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THE DEVASTATING CRISIS IN EASTERN CONGO

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

OF THE

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THE DEVASTATING CRISIS IN EASTERN CONGO

TUESDAY, DECEMBER 11, 2012

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
AND HUMAN RIGHTS,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 3:16 p.m., in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order. Good afternoon. I apologize for the lateness in starting. Today's hearing will examine U.S. policy regarding the conflict in the Democratic Republic of the Congo. This conflict was exacerbated by Rwanda's intervention in neighboring Eastern Congo as documented by the release of three United Nations reports this year. These reports confirmed Rwanda's support of militia who have ravaged and continue to plague this region. The State Department was unavailable to testify at our September 19th hearing on this issue, and the subcommittee promised at that time the follow-up when State was available to testify.

In the aftermath of the 1994 genocide, successive U.S. administrations have turned a blind eye to reports of Rwandan plundering of resources from the DRC and support for rebels who have devastated Eastern Congo and its people. It seems that guilt over the Clinton administration's colossal failure responding effectively, as they did not, to the genocide in Rwanda, has led to subsequent U.S. administrations being reluctant to criticize the Government of Rwanda.

With these U.N. reports on the government's behavior in the DRC, we must overcome our regret over what happened 18 years ago. As an NGO letter to President Obama points out, the United States is now out of step with our European allies, who have cut aid to Rwanda because of their interference in the DRC, as recommended by the U.N. Group of Experts in their recent reports. The Group of Experts also recommended imposing sanctions on responsible Rwandan officials, including the Defense Minister.

Additionally, the Government of the DRC has failed to ensure that its military adequately provides security for its citizens. In fact, the National Forces of the Democratic Republic of the Congo is alleged to be a perpetrator of human rights violations in the East. Security sector reform is critical in the DRC, and the United Nations Organization Stabilization Mission in the DRC, or

MONUSCO, has not been able to completely train military elements that too often terrorize their own people instead of protecting them.

At this point, it is vital to understand what the administration intends to do about the U.N. reports on Rwanda's violations of the arms embargo, on nonstate groups in Eastern DRC, and how this impacts U.S. relations with Rwanda. Furthermore, we must know how the administration intends to deal with the DRC Government in light of its deficiencies in security sector reform. This hearing will also take a comprehensive look at who was responsible for the insecurity in Eastern Congo beyond the two governments and the militias.

Most attention is being paid to the M23 rebel movement in Eastern Congo, and justifiably so, in light of their recent seizure of territory and overall destructive impact on the people of Eastern Congo. However, there are reportedly as many as two dozen armed groups terrorizing Congolese in this region. According to a November 2012 report from Oxfam, Commodities of War, nine of these militias are believed to be the most prominent. They range from those with a focus on Rwanda or Uganda to those that were formed in response to the flight of perpetrators of the 1994 genocide in Rwanda to the DRC, or those singly focused on the DRC itself.

Whatever the reason for their founding, these militias have terrorized the people of Eastern Congo and the DRC as a whole. We must identify their support base and then the flow of arms and other aid that enables their ongoing reign of terror.

According to the U.S. Office for Coordination of Humanitarian Affairs, insecurity in Eastern Congo has displaced approximately 2.4 million people nationwide, especially in the East. Despite longstanding conflict in Eastern Congo, the OCHA estimates that the majority of displaced persons typically return to their areas of origin within 6 to 18 months of their initial displacement and require minimal return assistance. While that may be true, it does not account for the kind of life Congolese will have once they return to their homes. Women continue to be targeted for gross abuse in the DRC. A study that recently appeared in the American Journal of Public Health concluded that an average of 48 women and girls are raped every hour in the country.

So as with our February 2nd and September 19th hearings on the DRC this year, more than 100 females in DRC will have been raped before our hearing today ends. Their rejection by their families, husbands, and communities casts a cloud over their future effort to recreate communities destroyed by the militias in the DRC. This is an issue that must be addressed by the Congolese themselves, of course, with any help that can be provided from the outside, sooner rather than later.

Since our hearing in September, M23 has made significant gains in territorial control, occupying Goma for 10 days while moving southward potentially toward the South Kivu town of Bukavu. However, international pressure played a major role in the group ending its advance southward and withdrawing from Goma by early December. DRC President Joseph Kabila's government and the M23 rebels reportedly have agreed to peace talks in Kampala sponsored by the Government of Uganda. There have been peace

talks and peace accords in the DRC before, and they didn't hold, as we all know. Will this effort achieve a lasting peace?

The DRC is home to an abundant mineral wealth, including 70 percent of the world's coltan used to make vital components of cell phones and other electronic equipment, 30 percent of the world's diamond reserves, and vast deposits of cobalt, copper, and bauxite. Unfortunately, these natural resources have attracted international looters and fueled civil war. Now oil has been discovered in Eastern Congo. Can a way be found to prevent the DRC's blessings from being turned into curses?

The tragic genocide in Rwanda in 1994 has had lasting repercussions in the DRC, but since the 1880s resentment over the perceived influx of people considered foreigners in Eastern DRC has contributed to conflict in this region, including two regional wars. Various leaders of the region have used this antipathy for political purposes, pitting their supporters against their perceived opponents. Can the interethnic problems in the DRC and its neighbors be finally resolved so that a lasting peace among all the people of the DRC can be achieved?

Our witnesses today are well positioned to address questions regarding a path forward toward sustainable peace in the DRC and the obstacles that lie in that path. It is time now to find a way to bring an end to the horrific suffering of the people of the Democratic Republic of the Congo. I yield to my friend and colleague Ms. Bass for her opening.

Ms. BASS. Thank you very much, Mr. Chair, and thank you for your leadership on this issue and also for holding this important hearing. While this committee held a hearing on the DRC not too long ago, recent events in Eastern Congo motivate a closer examination of this current crisis. I want to especially thank Assistant Secretary, Ambassador Carson, and our other witnesses for offering testimony at today's hearing.

I would also like to commend many of you sitting in the audience for your tireless work toward peace and justice for those affected by the past and current crises. Your concerns have been heard, and this committee will continue to elevate the status of the DRC so it receives the international attention needed to bring about lasting peace and stability. Myself, members of this committee, and our colleagues in the Senate are deeply concerned with on-the-ground reports of human rights violations, forced rape, the recruitment of child soldiers, and the involvement of DRC's neighbors in the Eastern region.

I want to stress that there is a great need for the international community to work in common interest toward the resolution of a crisis that goes well beyond the M23. We must not look at the current M23 crisis in some civil, political, or military vacuum. For a credible, reasonable, and long-standing stability to take hold, I urge that transparent and accountable processes be put in place that can address reforms at all levels.

I want to be clear on this point. If we are to see an end to the violence and instability, then holistic reforms are desperately needed at all levels, including politically and economically. We must also see a dramatic reevaluation of the social constraints to reforms in civic engagement. The results of the deeply flawed 2011 election

lay bare the significant challenges that must be addressed if we are to see a dramatic and positive change of course.

Ambassador Carson, I will be interested to hear what new steps the State Department will take to address these very serious challenges that remain unaddressed.

Let me remind the committee what is at stake. Continued failure to achieve stability has torn families apart and shown clearly the base actions of those who have no concern for life and have not been brought to justice. For too long, the DRC has been ravaged by instability and war. For two decades, Eastern Congo has been under siege by armed groups. Yesterday it was the National Congress for the Defence of the People, today it is M23. What will it be tomorrow? Will we stand by and allow a fragile peace to be held together by empty promises? The violence, the rapes, the child soldiers, the murders must be brought to an end.

What is most troubling about this recent conflict is the documented involvement by neighboring governments and the DRC's territorial integrity. While the Rwandan and Ugandan Governments vehemently deny such involvement, a growing body of evidence raises questions that suggest otherwise. I close these remarks where I began, urging that all efforts be put toward establishing mechanisms that lay the foundation for lasting peace, not only in the DRC, but throughout the region. I ask that a letter being sent to President Obama be submitted for the record. Circulated by Representative McDermott, this letter calls for the establishment of a special U.S. envoy, U.S. Envoy, and U.N.—and African Union envoy. The purposes of these roles should be clear, to present a group of international stakeholders that can provide critical and balanced political pressure toward a unified policy to address all aspects of this regional crisis.

Also worth mentioning is a second letter to be sent to President Obama and Secretary Clinton signed by organizations, including Africa Faith and Justice Network, The Enough Project, Global Witness, Open Society Foundations, Refugees International, among many others.

[The letters referred to follow:]

Congress of the United States
Washington, DC 20515

December 10, 2012

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

We are following the unfolding conflict in Eastern Congo with deep concern. The State Department's diplomatic team has done an admirable job in helping secure M23's pullback from Goma and other towns of North Kivu while negotiations proceed.

We write to you to address a common concern that you have noted for years – that M23's formation and advance on Goma highlights the fact that Central Africa will not be able to reach its potential until the cycle of poor governance, violence, and proxy wars in Eastern Congo and the bordering areas in Uganda, Rwanda and Burundi come to an end and a lasting economic and security architecture are put in place.

M23's formation and inexcusable military advance, supported by Rwanda and to a lesser extent Uganda, is only the latest chapter in Central Africa's conflict. We feel the systemic problems that drive the cyclical fighting can be broken – but only if the political leaders of Central African country governments take decisive and sustained action and the international community maintains a heavy focus on these issues with sustained high level leadership.

We believe the incremental steps now being taken by outside leadership must be pushed to a higher level with ongoing daily leadership from the international community. The U.S. should appoint its own Presidential Envoy and, at the United Nations, advocate strongly for the appointment of a U.N. Envoy to Central Africa and Eastern Congo as well as encourage the African Union to appoint an envoy. These envoys should work together on leading the creation of a sustainable economic and security architecture that ensures peace in the region.

The U.N. Envoy should be a former head of state with the security and economic experience required and should be prepared for sustained engagement.

In addition to finalizing the end of the M23 rebellion, we believe it is imperative that these three envoys work on several concrete steps and not relent until they are accomplished. The U.N. envoy should lead this effort and the approach should be inclusive with governments, international organizations, civil

society, religious and ethnic groups all participating, each with proportional representation from women. These groups should work to accomplish the following:

- Carrying out justice for those individuals under indictment by the International Criminal Court (ICC). Without the arrests of indicted international criminals, there will not be peace in the region. This has been avoided to date because of some perceived collateral consequences of arrests – years later, these ICC-indicted criminals are leading new war insurgencies. It is time they were arrested and faced justice.

- Levying full-time pressure on the government of the Democratic Republic of the Congo (DRC) and neighboring governments to carry out systemic security sector reform. The elements of "SSR" have been discussed for years. Some steps have been taken in the DRC with positive results. Security sector reform should be instituted with the full energies of the DRC and neighboring governments and fully supported—with expertise, training and funds—from the international community.

- Securing the borders between the DRC, Rwanda, Uganda, and Burundi.

- Disbanding militias in the Eastern Congo and bordering countries and addressing countries' existential concerns by facilitating a process the ensures the respect and safety of all minorities in the DRC that meet international standards.

- Ending the black market for natural resources within the region, including conflict minerals, a large portion of which are transiting through Rwanda with Rwanda's assistance.

- Establishing a forum for ongoing dialogue and communications between MONUSCO and the DRC, Rwanda, Uganda, and Burundi to rebuild a relationship of trust and respect, the lack of which has been so damaging to regional progress towards peace.

- Formalizing a single forum to coordinate international aid and require aid accountability – a forum that includes not only traditional donor countries, but also less traditional donors like China and Angola, as well as the IMF, World Bank and others. Coordinated and transparent aid is critical for success.

Finally, we ask you to frankly and thoroughly communicate to the Rwandan government the responsibilities of the U.S. State Department to accurately classify military organizations that take on certain activities as "armed groups" in your Annual Human Rights Report. The participation of parts of the Rwandan Defense Forces in mineral smuggling and Rwanda's ongoing support of non-state militias not only violates international law but also puts the whole Rwandan economy at risk.

Many think such a classification of parts or all of the RDF as an armed group is well-documented and justified. If such a determination were made it would have severe consequences for the Rwandan economy. The black market for smuggled minerals and other natural resources is well known to be trafficked by groups within the Rwandan military, and this black market is destabilizing Eastern Congo – and creating a security and livelihood risk for neighboring countries and all Rwandans.

We appreciate the State Department's excellent work in facilitating the retreat of M23 from Goma and continuing to push for solutions to the immediate security situation.

We look forward to your attention to this matter and your response,

Sincerely,

Karen Bass
Member of Congress

Howard Berman
Member of Congress

Earl Blumenauer
Member of Congress

Suzanne Bonamici
Member of Congress

Michael Capuano
Member of Congress

Barbara Lee
Member of Congress

Betty McCollum
Member of Congress

James McGovern
Member of Congress

Brad Miller
Member of Congress

John Olver
Member of Congress

Jan Schakowsky
Member of Congress

Adam Smith
Member of Congress

Jim McDermott
Member of Congress

December 10, 2012

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

As the situation once again dramatically deteriorates in eastern Congo, the U.S. response to the crisis has patently failed and is out of step with other Western nations. The United States must take immediate steps to address meaningfully one of the greatest ongoing humanitarian crises of our generation. We call on you to appoint a Presidential Envoy to lead a coordinated U.S. response to the crisis, to support the appointment of a U.N. Envoy to the Great Lakes, to support the imposition of sanctions against violators of the United Nations arms embargo on DRC, and, finally, to cut all military assistance and suspend other non-humanitarian aid to the government of Rwanda for its support of the M23 insurgency.

Silence Regarding Rwanda's Involvement Exacerbating the Problem

Over the past 15 years, U.S. efforts to prioritize quiet diplomacy to address Rwandan involvement in eastern Congo have failed to deter Rwanda's continued incursions and use of proxy armed groups in the east. While Rwanda has legitimate security and economic concerns, these alone do not justify the repeated violation of DRC sovereignty, the egregious human rights abuses of their armies and proxy forces, and the countless violations of the UN arms embargo. Since the M23 was created in the spring of 2012, U.S. officials continued to place faith in engaging Rwanda in a constructive dialogue. This approach has clearly failed to change Rwanda's policy, as evidenced by the direct involvement of the Rwandan army in the recent takeover of Goma, as documented by the United Nations Group of Experts.

Failure to Build Democratic Institutions in DRC

At the same time, the government of DRC has continued to demonstrate an inability to bring security to its eastern regions, largely a consequence of its failure to undertake necessary security sector and governance reforms. Any new strategy to bring stability to the region must ensure tangible progress in building DRC's democratic institutions and the rule of law, including in the crucial areas of electoral reform, army reform, and the trade in natural resources.

ICGLR Process Insufficient for Durable Peace

We welcome the efforts of the International Conference on the Great Lakes Region (ICGLR), and the involvement of regional actors in finding a solution to the crisis. We also recognize, however, that the ICGLR's stopgap approach and reliance on military solutions will not bring sustainable peace to the region. At best, the current dialogue between the government of DRC and the M23 is likely to result in the reintegration of war criminals into the Congolese army and the continuation of violence and instability in the region. Efforts to achieve a durable peace must be led not by those who continue to perpetuate the conflict but rather by a credible internationally facilitated process.

Recommendations

We strongly recommend that the United States urgently take the following four steps:

- **Appoint a Presidential Envoy:** The Envoy would be a high-level individual with experience and relationships in the region who would be responsible for developing a unified policy toward the regional crisis. Your Envoy would leverage America's economic, political, and military influence to ensure that all parties fully cooperate with an international political process, and also work closely with the proposed UN Envoy.
- **Call for a UN Envoy to the Great Lakes:** The United States should urge the UN to appoint a high-level envoy to lead a credible international political process that addresses the continual cycles of violence and regional interference. This Envoy would work in conjunction with the African Union and other regional and sub-regional stakeholders.
- **Support robust UN Sanctions:** As a responsible supporter of the UN sanctions regime, the United States should push to impose sanctions on all individuals identified in the UN Group of Experts final report, including senior Rwandan government officials, and those individuals and entities supporting criminal networks through the trade in natural resources.
- **Suspend and cut off limited U.S. assistance to Rwanda:** The United States should cut all military assistance and suspend other non-humanitarian aid to the Rwandan government, while publicly condemning Rwanda's support for the M23. Such a step is crucial to encourage all parties to engage constructively in a comprehensive political process.

Absent serious and sustained action, the DRC faces a new period of prolonged violence or even collapse and disintegration. Most importantly, thousands of lives and livelihoods are at stake. In this moment of crisis, the United States has an opportunity to honor not only its values for the respect of human rights and international law but also to meet its interests in the long-term stability of the Great Lakes region.

Signed :

Africa Europe Faith and Justice Network
Africa Faith and Justice Network
Atma Foundation
The Enough Project
Falling Whistles
Freedom House
Global Centre for the Responsibility to Protect
Global Witness
Humanity United
Invisible Children
Jewish World Watch
Open Society Foundations
Refugees International
Resolve
United to End Genocide

cc: Secretary of State Hillary Clinton

Ms. BASS. In addition to calling for special envoys, this group boldly calls for global leadership to engage constructively in a comprehensive political process. Thank you, and I look forward to today's testimonies.

Mr. SMITH. Thank you very much, my friend, Ms. Bass. Any other panelists like to make an opening comment? Ms. Buerkle? Yes, Mr. Turner?

Mr. TURNER. Thank you, Mr. Chairman. Just I would like to raise a point. Throughout the conflict, the mines remain open, minerals, gems, rare earth provide the financing for the conflict, I think the motivation for a great deal of it. Who is buying this material, and what do we know about the chain of both dollars and material on an international basis? And is there anything that we or the U.N. or the African Union are doing to choke this off? That is it. Thank you, Mr. Chairman.

Mr. SMITH. Mr. Turner, thank you very much. I now introduce our witness from the U.S. Department of State, Ambassador Johnnie Carson, serves as Assistant Secretary of State in the Bureau of African Affairs, a position he has held since May 2009. Ambassador Carson has a long and distinguished career in public service, over 37 years in the foreign service, including time as our Ambassador to Kenya, Uganda, and Zimbabwe. Ambassador Carson has also served as the staff director of this subcommittee many, many years ago, and as a Peace Corps volunteer in Tanzania. Ambassador Carson is the recipient of numerous awards for his service from the U.S. Department of State. Mr. Ambassador, the floor is yours.

STATEMENT OF THE HONORABLE JOHNNIE CARSON, ASSISTANT SECRETARY, BUREAU OF AFRICAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. CARSON. Chairman Smith, Ranking Member Bass, members of the committee, thank you for the very kind invitation to testify before the subcommittee today on the crisis unfolding in the Eastern Democratic Republic of the Congo, the DRC.

As you know, the security and humanitarian situation in the Congo is the most volatile in Africa today. An estimated 5 million people have died in the years since the second regional war began in that country in 1997–1998, and millions more have been forced to flee their homes. The people of North and South Kivu provinces, in particular, have faced repeated cycles of conflict and shocking atrocities. The November 20th fall of Goma to the M23 rebel group provided a stark reminder that in spite of the international community's major investments in humanitarian aid and peacekeeping, the underlying causes of the recurring conflicts in the Eastern DRC remain unresolved.

The Congolese Government has failed to provide effective security, governance, and services in the Eastern provinces, and political and economic tensions persist between the DRC and its eastern neighbors, particularly Rwanda. Since the M23 rebellion erupted last spring, the United States has worked closely with international and regional partners to mobilize a comprehensive response aimed at preventing a further deterioration of the situation. Secretary Clinton, Ambassador Rice, and Under Secretary Wendy

Sherman have spoken or met with senior Congolese, Rwandan, Ugandan, and U.N. officials to advocate for a rapid and peaceful resolution to this crisis.

In the U.N. Security Council, we have taken action to ensure that five of the M23's most abusive commanders are now under targeted sanctions. We have also stressed the need to hold accountable all of those who commit human rights abuses and atrocities, and I myself traveled to the DRC, Rwanda, and Uganda between November 24 and 28 with my British and French counterparts to deliver a clear and common message that the Congolese, Rwandan, and Ugandan Governments must work together to stop this crisis and to work toward a sustainable resolution of underlying issues.

All three governments reiterated to us their commitment to these goals. We also stressed that there should be no impunity for senior M23 leaders who are under ICC indictment or international sanctions for human rights abuses. The M23 would not be the threat that it is today without external support, and we will continue to discourage outside parties from providing any assistance to the M23 movement. There is a credible body of evidence that corroborates key findings of the Group of Experts report concerning Rwandan Government support to the M23, including military, logistical, and political assistance.

The British Government has recently indicated that it shares this assessment. We do not have a similar body of evidence that Uganda has a government policy of support for the M23. Based on this evidence, we have repeatedly pressed Rwanda to halt and prevent any and all forms of support to Congolese armed groups.

Looking forward, we expect all parties, including Rwanda, to cease any support to M23 and other armed groups, abide by the Kampala Accords of November 21 and 24, and to work constructively with its neighbors and the international community and take affirmative steps to end impunity for M23 commanders responsible for human rights abuses in order to reach an acceptable political agreement.

We ask the Government of Uganda to also ensure that supplies to the M23 do not originate in or transit through Ugandan territory, including from individual officials who might be acting on their own. The Department continues to monitor closely all potential sources of external support, and we will continue to respond appropriately, including by reviewing our assistance to deter this support as the situation develops.

We are taking a number of other steps in concert with other international partners as a part of our comprehensive response to the current crisis. First and foremost, we are monitoring humanitarian needs and mobilizing an appropriate response. The humanitarian situation in the Eastern Congo remains deplorable, as it has been for years, but recent attacks by the M23 and other armed groups have displaced hundreds of thousands and left some areas of North and South Kivu inaccessible to humanitarian response.

The United States provided more than $110 million in humanitarian assistance for Congolese refugees, internally displaced persons, and conflict-affected civilians in Fiscal Year 2012, and at the U.N., we have urged donors to respond to the U.N.'s consolidated appeal for the Democratic Republic of the Congo.

Second, the International Conference on the Great Lakes Region, known as the ICGLR, the African Union, and the Security Council have all demanded that the M23 refrain from further offensive operations, and to remain out of Goma. While the Congolese Government has agreed to hear the grievances of the M23 in discussions that are now taking place in Kampala, we continue to call for accountability for the M23's most abusive leaders, and we will continue to speak out against the forcible recruitment of children and the other crimes of the M23's soldiers and rebels.

Third, we believe that Presidents Kabila, Kagame, and Museveni must continue to engage in direct talks to address the underlying causes of instability in the region as well as the potential drivers of progress. We support the appointment of a U.N. Special Envoy to facilitate a long-term solution of these problems, and we will consult with the U.N. Secretary General about this. We will work to ensure that any agreement between the parties is transparent, sustainable, and enjoys support and commitment of the region.

Fourth, more must be done to protect civilians in the Eastern DRC. We and our fellow Security Council members and troop-contributing countries are reviewing options for improving the U.N.'s ability to protect civilians and help implement defined aspects of a potential regional political settlement.

Fifth, the DRC Government has the primary responsibility for protecting its territory and all, all of its citizens. We are urging President Kabila to take clear and bold measures to ensure that the soldiers of the Congolese army are professionally trained, adequately paid and supported, and respectful of their citizens and of international human rights norms. The extension of effective governance combined with legitimate provincial elections would also help to underpin a lasting peace.

We believe that the time has come for the region's leaders and the international community to break the cycle of violence and impunity that has existed for far too long in the Eastern DRC. We and, most importantly, the region's political leaders must ensure that the national security and territory, integrity of the DRC, Rwanda, Uganda, and Burundi are protected. We must help build a future for people who have seen more conflict than peace over the past 2 decades. We must help turn the vast mineral and agricultural wealth of the Eastern DRC into a source of economic pride and progressThe Honorable Johnnie Carson, assistant secretary, Bureau of African Affairs, U.S. Department of StateMr. John Prendergast, co-founder, The Enough ProjectMr. Steve Hege (former member United Nations Group of Experts on the Democratic Republic of the Congo)Mr. Mvemba Dizolele, Peter J. Duignan Distinguished Visiting Fellow, Hoover Institution, Stanford University benefiting the people of the region and not contributing to conflict.

The leaders of the region must establish nonviolent means of addressing their political, security, economic, and border differences. As Secretary Clinton noted when she visited Goma in 2009, the Congolese people are courageous and resilient, and there are reasons for hope across the entirety of the DRC, including progress toward paying soldiers through electronic and mobile banking, and

building the capacity to provide justice in response to mass atrocities and human rights violations.

We need to build on these steps, which have been gravely set back by the current M23 rebellion. The decisions taken today, the decisions taken now will have a direct impact on what happens over the next several months as well as the next several years. They will affect the behavior of other militias in the Kivus, the success of reforms to promote the conflict-free trade and mineral resources, and the ability to sustain operations against the vicious Lord's Resistance Army of Joseph Kony that has operated in the northern part of the DRC and in the Central African Republic.

Today's crisis is a tragedy, but it also offers a genuine opportunity to help the Congolese people set a more sustainable course toward peace and stability in their own country as well as with their neighbors. The framework for action at the national, regional, and international levels that I have outlined today could help enable the peoples of the region to escape the recurring cycles of conflict which have hampered progress in the Eastern Congo for nearly 2 decades.

Thank you again for the opportunity to testify this afternoon. I have a longer submission for the record which you may have. I look forward to answering any of your questions.

Mr. SMITH. Thank you so much, Mr. Ambassador. Without objection, your full statement and the letters referenced by Ms. Bass before will be made a part of the record.

[The prepared statement of Mr. Carson follows:]

Testimony
Assistant Secretary Johnnie Carson
Bureau of African Affairs
U.S. Department of State
Before the House Committee on Foreign Affairs
Subcommittee on Africa, Global Health and Human Rights
"The Devastating Crisis in Eastern Congo"
Tuesday, December 11, 2012

Chairman Smith, Ranking Member Bass, and members of the Committee. Thank you for the invitation to testify before the Subcommittee on the crisis unfolding in the eastern Democratic Republic of the Congo, or DRC.

As you know, the security and humanitarian situation in the Congo is the most volatile in Africa today. An estimated five million people have died in the years since the second regional war began in 1998, and millions more have been forced to flee their homes. The DRC is also the site of one of the world's longest-running and most expensive peacekeeping operations, having hosted a UN peacekeeping presence for several years after its independence in 1960, in addition to the more recent UN missions starting in the late 1990s. The people of North and South Kivu provinces in particular have faced repeated cycles of conflict, atrocities, and displacement. An unthinkable number of women, men, and children have experienced sexual violence or rape at the hands of soldiers and armed groups.

The November 20 fall of Goma to the M23 rebel group provided a stark reminder that, even as the international community has made major investments in humanitarian aid and peacekeeping, the underlying causes of the recurring conflicts in eastern DRC remain unresolved. The Congolese government has failed to provide effective security, governance, and services in the eastern provinces, and political and economic tensions persist between the DRC and its eastern neighbors, particularly Rwanda. The current crisis has been fueled and exacerbated by outside support to rebel groups operating in the Kivu provinces.

The M23 is one of many armed groups operating in the eastern DRC. Most of its officers were at one time nominally integrated into the Congolese army, a concession they extracted after nearly capturing Goma as part of a precursor insurgency in 2008. Once integrated, these officers operated in a parallel chain of command and enjoyed impunity for their human rights abuses and illegal exploitation of the country's mineral wealth. When the Congolese government

appeared poised earlier this year to challenge these arrangements, several of these officers mutinied and constituted themselves under a new name, the M23. The commanders of the M23 represent a "who's who" of notorious human rights abusers in the eastern DRC. They include Bosco Ntaganda, who faces an International Criminal Court arrest warrant for sexual violence and other crimes against humanity and continues to play an active role in the militia.

Since the M23 rebellion erupted last spring, the United States has worked closely with international and regional partners to mobilize a comprehensive response aimed at preventing a further deterioration of the situation, securing an end to hostilities, and maintaining humanitarian assistance. In September, Secretary Clinton met with Congolese President Kabila and Rwandan President Kagame at the UN General Assembly to urge them to engage in a more constructive dialogue. In the UN Security Council, we proposed and supported new actions to ensure that five of the M23's top commanders are now under targeted sanctions. We have also stressed the need to hold accountable all of those who commit human rights abuses. Ambassador Rice has remained directly engaged with senior UN officials throughout the crisis, as we believe it is critical that the UN continue to play a key mediating role. In early November, Under Secretary of State Wendy Sherman traveled to the region to meet with key heads of state to urge a rapid and peaceful resolution to this crisis.

In response to the M23's offensive on Goma last month, I traveled to Kinshasa, Kigali, and Kampala between November 24 and 28 with my British and French counterparts. During meetings with senior Ugandan, Rwandan, and Congolese officials, we delivered a clear and common message: as agreed in the November 21 and 24 Kampala communiqués, there must be an immediate cessation of hostilities and M23 must withdraw from Goma; the Congolese, Rwandan, and Ugandan governments should ensure the implementation of these commitments; and any outside support to the M23 is unacceptable and must stop. We also urged top officials in the Congolese, Rwandan, and Ugandan governments to work together toward a sustainable resolution of underlying issues. All three governments reiterated to us their commitment to these goals. So far, the cessation of hostilities between Congolese forces and the M23 appears to be holding. Most M23 forces appear to have withdrawn from Goma, though many remain much closer to the city than the Kampala agreements called for.

We also stressed that, while the DRC government has agreed to hear the political grievances of the M23, there should be no impunity for senior M23

leaders who are under ICC indictment or international sanctions for human rights violations.

The M23 would not be the threat it is today without external support, and we will continue to discourage outside parties from providing any assistance to the M23. There is a credible body of evidence that corroborates key findings of the Group of Experts' reports – including evidence of significant military and logistical support, as well as operational and political guidance, from the Rwandan government to the M23. The British government has recently indicated that it shares this assessment. We do not have a similar body of evidence that Uganda has a government-wide policy of support to the M23.

Based on this evidence, we continue to press Rwanda to halt and prevent any and all forms of support to Congolese armed groups. As required by law, the Department suspended Foreign Military Financing funds to Rwanda this year. Looking forward, we expect all parties, including Rwanda, to cease any support to M23 and other armed groups, abide by the November 21 and 24 agreements, and to work constructively with neighbors and the international community and take affirmative steps to end impunity for M23 commanders responsible for human rights abuses in order to reach an acceptable political agreement. We ask the government of Uganda to ensure that supplies to the M23 do not originate in or transit through Ugandan territory, including from individual officials that may be acting on their own. The Department continues to closely monitor reports of external support and we will continue to respond appropriately, including by reviewing our assistance, to deter this support as the situation develops.

We are taking a number of other steps, in concert with our international partners, as part of our comprehensive response to the current crisis.

First and foremost, we are monitoring humanitarian needs and mobilizing a response. The humanitarian situation in the eastern Congo remains deplorable, as it has been for years, with more than two million Congolese currently displaced internally or to neighboring countries. The recent attacks by M23 and other armed groups have displaced some 500,000 more. The re-opening of the Goma airport on December 5 was an important step toward ensuring that vulnerable populations receive the emergency assistance they need. UN officials report that humanitarian organizations currently maintain sufficient capacity to respond to immediate humanitarian needs in and around Goma, but some areas of North and South Kivu are still not accessible to humanitarians because of insecurity. The United States provided more than $110 million in humanitarian assistance for Congolese

refugees, internally displaced persons, and conflict-affected civilians in Fiscal Year 2012, including a $5 million supplemental contribution for the increased needs in the DRC, Uganda, and Rwanda as a result of displacements caused by the M23 rebellion. At the UN, we have urged donors to respond to the UN's consolidated appeal for the DRC.

Second, the International Conference on the Great Lakes Region, or ICGLR, the African Union, and the Security Council have all demanded that the M23 refrain from further offensives and stay out of Goma. In the ICGLR talks, the Congolese government agreed to hear the grievances of the M23. We are calling on the DRC, neighboring governments, and the broader international community to ensure accountability for M23 leaders who have committed serious human rights abuses. And we will continue to speak out against the forcible recruitment of children and the other crimes the M23 continues to commit against Congolese civilians. We also call on governments to enforce the terms of the travel ban and asset freeze imposed by UN sanctions.

Third, we believe that Presidents Kabila, Kagame, and Museveni must continue to engage in direct talks to address the underlying causes of instability in the region. These include conflict over land, tensions in areas where refugees have returned or may seek to return, armed rebel groups and their support networks, and the illegal exploitation of natural resources. The governments of the DRC, Rwanda, and Uganda also have opportunities to discuss potential drivers of progress, including new agreements and concrete initiatives on economic integration and peace and security issues. We encourage the UN Secretary-General to appoint a UN Special Envoy to engage on a sustained basis to facilitate ongoing discussions toward a long-term solution of these long-standing problems. We need such a high-level Special Envoy to be dedicated to the hard work of helping develop this long-term solution with all of the relevant stakeholders and to ensure that the solution is implemented over the long run, especially when the world's attention turns to the next crisis. We intend to continue working with our European, African, and UN partners to support this dialogue. We will work to ensure that any agreement is transparent, sustainable, and enjoys the support and commitment of the region, including Congolese civil society and civilian communities.

Fourth, we appreciate the brave service of peacekeepers from several dozen countries operating in very difficult, often dangerous conditions. Yet more must be done to protect civilians in the Eastern DRC. We and our fellow Security Council members and troop contributing countries are reviewing options for

improving the UN's ability to protect civilians and help implement defined aspects of a potential regional political settlement. We must remain realistic about what MONUSCO can be expected to achieve to protect civilians across a large expanse of DRC territory. We are also following the regional Great Lakes proposal to develop an effective regional fighting force in the Kivus that would confront the M23 and other armed groups. We are strongly encouraging our partners to ensure these efforts are coordinated with, and perhaps even integrated into, UN peacekeeping efforts.

Fifth, the DRC government has the primary responsibility for protecting its territory and all its citizens. We are urging President Kabila to undertake a credible effort to professionalize and reform the Congolese security forces. This will take time, but the Congolese government needs to take clear and bold measures to ensure that its soldiers are professionally trained, adequately paid and supported, and respectful of international human rights norms. We also find very disturbing, and recognize the need to address, the abuses committed by the Congolese military, including recent reports of rapes and looting in North Kivu. At the same time, we are making clear that the Congolese government must accelerate its efforts to deploy and strengthen state institutions and provide needed public services in the Kivus. The extension of effective governance, combined with legitimate provincial elections, is necessary for a lasting peace.

We believe that the time has come for the region's leaders and the international community to break the cycle of violence and impunity in the region. We, and most importantly, the region's political leaders, must ensure that the national security and territorial integrity of the DRC, Rwanda, and Uganda are protected; must help build a future for people who have seen more conflict than peace over the last two decades that is rooted in strong and credible institutions, the transparent and legitimate use of the East's vast mineral wealth for economic development and not personal gain, and respect for human rights; and must establish non-violent means of addressing their differences. It is for this reason that even as we tackle the immediacy of the current crisis, we are also focused on the equally urgent need for a long-term and lasting solution.

As Secretary Clinton noted when she visited Goma in 2009, the Congolese people are courageous and resilient. There are reasons for hope in the DRC. The Congolese army has begun implementing a program to pay its soldiers through electronic and mobile banking and has committed to removing the last vestiges of the use of child soldiers. Thousands of combatants and dependents from the *génocidaire* militias have been demobilized and returned to civilian society. And

for the first time, a horrific mass rape in January 2011 was followed with swift criminal justice for the perpetrators and the officers who directed them.

We need to build on these steps, which have been gravely set back by the M23 rebellion and the violence committed by other armed groups. The decisions taken now will set the trajectory of the next several years. Other abusive militias in the Kivus are watching to see if violent behavior is an effective path to power and influence. Reformers who are promoting a conflict-free trade in mineral resources are watching to see if insecurity will be allowed to continue and prolong the conditions favorable to illegal smuggling. The FDLR militia is still active in the Kivus. The vicious Lord's Resistance Army of Joseph Kony, which operates hundreds of miles away on the DRC's northern borders, is watching to see if insecurity in the Kivus will undermine regional efforts to deny it a safe haven. And the world is watching to see whether the eastern Congo can transcend its history as a theater for proxy conflict and finally have the chance to move toward peace.

If we are to stop the recurring lethal violence, rape, humanitarian emergencies, and cross-border conflict in the eastern DRC that have cost millions of lives and billions of dollars, we must move beyond short-term fixes. Today's crisis is a tragedy, but it also offers a real opportunity to help the Congolese people set a more sustainable course toward peace. The framework for action at the national, regional, and international levels that I have outlined today could help enable the peoples of the region to escape the recurring cycles of conflict.

Thank you again for the opportunity to testify. I look forward to answering your questions.

Mr. SMITH. Mr. Ambassador, a couple hours ago, at least online, the Guardian newspaper posted an article, the title of which is, "Obama accused of failed policy over Rwanda's support of rebel group," and it points out the letter that we all are aware of, signed by 15 organizations, takes the administration to task for its policy. The article begins, "Leading campaign groups and thinktanks have written to Barack Obama accusing him of a failed policy over Rwanda's support for rebels in the Democratic Republic of the Congo, and calling on the President to impose sanctions." The letter says in pertinent part, "As the situation once again dramatically deteriorates in Eastern Congo, the U.S. response to the crisis has patently failed and is out of step with other western nations. Since M23 was created in the spring of 2012, U.S. officials continue to place faith in engaging Rwanda in a constructive dialogue. This approach has clearly failed to change Rwanda's policy, as evidenced by the direct involvement of the Rwandan army in the recent takeover of Goma as documented by the United Nations Group of Experts." The Rwandans say that the report is fabricated and "The U.N. group's report says: 'Rwandan officials co-ordinated of creation of the rebel movement as well as its major military operations' as well as providing troops and arming the group."

It recommends imposing sanctions against Rwandans officially. You have just testified there is a credible body of evidence that corroborates key findings of the Group of Experts reports, including evidence of significant military and logistical support as well as operational and political guidance from the Rwandan Government to the M23. You also point out that we do not have a similar body of evidence that Uganda has a government-wide policy of support to M23.

Now, as we all know, and I on the House side pushed very hard to get this legislation passed, a bill that was authored by then-Senator Barack Obama called the Democratic Republic of Congo Relief Security and Democratic Promotion Act of 2006. It calls on the U.S. Government to withhold assistance to any foreign country taking action to destabilize the DRC.

I wonder if you could tell us, do the actions of Rwanda merit a withdrawal of funding? Does it not rise to, given the corroboration of evidence, as you pointed out, to withholding aid to Rwanda until they change?

Mr. CARSON. First of all, Mr. Chairman, I reject the headline that the administration has failed to speak out against the M23 and against those——

Mr. SMITH. That is not what they said, with all due respect. They talked about a failed policy, not that we didn't speak out against M23, so just be clear.

Mr. CARSON. I think that what we say and do is a part of the policy effort, and I reject that notion, and I must reject it pretty soundly. First and foremost, we have been engaged on this issue since the M23 rebellion began in April of this year. Since April up until yesterday, we have at all levels of the U.S. Government, senior levels of the U.S. Government been working to advance greater peace and stability, an end to the current fighting, a current withdrawal of M23 from Goma, and discussions between the leaders in the region.

Let me just give you a quick catalog. Certainly between April and September, I and Under Secretary for Political Affairs, Ambassador Wendy Sherman, were in contact on numerous occasions telephonically with leaders in the region. I also met with leaders about this issue at the African Union summit in June.

In September of this year, Secretary Clinton invited the Presidents of Rwanda and of the DRC to meet with her on the margins of the U.N. General Assembly to try to find ways to end the current rebellion. We participated in September as well in Secretary General Ban Ki-moon's special meeting on the Great Lakes Region. In addition, Under Secretary Wendy Sherman traveled to the region in October, met with Presidents Kagame, Kabila, and Museveni, and this was one of the most important of her sets of meetings out there. She met with President Kagame for over 5 hours in Kigali on that visit.

Shortly after that we actually did take some action. Because we had information that we believed indicated Rwandan support, we cut off our foreign military financing to the Rwandan Government, one of the first such public acts by any government. And I can say that I traveled to the region for several days just after Thanksgiving and traveled to Kampala, to Kigali, and to Kinshasa to meet with the leaders of all three countries. I also traveled with my British and French counterparts. In addition, we have sanctioned M23 leaders. We are about to sanction more M23 leaders and officials, and we have continued to advance our diplomacy as well as speak out against what has been happening in the region.

So, Mr. Chairman, with all due respect, anyone who would suggest that we have been inactive would be——

Mr. SMITH. Again, Mr. Secretary, or Mr. Ambassador, you are both, no one is suggesting inactivity. It is the policy itself that is under scrutiny and being criticized by those 15 organizations, and—I mean, let me ask you this: Are there sanctions contemplated or have there been any sanctions imposed upon any Rwandese officials or military?

Mr. CARSON. No. But we have, as I pointed out, implemented sanctions which have cut off foreign military financing to the Rwandan Government and to the Rwandan military.

Mr. SMITH. Let me ask you, Mr. Secretary——

Mr. CARSON. I think those are sanctions, and I think they are very public, and they have been terminated.

Mr. SMITH. You mentioned support for U.N. envoy. How about a U.S. envoy?

Mr. CARSON. We actually have a U.S. Envoy for the Great Lakes Region. His name is Ambassador Barrie Walkley. He has been on the job for nearly a year. Ambassador Walkley is infinitely qualified to serve as our envoy there. He has served in two francophone African countries as Ambassador and he has previously served as deputy chief of mission in the DRC. He travels to the region quite frequently, and so there is an envoy out there already. One may quibble with the level, but the existence is there. He is active, and he is working hard on this issue along with other officials.

Mr. SMITH. Understood. But the gravitas of a Presidential envoy I believe would send, perhaps, a stronger message to those that are part of the peace process.

Let me ask you, if I could, John Prendergast, in his statement, very strongly says, "By global standards the international effort to construct a credible peace process for Congo is manifestly derelict, condemning that country to further cycles of devastating conflict. When the curtain is pulled back, when one looks behind the occasional United Nations Security Council resolution calling simply for an end to the violence, the international diplomatic response is revealed to be shockingly ineffective, perhaps even violating the Hippocratic Oath, 'first do no harm.'" Then he goes on from there. How do you respond to that?

Mr. CARSON. Well, I think I don't need to respond for the entire international community. All I do is respond for the U.S. Government. I know Mr. Prendergast, we have been long-time colleagues and friends. He has a great deal of knowledge and expertise on the region, but I would submit that the actions that we have taken reflect a high degree of interest in this situation.

Mr. SMITH. Would troops recently pledged by the South African Development Community comprise a credible force to protect the DRC-Rwanda border?

Mr. CARSON. Last week, the SADC countries met in Dar es Salaam, and there they agreed to send in some 4,000 troops into the Eastern DRC to serve as an international or, I should say, a neutral international force; 1,000 troops were pledged by Tanzania, the other 3,000 were going to be drawn from a southern African standby force. I do not know the capacity or the ability of the countries in the region to pull those troops together, but what I would say is that the U.N. currently has the largest peacekeeping force in the world in the DRC, and if there is an interjection of a new force, it should be done very carefully in cooperation and collaboration with the United Nations. It should be well thought out and well resourced, and one should consider whether it is not better to augment and integrate those new forces into an expanded and more assertive U.N. force than to create a new force that would be operating in the area in which there are already a large number of military and rebel forces. It could create some concerns about operational effectiveness and operational overlaps.

Mr. SMITH. I, too, have been in Goma myself a few years back, and know how unbelievably unstable that area is. Part of the problem, I believe, is that there are insufficient troops deployed, even under the large U.N. deployment there, and then there is always the question of the rules of engagement.

Let me ask you one final question before I yield to my friend, Ms. Bass. There are rumors, maybe they are just rumors, that the administration sought to delay the U.N. Group of Experts report on the DRC this past summer and attempted to soften criticism of Rwandan involvement with M23. Can you speak to that?

Mr. CARSON. I reject that as out of hand.

Mr. SMITH. Okay. And one final question, the Rwandans join the U.N. Security Council next year. Does that have any bearing on what our policy will be, particularly when it comes to sanctions, since they will be on the Security Council?

Mr. CARSON. No, it does not. I would just hope that the Rwandans, when they join the Council, will carry out their duties

in a responsible and thoughtful way just as the other 15 members of the Security Council do.

Mr. SMITH. Ms. Bass.

Ms. BASS. Thank you, Ambassador Carson. I want to change the subject a little bit and wanted to ask if you could speak to some of the background of the M23. I mean, I do understand, you know, when they started and why, but I just wanted to know if you had any further insight as to what their ultimate aim is, what is the motivation for them to continue, and also, the idea—you mentioned that there wouldn't be impunity to the commanders of the M23 to be reintegrated back into the DRC's Armed Forces, but how do you reintegrate any of them? How big is the M23? How many soldiers are there?

Mr. CARSON. Let me speak to the first question of aim and motivation. I believe that the current group of M23 rebels want to be able to maintain themselves as consolidated military units in the eastern part of the DRC. I think they see themselves as guardians of the Tutsi population in the East. I suspect that some of them have political ambitions and would seek to try to be able to be the top officials in local administrations in the East.

Beyond that, I don't know what their aims and motivations are. I know that when this rebellion started back in March and April there was a clear desire on the part of the now constituted M23 rebels not to be moved from the eastern part of the DRC into other parts of the country, and their officers did not want to leave the military commands in which they had been assigned to take on different commands.

Impunity, I think there should not be impunity for those M23 leaders who fall into three categories—those who are clearly ICC indictees, those for whom there are international and binational sanctions already, and thirdly, for those where there is evidence or a growing body of evidence that they have, in fact, committed atrocities and war crimes and rapes throughout the last 7 or 8 months. I don't have an exact figure for the number of M23 rebels. Initially when they broke away in April of this year, the number was probably no more than 1,000. Today that number has probably swelled for a lot of reasons, but it is not a legion of people.

Ms. BASS. You know, when you were saying previously that what the President, one of the things that led to the recent rebellion was the President trying to scatter the troops, because how can you ever have peace if, even if you did have sanctions against the top commanders, how can you have an army when you have a faction that wants to separate and operate independently? I don't know how that works.

Mr. CARSON. It doesn't work very well. But let me say that there have been a number of countries that have effectively integrated rebel groups into their militaries and in the process, have made those militaries stronger and more consolidated. Here I think there was an effort by the M23 not to leave the Kivus, not to be reassigned to other parts of the DRC, and for their leaders, not to move out of the areas in which they called home. I don't think you can effectively operate a military in which you have a reintegrated rebel group deciding what it wants to do rather than what the military command and the government wants it to do.

Ms. BASS. Right. Exactly. You also talked previously about the ongoing tension on the border of Rwanda and the DRC, and you mentioned the U.N. peacekeeping forces, and also the possibility of troops coming from South Africa to secure that border. Where are the peacekeeping troops? Are they all over? Aren't they already on that border?

Mr. CARSON. No, they aren't. I think that the MONUSCO troops are scattered throughout the eastern part of North and South Kivus. They are there largely to protect civilian populations, refugees, and displaced persons. They are not, in fact, monitoring or working and observing along the border, but are near and in towns, villages, near refugee camps and displaced-persons camps to respond to crises and to help the FARDC, the Congolese military, when they are called upon to do so.

Ms. BASS. Could you speak to the impact that conflict minerals might be playing, the role conflict minerals might be playing, especially in providing resources to the M23?

Mr. CARSON. Let me say that conflict minerals have always been a factor in providing resources to rebel groups in the eastern part of the Congo, but quite honestly as serious as conflict minerals are, they are probably not the primary reason for the current crisis. They are one of the, you know, underlying systemic reasons why the crisis can continue, but I think that the current crisis is to be found in what are the so-called grievances and in discipline of the M23 and the support that they have received from outside of the country.

Ms. BASS. And then finally, how would you assess the U.S. Government's response to the humanitarian crisis in the eastern region of the DRC, if you could describe it?

Mr. CARSON. I think, as I noted in my testimony, we have given in excess of $110 million in humanitarian assistance.

Ms. BASS. Maybe you could explain what some of those dollars are for?

Mr. CARSON. These dollars are used to provide food to displaced persons throughout both North and South Kivus, it is to provide food and assistance to refugee populations who are there, it is to provide shelter, shelter material and blankets, it is also to provide clean and potable water, and also to provide prophylaxis for malaria and also the medicines for dealing with issues of cholera and hygiene.

Ms. BASS. And, I am sorry, just one final question. What more would you like to see from Congress? How can we be helpful in this situation?

Mr. CARSON. Congresswoman Bass, I think your hearings, hearings such as this one give us downtown an opportunity to indicate to you what we are doing. They also give us an opportunity to hear from you what things you think we haven't been doing that might be useful to do to improve the situation.

Mr. SMITH. Without objection, a statement from World Relief will be made a part of the record. I yield to Mr. Marino.

Mr. MARINO. Thank you, Chairman. Thank you, Ambassador, for being here today.

Mr. Ambassador, my research shows me that the United States, perhaps with some assistance from other countries in Europe, have

given about $1 billion over the last 10 years to Rwanda and not quite that much to Uganda. Can you explain if we have reduced any amount given to either of those countries and how much?

Mr. CARSON. Mr. Congressman, we have certainly in the last 6 months reduced our foreign military financing to Rwanda by some $200,000. This would have been monies that the Rwandan military could have used for the financing and purchasing of equipment. We have not reduced any of our development assistance money to Rwanda, and I might say here that Rwanda does a remarkably good job of utilizing its foreign assistance resources probably more effective than most countries across Africa. They do a very good job in using that money to provide health care, agriculture, education to their people, and they do get very high marks for that. We have not touched any of their development assistance money.

Mr. MARINO. How do you draw the distinction between where the—did you say $200,000? That is a drop in the bucket, $200,000. And I think the remark from the Prime Minister or the General was $200,000 was nothing, it doesn't bother us at all. So it doesn't seem that we are very serious about this, blatantly not very serious about this, and how is the so-called remainder of the billion over the 10 years less the $200,000, how is that disbursed and who disburses it?

Mr. CARSON. I am not sure what the billion is that you are referring to?

Mr. MARINO. The billion dollars that my research shows that the U.S., with some assistance from Europe, has given Rwanda over the last decade. Now, you say that has been reduced at least this year, I am assuming this year by $200,000, so if you break that billion over a 10-year period, still $200,000 is nothing over an annual basis, and how can we guarantee that even though there is a reduction of $200,000, and you say, I believe you say to the military, and correct me if I am wrong, it is all fungible.

Mr. CARSON. It is not fungible. Let me, first of all, say that in Fiscal Year 2012 that has just concluded, we provided Rwanda with some $195 million in assistance. This money went primarily into health and to agricultural programs. Rwanda has used its development assistance dollars extraordinarily well. As I said, probably better than most other African countries and most other developing countries.

Mr. MARINO. How do you——

Mr. CARSON. Moreover, we do not provide them with direct budgetary support. We are not providing them with a check or with cash. We work through NGOs, through international development organizations and agencies, and there is a high degree of accountability for all of the funding that we have given to the Rwandan Government. Their utilization of foreign assistance in an effective manner really is not at question nor at issue because in that regard, we have to be both frank and honest, and they do a very good job. We don't give them cash, we don't write them a check, but the monies that they get through the international partners is effectively utilized for the purposes it is intended for. We are pretty——

Mr. MARINO. I have understood through my research and contacts that there has been a great deal of hijacking of these resources by groups such as M23 and using it for their own purposes

or selling that to buy weapons. Do you have any information on that?

Mr. CARSON. Not—I am not aware of that whatsoever.

Mr. MARINO. Has the U.S. had any contact, directly or indirectly, with M23 leaders?

Mr. CARSON. No. I am not aware of any direct contact between U.S. officials and M23 leaders. There have been two meetings in Kampala between leaders of the M23 and members of the DRC Government along with other diplomats. We have been in the room as observers when those sessions have been public, but we have had no direct contact of which I am aware with any, and I underscore any M23 leaders.

Mr. MARINO. Are there any plans to get more directly involved for whatever reason by the Department of State with M23?

Mr. CARSON. Well, I think—no, not at the—no, not that I am aware of. Certainly not.

Mr. MARINO. You stated that numbers have increased with M23, they have swelled over the last several months. For what reasons?

Mr. CARSON. Defections from the FARDC, recruitment of individuals in the communities that they have captured and taken over, the forced recruitment of young men, all of these have contributed to an expansion of their numbers.

Mr. MARINO. You started explaining a little bit the reason for the crises, but can you expand upon your answer as what you see the cause, the direct cause of the crisis that is taking place, particularly with M23's origination?

Mr. CARSON. Well, M23 rose out of the—an organization called the CNDR which was integrated into the Congolese army back in March 2009. Most of these individuals were from North and South Kivu, they were a part of a rebel movement. Most of them were Rwandaphones and Tutsis in origin. In order to bring an end to a previous rebellion by this group, the Government of the DRC brought them in to the military, integrated them in, and attempted to make them a part of the army. They broke away in April of this year. I might add that not all of the CNDR members from 2009 and before broke away. Some of them remained in the army. But the principal reasons for their decision to bolt and run, they claim, was a failure of the DRC Government to live up to the agreement of March 23, 2009, but other things that are clear is that the DRC Government wanted to move units, some of these integrated CNDR units to other parts of the country. They resisted this. They wanted to move some of the leadership to other parts of the country. They resisted this.

President Kabila also did something that disturbed the CNDR, and he announced that he would try to arrest one of the most notorious of the CNDR leaders who had been integrated into the army, and that was Bosco Ntaganda, who was an ICC indictee, and so all of these reasons that have a lot to do with disgruntlement within this integrated rebel faction are the background to the current crisis.

Mr. MARINO. Mr. Ambassador, you stated that the aid that we are supplying to Rwanda via NGOs, how can we guarantee that any of that aid is not going into regions controlled by M23.

Mr. CARSON. Again, I want to separate both the DRC from Rwanda. We have no evidence, no proof that any of the aid that we have given to Rwanda has been misused or mischanneled into the hands of any rebel group. As I said before, the issue here really is not about the effective utilization of aid and aid resources. Rwanda has a high level of credibility with respect to the way it uses its resources. That is not at issue. I have no doubt that they are using their resources well.

So it is not funneling across the border, and it is not direct assistance, so we work with NGOs and international organizations. We audit what we give, and they use it efficiently. It is not being misused.

And in the areas of the DRC, we are providing only humanitarian support and assistance. And that humanitarian support and assistance is going through organizations, mostly U.N. organizations, World Food Programme, or through UNHCR, or through the development assistance arm of the international—of the United Nations, or through Caritas or Save the Children or ICRC.

Mr. MARINO. Is that an audit that the State Department conducts or is that an audit based on information that the NGOs give the State Department?

Mr. CARSON. We can provide you with a full answer to this, but USAID conducts routine audits of all of its assistance programs. I cannot tell you when they did the last ones with respect to these programs. But they conduct routine audits to ensure that there is accountability. Again, that is not at issue here.

Mr. MARINO. How do you get the attention of a country like Rwanda and Uganda from supporting M23 by not stopping aid to the country, whether it is for humanitarian needs or not? How do you get their attention?

Mr. CARSON. By engaging them continuously, diplomatically, at a high level, and by doing such things as indicating that we, as we have done, that we will cut off their foreign military financing if they persist in carrying on.

Mr. MARINO. I don't mean to be facetious, but this may be more rhetorical than a question you have to answer, but how is that negotiating going?

Mr. CARSON. It is like any set of negotiations, sometimes much longer than any of us would like, but we know that persistence over the long run pays off.

Mr. MARINO. So is it your position that the U.S. keep the plan that they have in operation right now and continue trying to negotiate this? At what point do you stop? How many people have to die before you stop the negotiations and get serious about this?

Mr. CARSON. We can't stop. We continue, and we will continue to persist. This is not in our hands alone. We can only facilitate. We can only encourage. We can only prod, cajole, and push peace, and the effort to bring about peace and stability is always in the hands of those who are adversaries. Our desire is to get them to see reason, and to see it sooner rather than later, and to understand that the persistence of conflict and violence only means greater loss of life and hurt for people.

But it is not simply in our hands. We can only do as much as we can to bring people to the table and encourage them to see reason.

Mr. MARINO. And in closing, this is more of a statement than it is a question, from my reading of the research, it seems that this situation is not getting the attention that I think is required from the United Nations as well.

Thank you, Chairman. I yield.

Mr. SMITH. Thank you very much.

Without objection, the audit information requested by Mr. Marino and promised by Ambassador Carson will be made a part of the record. So we look forward to receiving it.

Chair recognizes Chairman Royce.

Mr. ROYCE. Thank you, Chairman Smith.

Let me just ask Ambassador Carson a couple of questions. One, just going to MONUSCO's mandate, I think the force there of M23, that militia is probably about 2,500 people from at least the press accounts. And I know the French have a perspective here that the ability to secure the safety of the civilian population could be addressed by a more robust authorization that would allow them to come to the defense of the civilian population. And I was going to ask you that question.

And the second question I was going to ask you goes to the issue of naming Rwanda for its involvement here with M23, and I know there was that debate in the Security Council over whether or not we would expressly name them. And as I recall, the U.S. position was not to do so at the time. But I think in light of events since then, we have now sort of taken the position, or it seems that the administration has taken the position that we are pointing to Rwanda's engagement here. So de facto maybe we have named them. Just a couple of—just your observations on those two points, Ambassador.

Mr. CARSON. Chairman Royce, thank you very, very much for both of those questions, and also thank you for your continued interest in Africa. Let me respond to the second question first and repeat a part of my testimony that you may have missed at the beginning.

I said that the M23 would not be the threat that it is today without external support. And we will continue to discourage outside parties from providing any assistance to the M23. There is a creditable body of evidence that corroborates key findings of the Group of Experts reports concerning Rwandan Government support to the M23, including military, logistical, and political assistance.

Mr. ROYCE. Ambassador, I think you put that very, very well. My only question was, we hadn't put it in the resolution, in Resolution 2076, and perhaps it should have been there. But you couldn't be more explicit than you just were, and I thank you for that.

And let me just ask you about the proposed alternatives to ensure more civilian safety with respect to the mandate.

Mr. CARSON. Mr. Chairman, the current MONUSCO mandate is for some 20,000 U.N. peacekeepers. Currently, that mandate is undersubscribed by approximately 2,000 individuals. I think MONUSCO today has a force level of approximately 17,700 individuals.

Certainly, it would be desirable to see the full complement of the mandate met. It certainly would help to allow the MONUSCO to carry out its responsibilities. Following in the aftermath of the current situation in Goma, and the Eastern Congo, I think I also made reference to in my statement, to the fact that it would be useful for a reexamination of the effectiveness of the force and whether the mandates and other responsibilities are being met and whether there are adequate resources to meet them. But the force is undersubscribed by approximately 2,000 people.

Mr. ROYCE. Thank you, Ambassador. The last question I will ask you just goes to this group, the Allied Democratic Forces/National Army for the Liberation of Uganda, which has been around for a while, and it goes to this issue of rebel groups increasingly joining forces beyond their national borders. This particular group has done some work with al-Shabaab, and a bombing, for example, July 11, 2010, in Kampala, which killed, I think, over 70 people.

And so you have this nexus. If we look at the leader of this group, he got his training, I think he is a converted Catholic, Jamil Mukulu, who converted to radical Islam probably while he was in Sudan. But in Sudan, he met Osama bin Laden, and through the initial work with these radical organizations put together his own little vision of how he could create change, and including a lot of mayhem, but none of it that spectacular until al-Shabaab began to give him the wherewithal, you know, to carry out attacks like this one.

And I was going to ask you about that phenomenon. You have these organizations where part of his support network come from disaffected Congolese, and here is Ugandans in the operation as well and, you know, people from throughout the region who join a cause that becomes sort of transnational, and begin working, in this case they suspect him of working with al-Qaeda as well.

Ambassador Carson, just anything you can do to bring me up to speed in terms of organizations like this that, frankly, he is based right now in eastern Kivu. So, you know, we have got the—in North Kivu. So we have got the same phenomenon spreading, apparently.

Mr. CARSON. Mr. Chairman, three quick points on that. First of all, it is absolutely essential that all the states in the region agree and commit themselves not to harbor, not to support, not to defend, not to provide equipment, or sustenance, or training to rebel groups operating against the leaders of a neighboring state. This is one of the problems that we face today with the M23. It is also a problem that we face with the Allied Democratic Forces. This is incumbent upon all of them, incumbent upon every state in the Great Lakes to do this. If we could get that, we could cut off a lot of the support for rebel groups.

With respect to the Allied Democratic Forces, indeed, they have been operating in the eastern part of North Kivu against the Ugandans. The Government of the Democratic Republic of the Congo needs to do everything that it possibly can to not allow groups like this to continue to operate out of and from their territory. I am not in any way accusing them of aiding and abetting, but the mere fact that they don't have security and control of the territory effectively allows this to go on. But it needs to stop, clearly needs to stop.

Third point, with respect to the leader of the Allied Democratic front, Mr. Mukulu, we have, in fact, sanctioned him. We have imposed both visa travel and financial sanctions on him in response to the very criminal things that we know that he is responsible for doing.

Mr. ROYCE. Ambassador, thank you very much, and thank you for all your work on the ground in Africa with these groups. I know that as things were unfolding in Eastern Congo you were there trying to influence the course of events, and we appreciate that.

I yield back, Mr. Chairman.

Mr. SMITH. Thank you very much. Thank you, Mr. Royce.

Let me ask just two final questions.

And, Ms. Bass, if you have a final question, please fire away.

Again, you have in your testimony made it very clear that there is a credible body of evidence that corroborates key findings of the Group of Experts, including evidence of significant military and logistical support, as well as operation and political guidance from the Rwandan Government to the M23. I know on your most recent trip you were precluded the opportunity to meet with Paul Kagame, the President of Rwanda. Did the officials with whom you met with, did they dispute that, and when Under Secretary Sherman met with President Kagame some months back, several weeks back, did she get a report back from him? Did he tell her that this is all rubbish, not true, or did he admit to anything?

Secondly, one of my most disappointing takeaways today, and Mr. Marino, I think, drew you out further on the suspension of foreign military financing, that we are talking about $200,000 when the 2006 Act at least envisioned a more robust and credible sanction against a country that is aiding and abetting a nefarious organization like M23. So if you could speak to whether or not additional sanctions are under consideration, at least against Rwanda, and specific individuals as well.

Mr. CARSON. Mr. Chairman, let me answer the first question. You are correct. As I stated earlier, I and my British and French colleagues met in Kampala for several hours with President Museveni, and in Kinshasa we met for an extended period of time with President Kabila, as well as his Foreign Minister and his Prime Minister.

In Kigali, it is regrettable that President Kagame chose not to meet with us. The message about our concerns, again, not just those of the United States, but Britain, and France, we traveled there as the P3, the three permanent members of the Security Council who have worked together on many, many issues, but we did speak with the Foreign Minister, Foreign Minister Louise Mushikiwabo, plus some of her colleagues. Again, we raised the issue of the need to end outside support.

As in previous discussions, the Rwandan Government strongly, vehemently denies that it is providing any assistance to the M23, and it has not taken the steps of publicly denouncing on a bilateral basis the M23. So we have raised this, and it is important that we continue to monitor this, as others in the international community do, on a very, very close basis.

With respect to your second question, about international support to, or at least our bilateral support to the Rwandan Govern-

ment, I start with what I said to Congressman Marino earlier, is that they utilize their international assistance, not only from us in particular, but others, very, very effectively. And they use it with great integrity. People get it. We are not providing any cash or check transfers. It all goes through international organization and donor groups that work with the government. We don't think there is a level of fungibility, and we do not believe that the money is being misused or misdirected. We focused on the military because that is where the issue and the problem derives.

I know that a number of European governments have suspended large amounts of funding to the Rwandan Government, but they handle their resources differently. In most instances, they are making budgetary transfers that are cash payments and checks into the government. We don't do that. So it is a very, very different thing. Our desire is not to hurt the Rwandan people. Our desire is not to cut them off from essential support for agricultural, education, or health programs. Our real desire is to get a change in the regional policy.

Mr. SMITH. Mr. Ambassador, but sanctioning individuals within the Rwandan Government would not in any way hurt individuals. And frankly, the argument you are making, I serve in this panel and began my service on this panel in my second term, in 1983, and voted in favor of sanctioning South Africa, and there were people who said you will hurt innocent people if you do so. But sometimes the egregious harm is so compelling that a very strong statement needs to be made. But minimally, I would think we would want to sanction individuals in the Rwandan Government.

Mr. CARSON. Mr. Chairman, I have heard your request and your concerns.

Mr. SMITH. Thank you so much, Mr. Ambassador.

I would like to now ask our second panel to make their way to the witness table, beginning first with Steve Hege, who has worked on the Eastern DRC, where he has served with three consecutive mandates as the armed groups expert for the United Nations Group of Experts on the DRC. He investigated and coauthored six public reports submitted and presented to the U.N. Security Council's sanctions committee. During the group's recently expired 2012 mandate, he was also the coordinator of the six-member team working under Security Council Resolution 2021. Prior to joining the U.N. Group of Experts, Mr. Hege worked with several humanitarian and peace-building organizations.

We will then hear from John Prendergast, who is a human rights activist, a bestselling author, and co-founder of The Enough Project, an initiative to end genocide and crimes against humanity. He has worked for the Clinton administration, the State Department, and in Congress. He has also worked for the National Intelligence Council, UNICEF, Human Rights Watch, the International Crisis Group, and the U.S. Institute of Peace. He has helped fund schools in Darfurian refugee camps and helped launch the Satellite Sentinel Project with George Clooney. Mr. Prendergast has worked for peace in Africa for well over a quarter of a century.

Then we will hear from Mvemba Dizolele, who is a visiting fellow at Stanford University's Hoover Institution, and professor, lecturer in African studies at the Johns Hopkins University's School of Ad-

vanced International Studies. Mr. Dizolele has testified several times before the Congress. His work has appeared frequently in many major news publications and he is a frequent commentator on African affairs on television and radio. He has served as an election monitor in the DRC in 2006, and again in 2011, and has also been embedded with United Nations peacekeepers as a reporter there. In addition, he is a veteran of the United States Marine Corps.

Thank you for your service. And I would like to now go to Steve Hege.

STATEMENT OF MR. STEVE HEGE (FORMER MEMBER UNITED NATIONS GROUP OF EXPERTS ON THE DEMOCRATIC REPUBLIC OF THE CONGO)

Mr. HEGE. Chairman Smith, Ranking Member Bass, and members of the Subcommittee on Africa, Global Health, and Human Rights, thank you for this invitation to testify at this hearing on the current crisis in Eastern Congo. I have been working in the Congo for over 8 years, including the past three as a member of the United Nations Group of Experts. The Group of Experts' mandate recently expired on 30 November, during which I served as the coordinator of our six-member team. As such, I am no longer affiliated with the United Nations, and the views I share today do not reflect those of the organization or that of the Group of Experts, but rather strictly my personal perspectives.

The Group of Experts is a Security Council-mandated body which reports to the Council's sanctions committee. Its role is to investigate, document, and inform the sanctions committee of violations of the United Nations' arms embargo on non-state actors in the DRC, as well as related issues such as the illegal trade in natural resources and serious violations of international law, including the recruitment and use of child soldiers. During the course of the previous mandates, the group found that since the very outset of the M23 rebellion, the Government of Rwanda had provided direct military support to M23, facilitated recruitment, encouraged desertions from the Congolese Army, and delivered arms and munition, political advice, and intelligence to the rebels.

At the strategic level, Rwanda has also spearheaded fundraising and membership drives for the political cadres, even nominating the movement's political leadership and directly instructing them of their demands to be made before the Congolese Government.

The Rwandan Army has not only set up an elaborate recruitment network within Rwanda to ensure a steady supply of new troops to M23, including children, but they have also integrated their own officers and trainers within M23's chain of command on the ground in North Kivu. During all major military operations, the Rwandan Army has deployed thousands of additional troops to reinforce M23 in their principal attacks, such as the recent offensive on Goma.

While members of the international community have expected Rwanda to diminish its support in light of diplomatic and financial pressure, the group has found that such direct involvement has only increased with time, precisely because M23's de facto chain of command culminates with the Minister of Defense of Rwanda, General James Kabarebe. Nevertheless, the Government of Rwanda

continues to deny any involvement. In annex 3 of our final report, we thoroughly responded to each of their criticisms. However, when its substantive arguments proved unconvincing, Rwanda turned to attacking the Group of Experts, claiming bias and even orchestrating a media campaign defending that I was a sympathizer of the Rwandan Hutu rebels of the FDLR and a denier of the Rwandan genocide.

Nevertheless, Rwanda had previously recognized my objectivity through the group's extensive detailed investigations on the support networks and financing of the FDLR in recent years.

In addition to Rwandan backing to M23, in our final reports the group documented support for the rebels from important networks within the Government of Uganda. Senior Ugandan officials provided the rebels with direct troop reinforcements in Congolese territory, weapons deliveries, technical assistance, joint planning, political advice, and facilitation of external relations. They also supported the creation and expansion of the political branch of M23 permanently based in Kampala even before President Kabila had ever authorized any interaction with the rebels. A Ugandan Government representative acknowledged this type of support was indeed taking place in an official meeting of the Group of Experts in early October.

Throughout our mandates, the question most often posed to us was quite natural and logical: Why? Why would Rwanda undertake such a risky and politically dangerous endeavor? Though it is not the work of the Group of Experts to establish causes or drivers of conflicts, I will humbly attempt to analyze some of the stated motives behind this war, beginning with M23's key demands.

Since the rebellion's initial stages, M23 has presented an assortment of demands and justifications. First, the rebels have claimed that the government reneged on the 23 March 2009 peace agreements. Nevertheless, in reality, this accord was essentially an afterthought to formalize a bilateral deal between Kinshasa and Kigali which was predicated on the affording the latter with immense influence in the Kivus, in exchange for arresting CNDP Chairman Laurent Nkunda and forcing the rest of the CNDP to join the national army under the leadership of Bosco Ntaganda.

For many within the CNDP and the Rwandan Government, the integration of the CNDP into the Congolese Army was merely a tactical move, but never constituted a fundamental alteration of their objectives. The short-term deal, nevertheless, was immensely generous to Rwanda, the Congolese officers of the CNDP, particularly Ntaganda and his loyal officers, who took control over much of the army in Eastern Congo.

Paradoxically, the rebels have also complained of the pervasive corruption within the Congolese Army. Nevertheless, as the most powerful commanders in the Eastern DRC, they were some of the worse perpetrators of salary theft and racketeering. Moreover, the rebels have claimed discrimination of Tutsi officers within the army and the killing of those former CNDP officers who had been redeployed outside of the Kivus.

While certain historical animosities cannot be denied, dozens of Tutsi senior officers and over four-fifths of the ex-CNDP have chosen not to join the rebellion. In recent months, M23 has increas-

ingly claimed that they want a review of the discredited 2011 Presidential elections in an attempt to attract sympathies of a broader constituency. Nevertheless, the CNDP political party had in fact joined the President's electoral alliance and many top M23 commanders orchestrated massive fraud on his behalf.

Now, if it is not really the claims of the March 23rd, 2009 agreements, or good governance, human rights, then what does Rwanda really want in this crisis? Despite the extremist paranoia about Balkanization, which has been so prevalent for many years amongst the Congolese population traumatized by multiple foreign invasions, only one of the rebel demands has any lasting explanatory power, and that is federalism. Rwandan orchestration of the M23 rebellion becomes more comprehensible when understood as a determined and calculated drive to spawn the creation of an autonomous federal state for the Eastern Congo. There has been speculation over whether Rwandan involvement was driven by security interests, economic interests, or cultural ties, but a federal state for the Eastern Congo would encapsulate all of these issues.

Prior to the November 2011 elections, one of the most senior Rwandan intelligence officers argued that because the Congo was too big to be governed by Kinshasa, Rwanda should support the emergence of a federal state for the Eastern Congo. He told me, Goma should relate to Kinshasa in the same way that Juba was linked to Khartoum in reference to Sudan.

During our official meetings with the Rwandan Government in Kigali in July, the Rwandan delegation consistently stated that our investigations were simply a distraction from reaching a definitive solution for governance in the Eastern Congo. When pushed further, several representatives did not hide the fact that the only solution they had in mind was indeed federalism.

Not surprisingly, Rwanda has openly aided and abetted self-declared Congolese secessionists so as to set the bar high enough to position federalism eventually as an acceptable compromise. During several internal meetings of M23 for mobilization, senior government officials, including the Minister of Defense's special assistant, openly affirmed that establishing this autonomous state was in fact the key goal of the rebellion. One M23 spokesperson recently stated to the New York Times, "We want more than decentralization, we want federalism," and "The eastern parts of the Congo's interests are in eastern Africa."

Even senior Ugandan security officials also acknowledge that this was the aim of the Rwandans in this M23 war. One officer who was himself involved in supporting M23 in cooperation with the Rwandans told us, "they're thinking big . . . you need to look at South Sudan."

This objective also explains why Rwanda has consistently sought to depict all armed groups in the Eastern DRC as one single, united, credible front against Kinshasa, and repeatedly calling the Congo a big black void in the Congolese state as fictitious. A federal autonomous state for the Eastern Congo would cement and guarantee Rwanda's already extensive influence over military, political, economic, and cultural aspects of life.

The Government of Rwanda, to its great credit, since the horrific events of the genocide in 1994 has exhibited unparalleled ambition

to rebuild its country with unmatched progress. However, that same determination has led Rwanda's leaders to erroneously adopt this inherently destabilizing long-term geopolitical strategy for the Eastern DRC.

So if Rwanda's geopolitical aspirations are indeed as I suspect so ambitious, then what can we expect from current negotiations, particularly when Rwanda has demonstrated in recent weeks that it has the upper hand on the battlefield? For his part, President Kabila feels very strongly about negotiating the March 23rd agreement, but talks will inevitably falter unless the key issue of federalism is put front and center on the negotiating agenda.

Will the U.S. and others in the international community support a federal solution for the Eastern Congo with full knowledge that this was likely Rwanda's primary objective in the first place?

Stepping back from the current dynamics, federalism in and of itself is neither inherently a good or bad proposition, but when driven by a neighboring state which would benefit enormously from it federalism can be problematic to say the least. Diplomats commonly affirm that Rwanda can and must be a part of a solution. Which solution, I would ask. The Rwandan solution for this crisis appears to have been identified well before the shots were even fired.

Thank you, Mr. Chairman, for the opportunity to share the findings of the group and my perspectives on the crisis.

Mr. SMITH. Thank you very much for your testimony.

[The prepared statement of Mr. Hege follows:]

"The Devastating Crisis in Eastern Congo"
House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, and Human Rights
11 December 2012

Steve Hege
Former Coordinator of the United Nations Group of Experts on the Democratic Republic of the Congo (DRC)

Chairman Ros-Lehtinen, Ranking Member Bass, and Members of the Subcommittee on Africa, Global Health, and Human Rights: Thank you for this invitation to testify at this hearing on the current crisis in the eastern DR Congo.

I have been working on the Eastern Congo for over eight years, including the past three as a member of the United Nations Group of Experts on the DRC. Previously, I worked with humanitarian organizations, research institutes and foundations as well as the United Nations peacekeeping mission in the DRC. The Group of Experts 2012 mandate recently expired on 30 November, during which I served as the as the Coordinator of our six-member team under Security Council resolution 2021. As such, I am no longer affiliated with the United Nations and the views I share today do not reflect those of the organization or that of the Group of Experts but rather strictly my personal perspectives, currently, as an independent observer.

The Group of Experts is a Security Council-mandated body which reports to the Council's Sanctions Committee. Its role is to investigate, document, and inform the Sanctions Committee of violations of the United Nations arms embargo on non-state actors in the DRC as well as related issues such as the illegal trade in natural resources and serious violations of international law, including the recruitment and use of child soldiers. The Group also provides the Sanctions Committee with a confidential list of names and entities to be considered for targeted sanctions on the basis of specific criteria flowing from the arms embargo. The Group is also responsible for monitoring the implementation of the measures imposed by targeted sanctions, notably an assets freeze and a travel ban for designated individuals and entities.

As a purely apolitical, independent, fact-finding mechanism of the United Nations, the Group of Experts seeks to avoid analyzing motivations or causes of the arms embargo violations and armed group financing which it documents. However, today, having stepped away from the UN, in addition to summarizing our key findings this year, in my personal capacity, I would like to share my understanding of the likely drivers of the Government of Rwanda's involvement in this conflict and subsequently examine several implications for the current quest for a political solution to the crisis.

Group of Experts' Findings

During the course of this previous mandate, The Group of Experts submitted several confidential communications along with two public reports to the Security Council's Sanctions Committee, an interim and a final. The latter became available on 21 November 2012, while the Security Council published the former on 21 June followed by a special Addendum on 27 June, which focused on Rwandan violations of the arms embargo in conjunction with the then nascent M23 rebellion.

We found that since the very outset of the M23 rebellion, the Government of Rwanda has provided direct military support to M23, facilitated recruitment, encouraged desertions from the Congolese army, and delivered arms, ammunition, intelligence and political advice to the rebels. Our investigations concluded that Rwanda, in fact, orchestrated the creation of M23 when a series of mutinies led by officers formerly belonging to M23's predecessor, the Congrès national pour la défense du people, or CNDP, were suppressed by the Congolese armed forces in early May. At the strategic level, Rwanda has also spearheaded fund-raising and membership drives for political cadres, even nominating the movement's political leadership and directly instructing them of their demands to be made before the Congolese government.

The Rwandan army has not only set-up an elaborate recruitment network within Rwanda to ensure a steady supply of new troops to M23, including children and even recycled former Hutu rebels of the FDLR, but they have also integrated their own officers and trainers within the M23 chain of command on the ground in North Kivu. Furthermore, they have deployed Rwandan army units on a permanent basis alongside M23 positions making the two forces nearly indistinguishable. During major offensive and military operations, the Rwandan army has deployed thousands of additional troops to reinforce M23 in their major attacks, such as the recent offensive on Goma.

While members of the international community have expected Rwanda to diminish its support in light of diplomatic and financial pressure, we found that such direct involvement had only increased with time. This is because, in essence, the rebels have become an extension of the Rwandan defense forces. M23's de facto chain of command culminates in the Minister of Defense of Rwanda, General James Kabarebe. To a considerable degree, the reality of the relation between M23 and the Rwandan army goes far beyond simple external support, as M23 does not exist separately from Rwanda as an autonomous entity.

In its efforts to depict a wide-ranging revolution against the Congolese government, Rwandan support to M23 also extended to many other Congolese armed groups, including those who had previously been anti-Rwandophone such as Raia Mutomboki. During the supposed cease-fire from August to October, Raia Mutomboki groups, on orders from M23's Colonel Sultani Makenga, carried out brutal ethnically motivated attacks, burning more than 800 homes and killing hundreds of civilians from Congolese Hutu communities in Masisi territory, whose militias refused to ally themselves with M23. In addition to the Hutu community in North Kivu, the ethnic Tutsi Banyamulenge community in South Kivu has also widely resisted recruitment efforts by M23, in large part because they understand so intimately the level of Rwandan control over the rebellion.

Nevertheless, the Government of Rwanda continues to deny any involvement, despite its open advocacy on behalf of the rebellion. Rwanda has also repeatedly claimed that it was not consulted or given a right of reply to our investigations. This is not true. Despite the Government of Rwanda's refusal to receive us for any substantive meetings during our official visit to Kigali in May, we purposefully delayed the publication of the addendum to our interim report in order provide the Rwandan Minister of Foreign Affairs an additional opportunity to comment on or provide any clarifications for the information the Group had gathered. However, not only did she decline to do so in a formal meeting explicitly requested by the Sanctions Committee, but later that same day, she proceeded to claim that her government was not privy to our findings. Following the publication of the addendum, we did meet again with the Government of Rwanda

in Kigali and took into consideration its written response to our interim report. However, we found no substantive element of our previous findings that we wished to alter.

We also thoroughly responded to each issue raised by the Government of Rwanda in a formal communication to the Sanctions Committee, which we later published as annex 3 of our final report. Most of the elements of the Rwandan rebuttal were not credible. For example, while in Kigali, they showed us a pile of demolished AK-47 rifles as proof that they had not provided 75 mm canon rounds to the rebels. Also, we easily observed open fields and grounds more than sufficient for sporadic training at Kanombe military base, something they claimed would have been impossible. We also confirmed the veracity of radio intercepts implicating Rwandan officers via commercial radios used by both the rebels and the Rwandan army, which according to Kigali would have been incompatible.

When Rwanda's substantive arguments in its defense were unconvincing, they turned to attacking the Group of Experts, claiming bias against Rwanda and even orchestrating a diplomatic and media campaign defending that I was a sympathizer of the Rwandan Hutu rebels of the FDLR and a denier of the Rwandan genocide. I later discovered that Rwandan officials in the Office of the Presidency had also concocted false testimonies with current FDLR officers promising rewards for media statements about my alleged involvement in providing the rebels with weapons. Nevertheless, the Government of Rwanda had previously recognized the objectivity of the Group's extensive detailed investigations on the support networks and financing of the FDLR in recent years. As the Coordinator this year, I personally oversaw the Group's cooperation with the ongoing trials of the President and Vice-President of the FDLR in Germany.

Rwanda has also claimed that the Congolese army has been supporting the FDLR. However, the Rwandan hutu rebels, at historically low numbers, have become further isolated from external support and are focused on self-protection in the face of attacks by the Congolese armed forces and M23 allies. While some criminal networks within the Congolese armed forces continue to sell small amounts of ammunition to the rebels, there is, however, no evidence of strategic cooperation between the FDLR and the Government.

In addition to Rwandan backing to M23, in our final report, we also thoroughly documented support for the rebels from important networks and individuals within the Government of Uganda. Senior Ugandan officials provided the rebels with direct troop reinforcements in Congolese territory, weapons deliveries, technical assistance, joint planning, political advice and facilitation of external relations. They also supported the creation and expansion of the political branch of M23 permanently based in Kampala even before President Kabila had ever authorized any interaction between the rebels and the Government of Uganda.

The Ugandan government officially acknowledged this support was indeed taking place in a meeting with the Group of Experts in early October. An appointed senior police officer stated that they would take actions to investigate and arrest those involved. The DRC government is fully aware of this support by individuals within the Government of Uganda, but has chosen not to denounce out of the hopes of convincing the Ugandans they have more to gain by working with Kinshasa than with Kigali in this current crisis.

In the light of the serious nature of our findings regarding external support from the Government of Rwanda and individuals within the Ugandan security services, we adopted elevated methodological standards for these investigations. Since early April 2012, the Group interviewed

over 100 M23 deserters including 57 claiming Rwandan nationality. During field visits, we privileged our own observations and research in conflict zones and along the borders. Furthermore, we also analyzed M23's weapons and military equipment found in arms caches and on the battlefield, satellite imagery of supply routes between M23 and Rwandan army posts, and intercepts of radio communications. Though, we consulted dozens of senior Congolese military commanders and intelligence officials as well as political and community leaders with intricate knowledge of regional developments, the DRC government was never the starting point of any of our information-gathering. During the initial stages of the rebellion government officials sought to even impede our access to key information about Rwandan involvement, preferring to deal with such issues discretely with Kigali themselves. Moreover, we communicated regularly with many active participants of the M23 rebellion and other armed groups, as well as current and former security officials and civil authorities within Uganda and Rwanda.

The Security Council and the Sanctions Committee have consistently supported the Group and our findings about external support to M23. Various African and western intelligence services, as well as independent inquiries by investigative journalists and research organizations have also confirmed the Group's conclusions concerning Rwandan violations of the embargo.

M23's Principal Demands

Throughout our work, the question most often posed to us was quite natural and logical: why? Why would Rwanda undertake such a risky and politically dangerous endeavor? Though, as I stated at the outset, it is not the work of the Group of Experts to establish causes or drivers of conflict, in the spirit of the great ambitiousness of my Rwandan colleagues, I will humbly attempt to analyze some of the stated motives behind this war, beginning with M23's key demands.

Since the rebellion's initial stages, the rebels have presented an assortment of demands and justifications for their rebellion. Many are characterized by varying degrees of inconsistencies, improvisation, and opportunism. When international journalists have interviewed Makenga, many observed that he had little grasp for any of the ideas he was supposed to be fighting for. I once sat through an hour-long speech by M23's spokesman about how it was, in fact, the western Congolese officers in the army who were actually discriminated against and not the Tutsis.

However, many of these demands are clearly inconsistent with the reality of the identities and past histories of M23's top leadership. While all armed groups construct political demands based on conjunctural analysis of what will bring them the greatest popular sympathies, the difference with M23 is that first, the contradictions are so glaring and second, the analysis and post-facto pretexts have largely been constructed by the Government of Rwanda itself. For the most part, Rwanda has sought to grasp at any idea or problem which might resonate with the Congolese population and which would give M23 a degree of legitimacy.

As per their name, first and foremost, the rebels have claimed that the government reneged on the 23 March 2009 peace agreements. However, this accord was merely an after-thought to formalize a bilateral deal between Kinshasa and Kigali which was predicated on the affording the latter with immense influence in the Kivus in exchange for arresting CNDP Chairman, Laurant Nkunda, and forcing the rest of the CNDP to join the national army under the leadership of Bosco Ntaganda. For many within the CNDP and the Rwandan government, the integration of the CNDP into the Congolese army was merely a tactical move, but never constituted a fundamental alteration of objectives. Some former CNDP officers have repeated that when

Rwandans convinced them to join the army, they told them that "be patient, we will arrive at the objective, trust us."

The short-term deal, nevertheless, was immensely generous to Rwanda, the Congolese officers of the CNDP, particularly Ntaganda and his loyal officers, who took control over much of the army in the eastern Congo. Kabila's appeasement of the rebels lead to near-preferential treatment for these officers and Rwandan influence in the eastern Congo reached unparalleled levels at the end of 2011 through, for example, massive smuggling of minerals into Rwanda in collaboration with senior Rwandan army commanders.

Paradoxically, the rebels have also complained of the pervasive corruption within the Congolese army. Nevertheless, as some of the most important commanders in the eastern DRC, they were some of the worst perpetrators of salary theft, racketeering, and sale of national assets for private gain. When any efforts were made by the Congolese Military Prosecutor's office to reign in these rogue officers, including Ntaganda and Makenga, ex-CNDP officers attacked prisons and assassinated opponents, intimidating Kabila with threats of returning to war. The original mutiny back in April was sparked, at least superficially, with the ex-CNDP officers refusing to take part in seminars in Kinshasa on the reform of the army.

Moreover, the rebels have claimed discrimination for Tutsis officers within the army and the killing of those former CNDP officers who had been re-deployed outside of the Kivus. While certain historical animosities cannot be denied, little credible evidence exists to support these assertions. On the contrary, former CNDP officers have been re-deployed to other provinces without any significant incidents and dozens of senior Tutsi officers within the Congolese army, including two regional commanders and over four-fifths of the ex-CNDP, have chosen not to join M23.

M23 has also made many claims about human rights, even though nine of its members and associates have been designated for sanctions by both the U.S. government and the UN's Sanctions Committee, most for egregious violations of international law. During the current M23 rebellion, these same officers have recruited and trained hundreds of child soldiers, often killing those who attempt to escape. When they previously dominated the military command in the eastern DRC, M23 officers oversaw numerous mafia networks exploiting natural resources through forced labor as well as partaking in widespread violent land grabs.

Nevertheless, M23 similarly demands good governance, though, they have attacked and appropriated numerous state assets provided by donors, including recently, 33 vehicles previously donated to the Congolese police. Government institutions within rebel-controlled territory have also been systematically looted, including the electoral commission's equipment for voter registration.

M23 also claims they are fighting for the 50,000 Tutsi refugees who remain in Rwanda. A rebellion which displaces over 500,000 can hardly defend the rights of 50,000 refugees. The glaring contradiction with the nearly 500,000 newly displaced persons as a result of their offensives, however, has led M23to de-emphasize this demand recently. Moreover, in 2011, former CNDP officers told me that it was indeed Rwanda who did not want these refugees to return home so that they would remain "a card to play in future negotiations with Kinshasa."

In recent months, M23 has increasingly claimed that they want a review of the discredited and fraudulent 2011 Presidential elections, in an attempt to attract the sympathies of a broader

constituency and further weaken Kabila. Nevertheless, the CNDP party was part of the President's electoral alliance and many top M23 commanders orchestrated massive fraud on his behalf. Ironically, while President Kabila was tremendously popular in the eastern Congo during his 2006 elections, it was precisely his peace deal with Rwanda and the CNDP, including all of the extra privileges and special treatment that they received while within the army, which bolstered opposition to his government in the Kivus. Though he was advised to accept made this sacrifice of his popularity in hopes of long-term peace with Rwand, with enormous encouragement and praise from members of the international community including the UN peacekeeping mission, today's contexts reveals that was a critical strategic error.

Finally, Rwanda and M23 have stated that the Congolese army's military operations against the Rwandan Hutu rebels of the FDLR have failed and the group remains a threat. However, not only did the Rwandan Minister of Defense recently state that the FDLR could never threaten Rwanda, but the rebels are currently at all-time low numbers after thousands have been demobilized by the UN. Further demonstrating that this is not about the Hutu rebels, M23 has even incorporated splinter groups of the FDLR and recycled FDLR soldiers amongst its ranks. While still in the army, many of M23's officers consistently prioritized seeking control over mines and timber over substantive operations against the Hutu rebels. Furthermore, covert operations by the Rwandan army using Congolese proxy militias who would later become proxies of M23 physically eliminated dozens of key rebel commanders. Combined with the UN-backed operations in South Kivu, in early 2011, the FDLR was largely defeated and on the run. Objectively, the greater security threat to Rwanda is represented by Tutsi political opponents who have fallen out with President Kagame in recent years.

Rwanda's Regional Strategy

Now, if it's not really about the claims and demands of the March 23 2009 agreements, or genuine good governance, development, human rights, the FDLR, refugees etc. then what does Rwanda really want? It appears that it is not a pretext or justification invented after the fact that caused this war, but rather I suspect Rwanda's regional strategic objectives are driving their involvement.

Despite the extremist paranoia about "balkanization" which has been so prevalent for many years amongst the Congolese traumatized by multiple foreign invasions, only one of the rebel demands has any lasting explanatory power and that is federalism.

Rwandan involvement and orchestration of the M23 rebellion becomes more comprehensible when understood as a determined and calculated drive to spawn the creation of an autonomous federal state for the eastern Congo. There has been speculation over whether Rwandan involvement was driven by security interests, or its economic interests, or ethnic/cultural ties, but a federal state for the eastern Congo would encapsulate all of these issues. Any negotiations should avoid other distracting smokescreen issues and focus on tackling this extremely challenging one.

Prior to the November 2011 elections, one of the most senior intelligence officers within the Rwandan government discussed with me several possible scenarios for the secession of the eastern Congo. Reflecting the thinking of many of his colleagues, he asserted that because the Congo was too big to be governed by Kinshasa, Rwanda should support the emergence of a federal state for the eastern Congo. He said, "Goma should relate to Kinshasa in the same way that Juba was linked to Khartoum," prior to the independence of South Sudan.

During our official meetings with the Rwandan government in Kigali in July, the Rwandan delegation consistently stated that our report was simply a distraction and would slow down the process of reaching the definitive solution for the infinite problems of the Congo. When pushed further, several representatives did not hide the fact that the only solution they had in mind was indeed: federalism. Not surprisingly, the Rwanda has openly aided and abetted self-declared Congolese secessionists such as Jules Mutebutsi, Akim Muhoza, and Xaviar Ciribanya so as to set the bar high enough to position federalism eventually as an acceptable compromise. On the day that M23 reached Goma, Rwandan government media surrogates began demanding the "right of self-determination."

During several internal meetings of M23 for mobilization, senior government officials, including the Minister of Defense's special assistant openly affirmed that establishing this autonomous state was in facrt the key goal of the rebellion. Several M23 commanders and allies have also openly confirmed is interviews I conducted as part of the Group of Experts. Numerous journalists have also confirmed that M23 commanders are increasingly putting this objective at the top of their agenda. One spokesperson recently stated to the New York Times, "We want more than decentralization, we want federalism," and "The eastern parts of Congo's interests are in eastern Africa."

Even senior Ugandan security officials also acknowledged that this was the aim of the Rwandans in this M23 war. One officer, who was himself involved in supporting M23 in cooperation with the Rwandans, told us, "they're thinking big. . .you need to look at South Sudan." The objective of federalism also helps to explain in part, the involvement from individuals within the Ugandan government. If Rwanda achieves its goal, then Ugandan would need to ensure that their own cultural, security, and economic interests in the eastern DRC were not jeopardized.

Rwanda's deeply ingrained federalist vision is born out of the geopolitical regional strategy adopted by Kigali's leadership. A federal autonomous state for the eastern Congo would cement and guarantee Rwanda's already extensive influence over military, political, economic, and cultural aspects of life, similar to that Syria in parts of Southern Lebanon. The Government of Rwanda, to its great credit, since the horrific events of the genocide in 1994, has exhibited unparalleled ambition and determination to rebuild its country and has achieved remarkable advancements in human development. However, that same ambition and determination has lead Rwanda's leaders to erroneously adopt this inherently destabilizing long-term geopolitical strategy based on undermining the reconstruction and stabilization of the eastern Congo in the hopes that perpetual instability would engender radical governance reforms.

This objective also explains why Rwanda has consistently sought to depict all armed groups in the eastern DRC as one single united front against Kinshasa. Although, building this coalition is a lot more difficult in practice, in our meetings with them, the Rwandan Minister of Defence and Head of the Army both justified and advocated on behalf of all armed groups in the eastern DRC, including the extremely brutal Raia Mutomboki.

Furthermore, the Rwandans have undertaken every effort to depict the Congo as a "big black void" playing on Colonial portrayals of Joseph Conrad's Heart of Darkness calling the Congolese State "fictitious." Rwandan diplomats have incessantly stated that "the Congo has always been a mess, it's a lost cause" and insinuated that radical structural change would be required to salvage it.

TIMING OF THE REBEELION

The next question then would be: why now? Early 2012 was indeed a ripe moment to make a definitive push for Rwanda's strategic objective for several reasons.

First, nearly everyone, including the Rwandans, expected that following what was likely going to be a discredited 2011 electoral process, that there would be widespread chaos and protest, not only in Kinshasa but in other parts of the Congo as well, thereby presenting an window for the emergence of eastern uprising against Kinshasa. As Kabila had built up close ties with Rwanda in the interest of peace, he had become dramatically less popular in the eastern Congo which had previously been his base. The challenge for Rwanda would be how to channel that animosity away from Kigali and towards Kinshasa, playing on decades of weak central government leadership in the eastern Congo. On top of this, there was a serious political rival in the form of Vital Kamerhe, the first real eastern-based opposition leader. Kabila's was now facing two fronts of opposition, including the lingala-speaking west which had already been extremely hostile towards him, often calling him a "Rwandan imposter." Even in Kabila's lone remaining stronghold, pre-electoral popular support for secessionist movements had increased in mineral-rich Katanga province to the south of the Kivus.

Secondly, the greater stability in the eastern DRC, following a second Presidential term, could accelerate the development of state capacity and institutions in the eastern Congo which would progressively diminish the chances of a dramatic push for radical governance reform. Furthermore, the Rwandans grew weary that the Congolese would adopt measures of economic independence of the eastern Congo through, for example, the establishment of a mineral smelter in Kisangani, which would dramatically shift the Kivu mineral trade away from Rwanda.

"Congo fatigue" amongst the donor community footing a hefty annual bill for MONUSCO also would be fruitful ground for proposing more radical and definitive solutions to the eastern Congo. Reflecting this sentiment, in the midst of the crisis, a western diplomat asked me sincerely "is the eastern Congo, after so many years of violence, really a viable entity? Maybe we should start thinking of more definitive and lasting arrangements for it" This sense of desperation and hopelessness for the Congo reaches such levels that even recently the New York Times published an op-ed advocating for letting the country fall apart.

Fourthly, prior to M23, there had been increasingly less willingness to accept Bosco Ntaganda abuses and impunity as well as greater pressure to restrict the ex-CNDP's parallel chains of command. If Ntaganda had been ever arrested, as demanded by human rights organizations, this would have significantly curtailed and diminished Rwandan influence and military power in the eastern DRC. Furthermore, after fifteen years there is decreasing receptivity for endless cycles of the integration of former rebels, thus rendering more vital the achievement of the objective sooner rather than later.

Moreover, many former CNDP officers would vehemently resist any efforts by the Congolese government to re-deploy them outside of the Kivus and reign in their wide-spread mafia and racketeering networks. This inevitably reconciled latent divisions amongst Tutsi commanders forming a common front willing to work with Rwanda in order to protect their own personal business interests, despite previous overtures from some of these officers to back Rwandan dissidents like General Kayumba Nyamwasa.

Finally, the Rwandan role in the integration process of the ex-CNDP provided them with a particular opportunity to position themselves as the peacemaker in such a crisis whereby they could push for the adoption of a pre-conceived solution, such as federalism. From the very

beginning of this crisis, Rwanda has been clamoring for "political negotiations about governance," I suspect for these very reasons.

IMPLICATIONS FOR NEGOTIATIONS

So, what does this mean for the current negotiations? If Rwanda's geopolitical aspirations are so ambitious, then what can we expect from negotiations, particularly when it has demonstrated in recent weeks that it has the upper hand on the battlefield? Without addressing federalism, all other issues could be solved, but the likelihood that the war would subside would appear to be very low, if this is indeed the Rwanda's principal objective. Many observers repeat calls for addressing root causes to cycles of violence in the eastern DRC and yet there is little mention of Rwanda's strategic objectives for the eastern DRC, in and of themselves, as constituting a critical root cause. For his part, Kabila feels very strongly about negotiating the March 23 agreement, but talks will inevitably falter unless the key issue of federalism is put front on center on the negotiating agenda.

Rwanda has argued that its national interests are best served by regional stability and cross-border trade with the eastern DRC. Certainly, this is the case in the long term, but if they do achieve an autonomous federal state for the eastern Congo in the short term despite massive instability, from a strategic perspective, this will have more than compensated for the loss of some donor assistance and the life-line the FDLR are currently experiencing.

This conclusion begs several questions. Will federalism be truly negotiable in Kampala, or ever? Will the US and others in the international community support a federal solution for the eastern Congo with full knowledge that this was likely Rwanda's primary objective in the first place. Will Rwanda be rewarded for its persistence? How could the foreign-driven birth of a federal state, stopping just short of secession, be considered legitimate internationally? Can objective negotiations take place on this issue when the talks are being framed by both Rwanda and Uganda? Will the examples of South Sudan and northern Mali impact discussions? Diplomats commonly affirm that Rwanda can and must be part of a solution. The Rwandans also incessantly complain of finger-pointing and defend that they are part of the solution to the current crisis and not the problem. Which solution though, should be the question?

The "solution" for this crisis appears to have been identified before first shots were fired. Rwanda knew what the solution they wanted to propose and therefore needed to orchestrate a crisis which would be expansive enough to justify such a solution. When the Congolese state and its security force actually performed well and defeated the initial ex-CNDP mutiny, the Rwandans had to step in overtly and drive the crisis more directly, defying international pressure when this involvement became extremely evident.

Stepping back from the current dynamics, federalism in and of itself is neither, inherently, a good or bad proposition, but when driven by a neighboring state which would benefit enormously from it, federalism can be problematic to say the least. It should be born out a democratic political debate within the DRC and exclusively amongst Congolese and not through political negotiations orchestrated and facilitated by Rwanda and some of its allies within Uganda.

The international community appears willing to overlook Rwanda's involvement and the horrific human rights records of some of M23's commanders in order to help usher in a hurried solution to "put out the fire" and immediately halt the immense humanitarian cost of this war. More so now that Rwanda has shown that it will consistently deploy its troops across its border to ensure

that M23 will always prevail on the battlefield. Militarily, the Congolese army proved more than capable of defeating the original mutineers, but since Rwanda established M23 and has repeatedly deployed its own army alongside the remnants of the mutineers, a military solution is likely off the table. Furthermore, MONUSCO has shown it is not willing to deploy troops to fight foreign armies.

Now that M23 has recently re-positioned itself just north of Goma in order to exert leverage on the negotiations, it is unlikely that Rwanda will accept a face-saving "out" strategy as in 2009. Rwanda is determined to win. They know that this may be their last chance as well. As such, Rwanda is likely to continue its war until they have obtained what they sought out to achieve. The costs have already been too high for Rwanda to settle for anything less now.

CONCLUSION

At this current juncture, the key question should be what solution will Rwanda deem to sufficiently fulfill its strategic objective which could leave the window open to gradually reverse their progress towards those ends through the strengthening of the independence of the Congolese state in the eastern Congo.

Could more regional economic integration satisfy Rwanda in the short term? Regional integration is objectively very positive, but it must be predicated on States with equal standing and mutual respect. Recent history proves that allowing for economic integration without first building up the Congolese state, whose officials hold the primary responsibility, will not deter Rwanda from pursuing its strategic goal. The 2009 "rapproachment" between the DRC and Rwanda was praised internationally because it openly recognized and accepted the reality of Rwandan influence in the Kivus. The logic was that if Rwanda was allowed to establish cross-border economic projects above the table, then it would no longer need to go under the table. However, Rwandan strategists likely saw these initiatives as stepping stones towards the achievement of their ultimate objectives and not as ends in and of themselves.

Consequently, if federalism is indeed the key issue at stake then there is a clear need for a process which examines decentralization as an alternative. Decentralization is foreseen as part of the Congolese Constitution, including the expansion in the overall number of provinces. Potentially, a negotiated agreement which accelerated the decentralization process and made it appear as if it would lead to real federalism could constitute a reasonable compromise. This is, if we are willing to accept that there is no real military option which definitively deters Rwanda's determination to obtain its objectives. However, a process whereby the Congolese State is not built up first and then deconcentrated to the various provinces with autonomous institutions could yield disastrous results. As such, the key challenge, in such a compromise would the close donor accompaniment of such a decentralization process in order to insulate initially weak local institutions from external influence or cooptation.

Furthermore, any decentralization process in the DRC must equally prioritize the strengthening of the presence of central government throughout the country. The vast majority of Congolese in the eastern Congo identify strongly with the Congo as one a nation. Many do not want their own governance to be outsourced to neighboring states. They want Kinshasa to govern the eastern Congo proactive, fairly, efficiently, and in a balanced respectful fashion.

Another key aspect of deterring against Rwandan cooptation of a Congolese decentralization process, seeking to transform it into federalism, would be to aggressively back large-scale

infrastructure and industrial projects which would enhance the DRC's economic independence standing vis-à-vis its neighbors, in the short term. One such example of these types of projects would be the remodeling of the Goma airport to international standards, allowing free movement of goods and people from the eastern Congo directly to global commercial hubs.

With time, Rwanda could confront a tipping point where its economic incentives would begin to favor treating the DRC on an equal footing as other neighbors such as Kenya or Tanzania. While this will not resolve Rwanda's cultural and security concerns in the eastern DRC, addressing the economic sphere will go a long way to re-molding the Rwandan geopolitical strategy for the Great Lakes region.

In short, the best case scenario for the current bleak situation is for the DRC to seize upon current negotiations to address head-on Rwanda's desire for a federal state in the eastern Congo by convincing Kigali that it may achieve that aim through the Congo's pre-existing decentralization legislation. Then, the international community must robustly support the DRC's central and provincial institutions and economic infrastructure to slowly diminish unfettered external control and meddling. Local elections, which had been scheduled to take place this year, could provide the framework for such discussions.

Thank you for the opportunity to share with the findings of the Group of Experts and my perspectives on Rwanda's role in the crisis. I would welcome any questions.

Mr. SMITH. And now Mr. Prendergast.

STATEMENT OF MR. JOHN PRENDERGAST, CO-FOUNDER, THE ENOUGH PROJECT

Mr. PRENDERGAST. Thanks very much, Representatives Smith and Bass and Marino and Turner, for your extraordinary commitment to the people of the Congo. It is deeply appreciated by everyone in this room, I can tell you.

I want to begin, though, by echoing something you said, Congressman Smith, earlier in the hearing. No one is questioning the hard work and the dedication and the decades-long commitment that key administration officials have exhibited on behalf of peace in Congo. I would particularly point out for special commendation Ambassador Johnnie Carson, and Ambassador Susan Rice at the U.N. I am particularly saddened by the personal attacks we have seen against Ambassador Rice in the press and the blogosphere over the last couple weeks over issues related to the Congo. The Washington shark cage has been fully activated and I guess some people see blood in the water. But knowing Johnnie and Susan and working with them over the past 16 years, I can tell you from personal experience that they have worked tirelessly for peace in the Great Lakes.

Reasonable people, however, can disagree over tactics and over strategy, and it is in that spirit that I deliver my testimony today. I am going to focus my remarks on issues related to the Congolese peace process in the interest of a division of labor amongst my colleagues here at the table.

Throughout the latest Congolese conflagration and previous cycles of conflict there, the root causes of war have not been addressed, leaving these peace processes, the endless peace processes to focus on flimsy power-sharing deals and arrangements that have undermined the sovereignty of the Congolese State and the professionalism and neutrality of its armed forces. This, in turn, has left the civil population of Eastern Congo subjected to globally unparalleled violence, perdition, and impoverishment.

Another unrepresentative agreement between powerful interest with the biggest guns that we may see coming out of these Kampala talks might ease open fighting momentarily, but it lays a deeper foundation for further devastation and state deconstruction down the road. The United States should not be a party to such a short-term and destructive approach and must alter its policy to help avert an outcome that simply sows the seeds for further war. This hearing and your leadership, I believe here in Congress, will be an important building block for the kind of step-change that we are seeking from the administration and the broader international community.

Here is the crux of it. The lack, I think, of a credible and effective and internationally mandated and leveraged peace process addressing these issues in Eastern Congo is becoming a major reason for that war's continuation. The current negotiation in Kampala between the Government of Congo and the M23 rebels is already making the same mistakes as its predecessor processes and will likely result in the same kind of short-term deal that keeps the Congolese Government in power, reduces international pressure on

Rwanda and Uganda for backing the M23, and redivides the spoils of war. The root causes of structural violence will remain unaddressed and any agreement will lack the involvement of political parties, of representative civil society elements, including women and religious leaders and local armed groups representing the diverse voices and interests of Eastern Congo.

The time has come finally for a real international peace effort, the kind that actually has a chance of ending the deadliest war globally since World War II, and the U.S. needs to help make that happen because if it is left solely to the combatants and their regional sponsors, it will not.

We believe that two key pieces of the solution are missing now. For a lasting peace, a process needs to address those fundamental root causes, rooted in economic and political drivers of war.

First the economic. A shared framework for the future must be agreed upon, in which the entire subregion of Central Africa, Congo first and foremost and at the center, can benefit much more from peaceful, legal natural resource development rather than the violent illegal extraction that exists today. Section 1502 of the Dodd-Frank bill, which this Congress heroically passed in the face of a lot of industry money and lobbying, a nascent regional certification effort, initiatives by some of the forward-leaning companies, electronics companies who have started working in support of real progressive change, and then new OECD guidelines, these are all catalyzing movement in the right direction, but more must be done to change the economic incentives from war to peace, just as cleaning up the blood diamond trade helped incentivize peace in West African countries.

Coupled with strong international investment, these efforts will create the conditions, I think, for transparent and effective governing institutions. Dealing with the economic roots of war not only removes the main driver for the conflict today, but creates the main engine for state reconstruction.

Second, the politics. A political framework for Congo must be agreed upon that restores public confidence and brings back the viability of the Congolese State while ensuring that further rebellion does not ensue. President Kabila faces a political crisis as a result of the failures of the army and of the elections last year, and the talks with M23 alone will only erode his authority and provide further insult and injury to the Congolese people.

It is now time for a wider inter-Congolese dialogue in which leaders from the government, from political parties, and from throughout civil society across Congo actively participate and decide on a national consensus on reforms on key issues such as the political framework for the country, decentralization, protection of minorities, the return of refugees, and other issues that would be put on the table by the Congolese themselves.

I have five recommendations for strengthening U.S. policy, some of which are echoing some of the good points that you all at the congressional table raised earlier. The first one, and foremost, I think, is the need to appoint this Presidential envoy, and I say Presidential because it needs to have that kind of rank. The current U.S. policy structure simply doesn't allow the United States to exercise its latent leverage, its creativity, and the international co-

ordinating function with respect to supporting peace in Congo that we should be planning. If you appoint a Presidential envoy, that helps to rectify those problem. The envoy should be a high-level individual with experience and relationships in the region who will be responsible for developing a unified policy, the step-change we are talking about, toward the regional crisis and be able to fully invest in helping to deepen this political, this peace process to address its current gaping deficiencies. Such an envoy, we hope, would leverage America's economic, political, and military influence to ensure that all parties fully cooperate with the international political process and work closely with the AU and the U.N. and the ICGLR.

The second recommendation is one that everyone seems to be for, but it is not happening. That is to get a U.N. envoy out there as soon as possible. Everyone is saying that they want this, including, we just heard, from Ambassador Carson very encouragingly. But it wasn't in the United Nations Security Council resolution last week. The congressional letter that Congresswoman Bass referred to earlier couldn't be better timed in that regard. Both of these envoys will be appointed only, I think, if the Congress stays on this case and demands that we see these kinds of things happen.

The third recommendation—again, I am echoing—we want to support robust United Nations sanctions against key people. The international community I think is—and this is terribly important for the peace process and for forward movement—we are leaving a huge reservoir of leverage on the table by not following the recommendations of the U.N. Group of Experts and others. There must be accountability for those who have restarted Congo's war and for those who are orchestrating or funding crimes against humanity and war crimes.

As a responsible supporter of the United Nations sanctions regime, the United States should be compelled to push, to impose sanctions on all individuals identified in the U.N. Group of Experts final report, and those individuals and entities that are supporting the criminal networks, the mafia networks through the trade and natural resources. This won't happen, I do not believe, if Congress doesn't continue to pound away on this issue. So I think progress is, in part, in your hands.

The fourth recommendation I would put forward is the importance, and this was well articulated in the discussion I think between Ambassador Carson and the congresspersons on the panel, we need to suspend certain U.S. assistance to any government supporting conflict and obstructing peace. That is military assistance for sure, but there are certain categories of bilateral non-military assistance, and particularly multilateral assistance, non-humanitarian aid to governments, whoever they are, who are supporting a conflict in Eastern Congo.

Now, for example, if Rwanda and Uganda are found to be continuing their support for M23 and are supporting M23 efforts to obstruct a peace process, progress at the peace table, then corresponding measures should be taken by the U.S., other partner governments, and multilateral organizations to which the U.S. contributes huge amounts of American taxpayers' dollars. Let's be clear about this aid. We don't want health and education and

microenterprise, the kind of small-scale assistance that goes to the people of Rwanda to be stopped. That aid should continue, I believe. But it is the budget support and military assistance, those two categories of aid that are critical. And it is the World Bank, the World Bank has $135 million on the table right now in budget support for the Rwandan Government. That should not be disbursed until we get clear forward movement on the peace process in Congo.

Fifth, and finally, and this one hasn't been discussed yet, but we would call for a high-level summit on responsible investing in the Great Lakes. The United States, in partnership with the European Union, the African Union, could facilitate an international investment conference on investing in peace mines rather than the conflict minerals that exist today, in order to help expand the pie in the region for conflict resolution and for development in which all the people of the subregion can benefit, particularly and at the center, the people of the Congo.

The summit could focus on developing market-based opportunities for responsible investment in Congo and the region. Again, we have got to turn those incentives away from illegal, extractive, violent mining, to peaceful, legal development that goes into the tax treasury, into the treasury, and funds development in Eastern Congo.

Bob Hormats, an Under Secretary of State in the administration, could be a kind of person who could help spearhead that as someone who has helped build this public-private alliance that involves companies and the United States Government and civil society, trying to help promote responsible investment, spurred on by 1502 from the Dodd-Frank law.

Conclusion, my bottom line is this, in two sentences. A credible, internationally driven peace process that deals with the root causes and includes broader Eastern Congolese civil society won't absolutely guarantee peace, but its absence, however, absolutely guarantees war. Thank you very much.

Mr. SMITH. Thank you very much, Mr. Prendergast.

[The prepared statement of Mr. Prendergast follows:]

Testimony of John Prendergast
Co-Founder, Enough Project
House Subcommittee on Africa, Global Health and Human Rights
December 11, 2012

Thank you, Chairman Smith and Ranking Member Bass for the opportunity to testify at a crucial moment for the Democratic Republic of the Congo.

The crisis in eastern Congo continues to deteriorate, threatening to spiral out of control into an all-out war involving several neighboring countries. Throughout the latest explosion and previous cycles of conflict, the root causes of war are not being and have not been addressed, leaving "peace processes" to focus on flimsy power-sharing arrangements that have undermined the sovereignty of the Congolese state and the professionalism and neutrality of its armed forces. This in turn has left the civil population of eastern Congo subjected to globally unparalleled violence, predation, and impoverishment. Another unrepresentative agreement between powerful interests with the biggest guns might ease open fighting momentarily, but it lays a deeper foundation for further devastation and state deconstruction. The United States should not be a party to such a short-term and destructive approach, and must alter its policy to help avert an outcome that simply sews the seeds for further war.

Drivers of Congolese War Unaddressed

The lack of a credible, effective, internationally mandated and leveraged peace process addressing the escalating war in Congo is becoming a major reason for that war's continuation. The current negotiation between the government of the Congo and the M23 rebels is already making all of the same mistakes as its predecessor processes, and will likely result in the same kind of short-term deal that keeps the Congolese government in power, reduces international pressure on Rwanda and Uganda for backing the M23, and re-dividing the spoils of war. The root causes of structural violence will remain unaddressed, and any agreement will lack the involvement of political parties, representative civil society elements including women and religious leaders, and local armed groups representing the diverse voices and interests of eastern Congo.

This is the latest chapter of a long story involving competing mafia-like networks controlled by leaders in the capitals of Congo, Rwanda and Uganda, all of whom wrap themselves in national security concerns to mask economic and political interests. Sometimes these competing elites fight and sometimes they cooperate for control of lucrative land, livestock, mineral, and timber resources.

The opportunity that the current rebel withdrawal from Goma opens up should not be squandered by leaving the resolution of the conflict solely to these three governments and the armed rebellion that two of them support, ignoring the root causes and the real representatives of eastern Congo. The time has come, finally, for a real international peace effort, the kind that actually has a chance of ending the deadliest war globally since World War II.

The fundamental drivers of conflict are never on the table at the peace talks, and the basic recipe of conflict resolution – coming to agreement based on the parties' underlying interests – has been missing. It is time to place these issues openly on the table and agree on a joint plan to deal with them in a transparent way that leaves room only for peaceful development, not war. Getting the parties to agree to discuss these normally taboo issues – control of the minerals trade, a political framework, etc. – will also require significant outside leverage and the right mediation process.

Two key pieces of the solution are missing.

First, a shared framework for the future must be agreed upon in which the sub-region – Congo first and foremost – can benefit much more from peaceful, legal natural resource development, rather than violent, illegal extraction. Section 1502 of the Dodd-Frank bill, a nascent regional certification effort, initiatives by forward-leaning companies, and new OECD guidelines are catalyzing movement in the right direction, but more must be done to change the economic incentives from war to peace, just as cleaning up the blood diamond trade helped incentivize peace in West African countries. Coupled with strong international investment, these efforts will create the conditions for transparent and effective governing institutions that tax revenues from legitimate economic operations can help build more than foreign aid ever could. **Dealing with the economic roots of war not only removes the main driver for the conflict but creates the main engine for state reconstruction.**

Second, a political framework for Congo must be agreed upon that restores public confidence and brings back the viability of the Congolese state, while ensuring that further rebellion does not ensue. President Kabila faces a political crisis as a result of the failures of the army and the elections, and talks with M23 alone will only erode his authority and provide further insult and injury to the Congolese people. It is now time for a wider inter-Congolese dialogue, in which leaders from the government, political parties, and civil society across Congo actively participate and decide on a national consensus on reforms on key issues such as a political framework, decentralization, protection of minorities, and the return of refugees. Security sector reform, which is an inherently political issue, should also be a central part of the equation, and there are ways of beginning it which are low-cost once political agreement and buy-in have been reached. If he does not construct such a platform, Kabila may not survive politically. Legitimate grievances of M23 negotiators will also be brought in, but should not allow integration of wanted war criminals into state institutions, further eroding the rule of law. The initiative should be buttressed by also allowing civil society and political parties to help set the agenda and put fundamental issues forward for discussion and agreement. The process should be based on key lessons and shortcomings of the first inter-Congolese dialogue.

By global standards the international effort to construct a credible peace process for Congo is manifestly derelict, condemning that country to further cycles of devastating conflict. When the curtain is pulled back and one looks behind the occasional United Nations Security Council resolution calling simply for an end to violence, the

international diplomatic response is revealed to be shockingly ineffective, perhaps even violating the Hippocratic Oath: "First, do no harm." Harm has been done through agreements that integrate groups led by internationally indicted war criminals into the Congolese army, that do not address the exploitative economic arrangements that benefit elites in Kigali, Kampala and Kinshasa, and that ignore the broken political institutions and processes in eastern Congo that leave the politics of the region totally militarized.

How the Congo Peace Process Has Been Fatally Flawed

An entire semester's curriculum could be constructed on Congo as a case study for how not to run a peace process. Every item on any conflict resolution 101 checklist has been violated or neglected. Though there are more, seven of the deadliest sins of Congo's peace process follow.

First, a non-transparent peace initiative has been largely left to the three actors who have benefited most from the absence of the rule of law: the leaders of Congo, Rwanda and Uganda. Second, in the past these backroom deals have led to short term security arrangements which address none of the root causes, with that pattern repeating itself in the current effort as the drivers of violence remain untouched. Third, none of the diverse stakeholders from civil society, political parties, or even other armed groups have a role in the negotiations, effectively silencing the voices of grassroots Congolese.

Fourth, there is no credible senior mediator who has the gravitas and international backing to introduce an agenda that would go beyond short-term deals cut by those with the biggest guns. Fifth, there are no expert teams to support what must be protracted negotiations over the tough issues, drawing in best practices from other peacemaking efforts around the world. Sixth, there is no internationally coordinated leverage to compel intransigent parties to consider compromises, and no effective approach to creating real accountability for committing, orchestrating, or funding crimes against humanity. Seventh, there are no senior special envoys of the United Nations and United States, the absence of which helps widen the vacuum of diplomatic leadership and corrode any chance for peace.

There is no excuse for this sorry state of affairs. Rectification does not require huge amounts of money or wrenchingly divisive moves within the UN Security Council. It requires leadership – from the African Union, from the UN Secretary General, and from President Obama, who has a strong history of clarity on Congo going back to his days in the U.S. Senate when he sponsored legislation that – had it been implemented then – would have addressed many of today's deficiencies.

The answers to this diplomatic train wreck lie within the lessons of successful peace processes that have ended previous African wars. A highly respected senior UN envoy should be appointed to work with the African Union envoy in crafting and leading a transparent and inclusive peace process. Beyond the Congolese, Rwandan and Ugandan governments, the initiative should involve armed and unarmed representatives from throughout eastern Congo, in particular civil society and political party officials, to

ensure that any agreement might have the buy-in of a wide swathe of stakeholders. Key regional governments such as South Africa and Angola must also be involved to help build leverage for a solution. A senior US Special Envoy should be appointed to support the mediation and better organize international leverage opportunities, including UN sanctions and war crimes accountability.

Time for a Credible Internationally Supported Congo Peace Process

A peace process for Congo must be constructed in which – for the first time ever – root causes are addressed and the broad and diverse constituencies and interests of eastern Congo have a voice in the solutions. Creative approaches to incentivizing the peaceful and legal development of Congo's natural resource sector that draw upon best practices from successful cases should be at the basis of any agreement, along with political arrangements that are more inclusive and decentralized than anything that has come before.

A credible international process doesn't guarantee peace. Its absence, however, guarantees further war.

The United States has an opportunity to help break the cycle of violence that has devastated eastern Congo and destabilized the wider Great Lakes region for the last 15 years, but it will require far greater attention from senior policymakers, a step-change in our diplomatic engagement in the region, and concentrated focus on areas of U.S. leverage, especially efforts to transform the trade in natural resources from a driver of violence into a catalyst for regional peace.

Therefore, I strongly recommend that the United States urgently take the following actions in support of peace in the Congo:

- **Appoint a Presidential Envoy:** The current U.S. policy structure does not allow the U.S. to exercise fully its latent leverage, creativity and coordinating function with respect to supporting peace in Congo. Appointing a Presidential Envoy would help rectify that. The Envoy should be a high-level individual with experience and relationships in the region who would be responsible for developing a unified policy toward the regional crisis and be able to fully invest in helping to widen and deepen the peace process to address its gaping deficiencies. Such an Envoy would leverage America's economic, political, and military influence to ensure that all parties fully cooperate with an international political process, and also work closely with the current AU Envoy and a proposed UN Envoy.

- **Call for a UN Envoy to the Great Lakes:** The current peace initiative sponsored by ICGLR lacks internationally coordinated leverage and strong external voices that can help ensure that the real drivers of conflict are eventually addressed within a political framework. The UN should play a major role in this. Therefore, the United States should work within the UN Security Council to

ensure the appointment of a high-level envoy to work with the ICGLR and the AU to build a credible international political process that addresses the continual cycles of violence and regional interference.

- **Support robust UN Sanctions:** The international community is leaving a huge reservoir of leverage on the table by not following the recommendations of the UN Group of Experts and others. There must be accountability for those who have restarted Congo's war, and those who are orchestrating or funding war crimes and crimes against humanity. As a responsible supporter of the UN sanctions regime, the United States should push to impose sanctions on all individuals identified in the UN Group of Experts final report and those individuals and entities supporting criminal networks through the trade in natural resources, one of the main but unspoken drivers and motivations of the current round of conflict.

- **Suspend certain U.S. assistance to any government supporting conflict and obstructing peace:** The United States should cut all military assistance and suspend certain categories of bilateral and multilateral non-humanitarian aid to any government continuing to support conflict in eastern Congo. For example, if the Rwandan and Ugandan governments are found to be continuing their support for M23 and are supporting M23 efforts to obstruct progress at the negotiating table, then corresponding measures should be taken by the U.S., other partner governments, and multilateral organizations to which the U.S. contributes substantial American taxpayer dollars. Such steps are crucial to encouraging all parties to engage constructively in a comprehensive political process.

- **Call a high-level summit on responsible investment in the Great Lakes region.** As part of any comprehensive peace deal that addresses root causes, the U.S. could be very helpful in ensuring implementation. In that regard, the United States, in partnership with the European Union, could facilitate an international investment conference on "Investment in peace mines in the Great Lakes: an engine for development," in order to help expand the pie in the region for conflict resolution and development. The summit would focus on developing market-based opportunities for responsible investment in Congo and the region. Critically, it would involve investors, who have been missing from the discussions on building a responsible minerals trade in Congo.

Removing the Economic Fuel for War

There will be no peace in Congo as long as ruthless interests can make immense profits from the extraction of minerals and other natural resources with the connivance of regional governments. Corrupt Congolese officials have no interest in justice or army reform because they reap windfalls from mafia-like smuggling and land grabbing. It will take an effort to change market incentives similar to the one that ended the blood diamonds wars elsewhere in Africa.

Rwanda's post-genocide economic miracle has benefited from huge exports of smuggled Congolese tin and tantalum. Influential Ugandans enrich themselves through major illicit Congolese gold exports. This ensures that eastern Congo remains at the mercy of armed groups and their criminal business partners allied with Kinshasa, Kigali or Kampala. As with all mafias, sometimes these competing groups fight, sometimes they cooperate.

After the passage of the Dodd-Frank legislation that requires companies to disclose whether they source minerals from conflict areas, war profits from the 3 T minerals have decreased by 65 percent, as it has become increasingly difficult to sell untraceable minerals on the global marketplace. Several reforms by Congo and industry have also emerged, including the Great Lakes region developing a certification process for minerals and Congo kicking out several Chinese companies that were smuggling minerals. But much of these processes are nascent, and the vested interests in the rotting status quo remain strong.

A new cooperative framework between regional states is not about rewarding aggressors with the spoils of war, as in former French President Nicholas Sarkozy's earlier plan. Instead, it is about expanding the economic pie through negotiating a framework and a forum for greatly increased investment in Congolese development. Congo's resources would still be Congo's, and Rwanda's would still be Rwanda's, but cross-border cooperation will need to be better defined, and new mine and oil concessions would be opened up under a new, transparent framework for both international and regional investors, and requirements would be put in place to have the resources processed in the region in order to add value for all parties, especially the Congolese. This way, there would be both regional and private sector buy-in to Great Lakes resources as an engine for peace. Based on lessons from cases such as Nigeria-Sao Tome, each country would benefit much more from a transparent, certified trade that would also build each country's capacity for adding value to minerals and oil through processing. This investment has suddenly become a new possibility because of the vastly increased corporate spotlight on the region following recent regional and international minerals transparency reforms.

In addition to the sanctions and international investment conference outlined above, there is a need to close the smuggling loopholes that allow conflict minerals to filter through, albeit in lower amounts. To that end, the U.S. should strongly urge Congo and Rwanda to finalize an Independent Mineral Chain Auditor to act as an independent monitor on minerals trading and support the Auditor's team.

From the perspective of the Enough Project, reducing violence and enacting political and military reform in Congo is not possible without stamping out the illegal trade in conflict minerals and the environment of impunity for those involved. The United States, as home to the largest end-user companies of conflict minerals and as a powerful diplomatic actor in Africa's Great Lakes region, has a choice whether to exercise leadership and help further efforts to legitimize Congo's mineral sector in the east of that country.

Internationalizing the Peace Process

In September 2012, the United Nations held a special high level meeting on the crisis in the Great Lakes on the sidelines of the General Assembly that was chaired by Secretary General Ban Ki-moon and attended by both heads of state from Congo and Rwanda. This meeting resulted in the U.N. recommending the exploration of joint U.N and A.U. initiative to address the conflict in eastern Congo. The African Union has recently appointed a new Special Representative to the Region, former head of the A.U. mission to Somalia, Boubacar Gaoussou Diarra, of Mali.

In light of the spike in international engagement in the region, the current situation presents a new opportunity to bring conflicting parties and stakeholders together to embark on a broader process that seeks to address the roots of conflict in the region. Given the long history of violence and mistrust among the core states, it is difficult to see a solution reached through only regional mechanisms such as the ICGLR, particularly while Uganda holds the rotating chair. Therefore, regional efforts to resolve this conflict must be coupled with international efforts from a joint U.N. and A.U. initiative that can draw conflicting parties to the negotiating table in good faith and sustain a process that addresses both the short term and long term issues that perpetuate the cycle of conflict in eastern Congo.

In a region so shaped by the personas of its leaders—some of whom have been in power for decades—finding the right person and process to engage reluctant parties is critical. One path towards a viable process might be to create a mediating mechanism, spearheaded by both the newly appointed U.N. Envoy and the existing A.U. envoy. Another idea might be to create a panel similar to the A.U. High Implementation Panel, or AUHIP, on Sudan, currently working to facilitate negotiations relating to South Sudan's independence from Sudan in July 2011 over oil, security, citizenship, assets, and their common border.

However, the first and arguably most important step is to find an individual who has the trust and relationships with the key leaders in the region. This U.N. Envoy must have the skills and stature to bring these parties to the table and move them toward a durable agreement. He or she should have a deep understanding of the regional history and dynamics in play, and the time and ability to work with the ICGLR and the AU to direct a process that in all likelihood could take years to oversee to completion.

Conclusion

One of the most important factors in creating peace will be the international mediation process mandated with ending the war. How the process is structured and the identity of the mediator who will help lead it will determine whether there is a chance for lasting peace. Significant decisions await the international community. A more active international role will ruffle regional feathers and have no guarantee of success. But without such a robust effort, there can be no chance at achieving a lasting peace.

Mr. SMITH. Mr. Dizolele.

STATEMENT OF MR. MVEMBA DIZOLELE, PETER J. DUIGNAN DISTINGUISHED VISITING FELLOW, HOOVER INSTITUTION, STANFORD UNIVERSITY

Mr. DIZOLELE. Chairman Smith, Ranking Member Bass, and members of the Subcommittee on Africa, thank you for the invitation and honor to testify before your committee. I come before you as a Congolese and concerned U.S. citizen. The views I express today in the statement are mine and mine alone.

This important hearing comes at yet another critical time for the Democratic Republic of the Congo, and I would like to commend you for your interest in my home country.

Congo is too big to fail, and the U.S. should care today for the same strategic and security reasons it did during the Cold War. With its mineral and other natural wealth, DRC is the equivalent of the world's breadbasket of critical resources. At this time of Chinese scramble for resources, we cannot stand idle and let Uganda and Rwanda destabilize the heart of Africa. Measured in human lives, the cost of their military adventurism, which has indirectly killed over 6 million Congolese, now rivals King Leopold's holocaust. Ironically, Rwandan President Paul Kagame blames King Leopold for the current crisis.

Substantial U.S. military assistance to Rwanda and Uganda, and Washington's reluctance to denounce and stop the support for these regimes, makes the U.S. an accomplice to the tragedy.

Today the greatest challenge and obstacle to resolving the crisis in Congo is neither the confusing alphabet soup of militia names, nor the lack of engagement of the international community. Rather, it is the lack of understanding of the drivers and dynamics of the conflict that stands between policymakers like yourselves and the right prescriptions.

For two decades the policy discourse on DRC has been defined by a narrative that focuses on the ramification of the problem, such as ethnic identity, citizenship issues, sexual violence, looting of natural resources, but ignores the root causes of the crisis. While the problem is often viewed as a humanitarian disaster, which it is, DRC is paralyzed by a political crisis which requires political solutions and that is where you can have the greatest impact.

Congo has been muddling through a series of crises for nearly two decades. The causes, of course, are well known: An inept government with a weak leadership, no articulated vision, no legitimacy after the botched 2011 election, lack of capacity to resist or contain predatory designs of neighbors, i.e., Rwanda, Uganda, and Angola, proliferation of armed groups, and an underachieving and over-politicized U.N. peacekeeping mission.

This cocktail of problems is topped by an apathetic diplomatic community motivated by short-term interests of the countries it represents, rather than the long-term stabilization of Congo and Central Africa.

The M23 rebellion is to be understood through this optic. As the M23 crisis enters a new phase with the withdrawal of the rebels from the battered city of Goma, the people of North Kivu and their fellow Congolese citizens everywhere wonder whether the storm

has passed or the rebels' retreat represents the quiet before a super storm. Either way, telltale signs and history indicate that the conflict will continue unless appropriate deterring measures are taken.

M23—like its precursor, the CNDP of Laurent Nkunda—and the dozen armed groups roaming the hills of eastern provinces, expose Congo as a dysfunctional state with weak political leadership and lacking a competent army and security institutions. With the failing of the state, old latent community grievances stemming from land disputes, demographic pressure, ethnic tensions, and control of resources and trading routes has turned Eastern Congo into a tinderbox. This means that ambitious war entrepreneurs and demagogues only need a cause and find a sponsor—it can be a community, a business, political elite or a state—to start a militia.

The M23, which is primarily a Tutsi mono-ethnic armed group, sought to exploit these dormant grievances, citing discrimination against Tutsis as one reason for the rebellion, but they failed to generate support from important Tutsi communities, such as the Banyamulenge who have so far refused to join M23. Instead, the Banyamulenge are serving with the DRC Army and fighting the rebellion.

The rebellion had also threatened to take over Goma and march on Kinshasa and liberate the DRC. But when Goma fell to M23 elements, spontaneous protests broke out in Bukavu, in Kisangani, and Kinshasa, denouncing Kinshasa's failure to protect the city and exposing even a greater ire against the rebellion and the United Nations Stabilization Mission, MONUSCO.

While it may be too early to draw meaningful conclusions, M23's failure to rally other Tutsis who had previously presented a common front may signal the beginning of a new era of trust building between ethnic groups. After two Presidential and legislative elections that empowered the Congolese to seek change through the ballot instead of at the barrel of the gun, M23 has no popular appeal.

But the highly controversial and contested 2011 Presidential and legislative elections eroded the legitimacy of President Kabila, making it impossible for the government to mobilize the masses in this time of crisis.

M23 rebellion further exacerbated the legitimacy crisis by exposing the state's inability to protect its citizens. The government has failed to build a professional army, perhaps the single most important element in ensuring Congo's territorial integrity, and the security of its citizens and coveted natural resources.

Without such a competent military, DRC is unable to stop the proliferation of militias. Instead, the Government of DRC has chosen to compromise with militiamen and co-opt them into the army with no disruption of their ranks and files. The lack of an adequate military integration program has resulted in the establishment of parallel commands and structures in the national army. This means that the militias who join the national army remain in their areas of control and keep their command nearly intact. This arrangement allows the former militiamen to perpetrate abuses on the civilian populations and keep their access to local resources, all under the protection of the Congolese military uniform. This integration model enabled disgruntled ex-CNDP elements stationed in

North and South Kivu to mutiny and launch M23 when DRC ironically sought to arrest their commander, General Bosco Ntaganda.

The predatory designs of neighboring Rwanda and Uganda also fuel the volatile situation as we have heard before. Both Rwanda and Uganda invaded Congo twice, with continued incursions into Eastern Congo where they still support militias. Several U.N. reports, as we heard Steve Hege say a few minutes ago, have linked both countries to Congolese militias and the looting of resources. And of course, now they are linked to M23.

Both countries have denied the charges and insist that they are wrongfully accused and used as scapegoats for the DRC Government's failures. Their denial and deceit, however, undermine the chances for lasting peace. It is impossible to solve the crisis when the parties to the conflict refuse to assume their share of responsibility. When you invade your neighbor twice, arm militias, support rebellions, loot its resources, and indirectly cause the death of over 6 million Congolese, you are not a scapegoat. You are a serious problem.

So we know the primary supporters of the militias, and whether they be in Congo or in neighboring countries or overseas. We also know the primary routes of the illicit export routes, and which neighbors profit from. So what should the U.S. do? I think that is probably what is of most interest to you. Number one, we need to unequivocally support security sector reform for the reasons we have heard today, from my colleagues and from the Assistant Secretary. Reform is long overdue. But reform means serious commitment to rebuilding a new army, and not cobbling together old militias and new units. Millions of dollars have been invested in training, but not enough attention has been devoted to the reconstruction of the military.

Unfortunately, these initiatives amount to very expensive window-dressing. For instance, the Belgian-trained elite units that fought M23 early in the spring did not receive the institutional support they needed to succeed in their mission. U.S. AFRICOM has also trained a unit which could have made a positive contribution in North Kivu in another context, had the leadership and the structure been different.

The current broken military structure cannot absorb newly trained units effectively. Real military reform requires that we break down the old decrepit foundation and build a new army from scratch. And such a reform process will phase out and discharge top commanders who came from militias, as well as former militiamen who now fill the ranks. We cannot put new wine in old vases. They will break.

So, number two, we need to implement U.S. law. The Congolese, like many other people in the world, look up to the U.S. as a beacon of principles and leadership. There is a law passed by then-Senator Barack Obama, we have mentioned that already, called the Democratic Republic of the Congo Relief, Security, and Democracy Promotion Act. This bill includes provisions on conflict minerals, sexual violence, sanctions on armed groups and their state sponsors, and so far, we have hardly scratched the surface of this law. It still baffles people. It definitely baffles the Congolese.

Number three, we need to activate the State Department Reward to Justice Program. I think we need to encourage associates of militias who are trying to get out of the system to turn on their colleagues who are keeping them in the system. It is very much like a gang mentality where once you are in, it becomes very difficult to get out, especially if that is based on ethnic affiliation.

Number four, we need to apply sanctions against individuals and institutions identified in the reports. I commend the U.S. Government and the Congress for the recent initiative to sanction leaders of M23, but it will not serve the intended purpose. If we sanction Makenga, we sanction Bosco Ntaganda or anybody else and will not sanction the backers in Rwanda or Uganda or where else they may be, then the game will continue. If Makenga becomes a burden, he will be replaced. When Nkunda became a burden, he was arrested and replaced with Bosco. So tomorrow it will be somebody else, and I think we cannot act like we are doing something impactful when in fact we are just, again, doing window dressing like with security sector reform.

And then number five, we need to push for the completion of the electoral process and opening of the political space. We have talked about Rwanda and Uganda, but the big elephant really is Kinshasa. Eastern Congo often is discussed as if it were a country. Eastern Congo is not a country, it is part of a larger country called Congo. The crisis that is taking place in the Kivus in Eastern Congo has its roots in Kinshasa, in the failure of that leadership. For the last 5 years, from 2006–2011, the Congolese have been emboldened by the electoral process. We have not stood, we, meaning the international community, have not stood up with the Congolese to fight that.

We need to open that process so that the botched electoral system would move forward. We need to support the holding of the municipal and provincial elections. At this point, both the national senate and the Electoral Commission are serving without any mandate. So until that happens, we have a system that has no legitimacy.

Then last, we need to insist on the restructuring of the Independent National Electoral Commission. They are part of the problem. We looked the other way when the system was botched. We cannot move on without this change. This is why President Kabila cannot really speak with the backing of his people. This is why when people riot against M23, they also automatically riot against Kabila, and that cannot continue.

Then, finally, I would like simply to say that this conflict has gone on too long. It has gone on too long. It challenges now our morals and principles as a country. We cannot talk about democracy, we cannot be outraged about sexual violence when, in fact, we are not taking the steps to stop this. In Congo, armed groups and their international and local backers are the enemies. But there is an even greater enemy, and the greater enemy is the Congolese Government in its failures. It is also the Congolese army, which itself is a big tapestry of different militias. When you are in Congo and you see, if you want to talk about insecurity, I define insecurity as the feeling you get in your gut when you see somebody in uniform in front of you. Thank you very much.

Mr. SMITH. Mr. Dizolele, thank you so very much for your testimony.

[The prepared statement of Mr. Dizolele follows:]

The Devastating Crisis in Eastern Congo

The United States House of Representatives

Committee on Foreign Affairs

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Chairman Smith, Ranking Member Bass and Members of the Subcommittee on Africa:

Thank you for the invitation and honor to testify before your committee. I come before you as a Congolese and concerned U.S. citizen. The views expressed in this statement are mine, and mine alone.

This important hearing comes at yet another critical time for the Democratic Republic of Congo and I commend you for your interest in my home country.

Congo is too big to fail and the U.S. should care today for the same strategic and security reasons it did during the Cold War. With its mineral and other natural wealth, DRC is the equivalent of the world's breadbasket of critical resources. At this time of Chinese scramble for resources, we cannot stand idle and let Uganda and Rwanda destabilize the heart of Africa. Measured in human lives, the cost of their military adventurism, which has indirectly killed over 6 million Congolese, now rivals King Leopold's holocaust. Ironically, Rwandan President Paul Kagame blames King Leopold for the current crisis. Substantial U.S. military assistance to

Rwanda and Uganda, and Washington's reluctance to denounce and stop its support to these regimes, make the U.S. an accomplice to the tragedy.

Today the greatest challenge and obstacle to resolving the crisis in Congo is neither the confusing alphabet soup of militia names nor the lack of engagement of the international community. Rather it is the lack of understanding of the drivers and dynamics of the conflict that stands between policymakers and the right prescriptions.

For the past two decades, the policy discourse on DRC has been defined by a narrative that focuses on the ramifications of the problem, such as ethnic identity, citizenship, sexual violence and the looting of natural resources, but ignores the root causes of crisis. As we fail to define the Congo crisis correctly, it becomes nearly impossible to solve the problem. While the problem is often viewed as a humanitarian disaster, DRC is paralyzed by a political crisis, which requires political solutions. That is where you can have the greatest impact.

Congo has been muddling through a series of crises for nearly two decades. The causes are well-known: An inept government with a weak leadership, no articulated vision and no legitimacy after the botched 2011 election, lack of capacity to resist or contain predatory designs of neighbors (Rwanda, Uganda, and Angola), proliferation of armed groups, and an underachieving and over-politicized U.N. peacekeeping mission. This cocktail of problems is topped by an apathetic diplomatic community motivated by short-term interests of the countries it represents, rather than the long-term stabilization of Congo and Central Africa.

The M23 rebellion is to be understood through this optic. As the M23 crisis enters a new phase with the withdrawal of rebels from the battered city of Goma, the people of North Kivu and their fellow Congolese citizens everywhere wonder whether the storm has passed or the rebels' retreat represents the quiet before a super storm. Either way, telltale signs and

history indicate that the conflict will continue unless appropriate deterring measures are taken.

The M23 (like its precursor, Laurent Nkunda's Congrès National pour la Défense du Peuple (CNDP)) and the dozen armed groups roaming the hills of the eastern provinces expose Congo as a dysfunctional state with weak political leadership and lacking a competent army and security institutions.

For the past decade, DRC government has failed to restore state authority over its territory, enabling the proliferation of armed groups, which recruit children, systematically rape women, and loot mineral resources. As was the case with CNDP, M23 receives material support from Rwanda and Uganda. To-date the conflict, which is the subject of new reports by a United Nations Group of Experts, has displaced nearly two million civilians both internally and outside the DRC.

With the failing of Congolese state power, old, latent community grievances stemming from land disputes, demographic pressures, ethnic tensions, and control of resources and trading routes has turned eastern Congo into a tinderbox. Ambitious war entrepreneurs and demagogues only need to embrace a cause and find a sponsor — a community, business or political elite or a state — to start a militia.

M23, which is primarily a Tutsi mono-ethnic armed group, sought to exploit these dormant grievances, citing discrimination against Tutsis as one reason for the rebellion. But they failed to generate support from important Tutsi communities, such as the Banyamulenge who have so far refused to join M23. Instead the Banyamulenge are serving with DRC army and fighting the rebellion. The rebellion had threatened to take over Goma, march on to Kinshasa and liberate DRC. But when Goma fell to M23 elements, spontaneous protests broke out in Bukavu, Kisangani and Kinshasa, denouncing Kinshasa's failure to protect the city and expressing ire against the rebellion and the United Nations Stabilization Mission (MONUSCO).

While it may be too early to draw meaningful conclusions, M23's failure to rally other Tutsis, who had previously presented a common front may signal the beginning of a new era of trust-building between ethnic groups. After two presidential and legislative elections that empowered the Congolese to seek change through the ballot, M23 has no popular appeal.

But the highly controversial and contested 2011 presidential and legislative elections eroded the legitimacy of President Kabila, making it impossible for the government to mobilize the masses in this time of crisis. M23 rebellion further exacerbated the legitimacy crisis by exposing the state's inability to protect its citizens. The government has failed to build a professional army, perhaps the single most important element in ensuring Congo's territorial integrity and the security of its citizens and coveted natural resources.

Without such a competent professional military, DRC is unable to stop the proliferation of militias. Instead, the government of DRC has chosen to compromise with militiamen and co-opt them into the national army with no disruption of their ranks and files. The lack of an adequate national integration program has resulted in the establishment of parallel commands and structures within the national army. This means that the militias who join the national army remain in their areas of control and keep their command nearly intact. This arrangement allows the "former" militiamen to perpetrate abuses on the civilian populations and keep their access to local resources all under the protection of a Congolese military uniform. This integration model enabled disgruntled ex-CNDP elements stationed in North and South Kivu to mutiny and launch M23 when DRC sought to arrest their commander General Bosco Ntaganda in early spring.

The predatory designs of neighboring Rwanda and Uganda also fuel the volatile situation. Both Rwanda and Uganda have invaded Congo twice, with continued incursions into eastern Congo where they still support

militias. Several UN reports have linked both countries to Congolese militias and the looting of resources. Recent reports document their support to M23.

Both countries have denied the charges and insist they are wrongfully used as escape goats for DRC government failures. Their denial and deceit, however, undermine the chances for lasting peace. It is impossible to solve the crisis when the parties to the conflict refuse to assume their share of responsibility. When you invade your neighbor twice, arm militias and support rebellions, loot its resources and indirectly cause the death of over 6 million Congolese, you are not an escape goat, you are a serious problem.

We know the primary supporters of militias, whether in Congo, in neighboring countries or overseas. We also know the primary illicit export routes and which neighbors profit from this trade.

What should the U.S. do?

1. Unequivocally Support Security Sector Reform:

This reform is long overdue. The Congolese people want and deserve peace. We should empower them to that end. DRC government's inability to protect its people or control its territory undermines progress on everything else. A competent, professional military - organized, resourced, trained and vetted - is essential to solving problems from displacement, recruitment of child soldiers and gender-based violence, to economic growth or the trade in conflict minerals.

Reform means a serious commitment to rebuilding a new army and not cobbling together old militias and new units. Millions of dollars have been invested in training, but not enough attention has been devoted to the reconstruction of the military. Unfortunately, these initiatives amount to very expensive window-dressing. For instance, the Belgian-trained elite units that fought M23 early in the spring did not receive the institutional support they needed to succeed in their mission. U.S. Africom has also

trained a unit, which could have made a positive contribution in North Kivu in another context. The current broken military structure cannot absorb new professionally-trained units effectively. Real military reform requires that we break down the old, decrepit foundation and build a new army from scratch. Such a reform process will phase out and discharge top commanders who came from militias as well as former militiamen who now fill the ranks.

In partnership with DRC, the U.S. should lead the coordination efforts among donors to generate greater political will to reflect the international community's commitment to real reform within the year 2013. Most importantly, U.S. technical know-how and assistance are needed in training commanders and non-commissioned officers.

2. Implement U.S. law:

As a senator, earlier in his career, and a member of the Senate Foreign Relations Committee, President Barack Obama worked successfully with Republicans to pass the *Democratic Republic of Congo Relief, Security and Democracy Promotion Act* that was signed into law by President George W. Bush.

The bill includes specific provisions on conflict minerals and sexual violence; sanctions on armed groups and their state-sponsors; and support for democracy. Section 105 of the Obama law authorizes the secretary of state to withhold some assistance from a foreign country if she determines that the foreign government is taking actions to destabilize the DRC. Obama's six-year-old law is still the only official policy the U.S. has on the books for dealing with the Congo crisis.

3. Activate the State Department Reward to Justice Program:

This is an effective way to encourage the arrest of individuals who are wanted by the international justice for crimes committed in DRC. Knowing

that they could be turned in to law enforcement by their associates for a bounty would increase pressure on criminals.

4. Apply sanctions against individuals and institutions identified in reports:

The current sanction regime singles out militia leaders, but leaves their backers and sponsors free to pursue their criminal enterprises. The Treasury Department, State Department and other relevant entities should apply sanctions against those officials and entities that are mentioned as primary planners, supporters or instigators of militias and rebellions in DRC, regardless of nationality or affiliation.

5. Push for Completion of Electoral Process and Opening of Political Space:

Political space has been restricted as a result of the botched 2011. Municipal and provincial elections have been delayed, adding to the legitimacy crisis. Provincial assembly members who were elected in 2006 are now serving with no mandate. Members of the national senate are in similar situation as they are elected by provincial assemblies. Without these elections, members of the national senate and provincial assemblies will continue to serve unconstitutionally as their mandate expired in March 2012.

6. Insist on the Restructuring of the Independent National Electoral Commission:

Opposition parties and international election observer missions have asked that the commissioners be dismissed as they contributed to the current crisis and lack credibility. The lack of commitment to a fair, transparent and credible process on the part of international community contributed to the 2011 electoral fiasco. The Electoral Commission in its current form and

composition remains an obstacle to the resolution of the legitimacy crisis. Donors, such as the U.S., should insist on this change as it is one of the first steps to restoring the credibility of the electoral system.

This conflict has gone on for too long, and challenges our principles and ideals. As we struggle to solve this calamity we would be better served by looking into Congo's early history.

Between 1885 and 1924, Congo, then known as Congo Free State or the private estate of Belgium's King Leopold II, was the theater of yet another holocaust driven not by mineral exploitation, but by the world's hunger for a commodity. The industrial revolution demanded rubber and more of it. Business' insatiable need for rubber and King Leopold's immeasurable greed pushed the Belgians to design one of the world's most repressive forced-labor structures.

The King's agents established a quota system, which required that each village produce a specific amount of rubber over a time period. Force Publique troops were then used to enforce the quota and demand taxes of the population. Failure to meet the quota or tax requirements led soldiers to chop off limbs of the unlucky Congolese who fell below the mark. Villages were torched, women raped and the people left to starve to death or die of diseases. By 1924, nearly 10 million Congolese had perished under the yoke of the Leopoldian regime.

The similarity to the current situation is eerie. Like the conflict minerals, which are primarily exploited in the east, rubber was only exploited in some areas of the Congo Free State. Both problems were symptoms of larger systemic and regime perversions that subjugated an entire country.

But there is a big difference between the approach the activists took to expose and denounce King Leopold's crimes and the way we choose to deal with the calamity today.

At a time when there was no computer, no internet, no fax and the telephone was still a curious invention, a shipping clerk in Liverpool decided to expose the mighty king and launched a campaign that would not end until Leopold relinquished possession of the colony and the regime and the system changed.

Working under great stress, members of the Congo Reform Movement could have easily chosen the easy route to fundraising on behalf of the victims, and send them medicine and physicians to mend their wounds.

Such a timid campaign would have made them Leopold's tacit accomplices and enablers, and prolong the suffering of the Congolese. Instead, they set out to destroy and change the repressive system and took the necessary time to accomplish their goal.

Today, at a time of instant satellite imagery, internet, instant messaging and other technological advances, our engagement is lackluster, and devoid of moral courage in the face of the unnecessary suffering of the Congolese. We hedge our action and refuse to see the reality before us by covering our faces like little children, hoping it would go away. Instead, we search for enemies where they do not exist.

Earlier this year in April, over 300 Congolese civil society organizations and their international counterparts showed great courage and published a report on security sector reform in Congo. This report calls for an end to the conflict through a comprehensive reform of security institutions, which include the military, law enforcement institutions such as the police and the courts, as well as customs and revenue agencies.

Mr. Chairman, with your permission, I would like to submit a copy of that report for the record.

In Congo, armed groups and their international and local backers are the enemies. Still, the Congolese army in its present form is arguably an even

bigger threat to the population than the smaller militias. If we are serious about DRC, we should target these dangerous groups and help restore state authority so that the Congolese government can finally meet its obligations toward the people. This means that together we need to work on ending impunity at all levels of the polity.

As long as the government is incapable to impose its authority and address the various grievances, the Congo will not know peace.

Thank you.

Mr. SMITH. All three of your testimonies were extraordinarily incisive, certainly timely, and prescribed a way forward for the administration as well as for Congress, so for that, our subcommittee is deeply grateful for your presence here today and for sharing with us not only your understanding of the situation on the ground but what ought to be done perhaps to truly rectify it.

I think the emphasis on root causes couldn't be more timely as well. I will never forget years ago, in the early days of the war in Yugoslavia, I, along with Congressman Frank Wolf, went to Vukovar and other places in Croatia after it had been devastated, and then we went to Belgrade and met with Slobodan Milosevic and others within that dictatorial government of his, and I will never forget getting a map of a greater Serbia that included Bosnia and Croatia, and the lack of understanding on all of our part about what the end game was was appalling. We thought this was something that would abate over a short period of time, and I think, Mr. Hege, your point about the key goal of establishing an autonomous state is largely underappreciated, and perhaps our other two distinguished witnesses might want to speak about that. You point out that Rwanda's deeply ingrained federalist vision is born out of the geopolitical regional strategy adopted by Kigali's leadership. A federal autonomous state for the Eastern Congo would cement and guarantee Rwanda's already extensive influence over military, political, economic, and cultural aspects of life.

And I think that is underappreciated almost in the extreme as to the why of it. We know the mineral wealth is an engraved invitation to looters and thieves, you know, to do what they do, but this idea that it is part of the government's overall strategy, perhaps you as well as our other very distinguished witnesses might want to elaborate on.

Mr. HEGE. Thank you, Mr. Chairman. On the question of the Rwandan strategy for creating or spawning an autonomous state for the Eastern Congo, a few things that I would like to mention as well in terms of timing. Some of my colleagues here have mentioned the cyclical nature and the numbers of wars that have taken place in Eastern Congo. It appears that the Rwandan backers of M23, the real masterminds that orchestrated the creation of the rebellion were looking toward the post-electoral period precisely for the reasons that Mvemba described, the discredited 2011 Presidential elections as a period where they would be able to mobilize an eastern common front against a delegitimized Kinshasa and President Kabila himself. This was certainly a part of their calculations about why to push for this now.

Also the question of the CNDP's cycles of impunity and the fact that the international community was increasingly resistant to allowing their capacity to control parallel chains of command to have access, unfettered access to illegal trade in natural resources. They understood that this was a time in which that, those networks could be curtailed, that Kinshasa could attempt to curtail them, and that they would need to capitalize on that, on those assets before any of those individuals were eventually redeployed out of the Kivus or in the case of Bosco Ntaganda that he would have been arrested himself.

The third element that I think that they took into account in preparing this strategy, because it was quite well prepared, we have extensive evidence that shows Makenga himself back all the way in 2011 was amassing huge amounts of weapons at his home and in numerous arms caches in preparation for a return to war precisely after the elections, but the Rwandans also understood that there was a generalized Congo fatigue, as it is often described, that there is a sentiment that Congo is sort of always a mess. President Kagame, I have been told by Rwandan diplomats, likes to say that the Congo has been a mess before he was born and will be a mess infinitely or indefinitely.

Certainly within the U.N., there are member states that are questioning the strategy on the Congo, how long can they continue to foot the bill for a peacekeeping mission which is so costly, and should we start to think of more radical solutions, definitive long-term solutions for the Eastern Congo and whether the current governance structure is a viable one. I think that Rwanda felt that that was a right period to push for this, and that unfortunately their success on the battlefield recently would likely embolden them to continue to drive for this end game, and any other issues, smokescreen issues on the table in political talks would only prolong this process until they can get to that key and core issue.

Mr. PRENDERGAST. I want to add to what Steve said and then Mvemba will have something, too, of course. I will do my three points: Security interests, economic interests, and political interests that the Governments of Rwanda and Uganda have in Eastern Congo and why there continues to be intervention, both direct and indirect, by the neighboring governments in Eastern Congo.

Security first. Rwanda has been legitimately concerned over the last 18 years since 1994 about the possible strengthening of the FDLR. They want to ensure without any doubt that the FDLR cannot come back and threaten Rwanda. And then in that context, can't allow a strong Congolese state that might provide support to the FDLR. For the Ugandans, they will say it is the ADF, and we have talked, we have heard already some back and forth with Ambassador Carson and the committee on that.

There is a second role, issue, the economic issues that I think are deeper than the security ones. Rwanda has benefited massively over the last decade from the looting of natural resources in Eastern Congo, particularly, and this is why this whole campaign in the United States has unfolded particularly amongst young people on college campuses, this conflict minerals campaign because everyone is somehow complicit in this, all of us that buy cell phones and laptops and other electronic instruments are helping to underwrite this smuggling network and these competing mafias that are ruining and continue to immiserate the people of Eastern Congo.

Tin, tantalum, and tungsten are the three minerals today. There were others decades ago, and going all the way back to King Leopold, that looting that goes across borders that benefits us with no protections for the Congolese people. It is a huge windfall for Rwanda. Foreign exchange, balance of payments, all the rest of it drives their economic development miracle, post-genocide economic miracle. In Uganda it is gold, it is smuggled gold. Huge amounts of gold travel across the border illegally from Congo into Uganda

and are then exported out of the country. These are, again, windfalls that are hard to replace by domestic economic development.

Then the third arena, the third issue is political. Both Uganda and Rwanda I think, the bottom line, want proxies in positions in Eastern Congo, whether they are military or civilian authorities, to ensure their economic and security interests. So when President Kabila tried after the elections to redeploy the CNDP elements, as Ambassador Carson was describing, he described all the facts of what happened, but what was underneath the facts, I think, was that the CNDP had established for years with Rwanda and Uganda, particularly Rwandan support, this ability to export illegally and extract natural resources and ensure the political and security interests of the State of Rwanda. And so when Kabila, when President Kabila tried to redeploy these forces out of that region, which would have undermined that control, that proxy control that the neighboring countries have over the politics and the economics of the east, the rebellion immediately occurred because they couldn't allow that to happen, so of course, the Rwandan support comes pouring in into the formation of the M23. They change the acronyms, it is the same group.

Whittled down, though, Mvemba's points are very important about the lack of any kind of domestic constituency that the M23 have, but nevertheless the result is the same. It is more destabilization, more instability, and then allowing those that have powerful proxies inside Eastern Congo to profit from that destabilization.

Mr. DIZOLELE. Thank you, Mr. Chairman. Just a couple points. One is on the peacekeeping mission. We have brought up MONUSCO a few times today. I think MONUSCO is now part of the problem. It has become an enabler of insecurity just like Rwanda and Uganda and the government in Kinshasa in the sense that, you know, part of the challenge when we look at Congo, is that a lot of people discovered Congo with the 1994 genocide in Rwanda, but Congo existed way before that. Those of us who were born there and grew up there knew a country that worked. So when we go to Congo today, we don't recognize this country. That does not mean the Congolese people are not capable. Some of you are old enough to remember the first U.N. mission in Congo, ONUC. ONUC was much more bolder, robust but also very determined to carry out its mandate. It lasted only 4 years.

The war in 1960 was much bigger than what we are seeing today. You had Che Guevara show up in Congo, you had the Chinese, you had the Egyptians, you had French mercenaries, and the Belgians who wanted Katanga. But because ONUC was really committed in helping the Congolese meet their obligation to protect their country and build it together, they fought, they protected the civilians, and they allowed then Colonel Mobutu to build an army that eventually became the country, the army that the U.S. relied on in Angola, in Chad, when somehow Congo was your strategic ally.

I am not sure what happened, but I simply mean that we need to scale down that MONUSCO mandate very quickly, make it very clear how much longer they are going to stay in Congo, and what

the mission should be so that the Kinshasa government does not lean on the U.N. for excuses.

So let me illustrate. If 200 women are raped in some hamlet in North Kivu, the headlines in the New York Times will say some women were raped, in fact, but the blame will fall on the U.N. first. They will say there was a contingent of Bangladeshi troops around that didn't do anything. No one will ask where was the Congolese army. And we can do that because there is a force there that is supposed to help that is falling much shorter.

The U.N. has failed to protect civilians throughout this entire M23 event. They failed in Bunagana, but the press was not there to report it, so they are going to just live with M23. When Rutshurv and Kiwanja fell, MONUSCO forgot that in 2008 there had been massacres there by CNDP. They didn't do anything. They said we will absolutely protect Goma, Goma will not fall. Well, then when Goma fell, they say we didn't fight because they didn't want to endanger civilians. And then when M23 withdrew and they raided Kibumba, Mugunga, and Kibati IDP camps, the U.N. was nowhere to be seen. So going on nearly two decades, the U.N. is not the solution for the DRC. Thank you very much.

Mr. SMITH. Ms. Bass.

Ms. BASS. I am going to unfortunately have to leave at this point, but I want to thank you all for your testimony and the time you took out to come, and I look forward to continue to work with you, and especially to follow up on what we can specifically do here in Congress and I am most interested in the notion of sanctions and also sanctions on individuals and how that might work and how we might get that started from here, so thank you very much, and thank you, Mr. Chairman.

Mr. SMITH. Thank you. Mr. Marino.

Mr. MARINO. Thank you, Chairman. Welcome, gentlemen. Thank you for being here. Most of us in the room here know at least one measure that must be taken against Rwanda and Uganda, and that is considering the enactment of serious stinging sanctions. However—and let's call this the way it is, you know—the Obama administration refuses to engage in serious monetary sanctions against these countries, and this is not atypical in other foreign affairs matters that plague the world today with this administration.

So my simple question is, what do you propose that we do or that you can do to persuade this administration to enforce these sanctions the way that it has been so eloquently stated here today from you gentlemen and from this panel? So you can start, Mr. Hege, and each one of you, could you respond to that, please.

Mr. HEGE. Sure, I can speak from the perspective of the Group of Experts. We submit annually a list of recommended individuals and entities for consideration before the U.N. sanctions committee. Obviously the United States Government plays an important role in taking forward and studying those names. Many of those names, while the list remains confidential, many of those names are included in our public reports, so there is not a great deal of surprise of the contents of that list.

However, the group itself steps away from the consideration and discussions of the list that it provides, so in essence, we remain sort of indifferent to the steps that are taken subsequently. How-

ever, I can say, having stepped away from my role in the Group of Experts, that measures to identify the individuals and sanction the individuals who are externally supporting M23, and in our conclusion they are not necessarily just externally supporting, they are actually commanding and running the rebellion in its day-to-day activities, which goes beyond external support in many cases. That measures to identify them, be that sanctions, be that diplomatic pressure, all of that is critically important in identifying the problem.

As I said, Rwanda continues to identify itself as the solution. However, sanctions or efforts to identify publicly the individuals running the rebellion in the Rwandan Government would go a long way to ensuring that the problem is squarely understood as a Rwandan orchestration, as a Rwandan-driven and commanded rebellion, and that will have enormously important consequences for any peace negotiations in terms of framing the issue and not necessarily getting lost in, as I said, some of the smokescreen issues that have been post facto used as pretext to justify the rebellion. So I would encourage any of those measures and any symbolic efforts that can be made to ensure that the problem itself is squarely identified partly as a Rwandan-driven rebellion. Thank you.

Mr. MARINO. Thank you. Mr. Prendergast.

Mr. PRENDERGAST. Thank you. There has been an amazing amount of continuity, I think, in U.S. policy going back to the Clinton administration, Bush administration, Obama administration. All three very, very slow to utilize pressures.

Mr. MARINO. Agreed.

Mr. PRENDERGAST. It has been an incentive-based policy. This is a long-term problem, a belief I think fundamentally—we heard it from Ambassador Carson very clearly today—a belief in quiet diplomacy and in direct engagement in what I would call in the conflict resolution theory an insider partial model that has been pursued, and I think the response to that, I will give my recommendations as to what Congress can do to help the situation, and then say what we can do as civil society groups on the congressional side, I think publicizing the failure of this 15-year policy.

Again, what has been so effective about Congress' work, it has been bipartisan. The failure has largely been bipartisan, so a bipartisan effort in Congress saying it is not working, we need to do something differently is crucial. That can be done through the media and through, I think, the contact with—direct contact with administration officials. The letter that is circulating, there are numerous I think initiatives, both in the Senate and the House, right now attempting potentially to pass a quick resolution before the end of the term.

There are various things that could be done to put this very clearly on the public record, this 15-year failure of constructive engagement, which is where we are going now as we bring that kind of terminology that has been used in other contexts and talk about this. We need more, we need to utilize those sticks.

For our part, the NGO community, the civil society community, the letter that was cited by Congressman Smith at the opening is an example of how groups that work on all kinds of different issues internationally are coming together and saying let's unify our

voices around a certain set of points and an agenda that can press the administration to become more bold in its approach, and we will undertake, as will other groups, The Enough Project and many other groups, a series of campaigns going out, particularly to young people, to faith-based groups and others who actually care about what is happening in the Congo, and that I think constituency of conscience is actually expanding fairly rapidly on Congo, just as we saw in 2003, 2004, 2005 on Darfur, we are starting to see that now in Congo, and the more I think Americans care about what is happening to the people of Congo and say, you know what, the present, the status quo is just simply unacceptable, and U.S. policy, the more, I think, we will have a shot at altering that status quo.

Mr. MARINO. Thank you.

Mr. DIZOLELE. Thank you, Congressman Marino. That is an important question. I think all of us today who spoke to you, including Ambassador Carson, mentioned all the ingredients that need to be put in place. I think on one side you have the government that refuses to call a spade a spade, so we talk about external threat, external support. If it is external, then we know where it is coming from, we should be able to name it. But I think we have talked about everything. So personally I would say one recommendation in order to put pressure on the Obama administration—the U.S. Congress has always been at the forefront of certain watershed events in Congo and Africa.

It was this House that passed the anti-apartheid bill, it was this House that supported the emergence of the democracy movement across Africa in the 1980s. I think the chairman was around. So I think one recommendation I will say, because Africa is always a very bipartisan area, maybe you should consider passing a robust, more robust version of the Obama law here that you can push then to be applied because I am not sure why the White House, and the State Department are shying away from that and decide to hide behind the economic miracle of the Rwandan recovery. It is very troubling because this is what happened with King Leopold. He was a great philanthropist, he was bringing civilization to the savages in Congo, he was saving them from slave traders. Look at this great global trade outpost called Congo. But then behind the shadow of that civilizing mission, they were chopping off people's limbs, killing people, over 10 million of them.

Something similar is happening today. We have laws on the books. People are speaking, good people like you listening to us, but nothing is happening. So I think you have community leaders like John, who has rallied thousands of millions of young people to push Congo causes, have been listening to us, then I think we need your support so that the other side can start listening to what we ask because the interest is already there. Thank you very much.

Mr. MARINO. I think I am right in saying that you do agree with me, each of you, that the previous administrations and this administration know what the facts are, know what is going on. I mean, they are not ignorant to these facts. I mean, it is very blatant. But they chose and choose not to do what should be done about this.

So, Mr. Prendergast, I think you are absolutely right in getting more people involved, particularly young people. I am a freshman, next year I am coming back as a sophomore, and my daughter and

I had the opportunity to visit the continent of Africa. We went to Liberia and Ghana. My daughter is going to be a physician. But she said, "Dad, we have to take care of these people, we have to help them, and if we do not do it, who is going to?" So you know, it is like banging my head against the wall sometimes. I have signed numerous letters that have been sent to the administration and the secretaries. We never get a response from them. So maybe we do have to take this more, with more passion to the public to get our Government to respond to it. You can be assured that my daughter and I will be there doing it. Thank you. I yield back.

Mr. SMITH. Thank you very much, Mr. Marino. Let me just ask one final question, and then I will leave any final comments to our three distinguished witnesses.

Mr. Hege, there have been reports that at least one U.N. Security Council member wanted to delay the report on Eastern Congo this summer to perhaps lessen its criticism of the role played by Rwanda. Can you definitively tell us is that true or not?

Mr. HEGE. Yes, thank you, Mr. Chairman. We submitted an interim report during the month of May which did not include information regarding arms embargo violations committed by the Government of Rwanda, precisely because those violations had just really manifested themselves more overtly. However, we briefed the sanctions committee of those, of the information we had gathered in June and suggested that we provide an additional annex to that report, that interim report, outlining the violations of the arms embargo by the Government of Rwanda.

The committee requested that we engage once again with the Government of Rwanda, although we had already gone to Kigali in May to meet with them over a period of 3 days during which they refused to accept us for any substantive meetings. We remained in our hotel room for those 3 days. The committee asked us to provide, particularly the Minister of Foreign Affairs—the Rwandan Minister of Foreign Affairs at the time was coming to New York at the end of June. I personally met with her in New York.

I presented to her our work, our methodology, our approach, the reason why this information had not been included in the interim report. I outlined in detail our findings, and at that stage, she declined to provide any response, explanation or justification of those, of our findings. As such, we proceeded to submit that document, and it was then made public as an addendum and not an annex to our interim report.

So the answer to your question is, yes, as a committee the consensus of the committee was that Rwanda, the Rwandan Government, its request to have an additional right of reply should be granted by the group, and out of good faith in working for and under the guidance of the sanctions committee, we provided them with that opportunity. They declined to provide any right of reply, and unfortunately proceeded to make public statements that nevertheless, they had never been provided a right of reply, which for us, obviously, is quite frustrating, given that we purposefully delayed the submission of that information in order to engage in this dialogue with the Government of Rwanda.

So we, as I said, proceeded to submit that, and that report then was published at the end of June.

Mr. SMITH. Thank you. Any final comments from any of our distinguished witnesses?

Mr. DIZOLELE. Mr. Chairman, thank you. I just want to mention two things. I originally at the outset said Congo is too big to fail. There are quarters of enlightened people, smart people, you know a couple weeks ago, the New York Times ran a piece saying Congo should be split in half or in various portions. Anybody who entertains that idea is smoking something, because if Rwanda, as small as it is, has trouble, we know Rwanda would be the ideal country if I were a leader: Everybody speaks the same language; they have the same name; and they have two castes, the Hutus and the Tutsis. Yet, they have been killing each other over and over.

If Rwanda thinks or if anybody thinks Rwanda can control the Kivus, then we have not seen the half of it. The Kivus are not Rwanda, is not the same makeup, they don't know these people. The Rwandans tried to march all the way to Kinshasa, and they were kicked out of Kinshasa by the civilians in 1998, which led them to do the rebellion.

So this is an idea that we should resist by all means, so anybody who is entertaining that will have blood on his hands, and he doesn't know the half of it.

Number two, I think we need to stand for something. In DRC, the people of Congo have already rallied around the democratic principles. They are waiting for your support. The Congolese don't need help changing things. They need help to push the process along. They are very capable people, they are resourceful, and I would like, on their behalf, to thank you for your continuous interest in their plight. Thank you.

Mr. SMITH. Thank you.

Mr. PRENDERGAST. My last point, Congressman Smith and Congressman Marino, would be that we have, today, I think a clash of two visions of policy. One vision is a belief that I think we need to encourage the neighboring countries of the Congo to become part of a solution, and thus sanctions and aid cutoffs and those kind of things, punitive measures would undermine our influence. So that would be, I think, at this juncture what the administration and past administrations have pursued vis-à-vis Congo and the continuous intervention cycles that we have seen from outside from the region.

The alternative belief that I think this table has articulated and the committee, key members of your committee have articulated as well, is that these kinds of punitive measures which, by the way, involve withholding hard-earned U.S. taxpayer dollars for the kinds of support that are fungible, military and budgetary support. We are not talking, again, about the development and humanitarian assistance that goes straight to the people of Rwanda but, rather, the budget support that goes to the countries, the government. That if we utilize these punitive measures, that that will provide leverage for a solution, and if we are successful, I think, in convincing the administration to move in that direction, which I believe we will work assiduously to do, then we need to have somewhere for Rwanda, Uganda, and other elements in the Congo that don't want a solution, we need to have a place for them to go, and I believe that place is a legitimate, credible, internationally

supported peace process that allows the Eastern Congolese people to be part of the solution at the table, and the root causes finally to be addressed, and it is not going to happen unless we get U.S. leadership, and that is why we need that Presidential envoy. Thank you so much.

Mr. HEGE. Just to conclude, there is a great deal of analysis of Rwandan Government behavior which concludes that essentially their sticks don't work, that they are very ambitious, very determined, and that any punitive measures will not necessarily deter their behavior. There is likely a great deal of evidence. Since our reports in June exposed their direct creation of M23, the rebellion has only grown and their involvement has only become more overt, and I would say many of their commanders have become more emboldened. Obviously the taking of a very important provincial capital such as Goma was a perfect example of that.

However, that doesn't mean, as I said earlier, that we shouldn't continue to frame the problem as a Rwandan determined effort to obtain this objective, which is, as I said, an autonomous Eastern Congo. They believe that any of the short-term consequences of their current project may be outweighed by the gains of that state, particularly, as I said, given the wealthy economic interests that Rwanda has in Eastern Congo, the cultural ties, and the security interests that they would be able to ensure, including the FDLR and other political dissidents.

However, that said, what is needed at this point in order to, faced with that Rwandan determination, a peace process will have to find a way to identify a solution which appears to appeal to their long-term objective in order for them to stop. I am not convinced that anything less at this stage than something close to that long-term objective would call the Rwandans to stop.

However, if that solution is identified, it could be some sort of decentralization process, as already stipulated by the Congolese constitution. However, that, the implementation of that agreement will require significant accompaniment, tremendous long-term investment not only from the United States, but other members of the international community to reinforce the capacities of the Congolese state and precisely insulate it from external control and manipulation, and that will be, as I see, practically and realistically, one of the keys to moving forward from this current crisis, but it requires, as I said, a very long-term commitment to building up an economically and politically independent Congolese State in the Eastern Congo, where its neighbors will eventually look at it as an equal and not a country which it can continue to manipulate, they can continue to manipulate and benefit from.

Mr. SMITH. Thank you, all three, for your extraordinary insights again and testimony, and I do want to thank C–SPAN for in their editorial and independent judgment seeing their way clear to cover this hearing because people in America know far too little as to what is going on in DR Congo, and as you pointed out earlier, the enormous loss of life, 6-plus million people who have died, and the fact that as we speak people's lives are being taken from them by this terrible rebellious M23. So thank you so much, and this hearing is adjourned.

[Whereupon, at 5:53 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS
Christopher H. Smith (R-NJ), Chairman

December 10, 2012

You are respectfully requested to attend an OPEN hearing of the Subcommittee on Africa, Global Health, and Human Rights, to be held in Room 2172 of the Rayburn House Office Building **(and available live via the Committee website at http://www.hcfa.house.gov)**:

DATE: Tuesday, December 11, 2012

TIME: 3:00 p.m.

SUBJECT: The Devastating Crisis in Eastern Congo

WITNESSES:

Panel I
The Honorable Johnnie Carson
Assistant Secretary
Bureau of African Affairs
U.S. Department of State

Panel II
Mr. John Prendergast
Co-founder
The Enough Project

Mr. Steve Hege
(*Former Member*
United Nations Group of Experts on the Democratic Republic of the Congo)

Mr. Mvemba Dizolele
Peter J. Duignan Distinguished Visiting Fellow
Hoover Institution
Stanford University

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa, Global Health, and Human Rights* HEARING

Day *Tuesday* **Date** *December 11, 2012* **Room** *2172 Rayburn*

Starting Time *3:14 p.m.* **Ending Time** *5:54 p.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____ to ____) (____to ____)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

The Devastating Crisis in Eastern Congo

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Chris Smith, Rep. Karen Bass, Rep. Ann Marie Buerkle, Rep. Tom Marino, Rep. Robert Turner

NON-SUBCOMMITTEE MEMBERS PRESENT: *(Mark with an * if they are not members of full committee.)*

Rep. Edward Royce

HEARING WITNESSES: Same as meeting notice attached? Yes ☑ **No** ☐
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Letter from Members of Congress to President Obama
Letter from NGOs to President Obama
Prepared statement from World Relief

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *5:54 p.m.*

Subcommittee Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

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World Relief Testimony for the House Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights
"The Devastating Crisis in Eastern Congo"
Tuesday, December 11th, 2012

As an organization that has been working in the eastern Democratic Republic of Congo (DRC) since 1994, we write with strong concerns about the ongoing conflict in the eastern DRC and ask for robust U.S. leadership to alleviate tensions and bring about peace.

Since 1996, eastern Congo has been the epicenter of the deadliest war since World War II, and it remains a place where people are regularly displaced and combatants routinely use rape as a weapon of war to destroy women and entire communities. Despite the official end in 2003 of the second Congo War and the ongoing presence of international peacekeepers, one of the largest contingents in the world largely supported by U.S. funds, the people of the Democratic Republic of Congo continue to suffer the effects of the destabilization of Congolese society by decades of violence. While relative order has returned to parts of the country, many areas, particularly North and South Kivu in the east, continue to suffer from pervasive insecurity, general lawlessness and related attacks by armed groups. While the 23 March Movement (M23) has recently retreated from Goma, the capital city of North Kivu, there continues to be uncertainty regarding their intentions and the outcomes of ongoing regional discussions. While regional elected officials meet to discuss larger political solutions, the people of Congo continue to suffer.

Since the takeover of parts of eastern DRC by M23, there have been repeated incidents of looting, rape and recruitment of children as soldiers. Over the past several weeks, various armed militia groups have looted and robbed civilians of their property and goods to support their means in the fight against each other and the government. As of Monday, December 10th, the situation in Goma is very calm, but people in the city are living with a heightened sense of the uncertainty of what will come. The M23 soldiers have moved down from their position high on the road to Rutshuru a few miles from town and have taken up positions at the entrance of the airport which is actually in the city boundary itself. The peace talks in Kampala began yesterday after many delays, but the reality is that the work of negotiation cannot begin in earnest without both the heads of the DRC government and the M23 movement both physically present. Whether President Kabila, who is in a precarious spot politically in Kinshasa over the failures of the national army to prevent M23 from taking over Goma, comes to Kampala remains to be seen. The M23 for their part are threatening to 'take a few steps' and re-take the city of Goma for the second time if their demands, including the full restoration of full civil rights to opposition leaders and control of the administration of Goma city and of North Kivu, are not met.

The people of Goma continue to suffer from the recent conflict especially as it relates to their daily subsistence. The agricultural heartlands of Rutshuru and Masisi have for all intents and purposes been cut off as supply routes for Goma. This has deleterious impacts on the population especially with the increase in prices since November 15th. A survey done informally in both traditional markets and groceries finds an average 40-60% increase on all products. Some agricultural products are now in very

short supply. Fortunately, it is currently potato harvest season in eastern DRC and these are still available in quantities, but people in North Kivu have a varied diet and potatoes will not satisfy the requirement.

We have also received reports that as many as 700 estimated children have been separated from their parents. In Rutshuru, we have heard from our pastors that the new administration of M23 is quite harsh with summary executions for theft, but this has also cut down seriously on petty crime which has always been a problem there. The pastors also report that many young people have been forcibly recruited into the army especially if they have committed an offense of some kind. In Minova, it has been reported that at least 50 women and girls were raped in the past two weeks with this weapon of war being used as a targeting method and as a warning to opponents. Even in Goma itself, there are reports that women and girls have been targeted for sexual attacks by uniformed men in the past several weeks. At night the M23 soldiers come into the edge of city on foraging missions. They have been provided with some supplies by MONUSCO, but there have been many and persistent reports of residents being forced to give up money and supplies to armed and uniformed men in the middle of the night.

The recent unrest has led to repeated incidents of new displacement. There are a total of 2.2 million Internally Displaced Persons (IDPs) in the DRC, the highest number of IDPs in the DRC in three years. As of December 6th, 2012, OCHA estimates that there are 115,000 Internally Displaced Persons (IDPs) living in 31 camps in North Kivu while other IDPs live with host communities. Many will be in need of water, emergency shelter and protection against sexual and gender based violence while host communities strain under continuing new influxes of newly displaced persons. The new character of Goma is that nearly every family has had to take in people into their homes and dwellings are bursting with these visitors who are a heavy drain on family resources, water supplies and food. Unfortunately, IDPs are often displaced multiple times. In the Kanya Rutshinya camp on November 20th, for example, 60,000 IDPs were expelled, made their way into Goma, and back to their villages.

Many IDP camps have been highly insecure, as recent incidents of attack in Mugunga III, a camp of 30,000 people, resulted in the looting of property and beating and rape of IDPs in the camp. In the past week, UNHCR and other agencies have made resources available to build a new camp at Mugunga III to replace the emptied camp and people have started to congregate there in large numbers. A visit to the camp at the end of last week showed that people were busy receiving plastic sheets to cover frames made of poles and some food distribution had started as well as medical care. In addition to ongoing security challenges in the camps, however, UNHCR estimates that some 12,000 highly vulnerable families are in urgent need of non-food help and shelter is needed for 47,000 highly vulnerable households.

In addition, there are some 400,000 Congolese refugees in surrounding countries. Since January 2012, 40,000 Congolese refugees have crossed into Uganda, totaling 111,000 Congolese refugees in Uganda at the end of September 2012. Other surrounding countries including the Republic of Congo, Rwanda, Burundi and Tanzania host large numbers of Congolese refugees. Even as Congolese refugees continue to flee, substantial numbers of returns to specific, more secure areas of the DRC are anticipated in 2012 from Tanzania, Uganda and Republic of Congo. Approximately 49,000 Congolese will be assisted to return to Equateur Province of the DRC in 2012, while UNHCR expects another 32,000 returns during the first half of 2013. The multiple and ongoing displacement of persons within Congo, however, is expected to remain a grave concern.

We urge robust U.S. leadership to end the conflict in eastern DRC and recommend the following actions be taken to promote peace and alleviate the suffering of the Congolese people:

Humanitarian Access

Many of the communities we serve in eastern Congo are now behind rebel lines. While we have communicated with various leaders to ensure their safety, humanitarian access has been extremely limited. Ongoing conflict has displaced tens of thousands of individuals who remain internally displaced in eastern DRC or live as refugees in camps or urban settings in neighboring countries. It is important that adequate provisions be made both for the continuation of WFP food aid programs for existing IDP populations and for new groups recently displaced from their land in the Kivus as a result of recent military and paramilitary actions

Recommendations:

- We urge ongoing political negotiations to include discussions of how the international community can **access vulnerable populations** including those who need immediate food and shelter.
- The United Nations High Commissioner for Refugees (UNHCR) and other international agencies should ensure that **proper monitoring** is in place and that those who are displaced have access to critical basic goods and livelihood opportunities.
- Congolese refugees who are returning to the DRC should be fully supported and **reconciliation programs** strengthened in receiving communities.
- Given the ongoing urgent humanitarian needs of the Congolese people, there should be **increased humanitarian assistance and coordination**. Robust funding to agencies including UNHCR and the WFP should increase in order meet the ongoing needs of displaced populations.
- The U.S. should lead an **international effort** to coordinate international aid to vulnerable communities in Congo which will ensure a proper and robust international response to the ongoing crisis in the Congo.

Protection

Given the prevalence of sexual and gender-based violence (SGBV) in the DRC, the protection of women and girls against such violence should be of utmost priority in all diplomacy and programming. It should no longer be de rigueur for armies to use rape as a weapon of war.

Recommendations:

- There should be **increased capacity** of various international actors in the DRC to address SGBV, whether through prevention or protection.
- **Access to services** for survivors of sexual and gender-based violence should also expand with a particular focus on those who have been repeat victims of violence.
- The United States should support United Nations (UN) peacekeepers with training to provide **broader protection**, including the prevention of SGBV, and strengthen the capacity of the UN to prevent conflict and manage conflicts, including robust preventive and humanitarian diplomacy and mediation.

Justice and Peace-Building

There should be concrete steps to reduce the impunity of perpetrators of violence and ensure that there are improvements to the infrastructure and judicial process of the Congolese system.

For a population divided along ethnic lines, pastors, church leaders and volunteers are working together across denominations to serve widows, orphans, and suffering people in their communities through Village Peace Committees (VPCs). These Committees are composed of ten people, both men and women, who are trained to be able to resolve conflicts that others are unable or unwilling to tackle. These include conflicts over land, disputes in the family, armed conflicts, communal arguments and business

disagreements. These Village Peace Committees (VPCs) are thus playing an instrumental role in binding communities together and providing an avenue for justice and preventing conflict escalation.

Every conflict resolved contributes to a growing momentum for peace – from one village to many more. While the work of these local committees is critical to reconciliation in the DRC, there must be a call from the international community for peace in the DRC which highlights not only what is needed at the national or regional level but highlights good practices that are working at the local level.

Recommendations:

- Creative ways to achieve justice, including the use of **different court systems and mobile courts**, should be encouraged. This will ensure that victims of violence will understand their rights and perpetrators are brought to justice.
- In addition, **local efforts** to build peace which have worked to alleviate tensions between and within local communities should be supported.

Political Solutions to the Conflict

The international community should engage its full diplomatic efforts on building peace in the Congo, including supporting efforts to secure a formal ceasefire with M23 and condemnation of external involvement in the fighting. By promoting peace diplomatically with not only the Congolese government but regional governments in Africa and rebel movements, the people of Congo can continue to live without fear of attack or being displaced. The crisis in the DRC is considered to be the deadliest since World War II and sustained political attention by the United States will ensure that the conflict does not continue.

Recommendations:

- **Peace agreements and stabilization plans** that have already been agreed to by various parties should continue to be upheld.
- Plans to promote peace should recognize and support the work of **local peace-building initiatives** to resolve conflicts at the communal level as well as national and regional efforts at peace.
- The United States should appoint a **Special Envoy** whose can provide sustained and focused diplomatic attention on the crisis.

Leadership from the United States will be critical to contribute to peace in a country racked by violence. The people of Congo have experienced numerous conflicts and have a deep desire to live in peace with their neighbors and benefit from the bounty of their land. While conflict has ravaged the DRC for decades and may have led to a sense of hopelessness or intractability by the international community, we have found the incredible resiliency of the Congolese people merit more robust international attention. We believe there is a unique opportunity for leadership from the United States that will bring long- lasting peace to the Congolese people. This includes support of good governance programs which break the cycle of dysfunction in the Congolese government which is the root of much conflict within the nation.