." I strongly agree with the point of view articulated by Lakhdar Brahimi and others that "(w)ithout functioning and self-sustaining government systems, peace and development will be, at best, short-lived, and the disengagement of the international community will take place in less than ideal conditions."

Ashraf Ghani and Clare Lockhart's book, Fixing Failed States, contains one of the crucial answers to how to proceed. Their conceptual breakthrough is on how to get out of the sovereignty debacle in states like the Congo. They call their concept the "double compact." Ghani and Lockhart recognize that, all too often in states like the DRC, "governments (function as) predatory agents preying on their people." In such contexts, they argue that sovereignty should be seen "as a set of both rights and obligations between citizens and their governments, as well as between a government and the international community…" Therefore, "the double compact" is an understanding that is reached among these actors.

The international community, once the 2006 elections conferred legitimacy on President Kabila and his government, accorded the DRC the full deference that international relations theory suggests should be given to sovereign states. This stance is at the root of the shortcomings of international engagement over the last three years.

In 2008 in Kinshasa, "partner countries and donor governments (met) in preparation for roundtable 7 (RT 7) at the 3rd High Level Forum for Aid Effectiveness in Accra."[33] They released the "Kinshasa Statement," which "received strong support from the Co-Chairs of the RT 7, the Democratic Republic of Congo and France."[34] The Kinshasa Statement affirms that "(a)t country level, peace building and state building objectives are currently not sufficiently

[33] OECD, accessed at OECD website: http://www.oecd.org/document/58/0,3343,en_21571361_43407692_43469626_1_1_1_1,00.html.
[34] Ibid.

integrated into national development plans. We resolve to strengthen joint partner country – donor strategic frameworks or Compacts, to integrate peace building and state building with development objectives and to set up appropriate mechanisms to jointly monitor progress. We will support the UN to effectively facilitate this process."[35]

The Kinshasa Statement thereby adopts a version of the Ghani/Lockhart "double compact" concept. This is a promising approach and should become the conceptual understanding that guides international engagement and decision making. In that context, the Congolese Government and donors should adopt a new, targeted way to end widespread conflict, strengthen the state, and obtain developmental progress.

Addressing the central problems of the Congo, when too many officials at all levels show little inclination to make the necessary changes, is daunting. This problem is so daunting, in fact, that many argue that, in the face of so little "political will," the right decision is withdrawal.[36] But withdrawal is not a plausible option, since it necessarily leads backwards – to catastrophic collapse and attendant humanitarian disaster, including regional instability and renewed warfare. The international community clearly cannot accept such an outcome in the Congo. Further, Collier and others have done pathbreaking work showing that the costs of such disengagement are actually dramatically greater in the medium to long term, purely in dollar terms, than the cost of steady, purposeful engagement, even when faced with the difficulties of a situation like that of the Congo.[37]

What, then, is a more promising approach to overcome the lack of political will and help Congo regain a path of stability and sustainable development? It certainly makes sense to engage with leadership at the national level. A number of donors have been working on leadership workshops at the level of the Cabinet, the permanent secretaries of line ministries, and senior provincial government officials. This is a useful initiative which could help state actors engage more forcefully in support of their own stated reform agenda. While such engagement is necessary, it is insufficient to address the various problems in leadership that have been sketched out in this paper.

The following proposal is intended as a framework of action to move the Congo towards a state of "good-enough governance." The heart of this proposal, which I call "TPA," is for donors to concentrate on three specific elements required for any and all successful programs:

- effective Training,
- adequate Pay, and
- Accountability for actions.

The other essential aspect of "TPA" is that it can function in an environment, like the Congo, where national plans (e.g., the PRSP process as presently implemented by national and international actors) actually are not particularly useful as a guide to development interventions.

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[35] OECD, Kinshasa Statement, accessed at OECD website: http://www.oecd.org/dataoecd/41/7/43415646.pdf.
[36] See the present debate in the United States on Afghanistan for the arguments made by those favoring withdrawal under such conditions.
[37] See Collier, op. cit.

TPA, by contrast, should not be attempted all at once on a national scale in a particularly difficult environment like the Congo. Rather, scale is determined by and limited to carefully chosen target areas, opportunities, and by the ability to independently verify the success of specific TPA interventions. Strategic choices in this regard would support other fundamental donor goals in the Congo, including fiscal and administrative decentralization.

A caveat: under TPA donors do not do all the work in training, paying, and holding various actors accountable; rather, this concept requires some minimal buy-in on the part of at least some Congolese Government officials. TPA is intended as a construct within which donors can identify critical gaps and essential target areas. In the context of those specific target locations, donors work with the government by filling critical gaps that the government cannot, or will not, fill, as discussed below.

First, the "T." Training is a staple of donor-funded activities, but training is normally done as a stand-alone intervention, with the regularly unrealistic assumption that somehow disparate, scattershot, uncoordinated training will lead to better performance and on-the-job results. Facts on the ground amply prove otherwise. Even assuming well-coordinated and effective training (far from today's reality), training alone, while necessary, remains insufficient.

The key is the "P." When trained officials return to their horribly paid positions, they revert to poor performance. Adequate salaries, with salaries paid on time every month, to both civil servants and soldiers, is essential to effective state-building in fragile states like the Congo. However, efforts to accomplish salary reform at a national level almost always fail in states like the DRC. To pay adequate, sustainable salaries to all civil servants requires fundamental civil service and budget reform. In the Congo, the government is presently unwilling to do this. Under TPA, the donors do not have to choose between the equally unpalatable options of pushing the government towards politically dangerous comprehensive civil service reform or doing nothing.

I would like to emphasize that adequate pay is only one of the necessary requirements to create incentives for acceptable on-the-job performance. Officials require adequate resources in a variety of areas, including housing, office space, equipment, salary, and transport in order for them to perform their functions effectively.

The international community's present approach to providing these resources, including paying salaries or salary supplements, is incoherent. In lower priority countries, donors regularly say that they "can't" pay salaries because it isn't sustainable. Yet, the T and P part of TPA describe the way donors do business in countries in which they are particularly interested. For example, in Afghanistan and Iraq, the United States has trained and paid enormous numbers of officials. The US has paid police salaries in Liberia and elsewhere. The UK paid salaries in Sierra Leone as that country transitioned away from a horrible civil war similar in many ways to what is occurring in the Congo. For many years, the IMF regularly paid the salaries of key Finance Ministry and Central Bank officials in countries like the Congo. This may be the only example of long-term institution building success in the Congo, where the Central Bank, despite myriad

difficulties, still operates at least minimally in accordance with accepted international standards.[38]

In the Congo itself, the European Union has paid salary supplements as part of its initially successful application of TPA to its justice program in Ituri in northeastern Congo and the UN has supplemented police salaries as part of its International Security and Stabilization Support Strategy (ISSSS) for Eastern Congo.

The European Union's Security Sector Reform Team (EUSEC) has partially addressed the pay issue. After four years of patient work – with some serious failures early on, EUSEC's efforts have led to some progress resulting in more regular payment of salaries to soldiers in eastern Congo. That said, it has taken EUSEC years of arduous dealings with Congolese Defense Ministry authorities merely to reach an agreed-upon figure of how many soldiers presently are in the Congolese Army.[39]

The optimal approach, of course, is for the Congolese Government to provide all the necessary resources, including salaries that are at least minimally adequate, using its own funds. Determining the actual capacity of the Congolese state to do so should be done by the IMF and the World Bank. If the IMF and Bank believe that the Congolese Government does not possess sufficient resources, or if the Congolese Government is unwilling to do so, donors must engage in an honest dialogue with the Government regarding the provision of these resources.

One example regarding salary helps clarify this point: the salary of an unskilled day laborer working in rural eastern Congo at present is $60/month (in urban areas it is $100/month). The salary of a Congolese police officer is $30/month. Even this low amount often does not reach officers, since it is siphoned off at various levels before reaching the officers. Congolese professionals living in cities in eastern Congo who are married with families set their salary requirements at roughly $700-1,000/month. No one believes that Congolese police, long notorious for inefficiency, corruption, and human rights abuses, will perform adequately with a salary of $30/month. Even a cursory examination suggests that police officers need to receive a salary of at least $100/month to begin to create the conditions under which they might begin to perform police functions in an acceptable manner. [40]

Statebuilding and stabilization efforts in eastern Congo emphasize the importance of deploying police into newly secure areas. Surely it makes no sense, however, to deploy police who, because of low salaries and the lack of other basic resources, are nearly certain to commit the

[38] In effect, the IMF trained, paid, and held accountable key Central Bank officials over a long period of time, thus ensuring a high level of professionalism in this Congolese institution, despite the steep decline in all other state structures.

[39] The Congolese Army's command structure for years has used inflated numbers of soldiers as one means to steal salaries intended for these "ghosts." Therefore, the Congolese initially suggested that there were 350,000 people in their armed forces, a number absurd on its face. The three year process has finally led to an agreement that there are somewhere around 140,000 people presently in the Congolese Army. That said, many of these so-called soldiers are now old men or underage children, others are disabled, others otherwise incapable of functioning in the military. The actual size of the Congolese fighting force of fighting age, able-bodied people remains a small fraction of 140,000.

[40] Author's interviews in Congo, March 2010.

abuses which already characterize this force. Therefore, the IMF and World Bank should work with the Congolese Government to establish the present capacity of the Congolese state to pay adequate salaries for the police. Once that capacity is agreed between the Government and the IFIs, an understanding should be reached whereby the state undertakes to pay such salaries. A large amount of technical assistance will be required to make this happen. Under "TPA," donors should focus on ensuring that these salaries are at the very least paid in full and on time every month to police in highly strategic areas, such as those in eastern Congo. If the IFIs determine that the Congolese state does not have the capacity to pay a minimally adequate salary (which, for the sake of this thought experiment, I will set at $100), then donors must be willing to provide a salary supplement, but only in highly strategic areas where donors have the capacity to monitor and mentor those police receiving international community salary supplements.

Donors would coordinate and work to implement the TPA approach in those regions that are essential. In the case of the Congo, that would mean key sectors in key provinces, such as North and South Kivu. Donors should be willing to pay salary supplements, but only for trained officials in targeted areas and sectors.

Finally, the "A" of accountability. It is particularly in the context of accountability that civil society has a crucial role to play. Donors should support civil society's role in monitoring and evaluating the government's implementation. This is an essential part of a durable solution. In the interim, however, outside verification, monitoring, and mentoring by donors and donor-funded organizations to hold actors accountable are important for the success of TPA.

TPA implies much better donor coordination among key developmental and political actors. Congo has seen strong, effective donor coordination in its history, most recently during the transition period. In addition to the CIAT, many other levels of official and unofficial donor coordination functioned well. Strong, effective donor coordination is a prerequisite for TPA to have any chance of success in today's Congo.

Once TPA begins to take hold in a large enough area, citizens from other underserved zones (presumably starting with those nearest to the better-performing TPA areas) should begin to demand a similar level of performance. At some point (certainly not rapidly), the system becomes self-sustaining. As more and more areas begin to respond to citizens' needs, this should generate increased pressure on national actors to act responsibly.

Maintaining pressure for the strengthening of democratic structures throughout the society is another essential component. Once reasonably strong and responsible national actors are in place, the Brahimi goal of "functioning and self-sustaining government systems" finally is attained, with progress in all the areas quoted above from the ToR. At that point, international engagement can progressively move into the normal developmental channels designed and intended for reasonably well-functioning states.[41]

[41] While I believe that TPA should function as an organizing principle for donor engagement across sectors, it is not my intention to suggest that it would drive all donor activities in fragile states like the Congo. For example, direct work with international private sector companies investing in the Congo, humanitarian assistance and, in those areas not targeted for TPA, other service delivery strategies, probably based on using international NGOs, would continue.

The United Nations is presently implementing an integrated program for eastern Congo guided by an International Security and Stabilization Support Strategy (ISSSS). This strategy, engaging all relevant UN actors, including MONUC (as of July 1 renamed MONUSCO), and key donors, will be essential to the overall stabilization of eastern Congo. However, this carefully developed approach is at risk of foundering due to the extremely low capacity, capabilities, and, in many cases, willingness of key Congolese governmental actors to collaborate (even though this strategy is designed to work in harmony with the Congolese state's own strategy for eastern Congo, its Stabilization and Reconstruction Plan (STAREC)).

Aspects of the TPA approach already have been incorporated into the ISSSS. For success, international actors must work as diligently and steadily as possible with Congolese authorities and civil society to make these connected strategies succeed on the ground, local area by local area, in eastern Congo.

Appendix I: Challenges to Peace-building: DDR and SSR

Donors realized long before Congolese elections in 2006 that integrating, streamlining, and reforming the Congolese Army and the various rebel groups through twin, coordinated processes of Disarmament, Demobilization, and Reintegration (DDR) and Security Sector Reform (SSR) should occur. As the transition began, donors understandably felt that it was important for these processes to proceed rapidly. Part of the purpose of the World Bank managed Multi-country Demobilization and Reintegration Program (MDRP), a program that ultimately brought assistance to the Congolese Government from multiple donors, was to have a well-funded mechanism in place so that programs could begin at the appropriate moment.[42] On SSR, a donor group met regularly with the Congolese Government in an effort to jumpstart SSR, which, despite repeated attempts, remained moribund throughout the transition period.

Experts agree that DDR programs should be undertaken with certain conditions present. The UN includes the following as part of its Integrated DDR Standards: "There are certain preconditions for DDR to take place, including: the signing of a negotiated peace agreement that provides a legal framework for DDR; trust in the peace process; willingness of the parties to the conflict to engage in DDR; and a minimum guarantee of security." What I call "classical" DDR programs assume these ideal conditions and therefore conceive of DDR as a set of technical interventions to assure, for example, effective cantonment of armed groups, collection and, usually, destruction of weapons, division of former combatants into those who will remain in or join the country's armed forces and those to be demobilized, and then the effective reintegration of those demobilized into their communities of origin. The technical aspects of "classical" DDR are found in copious detail in various DDR manuals, handbooks, and toolkits.

However, as the UN standards state, "classical" DDR only works when conditions are appropriate (i.e., at least close to the ideal). However, peace agreements and other arrangements regularly move forward whether the DDR environment is right or not. Unfortunately, various difficulties, particularly the reality that key actors in the Congolese state and various rebel groups neither had sufficient trust in the peace process nor commitment to the success of DDR (and SSR), meant that conditions in the Congo were far removed from the classic ideal. This, then, created a conundrum: should outsiders go forward with support to the government for DDR, seen as a key intervention, even under suboptimal conditions, or should they do something else?[43] In the DRC, donors decided to move forward and work with the Congolese Government through a modified version of a "classical," technical DDR intervention.

Although many individuals went through the DDR process, the program suffered grievously from substantial levels of dysfunction and mismanagement. A World Bank Program Update, "DDR in the Democratic Republic of Congo," dated September 2009 states:

[42] The MDRP provided support to the Programme national de désarmement, démobilization et réintegration (PNDDR), the national DDR program in the DRC.

[43] I believe that in difficult circumstances like the Congo it is preferable for donors to take some action, so do not include inaction as an option. The costs – human and economic – of disengagement are well understood and detailed in the literature on conflict countries.

> The PNDDR was beset by a number of critical challenges which had a serious impact on the timing and effectiveness of program delivery. Some of these challenges were internal, such as the weak capacity and management within CONADER, while others were external to CONADER, such as the political will of the parties to comply with demobilization and the massive logistical constraints. … (s)uffice is (sic) to say that there were significant delays and overruns of the estimated PNDDR budget.
>
> By the time presidential elections were complete and the transitional Government came to a close in December 2006, the program had processed 186,000 combatants, of which 132,000 were demobilized (including 30,000 children and 2,670 women). Some 50,000 combatants had chosen to remain in the new army. In view of the daunting challenges, many viewed this as a remarkable achievement. Nonetheless, original project objectives had yet to be met and the bulk of the initial budget had been consumed. Unforeseen cost overruns, under-budgeting and mismanagement resulted in insufficient funds being available to complete DDR, including the reintegration of about a third of those that had been demobilized by the program.

The Final Report of the Stockholm Initiative on Disarmament, Demobilization, Reintegration states: "the primary aim of DDR is to contribute to a secure and stable environment in which the overall peace process and transition can be sustained. … When implemented, the DDR programme should ideally influence and contribute to a secure environment that can provide minimum basic conditions to enable long-term development without immediate threats of violent conflicts."[44] DDR is, of course, "just one of many elements in a peace process."[45]

Was the course taken the best choice that donors could have made, given the difficult Congolese realities? Were there other, better options? I offer the following observations:

- First, the conundrum regarding taking action using an approach close to "classical" DDR should have been resolved differently. Given the fact that circumstances in the Congo were widely recognized at the time as far removed from those fulfilling the preconditions for a successful classical DDR intervention, an approach based on "classical' DDR should not have been taken.
- Second, the failure of the Congolese state to engage in any meaningful way on SSR should have led to a rethinking of the approach to both SSR and DDR.
- Third, the political agreement which led to the transition and a newly unified Congo created various opportunities for demobilization and reintegration using more innovative approaches, distinct from classical DDR. For example, if the international community had focused on provincial/armed group level opportunities, this would have led to different approaches to both DDR and SSR. For example, I believe that "pull" strategies to move many of these actors out of armed groups by giving them better economic alternatives through labor intensive employment programs would have been more successful than actual DDR interventions. Such approaches would have needed to be tailored to the specific realities in particular provinces and within particular armed groups. With low host country commitment to DDR/SSR, while working to improve

[44] Stockholm Initiative on Disarmament, Demobilisation, Reintegration, Final Report, Ministry for Foreign Affairs, Sweden, 2006, p. 14.
[45] Ibid., p. 14.

conditions at the national level, the international community should have looked for and supported propitious conditions at the local level, and moved rapidly to seize any advantage by supporting reintegration projects. Local level successes over time may have had the further beneficial effect of improving national level conditions for both DDR and SSR.

- Fourth, it is arguably possible that if strong "pull" interventions based on well-understood employment creation programs had been in place, spontaneous demobilization and return of many individuals who belonged to various armed groups to their communities would have occurred. For example, the donor community could have implemented a medium-term program of labor intensive infrastructure projects, region by priority region, focusing on basic rehabilitation of dirt roads, with a view to providing employment to many of the self-demobilized combatants (and other local residents), rather than providing cash assistance to those demobilized through a bureaucratically heavy, "classical" program.

As stated in an earlier section, a counterfactual exercise is extremely difficult, but the above comments are offered to sharpen debate on how to respond in complex, difficult conflict situations such as those encountered in the Congo. Particularly in the context of eastern Congo, the following analysis of the outcome of SSR illustrates the need for consideration of other approaches:

> The DRC case demonstrates the importance of accountable, committed and legitimate national counterparts for international actors supporting a war to peace transition. Despite the limited success of integrating former rivaling parties into a unified command and control structure of the FARDC, the almost complete lack of parallel military (and full Security Sector) reform initiatives has in practice made little difference to the civilian population targeted by the armed groups. With few alternatives to establish a civilian livelihood, these soldiers continue to "make their way" by military means, this time under the umbrella of the national army. Lingering unresolved political conflicts risk tearing the peace process apart.[46]

[46] Colletta, Nat J., Samuelson, Jens Schjorlen, and Berts, Hannes, "Interim Stabilization: Balancing Security and Development in Post-Conflict Peacebuilding," Stockholm, 2008, page 40.

Appendix II: The IRC Estimates

The International Rescue Committee's (IRC) estimate of 5.4 million excess deaths in the Congo between August 1998 and April 2007 has become a regularly cited figure in the press and by diplomats. Since 2000, the IRC has conducted a series of mortality surveys to obtain an estimate of "excess mortality" in the DRC. The IRC method used rigorous, scientifically-valid methods to estimate mortality in particular areas, starting in eastern Congo. For the first survey, data were extrapolated in a manner that is not statistically representative, a limitation recognized openly from the start by the studies' authors and the IRC. In explaining why they chose to extrapolate their data to all of eastern Congo, the authors of the initial IRC study[47] stated:

> There is a dearth of health and mortality data for eastern DRC. … While the 1.2 million people within the sampling universe of the five IRC studies are not representative of the approximately 20 million people in eastern DRC, these surveys probably represent the best broad-based data available. Thus, the IRC feels an obligation to provide an estimate of the number of people who have died due to this conflict. This attempt to extrapolate these findings to eastern DRC is done somewhat reluctantly and will systematically attempt to extrapolate conservatively (to give minimal excess mortality) to avoid these findings later being discredited as exaggerated or hyperbolic.[48]

The validity of the IRC's methods and overall estimates have come under attack by some academics and others. Many of the criticisms are summarized in Chapter 3 of the Human Security Report 2009: The Shrinking Costs of War (HSR), entitled "The Death Toll in the Democratic Republic of the Congo,"[49] which criticizes the IRC numbers on a number of grounds. This note will not discuss all the objections that have been raised. The methodology of the surveys appears quite sound, as was the decision to extrapolate. The IRC results have been published in three peer-reviewed medical journals.

Instead, this note will focus on only one issue, the IRC's choice of baseline mortality rate. The Human Security Report states: "The IRC uses the sub-Saharan average of 1.5 deaths per 1,000 per month as its baseline mortality rate for all but the very last survey …"[50] The report goes on to point out why this may be an underestimate of baseline mortality in the Congo:

> (T)he DRC is in no sense an average sub-Saharan African country—indeed, it is ranked at, or near, the bottom of every sub-Saharan African development indicator. The baseline mortality rate for the country as a whole should therefore be considerably higher than the sub-Saharan African average. The survey evidence from the western part of the country suggests that this is indeed the case.

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[47] The International Rescue Committee, "Mortality in Eastern DRC: Results from Five Mortality Surveys, May 2000, http://www.theirc.org/sites/default/files/resource-file/IRC_SUR_MOR_DRC_2000.pdf
[48] Ibid., p. 12.
[49] Human Security Report 2009: The Shrinking Costs of War, Chapter 3, "The Death Toll in the Democratic Republic of the Congo, pp. 36-48 http://www.humansecurityreport.info/2009Report/2009Report_Pt2_3_DeathTollInTheDemocraticRepublicOfTheCongo.pdf
[50] Op. cit., p. 38.

> In 2002 the IRC recorded no violent deaths in the western region—which it refers to as the "nonconflict" zone. Yet, the mortality rate in this zone is 2.0 deaths per 1,000 of the population per month—a third higher than the sub-Saharan African average that the IRC uses as its pre-war baseline mortality rate.
>
> The fighting in the DRC was also heavily concentrated in the eastern provinces during the period covered by the first two surveys. This suggests that in this period too there was no significant violent death toll in the western part of the country. Indeed, this is precisely the assumption the IRC makes in arriving at its 5.4 million excess death toll estimate for the DRC for the period 1998 to 2007.[51]

Other information supports the conclusion from the Human Security Report that the baseline mortality level chosen by the IRC was too low, and that a better assumption would be a baseline of 2.0 deaths per 1,000 per month. The IRC itself states that their overall estimates are "fraught with potential for error. Some inclination of the magnitude of this imprecision can be obtained by substituting a range of plausible assumption into our mortality estimate."[52] The IRC, in its second study, states that a baseline mortality rate of 2.0 is the "highest reasonable" figure one could use. They further state that using this figure would decrease the number of excess deaths from 2.5 to 2.3 million during the period examined in that particular study (August 1998-March 2001).[53] Also, in its study published in April 2003, IRC measured the mortality rate in western Congo; that figure "was 2.0/1000/mo. (95% CI = 1.5 – 2.6) among those surveyed in the west."[54]

The Congo (then called Zaïre) adopted a creative and progressive approach to primary health care through the creation of decentralized health zones in the 1970s, much earlier than many other countries in Africa. The success of this approach was dependent to a great degree on robust missionary presence (both Catholic and Protestant) and on high levels of donor funding from USAID and others (particularly during the 1980s). However, that approach ran into difficulties as a result of a deepening economic crisis and the AIDS epidemic in the 1980s. By 1991, it fell apart when pillaging led to the widespread departure of expatriates and the withdrawal of most donor organizations, including USAID.

Also, Congo experienced another round of tremendous insecurity and violence from November 1996-May 1997 in the war that overthrew President Mobutu. This further shattered an already devastated health system across the country, with most health zones barely functioning.

Given these two serious shocks, it appears extremely unlikely that as of August 1998 Congo's CMR was the same as the average across Sub-Saharan Africa. No one will ever know how high Congo's CMR was at that point in time, since no surveys occurred during the relevant period, but I believe that a figure of 2.0/1000/month (a known rate from western Congo in 2002 based on an IRC survey) is a more defensible figure than 1.5/1000 month, the figure used by the IRC.

This evidence of decline is supported by a different type of analysis, based on economic data. A data set which contains reasonably reliable information gives us figures for Congo's per capita

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[51] Ibid., p. 39.
[52] IRC, Op. cit., 2001, p. 16.
[53] Ibid., p. 17.
[54] IRC, "Mortality in the Democratic Republic of Congo: Results from a Nationwide Survey," April 2003, p. i.

Gross Domestic Product (GDP) throughout this period. The following table provides data from the World Bank on Congo's per capita GDP at important comparative points:

Year	Per capita GDP (constant 2000 US$)	% change from 1984
1984	242.81	0
1991	178.19	-27
1998	99.62	-59
2002	81.47	-66
2007	95.45	-61

I choose 1984 and 2002 as two of the years included in this table, since they represent the two years with reasonable data regarding Congo's crude mortality rate: first, data from the 1984 census, which put Congo's CMR at 1.3/1000/month, and second, IRC data from their 2002 survey, which came up with a CMR for western Congo of 2.0/1000/month. There are no other reasonably reliable national estimates of which I am aware between these two data points. I include 1991 because that is when pillaging ravaged Kinshasa (as noted above); 1998 is the start of the IRC's estimation period; and 2007 concludes the period for which the IRC makes its estimates of excess mortality.

From the above economic data, it is clear that the steepest part of the economic decline in the period 1984-2002 occurred between 1984 and 1998, with 89 percent of the decline occurring during this period. This means that the overwhelming amount of economic decline and disruption happened before the baseline date of August 1998 when IRC begins its estimates of excess mortality. It is reasonable to assume a similar story of decline in the health sector: that much of the decline occurred prior to August 1998, in terms of establishing the correct baseline from which to calculate excess mortality estimates.

Further, the IRC itself found that the crude mortality rate (CMR) in western Congo, relatively untouched by the war that began in August 1998, was 2.0/1000/month as of November 2002, approximately four years later. That appears to support the higher baseline mortality rate of 2.0, since between August 1998 and the fall of 2002, a number of donors, including USAID, returned to the Congo, restarting substantial health programs. It appears reasonable to assume that the 2.0 figure that the IRC found for western Congo in 2002 is similar to what it was in August 1998. It appears unlikely that it would have been lower than 2.0.

What about eastern Congo? Either the rate in eastern Congo as of August 1998 was similar to that in western Congo – which I am arguing was at least 2.0 – or, somehow the rate in eastern Congo would have been lower (1.5) prior to the outbreak of war in August 1998. I am aware of no evidence that would suggest that the CMR in eastern Congo would have been lower than that in western Congo as of August 1998. If anything, it is likely to have been higher. This, then, suggests that 2.0 could even be a conservative estimate of baseline mortality in the Congo as of August 1998.

In conclusion, it appears likely that the present figure, used by the IRC and many others, "an estimated 5.4 million people died from conflict-related causes in Congo since 1998,"[55] is too high. What happens when the baseline mortality rate is adjusted upwards to what appears to be a more appropriate level of 2.0 deaths per 1,000? The IRC has made this calculation: "it is worth noting that if a crude mortality rate of 2.0 was used, estimated excess deaths would be 3.3 million since 1998."[56] If one accepts this figure as a better point estimate, it reduces the total by 2.1 million, or 46 per cent. That said, one is still left with the staggering estimate of 3.3 million excess deaths between August 1998 and April 2007.

The IRC itself has stated: "The true number could be as low as 3.1 million or as high as 7.6 million. While the precise number will never be known – it is clear that millions of people died unnecessarily because of the war."[57] I fully agree "that millions of people died unnecessarily because of the war," and that the IRC provides the key evidence for this. I note that my point estimate of 3.3 million falls within IRC's own confidence interval. In effect, I am arguing that the low end of the IRC confidence interval is likelier to be the most accurate estimate of excess mortality for the 1998-2007 period.

The initial IRC report accomplished its overall, laudable goal, which was to generate much greater high-level interest and concern in Western capitals over events in the Congo. The IRC website notes: "International humanitarian funding for aid and development in Congo increased by 500% after publication of the first survey in 2000, with US contributions increasing 26-fold. There have been gradual increases since that time, although funding continues to be insufficient in proportion to need."[58]

The IRC also has emphasized the crucial point that the great majority of these excess deaths come not from combat-related incidents, but from elevated rates of death from disease and malnutrition. Most of these deaths are from causes, such as malaria and diarrhea, which under normal circumstances are readily preventable with low-cost interventions.

A paradoxical conclusion is that, if one accepts a lower estimate of excess mortality in the Congo over this period, one also has to accept that the ***overall situation in the Congo is worse, not better***. An increased baseline mortality rate, put in layperson's terms, means that the overall situation in terms of human wellbeing is much worse. Therefore, as war, conflict, and displacement made an already horrible situation in the Congo even more devastating in the late 1990s and early years of this century, the estimated number of "excess" deaths during this period is estimated to be ***lower, not higher, since the baseline situation is already so horrific*** and so many vulnerable people already are dying from readily preventable diseases and other illnesses.

This brief reconsideration of one aspect of the IRC estimates, therefore, should in no way be seen either as diminishing the horrors and suffering of Congolese or as undermining the

[55] Taken from the IRC website on March 7, 2010, http://www.theirc.org/special-reports/congo-forgotten-crisis
[56] IRC-Burnet Institute, "Statement: IRC and the Burnet Institute Strongly Affirm Congo Mortality Study Findings," date not given, p. 2.
[57] IRC, "Measuring Mortality in the Democratic Republic of Congo," date not given, p. 3.
[58] Taken from the IRC website on March 7, 2010, http://www.theirc.org/sites/default/files/resource-file/IRC_DRCMortalityFacts.pdf

extraordinarily important efforts of the IRC. The overall situation across the Congo, not just in its eastern portion, has been (and continues to be) one of acute, abject misery for most of the population. This re-evaluation of the IRC estimates should lead to greater concern over the situation in the Congo, not less, since their estimates end in 2007, while Congo's ongoing crises in poor governance and adequate health care delivery continue into 2011.