



RIFT VALLEY INSTITUTE | USALAMA PROJECT
GOVERNANCE IN CONFLICT
POLITICAL SETTLEMENTS RESEARCH PROGRAMME

A MICROCOSM OF MILITARIZATION

CONFLICT, GOVERNANCE AND ARMED
MOBILIZATION IN UVIRA, SOUTH KIVU

RIFT VALLEY INSTITUTE | USALAMA PROJECT

.....

A Microcosm of Militarization

Conflict, governance and armed mobilization in Uvira, South Kivu

JUDITH VERWEIJEN



Published in 2016 by the Rift Valley Institute
26 St Luke's Mews, London W11 1DF, United Kingdom
PO Box 52771 GPO, 00100 Nairobi, Kenya

THE USALAMA PROJECT

The RVI Usalama Project is a field-based, partner-driven research initiative examining armed groups and their influence on society in the Democratic Republic of the Congo.

THE RIFT VALLEY INSTITUTE (RVI)

The Rift Valley Institute (www.riftvalley.net) works in eastern and central Africa to bring local knowledge to bear on social, political and economic development.

THE AUTHOR

Judith Verweijen is a Researcher at the Nordic Africa Institute in Uppsala, Sweden and the Conflict Research Group at Ghent University, Belgium. She is the Lead Researcher of the 'Usalama Project: Governance in Conflict'.

RESEARCH ASSISTANTS:

Juvénal Twaibu and Oscar Dunia Abedi. Neither bears any responsibility for the contents of the report.

DISCLAIMER

This report is an output from the Political Settlements Research Programme (PSRP), funded by the UK Aid from the UK Department for International Development (DFID) for the benefit of developing countries. However, the views expressed and information contained in it are not necessarily those of or endorsed by DFID, which can accept no responsibility for such views or information or for any reliance placed on them.

CREDITS

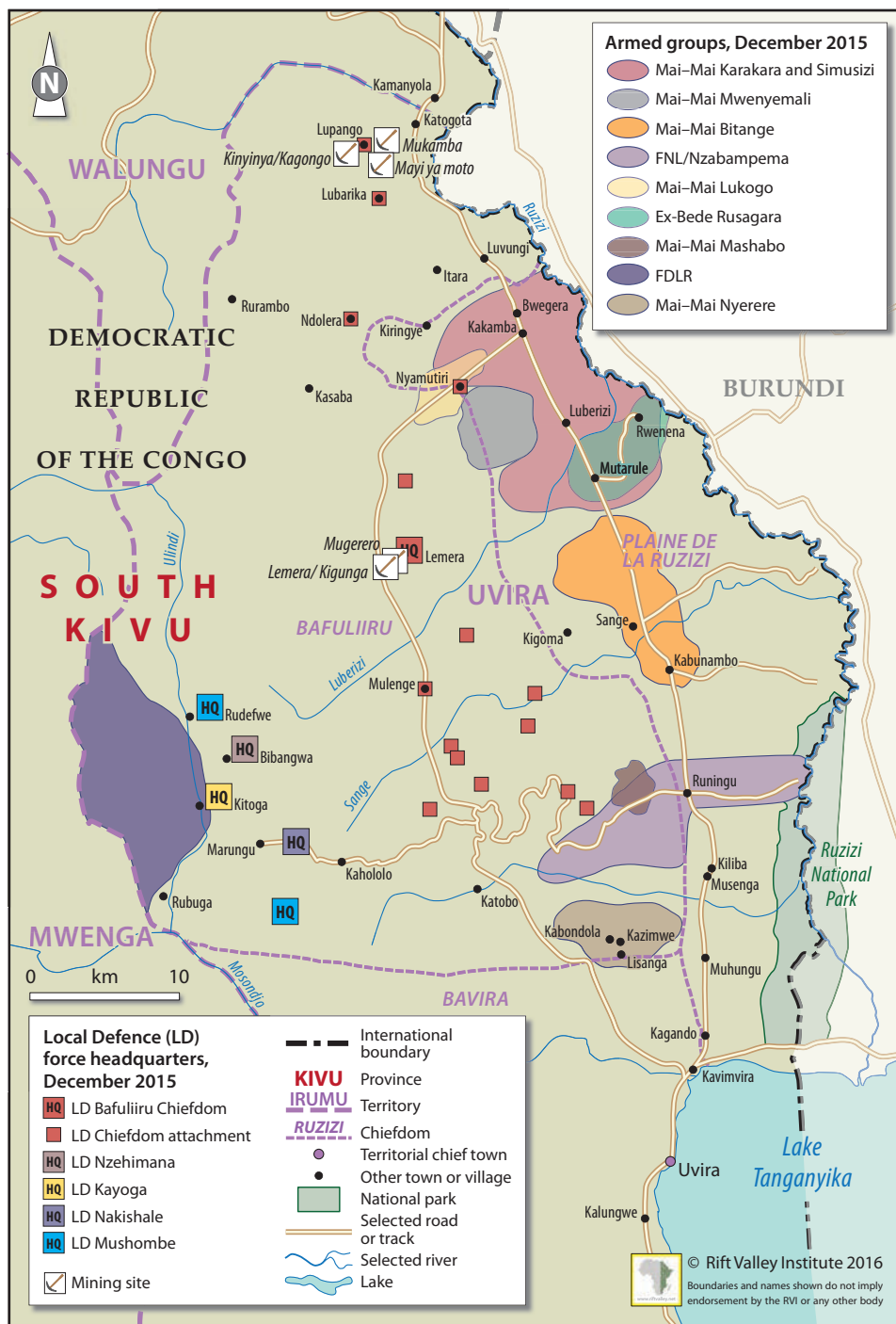
RVI ACTING EXECUTIVE DIRECTOR: Philip Winter
RVI GREAT LAKES PROGRAMME MANAGER: Michel Thill
RVI PROGRAMME MANAGER, PUBLICATIONS: Tymon Kiepe
EDITOR: Kate McGuinness
DESIGN: Lindsay Nash
MAPS: Jillian Luff, *MAPgrafix*
ISBN 978-1-907431-40-1

COVER: Members of the Local Defence group of 'colonel' Jean Nalube in Munanira, Moyens Plateaux, Uvira (2013).

RIGHTS

Copyright © Rift Valley Institute 2016
Cover image © Justine Brabant 2013
Text and maps published under Creative Commons License
Attribution-Noncommercial-NoDerivatives 4.0 International
www.creativecommons.org/licenses/by-nc-nd/4.0
Available for free download at www.riftvalley.net
Printed copies are available from Amazon and other online retailers, and from selected bookstores.





Map 2. Approximate areas of influence of armed groups in Uvira, December 2015

Contents

Preface: The Usalama Project	7
Summary	8
1. Introduction	11
2. A history of conflict	14
The colonial era: from fluidity to fixing	14
Post-independence rebellion	17
The Congo Wars (1996–2003) and the aftermath	18
3. Continuing armed mobilization	22
CNDP integration and the <i>Kimia</i> II operations	23
The re-emergence of local defence forces	25
The rebellion of Bede Rusagara	27
4. Customary power conflicts	30
Struggles over the leadership of the Ruzizi Plain Chiefdom	30
Conflict over the throne in the Bafuliiru Chiefdom	34
5. The militarization of local governance	38
Local defence forces: a double-edged sword	38
The subtleties of militarized mining	44
6. Conclusions and policy considerations	50
Mitigating conflicts involving customary authority	51
Addressing civilian support to armed groups	52
Regulating local defence forces and reform of the security sector	52
Glossary of acronyms, words and phrases	54
Bibliography	56
Box 1. The Bafuliiru and Ruzizi Plain Chiefdoms	11
Map 1. The eastern DRC, showing area of detailed map on the following page	3
Map 2. Approximate areas of influence of armed groups in Uvira, December 2015	4

RVI Usalama Project publications

Phase I: Understanding Congolese armed groups (2012–2013)

REPORTS

From CNDP to M23: The Evolution of an Armed Movement in Eastern Congo
North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo
PARECO: Land, Local Strongmen, and the Roots of Militia Politics in North Kivu
Ituri's UPC: The External Militarization of Local Politics in North-Eastern Congo
Ituri: Gold, Land, and Ethnicity in North-eastern Congo
Raia Mutomboki: The Flawed Peace Process in the DRC and the Birth of an Armed Franchise
FNI and FRPI: Local Resistance and Regional Alliances in North-eastern Congo
Banyamulenge: Insurgency and Exclusion in the Mountains of South Kivu
Mai-Mai Yakutumba: Resistance and Racketeering in Fizi, South Kivu
South Kivu: Identity, Territory, and Power in Eastern Congo

BRIEFINGS

M23's Operational Commander: A Profile of Sultani Emmanuel Makenga
Strongman of the Eastern DRC: A Profile of General Bosco Ntaganda
The Perils of Peacekeeping without Politics: MONUC and MONUSCO in the DRC

Phase II: Governance in Conflict (2015–2016)

BRIEFINGS

Understanding Armed Group Proliferation in the Eastern Congo
The Ebb and Flow of Stabilization in the Congo

All titles are also available in French.

Preface: The Usalama Project

The eastern Democratic Republic of the Congo (DRC) has been mired in violence for two decades and continues to be plagued by dozens of armed groups. Yet, these groups—and how they interact with their social and political environment—remain poorly understood. The Rift Valley Institute's Usalama Project (*Usalama* means 'safety' or 'security' in Swahili) is a field-based, partner-driven research initiative that aims to examine armed groups and their influence on Congolese society.

While the first phase of the Usalama Project (2012–2013) focused on 'understanding armed groups', the second phase (2015–2016) investigates 'governance in conflict'. It is guided by a series of questions: How do armed actors affect conflicts related to public authority? And how, in turn, do local authorities shape patterns of armed group organization? The research also examines government policies and external interventions aimed at reducing armed group activity.

The project takes a primarily qualitative approach, drawing on extensive fieldwork by both international and Congolese researchers. Many of the interviews for this report were conducted on condition of anonymity. Therefore, identifying information is limited to a number assigned to each informant with a location and a date, e.g. Usalama II project interviewee #75, Bukavu, 15 October 2015. However, where indicating the location is suspected to reveal the identity of the informant, no place is given to guarantee anonymity. In the course of the research, accounts of potentially disputed events were confirmed by multiple sources with first-hand knowledge of the events under discussion.

The 'Governance in Conflict' phase of the Usalama Project is part of the Political Settlements Research Programme (PSRP), led by the University of Edinburgh's Global Justice Academy and funded by the UK Department for International Development (DFID).

Summary

Located on the north end of Lake Tanganyika in the province of South Kivu in the Democratic Republic of the Congo, the territory of Uvira has one of the highest concentrations of armed groups in the eastern Congo. Dozens of groups, often with no more than 50 fighters, reside in its mountains and the adjacent Ruzizi Plain. The presence of these groups has contributed to and is a result of militarization: the growing prominence of armed forces and the use of violence or threats of violence in non-military domains of social life.

This report analyses militarization in Uvira and how it shapes the interplay between local conflicts, governance and armed mobilization. In particular, it looks at how armed forces influence and are influenced by conflicts related to customary power, security governance and local economic regulation. While Uvira has its own unique features, broadly similar processes of militarization can be found elsewhere in the eastern Congo. Uvira constitutes a microcosm of militarization, the study of which provides insights into the processes that drive violent conflict in the eastern Congo as a whole.

The report focuses on two specific areas in Uvira: the Bafuliiru Chiefdom and the Ruzizi Plain Chiefdom. Both have a plethora of armed groups, including village-based local defence forces. On the one hand, the presence of these groups is a result of power politics and military activities by regional and national factions. On the other, they are a product of local conflict dynamics and local competitions, with struggles for customary power being an important source of conflict.

The resolution of local conflicts has been hampered by the involvement of armed forces. Parties to a conflict tend to make use of armed groups—and sometimes members of the national armed forces—to reinforce their positions. This often leads to local security dilemmas, whereby opponents also feel pressure to liaise with an armed faction lest they become weaker.

Security dilemmas are particularly pronounced where conflicts pit two communities against each other. Such conflicts between communities are commonly aggravated by frictions within communities, notably competitions between elites—national and provincial politicians, businesspeople and officers in the national armed forces. Elites may impede the resolution of conflicts by encouraging parties to take an irreconcilable stance. They also sometimes provide rhetorical and financial support to armed groups, thereby exacerbating local conflicts.

Where insecurity is rampant and the state security services fail to protect the population, villagers (including demobilized Mai-Mai) have organized themselves into local defence forces. The role of these forces, which are tolerated by state security agencies, has become increasingly ambivalent. While they generally improve security, they also interfere with the work of the police and sometimes collaborate with bandits or rebel groups. Moreover, they are harnessed by local chiefs and villagers to settle scores and disputes. Local defence forces thus contribute to the further militarization of social life at the village level.

The presence of so many armed groups in Uvira affects local governance profoundly, in particular because of their links with local authorities. Customary chiefs draw upon such groups to intimidate or overrule their opponents, including political and administrative authorities who encroach on their spheres of influence. One domain where these dynamics are notably visible is cassiterite¹ mining in the Bafuliiru Chiefdom, where customary chiefs have continued to exercise control, in part through support from local defence forces.

By enabling local authorities to use coercion, the presence of armed groups damages the quality of local governance. Bad governance, in turn, creates fertile ground for conflicts, including the contestation of positions of authority. This is especially the case in the conflict surrounding the throne of the Bafuliiru Chiefdom, which has been aggravated by discontent with the current chief's mode of governing.

1 Cassiterite is a mineral, tin dioxide, which is the main ore of tin.

In order to sustainably demilitarize Uvira, it is necessary to defuse conflicts related to customary authority, weaken armed groups and their civilian support networks, and improve security management and regulation of local defence forces. To this end, it is important to recognize and address the adverse role sometimes played by politicians, business-people and local authorities in armed mobilization. It is also essential to improve the governance of both customary authorities and the security services, in order to reduce incentives for citizens to solicit armed groups to provide security, dispute resolution and other public services.

1. Introduction

Uvira *territoire* (a sub-provincial division) in South Kivu has periodically been a hotbed of armed activity since the Congo's independence in 1960. Uvira was the cradle of the Simba rebellion in the early 1960s and the first territory occupied by the regional rebel coalition which ousted President Mobutu Sese Seko in 1997. During the First and Second Congo Wars (1996–2003), a devastating period of violence that drew in a vast array of armed forces from neighbouring countries, the area was inundated with armed groups generically labelled 'Mai-Mai'. Ever since, Uvira has witnessed continual armed group activity.

The transition period (2003–2006) that followed the adoption of the final peace agreement failed to bring an end to armed mobilization, although it initially reduced the number of armed groups. During and after large-scale military operations between 2009 and 2012, new groups sprang up, while others stepped up their activities. This period also witnessed the re-emergence of armed, village-based local defence forces, which are especially numerous in isolated mountain areas. In contrast to present-day Mai-Mai groups, local defence forces have no anti-government agenda and generally collaborate with the national army.

In mid-2015, more than 20 Congolese and two foreign armed groups operated in Uvira, along with scores of local defence forces.² This report examines the processes underlying the proliferation of these armed groups. It analyses how the presence of these groups affects and is affected by local conflicts and governance. To that end, it studies two cases of conflict related to customary power: struggles over the leadership of the Ruzizi Plain Chiefdom; and conflict over succession to the throne in the Bafuliiru Chiefdom.

Both of these conflicts reveal the high stakes surrounding the control of customary authority in Uvira. They also highlight the frictions between

2 Centre Indépendant de Recherches et d'Études Stratégiques au Kivu (CIRESKI), 'Cartographie des groupes armés'. Unpublished document, Uvira: CIRESKI, July 2015.

customary chiefs and other components of the local administration. Such conflicts compound the challenges of local governance and economic regulation, as cassiterite mining in the Bafuliiru Chieftdom illustrates.

The involvement of armed groups, including local defence forces closely related to customary chiefs, has a further detrimental effect on governance, causing it to be erratic and skewed towards supporting particular interests. This especially applies where armed groups interfere with the work of local authorities and state services, e.g. when local defence forces hinder the work of the police.

BOX 1. THE BAFULIIRU AND RUZIZI PLAIN CHIEFDOMS

Uvira is a vast territory that is home to numerous towns and three customary chiefdoms—the Bafuliiru, Ruzizi Plain and Bavira. These chiefdoms were founded by a royal decree adopted by the Belgian colonial authorities in 1928.

A *chefferie* (chiefdom) is ruled by a *mwami* (paramount customary chief). The *mwami* has both an administrative position, as head of a *collectivité* (local government unit), and a customary position, as head of a *chefferie*. This dual function is reflected in the designation *collectivité-chefferie*, an entity that exists alongside a *collectivité-secteur* (sector) headed by an appointed administrator instead of a *mwami*.

Chiefdoms are subdivided in *groupements* governed by customary chiefs (*chefs de groupement*) who are appointed by the paramount chief. *Groupements* are subdivided in *localités* (localities or villages) which are also ruled by customary chiefs.

The Bafuliiru Chiefdom is named after its ruling ethnic group.* It has five *groupements*: Muhungu, Kigoma, Runingu, Itara–Luvungi and Lemera, which is home to the chiefdom’s seat in the village of Lemera. Most of the *groupements* straddle the *Moyens* and *Hauts Plateaux*, the middle-range and higher altitude mountains of the Mitumba mountain chain. One *groupement*, Itara–Luvungi, stretches far into the adjacent Ruzizi Plain, which borders Burundi and Rwanda.

The Ruzizi Plain Chiefdom consists of four *groupements*: Kabunambo, Kakamba, Kagando and Luberizi, which hosts the chiefdom’s administrative seat located in the village of Luberizi. Until the 1970s, it was known as the Chiefdom of the Barundi, after the ethnic group of its ruling dynasty. Adjacent to the Ruzizi Plain Chiefdom are several important *cités* (towns that are not ruled by customary leaders), notably Sange and Kiliba, which cover a substantial part of the Plain.

The Bafuliiru Chiefdom is largely inhabited by the Bafuliiru, although in the *Plateaux* there are also groups of Banyindu, Banyamulenge and Batwa. Furthermore, bordering the chiefdoms of Ngweshe and Kaziba, the Itara–Luvungi *groupement* has a sizeable presence of Bashi. Bafuliiru similarly constitute the majority of the inhabitants of the Ruzizi Plain Chiefdom, living intermingled with Barundi and a small number of Banyamulenge. Additionally, significant numbers of Bafuliiru live in the city of Uvira, which is located a short distance away from Bujumbura, the capital of Burundi. Due to decades of migration and displacement, the territory of Uvira is also inhabited by many other groups.

* This ethnic group is also referred to as Bafulero or Bafuliro. The spelling ‘Bafuliiru’, however, is preferred by the Bafuliiru themselves as it better reflects pronunciation of this name in the group’s own language.

2. A history of conflict

The writing of history can be both a site and a cause of conflict. This is no different in Uvira, where contested interpretations of history are at once a cause and effect of conflicts. What aggravates these contestations is 'reification', or the process whereby abstract assumptions become understood as concrete realities. This often implies that the historical origins of social phenomena become obscured and are instead taken as natural assumptions.

A classic example is ethnicity. In the precolonial era, communities in Uvira did not constitute sharply delineated groups defining themselves primarily in ethnic terms. Moreover, different subgroups or clans could be absorbed into others. For example, the origins of the Bazige (or Bahungu) lie in present-day Burundi but they gradually became part of the Bafuliiru, living in present-day Congo.³

Today, this history of fluidity seems all but forgotten. In contemporary narratives, ethnic groups are portrayed as having existed since time immemorial. It was, however, only during the colonial era that the boundaries of identity, territory and authority hardened. Current representations and related claims of ethnicity therefore should be treated with caution.

The colonial era: from fluidity to fixing

One of the most contested episodes in Uvira's history relates to the arrival and evolution of the Barundi in the Ruzizi Plain. In the second half of the nineteenth century, Kinyoni, who was a sub-chief of Burundian king Mwezi Gisabo, established himself on the right bank of the Ruzizi River, following earlier movements by his grandfather, Ntorogwe. In the absence of international boundaries, Kinyoni's arrival is difficult to qualify as immigration. At the time, the zone of Uvira was controlled by

3 Bosco Muchukiwa, *Territoires ethniques et territoires étatiques. Pouvoirs locaux et conflits interethniques au Sud Kivu (R.D.Congo)*, Paris: l'Harmattan, 2006, 16–18.

the Swahili-Arab trader-ruler Rimaliza and formed a transit area of the trading routes linking the Congo to Africa's east coast.⁴

The area where Kinyoni and his followers arrived was not inhabited by Bafuliiru, who instead lived on the mountain slopes. Yet, some Fuliiru chiefs, to whom the Rundi leaders started to pay tribute, considered the Ruzizi Plain as belonging to their sphere of influence. In the 1890s, a number of Fuliiru chiefs fled the arrival of the colonizers, including a band of mutineers from the colonial army. This prompted Rundi chiefs, capitalizing upon their favoured status with the colonial authorities, to occupy the vacated zones. This expansionism provoked hostility from Fuliiru chiefs, culminating in clashes in 1920.⁵

While current practice ascribes these clashes to ethnic animosities, at the time, none of the groups involved had formed monolithic entities defining themselves strongly in ethnic terms. Rather, frictions in this era predominantly pitted different chiefs and their respective followers against each other. These chiefs could also be from the same group. In fact, clashes between Fuliiru chiefs were more frequent than between Fuliiru and Rundi chiefs.⁶

Increased contact between Bafuliiru and Barundi also led to integration and mutual adaptation—through inter-marriage, friendship pacts and economic exchange. Contact intensified when large numbers of Bafuliiru descended from the mountain slopes into the valley from the 1920s onward. Ultimately, this tipped the demographic balance, which reinforced the Bafuliiru's claims to political leadership over the Ruzizi Plain.⁷

These claims were partly a result of the system of customary governance developed by the colonial authorities. Within the colony, the administrative sphere of statutory law and appointed administrators

4 Muchukiwa, *Territoires ethniques*, 22–25; 53–55.

5 Jacques Depelchin, 'From Pre-capitalism to Imperialism: A History of Social and Economic Formations in Eastern Zaire (Uvira Zone, c. 1800–1965)', PhD dissertation, Stanford University, 1974, 84–88; Muchukiwa, *Territoires ethniques*, 23–25.

6 Depelchin, 'From Pre-capitalism to Imperialism', 91–96.

7 Depelchin, 'From Pre-capitalism to Imperialism', 34–35 and 91–92.

was monopolized by Europeans. Local participation in governance was restricted to customary chiefs, whom the colonizers considered to represent well-delineated ethnic groups.⁸ Following customary law, chiefs were given jurisdiction over a wide range of communal and family affairs, including inheritance, marriage, and minor infractions and conflicts. They were also recognized as the custodians of the land belonging to the ethnic group from which they hailed.

In this way, access to land and local political representation was dominated by customary rulers representing particular ethnic groups. As a result, ethnicity became a guiding principle of local social and political organization. Groups not granted a customary chieftom were disadvantaged because they were excluded from local governance and did not have access to land of their own. This exclusion promoted friction where various ethnic groups lived intermingled but customary rulers came only from one group, as in the Ruzizi Plain.

Another source of conflict created by the colonial system of local governance was the dual position of customary chiefs in the colonial state, which created tensions between the administrative and customary domains. On the one hand, chiefs had a relatively autonomous power base, as the communities they governed recognized them as legitimate rulers based on customary principles. On the other, chiefs ultimately depended on the colonial state, which meant they had to collaborate with unpopular measures such as taxation and forced labour to maintain their position. Thus, chiefs were caught in a balancing act that often brought them into conflict with colonial administrators and caused them to act against the interests of their subjects.

8 Mahmood Mamdani, 'Understanding the Crisis in Kivu: Report of the CODESRIA Mission to the Democratic Republic of Congo September, 1997', report submitted to the General Assembly of the Council for the Development of Social Research in Africa (CODESRIA), Dakar, Senegal, 14–18 December 1998, Centre for African Studies, University of Cape Town, 20 November 1998.

Post-independence rebellion

The years following the Congo's independence in 1960 were extraordinarily turbulent in Uvira. Large-scale political transformations, including the organization of elections, unleashed vigorous power struggles. Among the Bafuliiru, for instance, a newly emerging group of political leaders tried to curb the power of customary chiefs, who were blamed for their complicity with the colonial regime.⁹

A driving force in this political agitation was the Fuliiru politician Moïse (or Musa) Marandura, a member of the provincial parliament of Kivu. When Kivu's government was overthrown by radical nationalists at the end of 1960, Marandura tried to seize the occasion to further his own political ambitions. Afraid of the anti-establishment atmosphere, both the Fuliiru and Rundi paramount chiefs fled to Burundi. Their departure allowed Marandura to become acting head of both chiefdoms.

After only a few weeks, in April 1961, the Fuliiru chief, Simba Nyamugira Henri, returned and resumed his position. He immediately dismissed all administrative personnel and the new *chefs de groupement* who had been appointed by Marandura. A few days later, Bafuliiru in the Ruzizi Plain attacked Barundi and their belongings, including livestock, an episode thereafter known as the *guerre de chèvres* (war of goats).

Marandura played a crucial role in these events. Deprived of rule over the Bafuliiru Chiefdom, he now laid claim to that of the Barundi, casting doubt on their right to rule based on their alleged status as foreigners who had usurped the Bafuliiru's ancestral grounds. This indicates that inter-community tensions between Bafuliiru and Barundi in this era were driven to a large extent by intra-elite power struggles within the Fuliiru community, notably the ambition of Marandura and his followers to take over from customary chiefs, whose rule they considered an anachronism.

At the end of 1963, the protest movement led by Marandura linked up with the *Conseil national de libération* (CNL, National Liberation Council), a revolutionary movement in exile that aimed to oust the Congolese

9 This section draws on Benoît Verhaegen, *Rébellions au Congo. Tome 1*, Brussels/Leopoldville: CRISP, IRES and INEP, 1966, 265–279.

government. From its eastern base in Bujumbura, the CNL started recruiting, organizing and training for a large-scale rebellion.

In May 1964, the newly forged rebel army, led by Fuliiru commander Louis Bidalira, occupied the town of Uvira. The key to this military success was, in part, a sense of invincibility among the combatants, which they acquired via rituals with water (*mai* or *mayi* in Swahili), which they believed rendered the body untouchable by bullets.

After the fall of Uvira, the Simba or Mulelist rebellion (as it became known) rapidly expanded to other parts of the Congo. Its successes, however, would only be short-lived. In 1967, a coalition of the Congolese army and foreign mercenaries regained control over most of the rebel strongholds. They were aided by a network of local auxiliaries (or *militants-combatants*) recruited from among the population, who provided intelligence and served as guides to the army. Both ex-Mulelists and former *militants-combatants* would take up arms again during the Congo Wars, this time fighting a common enemy.

The Congo Wars (1996–2003) and the aftermath

In the 1980s, intercommunity tensions in Uvira intensified, partly as a result of changes in the laws governing nationality. These tensions pitted groups labelling themselves ‘autochthones’, or natives, against ‘Rwandophones’ (speakers of Kinyarwanda and Kirundi such as the Barundi), who were portrayed as foreigners and immigrants. The situation deteriorated at the start of the 1990s, when political competition accelerated due to an attempted transition to multi-party democracy.¹⁰

In 1991, a census was held in the Ruzizi Plain to identify nationals. This effort ended in irregularities, as Barundi were excluded from identification. Moreover, a mass of Fuliiru youth assembled in front of the house of the *mwami* of the Barundi chanting, ‘*Ndabagoye, Ndabagoye, obwami bwamala*’ (Ndabagoye [the name of the *mwami*], your reign is finished).¹¹

10 Mamdani, *Understanding the Crisis in Kivu*.

11 Usalama II project interviewee #14, Mutarule, 14 April 2014.

Fleeing to Burundi, Chief Ndabagoye was subsequently suspended, a decision based on accusations of *nationalité douteuse* (doubtful nationality).

In 1993 and 1994, unrest intensified with the arrival of tens of thousands of Burundians and Rwandans fleeing the civil wars in their countries. The refugees were hosted in 11 camps along the Ruzizi River, living intermingled with soldiers of the former Hutu-dominated Rwandan government army and allied *Interahamwe* militias, which had been involved in the Rwandan genocide. Fearing renewed military activity by these troops, the Tutsi-led regime in Kigali devised a scheme to invade and forcibly shut down the camps. To that end, it assembled a mixed regional and Congolese insurgent coalition, which also harboured wider ambitions for regime change in the country then known as Zaire.

On 18 October 1996, the *Alliance des forces démocratiques pour la libération du Congo-Zaire* (AFDL, Alliance of Democratic Forces for the Liberation of Congo-Zaire), the vanguard of which had by then infiltrated the mountains of Uvira, launched an assault on the Ruzizi Plain, engaging in systematic attacks on the refugee camps. This signalled the formal start of the First Congo War.

In reaction to the AFDL offensive, youths mobilized in the Ruzizi Plain to stop the advance of what was perceived to be a foreign occupation force. They were supported by customary chiefs and former Mulelist combatants, who arranged for healers or seers to immunize them against bullets, using potions and rituals with water (*mai*) similar to those the Simba rebels had used. Thereafter these groups came to be known as Mai-Mai.

Mai-Mai resistance did not last long. The AFDL soon convinced these groups that liberating Zaire from the long reign of the autocratic Mobutu Sese Seko was a common interest. Furthermore, one of the AFDL leaders was the locally well-known Laurent-Désiré Kabila, a former Simba rebel who continued his revolutionary struggle in Fizi until the early 1980s. But not all Mai-Mai leaders were convinced and some thus continued resisting the AFDL, even after the latter's takeover in Kinshasa in 1997. From August 1998 onward, this group was joined by scores of Mai-Mai combatants who re-mobilized to resist the invasion of

yet another foreign-backed rebel movement, the *Rassemblement congolais pour la démocratie* (RCD, Congolese Rally for Democracy), supported by both Rwanda and Uganda.

During the Second Congo War, when the RCD occupied large swathes of the eastern Congo, attempts were made to reunite and coordinate the half dozen or so Mai-Mai groups operating in Uvira. However, key Mai-Mai leaders in the Bafuliiru Chiefdom, including ex-Mulelist Louis Bidalira and the brigade commanders Kayamba Kabugo and Jeannot Ruharara, continued to act with varying degrees of independence. Moreover, some Mai-Mai battalion commanders, such as Abduhramane Matata Lipanda (aka Abdou) and Mwenyemali, progressively detached themselves from their superiors. Meanwhile, yet other leaders operated in the Bavira Chiefdom, such as Baudouin Nakabaka and the ex-Mulelist leader Zabuloni Rubaruba.

Various factors explain these divisions between Mai-Mai leaders, including struggles over power and resources, inter-ethnic and inter-clan tensions, and efforts by the RCD to divide the Mai-Mai. At the end of 2000, the RCD launched a campaign to convince Mai-Mai combatants to rally to their side. Scores of troops, including Bede Rusagara, descended from the mountains to join them. After six months of training from Rwandan military instructors, they were redeployed as local defence forces tasked with guarding security in villages and towns in order to back up the RCD's military wing.

In the Ruzizi Plain, some of these forces operated under the chief of the Ruzizi Plain Chiefdom, Floribert Nsabimana Ndabagoye, who had retaken power in 1996 and was said to be allied to the RCD.¹² In the memory of many Bafuliiru, Ndabagoye tried to use these forces—who dressed in yellow and were known as *Majaunets*—for private purposes, in particular to settle scores and repress opponents.¹³ A similar dynamic, whereby customary authorities harness local defence forces to reinforce

.....
12 Recall that only five years earlier, in 1991, Chief Ndabagoye of the Barundi had fled from Uvira to Burundi.

13 Usalama II project interviewees #7, Luberizi, 12 April 2014; #9; Luberizi, 12 April 2014.

their own power position, would also be manifest in later episodes of local defence mobilization.

The peace agreement marking the formal end to the Second Congo War in 2003 heralded the start of a transitional period (2003–2006) that would last until the organization of general elections. The signatories agreed to divide positions in the institutions of government and, at a later stage, to integrate their troops into a new national army, the *Forces armées de la République démocratique du Congo* (FARDC, the Armed Forces of the Democratic Republic of the Congo).

In Uvira, existing Mai-Mai brigades were initially mixed with locally deployed RCD units. In a second phase starting in 2005, the fighters of these units were sent to different training centres in order to be further mixed and redeployed in new units. These processes unfolded erratically, as both Mai-Mai and RCD leaders tried to retain maximum control over their fighters. Moreover, many of the Mai-Mai commanders who operated autonomously were reluctant to be placed under the command of either RCD or other Mai-Mai officers. Additionally, Mai-Mai from all groups felt that the RCD were favoured in the distribution of ranks and positions.

While many Mai-Mai officers eventually joined the FARDC, some resisted integration for years, for example, Zabuloni. Others integrated but returned to Uvira in later years, either on medical or extended leave or as deserters. Failing to obtain good positions in the FARDC and often reluctant to operate far from their former strongholds, these officers had little motivation to continue serving in the army. Some among this group would return to the bush or join local defence forces, often recruiting from among the thousands of unemployed, demobilized fighters who stayed in Uvira. This multitude of demobilized men and women left to fend for themselves is one of the many legacies of the Congo Wars that have sown the seeds for further armed mobilization.

3. Continuing armed mobilization

The emergence of new armed groups in the post-transition era (2006 to the present) has been driven by several factors.¹⁴ Crucially, the logic of power-sharing has created incentives to continue armed mobilization, allowing it to be translated into access to positions in the state apparatus or in wider political and economic influence. Regional factors have also played a role, with foreign and foreign-backed armed groups continuing to operate in the eastern Congo. A final factor is conflicts related to positions of local authority, land and forms of identification.

In Uvira, post-transition remobilization has occurred in various waves. First, the Amani peace conference, held in Goma in 2008, created incentives for former armed group commanders and combatants to organize themselves into new armed groups or enhance their visibility. Hoping to access the promised benefits, including positions in the national army, several armed groups in Uvira stepped up activity.¹⁵ Second, military integration processes and operations in 2009–2010 induced changes in local power constellations and created insecurity, which promoted both Mai-Mai mobilization and the rise of local defence forces. In 2011–2012, further turbulence was generated by the general elections and the emergence of local offshoots of the North Kivu based rebellion of the M23 (*Mouvement du 23 mars*, or the March 23 Movement). In the same period, conflicts related to customary authority intensified, giving further impetus to armed activity.

14 See the findings of the first phase of the Usalama Project: Jason Stearns, Judith Verweijen and Maria Eriksson Baaz, *The National Army and Armed Groups in the Eastern Congo. Untangling the Gordian Knot of Insecurity*, London: Rift Valley Institute, 2013.

15 ADEPAE, Arche d'Alliance, RIO and Life & Peace Institute, *Au-delà des 'groupes armés'. Conflits locaux et connexions sous-régionales. L'exemple de Fizi et Uvira (Sud-Kivu, RDC)*, Uppsala: Life & Peace Institute, 2011, 66–68.

CNDP integration and the *Kimia II* operations

In 2009, the Congolese army launched Kivus-wide military operations against the Rwandan Hutu rebels of the *Forces démocratiques de libération du Rwanda* (FDLR, Democratic Forces for the Liberation of Rwanda). These operations followed on the heels of the integration of the Tutsi-led rebel group *Congrès national pour la défense du peuple* (CNDP, National Congress for the Defence of the People) and a few other armed groups into the FARDC as part of a surprising, sudden peace deal between Kinshasa and Kigali. Both CNDP integration and the subsequent military operations contributed to remobilization in Uvira, fostering the resurgence of Mai-Mai groups and local defence forces.

Given that the CNDP integrated from a position of strength—not least due to its connections in Kigali—it came to dominate the national armed forces based in the Kivus.¹⁶ This reactivated antagonism towards Rwandophones among former Mai-Mai fighters, both within and outside the army. In April 2009, Fujo (a former Mai-Mai officer and the son of the Mulelist and Mai-Mai leader Zabuloni Rubaruba), who had previously served as deputy battalion commander in the 109th brigade of the FARDC, attacked the city of Uvira. Allegedly, his remobilization was encouraged by a handful of Fuliiru politicians and businesspeople. Not only did they hope this would guarantee them enhanced local influence but they also sympathized with the Mai-Mai ideology of resistance against Rwandophones and their allies, who were seen to include the government in Kinshasa.¹⁷

After the attack, Fujo and his group—no more than a few dozen combatants—continued their activities in the *Moyens Plateaux* in Uvira. Despite their small size, this group built up significant influence.¹⁸ In

16 Jason Stearns, *From CNDP to M23. The Evolution of an Armed Movement in Eastern Congo*, London: Rift Valley Institute, 2012.

17 Usalama II project interviewee #2, Bukavu, 26 March 2011.

18 At the start of 2013, after the death of his father, Fujo left the bush to negotiate his surrender. In 2014, however, he returned to the bush because he was dissatisfied with the process. In the course of 2015, new negotiations were initiated, leading Fujo and his combatants to regroup in Uvira under the supervision of the FARDC.

part, this was gained through collaboration with the Burundian rebel group *Forces nationales de libération* (FNL, National Liberation Forces) and the FDLR; Fujo maintained a commercial relationship in the cannabis trade with the latter.¹⁹

Collaboration between the FDLR and Mai-Mai forces was not new. During the Second Congo War, some Rwandan Hutu combatants who had been dispersed from the refugee camps after the AFDL invasion returned to the east. In Uvira, these combatants (who would eventually found the FDLR) started to collaborate with Mai-Mai groups in the fight against their common enemy, the RCD. During the transition period, what was now the FDLR remained in its areas of operation in the east.

From 2005 onward, a growing number of FDLR fighters, their families and other Rwandan refugees established themselves in the Mulenge area in the *Moyens Plateaux*. This group developed numerous revenue-generating activities, including agriculture and trade in cannabis and cassiterite, which enabled them to become a significant economic force.

The FDLR also integrated socially. As an inhabitant of Mulenge says, 'Some of our women married them. Their children were in all our schools. There was a Catholic church led by a Hutu deacon ... and their women came to our hospital to give birth.'²⁰ At the same time, the presence of the FDLR was considered oppressive: they took from the taxes levied at the market, extorted goods, and, in the face of the absence - or passivity- of the state security forces, acted as both police and army. As a member of the *lubunga* (the council of the wise) of the Bafuliiru says, 'The *mwami* had effectively lost control over a part of his chiefdom.'²¹

This would change when the FARDC dislodged the FDLR from the *Moyens Plateaux* as part of military operations known first as *Kimia* (Silence) II and then from January 2010 onward as *Amani Leo* (Peace Today). Trying to avoid casualties, the FDLR withdrew to the Itombwe

19 United Nations, Security Council, 'Final Report of the UN Group of Experts on the DR Congo', 2 December 2011, S/2011/738, 38, 51.

20 Usalama II project interviewee #16, Mulenge, 10 May 2015.

21 Usalama II project interviewee #69, Uvira, 12 July 2015.

Forest on the *Hauts Plateaux*. This created new space for armed groups. It also allowed the chief of the Bafuliiru to retake control of these areas, which he accomplished in part through the creation of local defence forces.

The re-emergence of local defence forces

Feeling betrayed by both the local population and the Congolese government—in part because of the sudden alliance between Kinshasa and Kigali and subsequent military operations—and in need of resources due to the disruption of their former sources of income, the FDLR began to attack civilians. The FARDC failed to protect the population against this violence. This was a result of various factors, including weak command and control, and the challenges of securing a vast mountainous zone without sufficient means of transport and communication.

Exposed to FDLR retaliation and distrusting the FARDC, hundreds of households fled the mountains, seeking refuge in the Ruzizi Plain. However, cut off from their fields, their main source of livelihood, they soon decided to return home. A number of former Mai-Mai combatants took the initiative to provide basic protection to these returnees, thus pioneering a new wave of local defence mobilization. As one commander explains, ‘No person initiated this movement [local defence]. It was created by the suffering, the desolation, the massacres. During the *Kimia* II operations ... the whole population had fled. Life in the Plain was expensive and the people wanted to return.’²²

In an effort to formalize this initiative, the *mwami* of the Bafuliiru, Ndare Simba Simon, approached the *Kimia* II command with a proposal to set up a system of armed defence groups controlled by the chiefdom. The FARDC consented to the creation of this structure on the condition that its members would collaborate with the military by providing intelligence and scouting for them during operations. This resembles the arrangement between the military and the *militants-combatants* during

22 Usalama II project interviewee #42, Ndolera, 14 May 2015.

the Simba rebellion in the 1960s and the local defence forces of the RCD during the Second Congo War.

With the consent of the FARDC, the *mwami* authorized the distribution of assault rifles to the village-based local defence forces. In contrast to Mai-Mai groups, which stay in the bush, members of the local defence forces continue to live in their own homes and work as usual, as they carry out their security duties only on a part-time basis, in particular patrolling at night. Another difference with Mai-Mai groups is that the local defence forces, which have no specific anti-government agenda, are tolerated by the state security forces and often collaborate with the army during military operations. Many Mai-Mai groups, by contrast, declare themselves to be against the government and sometimes clash with the military, although at times they also collude with them.

A final difference between Mai-Mai and local defence groups is that the latter are ultimately subordinate to customary authority, although this does not apply to all groups. While at the village level, local defence forces are accountable to the *chef de localité* (village chief), at the level of the chiefdom, the commander-in-chief reports to the security council of the chiefdom. Up until September 2015, the commander-in-chief was Molière Mutulanyi, a former logistics officer in the Mai-Mai brigade of Kayamba, who later joined and then deserted from the FARDC, where he had held the rank of captain.²³

In spite of the formal command structure, in the initial years of local defence mobilization, it was the *mwami* who took all major decisions. Consequently, these forces increasingly served as private militia. The *mwami* also employed these groups to counterbalance the FARDC and minimize the military's interference in his administration. Furthermore, in 2011, Ndare Simba attempted to use the local defence forces, by then renamed *Forces d'autodéfense locales et légitimes* (FALL, Local and Legitimate Self-defence Forces),²⁴ in support of his electoral campaign.

23 Due to leadership struggles, Molière was replaced by Kalihako Muhombo, likewise an ex-Mai-Mai officer in the brigade of Kayamba.

24 FALL is, however, a little known and rarely used name for the local defence forces of the Bafuliiru Chiefdom.

A member of the provincial assembly since 2007, he stood as a candidate in the 2011 national legislative elections and mobilized the local defence forces to intimidate political opponents.²⁵ Thus, although founded as a force for the protection of village populations, local defence groups ultimately became caught up in similar processes of militarization to those involving Mai-Mai groups.

The rebellion of Bede Rusagara

The *mwami* was not alone in trying to make use of the local defence forces. In 2011, Bede (also known as Obedi or Bedy) Rusagara, a native of the village of Mutarule in the Ruzizi Plain, deserted from the FARDC. Returning to Uvira, he started a new armed group in the *Moyens Plateaux*, later known as the *Mouvement congolais pour le changement* (MCC, Congolese Movement for Change).²⁶ Hard-pressed to fill the ranks, Bede first attempted to recruit from the local defence forces, a substantial number of whom were demobilized Mai-Mai. He was also in contact with the Burundian FNL.

Bede's recruitment efforts met with limited success. Being among the Fuliiru Mai-Mai who joined the RCD's local defence forces during the Second Congo War, Bede had remained close to ex-RCD Rwandophone circles ever since. Therefore, he was mistrusted among many Bafuliiru, who define themselves as autochthones, or indigenous to the area.²⁷ Although he joined the FARDC during the transition period, Bede eventually left for the CNDP and then reintegrated into the army in 2009. He did not remain very long in the military, deserting in 2011. Bede's move back to the bush was facilitated by ex-CNDP and other networks within the FARDC to whom he stayed closely allied and who provided him with munitions.²⁸

25 Usalama II project interviewee #65, Uvira, 11 July 2015.

26 The name of his movement was later changed to *Coalition des congolais pour la libération* (CCL, Coalition of Congolese for Liberation).

27 Usalama II project interviewee #26, Rubanga, 11 May 2015.

28 United Nations, Security Council, 'Final Report of the UN Group of Experts on the DR Congo', 15 November 2012, S/2012/843, 21–22.

Bede's continuing proximity to ex-CNDP circles became especially clear in 2012, when he tried to create a South Kivu offshoot of the M23, a North-Kivu based rebellion formed by ex-CNDP deserters. This alliance, and the fact that he had many Rwandophone (mostly Banyamulenge but also some Burundian) recruits in his ranks, estimated to total 250 troops, only reinforced mistrust among the Bafuliiru.²⁹

Yet Bede ultimately managed to build up an important position among Fuliiru and pro-government elites. This was the result of both his involvement in the conflict in the Ruzizi Plain and his strategy of multi-positioning, whereby he simultaneously maintained contacts with nominally opposed sides. As one respondent explains, 'He [Bede] played a double game. He gave information about the M23 to the government, as he communicated at the same time with the M23 and the government.'³⁰

Thus, the demise of the M23 at the end of 2013 did not reduce Bede's influence. In fact, he received increasing protection from politicians and businesspeople at both the national and provincial level, while also successfully liaising with local authorities. As a result, Bede became one of the most powerful warlords in Uvira, a position he maintained until his death in August 2015, when he was shot by the FARDC.³¹ Allegedly, some of these political contacts also gave him money occasionally, although he generated substantial resources himself by engaging in banditry - cattle looting, kidnappings and ambushes-and extortion from minibuses travelling through the Ruzizi Plain.³²

These political connections also granted Bede *de facto* impunity, preventing him and his civilian collaborators from being apprehended by the security services and the military prosecutor's office (*auditorat*). As a police commander in the Ruzizi Plain testifies, 'Ministers [from] here are in permanent contact with armed group leaders. One minister

29 UN S/2012/843, 22–23.

30 Usalama II project interviewee #62, Bukavu, 9 July 2015.

31 After his death, some of Bede's combatants have continued to operate in the Ruzizi Plain under the leadership of a commander called 'Tigre'.

32 Usalama II project interviewees #14, Mutarule, 14 April 2014; #37, Luberizi, 13 May 2015.

even called me to say “maintain good contact with this or that armed group”.³³

Bede would also directly intimidate security and judicial personnel himself. As a military justice source affirms, ‘I was on board a car and he [Bede] calls me, saying “I see you passing in a car”. I even do not know him. But he, he knows me.’³⁴ Such calls reveal that Bede was aware of the movements of security and judicial personnel and where they lived, attesting to the efficacy of his intelligence apparatus, which involved many civilians. In particular, it included numerous *motards* (motor-taxi drivers) operating in Uvira, who are well aware of people’s movements. As one respondent comments, ‘During the day, he is a *motard* but at night he is a Mai-Mai.’³⁵

Bede’s high-level political connections and extensive network of civilian collaborators allowed him to intervene in all sorts of disputes and decision-making procedures, either on his own initiative or at the request of one of the parties involved. For example, he was able to influence appointments in the local administration and control how land disputes were settled, which sometimes included intimidating personnel in the department of land affairs in Uvira. Believing that Bede was able to mobilize powerful figures, those targeted would often comply to avoid trouble.³⁶ This exemplifies *traffic d’influence* (influence peddling), which is a crucial mechanism armed groups use to exert influence over non-military domains, a hallmark of militarization.

.....
33 Usalama II project interviewee #36, Luvungi, 13 May 2015.

34 Usalama II project interviewee #65, Uvira, 11 July 2015.

35 Usalama II project interviewee #65, Uvira, 11 July 2015.

36 Usalama II project interviewees #12, Bwegera, 14 April 2014; #45, Luberizi, 14 May 2015; #62, Bukavu, 9 July 2015.

4. Customary power conflicts

In 2012, various conflicts related to customary authority resurfaced in Uvira. These conflicts served to strengthen armed groups in two ways. First, by linking themselves to one of the parties in conflict —often by claiming to engage in self-defence against a supposedly hostile community—armed groups managed to mobilize both popular and elite support. Second, the presence of armed groups aggravated conflicts over customary authority: they not only lowered the threshold for using violence but simultaneously sharpened the security dilemmas between parties in conflict. Armed groups, in turn, benefited from the increased demand for violence and protection.

Bad governance, or misrule, which creates motivation and space for contesting authority, is another factor that multiplies conflict. When people feel that local leaders do not live up to their expectations, for instance by selling communal land for personal gain, they are inclined to support the competitors of those leaders. This is a mutually reinforcing relationship, whereby those whose authority is contested are more likely to engage in misrule, harnessing their resources and contacts for the purpose of staying in power.

Struggles over the leadership of the Ruzizi Plain Chieftdom

In 2012, Floribert Ndabagoye, the Rundi *mwami* of the Ruzizi Plain, was to be reinstalled in power. His reign was disputed by many Bafuliiru, who not only claimed the right to rule over the chieftdom but were also angered by his way of governing during the Second Congo War. Ndabagoye was suspended in 2004, when he served as a national member of parliament for the RCD. Meanwhile, the Ruzizi Plain had been administered by mostly Fuliiru interim administrators, who had appointed new Fuliiru *chefs de groupements*.

This allowed the Bafuliiru to control local political authority and access to land. Profiting from the ambiguous legal framework surrounding

land in the Congo, the interim administrators sold vast tracts of land. This created considerable tensions. Not only did numerous small-scale farmers lose access to land, it also intensified conflicts between cattle owners and cultivators.³⁷

There is major pressure on the land in the Ruzizi Plain, due in part to population growth and to displacement during the wars, such that the number of people depending on this land for their livelihoods has increased. Furthermore, the Ruzizi Plain's economy never recovered from the blows it was dealt by economic decline during the late Mobutu era and the Congo Wars. The sugar refinery in Kiliba, which closed its doors in 1995, never restarted and rice production has not continued on the same scale as before.³⁸ Against this background of poverty and extensive pressures on land, the stakes in control of land have become all the higher. This was one of the reasons why some Bafuliiru did not welcome the news that Rundi authority would be restored with the return of Chief Ndabagoye.

In April 2012, *mwami* Ndabagoye visited the Ruzizi Plain in order to prepare the population for his renewed reign. Shortly before the enthronement ceremony, he was assassinated in the village of Luberizi. According to investigations by the military prosecutor's office in Uvira, the *mwami* was killed by Bede Rusagara, a family relation of the acting administrator of the Ruzizi Plain, Bike Rusagara. Allegedly, Bede acted at the instigation of and in collaboration with a network of Fuliiru leaders, including a number of *chefs de groupement* in the Ruzizi Plain. However, none of the suspects were indicted due to political interference and a lack of evidence.³⁹

37 Justine Brabant and Jean-Louis K. Nzweve, *La houe, la vache et le fusil. Conflits liés à la transhumance en territoires de Fizi et Uvira (Sud-Kivu, RDC): État des lieux et leçons tirées de l'expérience de LPI*, Uppsala: Life & Peace Institute, 2013, 34–38.

38 Didier de Failly, 'L'économie du Sud-Kivu 1990–2000: Mutations profondes cachées par une panne', in *L'Afrique des Grands Lacs. Annuaire 1999–2000*, eds. Stefaan Marysse and Filip Reyntjens, Paris: L'Harmattan, 2000, 163–192.

39 Usalama II project interviewee #65, Uvira, 11 July 2015.

The same local authorities, aided by provincial and national-level Fuliiru politicians, tried to aggravate the conflict that unfolded in the wake of the assassination. In order to prevent Richard Nijimbere Kinyoni, the son of the assassinated *mwami*, from acceding to the throne, this group encouraged Fuliiru youth throughout the Ruzizi Plain to barricade the main road between Uvira and Bukavu. The president of the South Kivu Provincial Assembly, Emile Baleke Kadudu, is alleged to have played an important role in these events.⁴⁰ According to a policeman deployed to the Ruzizi Plain, 'These politicians intoxicate the youth. When they arrive [in the village], they give money to youngsters, including those smoking cannabis [*mavutabangi*]. ... They throw parties where they give crates of beer and generators to play music.'⁴¹ Such mobilization draws upon strong anti-Rundi rhetoric. It therefore resembles how the Fuliiru politician Musa Marandura tried to reinforce his position in the first years of the Congo's independence.

Some of the youth participating in the protests were later recruited into the Fuliiru local defence groups that sprang up in some parts of the Ruzizi Plain at this time. In part, the emergence of these groups was a result of severe mistrust among the Bafuliiru towards the locally deployed FARDC units, where Rwandophones (particularly Banyamulenge) held important positions. This was believed to introduce a bias towards the Rwandophone Barundi, who closely collaborated with the Banyamulenge living in the Ruzizi Plain. Thus, the FARDC was thought to intervene less actively when the lives and property of the Bafuliiru were at risk or to their disadvantage when intervening in conflicts.

The Bafuliiru also feared an armed group composed of a majority of Barundi and Banyamulenge but aided by a number of Burundian recruits, which was headquartered in the village of Mutarule. Created by Rundi customary authorities, the group was partly formed in reaction to intensified activities by Fuliiru Mai-Mai groups in the Ruzizi Plain, which

.....
 40 Usalama II project interviewees #12, Bwegera, 13 April 2014; #14, Mutarule, 14 April 2014; #36, Luvungi, 13 May 2015.

41 Usalama II project interviewee #36, Luvungi, 13 May 2015.

had started to engage in massive cattle looting. This pro-Rundi group, however, was also looting cattle, which had become the main source of income for the various armed groups operating in the Ruzizi Plain.

Following the logic of this security dilemma, the presence of the pro-Rundi armed group again reinforced popular and political support for Fuliiru Mai-Mai groups, some of which formed in this period. In 2013, ex-Mai-Mai officer Karakara, a native of Mutarule, who was at the time a captain in the FARDC, deserted from the military base of Luberizi. Being accused of stirring up trouble and interfering in the conflict in the Ruzizi Plain by his Banyamulenge regiment commander, who threatened to arrest him, he chose to return to the bush. This decision was further driven by frustrations about his lowly position in the army, which he attributed to the systematic favouring of Rwandophone officers.⁴²

Support for Mai-Mai groups was further reinforced by a massacre in June 2014, when more than 34 people of Fuliiru descent were killed during an attack on Mutarule. This massacre is generally ascribed to the Rundi–Banyamulenge armed group based in the same village. In particular, the Rundi leader Sheria, who formerly served in the RCD's local defence forces in the Ruzizi Plain, was alleged to have played an important role.⁴³ The massacre, however, was greatly facilitated by the non-intervention of the FARDC. Although the locally deployed FARDC company tried to intervene, the battalion commander, of Banyamulenge origins, discouraged further efforts.⁴⁴ The massacre therefore fostered more distrust of the national armed forces, which again increased support for the Mai-Mai.

Armed violence in the Ruzizi Plain does not only pit Barundi and Banyamulenge against Bafuliiru. The various Fuliiru Mai-Mai groups in the area also compete and fight over spheres of influence and the

.....
42 Usalama II project interviewee #53; Luvungi, 16 May 2015.

43 Human Rights Watch, 'DR Congo: Army, UN Failed to Stop Massacre. Apparent Ethnic attack Kills 30 Civilians, 2 July 2014. Accessed 13 January 2016, <https://www.hrw.org/news/2014/07/02/dr-congo-army-un-failed-stop-massacre>.

44 United Nations, Security Council, 'Final Report of the UN Group of Experts on the DR Congo', 12 January 2015, S/2015/19, 31–32.

division of booty. For instance, in 2014, Bede killed Karakara's brother in Uvira, which led to a major fall-out between the two warlords. Hostility between Fuliiru Mai-Mai groups also results from liaisons with different Fuliiru parties to conflicts. An example is the dispute over the position of the village chief of Luberizi, which has set one faction allied to the Mai-Mai Simusizi against another linked to Karakara.⁴⁵ In short, the emergence of Fuliiru Mai-Mai groups in the Ruzizi Plain not only aggravated conflict between Bafuliiru and Barundi but also contributed to the militarization of conflicts between Fuliiru factions.

Conflict over the throne in the Bafuliiru Chieftdom

Conflict in the Ruzizi Plain Chieftdom is closely related to events in the Bafuliiru Chieftdom, as local authorities and politicians try to exploit frictions with the Barundi to gain support and impair opponents. This also applies to the *mwami* of the Bafuliiru, Ndare Simba, who failed to get elected in 2011.

Allegedly, one reason Ndare failed was popular discontent with his mediocre record as a chief. A large part of the Bafuliiru Chieftdom consists of isolated mountainous areas, where small-scale agriculture is the main source of income and most people are poor. While some Bafuliiru keep cattle and a number of others own or work in the cassiterite mining pits, other economic activities are limited. Key Fuliiru businesspeople are mostly based in urban centres such as Uvira and Bukavu, and not in the chieftdom itself. Only the Itara-Luvungi *groupement* has a somewhat more diversified economy, with trade, services and real estate occupying important places.

Despite these unfavourable social and economic conditions, Ndare invested little of the chieftdom's tax revenue in development initiatives, such as much-needed investments in electrification and infrastructure, or modernizing the administration. Rather, he used the chieftdom's income mostly for private purposes and to feed his own patronage networks. As

45 Judith Verweijen, 'The Making of Conflict in the Eastern Congo: Trouble in the Ruzizi Plain', Rift Valley Institute, Usalama Project Blog. Accessed 18 December 2015, <http://riftvalley.net/news/making-conflict-eastern-congo-trouble-ruzizi-plain#.VoOCaFWJps>.

one respondent says, ‘When the *mwami* was in power... they [*mwami* and his networks] were busy exploiting cassiterite. So they built houses in Bukavu and Uvira, they had cars, they were busy enriching themselves, while the others were in poverty.’⁴⁶

Deflecting attention from his own bad governance, the conflict in the Ruzizi Plain offered Ndare the opportunity to regain popularity and power. Thus, he did little to avoid an escalation of events. In December 2012, Ndare unexpectedly died from cardiac arrest, following an unidentified illness which is widely believed to have been induced by poisoning. This led to the re-emergence of a long-standing conflict over power in the Bafuliiru Chiefdom.

In 1977, the then *mwami* of the Bafuliiru, Simba Nyamugira Henri, stepped down from his role as acting chief, leaving this position to his eldest son Ndare. In 1980, Ndare left for Europe to continue his studies, installing his half-brother Albert Mukogabwe Muzimu-wa-Simba as the interim chief. In 1988, when Simba Nyamugira died, Ndare returned in order to be invested as *mwami*. This is in accordance with the Fuliiru customary principle that royal succession runs from father to the eldest son (the first-born of the first wife).

However, Ndare’s right to the throne was contested by his half-brother Albert. In 1989, Ndare returned to Europe for a brief period of time to wrap up his activities there. In his absence, Albert was invested as *mwami* by the *banjoga* (the Fuliiru guardians of custom). Among the Bafuliiru, the investment ceremony includes wearing the *lushembe* (royal diadem), which is a symbol of royal power. The fact that Albert was now in the possession of the *lushembe* therefore created considerable confusion. After months of conflict, Albert agreed to withdraw, leaving the throne to Ndare. When the latter died in December 2012, however, the conflict flared up again, as Albert reclaimed the throne.

Despite Albert’s claims, Ndare’s eldest son, Adam Kalingishi, was recognized by ministerial decree as the new customary chief. This official recognition did not end the conflict, though, because the pro-Albert

.....
46 Usalama II project interviewee #69, Uvira, 12 July 2015.

faction contested the decision. Albert was encouraged in his opposition by several influential Fuliiru politicians and businesspeople. For example, in February 2014, when the *lubunga* organized a meeting in the town of Luvungi to resolve the conflict, a national member of parliament, Justin Bitakwira Byonahayi, openly spoke out against the *lubunga*'s initiative in a speech broadcast on a local radio station.⁴⁷

Other politicians and businesspeople, however, supported the opposing side —the camp rallying behind *mwami* Adam and his uncle, Edmond Muhogo. The latter was made interim administrator of the chiefdom because Adam returned to Kinshasa to prepare to go and study in Europe. In this way, the interference of influential politicians hampered a solution to the conflict. It also created an additional political layer. While the majority of the pro-Albert camp are politicians from the opposition, reflecting Albert's own sympathies for the *Union pour la nation congolaise* (UNC, Union for the Congolese Nation), those favoring Adam are generally from pro-government parties.

Another factor that prolonged the conflict is discontent about the way the new *mwami* and his inner circle govern the chiefdom. They are accused of mishandling the chiefdom's finances, partly under the influence of Ndare's former advisor Jean-Marie Kagombe. Little of the *rétrocession* (the percentage of national tax revenues that is returned to the lower-level administrative entities where the taxes are levied) is invested in the chiefdom. As a leader of the Fuliiru *mutuelle* (self-help-social insurance association) asserts, 'There is around USD 15,000 dollar *rétrocession* a month but much of this is embezzled.'⁴⁸ In contrast, Albert is known among his partisans as *icône* or *père du développement* (icon or father of development), reflecting his more positive contribution to the development of the chiefdom.⁴⁹

47 Usalama II project interviewee #69, Uvira, 12 July 2015.

48 Usalama II project interviewee #60, Bukavu, 8 July 2015.

49 Centre Indépendant de Recherches et d'Études Stratégiques au Kivu (CIRESKI), *Du conflit dans la dynastie Hamba chez les Bafuliru*, Uvira: CIRESKI, 2014.

Correcting weak performance of the chieftdom has proven difficult, as local administrative authorities have a limited grip on the *mwami*. The presence of local defence forces has further tipped the balance of power to the advantage of the customary leaders, since administrative authorities may be put under pressure by these forces.

The conflict over succession to the throne of the Bafuliiru Chieftdom has politicized the local defence forces, which has complicated their role in shoring up customary power. Given that Molière, the previous commander-in-chief, was firmly in the *mwami* Adam camp, obeying his orders became a political act. Consequently, local defence commanders preferring to stay neutral or harbouring sympathies for Albert tried to distance themselves from Molière's command. This undermined centralized command and control, rendering local commanders more autonomous and susceptible to manipulation by local interests, which in some cases has led to misconduct.

5. The militarization of local governance

There are mutually reinforcing relations between bad governance, armed mobilization and conflicts: by liaising with armed groups, incompetent authorities manage to shore up their power and use coercion. This exacerbates or creates conflicts, as local authorities inflate existing differences to deflect attention. It also gives rise to discontent and grievances among local populations. Conversely, armed groups seize upon conflicts related to local authority by rallying behind one of the parties in conflict to reinforce their legitimacy and power. The governance component of this vicious circle can be further explored by focusing on two domains: security governance and economic regulation.

Local defence forces: a double-edged sword

In addition to the state security services, the presence of a large number of armed groups and local defence forces in Uvira has created a convoluted security universe. The boundaries between these factions tend to be fluid, in part because everyone knows everyone else personally, often being relatives and extended family members, former classmates, ex-Mai-Mai comrades or neighbours.

Local defence forces and Mai-Mai are therefore closely interwoven with the local population. These dense linkages contribute to the militarization of governance because local authorities and inhabitants befriend armed groups and solicit their intervention in conflicts, to exert pressure on competitors and settle personal scores. These close ties also hinder the accountability of men and women with guns, as civilians withhold information from state security personnel and officers of the law. This has further complicated security provision, which is already impeded by the overall meagre performance of the army and police. The resulting insecurity reinforces and further justifies local defence measures.

Local defence forces are present in large parts of the Bafuliiru Chiefdom, especially in isolated mountain areas.⁵⁰ While there are no reliable estimates, Molière is said to have claimed that in mid-2014 they roughly constituted a brigade, with approximately 3,000 to 4,000 members scattered throughout the chiefdom.⁵¹ While these groups are collectively known as local defence forces (popularly called *balala rondo*), they vary considerably in terms of their organization, behavior and relations to authorities and other armed forces. One reason for these differences is that the local defence forces are not a unified movement commanded by the chiefdom. Whereas some commanders obey the orders of Molière (or his successor), others act autonomously.

In some areas, local defence forces resemble a miniature army, with roughly similar structures and nomenclature. For instance, on the Ndolera axis (in the *groupement* of Itara–Luvungi), ‘Lieutenant Colonel’ Prospère Mahinduzi, a former intelligence officer in the Mai-Mai of Kayamba, acts as brigade commander. He oversees battalions and companies stationed in different villages, which are headed by commanders assisted by an *état-major* (general staff) with ranks and functions similar to that of the army, such as intelligence (S2) and operations (S3). In the words of one local defence commander: ‘When there is already the presence of an army, you need the structure of an army, otherwise you cannot function.’⁵² Commanders wear parts of FARDC uniforms and often have two-way radios. Commenting on why they dress in army uniforms, the same commander says, ‘No, I am not of the government. But I do wear the uniform. When you are a fan of Mazembe [popular football club], you wear the uniform of Mazembe.’⁵³

However, not all local defence forces are organized this way. On the Mulenge axis, for example, where the local defence forces operate under

50 The local defence forces operating in the Ruzizi Plain Chiefdom were suspended by the FARDC in 2013. Note that there are also local defence forces in the neighbouring Bavira Chiefdom.

51 Usalama II project interviewee #94, Lemera, 23 September 2015.

52 Usalama II project interviewee #42, Ndolera, 14 May 2015.

53 Usalama II project interviewee #42, Ndolera, 14 May 2015.

the overall command of Ngengwe Masabire, the village chief of Mulenge 1, they simply have one commander per village, who is assisted in each *avenue* (quarter) by a deputy and secretary. These forces generally do not wear military uniforms. As a commander explains, 'These are civilians. These are not soldiers.'⁵⁴

Even where organization is structured along military lines, local defence forces generally remain subordinate to local customary authority. At the battalion level, village chiefs are considered to have the function of *chef d'état-major* (chief of the general staff). Many of these chiefs are former Mai-Mai and therefore have military experience. They often use local defence groups to reinforce their own position, for instance to execute decisions or neutralize opponents. In some cases, village chiefs also assist with arranging the *dawa ya asili* (customary medicine for spiritual protection on the battlefield) that most local defence groups use, similar to the Mai-Mai.

Local chiefs and other leaders also play a key role in organizing community contributions to the local defence forces, such as maize or manioc flour, or batteries for torches used during nightly patrols. These contributions are collected from households, local businesses (e.g. flour mills), road barriers and markets. While local defence members are often described as *bavolontaires* (volunteers), they do not operate entirely at their own expense but are generally given food before going on patrol. Commanders and officers may also be given a *motivation* (a financial inducement); for example, the commander-in-chief is reported to receive a percentage of the chiefdom's tax revenues. In the past, the local defence forces also operated a cassiterite mining pit in Lamera, donated by the chiefdom.

People who live in isolated mountain villages in particular do not see these contributions as problematic, as they feel that the local defence forces increase their security. Not only are these forces more numerous and more effective than the army and police, they are also considered to have closer ties to the local population. Many people referred to them as

⁵⁴ Usalama II project interviewee #21, Mugule, 10 May 2015.

batoto ya hapa (children from here), in contrast to the *batokambali* (those coming from far) of the state security services.

The necessity of local defence presence was particularly highlighted in areas where the population feared revenge actions by the FDLR in the wake of the *Sokola* (Clean Up) II army operations launched in January 2015. Having returned to the *Moyens Plateaux* in 2013 after previous military operations had ended, the FDLR were again forced to withdraw. During the *Sokola* II operations, the army used the local defence forces as guides and to collect intelligence. In the course of this action, some members were wounded or lost their lives.⁵⁵ Such active collaboration with the FARDC has generated deep fears that once the FDLR returns, they will take revenge on the population.

This is especially the case where local defence forces have been disbanded at the instigation of the FARDC, which received orders from the military hierarchy to convince them to disarm, as in the area of Mubere. According to a village chief in this area, 'The FDLR are not far from here and we fear that they will return. There are no longer any local defence forces. ... We are afraid that the FDLR will take revenge and will accuse us of having shown the fields of the FDLR [to the FARDC, which subsequently destroyed them].'⁵⁶

Despite the fact that people generally feel safer with a local defence presence, many also reported problems with these forces. As one respondent highlights, the local defence forces are a 'double-edged sword', bringing both security and insecurity.⁵⁷ In some villages, parts of the forces collaborate with bandits or armed groups, for example in the trade in stolen cattle from the Ruzizi Plain.⁵⁸ Local defence forces are also often drawn into local conflicts, with people attempting to mobilize them to settle scores and regulate conflicts, frequently related to issues

.....
55 Usalama II project interviewees #19, Mulenge, 10 May 2015; #25 and #27, Rubanga, 11 May 2015; #46, Lubarika, 15 May 2015.

56 Usalama II project interviewee #18, Kihinga, 10 May 2015.

57 Usalama II project interviewee #60, Bukavu, 8 July 2015.

58 Usalama II project interviewees #34, 13 May 2015; #26, Rubanga, 11 May 2015.

such as debt, family matters, love affairs, land and other property. In the village of Mugogo, for instance, local defence forces protected the owners of a contested land concession, allowing them to cultivate the land by preventing the farmers who had been expelled from reoccupying it. Local defence forces have also been implicated in assassinations and killings of suspected sorcerers, acting as guns for hire.⁵⁹ As such, they contribute to processes of militarization at the village level, enabling people to appeal to armed groups for various forms of social regulation and to further personal interests.

By intervening in conflicts and other cases where people feel disadvantaged or aggrieved (for example, as a result of crime), local defence forces often interfere with the work of the *Police nationale congolaise* (PNC, National Congolese Police). Indeed, they sometimes replace the police, arresting and fining people, and having their own prisons. As a police officer explains, 'In 2013, we, PNC, we had no authority over the local defence because they were supported by the people from the bush [armed groups], so we could do nothing out of fear for being killed.'⁶⁰ Police officers in another village, calling the local defence force 'a parallel administration', felt similarly intimidated: 'When we arrest persons, the local defence and the *notable* [village chief] come to withdraw them from our prison. ... The inhabitants of this village are held hostage.'⁶¹ He ended by saying, 'In this chiefdom, one cannot criticize the local defence. The person who criticizes will be killed and there will not be any investigation.'⁶²

These narratives should be read with care. While police personnel readily accuse local defence forces, their own track record is sometimes equally poor. Both local defence forces and many villagers criticized the police for being inefficient and for arbitrary arrests and fines. Nevertheless, these stories indicate that in many places the power relations between

59 Usalama II project interviewees #15, Lemera, 9 May 2015; #30, Lemera, 12 May 2015.

60 Usalama II project interviewee #34, 13 May 2015.

61 Usalama II project interviewee #47, 15 May 2015.

62 Usalama II project interviewee #47, 15 May 2015.

these groups and the PNC are asymmetrical. The PNC is often outnumbered by local defence forces, which also have more arms. Although the chiefdom distributed only a limited number of weapons when these groups were created, most local defence forces have augmented their arsenals over time. Many have bought arms from the FDLR, while others have been allowed to keep the arms of enemy forces found on the battlefield when helping the FARDC during military operations.⁶³

Such power asymmetries clearly impede processes for holding local defence forces to account. When committing infractions or crimes, members of these forces often try to avoid being apprehended and interrogated by the PNC or the military prosecutor's office. They may hide among the population, sometimes with the help of local authorities, or directly intimidate security and justice personnel. As a military source confides, 'I can go to Lemera [to arrest a local defence member] but at the level of the *escarpements* [mountain slopes] I will be ambushed.'⁶⁴

These problems with accountability are exacerbated by the ambiguous legal status of the local defence forces. Given that they were created with the benediction of the FARDC, in their own perception these forces are official. As one local defence commander comments, 'I am a government man [*mutu wa l'état*]. These arms are from the state.'⁶⁵ The police and military, however, emphasize that these forces have no clear legal status. One police officer asserts, 'The local defence forces operate clandestinely, they are not recognized by the state.'⁶⁶ Similarly, a military commander in Lemera explains, 'We see them currently as armed groups. We have received orders that when we see them with arms, we need to disarm them.'⁶⁷

The complex relations between the local defence forces and PNC illustrate a wider problem surrounding governance within the Bafuliiru

63 Usalama II project interviewees #25 and #27, Rubanga, 11 May 2015; #46, Lubarika, 15 May 2015.

64 Usalama II project interviewee #65, Uvira, 11 July 2015.

65 Usalama II project interviewee #19, Mulenge I, 10 May 2015.

66 Usalama II project interviewee #34, 13 May 2015.

67 Usalama II project interviewee #32, Lemera, 12 May 2015.

Chieftdom, namely, the tensions between customary leaders and the local administrative authorities. Customary leaders generally try to minimize the latter's power, for example by not complying with relevant rules and regulations or by trying to influence decisions to their own benefit. The fact that customary authorities can make use of local defence forces has only reinforced their positions vis-à-vis the local administration.

The subtleties of militarized mining

Contrary to what is sometimes assumed, militarization in the economic domain is not only manifested in direct interventions of armed forces in revenue-generation activities. It also takes on more subtle and indirect forms, whereby civilian businesspeople and leaders mobilize armed groups to intimidate economic competitors, ward off potential interference by local authorities and help stifle popular protest (against the sale of land or prices perceived as unjust for instance). A telling example is the way in which customary authorities in Lemera have drawn upon local defence forces—mostly in an indirect manner—to strengthen their authority in the domain of minerals extraction, which has created frictions with the local administration.

Until 2010, the management of the cassiterite sector was entirely in the hands of the Bafuliiru Chieftdom. Thus, it was the *mwami* who distributed mining concessions, in exchange for the payment of the *itulo* (customary tax), estimated to be around USD 450–500 per pit.⁶⁸ The chieftdom also imposed relatively heavy taxation on pits in production, demanding approximately one day of production per month and one sack of cassiterite per pit per day.

The chieftdom's monopoly on the regulation of the mining sector led to various types of bad practices, in particular influence peddling. Those having a favoured status with the *mwami* were disproportionately advantaged, while others were treated in an arbitrary manner. Such favouritism was also reflected in the composition of the *comité des creuseurs* (the committee of the chieftdom charged with supervising mining affairs).

68 Usalama II project interviewee #1, Lemera, 31 October 2011.

The latter consisted only of the *mwami*'s confidantes, such as Molière, the commander-in-chief of the local defence forces, and the president of the chiefdom's *comité des sages* (committee of the wise), Quinquina.

The *mwami* also protected people who tried illegally to dispossess others under whose lands cassiterite was found. An example is a concession of seven hectares at the site of Kigunga, a case the owners took to court in Uvira. The *mwami* and his entourage having initially tried to obstruct the case by mobilizing local defence members to protect suspects summoned by the court, the judge eventually decided in favour of the original occupants.⁶⁹

The strong grip of the chiefdom on cassiterite mining created significant friction with the mining officials sent to Lemera in 2010 to regulate the sector in accordance with relevant legislation. These national officials were tasked with delimiting mining concessions and registering pit owners. At this time, these concessions, and their owners and managers, the PDGs (*président-directeur général*, or chief executive officer) had only been registered by the chiefdom, implying that they did not pay taxes to the national authorities. The chiefdom did not cooperate and partially obstructed the implementation of these measures, continuing to exercise *de facto* control.⁷⁰

Another manifestation of the continuing influence of the chiefdom over the mining sector is the agreement that Ndare made with the Bukavu-based businessman Olive Mudekereza Namegabe in 2012. The latter obtained the concession to the two main mining sites in Lemera–Kigunga and Mugerero (see Map 2), apparently in exchange for guaranteeing the chiefdom a measure of control, such as the right to appoint members to the mining committee, who are paid on a monthly basis by Olive.⁷¹

This new set-up was coupled with the introduction of a traceability scheme initiated by iTSCi (the International Tin Research Institute Tin Supply Chain Initiative). The scheme was developed in response to

69 Usalama II project interviewee #29, Lemera, 11 May 2015.

70 Usalama II project interviewee #1, Lemera, 31 October 2011.

71 Usalama II project interviewees #29, Lemera, 11 May 2015; #59, Bukavu, 7 July 2015.

growing pressure from international advocacy groups for measures to address the issue of conflict minerals, which were believed to fuel the war in the eastern Congo.⁷² The scheme is based on a closed pipeline system, allowing minerals to be traced back to their source. Barcode tags are attached to sacks of minerals and checked at various stages along the commodity chain. The origin of the minerals has to be a mining site that has been validated as conflict free (i.e. with no presence or influence of armed forces), as determined by a governance assessment conducted by a third-party auditor.

The slump in the world market price for tin,⁷³ the fact that Olive had obtained a monopoly, the implementation of the traceability scheme,⁷⁴ and reduced demand for minerals from the Congo,⁷⁵ all contributed to a steady drop in cassiterite prices in Lamera. While in 2010 the ore sold for USD 8 per kilo, in May 2015 the price had fallen under USD 2.5 per kilo. This led to a decline in production and reduced the number of PDGs and artisanal miners.

Local mining interests primarily blame Olive, who is the most visible figure in the sector, for the decline in production and prices. In turn,

72 The introduction of the traceability scheme facilitates compliance with section 1502 of the Dodd–Frank Wall Street Reform and Consumer Protection Act adopted in 2010, which requires companies listed on the US stock exchange to provide assurances that the products they have manufactured or contracted to manufacture do not contain minerals ‘that directly or indirectly finance or benefit armed groups’ in the Congo or neighbouring countries. See Jeroen Cuvelier et al., ‘Analyzing the Impact of the Dodd–Frank Act on Congolese Livelihoods’, New York: Social Science Research Council, 2014, 1.

73 The world market price for tin peaked in April 2011, declining starkly (more than 50 per cent) over the next four years, largely as a result of growing supplies from Myanmar and China. See: Yoga Rusmana and Dwi Sadmoko, ‘World Biggest Tin Exporter Cuts Output After Price Rout’, *Bloomberg*, 22 April 2015. Accessed 13 January 2016, <http://www.bloomberg.com/news/articles/2015-04-22/world-s-biggest-tin-exporter-cuts-output-after-price-rout>.

74 The traceability scheme has reinforced buyer-end regulation of the market and devolves the overall costs to lower levels of the supply chain. See: Ben Radley and Christoph Vogel, ‘Fighting windmills in Eastern Congo? The ambiguous impact of the “conflict minerals” movement’, *The Extractive Industries and Society*, 2/3, (2015), 406–10.

75 The adoption of the Dodd–Frank Act, which was explained in footnote 72, led to a dwindling demand for minerals from the Congo.

this has created hostility towards the new management. The fact that the *mwami* never consulted with the PDGs and artisanal miners before consenting to the arrangement with Olive further aggravates hostilities, as miners feel the new management structure has been imposed upon them. Moreover, under the new structure, *négociants* (local mineral traders) were forced to stop their activities. Since these traders are also purveyors of loans, this has created problems for local businesses.⁷⁶

Another factor contributing to this antagonism is the politicization of the mining committee. Recall that in 2012, a long-term conflict over succession to the throne of the Bafuliiru Chiefdom re-ignited when Ndare died and his son Adam was subsequently enthroned. This prompted Ndare's half-brother Albert once again to contest the chiefdom's leadership, as he had done in 1989 and 1990. Since the overwhelming majority of mining committee members are supporters of *mwami* Adam, collaborating with the committee has become a political act. Thus, the pro-Albert faction has distanced itself from the mining sector, in part because they feel disadvantaged by the committee. For instance, when Olive provided money and tools to support the work of the PDGs, the mining committee was alleged to have favoured the pro-Adam faction in the distribution.⁷⁷

The impression of partisanship is further reinforced by the close links between the mining committee and the chiefdom-controlled local defence forces, whose leadership is firmly allied to the pro-Adam side. When the new mining governance structure was implemented, the local defence forces continued to provide security in mining areas, although not at the mining sites themselves, where security provision remained in the hands of the mining committee. The mining committee, however, collaborates closely with the local defence forces, which also provide security to Olive's company's installations and property, including its mineral depot.

The close involvement of the local defence forces, along with the tight links between its leadership and the mining committee, clearly

.....
76 Usalama II project interviewees #23 and #29, Lemera, 11 May 2015.

77 Usalama II project interviewee #22, Lemera, 11 May 2015.

jeopardize the conflict-free status of the mines in Lemera. This is all the more so since members of the local defence leadership have interests in the mining sector, including Molière, the former commander-in-chief of the local defence forces. Molière used to own a pit and supervised the pit that the chiefdom allocated to the local defence forces (the concession for it now seems to have been withdrawn). Some sources report that Molière no longer officially holds the concession to his pit, but it is generally recognized that he continues to have interests in the mining sector, working via intermediaries.⁷⁸

The close ties between the mining committee and the local defence forces have stifled popular protest against Olive.⁷⁹ This creates a dangerous situation, as it might prompt those opposed to the current state of affairs to see violence as a more viable form of protest. In April 2015, for example, one of Olive's representatives who regularly visits Lemera was ambushed, managing to escape before his assailants could kill him. Many believe this attack was not merely banditry but rather designed to communicate a message of discontent with the current situation by those working in the mineral sector.⁸⁰

The local defence forces have also continued to be involved in securing two of three mining sites in Luvungi; namely, Mukambo and Kinyinya, located in the *Moyens Plateaux* (see Map 2). Although claiming not to enter these sites, the local defence force headquartered in Lupango is the principal security force in this area.⁸¹ Officially, the mining police in Katogota and the PNC in Lubarika are responsible for patrolling the mining sites but they rarely appear, in part due to a lack of means and funds for transport.⁸² Moreover, according to the Lubarika police, the Lupango local defence forces do not collaborate much with them.⁸³

78 Usalama II project interviewee #129, Lemera, 24 September 2015.

79 Usalama II project interviewee # 29, Lemera, 11 May 2015.

80 Usalama II project interviewee #22, Lemera, 11 May 2015.

81 Usalama II project interviewee #48, Lupango, 15 May 2015.

82 At the end of 2015, the mining police in Katogota were redeployed to Kamanyola.

83 Usalama II project interviewee #47, 15 May 2015.

It is perhaps understandable that, in the absence of sufficient state security personnel, local defence forces provide security around mining sites. Nonetheless this opens up risks of influence peddling via allied PDGs and customary authorities, who remain closely linked to the local defence forces. Furthermore, it might impede the holding to account of those providing security to mineral sites for infractions and misbehaviour.

Militarization is a process that does not always involve direct and overt armed group involvement. It is also about indirect and covert involvement via general spheres of influence and threats of, rather than actual, violence. Thus, demilitarizing the mineral sector requires a more comprehensive process than the mere physical removal of armed forces from the vicinity of mining sites.

6. Conclusions and policy considerations

There is a close relationship between armed groups, local conflicts and local governance in the Bafuliiru and Ruzizi Plain Chiefdoms. This relationship drives and is driven by militarization, that is, an elevated role—directly and indirectly—for armed forces and coercion within civilian domains. Militarization is not only the outcome of the one-sided imposition of armed forces on civilian processes. It is also driven by the practices of civilians, who liaise with armed forces for a number of reasons such as political and economic gain, prevailing in local conflicts and protection in case of threats and insecurity.

National and provincial politicians and businesspeople may harness armed groups to stir up trouble and harm competitors. They may also support such groups because they sympathize with specific worldviews, such as anti-Rwandophone or anti-government ideas. Similarly, local authorities and parts of the citizenry liaise with armed groups, including local defence forces, to enhance their power and settle personal scores. Additionally, they may approach such groups because they fear for their safety or because they have links via personal ties or family relations. Thus, armed groups in Uvira have extensive networks of civilian collaborators and political protectors, who are crucial for their operation. They may provide intelligence, put pressure on local authorities, enable armed groups' revenue-generation schemes and prevent their members from being apprehended or persecuted.

In sum, armed groups are the product of a diverse range of interests and dynamics. Their mobilization is on the one hand driven by national and regional developments and groups, such as foreign and foreign-backed rebel forces, and the policies of the national army, including military operations and rebel integration. On the other hand, armed mobilization is fuelled by more local dynamics, such as conflicts around customary authority or between communities.

The presence of armed groups in turn aggravates local conflicts and renders them violent, when for example parties in conflict seek

the protection of armed groups against their opponents. Moreover, for local government officials, the presence of allied armed groups increases incentives to resort to coercion and influence peddling. This also applies to customary authorities when they seek to counter the influence of the local government. The resulting poor governance is, in turn, a source of conflict because it invites competitors to discredit those authorities and helps them gain the support of discontented populations. In sum, there is a vicious circle of bad governance, conflict and armed mobilization that derives from and feeds processes of militarization.

What then might be done to end this vicious circle and reduce the influence of armed groups on civilian spheres of life? Since militarization is the result of multiple factors, demilitarization is necessarily going to be complicated. The concluding remarks below are limited to three pertinent issues: conflicts involving customary authority; the linkages between armed groups and civilians; and the involvement of local defence forces in the provision of local security.

Mitigating conflicts involving customary authority

Customary authority is a significant source of conflict in Uvira. The contested leadership of the Ruzizi Plain Chiefdom and the conflict over succession to the throne in the Bafuliiru Chiefdom have deeply destabilized the area. This has been exacerbated by problems with the quality of customary governance—chiefs misappropriating funds, abusing their powers and obstructing the local administration.

In 2012, Kinshasa proposed to simultaneously transform all three chiefdoms in Uvira into *secteurs* (entities not ruled by chiefs). While this may be a solution in the long term, it appears difficult to implement in the short term. The present dynasties are not willing to give up their rights and the population is heavily divided on the issue. Abolishing the chiefdoms in the current situation therefore risks creating yet more instability.

One way forward might be through the opportunities offered by the decentralization process, in particular the elected councils to be installed at the level of chiefdoms after the local elections, to assist and control the

mwami. If well instructed and resourced, these councils could introduce more checks and balances into the system of customary governance. There is a risk, however, that the same mechanisms of political protection and manipulation of armed groups which have damaged customary authorities might also undermine the functioning of the local councils. Therefore, higher authorities—such as the Ministry of the Interior, which has Customary Affairs in its portfolio—should play a more active role in monitoring customary authorities and mitigating conflicts related to their powers by, for example, suspending chiefs who do not govern well and holding interfering political elites to account.

Addressing civilian support to armed groups

Any effort to demobilize armed groups sustainably must address their civilian support networks—be they national politicians, local authorities or grassroots supporters. This should not only take the form of prosecution but could also consist of social and moral pressure, through documentation, dialogue, admonitions and ‘naming and shaming’.

International bodies, such as the UN peacekeeping mission in the Congo, could also play a role in holding civilian supporters of armed groups to account. They could, for example, signal awareness of their involvement in destabilization. Too often, politicians known for their support to armed groups or for aggravating conflicts are welcomed as peacemakers in externally-sponsored peacebuilding activities, and their own role in conflict glossed over. While overt confrontation or exclusion might not be an effective way to induce such people to change their behaviour, a more critical approach should be considered.

Regulating local defence forces and reform of the security sector

Rampant insecurity, which is partly caused by the failure of state security services to protect the population, has led to the creation of armed, village-based local defence forces. Despite their generally positive contribution to security, local defence forces remain problematic. They may interfere in the work of the police, be involved in settling of scores,

aggravate local conflicts, or collaborate with bandits and Mai-Mai groups. Therefore, it would help to reinforce supervision of these forces, for example, by addressing their unclear legal status and putting in place a regulatory framework for their activities.

In the long term, disbanding these groups would seem to be the best solution, but this is difficult to achieve in the short term. For example, the national security services decided to try to suspend the local defence forces after the *Sokola* II operations, giving individual combatants the option either to disarm and demobilize or join the PNC or the FARDC by going through the regular recruitment process. Until now, little progress has been made with this initiative. Few local defence force members have shown interest in joining the army or the police, believing that the conditions in the security services are too bad to enrol. Furthermore, when they have heard about possible efforts to disarm them, many local defence groups have simply hidden their weapons. And where security threats are perceived to be strong, for instance where the FDLR is expected to return, such groups have simply refused to disarm.

As some local defence commanders have asserted, it is only when enough disciplined and well-behaved members of the security services are deployed that they would be willing to suspend their activities.⁸⁴ In the face of slow progress with security sector reform, this is unlikely to happen in the short term. The challenges of army reform in particular continue to be substantial, and the sustained financial and political commitment it needs from both the Congolese government and international donors has not been evident.⁸⁵ Consequently, villagers are likely to continue to fend for themselves when it comes to security provision, navigating the complex landscape of state and non-state armed forces which bring both security and insecurity.

84 Usalama II project interviewees #42, Ndolera, 14 May 2015; #46, Lubarika, 15 May 2015.

85 For further discussion on army reform, see: Stearns et al., *The National Army and Armed Groups*.

Glossary of acronyms, words and phrases

AFDL	<i>Alliance des forces démocratiques pour la libération du Congo-Zaïre</i> (Democratic Allied Forces for the Liberation of Congo-Zaire)
<i>Amani Leo</i>	(Kiswahili) Peace Today. A series of military operations between January 2010 and April 2012, known first as <i>Kimia II</i>
cassiterite	a mineral, tin dioxide, the main ore of tin
CNDP	<i>Congrès national pour la défense du peuple</i> (National Congress for the Defence of the People)
<i>comité des sages</i>	committee of the wise of the Bafuliiru Chiefdom based in Lemera; to be distinguished from the council of the wise (see <i>lubunga</i>)
FARDC	<i>Forces armées de la République démocratique du Congo</i> (Armed Forces of the Democratic Republic of the Congo)
FDLR	<i>Forces démocratiques de libération du Rwanda</i> (Democratic Forces for the Liberation of Rwanda).
FNL	<i>Forces nationales de libération</i> (National Liberation Forces)
<i>groupement</i>	a subdivision of a chiefdom governed by a customary chief appointed by the <i>mwami</i>
iTSCi	International Tin Research Institute Tin Supply Chain Initiative
<i>Kimia II</i>	(Kiswahili) Silence. Name for Kivus-wide military operations against armed groups conducted between March and December 2009
<i>localité</i>	village, a subdivision of a <i>groupement</i> ruled over by a customary chief
<i>lubunga</i>	council of the wise of the Bafuliiru people, based in Uvira
<i>militants-combatants</i>	auxiliaries fighting on the side of the Congolese army against the Simba rebellion in the 1960s
M23	<i>Mouvement du 23 mars</i> (March 23 Movement)
<i>mwami</i>	customary chief; can refer to paramount or lower level customary chiefs

PDG	<i>président-directeur général</i> (Chief Executive Officer), designation for owner or manager of artisanal mining pit
PNC	<i>Police nationale congolaise</i> (Congolese National Police)
RCD	<i>Rassemblement congolais pour la démocratie</i> (Congolese Rally for Democracy)
<i>rétrocession</i>	a percentage of national tax revenues granted to the administrative entities where the taxes are levied
<i>Sokola II</i>	(Kiswahili) Clean up. Name for military operations launched in January 2015

Bibliography

- ADEPAE, Arche d'Alliance, RIO and Life & Peace Institute. *Au-delà des 'groupes armés'. Conflits locaux et connexions sous-regionales. L'exemple de Fizi et Uvira (Sud-Kivu, RDC)*. Uppsala: Life & Peace Institute, 2011.
- Brabant, Justine and Jean-Louis K. Nzweve. *La houe, la vache et le fusil. Conflits liés à la transhumance en territoires de Fizi et Uvira (Sud-Kivu, RDC): État des lieux et leçons tirées de l'expérience de LPI*. Uppsala: Life & Peace Institute, 2013.
- Centre Indépendant de Recherches et d'Études Stratégiques au Kivu (CIRESKI). 'Cartographie des groupes armés.' Unpublished document. Uvira: CIRESKI, July 2015.
- . *Du conflit dans la dynastie Hamba chez les Bafuliru*. Uvira: CIRESKI, 2014.
- Cuvelier, Jeroen, Steven Van Bockstael, Koen Vlassenroot and Claude Iguma. 'Analyzing the impact of the Dodd–Frank Act on Congolese livelihoods'. New York: Social Science Research Council, 2014.
- de Failly, Didier. 'L'économie du Sud-Kivu 1990–2000: Mutations profondes cachées par une panne'. In *L'Afrique des Grands Lacs. Annuaire 1999–2000*, edited by Stefaan Marysse and Filip Reyntjens, 163–92. Paris: L'Harmattan, 2000.
- Depelchin, Jacques. 'From Pre-capitalism to Imperialism: A History of Social and Economic Formations in Eastern Zaire (Uvira Zone, c. 1800–1965)'. PhD dissertation, Stanford University, 1974.
- Human Rights Watch. 'DR Congo: Army, UN Failed to Stop Massacre. Apparent Ethnic Attack Kills 30 Civilians'. 2 July 2014. Accessed 13 January 2016. (<https://www.hrw.org/news/2014/07/02/dr-congo-army-un-failed-stop-massacre>)
- Mamdani, Mahmood. 'Understanding the Crisis in Kivu: Report of the CODESRIA Mission to the Democratic Republic of Congo September, 1997'. Report submitted to the General Assembly of the Council for the Development of Social Research in Africa (CODESRIA), Dakar, Senegal, 14–18 December 1998, Centre for African Studies, University of Cape Town, 20 November 1998.
- Muchukiwa, Bosco. *Territoires ethniques et territoires étatiques. Pouvoirs locaux et conflits interethniques au Sud Kivu (R.D.Congo)*. Paris: l'Harmattan, 2006.

- Radley, Ben and Christoph Vogel. 'Fighting windmills in Eastern Congo? The ambiguous impact of the "conflict minerals" movement'. *The Extractive Industries and Society*, 2/3 (2015): 406–10.
- Rusmana, Yoga and Dwi Sadmoko. 'World Biggest Tin Exporter Cuts Output After Price Rout'. *Bloomberg*. 22 April 2015. Accessed 13 January 2016. (<http://www.bloomberg.com/news/articles/2015-04-22/world-s-biggest-tin-exporter-cuts-output-after-price-rout>)
- Stearns, Jason. *From CNDP to M23. The Evolution of an Armed Movement in Eastern Congo*. London: Rift Valley Institute, 2012.
- , Judith Verweijen and Maria Eriksson Baaz. *The National Army and Armed Groups in the Eastern Congo. Untangling the Gordian Knot of Insecurity*. London: Rift Valley Institute, 2013.
- United Nations, Security Council. 'Final Report of the UN Group of Experts on the DR Congo'. 12 January 2015. S/2015/19.
- . 'Final Report of the UN Group of Experts on the DR Congo'. 15 November 2012. S/2012/843.
- . 'Final Report of the UN Group of Experts on the DR Congo'. 2 December 2011. S/2011/738.
- Verhaegen, Benoît. *Rébellions au Congo. Tome 1*. Brussels/Leopoldville: CRISP, IRES and INEP, 1966.
- Verweijen, Judith. 'The Making of Conflict in the Eastern Congo: Trouble in the Ruzizi Plain'. Rift Valley Institute. Usalama Project Blog. Accessed 18 December 2015. (<http://riftvalley.net/news/making-conflict-eastern-congo-trouble-ruzizi-plain>)

THE DRAMAS AND CONFLICTS IN THE KIVUS ARE CHRONIC; THEY SEEM PERPETUAL, EVEN INEXORABLE. BUT BY STUDYING EVER CLOSER DAILY LIFE IN THIS PART OF THE COUNTRY, THE RESEARCH OF THE USALAMA PROJECT OPENS THE WAY TO NEW KNOWLEDGE AND GIVES HOPE BY DOING SO.

**—JEAN OMASOMBO TSHONDA, PROFESSOR,
UNIVERSITY OF KINSHASA / RESEARCHER,
ROYAL MUSEUM FOR CENTRAL AFRICA**



Rift Valley Institute
Taasisi ya Bonde Kuu
معهد الأخاديد العظيم
Machadaka Doxada Rift
Institut de la Vallée du Rift
Instituto do Vale do Rift
非洲大裂谷研究院
Institut de la Vallée du Rift

ISBN 978-1-907431-40-1



9 781907 431401 >