



RIFT VALLEY INSTITUTE | USALAMA PROJECT
UNDERSTANDING CONGOLESE ARMED GROUPS

BANYAMULENGE

INSURGENCY AND EXCLUSION
IN THE MOUNTAINS OF SOUTH KIVU

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Banyamulenge
Insurgency and exclusion in the
mountains of South Kivu

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THE USALAMA PROJECT

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COVER: The hills of Minembwe, stretching across Fizi and Mwenga territories.

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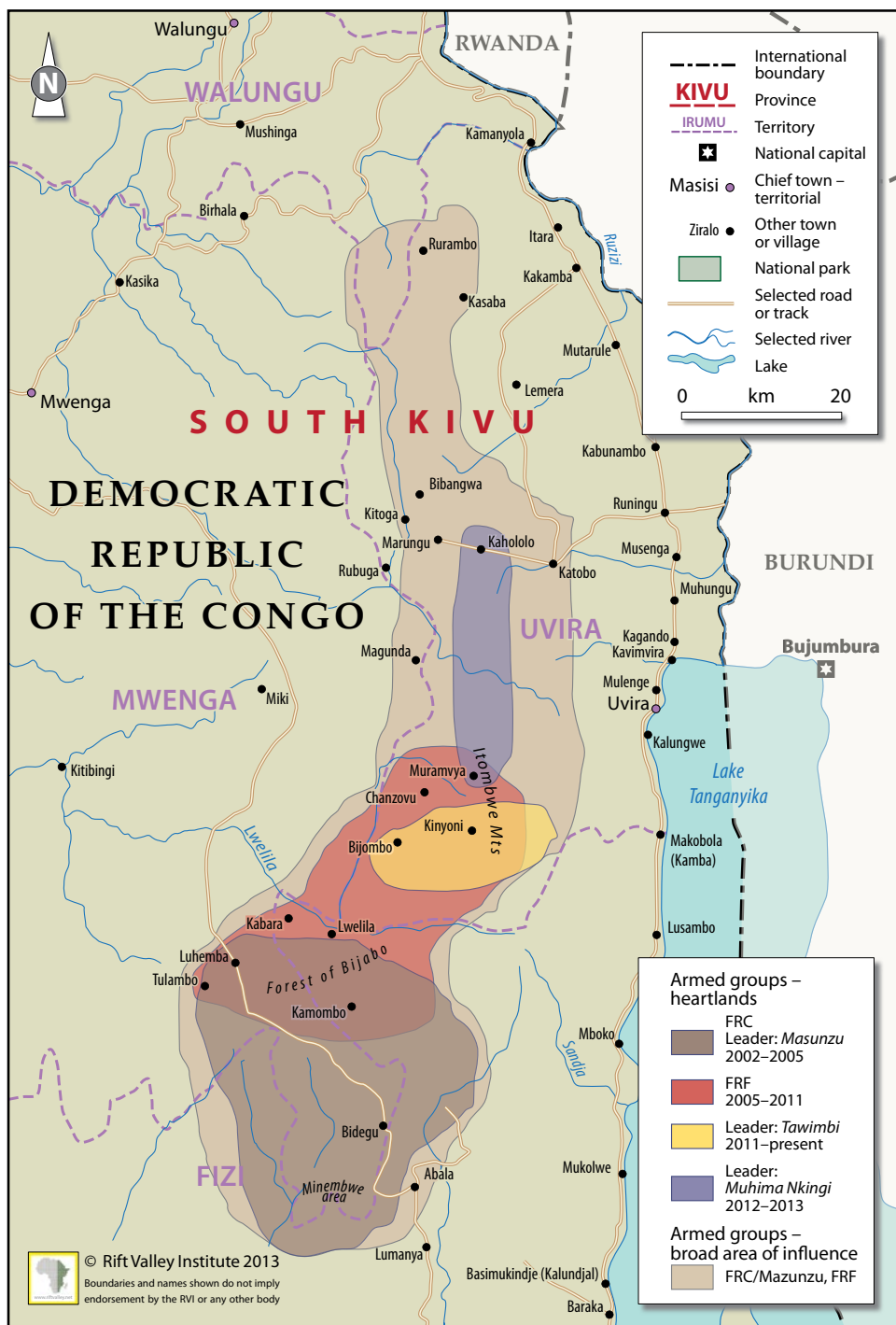
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Map 1. The eastern DRC, showing area of detailed map on following page



Map 2. South Kivu, showing approximate areas of influence by Banyamulenge armed groups

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Previous RVI Usalama Project publications

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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

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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

All titles are also available in French

Briefings

‘M23’s Operational Commander: A Profile of Sultani Emmanuel Makenga’
(December 2012)

‘Strongman of the Eastern DRC: A Profile of General Bosco Ntaganda’
(March 2013)

‘The Perils of Peacekeeping without Politics: MONUC and MONUSCO in the DRC’ (April 2013)

Preface: The Usalama Project

The Rift Valley Institute's Usalama Project ('peace' or 'security' in Swahili) is a response to on-going violence in the eastern Democratic Republic of the Congo (DRC). The protracted suffering of the inhabitants of this region in the past two decades has resulted in the expenditure of billions of dollars on conflict resolution. Yet the Congolese armed groups at the heart of the conflict are still poorly understood by the international organisations that operate in the DRC—and even by the Kinshasa government itself. The Usalama Project examines the roots of violence, with the aim of providing a better understanding of all armed groups, including the national army, the *Forces armées de la République démocratique du Congo* (FARDC, Armed Forces of the Democratic Republic of the Congo).

The Usalama research programme is guided by a series of questions. What is the history of these armed groups? Who supports and controls them? What are the relations of particular groups to the state, to neighbouring states, to business interests and to the Congolese armed forces? Why have some groups been so difficult to demobilize, while others have disappeared? And are there patterns to be discerned in the ways that groups proliferate, negotiate with the state, and then vanish again?

The project takes a primarily qualitative approach. It analyses historical sources and the small amount of quantitative data available, and traces the origins of armed groups through interviews with politicians, businessmen, representatives of civil society, and members of armed groups. The Project involves extended fieldwork by both international and Congolese researchers. The outcomes include reports on specific armed groups and wider geographical areas of conflict, and a series of seminars and workshops in the DRC.

Many of the interviews for this report were conducted on condition of anonymity. Where confidentiality was requested, identifying information in the report is limited to a number with a location and a date, e.g. Usalama Project Interviewee #105, Goma, 28 August 2012. In the course of the research, accounts of significant and potentially disputed events were confirmed by multiple sources with first-hand knowledge of the events under discussion.

Summary and policy considerations

The Banyamulenge, a Tutsi community in the Eastern DRC, have despite their small size, been at the centre of many of the disparate conflicts in the eastern DRC for most of the past two decades. The initial 1996 invasion by a Rwandan-backed insurgent coalition that aimed to topple Mobutu Sese Seko became known as ‘the Banyamulenge rebellion’, and the Second Congo War of 1998–2003 saw Banyamulenge take on top positions as rebel commanders and political leaders.

During this period of nearly 20 years, the community has been stuck in a cycle of persecution and insurgency. Banyamulenge have been labelled by their neighbours as foreigners and fifth columnists operating on behalf of Rwanda. In response, many young Banyamulenge men have joined rebellions backed by Rwanda, creating a culture of soldiering and politics, and involving them in brutal counterinsurgency operations against local militias that have fuelled prejudice and conspiracies against the community as a whole.

The Banyamulenge have also succumbed to several bouts of internecine fighting, beginning in 2002, as part of a gradual but tumultuous realignment toward the government in Kinshasa. The recent M23 rebellion in North Kivu has highlighted this trend: senior Banyamulenge officers in the Congolese army were deployed on the frontlines, while repeated efforts by Rwanda and the M23 to mobilize the Banyamulenge community have mostly failed.

In 2011, the last major Banyamulenge insurgency came to an end, allowing for the restoration of a modicum of unity within the community. It seems unlikely that there will be another broad-based Banyamulenge rebellion soon. The community is too small, politically weak and vulnerable to keep fighting between themselves—and many Banyamulenge officers have attained influential positions in the national army. For similar reasons, the ties between Banyamulenge and Rwanda have frayed, with many in the community feeling that this alliance had only damaged relations with their neighbours.

Nonetheless, several small Banyamulenge armed groups documented in this report remain in the *Hauts Plateaux* (High Plateaus) mountain range, highlighting the opportunism that still animates some Banyamulenge commanders, as well as the continued, albeit diminished, involvement of Rwanda. It also demonstrates the extent to which the rhetoric of community self-protection can still be used to justify insurgencies. For these reasons, recent gains could be quickly eroded if more is not done to hold political and military leaders to account and address long-standing communal tensions.

Reinforcing political participation

The struggle for political rights has been an important cause of insurgencies among the Banyamulenge and other minority groups. However, the Kinshasa government has preferred to deal with insurgencies by co-opting military leaders rather than by promoting the political participation of the Banyamulenge by including them in the local, provincial, or national administrative power structure. The isolated nature of the highlands area where the Banyamulenge live warrants exploring its elevation to the status of a *commune rurale*, after consultations with other local communities in the area.

Promoting social cohesion and local reconciliation

The Congolese presidency should involve itself in local peace building between the Banyamulenge and neighbouring communities, backing inter-ethnic reconciliation projects, and taking swift action against hate speech and abuses. Members of parliament from the area, who include some of the most divisive local personalities, should actively commit themselves to combatting ethnic demagoguery by becoming active members of inter-ethnic pacification networks. In addition, both the government of the DRC and international donors should support projects aimed at fostering social cohesion and economic interdependencies between communities, including the promotion of joint development projects and education. They should also pay special attention to reducing

tensions caused by the seasonal movement of people and cattle between winter and summer pastures.

Formulating a comprehensive policy to deal with armed groups

The Congolese government, together with the *Mission de l'Organisation des Nations Unies pour la stabilisation en RDC* (MONUSCO, UN Stabilization Mission in the DRC) and donors, should craft a new process for negotiating with armed groups. This should aim to bring an end to the tradition of making deals with erstwhile insurgents—including prominent human rights offenders—that involve cash benefits and senior positions in the national army. This reform of flawed existing negotiation procedures will require steady mediation and follow-up by a neutral party—ideally MONUSCO—as well as a new demobilization programme. It also highlights the need for meaningful security sector reform with an emphasis on tackling impunity.

Ending regional interference

The small-scale rebellions of the eastern DRC have little potential to cause broader destabilization—unless they acquire outside backing and cross-border support. This makes it all the more important for donors and regional governments to take seriously the reports of support for Congolese armed groups by officials, military officers, and/or business networks in Kigali, Bujumbura, and Kampala, and to support the work of the United Nations Group of Experts on the DRC.

1. Introduction

In the course of the Congo Wars—a phrase used to describe two phases of acute conflict from 1996-7 and 1998-2003—the term ‘Banyamulenge’ came to be used indiscriminately and often pejoratively for all Tutsi in the eastern DRC. The name continues to be regularly used in this manner; in an opinion poll in 2002, only 26 per cent of Congolese across the country considered the Banyamulenge to be Congolese.¹

The Banyamulenge are a small Tutsi pastoralist community living in a remote mountain area in South Kivu. Their historical trajectory has differed in important ways from that of Tutsi in North Kivu. While the exact date of the Banyamulenge arrival in what is now South Kivu is contested, there is a broad consensus among historians that a large part of the community arrived before the colonial era. Still, neighbouring communities have rejected their citizenship, often claiming that they are recent immigrants. Underlying these ethnic tensions is competition for local power, as well as disputes over land use and the seasonal movements of cattle herds.

This history raises comparisons with the longstanding communal strife in the southern part of North Kivu, which is also linked to immigrant communities of Rwandan origin. The situation there, however, is characterized by heavy demographic pressure, as well as the numerical domination in certain territories of Hutu and Tutsi, most of whom arrived after 1930. In Fizi and Uvira territories, by contrast, where population densities are lower, animosities have been mostly fuelled by demands for political rights for the Banyamulenge, including the creation of a territory of their own.²

1 Tatiana Carayannis and Herbert Weiss, ‘Reconstructing the Congo’, *Journal of International Affairs* 58/1 (2004), p. 134.

2 Jean-Claude Willame, *Banyarwanda et Banyamulenge: Violences ethniques et gestion de l’identitaire au Kivu* (Brussels/Paris: Institut Africain-CEDAF/L’Harmattan, 1997).

Although there are no reliable demographic figures, the Banyamulenge are a relatively small community, estimated to number anywhere between 50,000 and 400,000.³ While they constitute a majority in the highlands, they do not in any of the *territoires* they actually live in.

The Banyamulenge's gradual political awakening in the postcolonial era was met with hostility by neighbouring communities. This established a pattern that escalated into violence during the democratization process of the early 1990s and open conflict with the rebellion of the *Alliance des forces démocratiques pour la libération du Congo-Zaïre* (AFDL, Alliance of the Democratic Forces for the Liberation of Congo-Zaïre) in 1996.⁴ The result was a militarization of the community that has shaped its trajectory since, involving it in multiple insurgencies.

A contested history

In the DRC, history is often a political battlefield. This is certainly the case for the Banyamulenge, who are seen by many Congolese as recent immigrants with no rightful claim to Congolese citizenship.

The Banyamulenge inhabit the mountainous and sparsely-populated area of South Kivu known as the *Hauts Plateaux*. Previously called the *Hauts Plateaux d'Itombwe*, these highlands rise west of Lake Tanganyika to a peak altitude of 3,475 metres and embrace the *territoires* of Fizi, Uvira, and a small part of Mwenga. The traditional Banyamulenge homeland also extends into the median-range mountains known as *Moyens Plateaux* (Middle Plateau), where the elevation varies from 1,200 to 3,300 metres. The Banyamulenge are a predominantly Tutsi community, but at the time of their original migrations boundaries between ethnic groups were less

3 René Lemarchand, *The Dynamics of Violence in Central Africa* (Philadelphia: University of Pennsylvania Press, 2009), p. 10, gives a 50,000–70,000 range, while Joseph Mutambo, *Les Banyamulenge* (Kinshasa: Imprimerie Saint Paul, 1997), p. 26, gives 400,000, a figure that he notes predates the departure of streams of refugees from the region.

4 Jason Stearns, *North Kivu: The Background to Conflict in North Kivu Province of Eastern Congo* (London: Rift Valley Institute, 2012), pp. 29–31.

rigidly delineated and religious, clan, and class identities were often just as important.

According to most historians, the first antecedents of the Banyamulenge arrived in several waves in the course of the nineteenth century from areas in present-day Rwanda and Burundi. Some authors, however, suggest that smaller movements took place in the eighteenth and even as early as the sixteenth century.⁵ Given that other communities in this area were also migrating over this long period—and that identities and borders were relatively fluid—claims of priority and precedence in the question of ‘belonging’ should be regarded with caution.

The first substantial wave of these pastoralist peoples paused in the Rusizi Plain near Kakamba, on today’s border with Burundi, then settled briefly in the *Moyens Plateaux* of Uvira on the north-western shore of Lake Tanganyika, around a hill called Mulenge. Although the name Banyamulenge (the People from Mulenge) began to be used by the end of the 1960s, it only gained widespread currency in the following decade, due its use by Frédéric Muhoza Gisaro, the first Munyamulenge appointed to national office in 1970. Thereafter, the community adopted the name to distinguish themselves from more recent Rwandan refugees and immigrants.⁶

While living in the *Moyens Plateaux*, this semi-nomadic community had to adapt to established structures of customary authority, becoming the subjects of chiefs from other ethnic groups, who regulated access to land (especially grazing grounds) in exchange for tribute. Around the

5 Jacques Depelchin, ‘From Pre-Capitalism to Imperialism: A History of Social and Economic Formations in Eastern Zaire (Uvira Zone, c.1800–1965)’ (Stanford: PhD dissertation, 1974), p. 65, states that the largest group left during the reign of Rwandan King Kigeri IV Rwabugiri (c.1860–95), with a smaller group leaving under Mutara II Rwogera (c.1830–60), while hinting at the possibility that some families left earlier during the reign of King Yuhi IV Gahandiro (c.1797–1830). Some Banyamulenge authors, like Mutambo, *Les Banyamulenge*, p. 21, drawing on the Rwandan historian Alexis Kagame, refer to small-scale movements as early as the sixteenth century.

6 Manassé (Müller) Ruhimbika, *Les Banyamulenge (Congo-Zaïre) entre deux guerres* (Paris: l’Harmattan, 2001), p. 21.

beginning of the twentieth century, in an effort to claim their own land, part of this community moved to the more sparsely populated *Hauts Plateaux*. By then, they had two chiefs of their own, Kaïla and Gahutu, who were recognized by the Belgian colonial administration but did not control a clearly demarcated physical territory, as their people were still relatively nomadic.⁷ At this point, they were known to the Belgians as the 'Ruanda'.

When the Belgians started a formal administrative reorganization of Uvira into larger customary structures from 1912 onwards, they did not grant the Ruanda control over an autonomous administrative entity. Since then, the Banyamulenge have found themselves be subject to the chiefs of other ethnic groups, a perennial source of resentment.

Tensions grew between Banyamulenge and their neighbours: the Bembe in Fizi territory, and the Fuliro, Vira, and Nyindu in Uvira territory. These tensions were in part fed by cultural differences. Along with the Banyamulenge's pastoralist lifestyle and distinct history came different structures of authority, diets, norms of wealth and labour, and other social customs. For example, in contrast to other communities, the main source of wealth for the Banyamulenge is cattle. They hold manual labour in low esteem. Furthermore, their diet is largely based on milk, meat, and other cow products, and they exchange bridewealth in the

7 Kaïla (or Kayira) was the son of chef Bigimba, whose death marked the Banyamulenge's departure from Mulenge. Kaïla's 'chiefdom' was mobile, as he moved to escape the exactions of Chief Mokogabwe of the Fuliro. However, he returned to the area in 1933. At that time, the Large Chiefdom of the Fuliro had already been created, leaving no room for Banyamulenge political structures. Gahutu (or Kahutu) was the son of Livuze, who had fled the exactions of the Rwandan king Musinga. After a brief escape to Rwanda, he finally settled in 1909 in Luvungi, where he was placed under the authority of a Fuliro chief. When the Belgian administration started to organize the local administration from 1912 onwards, through the regrouping of various (sub)clans and the delimitation of the boundaries of chiefdoms (also called *petites chefferies*), Gahutu was left out. See Bosco Muchukiwa, *Territoires ethniques et territoires étatiques: Pouvoirs locaux et conflits interethniques au Sud Kivu (R.D.Congo)* (Paris: L'Harmattan, 2006), pp. 74–6 and 93–6.

form of cattle.⁸ These differences make marriages across ethnic lines rare.

The Banyamulenge and other communities have influenced each other to an extent: the Fuliro took up cattle-keeping; Bembe and Fuliro missionaries played an important role in Christian proselytization among the Banyamulenge. But the Banyamulenge have generally remained socially and culturally aloof. This has caused frictions, with other communities interpreting this as the arrogance of traditionally wealthy cattle-owners. But well into the postcolonial era, the Banyamulenge were comparatively marginalized, with limited access to positions of local authority, land, or education.

The resulting antagonism can easily be exploited by local and/or national politicians. The first time that this happened at a large scale was in the turbulent decade following independence.

8 Cows are of crucial importance in Banyamulenge culture, as in other pastoralist communities. A cow is not simply an animal, but a symbol of wealth and prosperity, seen as part of the household. Lazare S. Rukundwa, *Justice and Righteousness in Matthean Theology and its Relevance to the Banyamulenge Community: A Postcolonial Reading* (University of Pretoria: PhD dissertation, 2006), pp. 98–9.

2. Growing emancipation and friction (1960–96)

In the wake of Congolese independence in 1960, a series of events plunged the Banyamulenge into a pattern whereby they would gain political power, then be faced with a backlash of discrimination at the hands of other ethnic groups. This is a pattern that continues up to this day. The most crucial development was the outbreak of the Mulele or Simba rebellion, which took control of much of the eastern Congo following the assassination of Prime Minister Patrice Lumumba on 17 January 1961.

After Lumumba's death, Pierre Mulele, formerly Minister of Education, withdrew to his native Bandundu to launch an uprising that eventually reached the Fizi/Uvira region in 1963.⁹ While some young fighters joined the rebels, the revolutionary enthusiasm of the Banyamulenge was very limited, in contrast to that of other communities. The ideology of radical nationalism and anti-imperialism was not appealing to an isolated community with little political education. Yet it was not until the Simba rebels started to raid the Banyamulenge's cattle that the latter turned openly against the rebellion, creating a local militia dubbed *Abagiriye* ('warriors'). The escalation of conflict forced many Banyamulenge to leave the *Plateaux* and move to Lake Tanganyika and the Rusizi Plain, where large numbers succumbed to malaria. The violence also prompted the *Abagiriye* to form an alliance with the Congolese national army to clear the *Hauts Plateaux* of Simba rebels.

The Simba episode was a defining moment in Banyamulenge history. It had two important, inter-related consequences. First, it led to a sharp deterioration of relations between the Banyamulenge and their neighbours. Although the insurgency professed a non-ethnic revolutionary

9 Benoît Verhaegen, *Rébellions au Congo: Tome 1* (Brussels/Leopoldville: CRISP/IRES/INEP, 1964).

agenda, it soon unravelled into ethnically-tinged violence, accentuating existing identity conflicts. Secondly, the rebellion gave an important push to the social and political emancipation of the Banyamulenge, who became increasingly aware of their identity and rights. This was in part the result of the enhanced opportunities for education and employment that resulted from the rebellion, as Banyamulenge entered the military and made contacts with elites in Kinshasa and Bukavu. This newly acquired visibility provoked resentment among other communities in Fizi and Uvira, who feared the Banyamulenge's empowerment would harm their interests.¹⁰

Another development that furthered emancipation was the massive conversion of the Banyamulenge to Christianity in the 1950s, leading to the rise of a new class of religious leaders. This would slowly erode the community's seclusion and traditional structures. Furthermore, from the end of the 1960s, the first university graduates from the community entered politics. The best known of these was Frédéric Muhoza Gisaro, elected to the National Assembly in 1970. His election galvanized the desire for political autonomy as he pushed for the creation of a new territory in which Banyamulenge would form the majority; this project, however, made little headway.¹¹

The growing political emancipation of the Banyamulenge was accompanied by a re-casting of their identity. It was in this period that the name 'Banyamulenge' became popularized, in order to distinguish the community from Rwandan and Burundian refugees who arrived in several waves around 1959 and 1972, following ethnic persecution in their home countries. The Banyamulenge thus sought to emphasize a territorial notion of identity—linking themselves to the place of Mulenge—as

10 Koen Vlassenroot, 'Citizenship, Identity Formation and Conflict in South Kivu: The Case of the Banyamulenge', *Review of African Political Economy* 29/93-4 (2002), pp. 499–515.

11 In 1979, a new *groupement* (an administrative entity below the level of *secteur*) was created in Bijombo. Due to the protests of *Mwami* (Chief) Lenge III of the Bavira, it was eventually a Vira, and not a Munyamulenge who was appointed as its traditional chief; Muchukiwa, *Territoires ethniques*, pp. 127–32.

opposed to an ethnic one. Other communities, however, merely perceived this as a strategy to obfuscate their genuine origins.

In the course of the 1980s, the controversy over citizenship for people of Rwandan and Burundian descent would grow steadily louder in national and provincial political debates. In 1981, a new citizenship law was promulgated, curtailing the citizenship rights of immigrants, to which especially those in the Kivus fell victim. Whereas the preceding 1972 law granted citizenship to all persons from Rwanda and Burundi who came to the Kivus before 1950, the 1981 amendment limited it to descendants of tribes established on the national territory in its boundaries of 1 August 1885.¹² While the Banyamulenge argued they had been living on Congolese territory before this date, other communities used the law as a means to quell Banyamulenge political aspirations. In 1982 and 1987, Banyamulenge candidates were barred from participation in the national legislative elections, for reasons of 'dubious nationality'.

Communal tensions, especially with regard to the Kinyarwanda-speaking population, grew dramatically in the course of the democratisation process launched in the 1990s, as Mobutu fomented ethnic divisions to keep opposition to his rule weak. In 1991, the *Conférence nationale souveraine* (CNS, National Sovereign Conference) was convened to draft a new constitution and plot a path toward multiparty democracy. However, under pressure from Kivutian delegates, the conference excluded Tutsi representatives. The same year, the government organized a contentious registration process to determine the citizenship of people in the east in preparation for elections (which were never held). In a number of places in the *Plateaux*, this attempted census triggered violent incidents, with Banyamulenge burning down registration centres and some being arrested. Similar incidents occurred in eastern Katanga, where the Vyura area of Tanganyika district was home to a sizeable Banyamulenge

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12 As it was never systematically applied, this law did not fundamentally alter the de facto citizenship status of the Rwandophones who arrived in Kivu during or after colonization. Furthermore, it left the option open of granting citizenship on an individual basis to those who were excluded by the law.

community—known locally as Banyavyura—until most fled during the wars.

The Banyamulenge's situation became increasingly precarious. In 1993, a wave of Hutu refugees streamed across the border after a *coup d'état* in Burundi, followed by hundreds of thousands of Rwandan Hutu in 1994, including some of the militias and soldiers who had perpetrated the genocide there. The influx of these ethnically polarized groups had knock-on effects on local inter-community relations. National political developments further fed the growing tensions. In 1995, the transitional parliament that resulted from the CNS adopted a resolution calling for the expulsion of all Rwandan and Burundian refugees and immigrants, assimilating the Banyamulenge to this category. A driving force behind this activism was Anzuluni Bembe, the vice-president of parliament, a Bembe from Fizi.¹³

Faced with unemployment and discrimination, many Banyamulenge youths looked abroad for opportunities. From 1990 onwards, these included recruitment into the ranks of the Tutsi-led Rwandan Patriotic Front (RPF), which had taken up arms against the Hutu-dominated government of President Juvenal Habyarimana. Over the years, hundreds of Banyamulenge joined this insurgency, their numbers increasing after the RPF overthrew the Rwandan government in 1994. Many Banyamulenge, worried by the mounting ethnic prejudice at home, supported the RPF ideology, hoping that after liberating Rwanda they would be able to do the same in the Congo.

Fighting for influence and survival (1996–98)

The AFDL invasion propelled the Banyamulenge from the backwaters of Congolese politics into the spotlight. It brought power and prominence to the community—but also fuelled a cycle of tit-for-tat massacres with neighbouring ethnic groups.

¹³ Ruhimbika, *Banyamulenge*, p. 32.

In August 1996, the Rwandan army began sending Banyamulenge soldiers across the Rusizi river into the *Plateaux* as part of a military vanguard. These forays led to clashes with the Zairian army and prompted a wave of killings, arrests, and harassment of Banyamulenge throughout Uvira territory. Two major protest marches were organized in Uvira and Bukavu, in which civil society activists and public officials made aggressive statements toward the Tutsi community. The biggest panic, however, was stirred by the public declaration by the vice-governor of South Kivu in the first week of October 1996 that the Banyamulenge had six days to clear the *Hauts Plateaux* or would otherwise be considered rebels. Over the subsequent weeks, both Banyamulenge and neighbouring communities carried out massacres.¹⁴

In the meantime, the AFDL rebel coalition was being stitched together under Rwandan supervision in Kigali to help serve as a smokescreen for the ambitions of Rwanda, Uganda, and Angola, whose troops would do much of the fighting. The shaky insurgent alliance consisted of four disparate political parties, with the veteran Congolese rebel leader Laurent-Désiré Kabila as its spokesperson. One of the groups was the *Alliance démocratique des peuples* (ADP, Democratic Alliance of Peoples), made up mostly of Congolese Tutsi, including some Banyamulenge leaders—notably Notably Dugu wa Mulenge, Joseph Rubibi, and Samson Muzuri.

While these Banyamulenge representatives were deeply sceptical of Kabila—not least because of his involvement in the Simba and subsequent rebellions in Fizi in the 1960s and 1970s—in general they saw the AFDL as key to their survival and political emancipation. Hundreds enrolled

14 United Nations Office of the High Commissioner for Human Rights (UNOHCR), 'Democratic Republic of the Congo, 1993–2003. Report of the Mapping Exercise documenting the most serious violations of human rights and international humanitarian law committed within the territory of the Democratic Republic of the Congo between March 1993 and June 2003' (aka 'Mapping Report'), p. 75. See paras. 181–8 for an overview of killings of Banyamulenge civilians in South Kivu in this period. Massacres of members of other ethnic communities in South Kivu are treated in paras. 282–3.

and were trained by Rwandan instructors. The AFDL also brought about a power shift within the community, as elders were increasingly ignored and a new generation of political and military leaders came to the fore.

During the AFDL rebellion and its subsequent rule between 1997–8, Banyamulenge rose to positions of authority in the South Kivu provincial administration and that of the territory of Uvira, sparking considerable resentment among other communities. Among those given important positions were Benjamin Serukiza, the vice-governor of South Kivu, Jonas Sebatunzi, the state prosecutor, and Mutabazi Muntu, head of the *Agence nationale de renseignements* (ANR, National Intelligence Agency). At the national level, there were fewer prominent figures. Bizima Karaha, however, was appointed Foreign Minister, Moise Nyarugabo, previously Kabila's personal assistant, became secretary-general of the *Office des biens mal acquis* (OBMA, Office for Ill-gotten Goods), Samson Muzuri was made Ambassador to Germany, and five other Banyamulenge obtained senior advisory positions in various ministries.

Beneath the surface, however, tensions were rising between Banyamulenge and their Rwandan allies, who maintained a steady influence in Congolese affairs after the AFDL's victory. Banyamulenge were increasingly aware that their close association with Rwanda had affected their claim to Congolese citizenship, rendering them dependent on Kigali for security. Some also felt that Kigali had taken advantage of their precarious social position to launch an invasion that was ultimately not aimed at promoting their rights but at satisfying Kigali's own interests.

These tensions were also rooted in divergent perspectives on Banyamulenge identity: whereas some Rwandan leaders consider the Banyamulenge part of their diaspora, most Banyamulenge see themselves first and foremost as Congolese citizens. 'Very few of us have relatives in Rwanda,' said a local customary chief; 'our culture and way of life is different from that of Rwandans.'¹⁵ This opposing vision was reflected in the widely circulating rumour of a Rwandan plan to relocate

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15 Usalama Project Interviewee #502, Uvira, 2 March 2013.

all Banyamulenge to Kibuye in Rwanda to ensure their safety, a plan that was allegedly proposed at a meeting with Banyamulenge leaders in December 1996.¹⁶

Another persistent source of friction was the marginal status of the Banyamulenge within the newly formed Congolese armed forces. Confined to the lower ranks within the Rwandan army and serving under Rwandan superiors during the AFDL insurgency, they now aspired to more influential positions. Tensions came to a head in February 1998: following reports that the Chief of Staff of the Congolese armed forces, Rwandan Colonel James Kabarebe, had given orders to deploy Banyamulenge officers outside the Kivus, a number of troops mutinied in Bukavu. Led by Eric Ruhorimbere, Venant Bisogo and Mukalay Mushondo, the mutineers could only be persuaded to reintegrate through the personal intervention of Colonel Kabarebe.

The birth of the FRF: Resistance to Rwanda (1998–2001)

The February 1998 mutiny was the first in a series of incidents. The following month, a group of around 30 Banyamulenge deserters attacked the Rwandan army in Bukavu, an incident allegedly motivated by the mistreatment of Banyamulenge soldiers. Many of these dissidents, who were led by Richard Tawimbi and Michel ‘Makanika’ Rukunda, were captured; some were sentenced to death.

This growing resistance was mirrored in the political sphere. In June 1998, a group of around 30 Banyamulenge gathered in Bujumbura to establish an independent political movement. Among them were some of their most prominent leaders: Manassé ‘Müller’ Ruhimbika, the outspoken director of *Groupe Milima*, the first Banyamulenge non-governmental organization; Joseph Mutambo, a Kinshasha-based university professor whose candidacy for parliament had been rejected in 1982 on the grounds

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 16 Vlassenroot, ‘Citizenship, Identity Formation and Conflict’, pp. 510–11.

of ‘dubious nationality’; and Gasore Zébedée, a former ministerial advisor in Kinshasa.

On 14 June 1998, this group founded the *Forces républicaines fédéralistes* (FRF, Republican Federalist Forces), an underground political party that for many years would be the only independent political vehicle for Banyamulenge aspirations. The FRF argued that, rather than relying on Rwanda, federalism would be a more viable—and less antagonistic—way for the Banyamulenge community to achieve its goals. Despite the many transformations of the party, federalism has remained the official political ideology of the FRF—and the idea of federalism is still widely supported among the Banyamulenge intellectual elite (even if there is little hope of achieving it in the short term). More specifically, the FRF pushed for the creation of an autonomous administrative entity on the *Hauts Plateaux* with far-reaching powers, including its own security forces.

Events in the region, however, overtook the FRF. In July 1998, former AFDL spokesperson and now President Laurent-Désiré Kabila asked the Rwandan military to leave Congolese soil. This prompted Rwanda to launch a new insurgency under the name of *Rassemblement congolais pour la démocratie* (RCD, Congolese Rally for Democracy) on 2 August 1998. This new rebellion placed the Banyamulenge in a vulnerable position: faced with attacks by bands of Mai-Mai and hounded by Kabila’s government, which considered Banyamulenge as proxies for Rwanda, it was not a propitious time to push back against Kigali.

The mood was set by appeals by Kinshasa officials for the eradication of ‘the vermin that pollutes and poisons the body [of the] nation’.¹⁷ Worse still, such inflammatory anti-Tutsi rhetoric was accompanied by the massacre of dozens of Banyamulenge soldiers by their non-Banyaulenge colleagues in military camps in Kinshasa, Kamina, Kisangani, and Kananga. The RCD, often with Banyamulenge field commanders operating under overall command of the Rwandan Patriotic Army (RPA),

17 Olivier Lanotte, *République Démocratique du Congo: Guerres sans frontières: De Joseph-Désiré Mobutu à Joseph Kabila* (Brussels: Éditions Complexe, 2003), pp. 104–5.

struck back, massacring hundreds of civilians in Makobola, Kasika, and Katogota in 1998 and 1999.¹⁸

Security concerns were not the only factor in determining Banyamulenge attitudes towards the RCD. Some in the community considered this new insurgency an opportunity for rectifying the failings of the AFDL, including the failure to promote their citizenship rights and political representation. Personal ambitions were also significant: as the RCD advanced across the country, it was clear that it would become a vehicle for access to senior positions. Indeed, some Banyamulenge rose to the very top of the RCD: Bizima Karaha became its head of security, Moise Nyarugabo its justice commissioner, and Azarias Ruberwa its secretary-general.

Still, the RCD produced both highs and lows for the Banyamulenge community. On the one hand, the new rebellion sparked another cycle of tit-for-tat massacres between RCD soldiers and Mai-Mai militia. At the same time, however, Banyamulenge attained greater influence in government than ever before, even obtaining for the first time an administrative entity of their own. The territory of Minembwe, as it was dubbed, was carved out of the Banyamulenge-inhabited parts of Fizi, Mwenga, and Uvira territories. This price for this was a further deterioration in inter-community relations.

Tensions between cattle herders and farmers also increased, specifically in relation to the practice of *transhumance*. This refers to the annual migration of cattle southwards to greener pastures, mostly in the *secteurs* of Ngandja and Lulenge in Fizi, at the start of the dry season. During *transhumance*, cows often trample the farmland of other communities. Following the outbreak of the AFDL rebellion in September 1996, the refusal of cattle-owners to pay the *itulo* or customary tax to the chiefs of other communities made *transhumance* a catalyst of tensions. In response,

18 For killings of Banyamulenge and other Tutsi at the outbreak of the RCD rebellion, see UNOHCR, 'Mapping Report', paras. 312–28. On the massacres of civilians by RCD/RPA troops in South Kivu, see paras. 351–5.

Mai-Mai groups started to launch massive cattle-raids, as both symbolic and material attacks on the Banyamulenge.

Furthermore, the RCD era led to growing internal divisions within the Banyamulenge community, often manifested through a heightened awareness of clans, intertwined with political power struggles. There are between 13 and 26 major Banyamulenge clans, depending on how they are counted. While each clan can, in theory, trace its lineage back to a common ancestor, in practice these clans have grown by absorbing and allying themselves to other families. Perhaps due to the community's history of gradual immigration, and their scattered, pastoral patterns of habitation, the Banyamulenge have never had one overall chief, and there have often been tensions between clans. These tensions, however, were never of great importance until the rise of the RCD and the Masunzu rebellion, the first serious internecine conflict for the Banyamulenge.

3. Internal strife: Masunzu's rebellion (2002–3)

Pacifique Masunzu is one of the most divisive figures in the Banyamulenge community. Even today, his role is mired in controversy. Variant accounts are based on clan and on past political loyalties: his supporters cast him as a valiant defender of their community, while his detractors dismiss him as an undisciplined officer driven by personal ambition. What is clear is that Masunzu was an early FRF sympathizer and had had a tense relationship with his Rwandan commanders. In early 1999, the RPA commander of Uvira, Colonel Dan Gapfizi, ordered his arrest, but Masunzu was able to escape with the help of fellow Banyamulenge soldiers, fleeing to Bijombo in the *Hauts Plateaux*.

In an effort to subdue this mutiny, the RCD reintegrated Masunzu back into its ranks, leaving him in the highlands as a deputy battalion commander. In January 2002, a clash between him and his superior ensued. Various reasons have been given for this standoff: a conflict related to the management of tax revenues; a power struggle between Masunzu and his superior, Safari; the RCD using Safari to get rid of Masunzu; and even a drunken dispute over a girl. Whatever the cause, the result was that Masunzu took to the hills again, with around 20 followers. He was joined there by Michel 'Makanika' Rukunda, another well-known Munyamulenge dissident who became his deputy.

Worried about internal divisions on the eve of peace talks with President Joseph Kabila's government in the South African resort of Sun City, the Rwandan government decided to hit back with a heavy hand. It sent the RCD's 9th Brigade, led by senior Munyamulenge commander Jules Mutebutsi, and detained other Banyamulenge commanders to prevent them from joining Masunzu. When this operation failed, the Rwandan military leadership decided to launch a major offensive on 28 March 2002. Thousands of well-equipped RPA soldiers were sent to hunt down a Banyamulenge force of around 500. The latter took advantage of the

rough terrain, the solidarity of the local population and strategic coalitions with various Mai-Mai militias as well as the *Forces démocratiques pour la libération du Rwanda* (FDLR, Democratic Forces for the Liberation of Rwanda), a mainly Hutu armed group that was formed around Rwandan officers who had fled after the genocide.

The logic of the Sun City peace talks, in which all factions were fighting for a place in the transitional government, affected Masunzu. In April 2002, along with FRF leaders, he transformed the FRF into a politico-military movement, with a military branch called *Forces congolaises de résistance* (FRC, Congolese Resistance Forces), which gained popularity among the population of the *Plateaux*. However, at the start of the transition, after the signing of the Global and All-Inclusive peace agreement in December 2002, Masunzu's movement began to unravel.

Clan tensions played an important role. Masunzu is from a very small clan, the Abasinga. His rebellion was perceived by many in the community as a kind of class struggle, driven by a desire to emancipate his clan with respect to the more powerful clans, the Abanyabyinshi, Abasinzira, Abasita, and Abatira. Members of these larger clans, in return, found it hard to accept his leadership, leading to increased clan tensions.

In September 2002, the RPA and the RCD withdrew from the *Plateaux* under heavy international pressure, leaving the FRF/FRC as the dominant political and military force. Although firmly in control locally, the group failed to establish itself as a coherent political presence at the national level. This failure translated into only minimal gains during the 2003-6 transition, when they obtained barely any political positions and only a small number of senior military ones.

Furthermore, the Banyamulenge lost their single most important war-era gain, as the territory of Minembwe was suppressed in 2003. Many Banyamulenge blame Masunzu for this failing, as it was his troops who shut down the administrator's office there. Masunzu himself emphasizes that he had been promised that the territory of Minembwe would eventually be reconstituted, but according to constitutional procedures.

This is why he agreed with the suppression of what he, and many others, considered to be an illegal, rebel-era creation.¹⁹

According to his political adversaries, this marked the beginning of what they dub ‘Masunzu’s betrayal’. They allege that, once he left for Kinshasa in 2003, Masunzu focused only on his own interests, trying to reinforce his ties to the presidency while lobbying for the rank of general. This led him to backslide on the FRF’s political demands, but, according to some of his officers, also on lobbying for ranks and positions for his troops. When the *Ordre générale* (General Order) was gazetted in 2004, determining the ranks of former belligerents now integrated into the newly created *Forces armées de la République Démocratique du Congo* (FARDC, Armed Forces of the Democratic Republic of the Congo), it emerged that no FRC officer besides Masunzu—who was eventually promoted to general in 2005—had been attributed a rank higher than major. This was a bitter pill, especially for his former deputy commander, Michel Rukunda, who was demoted from colonel.

Meanwhile, Masunzu’s behaviour was becoming increasingly autocratic. Fearing a leadership challenge, he put two leading FRF politicians, Sebintu Philemon and Rukema Levice, under heavy surveillance. He also ordered the arrest of Olivier Gasita, the acting commander of the FRC. In this case, Masunzu’s suspicions may have been aroused by Gasita’s family connection with Azarias Ruberwa, the leader of the RCD during Transition.

A slow, tumultuous shift towards Kinshasa (2003–7)

Transition brought about the political marginalization of the Banyamulenge. The small community stood little chance in elections and the RCD, their best chance of attaining political influence, was crumbling. Two broad tendencies within the Banyamulenge now stood out: the remaining pro-RCD stalwarts, and the opponents of Rwanda, clustered

19 Usalama Project Interviewee #599, email correspondence, 2 June 2013

around Masunzu. Each faction sought to bolster its position with force, exacerbating the rifts within the community.

The first key incident was the mutiny of Colonel Jules Mutebutsi, deputy commander of South Kivu and a former RCD officer. Fearing the erosion of the RCD's power in the transitional government, Mutebutsi rebelled against his commanding officer in May 2004.²⁰ While this mutiny allied with Laurent Nkunda's rebellion in North Kivu, the group had more ambiguous relations with Rwanda than Nkunda's group. 'They had support from Rwanda,' an influential civil society leader remembered; 'after all, they fled there after the fighting. But at least for their part, this was not part of a larger plan. It was personal squabbles and accidents that produced their mutiny.'²¹ Other Banyamulenge soldiers worried about the prospect of *brassage*, the process of mixing ex-belligerents into a unified national army, as they felt insecure outside their region of origin.

Similar dynamics pushed a group of around 175 Banyamulenge former RCD soldiers in Kalemie, northern Katanga, to seek refuge in the *Plateaux*. Masunzu ordered them arrested and integrated into his 112th Brigade, fearing a challenge to his power on the *Hauts Plateaux*.

Feelings of insecurity among the Banyamulenge were amplified by the massacre of over 150 Banyamulenge refugees in August 2004 in the Gatumba camp in Burundi, an attack that almost led the transitional government to collapse. Shortly after the attack, Masunzu made a declaration confirming the Congolese government's account of the attack, which asserted that it had been carried out by Burundian rebels of the *Forces nationales de libération* (FNL, National Liberation Forces). He was alleged

20 The incident that sparked the confrontation was the arrest of Major Joseph Kasongo on 22 February 2004. Kasongo was wanted for the assassination of Laurent-Désiré Kabila in January 2001, and there had allegedly been a gentlemen's agreement between the RCD and Joseph Kabila not to arrest the various people who had been convicted *in absentia* for the assassination; International Crisis Group, 'The Congo's Transition Is Failing: Crisis in the Kivus: Africa Report N° 91', 30 March 2005.

21 Usalama Project Interviewee #503, Uvira, 3 March 2013.

to have downplayed the ethnic character of the massacre, suggesting it targeted RCD supporters more than Banyamulenge. This interpretation infuriated many Banyamulenge, since most were convinced of the complicity of ex-Mai-Mai commanders, or even of the Congolese government. Some days before the massacre, a Banyamulenge patrol had stopped a car containing three Burundian nationals and loaded with ammunition, grenades, and fuel. When the patrol commander informed his superior officer, Colonel Dieudonné Mutupeke, the latter is alleged to have responded that they had to give free passage to the vehicle. While the involvement of the Congolese government has never been fully corroborated, members of the patrol believe that the arms used in the Gatumba massacre were those they had seen in the car.²²

Mutebutsi's group, meanwhile, was planning its next move. After the Bukavu mutiny, it had been confined to a military camp in Rwanda in dreary conditions. Finally, after spending over a year there, a group of 46 of these officers and one civilian—the RCD politician Dada Abbas—infilitrated themselves into the DRC across the Rusizi river and climbed into the *Moyens Plateaux*. They were led by Colonel Venant Bisogo, not Mutebutsi: the latter was reported to have clashed with his Rwandan hosts and to have been detained in Rwanda, where he remains. The motive behind the group's crossing is open to question—they were surely frustrated by their situation in Rwanda, where they were kept under close supervision, but it would have been possible for them to negotiate a peaceful return to the Congo. Also, as a Banyamulenge elder noted: 'It is unlikely that they could have left Rwanda in such a large group and crossed through Burundi into the Congo without the tacit approval, at least, of the Rwandan authorities.'²³ There is also evidence that, in the months following their arrival, they received support from

22 Usalama Project Interviewee #599, via email, 2 June 2013. For the events that implicate the Mai-Mai, see Aloys Tegera et al., 'Devoir de mémoire et responsabilité collective pour l'avenir', in *Régards Croisés* 13, Pole Institute, Goma, 2004.

23 Usalama Project Interviewee #504, Uvira, 2 March 2012.

ex-RCD networks, including the Belgian-Katangan businessman Katebe Katoto.²⁴

As an indication of the complexity of internal Banyamulenge politics, the return of the Group of 47, who established themselves as an insurgent group on the *Plateaux* under Colonel Bisogo, would ultimately spark the worst internal fighting the community had ever seen. Shortly after the group's return, Masunzu, by now the deputy commander of Kasai Occidental province, returned to the *Hauts Plateaux*. His return irked some of his former officers, including Michel Rukunda, who defected along with dozens of soldiers from Uvira, going to Muramvya on the *Plateaux*.²⁵ This group was joined by defectors from Masunzu's 112th Brigade, who had relatives in Rukunda's group and were upset with Masunzu.

The tense security situation on the *Plateaux* gave Masunzu, sworn in as a general in July 2005, a justification to stay in South Kivu instead of resuming his work in Kasai. To some, this confirms the belief that Masunzu was merely manipulating tensions on the *Plateaux* instead of resolving them, in order to stay in South Kivu and to prevent his troops from being sent to *brassage*. If true, this strategy was successful, as he was appointed interim commander of South Kivu in 2007. The 112th Brigade, consisting entirely of Banyamulenge, never went to *brassage* and remained under Masunzu's direct control.

Intentional or not, Masunzu's crisis management on the *Hauts Plateaux* did little to re-establish peace amongst the Banyamulenge. One civil society activist commented: 'Kinshasa was afraid of losing its grip on

24 Raphael 'Katebe Katoto' Soriano was also identified as one of the financiers of General Nkunda's *Congrès national pour la défense du peuple* (CNDP, National Congress for the Defence of the People) in North Kivu; see UN Security Council, S/2008/773, 'Final Report of the UN Group of Experts on the DRC', 12 December 2008, pp. 11–12.

25 Rukunda's defection is also the subject of speculation: some attribute it to his clan affiliation with Mutebutsi, while others say it was because he was chafing under the command of Colonel Mutuapeke. However, it seems clear that Rukunda's poor relations with Masunzu were a factor, as well.

the Banyamulenge community, so continued to maintain Masunzu in Bukavu. That did limit the growth of the rebels, but at the cost of extremely bad conflict among Banyamulenge.²⁶

In January 2007, Masunzu's troops clashed with Rukunda's Muramvya faction, killing nine senior officers. This attack brought about the merger of Rukunda's faction and Bisogo's Group of 47, who realized they were too weak to survive separately. This unification appears initially to have been more driven by strategic considerations rather than by a shared political vision: Rukunda, for example, is fiercely opposed to Rwanda, while Bisogo maintained contacts with top commanders in Kigali throughout this period. The FRF leadership, then based in Bujumbura with Gasore Zébedée at its helm, used this opportunity to approach the dissidents in view of gaining military leverage for their political goals. Eventually they came to a preliminary agreement to reconstitute the FRF as a politico-military movement; its armed wing was now called the *Force pour la défense du peuple* (FDP, Force for the Defense of the People). Rukundo became its chief of staff, while Bisogo was made president of the FRF.

Rebel governance (2007–9)

After months of fighting alternating with talks, President Kabila sent Munyamulenge General Mustafa Kayoyo as a special emissary to the *Hauts Plateaux* in October 2007. Mustafa convinced the belligerents to sign a ceasefire agreement, allowing the FRF to control a substantial portion of the *Plateaux* and enabling them to develop governance structures and enhance their local sources of income. The political branch set up various departments, including social affairs, environment, justice, finance, foreign affairs, and political propaganda. Despite this enlarged political branch, however, the movement remained dominated by the military wing, and was run in an authoritarian style.

While the FRF left most local customary and administrative authorities

26 Usalama Project Interviewee #505, Uvira, 4 March 2013.

in place, they leaned heavily on them, intimidating those perceived as pro-government or pro-Masunzu. By introducing an elaborate system markets, road and mining taxes, they managed to increase their local sources of income and reduce dependence on the financing of sympathetic businessmen and politicians.²⁷

Despite the oppression of political dissent, the FRF's reign appears to have been relatively appreciated by parts of the Banyamulenge population, not least because it ended hostilities and established a high level of security. Furthermore, the FRF tried to promote development by organizing the construction of a 55 km stretch of road from Mikalati to Kabara, and a bridge over the Lwelila River.

Other communities, however, felt ill at ease with the presence of a mono-ethnic force, distrusting their motives. This distrust was capitalized upon by Mai-Mai leaders, who justified their actions in the name of community self-defense against the threat of the FRF.

Additionally, as the political wing grew stronger, the feud with Masunzu intensified, making a compromise with Kinshasa more difficult. 'Initially, the problem was Masunzu, that's why they didn't want to put down their weapons,' a Munyamulenge FARDC officer said. 'But then, the FRF politicians became more important and their political demands, which were difficult to satisfy, became an obstacle.'²⁸

These demands were first officially formulated at the Goma peace conference in January 2008, which was attended by nearly two dozen armed groups. The demands presented by the FRF delegation to Goma included the following points: putting the *Hauts Plateaux* under control of FRF troops integrated into the FARDC for a transitional period of three years; recognition of FRF ranks and payment of four years of salary

27 The main mining sites in this area are the gold mines of Luhemba, Rugabano, Kabara, Lwelila and Makaina. Mining and market taxation, as well as gold trade, are mentioned by the UN Group of Experts as possibly earning the movement 'several thousand dollars a month'; UN Security Council, S/2009/603, 'Final Report of the UN Group of Experts on the DRC', 23 November 2009, p. 58.

28 Usalama Project Interviewee #506, Bukavu, 1 March 2013.

arrears; re-establishing Minembwe territory, with the same boundaries as during the RCD era; and instituting an international Commission of Enquiry focused on the massacres of Banyamulenge in 1996, 1998, and 2004.²⁹ While the FRF signed the January 2008 cease-fire agreement along with 21 other groups, little progress was made during subsequent negotiations.

²⁹ The FRF delegation to Goma consisted of Colonel Willy Mbonigaba, Sebintu Philemon, Gasore Zébedée, and Jotham Musabwa.

4. Shifting alliances (2009–10)

On 23 March 2009, a peace deal was concluded between the CNDP and the Congolese government as the result of broad realignment in the region, with a rapprochement between Kigali and Kinshasa. These shifts had an ambiguous impact on the FRF: the group maintained contact with ex-CNDP officers and benefitted from modest arms transfers from them during this period. These contacts passed largely through Eric Ruhorimbere, the most influential Munyamulenge in the CNDP. But it was ex-CNDP Colonel Sultani Makenga, then deputy commander of the Amani Leo operations in South Kivu, who is said to have transferred 12 AK-47s, a machine gun, an RPG and several boxes of ammunition to Rukunda during a secret meeting on the *Plateaux*.³⁰ However, the FRF was reluctant to follow the CNDP's lead and integrate into the FARDC. In part, this was due to the tense relations between some FRF leaders (Rukunda in particular) and Rwanda, which made it difficult to follow up on the CNDP deal. But other regional dynamics also prevented integration.

The deteriorating political situation in neighbouring Burundi provided new opportunities. In the wake of the electoral boycott and the crackdown on the opposition in Burundi in mid-2010, the three main Burundian opposition leaders—Agathon Rwasa, Alexis Sinduhije, and Leonard Nyangoma—went into hiding, and a number of their followers fled. A small number of these, especially members of the opposition party *Mouvement pour la solidarité et le développement* (MSD, Movement for Solidarity and Development), led by Alexis Sinduhije, were allegedly given safe haven by the FRF.

30 UN Security Council, S/2010/596, 'Final Report of the UN Group of Experts on the DRC', 29 November 2010, pp. 21–2. See also Jason Stearns, 'M23's Operational Commander: A Profile of Sultani Emmanuel Makenga', Rift Valley Institute, London (December 2012).

Around the same time as the Burundian opposition went underground, the Rwandan political opposition in exile was bolstered by the defection of General Faustin Kayumba Nyamwasa, the former chief of staff of the army, who fled to South Africa. These dissidents were in contact with various armed groups in the eastern DRC, including the FRF.³¹ This alarmed Kigali, and raised the level of importance of the FRF as a regional security problem.

Another shift was caused by closer collaboration between the FRF and the FDLR, who arrived in large numbers in the Itombwe area as a result of the joint FARDC/MONUC Kimia II military operations in 2009.³² Just like Masunzu's 112th Brigade, the FRF have always maintained cordial relations with the FDLR. On the *Plateaux*, armed Hutu and Tutsi militias have rarely clashed, thanks to informal agreements ensuring free passage and trade in weapons, minerals, cattle, and other goods.³³ Since Masunzu's rebellion, no Banyamulenge faction could risk opening another front with the FDLR, who controlled crucial trade and supply routes in Uvira.

Renewed fighting and negotiations (2010–11)

The Rwanda-Congo peace deal of 2009 that integrated the CNDP into the national army brought about military operations on a large scale: codenamed Umoja Wetu, Kimia II, and eventually Amani Leo, they were initially focused on the FDLR. As part of this effort, the Congolese army also started to target smaller refractory groups, including the FRF.

As before, an initial sensitization mission was entrusted to a prominent Munyamulenge officer, this time Colonel Aaron Nyamushebwa. He was relatively successful, prompting the defection of around 50 FRF soldiers, a substantial percentage of a group that at that point was thought to consist of around 150 fighters, and including Colonels Alexis

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31 UN Security Council, 'Final Report', 29 November 2010, pp. 22 and 45.

32 Jason Stearns, *PARECO: Land, Local Strongmen, and the Roots of Militia Politics in North Kivu* (London: Rift Valley Institute, 2013), p. 35.

33 UN Security Council, 'Final Report', 23 November 2009, p. 15.

Rugazura and Joseph Mitabo, who subsequently obtained important positions in the Amani Leo operations in South Kivu.³⁴ The Congolese army, including some of these ex-FRF, then launched an offensive against the FRF in Kamombo on 24 November 2009. By late January 2010, the FARDC was able to push the FRF into the forest of Bijabo, where most of their training sites and arms caches were located. This confined their movement substantially and hampered access to their taxation networks. In an effort to seek alternative sources of revenue, the FRF looted two sites of the South African mineral exploration company TransAfrika at Bigaragra and Rugezi in May 2010, acquiring large amounts of money and equipment.³⁵

This suggests that the FRF managed to adapt successfully to these new constraints. Moreover, it appeared to gain in popularity; the army's offensive was carried out with an unusual brutality and was followed by the permanent occupation of the former FRF strongholds by the 432nd Brigade under Lieutenant-Colonel Kazungu, who collaborated with a number of increasingly discredited and corrupt local authorities linked to Masunzu.

In a way reminiscent of Masunzu's 2002 rebellion, the Banyamulenge community increasingly came to see the FRF as its protectors against an abusive central government. Finally, in 2011, a new round of negotiations was launched, prompted by Kinshasa's desire to pacify the region ahead of national elections that year. Perhaps more importantly, the Rwandan government was also increasingly interested in pursuing negotiations, concerned that the FRF could join dissidents led by General Kayumba in conjunction with Burundian opposition groups.³⁶

The timing was opportune: The Amani Leo operations had had a devastating humanitarian impact, and had burdened the community

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34 UN Security Council, 'Final Report', 23 November 2009, p.15.

35 UN Security Council, 'Final Report', 29 November 2010, pp. 63–4.

36 UN Security Council, S/2011/738, 'Final Report of the UN Group of Experts on the DRC', 2 December 2011, p.79.

through arbitrary arrests of young men and community leaders accused of being FRF collaborators. Consequently, there was a growing desire among customary chiefs and elders on the *Plateaux* to come to a settlement. Finally, both fatigue and personal ambition on the part of the FRF leadership also played a role in their decision to negotiate. Integrating into the government offered chances for obtaining ranks and positions, and they now appeared to have a good position at the negotiation table.

Negotiations started on 18 January 2011 in Kamombo, on the *Plateaux*. The FRF succeeded in obtaining a deal that allowed for the *in situ* integration of FRF into the Congolese army, along with the creation of a new operational sector on the *Hauts Plateaux* under FRF command. In addition, the government promised to recognize FRF ranks and their political party, the appointment of FRF officers in high-ranking positions, and to give them \$20,000 in cash.

During the negotiations, the FRF refused to reveal the exact number of their troops, initially claiming to have 'thousands'. When the FRF arrived in Minembwe on 26 January for an integration ceremony, they could muster just 348 fighters, claiming that others had been left behind. Around 260 of them carried arms and a large number were minors, who were later removed from the ranks of the FARDC.³⁷

What had been negotiated in Kamombo was essentially a military deal, between the South Kivu military command and the FRF, and not a political deal. This provoked criticism from some FRF supporters, who feared that by giving up their military power, they would no longer be able to pressure the government to realize their political demands. In the short term, however, there was exuberance within the Banyamulenge community, and hope for lasting peace, improved inter-ethnic relations, and new development initiatives in the highlands.

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37 UN Security Council, 'Final Report', 2 December 2011, p. 162.

A final Banyamulenge insurgency? (2011–present)

With the FRF integrated, and with several Banyamulenge officers in influential and lucrative positions, the insurgent networks in the community have been largely dismantled. However, two small new groups have emerged since 2011, one led by Richard Tawimbi, the other, allied to the M23 rebellion, by Muhima Nkingi. Unlike previous insurgencies, in which security concerns and political marginalization played important roles, these two groups appear to be the product of personal ambitions and regional tensions, facilitated by an army in disarray. While these groups are extremely weak, as long as these causes of conflict do not subside, Banyamulenge insurgent groups are likely to persist.

Richard Tawimbi is, in the words of one of his former FRF colleagues, a ‘lifelong rebel’.³⁸ He began his military career in the RPF and took part in the initial AFDL rebellion. In 1996, he fell out with his Rwandan commanders: according to him, due to their mistreatment of the local population and plans to resettle Banyamulenge in Rwanda. He spent the next several years in and out of Rwandan detention, finally joining the dormant FRF in 2003.

Tawimbi has a reputation for being well connected, maintaining contacts with politicians, military commanders, and businessmen throughout the region. It was these networks that led to him being named logistician and eventually vice-president in Bisogo’s and Rukunda’s FRF. When the FRF integrated into the FARDC, Tawimbi was in detention in Bujumbura, where, under suspicion of maintaining ties to Rwandan dissident General Kayumba Nyamwasa, he was interrogated by Burundian and Rwandan intelligence services.³⁹ The now ex-FRF managed to bribe him out of jail, but once back in the Kivus in March 2011, he was reluctant to join a Congolese army dominated by the ex-CNDP, for fear of being arrested or killed due to his anti-Rwandan track record.⁴⁰ He is

38 Usalama Project Interviewee #509, Uvira, 5 March 2013.

39 UN Security Council, ‘Final Report’, 2 December 2011, pp. 79–80.

40 Usalama Project Interviewee #513, Uvira, 3 March 2013.

also reported to have been dissatisfied with the way the FRF had negotiated its integration—and with the modest rank of major offered to him.⁴¹

While the bulk of the FRF integrated in 2011, Tawimbi split off and founded his own group, the *Mouvement populaire pour le changement du Congo* (MPCC, Popular Movement for Changing the Congo), on 26 July 2011. Discontent within the former FRF helped bolster his group: many fighters had been left for months to their own devices in the Kananda integration centre, unpaid and waiting for their ranks to be confirmed. Around 40 of them joined Tawimbi's group, along with ex-FRF Major Nyamusharaba Shaka, who left the army for fear of arrest, since he was suspected of having committed serious human rights violations during military operations after his integration.⁴²

Tawimbi's small group has been based in Kajembwe, in the *Hauts Plateaux* of Uvira, where it lives off taxing the local markets and trade routes. It also forged an alliance with a small group of around 30 Burundian combatants under the command of self-proclaimed Colonel Kasongo, who started an insurgency following the 2010 election boycott. These combatants are said to belong to a group that is alleged to have been in touch with opposition politician Alexis Sinduhije.⁴³ These relations, however, appear to have deteriorated, reaching a low point in April 2013 when Tawimbi's troops clashed with Kasongo, killing him.⁴⁴

The M23 rebellion of April 2012 prompted the Congolese government to start negotiating with other armed groups, including Tawimbi's. In August 2012, he travelled to Kinshasa to meet with the presidency, leaving the group under the command of Major Shaka Nyamusharaba. While some suggest that Tawimbi's visit was intended to broker his

41 Usalama Project Interviewee #510, Uvira, 4 March 2013.

42 UN Security Council, 'Final Report', 2 December 2011, p. 159.

43 UN Security Council, S/2012/843, 'Final Report of the Group of Experts on the DRC', 15 November 2012, p. 9.

44 Usalama Project Interviewee #506, Uvira, 4 March 2013; Usalama Project Interviewee #511, Uvira, 5 March 2013. The reason for the falling out was allegedly Kasongo's shift in alliance from Tawimbi to Nkingi.

integration, others argue that it was supposed to remove him from the fray. ‘He spent over nine months in Kinshasa, mostly doing nothing. It was a way of neutralizing him without striking a deal,’ one senior Congolese army officer said.⁴⁵ Still others have suggested that the government wants to maintain a Banyamulenge rebellion to counter the influence of another, M23-linked armed group that appeared in the *Plateaux* in 2012.

The M23 rebellion in 2012 sparked a wave of armed group mobilization across the Kivus. Within the Banyamulenge community, however, the M23’s lack of success was striking. Beginning in mid-2012, Banyamulenge leaders in Rwanda—allegedly under pressure by Rwandan security officials—began mobilizing youths in their community to launch an insurgency in South Kivu allied to the M23. According to two people who participated in these meetings, as well as the UN Group of Experts and several Banyamulenge leaders, Professor Thomas Kigabo, the chief economist of the National Bank of Rwanda, spearheaded this mobilization, along with Akim Muhoza, the editor of the *Minembwe Journal* website.⁴⁶ They targeted young Banyamulenge in Rwanda, Burundi, and Uganda for recruitment, including students and those living in refugee camps.

The results were meagre. In July 2012, Muhoza and other Banyamulenge in the diaspora created the *Alliance pour la libération de l’est du Congo* (ALEC, Alliance for the Liberation of the East of the Congo). As its name indicates, the group’s founding charter advocates for the independence of the eastern DRC.⁴⁷ Due to the arrest of its main leaders, ALEC never managed to become operational in the field. Instead, it evolved into a loose coalition of groups, one of which was headed by Muhima

45 Usalama Project Interviewee #513, Bukavu, 12 March 2013.

46 Usalama Project Interviewees #503, 28 February 2013, #514, 1 March 2013, #515, 28 February 2013, #516, 28 February 2013, and #517, 27 February 2013 (all in Uvira); also UN Security Council, ‘Final Report’, 15 November 2012, p. 21. The *Minembwe Journal* can be visited at www.mulenge.blogspot.com.

47 UN Security Council, ‘Final Report’, 15 November 2012, p. 120.

Nkingi, a young Munyamulenge officer who defected from the Congolese army in August 2012.

Muhima Nkingi had been recruited by ex-FRF Colonel Michel Rukunda just before the latter joined the Congolese army in 2011; Rukunda was poorly educated and, as the newly-named head of administration for military operations in South Kivu, needed an assistant—Nkingi, who had studied at a university in Bujumbura, fit the bill. Nkingi has extended family ties with Jonathan Gasuzuguro, who is allegedly linked to Professor Kigabo's mobilization campaign.⁴⁸

It was claimed that Nkingi defected from the army to combat corrupt governance.⁴⁹ However, others point to his personal ambitions, specifically his frustration over his position as a mere assistant. At first, Nkingi headed his own group, but then he joined forces with the *Mouvement congolais pour le changement* (MCC, Congolese Movement for Change), a multi-ethnic group based in the hills overlooking the Rusizi Plain, led by self-proclaimed Colonel Bede Rusagara, an ex-CNDP officer from the Fuliro community. The alliance between the two groups never solidified, although they collaborated in an attack on the Luberizi military camp on 16 September 2012. Soon after, growing tensions made Nkingi part ways with Bede and continue independently with his own movement.⁵⁰

The latter has remained a tiny force. In March 2013, Congolese authorities estimated Nkingi to have around forty soldiers, although a recent visitor to his camp said he saw around sixty men.⁵¹ Some of these troops

48 Usalama Project Interviewees #514, Uvira, 1 March 2013, and #515, Uvira, 28 February 2013; UN Security Council, 'Final Report', 15 November 2012, p. 21.

49 Usalama Project Interviewee #517 (a local researcher who recently visited Nkingi), Uvira, 28 February 2013.

50 These tensions were in part due to conflicts between the Fuliro and Banyamulenge communities, out of which Bede and Nkingi draw their respective support. According to one report, some also accused Nkingi of killing Fuliro Mai-Mai commander Baleke, which further undermined his relations with Bede. Nkingi's movement is alternately referred to as MCC or ALEC.

51 Internal Congolese army intelligence report on armed groups in South Kivu, on file with the Usalama Project; Usalama Project Interviewee #518, Uvira, 28 February 2013.

are ex-FRF combatants, including Lieutenant-Colonels Gentil Sebisusa and Senanda Mugobozi, two officers who had not received the positions they wanted in the Congolese army.

Meanwhile, the FRF also suffered from political splits—the fate of so many Congolese political parties and rebellions. In part, this is believed to be Gasore’s doing. When he arrived in Kinshasa to register the FRF as a political party in 2011, he allegedly changed the statutes without consulting the other members. Other FRF leaders claim to have never agreed to these changes nor to his appointment as president.

The Gasore camp was supported by Colonel Bisogo. This faction—said to be close to Rwanda and Colonel Sultani Makenga, deputy commander of the Amani Leo operations in South Kivu before his desertion in March 2012—is suspected to have participated in a nebulous movement called *Conseil supérieur de la paix* (CONSUP, Superior Council for Peace) in late 2011, which was plotting an insurrection before being dismantled by Congolese intelligence services in January 2012.⁵²

Infighting within the FRF was a disappointment for its grassroots supporters. The group has representatives throughout the *Plateaux*, who had hoped the integration of the FRF would herald a new era with a greater political role for the Banyamulenge. In the two years since the FRF’s integration, few of its original political ambitions have been realized. While a new police district was created on the *Hauts Plateaux*, staffed mostly by Banyamulenge, its creation was largely the achievement of the Inspector-General of the Congolese police in Kinshasa, the Munyamulenge General Charles Bisengimana.

Perhaps the biggest achievement has been the creation of a school examination centre in Minembwe, which enables high school students to do their state exams there, instead of having to descend all the way to Fizi or Uvira. However, other demands such as a road and a phone network to make the *Plateaux* better accessible are lagging behind, giving

52 UN Security Council, S/2012/348/Add.1, ‘Addendum to the Interim report of the UN Group of Experts on the DRC’, 27 June 2012, pp. 21–2.

the communities there the idea that the peace dividend of the FRF's integration is rather meagre. The security situation on the *Plateaux* has not significantly improved either, with the Bembe Mai-Mai militia of Aoci continuing to loot cows and the presence of a multitude of Fuliro militia as well as the FNL and FDLR in the *Moyens* and *Hauts Plateaux*.

5. The trajectory of Banyamulenge insurgencies

Caught between exclusion and insurgency, the Banyamulenge community has been at the centre of conflict in the eastern Congo since the 1990s. However, their reasons for armed mobilization have changed over the years. In the early 1990s, the Banyamulenge fell increasingly victim to the ethnic divisions fuelled by the chaotic democratization process. This drove young Banyamulenge into the arms of the RPF and later the AFDL. This early period of militarization was strongly driven by fears of persecution and hopes for political emancipation.

Regional involvement, in particular on the part of the Rwandan government, and tensions with other communities have persisted over the past 20 years, but there have also been important changes. Perhaps the most noticeable has been in relations between the Banyamulenge and the RPF government in Kigali. The community has benefited from its alliance with Rwanda to obtain political and military influence. Thanks in part to Rwandan support during the AFDL and RCD rebellions, representatives of the Banyamulenge community rose to the highest levels of Congolese politics.

During Mobutu's reign, the highest position they managed to obtain was member of parliament; since the time of the AFDL, Banyamulenge have occupied the positions of vice-president, minister, and regional military commander. Furthermore, the RPF ensured the survival of the Banyamulenge community by providing protection in some of its darkest hours.⁵³

Nonetheless, a growing part of the population today feels that the alliance with Rwanda has stoked resentment against their community, playing into the conspiracy theory promoted by some non-Banyamulenge

⁵³ UNOHCR, 'Mapping Report', pp. 160–1.

that Banyamulenge are Rwandan proxies, thus undermining their claims to citizenship. This opposition to the RPF manifests itself today as resistance to the M23, which is perceived as a Kigali-led initiative.

An equally important reason for the falling-out with Kigali are changes within the leadership of the community. Military commanders are now more influential than political and civil society leaders. General Masunzu, Colonel Rukunda, and, to a lesser extent police Inspector-General Bisengimana are intimately involved in civilian and military decisions in the highlands today. These military commanders have flourished under President Kabila's patronage; dozens of Banyamulenge officers are in prominent positions in the army and police, and each of them has a network of loyal followers and relatives they can influence. Thus, while the Banyamulenge have failed to obtain a territory of Minembwe and there are hardly any of their leaders represented in provincial or national public office today, their substantial representation in the security services has secured their allegiance to Kinshasa, at least for the time being.⁵⁴

This complicated trajectory—a rise in power, followed by an increase of anti-Banyamulenge sentiment—has produced a third change: growing strife within the community, partly expressed in a heightened awareness of clans. One local civil society advocate put it this way: ‘Two factors help explain Banyamulenge infighting: clan and politics. Even when the divisions are political, they often express themselves through clan identity.’⁵⁵

The Banyamulenge community has become more fragmented in recent years. Clan, family and personal differences, competition for positions in the army, and a growing divide between the remaining members on the *Plateaux* and the large diaspora, have all undermined cohesion. These

54 Sadock Biganza was provincial minister for justice in South Kivu and became vice-minister for planning in the national government in 2012. Moise Nyarugabo has been a senator since 2007, and Enoch Ruberangabo Sebinezwa was the president of the largely defunct Maluku steel mills.

55 Usalama Project Interview with Remy Ngabo, Uvira, 10 March 2013.

internal fissures have been reinforced by the community's decoupling from Kigali, since Rwanda used to provide at least a certain hierarchical organization.

These three trends—the drift away from Kigali, the rise of a military elite, and the fragmentation of the community—make a large, anti-Kinshasa insurgency unlikely, but also suggest that we have not seen the end of small, often opportunistic militias that try to leverage their military muscle for positions in the army or political influence.

So while it may be tempting to declare an end to Banyamulenge armed groups—after all, the FRF have integrated into the army, almost no Banyamulenge heeded the call to join the M23, and the remaining Banyamulenge militias barely have a hundred soldiers altogether—this would be premature and, perhaps, myopic. While the presence of dozens of Banyamulenge officers in the upper echelons of the security services provides a certain protection for the community, its members still feel extremely vulnerable. This has been compounded, not mitigated, by the government's strategy of co-opting Banyamulenge officers but not addressing some of the contributory causes of violence. These include a lack of political representation, a culture of opportunism and impunity among military elites, a history of massacres and ethnic vilification, and regional interference.

Political representation

Since their subjugation to chiefs drawn from other communities in the colonial era, the Banyamulenge have aspired to their own administrative entity. Peaceful efforts to achieve this led by Frédéric Muhoza Gisaro failed in the 1970s, and the Banyamulenge were effectively excluded from the national political sphere in the 1980s, leaving rebellion as the most attractive option to achieve self-governance. Both the RCD and the FRF pushed for a Minembwe *territoire*, the former succeeding in creating one for a period of four years.

Today, many Banyamulenge desire the reestablishment of a Minembwe *territoire*. They claim that this would ensure the provision of administrative services—including marriage and birth certificates—for which the community now has to descend by foot to faraway Fizi or Uvira. Most

importantly, so they say, it could guarantee them political representation, as territories are also electoral districts. At present, the Banyamulenge do not have sufficient demographic weight in any of the territories they live in to get candidates elected—either in Fizi, Mwenga or Uvira—since electors vote mostly for candidates of their own ethnic communities.

However, it is difficult to see how the re-creation of Minembwe would be politically feasible in the current climate. It is furiously opposed by neighbouring communities, in particular the Bembe and Bafuliro, who have always seen the territory as an infringement on their ancestral lands. In light of these tensions, recreating the territory risks provoking a serious backlash. Furthermore, it appears close to impossible to obtain the necessary 60 per cent of parliamentary votes to pass the necessary constitutional amendment. An assessment carried out by the national government during the transition also argued that the population of the area—estimated at less than 100,000 for the proposed territory of Minembwe—was far too small to justify the creation of a territory.⁵⁶

The recent integration of the FRF has done little to address the political marginalization of the community. If anything, it has only further entrenched the pattern of compensating for blocked political aspirations through enhanced military influence: the peace deal paid little attention to the Banyamulenge's political demands and was not accompanied by the integration of Banyamulenge politicians into the politico-administrative apparatus. These limited political prospects increase the incentives to take up arms in order to further political ambitions, thus reproducing the militarization of politics that is a major stumbling block to peace in the region.

Communal tensions

'It is easy to recruit Bembe youths into an armed group,' one local civil society activist suggested. 'All you need to do is say that the Banyamulenge are threatening to trample their fields and rape their women,

⁵⁶ Usalama Project Interviewee #519, presidential advisor, Kinshasa, May 2007.

promise them some money, and you have a militia.’⁵⁷ Conversely, a local Munyamulenge chief in Fizi pointed out, ‘Most Banyamulenge families have weapons at home. They say they need them to protect their cattle and families against the Bembe.’⁵⁸

Ethnic animosity runs deep in this region and makes it easy to justify militancy. Part of these ethnic antagonisms have a material basis. There are concrete frictions between the Banyamulenge and their neighbouring communities, especially with regard to the transhumance of cattle from the *Plateaux* southwards to Ngandja and Lulenge. Farmers continue to fall victim to cows trampling their fields, while not receiving anything from the *itulo* (customary tax) that their chiefs pocket during transhumance. The resulting frustrations foster sympathy for Mai-Mai militia who loot and tax cattle.⁵⁹ Each time such incidents occur, a rise in tensions is palpable, since both sides fear revenge actions either by allied military or by citizens themselves, who do not lack arms.

In such a climate, even the smallest incident may have far-ranging consequences. The 2011 electoral period provides an illustration of how rumors and prejudice may have lethal consequences. When the Mai-Mai Yakutumba, a group drawn largely from the Bembe community, massacred seven Banyamulenge aid workers in October 2011, rumours of upcoming revenge actions triggered a brief but intense episode of tit-for-tat killings between Bembe and Banyamulenge in the Itombwe part of the *Plateaux*.⁶⁰

The electoral campaign further fuelled these tensions, as many opposition politicians in the area played to resentment against Kinyarwanda-speaking FARDC troops deployed in the area. The

57 Usalama Project Interviewee #520, Uvira, 11 March 2013.

58 Usalama Project Interviewee #521, Baraka, 22 March 2013.

59 Justine Brabant, *La vache et le fusil: Conflits liés à la transhumance en territoires de Fizi et Uvira*, (Uppsala: Life and Peace Institute, 2013).

60 Human Rights Watch, ‘DR Congo: Awaiting Justice One Year After Ethnic Attack’, 4 October 2012.

government did not take any action against these demagogues, just as it did little to address the perception that it had given excessive power to Kinyarwanda-speaking commanders—some of whom carried out serious human rights abuses in this area.

Insurgent blackmail and the militarization of politics

As highlighted in previous Usalama reports, armed rebellion has become a *fond de commerce*, in Congolese idiom: a means of bargaining for positions and money. This can take on various forms—army commanders unhappy with their lot may rebel as a way of negotiating for a better position or higher rank. Politicians who lost at elections—locally called *candidats malheureux*—sometimes back armed groups out of spite or hope to obtain through rebellion what they could not achieve at the ballot box. Others link up with rebels before elections happen in order to boost their popular support.⁶¹

The government has often fallen for these ploys. Despite repeated claims that they would not negotiate with armed groups for ranks and positions, the government has done precisely that. This stance is in part due to the army's weakness, but some army officers and politicians also have a vested interest in pursuing these kinds of negotiations, which usually involve considerable sums of money for logistics and pay-offs, some of which is inevitably embezzled by the negotiators.⁶²

The M23 rebellion seems to have only reinforced this logic: afraid that the dozen or more militias active in Fizi and Uvira might respond to

61 Examples include Gustave Bagayamukwe, a failed 2011 parliamentary candidate, who founded the short-lived UFRC rebellion in 2012 before being arrested; Emmanuel 'La Fantaisie' Ndigaya Ngezia, also a failed 2011 parliamentary candidate, who recently tried to forge a coalition of Mai-Mai groups in Uvira and Fizi, supposedly in order to integrate them into the FARDC; and Jemsi Mulegwa, an MP who has provided consistent moral and allegedly material support to the Mai-Mai leader Amuri Yakutumba.

62 On the issue of rebel-military integration, see also Maria Eriksson Baaz and Judith Verweijen, 'Between Integration and Disintegration: The Erratic Trajectory of the Congolese Army', Congo Affinity Group, Social Science Research Council, New York, 2013.

overtures from M23, the government in Kinshasa has been in negotiations with these groups since December 2012. There have been modest results, while volatility has mounted, since groups have started a competition around negotiation funds and future positions. Moreover, the prospects of army integration have led to a massive recruitment drive in both territories, with minors being targeted, too. Once again, the manipulation of military integration seems to exacerbate, rather than weaken, the militarization of power politics.

Regional interference

The involvement of the Rwandan government in Banyamulenge insurgencies has been extensively documented in this report. Kigali is, however, only one part of this regional dimension: diasporas in neighbouring countries have become nodal points in regional networks that facilitate arms and mineral trade, mobilize financial and political support, and help with recruitment, notably in the region's many refugee camps. One of the FRF's main logistical hubs and financial centres was Bujumbura, which also served as a ground for recruitment, for Burundians as well as Congolese.

The same applies to the FNL and its activities in Uvira. A key figure in these cross-border networks has been FARDC Colonel Baudouin Nakabaka, the deputy commander of South Kivu, whose involvement in arms trafficking with both the FNL and the FDLR has been documented by the UN Group of Experts on the DRC. Colonel Nakabaka also had a role in Agathon Rwasa's crossing into the DRC after his flight in mid-2010.⁶³

63 UN Security Council, S/2010/596, p.32, UN Security Council, S/2009/603, pp. 10–12.

6. Policy considerations

For the moment, any large-scale Banyamulenge rebellion in the DRC is rendered unlikely by the degree to which Banyamulenge have prospered in the Congolese army, and by the community's distrust of the Rwandan government, but these dynamics may change, particularly given the shifting sands of Congolese patronage politics and the rebel kaleidoscope of the Kivus. It is urgent, therefore, to address the underlying causes of Banyamulenge armed mobilization.

This will need to be part of a larger approach that deals with other armed groups in the region as well. Banyamulenge insurgencies have not emerged in a vacuum, but as part of a cycle of rebellion in which neighboring communities mobilize in reaction to each other. Furthermore, any comprehensive approach for dealing with armed groups must also focus on the isolation and poverty of remote rural areas, including but not limited to the *Plateaux*. Such areas continue to form a fertile soil for insurgencies, as recruitment becomes an attractive option for social and economically marginalized youth.

Reinforcing political participation

The resurrection of Minembwe *territoire*, desired by many Banyamulenge, is not currently feasible. A compromise could be to transform Minembwe into a *commune rurale*, an administrative entity with a degree of fiscal and administrative autonomy, whose representatives are supposed to be elected. Many Banyamulenge dismiss this proposal, arguing that since the *commune* is elected locally, it does not have the backing of the central government, which controls the security apparatus and the bulk of the country's resources. The government did not include Minembwe in the list of new rural communes that was decreed in April 2012, but this could nonetheless constitute a way forward, provided it is preceded by sufficient engagement with local civil society leaders, customary chiefs, and politicians.

It is also imperative that local elections, which have been repeatedly delayed, should take place. This would lead to the creation of *conseils de secteur*, local administrative bodies with modest fiscal powers. Banyamulenge candidates would be likely to win seats in several sectors in the area, thus reinforcing their local political inclusion. However, elections will need to be carefully monitored so that they do not fuel another spate of ethnic demagoguery.

Promoting social cohesion and local reconciliation

Ethnic animosity is a product both of top-down manipulation, and of bottom-up tensions, fed by traumatic memories, resentments and embedded stereotypes.

While these dimensions are difficult to tackle, progress can be made both on the rhetorical and material level. It remains difficult for local civil society activists—ranging from priests to human rights advocates—to discuss the question of Banyamulenge citizenship or the abuses carried out by ethnic-based militias. The state could provide cover and backing for these opinion leaders by staking out the necessary moral ground. A visit by President Kabila to Fizi with local leaders, for example, a clear condemnation by the president of all ethnic hate speech, and a call for reconciliation, would send a strong message. Even more importantly, the creation of an active committee to promote reconciliation—drawing on current initiatives such as the *Comité de coordination des actions de paix* (CCAP, Committee for the Coordination of Peace Actions) and the *Cadres de concertation inter-communitaire* (CCI, Platforms for Inter-community Dialogue), but including members of the provincial government and security services—would be a strong indication that the government is committed to clamping down on ethnic discrimination.

Social cohesion and economic interdependencies between communities can be supported through joint development projects and by ensuring mixed education. Tensions provoked by cattle *transhumance* could be reduced by a provincial policy for the regulation of such movements. This could be elaborated by South Kivu's Provincial Inspection for Agriculture, Fishing and Livestock, and endorsed by a parliamentary vote, building

on the agreements signed under auspices of the CCI. Investment should be made in demarcating land destined for the passage of cattle and the sensitization of local communities ahead of the period of transhumance.

Formulating a comprehensive policy to deal with armed groups

The one-sided focus on the military integration of rebel groups has failed. A comprehensive policy to deal with armed groups is needed, one that has the right mix of political and military instruments and that balances carrots and sticks. This needs to include addressing the issue of impunity for rebel leaders suspected of having committed serious crimes. The pending military integration of the Mai-Mai Yakutumba, responsible for the 2011 Eben Ezer massacre in Fizi, is a case in point; not only is this liable to alienate the Banyamulenge, it also risks fuelling identity-based tensions within an already uncohesive army.⁶⁴

More effective policies for dealing with armed groups are not to be expected without active involvement of donors in their design and implementation. MONUSCO, which has been marginalized as a political actor since the end of the transition in 2006, would be best suited for such engagement as mediator in local peace talks with armed groups. This would require, however, a comprehensive approach to be agreed on with the Congolese government, including a solid demobilization program and projects to address grassroots grievances. The revised International Security and Stabilisation Support Strategy (ISSSS) developed by international donors this year can help address this in part. But the ISSSS currently lacks both ownership on the part of the Kinshasa government and coherent political leadership.

64 See Jason Stearns et al., *Mai-Mai Yakutumba: Resistance and Racketeering in Fizi, South Kivu* (London: Rift Valley Institute, forthcoming).

Ending regional interference

It will take years for the simmering unrest in the Kivus to end, given the state of the security forces and national institutions. It is unlikely, though, that the parochial militias described in this report will be able to extend their influence without outside support. In the past, such support, at least in Fizi and Uvira, has come from Rwanda, the FDLR, and, to a lesser extent, Burundian insurgent groups.

The Peace, Security and Cooperation Framework (the Framework Agreement) signed on 24 February 2013 creates an oversight mechanism to prevent this kind of regional interference. In order for this mechanism to be effective, however, it should establish criteria for what constitutes interference and how to detect it.

The UN Group of Experts on the DRC remains an important source of information on armed group support networks. Although the Rwandan government has attempted to discredit its findings, the Group's conclusions, including those regarding Banyamulenge armed groups such as that of Tawimbi and Nkingi—have generally been confirmed by other sources. The UN Special Envoy and the main donors to the region should strengthen the Group of Experts with financial and human resources and take decisive action against UN sanctions violations. A first step would be to persuade the Rwandan government to hand over individuals sanctioned by the UN, including Jules Mutebutsi, to the Congolese authorities as is required by the Framework Agreement. The Congolese government should in turn take action against army officers who have played an important role in supporting the FNL and FDLR.

Countries from the region should play a greater role in assessing and preventing interference in the DRC. The Joint Verification Mechanism (JVM) created in 2012 in response to the M23 crisis can be useful in this regard, but only if given the resources necessary and presided by a neutral facilitator, probably the African Union.

In future investigations, the role of Burundi in fomenting rebellion in Uvira and Fizi should be highlighted. Armed groups of many kinds maintain networks in Burundi, sometimes extending into Tanzania,

using it as a transit hub for smuggled gold, as a base for recruitment and financing, and for fostering relations with the Burundian government, but this information seldom inspires action by donors or regional governments.⁶⁵

Finally, there is a limit to the effect that sanctions can have. Neighbouring governments that perceive it as in their interests to keep a destabilizing hand in Congolese affairs are unlikely to be dissuaded by international condemnation. It is necessary for the leaders of such governments to come to see the benefits of peaceful economic collaboration—and this is only likely to happen if their own constituencies, the potential beneficiaries of peace, start to hold them to account.

65 Enough Project, 'M23 Rebels Making Millions through Gold Smuggling from Eastern Congo', 17 January 2013.

Appendix: Command structures

This chart shows the chain of command in each Banyamulenge rebellion since 2002, including ranks and ethnic/clan affiliations, where known.

MASUNZU/FRC REBELLION (2002–4)

Military

General Pacifique Masunzu (Abasinga)

Colonel Gasita (Abasita)

Colonel Diadoni Cuinistri (1st Battalion/Abatira) (*killed*)

Colonel Michel Rukunda Makanika (2nd Battalion/Abasinzira)

Colonel Stanislas Muheto (3rd Battalion)

Colonel José Mugema (Abega)

FRC Political bureau (post-2003)

Zachée Rugabisha (Abatware)

Kamanzi Kibibi (Abasinga)

Kiruhura Karojo

Julle Mbugamo

Dizoni Muheto

FRF REBELLION (2007–11)

Military

General Venant Bisogo (Party president/Abasita)

Colonel Michel Makanika Rukunda (Chief of Staff/Abasinzira)

Colonel Mukalay Mushonda (Abanyabyinshi)

Colonel Alexis Rugazura (Abanyabyinshi)

Colonel Shaka James (Abasegege)

Colonel Mitabu Kavuzamigeri Joseph (Abagorora)

Colonel Willy Mbonigaba (Abarundi)

Colonel Ruterera Mahoro (Abarundi)

Political bureau

Gasore Zébédée (Abadahurwa)

Levice Rukema Rusizana (Abagorora)

Philemon Sebintu Ndumusita (Abasita)

Munyangezi Rugorora

TAWIMBI REBELLION (2011–13)

Military

Colonel Richard Tawimbi Sebananya (Abazigaba)

Colonel Alexi Shaka Nyamusaraba

Colonel André Semahurungure Muhasha

Political bureau

Colonel Richard Tawimbi Sebananya (President/Abazigaba)

MUHIMA NKINGI/MCC/ALEC REBELLION (2012–13)

Military: Hauts Plateaux

Captain Muhima Nkingi (MCC president/Abanyabyinshi)

Lieutenant-Colonel Senanda Mugobozi

Lieutenant-Colonel Gentil Sebisusa Nbitira

Lieutenant-Colonel Shaka Umunyakarama

Major Ntayerwa Mukiga

Military: Moyens Plateaux

Major Bede Rusagara (chief of staff)

Colonel Ndori (commander of operations)

Colonel Gaswise Ruzanzura (officer of administration/Abasama)

Glossary of acronyms, words, and phrases

<i>Abagiriye</i>	warriors (Kinyamulenge)
ADP	<i>Alliance démocratique des peuples</i> / Democratic Alliance of Peoples
AFDL	<i>Alliance des Forces Démocratiques pour la Libération du Congo-Zaïre</i> / Alliance of Democratic Forces for the Liberation of Congo-Zaïre
ALEC	<i>Alliance pour la libération de l'est du Congo</i> / Alliance for the Liberation of the East of the Congo
ANR	<i>Agence nationale des renseignements</i> / National Intelligence Agency
Banyamulenge	people from Mulenge
<i>chefferie</i>	chiefdom, the highest level of customary administration
CCAP	<i>Comité de coordination des actions de paix</i> / Committee for the Coordination of Peace Actions
CCI	<i>Cadres de concertation inter-communitaire</i> / Platform for Inter-community Dialogue
CNDP	<i>Congrès national pour la défense du peuple</i> / National Congress for the Defence of the People
CNS	<i>Conférence nationale souveraine</i> / National Sovereign Conference
<i>commune rurale</i>	administrative entity, with some fiscal and administrative autonomy
<i>conseils de secteur</i>	local administrative bodies, with modest fiscal powers
CONSUP	<i>Conseil supérieur de la paix</i> / Superior Council for Peace
FARDC	<i>Forces armées de la République Démocratique du Congo</i> / Armed Forces of the Democratic Republic of the Congo
FDLR	<i>Forces démocratiques pour la libération du Rwanda</i> / Democratic Forces for the Liberation of Rwanda
FDP	<i>Force pour la défense du peuple</i> / Force for the Defense of the People
FNL	<i>Force nationale de libération</i> / National Liberation Forces

Framework Agreement	Peace, Security and Cooperation Framework, signed 24 February 2013
FRC	<i>Forces congolaises de résistance</i> / Congolese Resistance Forces
FRF	<i>Force républicaine fédéraliste</i> / Republican Federalist Forces
<i>groupement</i>	second highest level of customary administration
ICGLR	International Conference on the Great Lakes Region
ISSSS	International Security and Stabilization Support Strategy
JVM	Joint Verification Mechanism
MCC	<i>Mouvement congolais pour le changement</i> / Congolese Movement for Change
MONUC	<i>Mission de l'Organisation des Nations Unies en République démocratique du Congo</i> / United Nations Mission in the Democratic Republic of the Congo, (1999–2010)
MONUSCO	<i>Mission de l'organisation des Nations Unies pour la stabilisation en République Démocratique du Congo</i> / United Nations Organization Stabilization Mission in the DRC (2010–present)
MPCC	<i>Mouvement populaire pour le changement du Congo</i> / Popular Movement for Change in the Congo
MSD	<i>Mouvement pour la solidarité et le développement</i> / Movement for Solidarity and Development
Munyamulenge	person from Mulenge
OBMA	<i>Office des biens mal acquis</i> / Office for Ill-gotten Goods
RCD	<i>Rassemblement congolais pour la démocratie</i> / Congolese Rally for Democracy
RPF	Rwandan Patriotic Front
<i>secteur</i>	administrative entity at level between <i>groupement</i> and <i>territoire</i> (q.v.); <i>secteurs</i> and <i>chefferies</i> are also called <i>collectivités</i>
<i>territoire</i>	administrative entity at level between <i>collectivité</i> and district

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GROUPS RESPONSIBLE FOR INSECURITY ON THE GROUND.**

**— JEAN OMASOMBO TSHONDA, RESEARCHER, ROYAL MUSEUM
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