

AFRICA RISK CONSULTING

Country briefing – DRC

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Summary

President Joseph Kabila (2001-present) has come under pressure from within his ruling presidential majority to form a government of national unity. Senior United States (US) figures also urge the president to step down in December 2016. Central African leaders issue a further ultimatum to the Forces Démocratiques de Libération du Rwanda (FDLR) to disarm by 31 December 2014 as confusion reigns over the scope of the disarmament and future of the disarmed rebels. Oil of DR Congo, a company owned by Dan Gertler's Fleurette Group, announces a 3 billion barrel oil discovery on the Ugandan border. The ministry of transport announces the creation of new Congo Airlines in partnership with Air France-KLM. An outbreak of the Ebola virus in Equateur province has killed 13 people so far, but the World Health Organization (WHO) declares it unrelated to the West African epidemic.

1.1 Kabila under domestic and international pressure to form government

President **Joseph Kabila** (2001-present) has come under further pressure both at home, to form a government of national unity, and abroad, to step down at the end of his second presidential term in 2016. In the DRC, the **Mouvement Social pour le Renouveau (MSR)**, one of the main political groups inside the ruling **Alliance pour la Majorité Présidentielle (AMP)**, has been calling for an open debate within their platform over Kabila's expected proposal to amend the constitution and allow him to contest the 2016 presidential election. Political observers believe that the MSR's stance has caused dissent within Kabila's political family. The DRC political scene is rife with rumours that Kabila will soon form a new ruling coalition. On 26 August, Kabila invited members of the AMP to the presidential farm in **Kingakati**, sparking the above reports.¹

¹ Source, think tank researcher with ties to Kabila, Kinshasa

“[The MSR stance] may have prompted [the president’s] call for the meeting in Kingakati to rally his troops.”²

Several diplomats reject the assertion of a possible rift within the ruling elite, suggesting that Kabila himself may have instigated the rumours to detect any form of dissent.³

Kabila announced in October 2013 that he would create a government of national unity to restore peace and central government authority to the country.⁴ This has not yet happened. In practice, Kabila has managed the DRC’s affairs in person since the disputed elections in 2011. A number of key Kabila advisers, including spokesperson and interior minister **Lambert Mende**, ambassadors **Seraphin Ngwej** and **Norbert Nkulu**, and his sister **Jaynet Kabila**, comprise his informal kitchen cabinet.⁵ This is far from being a proper functioning government. A government of national unity was supposed to bring a degree of legitimacy to Kabila’s rule and a disgruntled opposition back into the fold by offering its leaders key cabinet positions. One potential recipient, main opposition **Union pour la Démocratie et le Progrès Social (UDSP)**’s long-time leader **Etienne Tshisekedi**, is old and currently receiving treatment in **Belgium** for an unspecified medical condition.⁶ Some sources within the UDSP report that the AMP had been in touch with him offering cabinet positions to his son **Felix Tshisekedi** but there has been no public confirmation.

Kabila’s mandate comes to an end in December 2016. Debate has been raging across the country as to whether the president should extend his mandate through altering the constitution (which limits incumbents to two terms in office). Opposition parties have been vocal in calling for him to step down. The UDSP organised a demonstration – advertised as *“in defence of the constitution”* – on 5 August in **Ndjili**.⁷ However, the key to Kabila’s support is his home area in the south and east. In 2006 and 2011 he garnered significant support there for ending the numerous local conflicts.⁸ However, it is unclear whether he retains that popular support today. Internationally, notably during the **US-Africa Leaders Summit in Washington, DC** from 4 - 6 August, several senior **United States (US)** officials, including US secretary of state **John Kerry**, told Kabila in private that he needed to step down at the end of his mandate.⁹ The US – the DRC’s biggest donor – may threaten to withhold aid if Kabila ignores their calls but Kabila shows every sign of being willing to tough it out.

² Source, Congolese MP, Kinshasa

³ Source, European diplomat, Kinshasa

⁴ Reuters, 23 Oct 2013

⁵ Jeune Afrique, 27 Jul 2014

⁶ Radio Opaki, 18 Aug 2014

⁷ RFI, 5 Aug 2014

⁸ BBC, 11 Mar 2014

⁹ Source, Congolese official present at the US/Africa summit, Washington DC

There is a growing consensus among political observers and diplomats in **Kinshasa** that Kabila is unlikely to step down as scheduled in December 2016. His supporters claim that he needs to stay longer to consolidate the level of “*stability*”, which they credit to his presidency. Those opposed to his protracted stay, on the other hand, say that the country needs to build a legitimate, inclusive political system.¹⁰ If he steps down, Kabila would be the first Congolese president to respect the terms set by a post-independence constitution. Under the constitution he could also step down for one term and stand again for re-election.¹¹ In the meantime, tension over **Forces Démocratiques de Libération du Rwanda (FDLR)** disarmament (see below), and the return of the **Ebola** virus (see below) mean that he is unlikely to want to surrender decision-making to a coalition including his opponents. An inclusive government anytime soon is thus unlikely.

1.2 Great Lakes group issues ‘ultimatum’ to FDLR to disarm

There is widespread confusion in the DRC, amongst the **Mission de l'Organisation des Nations unies pour la stabilisation en République démocratique du Congo (MONUSCO)** and in **Rwanda** over the status of the disarmament of the FDLR, which has notionally been ongoing since February 2014 (see *ARC DRC June and July 2014 Briefings*). The FDLR originated as the remnants of Rwandan ethnic **Hutu** extremist groups responsible for the Rwandan genocide in 1994 and is believed to number several hundred fighters. Meeting in **Luanda, Angola** on 14 August, heads of state of the **International Conference on the Great Lakes Region (ICGRL)** member countries¹² issued the FDLR with an ultimatum to “*disarm in order not to be disarmed by force by 31 December*”.¹³

The precise cause of the impasse has proved difficult to pin down. FDLR “*information commissioner*” and spokesman **La Forge-Fils Bazeye** claimed that MONUSCO officials were “*sabotaging*” the process of disarmament by insisting that FDLR fighters go to a staging camp in **Kisangani**, some distance from the initial post in **Kanyaboyonga in North Kivu** (near the border with Rwanda).¹⁴ However the DRC government insists that the FDLR must disarm away from areas where they have been waging their campaigns of violence. The head of MONUSCO in the eastern DRC, **Ray Virgilio Torres**, said that an FDLR refusal to leave the North Kivu area could be a precursor to further armed action.¹⁵

¹⁰ Source, think tank political researcher, Lusaka

¹¹ Jeune Afrique, 27 Jul 2014

¹² The member states of the **Burundi**-based group include Angola, Burundi, **Central African Republic**, DRC, **Kenya**, **Republic of Congo**, **Republic of South Sudan**, Rwanda, **Sudan**, **Tanzania**, **Uganda**, and **Zambia**.

¹³ RFI, 15 Aug 2014

¹⁴ Le Potentiel, 18 Aug 2014

¹⁵ Le Potentiel, 18 Aug 2014

La Forge has become a regular spokesperson for the FDLR. He has been pushing the line that the FDLR is a single entity, that it seeks to become a legitimate political party in Rwanda and is demanding that the DRC government, **Southern African Development Community (SADC)** forces and MONUSCO should help persuade the Rwandan government to accept this.¹⁶ However, it is not possible to verify with what authority La Forge speaks. He refuses to give official numbers of FDLR forces still at large and his claims that it is a unified body contradict claims from other sources that factions such as **FDLR-FOCA (Forces Combattantes Abacunguzi)** and **FDLR-Rude** are opposing disarmament outright.¹⁷

DRC government spokesperson Lambert Mende commented that the FDLR forces had not only to disarm but to leave the DRC by December 2014. He added that their political future was not the government's political concern.¹⁸ The Rwandan government, which has already accepted a number of FDLR fighters from the DRC, claims that they are treated well upon their return to the country (though there is no independent verification of this). The Rwandans have said they will not accept any political role for the mainstream FDLR in Rwanda because of their links to the 1994 genocide.¹⁹

Currently, UN reports suggest that around 200 former FDLR fighters and 400 of their dependents are in the Kanyaboyonga area, waiting to be moved to Kisangani. Their presence is controversial, with locals of both North Kivu and Kisangani holding protests against the presence of FDLR fighters in their areas. MONUSCO estimates that there are currently around 1,000 more FDLR fighters who have shown no sign of disarming, throwing the validity of the entire process into question.

“Ultimately nobody really knows what is going on: the FDLR have dragged in every regional organisation possible and have succeeded both in delaying military action [against them] and sparking further tensions between DRC and Rwanda...when you look at the facts, just over 15% of rebels have disarmed [so far] and none have done so since June.”²⁰

1.3 Oil of DR Congo makes 3 billion barrel oil find

Oil of DR Congo, a subsidiary of **Dan Gertler's Fleurette Group**, says it has discovered three billion barrels of oil reserves near the border with **Uganda**.²¹ The claimed find came after seismic testing around **Lake Albert**, which forms part of the border with Uganda and **Ituri** province (north of North Kivu). In a statement, the company said that the find could boost the GDP of the country by as much as

¹⁶ Virunga Business Radio, 4 Aug 2014

¹⁷ Virunga Business Radio, 4 Aug 2014

¹⁸ Top Congo FM, 18 Aug 2014

¹⁹ Top Congo FM, 18 Aug 2014

²⁰ Source, diplomat and conflict resolution specialist, Kinshasa

²¹ SAPA, 11 Aug 2014

25%.²² **Israeli** tycoon Gertler is close to president Kabila, and controversial due to the numerous interests he has acquired in the country under Kabila's rule, including mining concessions sold to him from state company **Gecamines** from 1997 onwards.

The development of an oil operation around Lake Albert could not only bring much-needed investment into the country but also have a significant effect on local inhabitants. It could bring major improvements in infrastructure, notably roads, electricity and construction jobs. However a plant will necessitate the relocation of a number of local communities.²³ A find of such magnitude also brings with it significant risk: it threatens to reignite the resource competition between the DRC and Uganda (over which reserves lie on which side of the border), and drag in Rwanda and numerous rebel groups over control of the region's mineral riches.²⁴

*"This [find] can be a problem for Kinshasa in a number of ways: it can spark immediate conflict with DRC's neighbours for control of the resources along a long-contested border, it can encourage rebel activity in the area, and it moves away from the supremacy of **Katanga** (south-eastern DRC and Kabila's heartland) as the economic powerhouse of the DRC and therefore can also encourage secessionist tendencies."²⁵*

1.4 DRC announces new 'Congo Airlines'

Officials from the DRC transport ministry announced on 16 August that a new DRC airline will start flying from December 2014. Congolese officials say that they will manage the new **Congo Airlines** with help and expertise from the **Air France-KLM** subsidiary, **Air France Consulting**. The shareholders of the airline will reportedly be 100% Congolese, currently unidentified, with the government to hold the largest stake. The new carrier is slated to replace **Lignes Aeriennes Congolaises (LAC)** which went bankrupt in 2003.²⁶

According to sources close to the deal, Congo Airlines will start with an initial capital of \$35m along with ten leased aircraft based at the **Kinshasa N'Djili Airport**.²⁷ The transport ministry has released highly positive statements about the airline. However, many airlines that set up in the DRC run into operating and financial difficulties. According to news reports, there have been at least 65 airline

²² New Vision, 13 Aug 2014

²³ SAPA 11 Aug 2014

²⁴ Southern Times, 17 Aug 2014

²⁵ Source, diplomat and conflict resolution specialist, Kinshasa

²⁶ Agence Ecofin, 19 Aug 2014

²⁷ Source, airline deal insider, DRC

crashes in the DRC since 2007 killing at least 210 passengers.²⁸ No Congolese airline is currently approved to fly into any **European** airport. Congolese officials have expressed the hope that partnership with a major European airline with considerable experience flying in **Africa** will lead to a better safety record and financial performance.

“With the involvement of technical expertise from Air France-KLM, we are hoping to put an end to this trend.”²⁹

1.5 Ebola outbreak in DRC unrelated to West African epidemic

Congolese government officials have declared that there have been 24 cases of the Ebola virus in **Equateur Province**, 1,200 kilometres north-east of the capital Kinshasa. Of these, 13 have so far been fatal. The Congolese health minister **Felix Kabange Numbi** said that officials have quarantined **Djera**, the area in Equateur where the Ebola related deaths occurred and that the outbreak has been contained.³⁰ The **World Health Organization (WHO)** has said that the Djera cases are likely unrelated to the current outbreak in **West Africa** as they are caused by a different strain of the hemorrhagic fever.³¹

The announcement of the outbreak initially caused widespread panic. In Kinshasa rumours spread that Ebola had made its way to the city. Multiple false reports of Ebola related deaths circulated. The health minister had to hold a separate press conference to confirm that the outbreak was confined to Djera.³²

It is the seventh time an Ebola outbreak has occurred in the DRC since 1976, when the country had the first known outbreak of the hemorrhagic fever. The last outbreak was in 2012. With the latest outbreak, the government moved fast to contain the pandemic, quarantining the local area and organising internal border controls to halt the flow of people in and out of the area. The WHO has held off sending significant assistance to the country for now given the limited scale of the outbreak.³³

²⁸ Agence Ecofin, 19 Aug 2014

²⁹ Source, airport official, Goma

³⁰ RFI, 27 Aug 2014

³¹ WHO, 28 Aug 2014

³² Source, western diplomat, Kinshasa

³³ WHO, 28 Aug 2014

2 Implications

The MSR's repeated calls for Joseph Kabila to create a government of national unity are a thorn in the president's side. Kabila appears to believe that he can ignore demands to concede both influence and government positions as his opponents pose no real threat to his control of the security forces and nor do they seem to be able to organise mass, coherent popular support. Kabila's allies say that the problems facing the country are too pressing for such distractions, ignoring Kabila's own lack of electoral legitimacy.

However, Kabila seems no closer to dealing with DRC's over-riding political problems: his lack of legitimacy, the failure to appoint an inclusive government and his apparent determination to force constitutional changes before 2016 and perpetuate his rule. The claim by some in the minority of the FDLR who have disarmed that they want to form a political party in Rwanda puts the Congolese government in a complicated situation. Lambert Mende's statement that the rebels will now be deported raises the question: "To where?" Rwanda, despite taking back ex-FDLR fighters in the past, will never accept a political party staffed by, or linked to, extremist Hutu groups and genocidaires and Rwanda is where the FDLR spokesman says they want to go. Other countries in the region are also unlikely to welcome them. In addition, only 15-16% of rebels have actually disarmed, making it increasingly likely that at least some of the rebels will have to be tackled by force and removed, probably by MONUSCO in early 2015. However, there is still plenty of time before the new deadline for the FDLR to try to manoeuvre for further delays.

The disarmament programme was supposed to bring further stability to the east of the DRC and improve/lower its political risk profile: the lack of progress means that it remains high. The announcement by Oil DR Congo of the oil discovery on Lake Albert will have little immediate impact in the region but could spark increased resource competition over the medium term. The border skirmishes between Rwanda and DRC forces in the Kivus in June 2014 show that this issue has not gone away.

The DRC's ability to contain the Ebola outbreak was no surprise given its extensive experience in dealing with the infection. It is too soon to be certain, but the evidence suggests that it has been brought under control for now.