Conflict in the DRC: 
A Critical Assessment of the 
Lusaka Ceasefire Agreement

Hussein Solomon
Visiting Bradlow Fellow (2003)
and Gerrie Swart
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Gerrie Swart & Hussein Solomon

Introduction

Conflict can be defined as a situation in which two or more human beings desire goals which they perceive as being obtainable by one or the other, but not by both.\(^2\) According to Mitchell, conflict refers to actual behaviour, which often involves coercion and usually violence. The behaviour of each party is directed towards preventing the opposing party from reaching its goals.

A fundamental problem for parties employing coercive or persuasive strategies in a conflict is when to 'make peace'. This involves seeking solutions that will bring an end to violence and ultimately secure stability, security and the renewal of peaceful, normal and amicable relations. Such an outcome can be achieved only if all the parties make a concerted effort and decision to compromise through negotiation. The more general process relevant to ending conflict at all social levels can be called 'conflict termination', a matter of at least one party in a conflict determining to abandon coercive behaviour and to adopt a form of settlement strategy that operates through concessions and conciliation.\(^3\) Rather than continue costly and ineffective military operations, either because a perceived stalemate exists or because defeat seems more likely than a decisive victory, a national government may take the difficult decision to initiate peace talks with an

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1 GERRIE SWART and HUSSEIN SOLOMON lecture in the Department of Political Science, University of Pretoria.
adversary. Alternatively, it could make a direct compromise offer to the opposing party in a conflict situation. As Mitchell\(^4\) rightly points out, an important characteristic of conflict termination is that it is basically a bilateral process, the main roles being played out by the adversaries.

There have been many unilateral declarations of war, but none of peace. Efforts toward securing peace in any conflict always require dialogue and co-operation between the parties that have been locked in violent conflict with each other: otherwise making peace would be impossible. As witnessed in too many conflict situations, it has always been easier to embark upon destruction, disruption and the deadly use of force than to make the often difficult, but crucial, decision to end conflict and to restore peace and stability. The African continent has seen many instances of such a nature, and the Democratic Republic of Congo (DRC) has become a case study of the effects a brutal, protracted and devastating war can have on an entire nation. In only three years the conflict situation in the DRC exploded into what many have regarded as 'Africa War One'.\(^5\) Yet such conflict could be prevented if backed up by decisive, firm and concrete measures to deter the emergence of an environment conducive to the outbreak of violence and war. The DRC provides for an interesting yet troubling discussion not only of the conflict itself, but of the actual steps initiated to restore peace, stability, security and eventually peace and prosperity by those individuals who found themselves at the centre of its violent outbreak. With both Dialogues concluded under the Lusaka process accompanied by months and years of intense and gruelling negotiation, the fair question in retrospect would be: Have the Lusaka agreement and the Dialogues provided for under the agreement's auspices been a success?

This report provides a brief background to the conflict in the DRC as it erupted in 1998. It also briefly examines the pre-negotiation stages, which ultimately led to the Lusaka Ceasefire Agreement. The Agreement itself is assessed in terms of its main provisions. Whether the agreement has been a success, considering the various events and incidences of violence and instability that have preceded and followed the peace agreement at various

\(^4\) Ibid.

stages, has remained a matter shrouded in scepticism and doubt. The
discussion also assesses the Inter-Congolese Dialogues provided for under
the Lusaka Agreement, and debates whether these deliberations have
contributed to securing any genuine successes among the failures and
losses that have been incurred on the road to the Lusaka Peace Agreement.

**Background to the Conflict in the DRC**

The decision to terminate a conflict that is often a tacit acknowledgement of
defeat or deadlock is a difficult and lengthy one. Very few, if any, violent
and protracted conflicts and wars have ended suddenly, with all parties
instantaneously dropping their weapons and extending the hand of
friendship and reconciliation. If this were the case, there would be little
need to venture any further with this paper, or indeed to analyse conflicts
at all. The sobering reality, however, is that conflicts do not conveniently
end at the drop of a hat (or an army helmet); nor do the parties to a conflict
easily embrace one another in elation and joyful exuberance. Conflicts are
intense, brutal, cause severe trauma to mostly uninvolved civilians, and
breed extreme distrust, fear and suspicion among the participants.

Conflicts that can be ended at some unambiguous and available
termination point are thus rare. Usually parties to a conflict are faced with
the problem of ending a conflict by working towards a settlement through
an indeterminate, almost trial and error, process. The basic but complex
question facing parties and their leaders is always when they should accept
the terms the adversary offers, given that circumstances may change to
their disadvantage and subsequent terms may be worse. Another problem
facing parties to a conflict is when to give up and start compromising. The
war in the DRC has produced a catastrophe in the region. However, the
armed struggle itself has its roots in many years of misguided and corrupt
leadership of a country that once was known as Zaire.

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6 Mitchell CR, op. cit., p.166.
From Zaire to the DRC: Background to ‘Africa’s First World War’

In the seven years preceding the Great Lakes crisis, Mobutu Sese Seko, the president of Zaire, had been forced by Western powers to agree to at least some semblance of democracy. The result was catastrophic. The army, more a collection of thugs than a fighting force, went on two disastrous looting and pillaging sprees in the early 1990s, destroying most of Kinshasa’s modern business sector, and prompting the flight of foreign multinational corporations. By 1994, inflation was running at an incredible 23,700%, and in that year, the economy shrank by 7.4%. To make matters worse, the output of Zaire’s vital mining sector had shrunk to just 10% of what it had been in 1958, when it was a Belgian colony. It was against this backdrop of state disintegration in Zaire that the genocide in Rwanda unfolded.7

In 1994, the downing of the aeroplane carrying Rwandan President Juvenal Habyarimana (a Hutu) by unknown terrorists unleashed a genocidal campaign on a scale unseen since World War II. In a few short months, the Rwandan Army and Interahamwe militiamen had massacred more than 800,000 Tutsis and moderate Hutus. In response, Tutsi rebels, who had formed the Rwandan Patriotic Front (RPF), succeeded in overthrowing the (majority) Hutu regime in Kigali. More than 2 million Hutus, all of them fearing revenge killings and some of them participants in the genocide, fled to eastern Zaire, where many joined forces with the Interahamwe who had based themselves there.

Uganda had a definite national interest in returning the Great Lakes region to stability. The country had experienced phenomenal economic growth in the previous decade, and Museveni’s government was increasingly concerned that instability in the region would hinder the country’s continuing economic success. It was on these grounds (strictly in the national interest) that Uganda decided to intervene to overthrow Mobutu Sese Seko. In late 1996 Rwanda, Uganda and Burundi committed themselves to changing the dispensation in Zaire: Kagame, Buyoya and Museveni regarded Mobutu as having been instrumental in stoking domestic difficulties in their countries. However, in order to change the regime, the three leaders had to find a replacement for Mobutu, a titular

head of the rebel movement who would be recognisable to the Zairean populace. The man they selected was Laurent Kabila. Thus, from the moment that intense fighting broke out in August 1996, Kabila was portrayed to the world as the head of a popular Zairean uprising. The ruse was largely successful, and as the rebel movement gained momentum, Kabila was able to enlist support from Zaire's numerous tribes. The Zairean army, long neglected under Mobutu, disintegrated in the rebels' path. Uganda, Rwanda and Burundi continued their support of the rebel movement that Kabila was building. Kisangani, Zaire's third largest city, fell to Kabila's rebels on 15 March 1997. The Zairean army had melted away before their advance, and the fall of Kisangani ended all hope for Mobutu of a Zairean counteroffensive and military resistance. The road to the capital, Kinshasa, was open. When his string of victories included the capture in April of Zaire's second largest city, Lubumbashi (in the southeastern copper belt), Kabila began to carry himself like a head of state.

Support for Kabila's movement was a response to the ongoing mismanagement of Zaire by Mobutu and in particular the government's refusal to grant Zairean nationality to ethnic Tutsis. In early April the governor of South Kivu had announced that all Zairean Tutsis would be expelled from the country. But by that time, Kabila's forces were in control of 75% of the country and Mobutu's forces were confined to Kinshasa.

In April 1997 Kabila's Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) entered Kinshasa, following the exit of President Mobutu, and Laurent-Désiré Kabila proclaimed himself president, renaming the country the Democratic Republic of Congo (DRC). He received foreign visitors, and invited human rights groups to tour the conquered, or 'liberated' territory.

President Nelson Mandela attempted to negotiate between Mobutu and Kabila, in order to secure an orderly transition to a post-Mobutu Zaire. This attempt ended in failure because Pretoria failed to take into account the complexity of the situation in Zaire. The alliance that had been formed to oust the previous regime however rapidly disintegrated when Kabila

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expelled his former Rwandan allies from his government. The banning of opposition parties followed, and rule by decree was soon introduced and strictly enforced. The Union for Democracy and Social Progress (UDPS), led by Etienne Tshisekedi, was amongst the political parties banned by Kabila. Etienne Tshisekedi occupied a prominent role within both Zaïre’s and the DRC’s political landscape. A Minister of the Interior under Mobutu in the 1960s, he had eventually become an opponent and leading critic of the dictator, and had founded his own party in 1982. The Sovereign National Conference elected him prime minister in 1991, and again in 1992. The following year he even formed a government in defiance of Mobutu. He also repeatedly insisted over the years that constitutionally he was prime minister. Kabila’s relationships with neighbouring heads of state were equally fragile. Museveni developed an antipathy to Kabila, and relations between the two men, and thus their respective states, soured quickly. Showing himself capable of fostering ethnic hatred to achieve his goals, Kabila started to persecute the Tutsis of eastern Zaïre.

On 3 August 1998, a new war, known as the ‘second rebellion’, started in the DRC. It was aimed against Kabila, and fought by his former allies in Kivu and in towns such as Mbuji-Maji (in Kasai) and Kisangani in the northeast. This war had its origins in the series of serious political errors the new president made during his brief tenure. The Rwandan government had asked Kabila to allow Rwanda to retrain the Zairian army. This was an attempt to end the cross-border raids that were damaging Rwanda’s fragile peace and stunting its economic recovery. Kagame realised that Rwanda had supported another Mobutu-type ruler. In consequence, the Rwandans encouraged segments of the new Zairian army to revolt. In retaliation, Kabila began arming Hutu resistance fighters against Rwanda.

The Second Rebellion began when Rwanda and Uganda, fearing the ‘negative forces’ that the DRC harboured and allegedly aided, pledged to remove Kabila from power. Rwanda supported the Congolese Rally for

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9 Fourie E & H Solomon, op. cit., p.5.
Democracy (RCD), while Uganda backed the Congolese Liberation Movement (MLC). Burundi joined them in the effort to oust Kabila.

The situation in the DRC was rapidly transformed from a local conflict to a war that engulfed the entire region, with far-reaching consequences. Troops from Zimbabwe, Chad and Namibia joined those Angolan forces already in the DRC to shore up Kabila's government and prevent the capture of Kinshasa. In December 1998, the Rwandan vice-president, Paul Kagame, finally admitted that Rwandan troops were aiding the DRC rebels. This admission was made at the request of President Mandela to advance the peace talks. The Rwandan rebel group Interahamwe, based in the Congo, was committed to the overthrow of the Rwandan government. The Ugandan president, Yoweri Museveni, entered the conflict to tackle another set of rebels, the Alliance of Democratic Forces (ADF). Burundi also entered the fray to protect its borders from Burundian Hutu rebel groups operating from inside the DRC.

Efforts to resolve the conflict began virtually simultaneously with the onset of hostilities. The DRC war has already seen approximately 23 recorded peace initiatives since 1997. In 1998, with the conflict at its most intense and violent, regional leaders decided to take decisive actions to put an end to the war that had engulfed an entire region. An emergency summit of SADC leaders was convened in Pretoria in August 1998, calling for an immediate ceasefire. On 13 September 1998, the Southern African Development Community (SADC) mandated Zambian President Frederick Chiluba to head the African peace initiative for the DRC. Various pre-negotiations occurred in the run-up to the Lusaka peace agreement. In January 1999, a summit of five nations with troops in the Congo was held, at which the presidents of Rwanda, Uganda, Namibia, Zimbabwe and Angola agreed to a ceasefire. However the absence of Laurent Kabila and the omission of the RCD left the negotiations incomplete.

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13 Ibid., p.93.
UN Security Council Resolution 1234 demanded an immediate halt to hostilities, and called for the immediate signing of a ceasefire agreement. The UN stressed the need for the engagement of all Congolese in an all-inclusive process of political dialogue. A breakthrough was made in April 1999, when Presidents Museveni and Kabila signed a ceasefire accord in Sirte, Libya, under the mediation of Muammar Gaddafi. However, the agreement was rejected by both the RCD and Rwanda. President Chiluba agreed to implement the Sirte accord. The RCD split in May 1999 when Ernest Wamba dia Wamba was ousted as head of the group. The movement subsequently split into six different factions. RCD-Goma was based in Goma and led by Adolphe Onusumba under Rwandan patronage, while RCD-Kisangani formed under Ernest Wamba dia Wamba. The RCD-ML, another faction, was supported by Uganda.\(^\text{14}\) The UN Special Envoy, Moustapha Niasse, attended talks in June 1999, which paved the way for a DRC summit in Lusaka, with the purpose of signing a ceasefire agreement.

On 10 July 1999, the DRC government and other parties to the conflict signed the Lusaka Ceasefire Agreement. The long-awaited Lusaka summit was delayed several times as the preliminary meeting of foreign ministers struggled to reach consensus on the technicalities of the draft agreement. Delegations from the DRC government and three Congolese rebel groups eventually entered into direct talks in July 1999, independent of their respective allies, in an effort to make some progress. A third week of negotiations elapsed before the 10\(^{th}\) July ceasefire agreement was signed by the leaders of the six states that were parties to the conflict: the DRC, Zimbabwe, Namibia, Angola, Rwanda and Uganda. The rebel groups did not sign the Lusaka agreement initially.\(^\text{15}\) On 1 August 1999 Jean-Pierre Bemba became the first of the Congolese rebel leaders to sign the ceasefire agreement on behalf of the MLC. The RCD eventually signed the accord on 31 August 1999. Initial assessments were highly optimistic that peace would follow the signing of the agreement.

The parties were tasked with ensuring the strict and swift implementation of the Agreement. On the coming into force of the Ceasefire Agreement in the DRC, the parties would agree to do their utmost to facilitate the Inter-


Congolese political negotiations, known as the Inter-Congolese Dialogue, which were to lead to a new political dispensation in the Democratic Republic of Congo.\(^{16}\) All the resolutions adopted by these negotiations were to be binding on all participants. The Dialogue would also provide for agreement on the formation of a new Congolese national army, comprising the Congolese Armed Forces and the armed forces of the RCD and the MLC; the holding of free, democratic and transparent elections; and the drafting of a constitution, which would shape the new dispensation in the DRC after the elections.\(^{17}\) A Joint Military Commission (JMC) representing all the signatories, was established under the ceasefire agreement to regulate and monitor the cessation of hostilities.

The Lusaka Peace Agreement: Peace or Agreement?

The process of negotiation itself possesses a number of stages. Pre-negotiation and the attendant manoeuvring for advantage may begin well before the negotiators themselves sit down to work out a compromise settlement. A far more usual process (once a genuine desire for some kind of compromise settlement is evinced by both parties, or both have been put under heavy pressure to come to some agreement) is for both to engage in a series of preliminary manoeuvres. These are to ensure that they will come to the negotiations on terms calculated to predetermine the outcome of the substantive negotiations in their favour.\(^{18}\)

Given that parties to a conflict have decided to end the hostilities, both will usually have to abandon the process of long-range tacit bargaining as their main strategy. Instead they will send representatives to engage in face-to-face bargaining over a negotiating table. This direct meeting is usually difficult, both to arrange and to conduct. Because the parties often feel enmity for one another, it is difficult for those facilitating the negotiations even to set up a meeting.\(^{19}\)


\(^{17}\) Ibid., p.9.

\(^{18}\) Mitchell CR, op. cit., p.212.

\(^{19}\) Ibid., p.196.
Those wishing to terminate a conflict will argue that the costs and risks of prolonging the conflict far outweigh those of compromise in the present and that the admittedly uncertain benefits of a rapid settlement outweigh the more uncertain benefits to be obtained at some unspecified time in the future.\textsuperscript{20} The very act of engaging in formal negotiations indicates that on most occasions the parties involved have decided to attempt to find a solution through means other than coercion. Hence their behaviour is often marked by noticeable changes, such as being ready to accept formal ceasefires or unilateral restraints on further coercion.

There are numerous obstacles even to beginning a process of negotiation. Examples that frequently arise are the positions of relative advantage of the various parties; internal constraints within each party that militate against compromise; and the difficulties of communicating to the adversary a desire to compromise without giving the impression of weakness or lack of resolution. These factors can combine to prevent any negotiation taking place until one or the other party reaches the point of exhaustion.\textsuperscript{21} However, that negotiated settlements do occur indicates that there must be circumstances in which parties are prepared to cut their losses, abandon their previous goals and compromise, even if these are rare. The Lusaka Agreement, from the very point of its initiation, exhibited the characteristics described in Mitchell’s theories on settlement strategies.

Negotiations undertaken to end a dispute can be viewed as efforts to bring a mutually costly interaction to an end, and return to a situation that resembles to an extent a degree of ‘normality’ in relations, even though the normalisation agreement, if achieved, may establish a totally different ‘normality’ from that which existed before the dispute.

The Lusaka ceasefire agreement exhibited elements of both redistribution and normalisation negotiations. The former entails fundamental change in existing arrangements, or of the distributions desired by one party and resisted by another. The latter (normalisation negotiations) are concerned with the termination of undesired and relatively ‘abnormal’ conditions, and a return either to some status quo or some new but mutually acceptable relationship. Such negotiations are usually appropriate at the end of a

\textsuperscript{20} Ibid., p.167.

\textsuperscript{21} Ibid., p.200.
conflict process, when a truce, ceasefire, peace treaty or some other formal ending of coercive strategies is desired by both sides. Negotiations at the end of many conflicts therefore contain strong elements of redistribution as the original issues causing the conflict involve some demand for change by at least one party. The alteration fought for might entail the distribution of valued resources or roles, or improvement in the behaviour of one party and in its relationship with the other. Negotiations are likely to be helped by the ‘normalisation’ elements in the conflict situation, and hindered by the surviving ‘redistribution’ elements. The initial stages of the Lusaka agreement were indicative of severe impediments that placed immense strain on its successful implementation.

The creation and signing of the Lusaka agreement was achieved with much difficulty. A split in the RCD delayed the process, with each side at first refusing to acknowledge the other’s assumed status at the peace talks as well as their authority to sign. Another delay occurred when the former head of the RCD, Ernest Wamba dia Wamba, sat down in the seat reserved for the RCD representative, claiming his right to do so as leader of the movement. There were intensified demands for changes to the Lusaka agreement, which threatened the basis of the peace process. Many hurdles had to be overcome before the preparatory talks in Gaborone could take place. Most of them were created by Laurent Kabila, who signed the Lusaka agreement only under extreme military pressure.\(^{22}\)

The main reason Kabila had been forced to negotiate was the weakening commitment of his allies to continuing the war, and the growing pressure on his regime. At the time of the signing of the Lusaka ceasefire, he faced the threat of imminent military defeat. The agreement may have been his only way of clinging to power. Despite his claims of victories, he had not recovered any of the territory taken by the rebels and their allies since the beginning of the war. However, it was clear from the beginning of the talks that Kabila’s position would be further weakened by the ceasefire agreement. Critical observers in Kinshasa noted that Kabila was ‘not even’ a dictator, and had not been in control of his country at any moment since he had taken over. He had proved himself unable to build a sustainable regime in Kinshasa.\(^{23}\)

\(^{22}\) Cilliers J & M Malan, op. cit., p.65.  
\(^{23}\) ICG, op. cit., p.78.
Yet this did not prevent Kabila from attempting to manipulate the negotiations and the National Dialogue process to his advantage. These developments all contributed toward undermining the agreement. Indeed, it can be argued that the Lusaka agreement was imposed, even forced upon the signatories, metaphorically at gunpoint, rather than being offered as a symbolic "olive branch".

Another obstacle to the negotiation process was the difficult choice of a mediator who would be trusted and accepted as non-partisan by all signatories. It would be five months before a former president of Botswana, Sir Ketumile Masire, was accepted in this role. Kabila refused all cooperation with Masire, requesting the appointment of a new facilitator and even seeking to launch his own dialogue to circumvent the Lusaka process.

Chapter Three of the Lusaka Ceasefire Agreement presented a timetable for its implementation. The total number of days stipulated for the full implementation from the date of signature was 270. Analysts criticised the short period (only 30 days) provided for the disarmament of the various groups, considering that these groups had operated very clandestinely and would not willingly hand over their weapons. The 270 days allocated to achieve a comprehensive and solid peace agreement too have grudgingly and progressively extended into more than four years so far.

The almost immediate collapse of the Lusaka Agreement is well known. By October Kabila's forces had begun to push eastwards, while Rwanda and the RCD-Goma tightened their grip on the strategic diamond town of Mbuji-Mayi. Both sides insisted they were merely responding to violations by the enemy. The stalemate lasted almost a year and a half. The manner in which the Lusaka agreement was reached contributed significantly to its failure, because it largely froze the armies in their positions, but did not stop the fighting. The agreement was swiftly drained of a substantial

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24 Fourie E & H Solomon, op. cit., p. 15.
27 Fourie E & H Solomon, op. cit., p. 5.
amount of its content and was treated merely as a reference document when the parties found themselves with very few other options.\textsuperscript{28}

According to Mitchell's theory, the problem for those committed to the peace process becomes one of persuading the parties of the need to make a compromise settlement, while redefining defeat in such a way that it appears a partial victory. Often this proves impossible, which is why leaders tend to change when the time comes to make peace.\textsuperscript{29} One condition of arriving at a compromise solution is the removal of the leader responsible for beginning the conflict. The victors dislike dealing with the governments against whom they have been fighting.\textsuperscript{30}

Laurent Kabila, considered a major 'spoiler' of the peace process, was violently removed when, on 16 January 2001, he was assassinated. His son Joseph Kabila, who expressed his commitment to the Lusaka Agreement, succeeded him. Soon thereafter, Etienne Tshisekedi described the appointment of Joseph Kabila as deepening the juridical and political void in the DRC, and pointed out that Joseph Kabila had not lifted the ban on political activities.\textsuperscript{31} It is abundantly clear that the road to peace in the Great Lakes region was littered with many obstacles and far too many grievances. It became virtually an impossible and insurmountable task to make peace in the DRC without encountering more and more obstacles along the way. This severely complicated and undermined peace initiatives that did not foresee so many contingencies that by now seemed to be emerging on an almost daily basis. Worryingly, a peace agreement was being created that contained far too many loopholes and allowed for an almost self-imposed escape clause whenever a critical juncture was reached and the parties, refusing to bow under intense pressure from their sworn enemies, opted for confrontation rather than reconciliation.

Ending a conflict presents special problems, depending upon whether a party begins the process from a position of perceived advantage, disadvantage or stalemate. In all circumstances the process can be

\begin{itemize}
  \item \textsuperscript{29} Mitchell CR, \textit{op. cit.}, p.184.
  \item \textsuperscript{30} \textit{Ibid.}, p.190.
  \item \textsuperscript{31} Louw L, \textit{op. cit.}, p.93.
\end{itemize}
complicated by intra-party cleavages. Continuing a conflict may suit some factions, while others would benefit more from the conclusion of some reasonable compromise.

The Lusaka agreement therefore failed to satisfy the aims of everyone of its signatories, and was severely weakened by this circumstance.

The Road to Peace in the DRC: A Potential Minefield?

The conflict in the DRC had come to engulf an entire region and indeed many nations became drawn into the conflict — some willingly, others involuntarily.

Rwanda’s first invasion of the DRC secured Laurent Kabila the presidency. The Hutu exiles were scattered by the war, and many thousands of ex-FAR and Interahamwe lost their lives in the process, along with many civilians.\(^{32}\) Kabila however turned against his former benefactors, and Rwanda decided to attempt a second invasion of its neighbour in 1998.

The spillover effects from the Burundian civil war also contributed to the chaos in the DRC. Soon after the outbreak of the Second Rebellion, the Burundian army deployed along the DRC side of Lake Tanganyika in order to guarantee the safety of its borders. The government of Major Pierre Buyoya feared that Laurent Kabila would offer the rebels bases in the DRC, from which to wage war against Burundi. Congolese territory had been a base for the Burundian rebels until 1996, and it was conceivable that it could be used for the same purpose again.

Uganda also justified its effort to unseat Laurent Kabila by citing its security interests. Having been the mastermind of the first rebellion that installed Laurent Kabila in power, Ugandan president Yoweri Museveni could not afford to remain out of the second.\(^ {33}\) The UPDF intervened in the DRC to destroy the rebel ADF’s Congolese rear bases. The ADF had terrorised the inhabitants of southwest Uganda with viciously brutal

\(^{32}\) ICG, op. cit., p.55.

\(^{33}\) Ibid., p.57.
attacks, which prompted the UPDF advance into the DRC to disrupt the rebel movement's operations.

Laurent Kabila's backers also increasingly sought to claim a stake in the conflict. Kabila became dependent on both Angola and Zimbabwe for military support. The MPLA regime has intervened in four wars in the two Congos over the past few years. The strategy used in each intervention has been similar to the MPLA's tactics against UNITA; encircling the rebels, cutting off their lines of communication and denying them access to secure bases. Many observers have also noted that president Dos Santos was taking on a hegemonic role in deciding who would rule in Kinshasa.

Angola first entered the DRC war to save Kabila's regime, fearful of the security vacuum that might follow his defeat. Another motive was to prevent Kinshasa from supporting the UNITA rebels under Jonas Savimbi. In the months preceding the outbreak of the second rebellion in the DRC, the MPLA's rebel opponents became increasingly powerful. By mid-1998 it became essential for the FAA to cut UNITA's supply lines and deny them access to, and use of, the DRC's ports and airfields. In strictly military terms the intervention of Angola in the DRC was a success, because it undermined UNITA as a conventional military force. Angola emerged as the most important of Kabila's allies.

Zimbabwe's involvement in the fray was highly controversial, given the country's own internal instability and increasingly dire economic situation. Its involvement in the DRC had always been a dangerous and costly adventure. President Robert Mugabe's decision to intervene in August 1998 was motivated by his own ambitions to assert his leadership as an African statesman and to serve the economic interests of the ruling elite. Protocols for military and economic co-operation between Zimbabwe and the DRC pre-dated the outbreak of the war. On 4 September 1998 Presidents Kabila and Mugabe signed a deal providing for a 'self-financing' intervention by the Zimbabwean National Defence Force (ZNDF). According to international reports Zimbabwe Defence Industries (ZDI) was to provide arms and munitions to the DRC, in return for which the Zimbabwean mining company, Ridgepointe, would take over the management of Gecamines and receive a 37.5% share of the DRC state mining company. Profits were also to be used for financing the Zimbabwean war effort. The benefits to Zimbabwe did not materialise as hoped for, and the DRC
government owed the government of Zimbabwe nearly $2.6 million for arms. The Zimbabwean government admitted in 2000 that its involvement in the DRC war was costing the country more than it could afford, nearly $200 million in the two years since August 1998. The ZNDF claims to have spent a staggering $3 million a month for the maintenance of approximately 11,000 troops — a third of its entire force deployed to the DRC. World Bank and IMF assessments estimated the costs at an even greater figure of $27 million. The fact that Zimbabwe had the resources available to engage in war in a foreign country while Zimbabwe was in desperate and dire straits economically and politically yet again reinforced perceptions that the conflict in the DRC and those who sought to involve themselves in the war were morally reprehensible.

Namibia came into the DRC conflict in a far more moderate fashion than Angola and Zimbabwe. President Sam Nujoma was a long-standing ally of Laurent Kabila and both countries received reciprocal rewards for their loyalties. Namibia allegedly benefited by supplying the DRC with fish and President Nujoma's brother-in-law, Aaron Mushimba, was also awarded a stake in the Miba diamond mining company.

The Lusaka Ceasefire Agreement provided little peace, as it could not prevent the outbreak of further violent conflict. The negotiations seemed to have been regarded as a platform for securing international recognition rather than representing a commitment to peace by the signatories. The ceasefire also failed owing to an absence of leadership; instead the agreement relied entirely on the co-operation of the parties. Each party suspected the other of playing a double game, and used this to justify its own duplicity, especially in the absence of an international guarantor who could compel compliance.

The Lusaka agreement outlined military and political measures to bring peace to the DRC, which presented a highly ambitious and utopian vision of what could be achieved within a very unrealistic time frame and in a very highly volatile environment. None of this was conducive to making a lasting peace. The agreement also failed to make provision for the concerted humanitarian action needed in the DRC; nor did the parties sign

34 Fourie E & H Solomon, op. cit., p.15.
a formal protocol covering guarantees of access, security or freedom from rebel or government fees and taxes.

Another factor that made the ceasefire agreement difficult to implement was the geographical vastness of the country and the many geopolitical intricacies the DRC represented in which many ethnic and tribal loyalties were interwoven in the already complicated political make-up of the country that was struggling to reconcile these vast differences. The peace agreement identified the questions of regional security and political reconstruction that must be confronted for peace to be achieved; but it did not define who should oversee its implementation, or how this leadership role would be sustained throughout the various phases set out in the Lusaka document. The document provided a mere outline of what a desired peace should look like in the end but failed to indicate what would be necessary not only to reach the destination, but how to stay on course with that vital task that the people and government of the DRC and its neighbours would ultimately have to implement, oversee and guard almost jealously — peace.

At first the Lusaka agreement seemed to mark an ambitious attempt by the region to take the initiative in resolving the conflict. The Zambian-brokered ceasefire called for an ‘appropriate’ Chapter 7 UN force, defined its mandate and laid down a timetable for its deployment. To police the ceasefire in the interim, the JMC comprising representatives of all the belligerents, was expected to carry out the necessary peacekeeping operations. The inspiration for this concept came from the December 1998 proposal by then Deputy President Thabo Mbeki, which called for a peacekeeping force composed of the belligerent forces under a neutral command. The rationale behind the idea was that the sheer size of the force needed in the DRC was far greater than either the UN or the world’s major military powers would be willing to provide. An even more daunting task assigned by the Lusaka agreement to the JMC was to develop mechanisms for tracking, disarming, cantoning and documenting all armed groups in the DRC. Yet the Lusaka agreement failed to take the intricate details of such a massive task into account. The JMC was plagued by a severe lack of

35 ICG, op. cit., p.85.
36 Ibid., p.87.
funds and was subsequently forced to suspend many of its activities because it did not receive the $6 million a year it needed in operating funds.

A major cause of the violent conflict in the DRC was the presence of armed insurgents from Rwanda, Uganda and Burundi fighting their own battles on Congolese soil. The second pillar of the Lusaka peace agreement – the disarmament, demobilisation, repatriation, reintegration and resettlement (DDRRR) of the non-Congolese armed groups – have required equally serious attention.\(^{37}\) (This was the prerequisite for the third pillar, the withdrawal of foreign troops, which would seal a sustainable peace between the DRC and its neighbours and within the DRC itself.) The most prominent of the non-Congolese armed groups were the predominantly Hutu rebel forces, such as the Armée de Libération du Rwanda (AliR), led by men who had been the masterminds of the Rwandan genocide of 1994. They had been supported by the government in Kinshasa because the government lacked a sufficient military strength to resist the occupying forces of Rwanda and Uganda.

Chapter 9 of the Lusaka agreement, which deals specifically with the issue of the disarmament of the armed groups, stipulates that disarmament should be voluntary and be undertaken at the initiative of the signatories themselves.\(^{38}\) Yet the parties were hopeful that the UN would actually take over the responsibility of demobilising the ‘negative’ forces. On the other hand, the primary duty of the UN mission to the DRC (MONUC) was to observe the implementation of the Lusaka ceasefire agreement, not to disarm the negative forces, or to protect the civilian population in zones vacated by the parties to the conflict.\(^{39}\) The timetable assigned to MONUC under the Lusaka agreement also appeared to be a massive flight of fancy: it called for the disengagement of forces within approximately 14 days, and set many other untenable tasks to be accomplished within a very short period. Among them were the observation and monitoring of the cessation of hostilities; supervision of the disengagement of forces and withdrawal of foreign troops; weapons collection; and the overseeing of humanitarian aid

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38 Ibid., p.16.
and the protection of civilians. MONUC was also expected to engage in a
Chapter 8 peace enforcement mission, in which it would track down,
disarm and rehabilitate members of 'armed groups', which were not
signatories to the agreement. The reality was that MONUC's success was
entirely dependent on one condition: that the various groups, belligerents
and irregular forces were going to co-operate. That this requirement was
not met proved to be a major obstacle.

The Lusaka agreement's major flaw may have been to entrust the
signatories with too much initial responsibility with regard to disarmament;
given the level of suspicion that clouded talks and negotiations and
subsequent encounters between the parties. As Rusamira argues, none of
the signatories and parties to the conflict had ever shown a real political
commitment to put an end to the war through peaceful negotiation.
However, the violent nature of the conflict demanded that talks had to be
pursued with the utmost urgency. The manner in which the Lusaka
agreement was concluded reflects that the agreement was hastily put
together to fulfil the need for an immediate cessation of hostilities. Yet four
years on and many more victims later, bullets and barrages of gunfire
continued in defiance of that ceasefire. Many analysts also believe that the
parties signed the agreement to hide their real intentions. The warring
parties may have used the agreement as a pretext to continue the war on
the basis of 'self-defence', if fully convinced the other party would violate
the agreed-upon ceasefire.

Various other issues that contributed to the conflict were not effectively
addressed by the agreement. Mitchell points to another factor: individuals
and factions may receive both material and psychological rewards (political
power, status and wealth) from their part in the conflict, which may be lost
when peace comes.

Violence has become a rational instrument for the acquisition of material
benefits. The strategic role that the diamond town of Mbuji-Mayi and

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40 Malan M & H. Boshoff, 'A 90-day plan to bring peace to the DRC? An analysis of the
41 Institute for Global Dialogue, 'Resolving the DRC conflict through internal dialogue', Global
42 Mitchell CR, op. cit., p.190.
similar locations played indicates where the belligerents' priorities lie. A UN panel of experts investigating the exploitation of the DRC's natural resources released a report in April 2001 accusing Rwanda, Uganda and Burundi of 'mass-scale looting' in the DRC. President Museveni's family is said to own shares in diamond mines in the DRC.

It is evident, therefore, that the involvement of foreign forces in the DRC conflict, whether on the side of the government or of the opposing armed forces, has been motivated and sustained by a variety of powerful interests. These range from legitimate security concerns to regional ambitions to ethnic solidarity and to financial gain. It can be argued that among the many factors the Lusaka Peace Agreement failed to take cognisance of was greed. The conflict in the DRC has been a definite case of greed as opposed to grievance.

The Inter-Congolese Dialogue: Talks about Talks?

According to Article 19 of the Lusaka ceasefire agreement, the government of the DRC, the armed opposition, the RCD and MLC and the unarmed opposition were to partake in open national dialogues. These inter-Congolese political negotiations involving les forces vives were to lead to a new political dispensation and national reconciliation in the DRC. The Inter-Congolese Dialogues had a dual purpose: to produce a negotiated settlement to end the war in the DRC, and to revive and consolidate the process of democratisation. This had been thwarted initially by Mobutu Seso Seko and thereafter by Laurent Kabila in his brief and violent tenure as president of the DRC.

The first significant outcome of the ICD was the May 2001 Declaration of Principles, which reaffirmed the inclusion of the RCD, MLC, the political opposition and representatives of civil society in the ICD and the adoption

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43 Solomon H, *op. cit.*
of the principle of consensus. The Lusaka Agreement also stipulated that 'all participants in the negotiations shall enjoy equal status'.

Sir Ketumile Masire brokered 'pre-dialogue' talks in Gaborone from 20–24 August 2001. Decisions were reached on the place, date and agenda for the Dialogue proper. The Gaborone meeting also produced signs of rapprochement between the MLC and the DRC government, with Jean Pierre Bemba even sharing the same position as Joseph Kabila's government over the immediate withdrawal of foreign troops. However, despite these cordial exchanges, the war continued.

Addis Ababa in Ethiopia was selected as the location for the opening salvo of the Dialogue. The talks, however, were a total failure. By exploiting the confusion caused by the facilitator over the objectives of the meeting, the government blocked the debate from the very start. It left Addis Ababa once it had achieved what the delegation had really come for: postponing the meeting. Sir Ketumile Masire announced that the Addis Ababa meeting would be a purely technical gathering, yet changed his mind by declaring that the meeting could not possibly hope to include all the delegates. The government subsequently entered the debate by declaring that the Addis Ababa meeting was really only a technical gathering to decide the opening date of the real Dialogue and to resolve the problem of the Mai Mai and RCD-ML participation. The only matter the parties could agree on ultimately was the arrangement that talks would be held at a later date in South Africa. Joseph Kabila dealt a decisive blow to the gathering by declaring his intention of holding elections in the DRC as soon as possible, challenging the outcome of the dialogue, which he contended was in danger of being manipulated by 'non-inclusive' political forces. The Inter-Congolese Dialogue came too early for Joseph Kabila. Since he came to power his entire strategy had been to secure legitimacy to his rule by portraying himself as a credible and responsible head of state that was destined to assume the unchallenged role of transitional president. To achieve this, he had to make key changes to the terms of the Inter-

46 Cilliers J & M Malan, op. cit., p.67.
48 Ibid., p.10.
49 Ibid., p.8.
Congoese Dialogue, particularly to article 5, which stipulates that the Head of State must stand on equal footing with the rebel forces.\(^50\) The Addis Ababa meeting was a failure and had very little chance of being a success. The RCD and MLC were anxious about the date on which to hold the Inter-Congoese Dialogues after the preparatory meeting in Gaborone. Their uncertainty was attributed to the fact that they did not want the process to lose momentum and shared concerns over Joseph Kabila’s commitment to the negotiations. The DRC government never had any real intention of ever entering into negotiations at Addis Ababa and they employed stalling tactics and showed an unwillingness to discuss even trivial issues.\(^51\)

Kabila’s delaying tactics are familiar to negotiation theory, which recognises that a party may enter into particular negotiations with objectives other than achieving the best possible compromise or indeed any compromise at all. Parties frequently engage in sham negotiations, and purposeful negotiations often include largely symbolic elements, which sometimes assume a greater importance than actually reaching agreement. Negotiations are also employed to delay the adversary’s vigorous prosecution of the conflict. Proposals are put forward, not in the hope that the adversary will accept them, but to postpone some coercive action.

Pre-negotiation skirmishes tend to take a number of forms, and are often called ‘talks about talks’. The issue of who will be permitted to negotiate and with what status often plays a part in this stage. Parties expend considerable ingenuity in trying to control which individuals, groups or governments they will agree to meet.\(^52\) Who is excluded and who is included can often determine the range of potential outcomes to be considered. The difficulty in setting up discussions between the representatives of governmental and non-governmental parties is one reason why directly negotiated settlements of transnational disputes are intractable.

The danger is that having been excluded from participation in the negotiations, rival factions might find it easier to condemn the eventual

\(^50\) Ibid., p.10.


\(^52\) Mitchell CR, op. cit., p.208.
agreement reached.\textsuperscript{53} At a meeting in Abuja, Nigeria, significant headway was made on the composition of delegations for the ICD. A preliminary agreement was reached on representation of the Mai Mai, religious orders, traditional chiefs and the unarmed opposition.\textsuperscript{54} The movement forward was hampered when the MLC rebels proposed a presidency that revolved every three years; that the seat of prime minister should be given to the unarmed political opposition; and that the presidency of the parliament should be allotted to the \textit{Forces vives de la nation}. The DRC government immediately rejected the proposal, stating that the post of head of state was neither vacant nor negotiable. Faced with the government's intransigence over the presidency issue, the MLC promptly declared that it was no longer interested in attending another meeting, while the RCD expressed its intention of continuing to fight. In the wake of the meeting, the so-called radical unarmed opposition, the Union for Democracy and Social Progress (UDPS), Innovative Forces for Union and Solidarity (FONUS), People's Movement for the Revolution-Fait Privé (MPR-Fait prive), United Lumumbist Party (PALU), Christian Social Democrat Party (PDSC) and the Congolese-Lumumba National Movement (MNC-L) vehemently opposed the Abuja recommendations, arguing that they violated the principle adopted at Lusaka in May 2001, which granted each group the freedom to select its own delegates.

The ultimate threat available to negotiating parties is withdrawal from the negotiations and the resumption of coercive behaviour, that is fighting. However, the frequent use of threats during negotiations becomes counterproductive. This tactic was often employed during the negotiations. Another element that warranted concern is that increasing the number of participants in the ICD would inevitably complicate the process of negotiation, as each party contributes new views as to desirable outcomes, has different preference orderings and fresh patterns of contingent behaviour. All of these have to be taken into account by other participants in their evaluations of likely outcomes and negotiating stances. A larger number of parties may also reduce the already limited number of benefits available for distribution.

\textsuperscript{53} \textit{Ibid.}, p.242.

\textsuperscript{54} ICG, 'Storm clouds over Sun City: The urgent need to recast the Congolese peace process', \textit{op. cit.}, p.2.
President Joseph Kabila was severely criticised for entering into parallel consultations with certain members of the unarmed political opposition. Furthermore, for the MLC the issue of which parties would make up the additional list of the unarmed political opposition was a contentious issue.

Part of the problem of establishing a mutually satisfactory relationship before entering formal discussions is the problem of substantive recognition implied in one party’s willingness to hold talks with another. This includes an implied recognition of opposing groups or organisations as being genuine parties to a particular dispute as opposed to having no status in that context. Thus agreeing to open even ‘talks about talks’ with particular groups can have profound implications for the resultant negotiations because it recognises that the discussions must include some representatives and issues previously ignored. The status with which parties in conflict come to any discussions has an important impact upon what is discussed, the way it is discussed and the outcome of negotiations.

To many analysts and observers, the ICD came to represent negotiations based more on a military stalemate that any desire to make serious headway or hold a constructive dialogue. As laid down in the Lusaka agreement, the dialogue was intended to prepare a new political dispensation that would liberate the Congolese from foreign occupation and interference. However, as a result of the various deadlocks in the dialogue, low-intensity conflict remained the most attractive option to most external actors. Neither the allies, nor the enemies provided strong political support for the dialogue.

Hindrances to negotiations may be based on different and genuinely held definitions of the situation. Differences arising from cultural and ethnic backgrounds can affect negotiations both indirectly (by making difficult the development of even a minimal level of trust) and directly (by even preventing agreement on what the negotiations should be about). This can lead to a total inability on the part of the adversaries to understand their opponents’ definitions of the problem and the issues in dispute, and

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56 Ibid., p.211.
57 ICG, ‘The Inter-Congolese Dialogue: Political negotiation or game of bluff?’, op. cit., p.ii.
can result in a party developing the conviction that the other side is deliberately distorting what the conflict is really about, to its own tactical advantage. From Lusaka to Gaborone, Abuja to Addis Ababa and Luanda to Pretoria, many of the agreements signed and consultations that were convened were agreements merely in name, whose terms were never implemented or adhered to.

The Inter-Congolese Dialogue, South Africa 2002

The government of the DRC declared a ceasefire in the east of the country in January 2002 after renewed fighting had threatened to derail the Sun City peace dialogues, which began in February 2002. The DRC announced its unilateral ceasefire decision for fear that clashes between its government troops and the Rwandan army would have a negative impact on the outcome of the dialogue. The RCD accepted the ceasefire offered as an olive branch, after they threatened to pull out due to the renewed fighting.

South Africa became involved in last-minute negotiations based on its funding commitments to the dialogue in order to protect the investment it had made in funding part of the dialogue. South Africa had offered to host talks that were held earlier in 2001, even promising to cover part of the costs. Parties to the conflict proposed that talks be held in South Africa if the budget was not sufficient to hold them in Addis Ababa. However, South Africa lost credibility in the eyes of the key protagonists as its neutrality came into question because of its apparent support for the RCD. The DRC government assumed that South Africa’s strong relations with Rwanda would prejudice its role as an honest and neutral mediator.

The ICD resumed on 25 February 2002, but was paralysed for 10 days by unresolved quarrels over the composition of the unarmed political opposition delegation. Groups excluded from the non-armed component demanded to be included. The MLC refused to participate in the debates

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61 Naidoo S, op. cit., p.11.
until the issue had been resolved. Then a clash ensued over the question of power sharing. The RCD-Goma and the MLC had gone to Sun City with one priority in common: replacing Joseph Kabila as leader during the transition period. On the other side, the DRC government went to the negotiations with the aim of validating Kabila’s presidency. On 14 March 2002, troops serving the RCD and the Rwandan Patriotic Army (RPA) entered Moliro on Lake Tanganyika, creating the perfect situation for the government delegation to walk out of the talks.

The DRC conflict had appeared ripe for resolution following the start of the ICD in South Africa. However, after seven weeks of negotiations a partial agreement was reached on 19 April 2002 between Jean-Pierre Bemba’s MLC and the government of Joseph Kabila. This however was an accord outside the framework of the ICD. Named the Political Agreement on Consensual Management of the Transition in the DRC (PACMT), this arrangement united Kabila and Bemba and basically consolidated their control of the transitional authority. This entailed awarding the post of prime minister to Bemba. Most notably the accord heralded the end of the anti-Kabila coalition and confirmed the isolation of the RCD and its ally Rwanda. With its existence threatened, the RCD responded by forming an alliance with the UDPS, the Congolese opposition party led by Tshisekedi and threatened to renew hostilities. This raised serious concerns that Masire’s failure to negotiate a new round of dialogue including the non-signatory parties, especially the RCD-Goma rebels, would leave the DRC de facto partitioned.

An International Crisis Group report published in May 2002 called for the urgent need to change the methodology of the peace process, to deliver more effective mediation that prioritised political negotiation and coordinated the various political, security and economic dimensions of the conflict. Calls also were made for the appointment of a high profile special

62 ICG, ‘Storm clouds over Sun City: The urgent need to recast the Congolese peace process’, op. cit., p.4.
63 Ibid., p.i.
64 Naidoo S, op. cit., p.6.
65 ICG, ‘Storm clouds over Sun City: The urgent need to recast the Congolese peace process’, op. cit., p.ii.
envo y of the UN secretary-general to bring together the various elements of the peace process.

The primary stumbling block to the peace process was lack of confidence and trust between the signatories. Despite four separate meetings between the Rwandan president, Paul Kagame, and Joseph Kabila, little genuine headway was made to instil a trusting working relationship. Despite this another important development driven by the efforts of the South African government as well as cooperation between the heads of state from the DRC and Burundi led to the conclusion of a Memorandum of Understanding (MoU) on 30 July 2002. In terms of the memorandum, the DRC and Rwanda agreed to cooperate in order to end hostilities between the two states. The agreement stipulates that the DRC will execute measures aimed at disarming the negative forces within the DRC, particularly the Interahamwe and Ex-FAR. In return Rwanda pledged a withdrawal from areas under its control in eastern DRC. The discussions however achieved relatively little and no institutional follow-up was provided for. Implementation of the Pretoria agreement set a timetable for completion within 90 days. After 45 days none of the preliminary steps had been taken.

On 6 September 2002, in the presence of President Eduardo dos Santos of Angola, Joseph Kabila and the Ugandan president, Yoweri Museveni, signed a protocol of agreement providing for the withdrawal of Ugandan troops from key Congolese cities and the normalisation of bilateral relations. Both agreements (with Rwanda and Uganda) were considered a ‘fool’s bargain’ as both Kampala and Kigali merely sought recognition from the DRC government of their national security concerns. Neither of these agreements was likely to provide for the disarmament of the negative forces operating on Congolese territory.

The Inter-Congolese Dialogues also provided instructive and valuable examples to certain aspects of Mitchell’s theories dealing with negotiations: “In negotiations, first obtaining agreement over agenda items that are not


67 Rusamira E, op. cit., p.71.

68 Ibid., p.72.
controversial will, it is hoped, create an atmosphere, which will ease the resolution of the more difficult issues on the agenda.\textsuperscript{69} An extreme version is the familiar ploy of presenting a last-minute demand only after the other outstanding issues have been settled. It is often used in the hope that exhaustion at the end of a long negotiation will increase the temptation to accede; or on the assumption that few negotiators will consider throwing away the benefits of a final agreement for the sake of intransigence over some last-minute addition".\textsuperscript{70} This tactic was employed two weeks before the end of the negotiations over the (sensitive) issue of creating a national army. The Congolese government withdrew its participation in the Defence and Security Commission after refusing to adopt a resolution to restructure and integrate the armed forces into any other but the existing government army.\textsuperscript{71} Ketumile Masire's mediation appeared to have met with failure. Negotiations were brought back on track via a concerted effort from the civil society and political opposition camps. President Thabo Mbeki's role also became prominent during this period.

The Mbeki Proposals: Overplaying South Africa's Hand?

Official negotiations over power sharing did not commence until 8 April 2002, four days before the official closing date, and after the arrival of President Thabo Mbeki. During the preceding weeks no draft document had been submitted for discussion. President Mbeki proposed and put forward two plans entitled "Mbeki I" and "Mbeki II". On 9 April the MLC declared that it accepted Kabila as president. The RCD, however, announced that its rejection of Kabila was non-negotiable.\textsuperscript{72}

In his second plan President Mbeki proposed offering RCD-Goma a first vice-presidency, putting it in charge of the ministries of defence and the interior, the security services and of organising the elections. Jean-Pierre Bemba and Joseph Kabila's parties were given a virtually ceremonial role under this arrangement. This 'favouritism' led the MLC and Kabila to reject

\footnotesize{\textsuperscript{69} Mitchell CR, \textit{op. cit.}, p.224
\textsuperscript{70} Ibid., p.226
\textsuperscript{71} ICG, 'Storm clouds over Sun City: The urgent need to recast the Congolese peace process', \textit{op. cit.}, p.5.
\textsuperscript{72} Ibid., p.5.}
Mbeki II, and to produce a joint alternative proposal that dramatically reduced the political prominence of RCD-Goma in the transitional government. The proposals received instant backing from the majority of participants in the ICD, who were eager to avoid power-sharing solutions dictated by the RCD and its ally Rwanda. President Thabo Mbeki proposed that Joseph Kabila should hold the post of interim President, but supported by a triumvirate of vice-presidents selected from the main armed groups (the MLC and the RCD) and a representative from civil society. In many respects securing representation from civil society appears to be virtually impossible, owing to the sheer diversity of cultures, ethnic groupings and factional interests that comprise civil society in the DRC and indeed the entire region.

Various attempts were made to include the RCD in negotiations and to produce an inclusive agreement. The RCD-Goma's and Rwanda's overt readiness to accept the failure of the negotiations caused the MLC and Joseph Kabila to conclude talks without them. The accord struck by the government and the MLC, supported by civil society and the majority of the political opposition, remained a framework agreement. It allotted the presidency to Joseph Kabila, the seat of prime minister to Jean-Pierre Bemba and the presidencies of the National Assembly and the Senate to RCD-Goma and the unarmed political opposition, respectively. However, in reality the agreement remained unoperational. The problem of when to cut one's losses by accepting an often highly unfavourable compromise offer is especially acute. Even if a compromise is successfully worked out, the post conflict situation may be considerably worse at least for the members of the losing party than existed before the dispute. Therefore, to some of the warring factions in the DRC conflict, no negotiated settlement was better than a settlement that would have meant defeat, humiliation and a peace imposed, even forced, on highly unfavourable terms, on severely disparate participants that found themselves more ready, willing and able to fight to the death, than to live in peace.

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73 Ibid., p.6.
74 Mitchell CR, op. cit., p.182.