

[H.A.S.C. No. 111-185]

THE CRISIS IN THE DEMOCRATIC REPUBLIC OF THE CONGO: IMPLICATIONS FOR U.S. NATIONAL SECURITY

HEARING

BEFORE THE

SUBCOMMITTEE ON TERRORISM, UNCONVENTIONAL
THREATS AND CAPABILITIES

OF THE

COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

HEARING HELD
NOVEMBER 30, 2010



U.S. GOVERNMENT PRINTING OFFICE

63-122

WASHINGTON : 2010

SUBCOMMITTEE ON TERRORISM, UNCONVENTIONAL THREATS AND
CAPABILITIES

LORETTA SANCHEZ, California, *Chairwoman*

ADAM SMITH, Washington	JEFF MILLER, Florida
MIKE McINTYRE, North Carolina	FRANK A. LoBIONDO, New Jersey
ROBERT ANDREWS, New Jersey	JOHN KLINE, Minnesota
JAMES R. LANGEVIN, Rhode Island	K. MICHAEL CONAWAY, Texas
JIM COOPER, Tennessee	THOMAS J. ROONEY, Florida
JIM MARSHALL, Georgia	MAC THORNBERRY, Texas
BRAD ELLSWORTH, Indiana	CHARLES K. DJOU, Hawaii
BOBBY BRIGHT, Alabama	
SCOTT MURPHY, New York	

PETER VILLANO, *Professional Staff Member*

ALEX KUGAJEVSKY, *Professional Staff Member*

JEFF CULLEN, *Staff Assistant*

CONTENTS

CHRONOLOGICAL LIST OF HEARINGS

2010

	Page
HEARING:	
Tuesday, November 30, 2010, The Crisis in the Democratic Republic of the Congo: Implications for U.S. National Security	1
APPENDIX:	
Tuesday, November 30, 2010	29

TUESDAY, NOVEMBER 30, 2010

THE CRISIS IN THE DEMOCRATIC REPUBLIC OF THE CONGO: IMPLICATIONS FOR U.S. NATIONAL SECURITY

STATEMENTS PRESENTED BY MEMBERS OF CONGRESS

Sanchez, Hon. Loretta, a Representative from California, Chairwoman, Subcommittee on Terrorism, Unconventional Threats and Capabilities	1
---	---

WITNESSES

Dagne, Ted, Specialist in African Affairs, Congressional Research Service	3
Komorowski, Adam, Regional Head of Operations, Africa Mines Advisory Group (MAG) International	7
Prendergast, John, Former Director of African Affairs, National Security Council	5

APPENDIX

PREPARED STATEMENTS:

Dagne, Ted	38
Komorowski, Adam	54
Miller, Hon. Jeff	34
Prendergast, John	44
Sanchez, Hon. Loretta	33

DOCUMENTS SUBMITTED FOR THE RECORD:

[There were no Documents submitted.]

WITNESS RESPONSES TO QUESTIONS ASKED DURING THE HEARING:

[There were no Questions submitted during the hearing.]

QUESTIONS SUBMITTED BY MEMBERS POST HEARING:

[There were no Questions submitted post hearing.]

**THE CRISIS IN THE DEMOCRATIC REPUBLIC OF THE
CONGO: IMPLICATIONS FOR U.S. NATIONAL SECURITY**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
SUBCOMMITTEE ON TERRORISM, UNCONVENTIONAL
THREATS AND CAPABILITIES,
Washington, DC, Tuesday, November 30, 2010.

The subcommittee met, pursuant to call, at 2:00 p.m., in room 2118, Rayburn House Office Building, Hon. Loretta Sanchez (chairwoman of the subcommittee) presiding.

OPENING STATEMENT OF HON. LORETTA SANCHEZ, A REPRESENTATIVE FROM CALIFORNIA, CHAIRWOMAN, SUBCOMMITTEE ON TERRORISM, UNCONVENTIONAL THREATS AND CAPABILITIES

Ms. SANCHEZ. The subcommittee will now come to order.

Good afternoon. We meet today to discuss the ongoing crisis in the Democratic Republic of Congo and examine the related implications for U.S. national security.

Within Africa the Democratic Republic of Congo has always held strategic importance, due to its large size and central location, as well, of course, all its natural resources. For decades the Congo has experienced varying degrees of political instability and violence, and it is estimated that more than 5 million people have died there due to preventable disease and war-related causes. The violence is additionally troubling because of the high degree of gender-based and sexual violence, which appears to have become frighteningly commonplace there.

In the midst of this violence the Congo has been the site of one of the largest and most expensive United Nations [U.N.] peacekeeping missions in the world. Changes in this U.N. mission are on the horizon, and the Congolese government recently asked for a gradual withdrawal of the U.N. peacekeeping force that is there.

Nearly 1,500 U.N. peacekeeping troops have been withdrawn since May of this year. And since the Congo will also host presidential and legislative elections in November of 2011, I think that the time is right for the U.S. and others to consider how these changes would impact security and stability in the region and to prepare accordingly.

With its porous borders, its weak institutions and its close proximity to East African countries, such as Uganda and Sudan, transnational terrorist threats should not be ruled out when we seek to understand U.S. national security concerns associated with the Congo and with the Great Lakes region. This point is critical to our subcommittee, which deals with terrorism, unconventional

threats and capabilities. And although few transnational terrorist threats have been directly linked to the Congo, Al Qaeda and affiliated groups have had a presence in neighboring East Africa for almost 20 years. And the recent attacks in Kampala, Uganda, this past July remind us of how linked these issues have become.

The Department of Defense [DOD] has been active in Africa and within the Congo and neighboring countries. Through our U.S. Africa Command [AFRICOM], the United States has worked to improve the capacity of the Congolese military, and it has sought to develop an army that is accountable to the Congolese people. More specifically, our Special Operations Forces have been focused on training, teaching and mentoring the Congolese army and have worked to create a model battalion that can in turn train and professionalize the rest of the Congolese Army.

So I am pleased that one of the major goals and components of U.S. training and assistance has been to improve the human rights practices of that Congolese army. And with this in mind, I am really thrilled about the hearing today.

Unfortunately, I won't be able to stay the entire time. I have asked Mr. Smith when I leave to take over, and I know this is a topic that he is incredibly interested in also.

So I thank the witnesses for being before us.

And Mr. Conaway, from the Republican side, hello.

[The prepared statement of Ms. Sanchez can be found in the Appendix on page 33.]

Mr. CONAWAY. Thank you, Madam Chairman.

And the ranking member has an outstanding opening statement to put in the record. I would, rather than prove to you that my third grade teacher taught me to read aloud, I will ask unanimous consent to introduce it into the record and get right to the witnesses.

[The prepared statement of Mr. Miller can be found in the Appendix on page 34.]

Ms. SANCHEZ. So be it. Great.

So we will move forward. And today we have three witnesses before us.

Let me make sure that I have your names correct, gentlemen.

We are fortunate to have a panel of three experts. First, we will hear from Mr. Ted Dagne, an expert in African Affairs at the Congressional Research Service. Then we will hear from John Prendergast, the former director of African affairs at the National Security Council and co-founder of the non-governmental organization The Enough Project that seeks to raise awareness and develop policy solutions that prevent genocide and crimes against humanity in the Congo and in the region. And, lastly, we are joined by Adam Komorowski of the Mines Advisory Group [MAG], an international NGO [Non-Governmental Organization] that works to limit the spread of illicit weapons used by illegally armed groups in the region.

Thank you for appearing before the subcommittee and discussing this critically important topic. And I believe we will adhere to the 5-minute rule, which means you can tell us whatever you want, summarize your statements within 5 minutes apiece, and then we

will go to questions. And we will be under the 5-minute rule for the members of the committee also.

So we will start with Mr. Dagne, please.

**STATEMENT OF TED DAGNE, SPECIALIST IN AFRICAN
AFFAIRS, CONGRESSIONAL RESEARCH SERVICE**

Mr. DAGNE. Chairwoman Sanchez, members of the subcommittee, thank you for the opportunity to testify before your committee.

I have a longer statement for the record. I will simply summarize my statement focused on the rebel groups and their activities and if there are any linkages to international or original terrorist organizations.

But to give you an overview briefly of the Congo, the Congo has been in political humanitarian turmoil for the past, not decade, for the past at least four decades. This is in large part due I think to neglect and to the government's inability, successive governments' inability to govern in a democratic way.

When I talk about neglect, it is basically the main source, the root cause of the problem. For many Congolese governments over the years and political leaders Kinshasa was for them the country, not Goma, not Kisangani, no other places. But the other important thing to point out is that the government in power often provides the benefits to those who are close to them and not to the people.

To give you an example, back in the mid 1990s, 1996, I went to Goma, the place where the two major wars started, with a congressional delegation. That was the first liberated town in 1996. And I met Laurent Kabila, who would become president a year later. And I asked him, he was in a mansion, lush green lawns, gold-plated sofas, you name it. Outside, no electricity, not a single paved road, and people dependent on food aid.

I asked him, I said, "aren't you concerned that you live in this mansion while your people outside are still suffering?"

His response was, "I am their leader; when I become president, things will change." Things did not change. There was more war, poverty and suffering for the Congolese people.

I don't want to give you, you know, this picture of a Congo in a total chaos. I think you find, over the past at least seven, eight years, some relative stability in other parts of Congo, and the political conditions have improved significantly, but not for eastern Congo.

You had an agreement in 2003 whereby the major rebel groups were incorporated into the political process. You had elections that were held in 2006, and the next one is expected in 2011, a year from now.

But I think what is important to point out is that the Congo crisis wasn't simply a crisis for the Congolese, but it was for the entire region. In fact, in the 90s, we used to refer to it as Africa's Third World War because you had over half a dozen African countries involved in the Congolese conflict on one side or the other.

Over the past several years, things have changed and relationships between the Congolese government and that of their neighbors. Rwanda, once considered enemy number one by Congo, they

are now allies. And in fact, in 2009, they conducted a joint military offensive against some of the rebel groups internally.

But the most important thing to point out is that the Congolese problem is tied to the existence of rebel groups, or we call them negative groups, who do not really have a political agenda, but some of them basically embrace the idea of terrorizing the civilian population. The main targets have been civilian population. I will go through some of them, some of the main groups.

The first one I would say is the Democratic Forces for the Liberation of Rwanda [FDLR]. It is a Rwandese rebel group. The leadership of the FDLR consist of those who belong to what we used to refer to as the Interahamwe militia, the militia that carried out the genocide in 1994, and the former Rwandese army leadership. They have been in operation in eastern Congo for over a decade and a half. Their main objective is to terrorize the civilian population, particularly the Tutsi, and also to hopefully overthrow the government of Rwanda, their main operation from Congo.

The other group is the National Congress for the Defense of the People [CNDP]. This is a Congolese group with some Rwandese involved. This group has also been operational in eastern Congo for several years. Their main objective, they claim, was to defend the Tutsi against the FDLR. In 2009, the joint offensive by the Rwandese and Congolese government was targeting the FDLR and the CNDP.

The leader of the CNDP, Laurent Nkunda, was once an ally of the Rwandese government. Shortly after the military offensive began, he ran to the border with Rwanda expecting that he would be welcomed, and instead, he was arrested, and he still is under house arrest in Rwanda.

The CNDP no longer exists as a cohesive group. A number of their fighters have been integrated into the Congolese army and a number of others have basically functioned independently of the organization.

The other group is the Allied Democratic Forces, ADF. That is a Ugandan Muslim group operational near the border with Uganda. They don't have a lot of military power, but one must point out that the ADF had been engaged in terrorist activities as early as the mid-1990s in Uganda. They have carried out a number of bombings in Kampala and other places in 1998.

ADF is also the one organization that has a link now with al-Shabaab, the Somali group that carried out the attack in Kampala. In June, the Congolese forces launched an offensive against the ADF, and they were able to obtain documentation and equipment that linked them directly to al-Shabaab. That relationship still exists, and a number of ADF operatives are currently in custody suspected of the attack, the Kampala attack, in July of this year.

The other group is the Mai Mai militia. It is a loosely grouped set of militia. No political objectives, basically carrying out attacks against civilian U.N. peacekeepers or anyone they think that they can get money, food or whatever benefits that they can get out of it.

The Lord's Resistance Army, another Rwandan group, is also operational in Congo. But the LRA [Lord's Resistance Army] is also very much operational in the Central African Republic and in parts

of South Sudan. It has been weakened over the past 5 years but remains a threat to the civilian population. No linkage with international terrorist organizations at this point.

Ms. SANCHEZ. Mr. Dagne, you are about 3 minutes over.

Mr. DAGNE. I am done. Thank you very much.

[The prepared statement of Mr. Dagne can be found in the Appendix on page 38.]

Ms. SANCHEZ. Okay. I am sure we can come back to your report and ask you specific questions with respect to it.

Our next speaker, Mr. Prendergast, please.

**STATEMENT OF JOHN PRENDERGAST, FORMER DIRECTOR OF
AFRICAN AFFAIRS, NATIONAL SECURITY COUNCIL**

Mr. PRENDERGAST. Thanks very much, Chairwoman Sanchez, and the members of the subcommittee.

Like Mr. Dagne, I will submit my written testimony for the record and make an oral statement.

I just returned from the Congo, from the eastern Congo, 48 hours ago. My team and I interviewed a number of women and girls who recounted their tales of horror involving mass rape and other terrible atrocities. Mass rape has become the signature crime against humanity in this war. It is a war that is driven primarily by the exploitation of minerals, as you said in your opening statement, and they are minerals that power our cell phones and our laptops that we all use every day.

Now, unlike most of the conflicts that I have worked on for the last 25 years in Africa, this one we have a direct connection, a direct responsibility, because of our demand for these minerals in the products that we use every day. So, because of that direct link, we therefore have a potential influence and a potential opportunity to help bring that war to an end if we change that relationship between consumers and producers on the ground there.

I don't want to give you a laundry list of things that the United States should do. This isn't Afghanistan. This isn't Iraq. We have very limited resources at this juncture in our history.

So I want to focus on two things that I think, with U.S. leadership and a small investment, that we could actually help catalyze real change on the ground in the Congo and bring an end to some of the most horrific violence that we have ever seen on the face of the earth against women and girls.

These two things are mineral certification and Security Sector Reform, SSR. Let's start with the latter one, with SSR.

The Congolese army, and Ted, Mr. Dagne, was talking a bit about that, the Congolese army is the biggest—one of the biggest sources of instability on the ground in human rights violations in the country. So if we try to work around the army in whatever we do as a government in our investments, we will have no impact. We need to take the challenge of reforming that army head-on.

And we should start with a major investment in professionalization and training of the army in coordination with other governments. In particular, we have this incredible comparative advantage, I think, in military justice, and AFRICOM could play a credible role in building that military justice system. We have got to bring this state of impunity that soldiers have on the

ground in Congo to an end in some way, shape or form. And you can begin to do that through the infusion of resources and support and training for the justice system within the army.

Until the army, I think, gets reformed, we are going to see this violence, particularly sexual violence, remain at epidemic levels.

Now, this isn't a novel idea. We have tried little bits and pieces of army reform over the last decade. So what's different? The critical difference, I think, is that we are finally making efforts internationally to expose and undermine the mafia networks that control the mineral smuggling industries that end up exporting these minerals into the products that we use.

Now, the military in the Congo is knee-deep in these mafia networks, and until we address, therefore, until we address the economic roots of the conflict, of violence, of state dysfunction, we have no chance of building legitimate government institutions, like a reformed military and police.

Now, the good news is that the U.S. Congress has taken the lead in addressing these economic roots. For the first time in Congo's history, we actually have efforts under way to try to address that relationship of how we extract Congo's rich natural resource base.

Section 1502 of the Wall Street Reform Bill Act deals—dealt directly with the link between the violence in the Congo and our electronics products and other things we use every day. The next steps, now that that bill has passed and President Obama has signed it, are to ensure that the SEC [Securities and Exchange Commission] regulations that are implement—that will demonstrate or that will modify how that bill is implemented, those SEC regulations have to be strong. And Members of Congress have a great role to play in ensuring that that is the case.

And for the U.S., particularly led by Secretary Clinton, who visited Congo and has repeatedly talked about the importance of it to her as an issue for her, for her leadership, is for the U.S. to take the lead in creating an internationally negotiated certification, mineral certification, scheme, which will involve the industry, involve governments and civil society organizations, just like the blood diamonds.

You know, ten years ago, when governments internationally worked together with the diamond industry and created a system to weed out blood diamonds, that gave people in Sierra Leone a chance and Liberia and Angola a chance, those wars were over in two years, all three of them.

This is the same thing. If we deal with those economic roots, we have a chance then to work on all the kinds of things that this committee has a direct role to play and, particularly, army reform.

So these are the two keys: Deal with the economic roots of violence and build a legitimate security sector in Congo, so that the army becomes a protector, not a predator, to the people in the Congo. If the U.S. does these two things, I would argue, the odds for peace in the Congo increase dramatically. It is not an exaggeration to say that millions of Congolese lives hang in the balance in terms of what we do or don't do in the Congo.

Thank you very much.

[The prepared statement of Mr. Prendergast can be found in the Appendix on page 44.]

Ms. SANCHEZ. Thank you, Mr. Prendergast.

I am going to turn this over now to my very able colleague, Mr. Smith.

But I have just a quick question. Mr. Prendergast, when you mentioned mafia network, were you using mafia as an adjective or as a noun?

Mr. PRENDERGAST. That is a great question. I think it is more of an adjective describing the nature of the illicit violent extractive networks that are part and parcel of getting those minerals out through the region into the international marketplace.

Ms. SANCHEZ. Okay. Great. That is what I thought. But I just wanted to make sure you weren't going after the Sicilians.

Mr. PRENDERGAST. Thank you. Thanks for that clarification.

Mr. SMITH. Sorry, Mr. Komorowski. You may proceed.

STATEMENT OF ADAM KOMOROWSKI, REGIONAL HEAD OF OPERATIONS, AFRICA MINES ADVISORY GROUP (MAG) INTERNATIONAL

Mr. KOMOROWSKI. Thank you very much.

As per the previous speakers, I will provide you with a brief summary of my submitted written testimony.

Thank you very much for inviting me to address the subcommittee on behalf of the Mines Advisory Group on issues relating to the conflict landscape of the Democratic Republic of Congo.

In the testimony, I am going to cover a number of operational issues and draw on the six years of experience and learning that we have gathered from our work on the ground.

As mentioned before, DRC [Democratic Republic of the Congo] has expansive porous borders. To put that into context, it shares a total of 10,730 kilometers of border with nine countries, many of which are experiencing or have experienced significant instability.

Across the country and in the east of Congo in particular, ongoing conflicts and tribal allegiances mean that official political borders with other countries can become very blurred. Conflicts regularly flare up in border areas, with easy access to arms exacerbating and, in many cases, fueling violence.

Armed groups, as, again, already referenced, from neighboring countries, such as Rwanda, Burundi and Uganda continue to operate out to the largely ungoverned spaces in eastern Congo. The trafficking and easy availability of small arms and light weapons substantially contributes to the continued instability and the armament of these groups.

Furthermore, a recent UNDP [United Nations Development Program] report estimates that there are approximately 300,000 weapons in civilian hands in eastern Congo. However, the quantity of arms currently in the hands of armed rebel groups operating in this region is unknown. Both the U.N. Group of Experts on Congo and UNDP found that a significant number of these weapons originally came from military stockpiles due to thefts and seizures by armed groups, diversion of arms by military officers, and desertion and demobilization of military personnel.

Since 2007, with the support of donors, including the Department of State's Office of Weapons Removal and Abatement, MAG has been involved in extensive weapons and ammunition destruction

activities. Over this period, we have destroyed 718 tons of ammunition and more than 107,000 small arms and light weapons.

We believe that a cautious and pragmatic approach to working with the army is absolutely essential to making progress on the critical issues of weapons management and disposal. MAG works in close collaboration with the FARDC [Forces Armées de la République Démocratique du Congo], taking a consistent line of pragmatic engagements. And this strategic decision has paid dividends to date in terms of the success of our conventional weapons management and disposal program.

We coordinate with the military in several ways; at a strategic level, through national norm setting and training, cooperation in regards to the safe management of ammunition and arms depots, coordination of ammunition and arms destruction, and support to security sector reform.

The military is acutely aware that it does not have the capacity to adequately manage its ammunition and arms stockpiles. They understand the risk that poorly managed stockpiles can pose to their own security, as well as to the security of the civilian population. In recent years, the military has experienced several explosive incidents in their ammunition stockpiles which has resulted in hundreds of casualties.

MAG also coordinates closely with the relevant Department of Defense actors in the Congo, including relevant U.S. Embassy personnel and AFRICOM, and we are currently exploring opportunities to work further in conjunction with U.S. deployments in regard to explosive ordnance disposal training of military personnel.

We facilitate and support the Department of Defense's Defense Threat Reduction Agency missions wherever possible across all of our programs. And we believe that the long-term presence we have established and the strong relations with local, national and regional bodies and authorities provides us with often unique access and opportunities for constructive and collaborative work.

The example of Camp Ngashi in northwest Congo is a good example of the threat posed by poorly managed stockpiles. In June 2007, a military ammunition stockpile exploded. The initial explosion caused a huge fire which burned intensely for at least six hours, setting off numerous subsequent large explosions. The facility housed large- and small-scale weapons, small-arms ammunition, different caliber mortars and rockets up to high explosive aerial bombs. Ammunition was also ejected up to three and a half kilometers outside of the camp. As a consequence, three people were killed, around 100 injured, and over 200 families displaced. Unexploded ordnance scattered across the densely populated town, seriously damaging schools, government and military facilities. MAG emergency response teams were then dispatched to the area and tasked with unexploded ordnance clearance, which took many further months.

Now, whilst the movement of arms across borders remains a critical concern, there is substantial research concluding that the majority of arms used by armed groups come from military stockpiles. A recent report concluded that unless the Congolese security forces significantly improve the effectiveness of their stockpile management, the extent to which the current arms embargo, which places

no restrictions on arms acquisitions by the FARDC, can maintain peace and stability in the region will be limited. As such, securing and marking existing FARDC armed stockpiles is as critical as is securing borders.

Based on our current operations, MAG is convinced that the destruction of surplus arms, building a successful arms management capacity and the necessary infrastructure in armories, and the marking of operational arms with a unique country code are central to curbing the illicit sale and trafficking of weapons in the Congo.

In closing, I would like to thank the committee for its time and the opportunity to present on our range of activities and approaches to dealing with the unique challenges that this vast and unstable country presents. Thank you very much.

[The prepared statement of Mr. Komorowski can be found in the Appendix on page 54.]

Mr. SMITH. Thank you.

Thank you all for your testimony.

I appreciate it, and I appreciate this committee and the chairwoman agreeing to have this hearing.

I think one of the biggest issues that we are trying to address here is to draw attention to the situation in the eastern Congo. It does not get the publicity that some others do. But as you gentlemen have very ably explained, it is a huge, huge problem. It is probably the largest humanitarian crisis in the world, given the suffering that has happened there and continues to happen there. And yet it is not something that is regularly discussed in Congress, much less in the United States.

So what we are trying to do in the subcommittee in part is draw attention to the problem and then find ways that we in Congress and we in the U.S. can help to alleviate it. And I think that is sort of the—it is sort of a bad news/good news. Certainly you look at what has happened there in the last, you know, four decades, you look at the violence in the area—I led a delegation that stopped in Goma last year, and the violence against women is I think the thing that stands out as the most appalling, the rapes that are just accepted as a matter of course. It is an overwhelmingly devastating thing to witness and to see. But beyond that, you have all the violent gangs roaming around, as Mr. Dagne explained. And it is a situation that cries out for attention.

The good news is there are a lot of people over there who are making a positive difference. I met with Heal Africa as one of the NGOs that is working specifically on changing the culture of rape. And that is really what it is. It is beyond just the fact that there are some, you know, gangs roaming around doing this. It is far too accepted by the general population. And trying to change that and give the support to the women necessary to change that culture is a very positive thing.

And there are a lot of other NGOs that are actively involved there. I have done work with the Eastern Congo Initiative [ECI], which is focusing specifically on this region and has laid out some pretty clear goals, two of which Mr. Prendergast focused on. One is the conflict minerals issue; second, being helped with security and governance but then also continuing to provide our support for

the elections that are coming up to make sure they are done in a stable way and, you know, make sure that we stay active in that region and get involved by making sure that we maintain a regular envoy from our State Department to the region, is the fourth goal that they state. I think if we stay involved in that, we can truly make a difference here. We can save lives, and we can turn this region around.

Because the other thing that really struck me about this region, it is a beautiful place. It is rich in natural resources. Certainly the minerals you mentioned, but also agriculture, the Great Lakes region is there. This is an area that has massive potential for a very, very positive outcome for the people of that region and for the world if we can just help them realize it.

And then I do believe we have an interest beyond just the humanitarian crisis. Certainly, the conflict minerals issue, given the fact that we do purchase those items. But this subcommittee's particular jurisdiction is on counterterrorism. And the instability in a region opens the door for radical extremist groups. And as Ms. Sanchez mentioned in her opening statement, they are certainly recruiting in that area, even if they have not been that active.

If this region explodes into instability, it is bad for global stability and bad for United States national security interests. So that is why we are trying to pay attention to the region.

I want to ask specifically, Mr. Komorowski, to follow up on the issue of the unsecured ammo dumps, what is being done and what should be being done to help turn that situation around and get better security on ammunitions?

Mr. KOMOROWSKI. Okay. Thank you for the question.

We as an organization have our efforts, and we are very grateful for the support of the Office of Weapons Movement and Abatement to do that. Fundamentally it is about engaging at different levels. The perspective that I like to present and that is key to our organization is an operational one. So we work directly in Kinshasa with the FARDC, with a number of high-ranking representatives, both to look at the depots that they have there, and we also have teams that then work across the provinces, both doing destruction and also doing essential armory reconstruction work, as well as basic training—

Mr. SMITH. Can I ask—sorry to interrupt, is this a problem where you have got depots that have just wound up being, you know, abandoned, neglected, or is this a situation where they are ones that the Congo is trying to maintain, they just don't have sufficient security around it, or it sounds like both? But.

Mr. KOMOROWSKI. Exactly, it is a mixture of both. The definition sometimes of an armory or a cache or a stockpile, sometimes it is literally four walls, no roof, and then full to the brim of various kinds of ammunition; mortars, rockets, grenades, occasionally, and we do discover them, MANPADS [Man-portable Air-defense Systems] as well.

Mr. SMITH. Just left there by the government or, in some cases, left there by rebel groups?

Mr. KOMOROWSKI. Frequently by rebel groups. And actually they are often resupply points. And as mentioned, a number of the groups, earlier today, such as the LRA, we have come across a

number of what we are told by the community—we work very closely with the community to try and get a good insight into the legacy, into the history, of what we are finding there. And often they are our greatest source of information, directing us to where we can find these sources of ammunition, unsecured weapons, and so forth.

But there is also, and it is recognized a lot within the reporting, not just that which we provide as an organization, by a lot of advocacy groups that are active on the ground, that the insecurity of existing military stockpiles is a key problem as well. Small Arms Survey recognized in their yearbook, not for 2010 but 2009, the diversion from stocks, from official stocks, often police, often army, is one of the key providers, some of the fuel to the ongoing fire. So the nature of them is very diverse. We work in our own way as an organization with the resources we have.

To come back to another point of the question, what should be done? I think it is, as Mr. Prendergast mentioned, security sector reform. This is a component of that. So it is about the wider modalities of that as well. What we are doing is a part of the puzzle. Obviously, we believe that it should be done with greater coordination and with greater breadth. But it is only a part of the picture. It does require the broader elements of security sector reform if it is going to have a long and lasting successful legacy.

Mr. SMITH. I am out of time. I have more questions, but I will come back to them after we get to the other members.

Mr. Conaway.

Mr. CONAWAY. Thank you, Mr. Chair.

Gentlemen, thank you for being here this morning—this afternoon.

Mr. Prendergast, can you give me some sense of the scope of minerals production? In other words, it would probably be a different percentage for each of the discrete minerals, but how big a part of the world's supply of these minerals is the Congo, and just to help me understand the scope of what they are doing?

Mr. PRENDERGAST. Thank you for asking.

There are four particular minerals that come from eastern Congo that bleed into the world supply that end up in all these electronics products we are talking about. Gold is one of them. And then there are what we call the three Ts: tin, tantalum, and tungsten. Tin, my guess is around 10 or 15 percent of the world supply, Congo. Tantalum is the big one. Because Australia withdrew its exports from the market last year, began to stop exporting, because they could not compete with the slave wages and this kind of criminal network that produces the tantalum, that exports the tantalum from Congo, the share of global, the Congo's share of global supply skyrocketed somewhere in the neighborhood of well over 50 percent. And then in terms of Tungsten, it is probably another 10 or 15 percent.

So, in other words, there are lots of other suppliers, but Congo, because it is so cheap, remains a favorite for the refiners in Asia for buying these things.

Mr. CONAWAY. Any sense for what the gross revenues for the bad guys represent?

Mr. PRENDERGAST. It is so opaque. We have done some assessments and started to look. I mean, the Congolese senate, for example, did a significant report. They estimated it \$2 billion a year. I think that is an overstatement. Hundreds of millions of dollars accruing to the armed groups is a safe estimate, but it is a wild guess, because there really is almost no trade that goes on in the legitimate market.

Mr. CONAWAY. Ted, maybe you have got a sense of this. The culture of rape or the weapon of choice of rape must result in conceptions. What is the experience of those children once they are born? Are they readily accepted into the mothers' families or what—you know, we are going to be—you know, those started 15, 20 years ago. They are going to be reaching young adulthood and that kind of thing. What has been the experience of the children that result from those rapes? Or is it a big number?

Mr. DAGNE. In the case of Congo, it is really very difficult at this juncture to give you really an accurate assessment of, you know, this generation of kids, you know, growing up; are they accepted or rejected? But I can tell you, in the region, and some of whom have carried out this rape and attack, some of them came from Rwanda. During the genocide, a number of the Tutsi were raped deliberately by the Hutus. And there were tens and thousands of kids born. And I met a number of them. And what is amazing is that—not only that society accepted them, but senior government officials themselves adopted deliberately those kids.

Mr. CONAWAY. OK.

Mr. DAGNE. So, culturally, it is not like, you know, you are born because of rape, and therefore, you are not accepted. I haven't seen that.

Mr. CONAWAY. Good. OK.

In 2008, AFRICOM helped plan and lead Operation Lightning Thunder, which was a multi-country attack on, I guess, the Lord's Resistance Army. Can you give me some sense of did that work? Did it help, Mr. Prendergast, to professionalize in some small way the Congolese military as they work alongside AFRICOM's folks? And could it be expanded, or should it be expanded to go after some of these other targeted groups?

Mr. PRENDERGAST. It did not work. There was clearly some advance notice. Joseph Kony got out in time. The leadership of the LRA remains untouched since then.

President Obama has just released his plan, as a result of the congressional bill that was passed this year on the Lord's Resistance Army. The bill is insufficient. It is inadequate to deal with the serious security threat that LRA poses to people of Southern Sudan, Central African Republic and the Congo.

And so our view is that there needs to be, as we look at this plan that the President has put forward, and particularly as Congress in its oversight capacity looks at it, particularly this committee looks at it, we need to really take a very hard look at how it is implemented so that resources are provided to give a fighting chance to the militaries in the region that are on the front lines of trying to contain this significant threat, because up until now, what we have provided has been grossly insufficient and incommensurate to the damage done to civilian populations.

Mr. CONAWAY. Okay.

I have a second round as well, Mr. Chairman.

Mr. SMITH. Mr. Cooper.

Mr. COOPER. Thank you, Mr. Chairman.

I appreciate your holding this hearing.

A couple of years ago, the National Geographic had on its cover a picture of poached and murdered gorillas. And incidentally, in the article, they mentioned that 5 million human beings had been killed in the Congo. That was not the cover story. And I am all for gorillas, but, you know, for Americans not to understand that this has been the bloodiest conflict on earth is horrifying. Because as Samantha Power pointed out in her book, you know, genocides happen more frequently than we like to admit.

I think the frustration that I feel is, what can you do to solve it? If you read a book like Dambisa Moyo's "Dead Aid," she pretty much condemns pretty much all government-to-government aid. And maybe she is wrong. Maybe she has an overly pessimistic viewpoint, but we have seen a lot of the kleptocracy. And I think Mr. Dagne points out his visit with Kabila in 1996, the gold-plated sofas and Jacuzzis, and you know, little of that help trickles down to the average people. Unfortunate. With Mr. Smith, I have been to Goma. It is unimaginable the conditions that must exist out in the jungle.

So I think what we are searching for here are constructive paths to take. You know, this humanitarian operation by MONUSCO [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo] may have done more to harm the U.N.'s reputation than any other undertaking it has ever involved in. This is their largest single commitment, and you know, it is problems galore. So how do we solve this problem?

How do we even know simple things like who we are talking to? You know, recently in Afghanistan, we thought we were apparently dealing with the top-ranking member of the Taliban. It turned out to be an imposter. How do we even know elemental things like that?

And when it comes to identifying and shutting off or appropriately regulating coltan or these other minerals it is—are the Chinese better at figuring out how to secure supplies, because the last time we were there, I think we heard that they had engaged in some sort of long-term contract arrangement and promised to build a road. You know, what is going on here? What could guide us as policymakers to make a constructive difference? The ball is in your court. Anybody?

Mr. Prendergast.

Mr. PRENDERGAST. I think there is a huge opportunity here now. I mean, if—we could throw billions of dollars at this problem, we could throw tens of thousands of peacekeeping troops, it wouldn't make a difference in a place as large as Congo with the history of the crisis there.

What has to be done is to change the incentive structure that exists there now. The current incentive is for violent, illegal extraction of minerals. If you have the biggest guns and you are willing to use terrible atrocities as your primary military tactic, you can secure either access to mining or the smuggling routes and tax the

smuggling routes along the way and smuggle these minerals out of there; that is how you make money in the Congo today. That is what fuels the war. And the end markets are us. So that is the inescapable conclusion.

So what has to happen if anything is really going to change there is you have got to flip the incentive structure. If the world demand for these minerals says, okay, we are only going to buy minerals that are peacefully and legally mined, then it creates a different incentive structure for the people on the ground. I don't see how else we can alter that physical dynamic, because we simply don't have the resources or the troops internationally to make the kind of security—to change the security equation on the ground in the same way that our ability to affect how people make money, how that gravy train gets serviced, as we can if we push for these SEC regulations to be strong and we push for a real certification scheme like we did with the blood diamonds.

Mr. COOPER. How long do we wait before we know whether that has had an effect or not?

Mr. PRENDERGAST. It is in our hands really. I mean, the SEC is going to promulgate its regulations in the next couple of months. It has already shaken up the industry. It has shaken up the armed groups. People are trying to figure out—I mean, I just literally came from there. Everyone is affected by it. They are trying to figure out what the SEC is going to do. Every minerals trader, every military official that I talk to knows exactly what is going on in Washington.

In 150 years, go back to King Leopold, go back to Mobutu Sese Seko. Nobody ever tried to deal with how the world was relating to Congo in terms of our extraction of one of the richest natural resource bases in the world. And we wonder why this country is completely and totally in crisis for the last century and a half. It is because of the relationship.

Now Congress has made this first step. We have got to back it up; the executive branch has to back it up with real leadership internationally.

Mr. COOPER. So this is a celebratory hearing because we solved the problem if we have proper enforcement?

Mr. PRENDERGAST. We have identified the problem for the first time, and Congress has taken the first step in moving towards what could be possibly a catalytic approach to addressing the solution. I really actually think, in 25 years of visiting, working and living in the Congo, I think this is the first time anyone has taken it seriously, and I applaud this Congress for doing so.

Mr. COOPER. Do the other witnesses agree with this optimistic assessment?

Mr. DAGNE. I have a slightly different approach to this. Yes, it may contribute to a certain degree to bring about an end to the resources that some of the rebels or the commanders use.

But, at the same time, you have to remember that what is killing Congolese, is raping Congolese, is not the AK-47, is not the conflict mineral resources; it is the culture. It is the ideology that is doing it.

If you take away all the AK-47s, all the ammunitions, they would still rape people. They would still use the machetes. They would still have instability.

We have to start to think out of the box and say, how is it that we can help? At the same time, we can't be the solution to the problem in the region. The region itself, the country itself, must work to find a solution. We can help, but we cannot solve.

Mr. SMITH. I think, if I could, I want to get to Mr. Murphy, but I think my comment would be here, no there is no one solution here.

But I do think that going after the money that funds the rebel groups will make an enormous difference. And as you mentioned, when we went after the, you know, blood diamonds, conflict diamonds, that had a distinct impact in the region where that was put in place. You know, the purpose of this hearing isn't to say that we have the idea and it is going to automatically solve the problem. We are looking to make progress. This is one big area where we can make progress.

The bigger area that has been mentioned is reliable security and governance. And that is where the efforts of many of the NGOs that are working with the local population, this has been ungoverned space for a long time in which various criminal elements and rebel groups have filled the vacuum. So getting decent security and governance is also a critical step.

But this is not an insignificant move to take some of the money out of the equation if we do it successfully.

With that, I will turn it over to Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Chairman.

I actually was hoping to dig in a little bit more, Mr. Prendergast, on some of the parallels with what we saw with the blood diamonds and some of the differences, whether they are cultural differences, that we may see in eastern Congo versus what we saw in Sierra Leone or Liberia or Angola or other places.

Can you give just us a little more color in terms of what we need to be doing? What we can do at this point—you talked about us weighing in the with the SEC, but what should we be thinking about as that is going on?

And then, Mr. Dagne, if you will comment on maybe some of the cultural differences that you see between some of the places where we have seen some success with restricting access to mineral wealth and conflict and what might be different as we try to think of solutions in this instance.

Mr. PRENDERGAST. Thanks, Congressman.

I think, you know, that the solution, and I want to second Congressman Smith's point—I mean, this is just—this is a catalytic element of an overall set of recommendations. You mentioned the ECI initiative. There are all kinds of issues that we have to address in Congo. This is, we think, just one of the crucial ones that, as a prerequisite, helps to build a momentum towards helping to solve a lot of the problem.

The key, I think, Congressman Murphy, is certification. And that is, you look at and try to draw the analogy with the West African issues related to blood diamonds. When there was a decision that we would no longer purchase the diamonds that were actually help-

ing to fuel the terrible violence in Angola, Sierra Leone, and Liberia, then there was a long process. It didn't just overnight. We had the United States, Britain and many other countries work with regional countries and the companies, particularly De Beers, and civil society groups that have a vested interest in working on the publicity around the terrible atrocities recurring, they came up with a certification scheme that eventually created a way for you to weed out the bad from the good. And that has now, 10 years later, led to three countries that are at peace that have, you know, fairly well-functioning diamond markets that help contribute to development.

Mr. MURPHY. Do we have a partner in eastern Congo who could be the kind of certifiable producer of any of these minerals, or is it all so much chaos that you don't even have anybody that could meet a certification process?

Mr. PRENDERGAST. That is the good news, is that the region has begun to brace itself for the fact that major change has to occur. So a regionally led initiative, and I will defer—I bow to Mr. Dagne's point about you got to defer—because at the end of the day, if the region isn't buying in, forget it, is this international certification effort that has begun with the Great Lake states. So the Congo, Rwanda, Uganda, a number of states have begun a process. The acronym is ICGLR [International Conference on the Great Lakes Region]. And they have put together the bare bones, the essentials, of a certification scheme in principle. Now they need a dance partner. Now they need the United States and other countries that are end users of these minerals to come in very strongly and work with the governments in constructing as airtight a system as possibly can be created in this very difficult environment, get the industry to buy in, everyone from Apple to Hewlett Packard to Dell. All these companies suddenly realize that they can't continue with business as usual because of the bill, because of the Wall Street reform bill and the section on this thing. They want to be involved in this.

So it just requires somebody to take the lead. And we think that the United States could play that critical role because we are the biggest, in gross dollar terms, consumers of the end user—end users of the product—of the minerals that are being produced there.

Mr. MURPHY. Mr. Dagne, in terms of some of the parallels we are talking about with the blood diamonds, are the cultural issues parallel, and are there some lessons from what we saw that maybe worked in some of the other places? Or are the culture issues very different and not very useful in terms of things to learn about the approach here?

Mr. DAGNE. I think what I meant by cultural is not to suggest that this is strictly a Congolese or Rwandese cultural issue. I am talking about the culture of violence, the ideology of violence, which is something new that we are dealing with. In comparison to the other regions, definitely you had a cultural violence in Sierra Leone and Liberia and Angola. But if one goes back and looks at, you know, how did we end those wars, is it because of the blood diamond, ending the blood? No. We have to be practical and say, those bloody wars dragged sometimes for over 20 years, and at the end,

it was a negotiated settlement, whether it is with the MPLA [Movimento Popular de Libertação de Angola] and UNITA [União Nacional para a Independência Total de Angola] in Angola or Sierra Leone or for Liberia.

I think, when I suggested, you know, that the conflict mineral legislation and certification process would help, but I think if we put our hope in that, you know, we are going to be disappointed because before the diamonds, before the gold, you had violence there; even in their absence, you would have violence.

The other thing also we need to take into consideration is that the certification process only applies to American companies. Who is going to prevent China or any other company from doing business? That will continue.

The other important thing to remember is also, what are the impacts on the locals, not the rebels, not the, you know, corrupt commanders, but the millions of Congolese who depend on these resources for centuries? Do we have an alternative mechanism for them when the decision that we take could affect their livelihood, you know? Is there a mechanism in place to say, okay, here are the alternatives, this is what we are going to do?

I think the important thing to think about is, you know, the countries in the region itself, they have been doing a number of things. We need to be able to coordinate those activities in order to have a maximum impact. Look at the decision of Rwanda and Congo just a year and a half ago to jointly move against the negative forces. They were able to reduce their, you know, effectiveness significantly and dislodge them from a number of areas.

Now, if you have a more coordinated effort like this, you take away all these negative forces, some of whom can be integrated into society; over 20,000 civilians returned just in 1 year because they were being held hostage by those negative forces. Then you need to have an infrastructure in place to govern so that the basic necessities for the people can be provided, including security.

Mr. SMITH. Thank you.

And I think we would certainly agree that there needs to be a more comprehensive solution.

I do think the money drives a fair amount of it. And I guess what you would try to do is you would try to set up, through the certification process, a way for legitimate people to get access to that. It is not the entire issue, but I think money drives a lot of this. Well, it certainly drives the criminal activity. But I think also it gives the resources to the rebel groups out there to sustain them. They have to find resources.

I mean, this is true of any insurgency. Cutting off the source of that money is at least a critical first step.

But I totally agree with Mr. Dagne that it is not sufficient in and of itself.

Mr. Conaway.

Mr. CONAWAY. Thank you, Mr. Chairman.

You mentioned that the—we caught the head of the CNDP and tried to get back into Rwanda, and since then, that organization has ceased to be a functioning organization. It may have splintered. And this committee is terrorism and unconventional threats. We have got some experience with cutting the heads off of snakes.

Should that be a focus as well, to go after the leadership of these other negative groups, as you called them?

Mr. DAGNE. I think it is important because of the leadership of some of these rebel groups, and I think I would describe them also as terrorist groups. Now, they are not being described as terrorist groups because they are active in Africa, but the act that they carry out, according to any legal definition, is terror against the civilians. And some of the leadership are here in the United States.

Mr. CONAWAY. So the same kind of a—well, let me ask this, Mr. Prendergast or others. If we, as we should, deal with the certification of minerals, what is next? Where do these negative groups, rebel groups, terrorists, which I agree with you, Mr. Dagne, what do they do next? I mean, is it—they never just lay down, because it is far easier to hold a gun on somebody and make them work for you than it is to work yourself. And so, if we were able to effectively control that avenue, is there something else they pivot to that we then have to start Whack-A-Mole there?

Mr. PRENDERGAST. I think that, you know, the three main groups that Ted talked about in his testimony, the FDLR, the ADF and the LRA, the three main sort of foreign insurgent groups inside on Congolese territory, these three need to be subject to intensified counterinsurgency operations involving the governments in the region, involving the peacekeeping forces in the region.

The efforts so far, again, we have already talked about the LRA, led by the Ugandan government, has eroded the LRA's capacities. In other words, they used to be a fairly large, in the thousands, tens of thousands, over 10,000 fighters; now they are a band, a criminal band of a few hundred. They still do terrible damage in the places that they operate, but they have been eroded significantly by counterinsurgency operations. Now is the time to finish them off, to really cut that head of Joseph Kony and to find him and take him out the theater in some way or another.

With the FDLR, which is the Rwandan militia that came across the border, as Ted talked about in the history, during 1994, during the genocide, the core capacity has been eroded dramatically. I mean, in 1994, there were 80,000 to 100,000 armed elements from the Rwandan—who committed—who perpetrated the Rwandan genocide, were running around the eastern Congo. Now there's probably 4,000, maybe less. I mean, the numbers are wild estimates, 3,500 to 4,000.

And their capacity has been eroded dramatically because of counterinsurgency operations, largely driven by the Rwandan government, though the humanitarian implications of these operations has been dramatically negative for the people of the Congo. Now that there are those 3,000 or 4,000 left, we need to target those operations, go after the international support that they have, as Ted said, and really find and hone the elements of the regional militaries and the peacekeeping forces to go after those elements to try to bring them down.

Mr. CONAWAY. Yeah, one of the tools that we use on the existing terrorist groups is we go after their banking relationships and those things. These organizations are sophisticated enough they are using the banking systems to facilitate cash-flow funds, or would that be an effective tack as well?

Mr. PRENDERGAST. It is very different I think because of the mineral smuggling. Because the FDLR has been—

Mr. CONAWAY. So they are cash basis?

Mr. PRENDERGAST [continuing]. Ensnored in these areas and they are able to smuggle, particularly gold, through Uganda. I think that, we just need to figure out how we can get at that source, because as Congressman Smith said, if we don't arrest the money issue, you know, we are just going to be whistling Dixie.

Mr. CONAWAY. Give me a sense of what—you said Americans are the bulk of the end users. But as China and India's economies grow, they will surpass us at some point. Give me a sense of what the percentage is of manufacturers based in China, India, and the United States. Can we get a sense of where that split comes? Because I agree that getting China—India maybe less so—but getting China to agree to these kind of sanctions may be a little more difficult.

Mr. PRENDERGAST. A terribly important question. And I just want to correct something that Ted said; the legislation that Congress passed was not just for American companies. It was anybody who wants to import into the United States. Now, because in the electronics arena, we have the highest end products in terms of consumers, China is not going to say, Hey, because we want to maintain some supplier who supplies 10 percent of the tin from Congo, we are not going to export to the United States anymore? That is not going to happen. They are already complying. They are trying to figure out how the smelters based in China and other countries can comply.

So I think as long as we are affecting through the legislation and implementation, those people that want to import into the United States and work with our European allies to create similar legislative frameworks so that we are talking about a fairly large consumer base that is rejecting the purchase of minerals that come from violent and illegally extracted sources, I think we are going to have a chance of altering the entire marketplace, including India and China.

Mr. CONAWAY. Thank you, Mr. Chairman.

Mr. SMITH. Can you talk a little bit about the U.N. mission there? It is not well thought of by the local population in terms of its efficacy because they don't have a lot of authority, so their presence there is not thought of as having been that helpful, based on the people that I talked to when I was there. On the other hand, you know, there is concern, you know, if you simply pull them out, again, you are leaving a vacuum.

How effective has the U.N. been? And, more importantly, going forward, what is the best course of action in terms of maintaining the mission or changing it or getting rid of it?

And whoever. Mr. Komorowski, you haven't spoken in a while. First crack there.

Mr. KOMOROWSKI. Thank you. Yeah, it takes more than a rebranding from MONUC [United Nations Organization Mission in the Democratic Republic of the Congo] to MONUSCO [United Nations Organization Stabilization Mission in the Democratic Republic of the Congo] to solve the problem. I absolutely endorse many of the points you made there.

I think there are a couple of points. There is no doubt that, to date, the perception—and it is a bit more than perception—the reality on the ground is that this force varies in size, but as has already been mentioned, one of the largest, if not the largest, standing U.N. force in the world to date.

That is still not adequate for the kind of scale of—the physical geographical scale that we are talking about. But maybe there is a slightly different problem. It is not so much the numbers, but it is the focus. It is the targeting and also, bluntly, the terms of engagement.

Mr. SMITH. At the most basic level, what do they do? They are there. What is their mission? What do they do?

Mr. KOMOROWSKI. They are there to provide security for the civilian population, with varying degrees of success. I will happily say one point for the record, the many times I have been there, I have met with many different members of the U.N. on the ground and of MONUSCO. Often, there is a real issue with the quality of the composition of the forces on the ground. They are not coming from some of the nations with the finest militaries that can provide them, and often so, you are not looking at individuals on the ground who are particularly thrilled at their mission status.

We talked earlier about incentives and incentivizing, whether it be through the mineral supply chain or whether it be through security sector reform. We haven't touched on DDR [Disarmament, Demobilization and Reintegration]. The same exists, I think, for that force on the ground. They are not properly equipped to do the job, but I also think it is about their tasking. And oftentimes, they are not in the right areas, and frequently as well, their terms of engagement and when they are going to go. The times where they are most needed, their remit does not allow them to get sufficiently engaged. I think that is probably as directly as I would put it.

Mr. SMITH. And when does that mission complete? It is for a set amount of time. When is it up where it would have to either be renewed or end? Do you happen to know that?

Mr. KOMOROWSKI. Not off the top of my head, no.

Mr. SMITH. Mr. Dagne.

Mr. DAGNE. It was just renewed it in May, so it would have to be renewed again next year in June.

Mr. SMITH. Okay. Mr. Prendergast, Mr. Dagne, just quickly, do you think it should be renewed? What role should the U.N. play, going forward?

Mr. DAGNE. Just to go back to answer your question about the effectiveness and whether they should be renewed or not, I think the record has been mixed. It is one of the largest U.N. peacekeeping missions in the world. Currently, you have over 19,000 armed, uniformed personnel. I think they have done a number of good things. Their presence provided at least some relative stability and allow humanitarian delivery, and provided some protection to the civilians. In their absence, it would have been worse.

Mr. SMITH. OK.

Mr. DAGNE. At the same time, they could have done better. The security sector training that you are talking about is provided by the U.N. and so forth. I think it is important as you move forward, you know, is there a need to have such a large peacekeeping force

just to be there or can the mandate be changed in order to accommodate, I think, the needs on the ground. I think, in my view, perhaps a review of that is necessary, and the security council in May significantly restructured the mandate, and I am pretty sure, I think, come next year, you know, it has to be reviewed once again.

Mr. SMITH. OK. Mr. Prendergast.

Mr. PRENDERGAST. From what I have seen on the ground, you know, one of the things that is positive is that they help keep the roads open and for commercial traffic in some places through their patrolling. That is a positive. It is sort of a byproduct of their existence and their presence on the ground. That's not saying much.

I think in individual areas, at the behest of particular commanders of units that are deployed into different places, they have done targeted capacity building for the FARDC for the Congolese army. That is a very helpful thing, and more of that could happen in terms of professionalization and respect for human rights of the Congolese army.

Making decisions on the ground, operational decisions to protect civilians in localized areas, has made a difference. Most units don't. And therefore, they are spectators for terrible human rights atrocities. So it is strengthening their mandate in New York so that you can strengthen the hands of commanders on the ground who want to do that kind of stuff is really important.

And then, finally, something that has been missing all along is some kind of special forces capacity to actually undertake targeted military operations against both foreign-armed groups and Congolese-armed groups that are the spoilers for continuing violence and instability.

So looking in the course of the next year for re-upping the MONUSCO mandate and looking at whether we can recruit a nation to contribute that kind of capacity, that would actually make, potentially make a difference in the overall scheme.

Mr. SMITH. That is something our committee works on a great deal. We work with the Special Operations Command here in the U.S., and also internationally and NATO and other places, and it is a very specialized skill that not a lot of militaries possess and is very much in demand at the moment in many, many places. But certainly, I can see where that would be helpful.

Mr. Cooper.

Mr. COOPER. Thank you, Mr. Chairman.

How do I know, or how does the manufacturer know whether the tantalum in this phone is clean or not? Is it Australian, is it Congolese, is it clean Congolese? Each diamond is unique, but a fungible commodity like tantalum or tin or even refined tantalum or tin, how do you know? You just have to trust the supplier?

Mr. SMITH. Well, I don't. If I could interrupt there, I don't think technically each diamond is unique, but if you happen to have a diamond ring right now and were to look at, I think you would have the same basic problematic question of telling by looking at it, where it came from. I don't think it is unique in that sense. I think it is a matter of, you know, regulating the supply chain aggressively. So correct me if I am wrong in that, but I don't think there would be any difference in terms of the difficulties of making sure

that this is adhered to for diamonds than it would be for basic minerals. I could be wrong on that.

Mr. PRENDERGAST. Already, the industry associations that a year ago were saying precisely what you were saying, Congressman, now are working very aggressively to try to comply with these regulations and talking directly to many of the groups, many of the companies' senior executives and the people on the ground who are taking trips to Congo trying to figure out how to do it. There is much more clarity now, based on the United Nation's panel of experts' work, based on a lot of different organizations that have exposed how these supply chains work. It is not a big mystery. It might be a mystery to us sitting in Washington, but it is not a mystery to those that actually take the time to study these supply chain networks.

So we can figure out where stuff comes from. And there are ways to do that. You just have to set up monitoring, observation, and tracing mechanisms that the industry can comply with that will allow us to certify where this stuff comes, whether it is coming from a mine that does damage to civilian populations or not.

This is all doable. And the more that it is studied, the more light that is shined on it, particularly by the U.N. panel of experts that released yet another report yesterday exposing in great detail how this supply chain works, we are learning more and more about how to do this, and the industry groups are, have shifted from a very unhelpful position to now trying to figure out how to comply and how to figure out how you would know what is in any particular electronics component that ends up in the United States.

Mr. COOPER. Shift to people for a second. How do we know who the war criminals are? Who was, in fact, a member of the LRA or the Mai Mai; or who may have been a member but not committed an atrocity; who is not a member of anything but committed an atrocity. How do you know?

Mr. DAGNE. I think with the LRA, FDLR, and CNDP we do have good knowledge of who the leaders are, who the commanders are. And I will be happy to provide those names and the command structure if you are interested.

Mr. COOPER. But so many of the atrocities are committed by low-level troops, right?

Mr. DAGNE. Of course, you have the rank and file who commit the atrocity, but who gives the order, who gives the command, is primarily responsible for it.

Mr. PRENDERGAST. Yeah. I think it is really important to understand that these aren't just, you know, troops that are completely out of control, running around raping, pillaging, and looting. There are very specific war strategies being pursued by the various armed groups in Congo, whether it is the government army, whether it is the foreign-armed groups, or whether it is some of the Congolese militias. There are particular interests being pursued. And when you give a green light to your rank and file that you now, as a strategy, as a tool of war, we are encouraging you to rape in the context of our attacks on particular civilian populations, that is a war crime or crime against humanity.

And finally we are getting the ICC to investigate these linkages. We are seeing now indictments of particular individuals in Congo

where related to the recruitment of child soldiers forcibly and sexual violence as a war crime. And as the evidence accumulates, it is going to be harder and harder for people to argue that this is, you know, a violent, out-of-control situation. There are command and control issues that one hopes will be exposed by these indictments and that some of these people will actually end up spending the rest of their lives in jail for it.

Mr. COOPER. I have no more questions, Mr. Chairman.

Mr. SMITH. Mr. Conaway.

Mr. CONAWAY. No questions, just a quick comment.

Mr. Dagne, you said earlier that you believe the Congolese have to come up with their own solutions. And I couldn't agree more with you. I think the folks in Odessa, Texas, are better at solving the problems in Odessa, Texas, than anybody in D.C. It is heartening to hear someone as informed as you are about these issues make that statement, that we really do have to look to the Congolese themselves and then help them do it.

In that vein, is there leadership in Congo that can provide the ideas that we can then help with as opposed to coming up with our own ideas and trying to put them over—implement them in the Congo? Are there folks there that we can work with?

Mr. DAGNE. There is a government in Congo, was elected, President Joseph Kabila, and they have position groups, a functioning parliament, and we have been working with that government for the past decade. Is it ideal? Is it purely democratic? No. There is a lot more work that needs to be done. The point I am making is that in order for us to have an impact on the ground, we need to work with them, not come with a solution and say, This is what is best.

Mr. CONAWAY. Exactly. Where is their list of solutions they have come up with themselves and said, Here are the things that we are going to make happen; can you help us with these, as opposed to us coming with that list and saying, Here's some good ideas. What do you all think?

I mean, is there that list and does it include this minerals management programming and everything else, or is there something else on that list that they themselves believe is the right way to go at this?

Mr. DAGNE. Yeah. I can give you some examples on the security sector for the Congolese themselves have been asking in order even to control their own commanders. Not long ago, I think about 5, 6 months ago, the president himself ordered the arrest of a senior general because of abuses that his units had carried out. Even on the conflict diamond issue, the minister of mining himself came and asked how we can help him. Use of satellites, for example, to identify bad areas and good areas.

So they do come up and ask from time to time for help. And I think what is important, like when I said the region, they had come up, Rwanda, Burundi, Congo, and established a structure in order to ensure transparency on the conflict mineral issue. And that can be strengthened and coordinated. There have been other activities. For example, a European-based group that had been taking, you know, satellite photographs of some of these mines, and basically pushing that into a database identifying who controls it.

For us to be able to have an effective result, we need to know on the ground. We don't have that kind of presence. You know, who is mining it? Who is the rebel commander there? Is it clean? Is it possible that—

Mr. CONAWAY. Isn't that something that the Congolese should be doing for themselves?

Mr. DAGNE. Yes. Precisely. That is what I am talking about, the coordination with the Congolese.

Mr. CONAWAY. Alright. Let me ask one other thing, and any of you can answer. The post-conflict diamond era in Sierra Leone and Liberia and Angola, the rank-and-file human beings there, is their quality of life any better today or have they just swapped one set of miseries for a new set of miseries?

Mr. DAGNE. I think it is very difficult to say, you know, that their lives have improved. I can give you a number of examples from Angola. I was there.

Mr. SMITH. If I may, not to interrupt you, but certainly it has got to help that there aren't armed gangs running around shooting people. Who, I mean, that is not to say that their economy has taken off. But I find it hard to believe that if you—if a civil war is going on in your neighborhood, and then a civil war is not going on in your neighborhood, I just got to believe that is a better situation.

Mr. CONAWAY. Well, maybe the civil war is still going on.

Mr. DAGNE. The question that I thought was asked was if their livelihood has improved, not the security on the ground.

Mr. CONAWAY. Right. Just one set of miseries for a new set of miseries.

Mr. DAGNE. The day-to-day life of the individual once they are demobilized.

Mr. SMITH. Right. Day-to-day life. And I am sorry to keep arguing.

Mr. CONAWAY. Reclaiming my time.

Mr. SMITH. But the livelihood, certainly I get that. Well, I have made my statement. Go ahead.

Mr. DAGNE. To answer your question, the day-to-day life, once they are demobilized, for a number of them, they are either integrated into the regular forces. But have they been given training

Mr. CONAWAY. I am not talking about the demobilized. I am just talking about the rank-and-file citizen who is out there who is the victim of both sides of the civil war that was going on, that is not now going on, are their lives any better today, post-conflict diamond controls, than they were before? Or are they just as miserable now, they just got different miseries?

Mr. DAGNE. No, no. I think when you look at the overall picture, definitely.

Mr. CONAWAY. They are better off.

Mr. DAGNE. For example, just Sudan. Five years ago, they signed an agreement. For me, when I look at the registration for primary school for girls, it had tripled. And that's progress. When I look at, you know, people, you know, going to school and having access to medical care, that is progress which they didn't have before. The

same thing can be said about the end of the war in Angola. You know, you see a lot of construction taking place, schools being built.

Mr. CONAWAY. So their lives are better?

Mr. DAGNE. Yes, their lives are better.

Mr. CONAWAY. You said first that they weren't, but now you are saying they are better.

Mr. DAGNE. No, I thought you asked about—maybe I heard it wrong—I thought you asked about those who are demobilized once they are.

Mr. CONAWAY. No. No. Just the overall folks who are the victims of whatever set of atrocities are going on, whether it is from machetes or AK-47s, are they better? What I am hearing you say is yes, life in Angola today is better than it was when diamonds were being mined by the negative groups and sold.

Mr. DAGNE. Yeah. Definitely, in every case you end the war, the focus becomes on reconstruction and development. And that improves the lives of people.

Mr. PRENDERGAST. There really is no comparison. I mean, three countries that had some of the highest rates of displacement in the world; people were living, moving from place to place escaping these terrible atrocities. And today, they are largely secure. Yeah, their economic growth rates aren't off the charts, but it is an extraordinary difference to not be living in an internally displaced camp or a refugee camp to be able to go home and try to eke out a living.

Okay, they are a long way from being a roaring economy, but to have the chance to rebuild your communities and your lives, that is what is happening in Liberia and Sierra Leone and Angola today. And those people, and just your point is reinforced. It is to let's give those countries a chance and the people themselves to do it themselves. You take away that layer of conflict and people get on with their lives.

Mr. KOMOROWSKI. I think I would echo the two former speakers. On the subject of Angola, which is another country in which MAG works, we have worked through a period of time immediately post-conflict through a resurgence of the conflicts and to the current day as well. And, certainly, the point Mr. Prendergast made about the displaced peoples and supporting initially all of the work with UNHCR [United Nations High Commissioner for Refugees] repatriation, et cetera, the ability now, I think the key word that is important here is the ability for communities and authorities at local regional and national levels to actually do some planning; to actually start looking at not just the stabilization of the communities, but planning reconstruction efforts, which we are seeing in the provinces in which we are working in Angola.

It is a marked difference. And I would pose comparison to Sudan, DRC, et cetera; other countries which we are working where the threat and the regional threat and the insecurities such that those processes are a long way down the line. And that is a significant difference. And you genuinely see it in the face of people with whom you are working. You know that they are aware that they are not living under the imminent threat of the barrel of a gun as opposed to some of the other communities we have been mentioning in the likes of Eastern Congo.

Mr. SMITH. Thanks. I just have two final questions, both for Mr. Komorowski, but you can comment as well. The Department of Defense, AFRICOM, is not terribly involved in the Eastern Congo, is my understanding. But in your work in that area, what sort of relationship do you have with our DOD? And then the second question is about the Congolese army. We have talked around it a little bit. They are a significant part of the problem, both in terms of not being able to provide security in their country, but then also many members of the Congolese army actually do occasionally wind up preying on the population and becoming some of those rebel groups.

Could you walk us through are we making progress on making the Congolese army better? At least, we do see the number of times they turn on the population making them better. And then, like I said at the outset, the question about you, the involvement of our Department of Defense in terms of helping with some of the issues we have talked about today.

Mr. KOMOROWSKI. Okay. So to take the two points separately. First of all, the engagement of my organization, Mines Advisory Group with the Department of Defense and its various agents and operators. We have a body here also in Washington so we coordinate very closely with the Office of WRA, Weapons Removal and Abatement, and so we are made aware when there are going to be DTRA [Defense Threat Reduction Agency] or AFRICOM missions and personnel deploying.

So one of the key things we are providing is intelligence, is a clear understanding from our staff and our operations on the ground of the picture that is emerging there on a day-to-day basis. So that is one of the very practical ways in which we are engaged in working with the DTRA as well. We have, on occasion, actually been tasked to deliver operations as a follow-up to assessments that they have made. For example, in Burundi there was a DTRA assessment, and it became apparent that there were a number of MANPADS, numbering more than 300—

Mr. SMITH. I should say, by the way, Defense Threat Reduction Agency is DTRA, for the uninitiated.

Go ahead.

Mr. KOMOROWSKI. Apologies. Yes, thank you. So on the basis of that Defense Threat Reduction Agency assessment, there was in excess of 300 MANPADS—man-portable air-defense systems—that were located. And as a result of MAG's cooperation with that assessment, we were able to carry out the destruction with U.S. support as well. So that is one very practical example. But across the piece, we are essentially tied in and working with AFRICOM as and when there is a presence on the ground, mainly through briefings. I don't know if that adequately answers—

Mr. SMITH. It does. That is enormously helpful.

Mr. KOMOROWSKI. So to take the second question about working with the Congolese military, I think it is very important to make clear from the outset that MAG's engagement with the military is very much, as I mentioned, within the province of weapons—

Mr. SMITH. If I may, I am not actually talking about your particular engagement, just as you engage with them, your assessment of their capabilities. And, as I said, two big problems: Number one,

they are not providing security; number two, in many instances, they are part of the problem, the individual members in the Congolese military.

How would you assess those two statements that I have made, and is getting better? Is it getting worse? Where is that headed? And that would be for all three of you.

Mr. KOMOROWSKI. Sure. I think one of the key problems that we deal with is the rotation or the movement, the change, the instability in terms of the structures with which we are working. So I mentioned in my submission that the building relationships of trust and an understanding of the role that we as an organization and other entities bring in is really key.

When those are built and when those individuals are then moving on, and we see that frequently, it takes the process back. So building long-term reform with regard to the military capacity for justice building, et cetera, that is slightly out of our province. But I think that that turnover is unhelpful in that respect.

I think the second point, as regards the Congolese military being part of the problem, again, I think it was mentioned earlier about at one point, Kinshasa was the perception of Congo. What we find as well is that the further away you get, the looser the chain of command. And I think that is one of the key issues as well in terms of how things are operating the further away that operations are from central command.

It is not a particularly joined-up strategy or structure we see on the ground. And that is an issue in terms of how the tasking works.

Mr. SMITH. Gentlemen, do you want to offer your thoughts?

Mr. PRENDERGAST. Only one quick point, which is that for SSR to have a chance of working, it has got to be a multiyear, multidonor effort. And we need higher level engagement, because the kind of basic things, building blocks of army reform in the Congo, the kind of things you would want to do, reforming just how people are being paid and ensuring that they are paid; constructing barracks. When I used to work for an International Crisis Group, we went around and did a survey of all these barracks and talked to the soldiers and their families and stuff and it was worse than a refugee camp. You know, these guys. And then we are, like, wondering why so much looting goes on in the vicinity of these camps you know, and its direct. Their commanding officers are just pillaging these guys. They are taking everything that comes down the chain.

So there is basic reforms of how people are paid and how they are trained and how they are then held accountable as soldiers for their activities.

Mr. SMITH. Is it getting any better or, in recent years or is it just about where it's at? OK. Let the record reflect he shook his head no.

Mr. Dagne.

Mr. DAGNE. I don't think it has improved. I think it has been terrible over the past 5 years. Even, I think, with the ongoing security sector reform, I don't expect improvement to come any time soon as long as those who are carrying these, you know, attacks are not

held accountable. Accountability is just as important, and we haven't seen much of that.

Mr. SMITH. Thank you. I have no further questions.

Mr. Conaway?

Well, thank you. That was very, very informative. I really appreciate the testimony from all three of you, and we will continue to work on this issue and in that area, and look forward to working with you. Thank you.

We are adjourned.

[Whereupon, at 3:30 p.m., the subcommittee was adjourned.]

A P P E N D I X

NOVEMBER 30, 2010

PREPARED STATEMENTS SUBMITTED FOR THE RECORD

NOVEMBER 30, 2010

Statement of Terrorism, Unconventional Threats and Capabilities
Subcommittee Chairwoman Loretta Sanchez
Crisis in the Democratic Republic of Congo:
Implications for U.S. National Security
November 30, 2010

“Good afternoon. We meet today to discuss the ongoing crisis in the Democratic Republic of Congo and examine the related implications for U.S. national security. Within Africa, the Democratic Republic of Congo has always held strategic importance due to its large size and central location, as well as its vast quantities of natural resources. For decades the Congo has experienced varying degrees of political instability and violence, and it is estimated that more than 5 million people have died due to preventable disease and war related causes. For me, the violence is additionally troubling because of the high degree of gender-based and sexual violence, which appears to have become frighteningly commonplace.

“In the midst of this violence, the Congo has been the sight of one of the largest and most expensive United Nations (UN) peacekeeping missions in the world. Changes to this UN mission are on the horizon – and the Congolese government recently asked for a gradual withdrawal of the UN peacekeeping force. Nearly 1500 UN peacekeeping troops have been withdrawn since May of this year. And since the Congo will also host presidential and legislative elections in November of 2011, the time is right for the United States and others to consider how these changes could impact security and stability in the region, and to prepare accordingly.

“With its porous borders, weak institutions, and close proximity to East African countries such as Uganda and Sudan, transnational terrorist threats should not be ruled out when seeking to understand U.S. national security concerns associated with the Congo and the Great Lakes Region. This point is critical to our subcommittee which deals with terrorism, unconventional threats and capabilities. And although few transnational terrorist threats have been directly linked to the Congo, al Qaeda and affiliated groups have had a presence in neighboring East Africa for almost 20 years, and the recent attacks in Kampala, Uganda this past July remind us of how inextricably linked many of these issues have become.

“The Department of Defense has been active in Africa, and within the Congo and neighboring countries. Through U.S. Africa Command, or AFRICOM, the United States has worked to improve the capacity of the Congolese military and sought to develop an army that is accountable to the Congolese people. More specifically, our Special Operations Forces have been focused on training, teaching and mentoring the Congolese Army, and have worked to create a model Congolese battalion that can in-turn train and professionalize the rest of the Congolese Army. And I am pleased that one of the major goals and components of U.S. training and assistance has been to improve the human rights practices of the Congolese army.

“With this in mind, I would like to hand the gavel over to Representative Adam Smith from Washington State who will chair the remainder of today’s hearing and who has been following this issue very carefully. Thank you.”

**Talking Points of Ranking Member Jeff Miller
Subcommittee on Terrorism, Unconventional Threats and
Capabilities**

Subcommittee Hearing on the Democratic Republic of Congo

November 30, 2010

Terrorism is an issue that plagues the world and, since the 9/11 attacks almost ten years ago, has been propelled to the forefront of the American consciousness. Accordingly, this subcommittee was created and charged with the oversight of Department of Defense activities to protect the homeland from the scourge of terrorism and defeat those who would bring harm to this great nation.

In carrying out our oversight responsibilities, the members of this subcommittee have devoted significant time and effort to examining operations in Afghanistan, Iraq, Pakistan, Yemen, Somalia, and other terrorism hotbeds around the world. Similarly, our nation's military forces have been heavily engaged combating violent extremists and disrupting their nefarious plans to harm innocent civilians and bring chaos to the modern world. Where instability exists, the potential for terrorist activity rises.

Manpower and resources are limited, however, which often leaves Department of Defense engagement in many countries as mere economy of force efforts. Rightfully so, our constrained capabilities need to be focused on the main fight – Al Qaeda activities in Pakistan, Afghanistan, Yemen especially – but we must be ever vigilant for the next potential safe-haven and flashpoint in this enduring struggle against the twisted and backward groups like Al Qaeda that want to impose their dark vision on the world.

The Democratic Republic of Congo (DRC) and wider Africa to a great extent are areas of concern, but ones where engagement is constrained because of the military's heavy commitments elsewhere in the world. And today's hearing looks to shed light on a country that lies at a cross-road and that could represent one of the next terrorist flashpoints.

While the DRC has a small Muslim population, one not deemed to be receptive to extremist messaging, the country is situated in the heart of Africa and has experienced significant instability from the insurgent forces of the National Congress for the Defense of the Congolese People as well as foreign groups such as the Democratic Forces for the Liberation of Rwanda and the Ugandan rebel group Lord's Resistance Army, which have sought

safe-haven and operational space within the borders of the DRC. Given the DRC's strategic geographical location, the potential exists for it to become a waypoint for terrorist groups operating in Somalia and Yemen as they link to similar-minded or affiliated terrorist groups operating in Western Africa.

The Department of Defense has appropriately sought to increase our partner nation capacity in the region, to include the DRC, but that ability is limited at times. While the DRC has worked closely with its neighbors to combat the forces of instability within its borders and the region, one remains concerned about what the future holds for the country and how vulnerable it may be to outside influences taking root, as our nation's attention is drawn to more pending threats in Pakistan, Afghanistan and Yemen.

With us today, we have a number of non-governmental witnesses who have extensive experience with, and in, the DRC. Given the sporadic attention that the military is able to give to the DRC, because of its heavy commitments elsewhere, I would appreciate hearing from our guests how they view the situation in the DRC and what risk they see from outside terrorist organizations, such as Al Qaeda and Al Qaeda-aligned groups like Somalia's Al Shabaab, bringing some level of activity and operations to the

DRC. I look forward to hearing your testimony today, and thank you for joining us.



The Crisis in the Democratic Republic of Congo: Implications for U.S. National Security

Testimony by Ted Dagne, Congressional Research Service

Before the Subcommittee on Terrorism, Unconventional Threats and Capabilities

November 30, 2010, Washington, D.C.

Chairwoman Sanchez, Ranking Member Miller, and members of the sub-committee, let me first express my appreciation for the opportunity to testify before your sub-committee. The Democratic Republic of Congo (DRC) has witnessed political turmoil, insecurity, and humanitarian crises for several decades. One of the most affected regions is eastern Congo. The first rebellion to oust the late President Mobutu Sese Seko began in the city of Goma in eastern Congo in the mid-1990s. The second rebellion in the late 1990s also began in eastern Congo. At the root of the crises in eastern Congo is the presence of over a dozen militia and extremist groups, both foreign and Congolese, and the failure of the central government to establish a strong governance structure and provide security to its people. Successive governments in DRC invested very little in infrastructure and left millions of Congolese without basic services. Millions of people are estimated to have died over the decades because of war related causes and due to neglect and preventable diseases.

In 1996, as a member of Congressional delegation, I met the late Laurent Kabila, former president of DRC, in newly liberated town of Goma in eastern Congo. The town did not have a single paved road or electricity, and the residents of Goma were dependent on hand-outs for survival. Yet, Kabila and his advisors were staying in a mansion with gold-plated sofas and a Jacuzzi. I asked Kabila if he was concerned at all that he was in a mansion while his people outside suffered? His response: I am their leader and conditions will change when I become president. Kabila became president of Congo in 1997, but the people of Congo saw little change under his leadership; they continued to face war, poverty, and an uncertain future. Congolese civilians have been the main victims of the crisis in Congo, targeted by all sides, including government forces, and foreign and domestic rebel groups.

In August 1998, open conflict erupted between Kabila and Congolese forces supported by Rwanda, Angola, Namibia, and Zimbabwe joined the fighting in support of Kabila. In July 1999, at a summit in Lusaka, Zambia, the leaders of Uganda, Rwanda, Congo, Zimbabwe, Namibia, and Angola signed a peace agreement. The withdrawal of foreign forces from Congo was one of the key elements of the Lusaka Accords. The accords also called for political dialogue among Congolese political and armed groups to settle their differences peacefully and to map out a new political chapter for Congo. In January 2001, President Kabila was assassinated by a member of his security guard. A few weeks later, his son, Joseph Kabila, was sworn in as president. By late 2002, after a series of South African-U.N.-sponsored talks, foreign troops in DRC withdrew their forces. In December 2002, the inter-Congolese dialogue achieved a major breakthrough when President Kabila and the parties to the conflict agreed to a transitional

government headed by President Kabila and four vice presidents. In July 2003, the four vice presidents were sworn in, and the event was considered by some observers to be an historic step towards peace in the DRC.

Some progress has been made over the past several years in moving the DRC from political instability and civil war to relative stability and limited democratic rule, although eastern Congo remains a region marred by civil strife. The international community has been actively engaged in support of the transitional process, conflict resolution, and democracy promotion. On July 30, 2006, the DRC held its first presidential and parliamentary multi-party elections in almost four decades. The next presidential elections are scheduled for November 2011.

DRC and Regional Issues

The DRC continues to face serious challenges, although relations between the DRC and its neighbors have improved over the past three years. Relations between DRC and Burundi are warm. Uganda upgraded its diplomatic presence to ambassadorial level over a year ago. Relations with Rwanda have improved as well since 2008.

The presence of armed groups in parts of Congo is a major source of instability. As I will discuss below, some of the main rebel groups active in DRC include: the Democratic Forces for the Liberation of Rwanda (FDLR), the National Congress for the Defense of the People (CNDP), the Lord's Resistance Army (LRA), the Mai Mai militia, and the Allied Democratic Forces (ADF).

Democratic Forces for the Liberation of Rwanda (FDLR)

Over the past 15 years, elements of the former Rwandan armed forces and the Interhamwe militia were given a safe haven in eastern Congo and have carried out many attacks inside Rwanda and against Congolese civilians. These well-armed forces are now known as the Democratic Forces for the Liberation of Rwanda (FDLR). Analysts and officials in the region estimate their number between 6,000 and 8,000, now led by the most extremist leaders of the FDLR. Over the past year, the FDLR has reportedly intensified its recruitment campaign. Until recently, the FDLR reportedly received assistance from some Congolese government forces and in the past coordinated military operations with the Congolese army. The FDLR also receives assistance and guidance from Rwandans in Europe, Africa, and the United States. The government of Rwanda submitted a list of FDLR, Interhamwe and other militia leaders in early 2008 to United States government officials. A number of these FDLR still live in the United States and none of these individuals have been extradited to Rwanda. The United States does not have an extradition treaty with Rwanda. The United Nations, the United States, and some European countries have imposed sanctions, including travel ban, on some FDLR leaders. In October 2010, French security arrested a top leader of the FDLR in Paris, Callixte Mbarushimana.

The National Congress for the Defense of the People (CNDP)

The CNDP is DRC-based rebel group once led by Laurent Nkunda, who is currently under house-arrest in Rwanda. The CNDP claims that its main objective was to protect the Tutsi population in eastern Congo and to fight the FDLR. After the Congo-Rwanda joint military offensive in 2009, the CNDP no longer exists as a cohesive group. Many of its fighters have been reintegrated into the Congolese armed forces and some may have joined other militia groups. Some of these units in the Congolese armed forces are engaged in abuses against civilians, according to U.N. officials.

The Allied Democratic Forces (ADF)

The ADF is a Ugandan Muslim rebel group with limited activities in Uganda and DRC. In 2010, ADF forces were active in Beni district near the Ugandan border. In June 2010, after consultations between the governments of Uganda and DRC, the Congolese armed forces launched a military operation known as Rwenzori against the ADF and its allies in Beni. The military operation dislodged ADF forces but also displaced an estimated 100,000 Congolese civilians, according to U.N. officials.

Mai Mai Militia

The Mai Mai is a loosely grouped set of Congolese militia, with no unified or consistently articulated political demands. They actively target civilians and U.N. peacekeeping forces in eastern Congo. In early October 2010, Congolese and U.N. peacekeeping troops in the DRC arrested the leader of a Mai Mai militia suspected of orchestrating mass rape. Lieutenant Colonel Mayele of Mai Mai Cheka was arrested in North Kivu province. More than 500 people were reportedly raped in July-August 2010, according to U.N. officials.

The Lord's Resistance Army (LRA)

The LRA is a Ugandan rebel group active since the mid-1980s. Under the leadership of Joseph Kony, the LRA has conducted military operations in northern Uganda, the DRC, the Central African Republic (CAR), and Southern Sudan. The primary targets of the LRA have been the civilian population, especially women and children. The LRA was given protection, facilities for training, and supplies by the government of Sudan to wage war in northern Uganda and Southern Sudan until a few years ago. The takeover of the government in Southern Sudan by the Sudan People's Liberation Movement (SPLM) curtailed LRA activities in South Sudan. The Sudan Comprehensive Peace Agreement (CPA) has a provision that all foreign groups, which include the LRA, must be forced out of Sudan. In 2005, some LRA units went into DRC, reportedly looking for a new home after the SPLM took power. Over the past several years, the LRA has been weakened significantly and has lost a number of its top leaders in battle or defection. The LRA currently has presence in parts of DRC and the Central African Republic (CAR). The LRA is not operational in northern Uganda. The government of Uganda has carried out a number of military operations against LRA forces in CAR and jointly with Congolese forces in DRC.

Targeting the CNDP and FDLR

In late 2008, the governments of Rwanda and Congo agreed on a wide range of issues, including an agreement to launch a joint military offensive against the CNDP and the FDLR. In January 2009, Rwanda and Congo launched the joint military operation in eastern Congo. The military operation dislodged and seriously weakened the CNDP forces. In January, the leader of the CNDP, General Laurent Nkunda, was arrested inside Rwanda, after he fled eastern Congo. The FDLR forces were also dislodged from their stronghold in north Kivu, although some have returned in recent months. The defeat of FDLR forces in some areas enabled more than 20,000 Rwandese refugees to return home. In addition, an estimated 5,200 FDLR elements have been repatriated to Rwanda. In late February 2009, Rwandese troops pulled out of Congo as part of the agreement with the Kabila government.

DRC-Based Rebel Groups Links to International Terrorist Groups

In the late 1990s, the ADF carried out a number of terrorist attacks in Uganda, although there was no evidence linking ADF with international terror groups at that time. On July 11, 2010, the Somali terrorist group Al-Shabaab carried out multiple suicide bombings in Kampala, Uganda. An estimated 76 people, including one American, were killed and more than 80 injured. Several ADF operatives were reportedly engaged in providing assistance to Al-Shabaab. A number of ADF operatives are currently in custody in Uganda.

In the 1990s, the LRA received significant assistance from the Sudanese security services at a time when the same security organs were hosting and providing assistance to Osama bin Laden in Khartoum, Sudan. However, there is no clear linkages between the LRA and Al Qaeda.

United Nations Peacekeeping Operation

The United Nations peacekeeping mission in DRC is one of the largest in the world. On May 28, 2010, the United Nations Security Council passed Resolution 1925. The Congolese government had asked for the gradual withdrawal of the U.N. peacekeeping force. The resolution converted the name and mission of the current peacekeeping force from the U.N. Organization Mission in DRC (MONUC) to the United Nations Organization Stabilization Mission in the DRC (MONUSCO), effective July 1, 2010. The resolution also authorized MONUSCO's mandate until June 30, 2011, and ordered the withdrawal of up to 2,000 peacekeeping troops by June 30, 2010. As of August 2010, MONUSCO has completed the withdrawal of more than 1,500 peacekeeping troops from DRC. The resolution also called for the protection of civilians and humanitarian workers; support for the DRC government on a wide range of issues; and support for international efforts to bring perpetrators of war crimes to justice. As of August 2010, MONUSCO had a total of 19,544 uniformed personnel.

Economic Conditions

Bilateral and multilateral donors have made significant investments in support of DRC's transitional process. The World Bank has a number of active projects in DRC. The International Monetary Fund (IMF) is requiring the DRC to implement reforms in macroeconomic stability before it will begin a poverty reduction and growth facility program. A tight fiscal policy is thought to be necessary for the DRC to improve economic conditions. The DRC's fiscal policy is primarily focused on increasing domestic revenue and shifting state expenditures toward infrastructure and the social sectors. The Central Bank of the DRC appears committed to maintaining price stability and tight control of the country's money supply, according to the Economist Intelligence Unit (EIU). Real GDP growth is expected at 5.2% in 2010 and 6% in 2011, according to the EIU.¹ Inflation rates, however, are expected to reach 22% in 2010 and 28% in 2011.

¹ The Economist Intelligence Unit. *Country Report: Democratic Republic of Congo*, March 2010.

U.S.-Congo Relations

Relations between the United States and Congo are warm, although there are a number of areas of concern. Over the past decade, the United States played a key role in mediation efforts to bring peace and stability to the Great Lakes region. In August 2009, Secretary of State Hillary Clinton visited Kinshasa and Goma in eastern Congo. At a press conference with Foreign Minister Alexis Thambwe, Secretary Clinton stated that “the DRC, its government, and the people face many serious challenges, from the lack of investment and development to the problem of corruption and difficulties with governance to the horrible sexual and gender-based violence visited upon the women and children in the country.” The Secretary assured the minister that the United States would help the DRC government address these challenges. Secretary Clinton and the DRC government identified five areas of focus for reform: security sector reform, corruption, sexual and gender violence, economic governance, and agriculture. In May 2010, Assistant Secretary of State for Africa, Johnnie Carson, testified before the House Sub-committee on Africa that “the continuing presence of illegal armed groups has been exacerbated by the lack of state authority throughout much of the east.” In late July 2010, President Obama signed into law the Wall Street Reform and Consumer Protection Act (P.L. 111-203). The 2,300-page legislation contains an amendment on Congo Conflict Minerals. The law requires that American companies disclose what kind of measures they have taken to ensure that minerals imported from Congo do not contain “conflict minerals.” One of the main objectives of the bill is to deny negative forces from benefitting from conflict minerals.

U.S. Assistance to Congo

One of the major objectives of the U.S. Agency for International Development (USAID) program in the DRC is to support the country’s transition to democracy and to strengthen its healthcare and education systems. Special attention is being paid to the HIV/AIDS epidemic, with \$4 million of funding designated for AIDS treatment and prevention programs. In FY2011, Economic Support Funds (ESF) are targeted to support the government of Congo’s “stabilization and recovery program through support to community recovery and reconciliation, conflict mitigation and resolution, and the extension of authority.” International Military Education and Training (IMET) funds are intended to focus on training Congolese officers on military justice, human rights and joint operations. The United States also provides assistance in security sector reform and significant humanitarian assistance to DRC. The United States provided \$205.1 million in FY2008 and \$296.5 million in FY2009. The DRC received an estimated \$183 million in FY2010. The Obama Administration has requested \$213.2 million for FY2011.

Members of the subcommittee, I would like to thank you for the opportunity to appear before you, and I will be happy to answer any questions you may have .

Ted Dagne

Ted Dagne, a graduate of Howard University, is a Specialist in African Affairs at the Foreign Affairs, Defense, and Trade Division of the Congressional Research Service (CRS). He has been with CRS since 1989. From 1993 to 1995, Ted Dagne served as a Professional Staff Member of the House Foreign Affairs Committee, Subcommittee on Africa under the Chairmanship of Congressman Harry Johnston.

Ted also served as a Special Advisor from 1999-2000 to President Clinton's Special Envoy for Sudan and to the Assistant Secretary of State for African Affairs, Dr. Susan Rice. Ted is the Associate Editor of the *Mediterranean Quarterly Journal*, an international affairs journal published by Duke University since 1988.

Over the past twenty years, Ted has written over 2,000 major studies on Africa, including reports on the war on terror in Africa, the status of democracy, conflict resolution, humanitarian disasters, and studies on over 30 countries. Ted has also co-authored two books on Somalia, and the *Global War on Terror*.

As a Professional Staff member and a staffer at CRS, Ted Dagne wrote and assisted in drafting several hundred resolutions and legislation in Congress. In 1994, Ted help write the African Conflict Resolution and Prevention Act, which was signed into law. The Act provided funds to the Organization African Unity Conflict Resolution Center and funded a number of demobilization and reintegration programs in Africa. Ted Dagne wrote the first draft of the African Growth and Opportunity Act legislation. Over the past two decades, Ted has traveled on a fact finding mission to over 30 African countries on multiple occasions.

**Testimony of John Prendergast
Co-Founder, Enough Project
House Armed Services Committee Hearing on the Democratic Republic of the Congo
November 30, 2010**

I. Introduction

Thank you, Chairwoman Sanchez and members of the Terrorism, Unconventional Threats, and Capabilities Subcommittee for the opportunity to testify on the crisis in the Great Lakes region. The ongoing and too often unnoticed war in eastern Congo has already claimed more lives than any conflict since World War II. But today we have an opportunity to help propel a long overdue end to the war in Congo because we are finally paying attention to the economic factors that have fueled the fighting. Minerals critical to cell phones and other advanced technologies are a primary source of revenue for the armed groups and military units wreaking havoc in eastern Congo, similar to the way in which blood diamonds fueled the conflicts in Sierra Leone, Liberia and Angola in the 1990s.

Policy action on conflict minerals can help leverage an end to the conflict by changing the calculations of the armed groups, as well as those of the enabling political actors and trading partners that have benefitted from the status quo. Congress has led the way by passing the conflict minerals provisions in section 1502 of the Dodd-Frank Wall Street Reform act, but additional urgent action is required. By following through on conflict minerals certification, the United States can lead an international effort to enable the reform of Congo's army and security services and help catalyze and end to this deadliest of wars.

II. Background

The human cost of the conflict in Congo is immense. In addition to the more than five million people who have died, mostly from disease and starvation that festers in a context of chronic conflict and state collapse, another two million people remain displaced from their homes. The conflict in Congo has also been characterized by horrific human rights abuses, especially the use of rape as a weapon used by all sides to intimidate, humiliate, and control civilian populations.

The cost of not making Congo a priority has never been clearer. The United States spends more than \$900 million per year on peacekeeping and humanitarian aid that has mitigated some of the worst symptoms of the conflict but is no substitute for a solution. First steps toward accountability for the war crimes in Congo continue to be undermined as Bosco Ntaganda, who is wanted by the International Criminal Court, leads operations by the Congolese armed forces, or FARDC, in the Kivu provinces. The conventional tools used to address these problems—peace processes and peacekeepers—are insufficient when dealing with an unconventional war.

If the economic roots of the conflict in Congo—ground zero in the scramble for African resources—are not addressed, war, instability and atrocities will continue.

A new strategy is needed to address the competition by armed groups for strategic mineral resources in the region. The growing international focus on the illicit trade in natural resources—notably tin, tantalum, tungsten, and gold critical to electronics—has forced the governments, rebel groups, military units, and industries involved in this trade to alter their political and economic calculus. Armed groups to date have earned hundreds of millions of dollars per year by controlling mines and trading routes. They now have an opportunity to choose between continuing the corruption, violent extraction and illicit exploitation that keeps the region in a perpetual state of instability, which will result in a de facto embargo on the region’s mineral exports—or the possibility of regional and international cooperation that would allow Congo and its neighbors to implement the reforms required to bring a measure of security to the region. But as long as the illicit mineral trade continues, the environment for change will remain elusive, along with any specter of regional security and stability.

III. The growing spotlight

There is a growing international spotlight on Congo, which is beginning to create unprecedented momentum for turning the tide on the war. Congressional action has intensified this spotlight, and industry and regional governments are forced to pay attention. Legislative action targeting the end-users in the supply chain has reverberated back down to the governments and traders in the Great Lakes region. The need to be compliant with U.S. legislation has focused the attention of these actors. They are now scrambling to clean up their supply chains through unprecedented tracing and auditing schemes, including the International Tin Supply Chain Initiative, or iTSCi, and a due diligence framework developed by the United Nations and the Organization for Economic Cooperation and Development, or OECD, that was incorporated into U.N. Security Council Resolution 1952 on November 29, 2010.

Regional governments that have reaped the benefits from the smuggling of Congolese minerals must also face up to their role in this trade. In September, Congolese President Joseph Kabila suspended mineral exports from three provinces in eastern Congo, stating that he wanted to stop “a kind of mafia involved in minerals exploitation.”

The 11 member states of the International Conference on the Great Lakes, or ICGLR, are also working toward a regional mineral certification initiative. This system is developing quickly, having been negotiated early this year through multi-stakeholder deliberations—including representatives from governments, industry, and NGOs; approved by regional mining ministers in Nairobi, Kenya on October 1; and is set to be presented for ratification at a heads of state summit in Lusaka, Zambia on December 15. The ICGLR has the necessary legitimacy in the region, however it is still unclear whether real political will exists at the top levels. It is critical that U.S. engagement at the highest levels be made to show support for the process and to work with partner nations to ensure success. A harmonized and credible regional certification scheme is fundamental to regional security and stability.

IV. The case for mineral sector certification

A window of opportunity now exists for strategic policy reform to improve security and stability in the region. The U.S. government – both Congress and the Administration – now has the

opportunity to create leverage through leadership on two critical issues that will propel a solution to the larger conflict in the region: conflict minerals certification and comprehensive security sector reform.

Reducing violence in Congo will not be possible without reforming the predatory Congolese army, but security sector reform will not happen in a vacuum. As always, it comes back to dollars and cents—as long as soldiers are able to illegally and violently exploit strategic mineral reserves for personal gain, they will. The Congolese government’s offensive against the FDLR, conditionally backed by the U.N. peacekeepers, is almost completely focused on the acquisition of lucrative mines. A year ago, ex-CNDP rebel units that were integrating into the FARDC were going after FDLR. Now, money and new alliances have clouded that dynamic and led to much more cooperation than confrontation. And as one high-ranking government official from the region told me, “The FDLR survives due to minerals.”

Real security sector reform will not be feasible until there is a legitimate, transparent, and taxable framework to manage these resources. That framework is certification: an international, multi-stakeholder process to verify and certify that minerals coming from Congo and its neighbors no longer benefit armed groups and military commanders. Illustratively, the road to a certification process, in combination with other policies, helped to catalyze the end of the civil wars and violence fueled by blood diamonds in Sierra Leone, Liberia, and Angola. The Kimberley Process Certification Scheme was established in 2002 to stop the trade of blood diamonds, after more than two years of discussions and negotiations between governments, NGOs, and the diamond industry.

In making the case for certification, it is important to consider the opportunities and challenges that exist in creating a credible, effective, and sustainable scheme. There are three opportunities that currently exist that would allow the U.S. to make significant progress towards increasing long-term stability in the region:

- **Improving diplomatic relations in the Great Lakes region:** The political and military relationships in the region have improved to the point where there is room for cooperation and dialogue. Presidents Kabila and Kagame are increasing their security cooperation, following years of mistrust. The political will appears to be building in the region to tackle the problems arising from illegal mining in the east, as witnessed in the ICGLR protocols on conflict minerals.
- **Demand for U.S. Leadership:** The U.S. played a role in bringing about the regional diplomatic transformation—but the Administration needs to follow through with increased leadership to support security for civilians and sustainable regional stability. In our continued communications with regional heads of state, industry leaders, and in regular travel to the field, we hear one common theme: “Where is the United States? They could do so much to help bring change here.” This is one area of the world where the U.S. has extremely high approval ratings – 90 percent of Congolese have a positive view of U.S. policies, according to Gallup – and regional stakeholders are currently looking for greater U.S. engagement.

- **The shift in commercial logic:** The international push on conflict minerals has provided leverage on armed groups that did not exist until now. This push is a means to an end. Both Congo and Rwanda have begun to show signs that they understand that there is ultimately more benefit for their interests in transparent, legal, and peaceful regional development. Enemies of both regimes sustain themselves from the profits derived from resource exploitation, and the logic for regional leaders could shift from violent extraction to legitimate development, making the environment less accommodating for those contributing to instability in Congo.

The culmination of these three opportunities have created a moment that should be seized by diplomats, corporate actors, and civil society as a means to reinforce efforts at good governance, transparency, and reform, firm bedrocks of future peace in the Congo and the broader region.

One of the critical lessons from other certification processes is the need for a “conductor”—a senior political official or a partnership between senior officials from key governments—to lead the process. Successful models point to the conductor first convening the key stakeholders and issuing a call to action through a unified process, then organizing the follow up meetings and helping to form the body that will lead the technical work. Illustratively, President Bill Clinton called together sweatshop labor campaigners and companies in 1996 and 1998 to help found the Fair Labor Association to combat poor working conditions in apparel factories. Today’s conflict minerals certification process requires similar senior leadership, and it is time for Secretary of State Hillary Clinton to follow through on her commitment to eastern Congo and play this leading role.

As a first step, the ICGLR will host a special heads of state summit on certification on December 15 in Lusaka, Zambia. High-level U.S. participation would send a strong political signal for partnership with the region and would go a long way toward making that summit a success. The following key lessons from other certification initiatives on blood diamonds, fair labor, and illegal forestry, should be incorporated into this effort:

1. Independent third-party auditing and monitoring
2. Governance and funding structures that includes companies, governments, and NGOs
3. Transparency of audits and data collection to build public confidence
4. Credible sanctions in case of violations

V. The case for security sector reform

Leadership on conflict minerals certification provides the leverage to enable security sector reform in Congo’s troubled east. It both reduces the resources accruing to the illegal armed actors—foreign rebels and Congolese militias—that provide the pretext for the militarization of the region, and it begins to shift resources away from the private patronage networks that exist within the Congolese army toward official state coffers, providing a window of opportunity to bring the military under the control of the state.

Contingent upon the Congolese government demonstrating the will to reform, the United States should help lead a multi-donor, closely coordinated, comprehensive security sector reform effort. There is developing consensus from donors on the need for better coordination, and the Congolese government has welcomed a more prominent U.S. role. Three primary areas need to be addressed:

- **Building cohesion:** As the U.N. Group of Experts on Congo highlighted in their recently released 2010 report, the army is subject to “pervasive insubordination, competing chains of command, failure to actively pursue armed groups, amounting in certain cases to collusion, and neglect of civilian protection.” This lack of command and control has given operational autonomy to criminal networks within the FARDC, including wanted war criminals such as Bosco Ntaganda. A large majority of Congolese soldiers in eastern Congo are not even registered within the Army at the national level, allowing the systematic embezzlement of their salaries. The CNDP was incorporated last year and retains a separate command and tax administration structure, and its former rebel commanders have not been vetted for their atrocious human rights records. Barracks remain in conditions that resemble refugee camps, brigades are poorly trained and too large to undertake effective operations, and soldiers are not paid for months. If the army is not reformed, it will continue to be a catalyst for violence and chaos in the east. The U.S. must play a leading role in apply pressure or incentives if any forward progress is to be made.
- **Increase training focused on professionalism:** After years of ill-fated donor efforts at reforming the Congolese army, an abusive, disorganized military force is in dire need of comprehensive change. The United States Africa Command, or AFRICOM, has been engaging in a pilot training of one battalion focusing on human rights and unit cohesion conditions. However this needs to be followed by a multi-donor, closely coordinated, well-conditioned, comprehensive security sector reform that includes increased training, payment reform, barracks construction, and streamlining of large, unwieldy battalions.
- **Aiding military justice:** the United States can make a big contribution by investing its comparative advantage in helping to capacitate a serious military justice initiative within the FARDC. At present, FARDC commanders continue to act with impunity despite well-documented records of human rights violations. There needs to be a real accounting for the second-tier abusers, the ones not included in the ICC indictments. This requires serious investigations, naming and shaming, and prosecuting those that deserve it.

The AFRICOM training is only the tip of the iceberg and security sector reform to date has been far too piecemeal to have a serious impact. Recent lessons learned from army reform endeavors in Iraq and Afghanistan should be applied to the Congo, and multilateral coordination mechanisms similar to those employed before Congo’s 2006 elections should be employed. Such a package would provide the leverage for a newly designed anti-FDLR operation.

The regional security implications of failure to act are severe. The chronic humanitarian crisis will keep worsening. The regional economy will continue to be defined by illegal exploitation and trafficking of minerals and arms. This illicit economy will touch all Congo’s neighboring

countries, giving rise to increased instability and illegal activity in places like Tanzania, Burundi, Uganda and Rwanda. The ostensible complexity and lawlessness in the east also provides a safe harbor to criminal elements that breed instability. There can be no stability in the Great Lakes region without a stable eastern Congo.

VI. Conclusion

The window of opportunity afforded by international attention to Congo's conflict minerals will not remain open for long. Sustained U.S. leadership is the missing ingredient for success in reforming the economic networks and military structures that have sustained this deadly conflict. The first step is putting in place the right policy-making structure, in the form of a special envoy with stature commensurate to the urgency of the issue, who reports to the President and the Secretary of State. The envoy will need an experienced staff with the regional expertise to advance discussions on and help to implement both minerals certification and comprehensive security sector reform, the two main catalysts for peace. With this team in place, the United States can lead efforts to bring together the leaders of Congo, Rwanda, Uganda, and the wider region to follow through on the potential for a certification system that would enable the peaceful exploitation of the region's mineral resources.

Similarly, a high-level partnership to finally address Congo's security sector will require unprecedented levels of commitment and coordination. U.S. leadership on military justice would help create a center of gravity on both army reform and accountability. Absent such steps, U.S. rhetorical commitments will ring hollow and add to a lamentable track record of international involvement in Congo that has often been far more harmful than helpful.

John Prendergast

John Prendergast is an author and human rights activist who has worked for peace in Africa for over 25 years. He is the co-founder of the Enough Project, an initiative to end genocide and crimes against humanity. During the Clinton administration, John was involved in a number of peace processes in Africa while he was Director of African Affairs at the National Security Council and Special Advisor to Susan Rice at the Department of State. John has also worked for two members of Congress, UNICEF, Human Rights Watch, the International Crisis Group, and the U.S. Institute of Peace. He has been a youth counselor, a basketball coach and a Big Brother for over 25 years.

John has authored 10 books on Africa, including *Not On Our Watch: The Mission to End Genocide in Darfur and Beyond*, a New York Times bestseller and NAACP non-fiction book of the year, which he co-authored with actor Don Cheadle. John recently released *The Enough Moment: Fighting to End Africa's Worst Human Rights Crimes*, also co-authored with Don Cheadle, which focuses on building a popular movement against genocide and other human rights crimes. His forthcoming book is a joint memoir with his first little brother from his many years in the Big Brother/Big Sister program.

John has worked with a number of television shows to raise awareness about human rights issues in Africa. He has appeared in four episodes of *60 Minutes*, for which the team won an Emmy Award, and has consulted on two episodes of *Law and Order: Special Victims Unit*, one focusing on the recruitment of child soldiers and the other on rape as a war strategy. He has also traveled to Africa with ABC's *Nightline*, *The PBS NewsHour* and CNN's *Inside Africa*.

He has appeared in several documentaries including: *Sand and Sorrow*, *Darfur Now*, *3 Points*, and *War Child*. He also co-produced *Journey into Sunset*, about Northern Uganda, and partnered with Downtown Records and Mercer Street Records to create the compilation album "Raise Hope for Congo," which shines a spotlight on sexual violence against women and girls in Congo.

With Tracy McGrady and other NBA stars, John co-founded the Darfur Dream Team Sister Schools Program to fund schools in Darfurian refugee camps and create partnerships with schools in the United States. He also helped create the Raise Hope for Congo Campaign, highlighting the issue of conflict minerals that fuel the war in Congo. John is a board member and serves as Strategic Advisor to Not On Our Watch, the organization founded by George Clooney, Matt Damon, Don Cheadle, and Brad Pitt.

John's op-eds have appeared in *The New York Times*, *The Wall Street Journal*, *USA Today*, *The Washington Post*, and *The International Herald Tribune*, and he has been profiled in *Vanity Fair*, *Men's Vogue*, *Time*, *Entertainment Weekly*, *GQ*, *Oprah Magazine*, *Capitol File*, *Arrive*, *Interview*, *The Washington Post*, *The Los Angeles Times*, *The Philadelphia Inquirer*, and *Kenneth Cole's Awearness*.

John has been a visiting professor at the University of San Diego, Eckerd College, St. Mary's College, the University of Maryland, Stanford University, and the American University in Cairo, and will be at Columbia University, and the University of Pittsburgh. He has been awarded six honorary doctorates.

FISCAL YEAR 2003

Federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant

Federal Contract Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of contracts (including subcontracts) with the federal government:

Current fiscal year (2005): 0;
 Fiscal year 2004: 0;
 Fiscal year 2003: 0.

Federal agencies with which federal contracts are held:

Current fiscal year (2005): 0;
 Fiscal year 2004: 0;
 Fiscal year 2003: 0.

List of subjects of federal contract(s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2005): 0;
 Fiscal year 2004: 0;
 Fiscal year 2003: 0.

Aggregate dollar value of federal contracts held:

Current fiscal year (2005): 0;
 Fiscal year 2004: 0;
 Fiscal year 2003: 0.

Federal Grant Information: If you or the entity you represent before the Committee on Armed Services has grants (including subgrants) with the federal government, please provide the following information:

Number of grants (including subgrants) with the federal government:

Current fiscal year (2005): 0 _____;
Fiscal year 2004: 0 _____;
Fiscal year 2003: 0 _____.

Federal agencies with which federal grants are held:

Current fiscal year (2005): 0 _____;
Fiscal year 2004: 0 _____;
Fiscal year 2003: 0 _____.

List of subjects of federal grants(s) (for example, materials research, sociological study, software design, etc.):

Current fiscal year (2005): 0 _____;
Fiscal year 2004: 0 _____;
Fiscal year 2003: 0 _____.

Aggregate dollar value of federal grants held:

Current fiscal year (2005): 0 _____;
Fiscal year 2004: 0 _____;
Fiscal year 2003: 0 _____.

Subject: Testimony to the House Armed Services Committee on the work of the Mines Advisory Group in the Democratic Republic of Congo

Adam Komorowski
 Head of Operations (Africa and the Americas)
 Mines Advisory Group

Thank you for inviting me to address the sub committee on behalf of The Mines Advisory Group on issues relating to the conflict and development landscape of the Democratic Republic of Congo. In my testimony I will be presenting the perspective of my organization which is a neutral and impartial humanitarian organization that clears the Remnants of Conflict for the benefit of communities worldwide. MAG has been working in DRC since 2004. With almost 200 staff and 16 teams operating in the field, MAG is the largest operator in DRC in both the Humanitarian Mine Action field, and the Conventional Weapons Management and Disposal field. MAG has been working on issues of Conventional Weapons Management and Disposal in DRC since 2006, supporting the Congolese government and the Congolese Armed Forces (FARDC) to meet their obligations under the Nairobi Protocol through the operation of mobile small arms and light weapons (SALW) destruction teams

MAG's clearance operations in DRC decrease the risks posed by unexploded ordnance (UXO) and SALW and enables communities to live in a safer environment, whilst opening up access to fertile land and essential facilities, services and trading opportunities. In cooperation with Congolese authorities and with the support of various donors, including the US Department of State's Office of Weapons Removal and Abatement, MAG has so far destroyed over 103,000 weapons and 718 tons of ammunition.

In the testimony I will cover a number of operational issues and draw both on the experience and learning we have gathered from our work on the ground and also additional sources of research and evidence that we have based our strategic approach on. I will be looking at the following areas which I hope will illustrate the operational challenges of this turbulent and rapidly changing environment:

- Operational engagement with the military (FARDC)
- How our work relates to regional security and stability issues
- Stockpile management
- Weapons and ammunition destruction and cross border movement of arms

1. Operational engagement with the military

Taking a cautious and pragmatic approach to working with the army is absolutely essential to making progress on the critical issues of weapons management and disposal. MAG DRC works in close collaboration with the FARDC, taking a consistent line of pragmatic engagement; this strategic decision has paid dividends to date in terms of the success of our Conventional Weapons Management and Disposal program. Building trust and recognizing the authority of the military are foundations of this all important relationship. MAG's approach is in line with the recommendations of a recent report which highlights the importance of "ensuring that any engagement with armed actors is strategic, appropriate and will ultimately result in increased protection for communities"¹.

¹ World Vision (2008): "Principled pragmatism: NGO engagement with armed actors"

MAG is the only humanitarian actor in DRC working in FARDC and the National Police (PNC) ammunition and arms depots. As such we been able to access and destroy surplus arms and unstable munitions in FARDC and PNC stocks, and has also **worked closely with FARDC and PNC personnel on all levels to improve their capacity and to support strategic directives for arms and ammunition management.** MAG coordinates with the FARDC and PNC in several ways:

- **Strategic coordination:** MAG regularly meets with the general HQ of the FARDC to discuss critical needs related to arms and ammunition. Notably, following several explosive incidents in ammunition depots in FARDC stockpiles causing hundreds of casualties, and an increased awareness of the critical need to control the flow of small arms,² the FARDC regularly calls on MAG to provide urgent assistance, particularly in regard to the destruction of unstable ammunition.
- **National norms setting and training:** During the past four months MAG has been working with ammunition experts in the FARDC and the PNC to develop national security standards for the management of ammunition and arms depots, in line with NATO guidelines. These norms are expected to be presented in December 2010 to the General of the FARDC Logistic Department. In parallel, MAG has been working with the teaching staff at the National FARDC Logistics School (ELOG) to develop a program and training course for FARDC ordnance specialists.
- **Cooperation in regards to ammunition and arms depots:** MAG and the FARDC coordinate evaluations of armories and ammunition stockpiles, either undertaking joint evaluations or exchanging information post-assessment, to facilitate the destruction of unstable and/or surplus ammunition and arms.
- **Coordination of ammunition destruction:** MAG has two mobile teams working in close collaboration with FARDC field personnel. The ammunition stockpile evaluation team is composed of both MAG and FARDC personnel. The FARDC liaison officer operating in the Evaluation Team reports to the FARDC Central Logistics Base (Base Logistic Centrale). MAG's mobile destruction team coordinates all activities with FARDC personnel in the field and the regional military bases.
- **Coordination of arms destruction:** MAG has provided both the physical infrastructure and the capacity to enable the FARDC to develop an Arms Destruction Workshop in Kinshasa (currently being rehabilitated by MAG), which has been operating since 2007. MAG has trained an FARDC arms destruction team to operate two sets of hydraulic shears, provided to the FARDC with US and Canadian funding. Based on MAG/FARDC assessments of armories, Disarmament, Demobilization, and Reintegration (DDR) activities or other FARDC prioritization, small arms and light weapons are earmarked for destruction across the country. At the request of the FARDC, MAG facilitates the transportation of surplus and obsolete arms from regional military basis to the Arms Destruction Workshop in Kinshasa where they are destroyed.

² Ministère De L'intérieur et Sécurité (December 2009) "Commission Nationale de Contrôle des Armes Légères et de Petit Calibre et de Réduction de Violence Armée : CNC – ALPC"

- **Support to Security Sector Reform (SSR):** MAG regularly attends the working group on SSR on DRC; this provides a forum to allow international actors (particularly MONUSCO, EU, EU missions, and other donors) to coordinate SSR activities with the government.

The FARDC requests MAG's assistance in the destruction of functional weapons and ammunition for a number of reasons. First and foremost, under the Nairobi Protocol, the Ottawa Treaty and the Oslo Treaty and in accordance with the UN Plan of Action, DRC is obliged to destroy certain types (cluster munitions, Anti-Personnel mines) or surplus ammunition and arms. MAG supports the FARDC in reaching these standards. MAG has destroyed 2,007 Anti Tank Mines and 293 cluster munitions, most of which were fully operational when destroyed.

Secondly, as a result of MAG's extensive experience with arms and ammunition in the DRC, MAG has a deep understanding of the types of weapons and ammunition that are available in FARDC stockpiles. At times, the FARDC does not have the appropriate weapon to fire the ammunition in their stockpile or does not have ammunition for a given weapon. In such cases, MAG encourages the FARDC to destroy this ammunition and/or arms.

Thirdly, the FARDC is acutely aware that it does not have the capacity to adequately manage its ammunition and arms stockpiles. They understand the risk that poorly managed stockpiles can pose to their own security as well as to the security of the civilian populations. In recent years the FARDC has experienced several explosive incidents in their ammunition stockpiles which resulted in hundreds of casualties and understands the potential danger (Aéroport de N'djili, Kinshasa (2002); Camp Ngashi, Mbandaka (2007); Kananga, Kasai Occidental (2009) and Mbandaka, Equateur (2010)).

MAG also coordinates closely with the relevant Department of Defense (DoD) actors in DRC, including relevant US Embassy personnel and AFRICOM. MAG is currently exploring opportunities to work in conjunction with the US deployment in regards to EOD training of FARDC personnel. MAG facilitates and supports missions of the DoD's Defense Threat and Reduction Agency (DTRA) wherever possible, across all of our programs. MAG's long-term presence and often strong relations with local, national and regional bodies and authorities provides us with unique access and opportunities for collaborative work.

In line with the DoD's agenda, MAG also prioritizes the destruction of anti-aircraft missiles (MANPADS), anti-personnel mines and cluster munitions. All MANPADS that are located and identified by MAG are reported to the Office of Weapons removal and Abatement within 72 hours.

In 2009, MAG completed a 19-month project working closely with the US embassy and DTRA on the destruction of a significant cache of MANPADS in Burundi. A total of 312 MANPADS were destroyed. The project also involved the implementation of security upgrades at the Ammunition Logistics Base in Bujumbura as recommended by DTRA.

2. How our work relates to regional security and stability issues

DRC shares a total of 10,730km of border with nine countries, many of which are experiencing or have experienced significant instability, including Rwanda, Uganda, Sudan, Central African Republic, Republic of Congo and Angola. Across the country and in the east of DRC in particular, ongoing conflicts and tribal allegiances mean that official political borders with other countries can be very blurred. This can have significant knock-on effects for the communities in those areas. Conflicts regularly flare up in border areas, with easy access to arms exacerbating and in many cases fuelling violence.

Continued instability in the east of the DRC is believed to pose a substantial threat to the stability of the Great Lakes region. Armed groups from neighboring countries continue to operate out of the largely ungoverned areas in eastern Congo including:

- *The Forces Democratiques pour la Liberation du Rwanda (FDLR)*: The FDLR was essentially born from the ALIR (I and II) and is rooted in the movements and structures created by the refugees and combatants that fled Rwanda after the 1994 genocide.
- *The Forces Nationales pour la Liberation du Burundi (FNL)*: The FNL, the oldest existing rebel movement in Burundi and the Great Lakes region, continues to work towards their expressed objectives from their base in the east of Congo, namely the rule of Burundi by the majority ethnic group (Hutus) and the redistribution of national resources (particularly to the benefit of rural populations).
- *Allied Democratic Forces (ADF) and National Army for the Liberation of Uganda (NALU) of Uganda*: The ADF and NALU, with continued links to Islamic extremist groups in Uganda, operate out of the North Kivu province against the Ugandan government.
- *Lord's Resistance Army (LRA)*: The LRA is currently operating in north eastern Congo, destabilizing the region and continuing to pose a risk to the stability of Uganda.

The trafficking and easy availability of small arms and light weapons substantially contributes to the continued instability and the armament of these groups³. Furthermore, a recent UNDP report estimates that there are approximately 300,000 weapons in civilian hands in eastern Congo⁴. The quantity of arms currently in the hands of armed rebel groups operating in this region is unknown. Both the UN Group of Experts on the DRC (2008) and the UNDP found that a significant number of these weapons originally came from FARDC stockpiles, due to thefts and seizures by armed groups, diversion of arms by FARDC officers and units, and desertion and demobilization of FARDC personnel. All of these factors were identified as important sources of arms trafficking in the East⁵. As with the availability of arms, the UN Group of Experts found that the poor management of FARDC ammunition

³ See, inter alia, October 2010 SIPRI Background Paper: "Arms Transfers to the Democratic Republic of Congo: Assessing the System of Arms Transfer Notifications, 2008-2010"

⁴ UNDP (April 2010) "Etude sur la prolifération des armes légères en République Démocratique du Congo"

⁵ UNDP (April 2010) "Etude sur la prolifération des armes légères en République Démocratique du Congo"; December 2008 Final report of a UN group of experts about the security of the FARDC depots

stockpiles combined with the low payment of military personnel may be substantially contributing to the availability of ammunition on the black market⁶.

It has frequently been recognized that poor to non-existent stockpile management by the FARDC is “one of the main challenges to preventing illicit arms flows in the DRC”⁷. The final report of the UN Group of Experts’ in-depth investigation of the causes of instability in the country⁸ found the following:

138. The Group of Experts examined stockpile management within FARDC to review what safeguards had been put in place to prevent the loss of arms. The Group focused on stockpile security, maintenance, marking, record-keeping and the accountability of small arms and light weapons and ammunition. According to foreign military advisers and sources within FARDC, stockpile management is almost non-existent. The Government does not know how many of its arms are stored at which depots and with which units. There are accordingly few safeguards in place to prevent the illegal sale of weapons and ammunition to non-governmental armed groups.

139. While some units showed the Group inventories, many others did not seem to have an accurate picture of the state of their armoury. Individual soldiers are often held accountable for their weapons and ammunition, but there is little such accountability for stocks and depots.

140. Most of the FARDC depots are insecure and outdated. The majority of the ammunition is kept in open dumps exposed to the elements, causing rapid decomposition owing to the harsh climate. In various parts of the country, soldiers are allowed to take their weapons home, contributing to insecurity in these areas.

This report therefore concluded that stockpile security, accountability and management of arms and ammunition should be treated as “an urgent priority” and that “Donors involved in security sector reform should include stockpile management in their assistance to FARDC.”

As such, MAG believes that improving the management and the security of arms and ammunition and the destruction of surplus arms and ammunition in FARDC depots is a critical to decreasing trafficking and improving stability in the east of Congo. Our mobile teams have worked in both North and South Kivu during the last 18 months, destroying significant quantities of arms and munitions. MAG continues to work with the FARDC towards safe and controlled management of arms and ammunition depots, both on the national level (establishment of national norms and training capacity) and in the field (destruction of arms and ammunition, training personnel in field depots and armories, and the physical rehabilitation of armories and ammunition depots). MAG is currently developing a human security impact assessment model to concretely gauge the degree to which the rehabilitation of ammunition depots and armories improves security for communities in the surrounding areas.

MAG’s destruction activities are indirectly in support of the national Disarmament, Demobilization and Reintegration process; however in a country which went through two civil wars between 1996

⁶ December 2008: Final report of a UN group of experts about the security of the FARDC depots

⁷ October 2010 SIPRI Background Paper: “Arms Transfers to the Democratic Republic of Congo: Assessing the System of Arms Transfer Notifications, 2008-2010” p5

⁸ UN Security Council Document S/2008/773, 12 December 2008, pursuant to Security Council Resolution 1533 (2004)

and 2003⁹ and many more years of localized and regionalized conflict, we remain mindful of and sensitive to the huge complexities of such a process. For example, the possibility of inadvertently exacerbating arms proliferation and trafficking through buy-back schemes was highlighted in recent DDR processes in West Africa. Reports suggested that weapons were being transferred from Liberia where they would fetch around \$300 per combatant, to neighboring Cote d'Ivoire where weapons surrender was worth over \$900¹⁰. This issue is equally acute in the Great Lakes, a region with widespread conflict, porous borders, and a low capacity to formulate or enforce regulations. Whilst there have been recent attempts to implement cash for weapons programs in DRC which have yielded some successful results, there were also concerns that this encouraged the diversion of weapons from military facilities, to be used as a source of income in an extremely poor country, rather than civilian disarmament¹¹.

MAG's approach is firmly based on the principle of "do no harm," with an acceptance of the complexity of the process and the potential dangers and pitfalls of the imposition of flawed or "one-size-fits-all" solutions. We recognize that DDR processes need to be local, specific and context-sensitive whilst at the same time taking into account regional, cross-border issues. MAG's role to date has therefore been within clear and specific parameters of what we can usefully contribute and where our expertise and experience can add value.

In accordance with our SALW strategy, MAG has increased coordination between operations in DRC and those in neighboring countries. Furthermore we are planning to implement a coordinated pilot project focused on the rehabilitation of armories along the eastern border of DRC and in neighboring countries towards reducing the trafficking of arms across borders. MAG works in regular coordination with RECSA (the Regional Centre for Small Arms) to assist states in the great lakes region to meet obligations under Articles 6, 7 and 8 of the Nairobi Protocol. Coordination with RECSA is pivotal to building a regional approach to the problems of small arms and light weapons misuse and proliferation.

3. Stockpile management

In addition to the threats associated with insecure FARDC arms (both in regards to use by FARDC off-duty personnel and the risk of theft and trafficking), ammunition stockpiles pose a significant risk to civilian and military populations living in their vicinity. Ammunition stockpiles are often located in heavily populated areas. An explosive incident could cause high levels of both civilian and military casualties.

The case of Camp Ngashi (Mbandaka) is a good example of what can happen; in June 2007 an FARDC ammunition stockpile exploded - the initial explosion caused a huge fire which burned intensely for at least 6 hours, setting off numerous subsequent large explosions. The facility housed large and small scale weapons, small arms ammunition, different caliber mortars and rockets, up to large high

⁹ The first Congolese civil war lasted from November 1996 to May 1997; the second ran from August 1998 to July 2003

¹⁰ See, inter alia, Bernath, Cliff & Sara Martin (2004), "Peace Keeping in West Africa: A Regional Report" Refugees International; Pawson, Lara (2004), "Ivory Coast's Difficult Disarmament", BBC News, UK Edition, 17 March 2004; Isima (2004) "Cash Payments in Disarmament, Demobilisation and Reintegration Programmes in Africa", Journal of Security Sector Management Vol 2, no 3

¹¹ <http://www.irinnews.org/Report.aspx?ReportId=81962>

explosive aerial bombs. Ammunition was ejected up to 3.5km outside of the camp. The cause of the explosion remains unknown: this is itself is not unusual, as research suggests that 36% of such events since 1995 have been cited as cause unknown¹².

Three people were killed, around 100 injured and over 200 families were displaced. Unexploded ordnance was scattered across the densely-populated town, seriously damaging schools, government and military facilities. At the request of the FARDC, MAG emergency response teams were dispatched to the area and tasked with UXO clearance. In accordance with MAG's priorities, the humanitarian needs of the population were prioritized, with immediate clearance being undertaken around households, water points and other key areas where contamination was preventing or endangering daily activities. In total, the MAG teams worked with the FARDC to destroy 3,500 weapons, 5,000 items of UXO and 35 tons of ammunition. Over 10,000 men, women and children received information and training on staying safe during clearance and in the post-explosion context. This operation removed the immediate threat of death or injury; rendered safe land, roads and a crucial water point; and also made a small contribution to regional security by ensuring that weapons and ammunition were not available for trafficking.

Following the incident at Camp Ngashi, the remaining ammunition in the area was regrouped in Bokala Camp. On 23 August 2010, a 107mm rocket departed from the FARDC stockpile in Bokala camp, piercing two walls of the ammunition depot and landing in a tree in the center of the town. If it had been fully functional, its explosion could have maimed and killed high numbers of people either in the FARDC camp or in the town where it landed. Following this incident, at the request of the FARDC, MAG destroyed over 23 tons of unstable ammunition in the stockpile in Camp Bokala.

4. Weapons and ammunition destruction and cross border movement of arms

Since 2007, MAG has been involved in extensive weapons and ammunition destruction activities, over this time we have destroyed 718 tons of ammunition¹³. Under the current grant from the US Department of State, MAG destroyed 62.5 tons of ammunition during the last six months.

During this period we have also destroyed 3,791,288 munitions items, including 2,007 Anti Personnel Mines, 293 cluster munitions, and 12 MANPADS. Under the current grant from the US Department of State, during the first six months MAG destroyed a total of 843,567 munitions items as follows:

- 832,052 1mm – 20mm munitions items
- 3,575 21mm-60mm munitions items
- 2,943 61mm – 100mm munitions items
- 759 101+mm
- 9 AP mines
- 4,229 UXO

¹² Wilkinson (2010) "The threat from explosive events in ammunition storage areas" Explosive Capabilities Limited

¹³ as of October 2010

In terms of weapons MAG has destroyed more than 107,228 small arms and light weapons. Under the current grant from the US Department of State, during the first six months MAG destroyed a total of 5,201 arms, including:

- 5,145 small arms
- 56 weapons of more than 101mm

At the request of the FARDC, MAG destroys dangerous arms and ammunition. Though some are outdated and in poor condition, all weapons and ammunition are believed to pose a significant risk to civilians. Weapons in poor condition can still kill and injure. Parts from three obsolete weapons can be used to make an operational weapon. Notably, most people are not able to recognize a non-functional weapon, and a non-functional weapon can therefore still be used as a tool for coercion and contribute to a culture of violence and fear. As such, an obsolete weapon can be as dangerous as a functional weapon for civilian populations. Equally, despite the work done to date, given the scale of the conflict in DRC and the number of combatant nations there is still much to do and no real knowledge of exactly how many weapons are out there is poorly supervised or abandoned stockpiles.

The issue of cross border weapons movement is considerable in a country of the size of DRC. DRC's borders remain porous and, in many areas, uncontrolled. Coupled with the continued presence of armed groups, most notably in the east, the risk of cross-border trafficking of arms is significant. The following are just a few examples of key areas of cross-border weapons traffic:

Central African Republic Transfers of arms from DRC into CAR have been reported in 1997, 1999 and 2001-2003¹⁴

Republic of Congo Reports suggest ready availability of weaponry and ammunition in Republic of Congo, with dealers crossing the Congo River to traffic items into DRC¹⁵.

Rwanda Arms have been reported to be transferred from Rwanda into DRC by boat, road and plane¹⁶; equally there is much information to suggest flow in the opposite direction from Interahamwe and former Rwandan Army groups based mainly in the east of DRC¹⁷

Sudan Small arms trafficking has been found to be mostly one way, from Southern Sudan into DRC, primarily due to a saturation of arms from the second north-south civil war and therefore lack of demand on the Sudanese side.¹⁸

Tanzania Alleged shipments of weapons including AK-47s, rockets, munitions and grenades were provided to the FDLR by boat from Tanzania between 2008 and 2009¹⁹

¹⁴ Small Arms Survey (2008) "The Central African Republic and small arms: a regional tinderbox"

¹⁵ Demetriou, S., Muggah, R. and Biddle, I. (2002) "Small Arms Availability, Trade and Impacts in the Republic of Congo" Small Arms Survey

¹⁶ Amnesty International (2006) "Dead on time – arms transportation, brokering and the threat to human rights"

¹⁷ Shyaka, A. (2006) "Cross-Border Cooperation in Fighting Small Arms Proliferation and Illicit Weapons: The Case of Rwanda with her Neighbours" in *Controlling Small Arms in the Horn of Africa and the Great Lakes Region: Supporting implementation of the Nairobi Declaration*.

¹⁸ Marks, J. (2007) "Border in Name Only: Arms Trafficking and Armed Groups at the DRC-Sudan Border", Small Arms Survey

¹⁹ UN Security Council, final report of the group of experts on the DRC, 2009

Uganda UN Peacekeepers have recently been patrolling the DRC-Uganda border in response to reports of the Lord's Resistance Army trafficking arms in the area²⁰.

Although it is clear that cross-border trafficking is occurring in significant quantities, there is little accurate and detailed information on the issue. This lack of information is, in part, a consequence of the lack of weapons marking in the region. MAG firmly believes that a key element of curbing arms trafficking is the marking of weapons. To these ends, RECSA has provided the FARDC with arms marking equipment and, in conjunction with MAG operations in neighboring countries, is hoping to begin a weapons marking program, to be monitored by RECSA.

Whilst the movement of arms across borders remains a critical concern, there is substantial research concluding that the majority of arms used by armed groups come from FARDC stockpiles²¹. A recent report concluded that "unless the Congolese security forces significantly improve the effectiveness of their stockpile management, the extent to which the current arms embargo – which places no restrictions on arms acquisitions by the FARDC – can maintain peace and stability in the region will be limited."²² As such, securing and marking existing FARDC arms stockpiles is as critical as securing FARDC borders. Based on its existing successful operations, MAG is convinced that the destruction of surplus arms, building FARDC arms management capacity and the necessary infrastructure in armories and marking operational arms with a unique country code are central to curbing the illicit sale and trafficking of weapons in the DRC.

In closing I would like to thank the committee for its time and the opportunity to present on MAG's range of activities and approaches to dealing with the unique challenges that this vast and unstable country presents.

²⁰ <http://congowatch.blogspot.com/2010/09/un-battles-arms-trafficking-in-congo.html> (24/09/2010);
<http://www.afriqueavenir.org/en/2010/09/23/monusco-accuses-ira-of-involvement-in-arms-trafficking-through-drc-south-sudan/>
(23/09/2010)

²¹ December 2008 Final report of a UN group of experts about the security of the FARDC depots

²² October 2010 SIPRI Background Paper : "Arms Transfers to the Democratic Republic of Congo: Assessing the System of Arms Transfer Notifications, 2008-2010" p11

Mr. Adam Komorowski

Adam Komorowski has worked with the Mines Advisory Group for almost seven years, managing and developing programs and projects across the world and currently with a specific focus on Africa and the Americas. After achieving a first class Masters degree in English he worked on the JET teaching exchange programme in Japan for three years and later as a Pedagogical Advisor in Lao PDR for a further four years, subsequently undertaking a further Masters degree in International Development and Education. In his current role he manages Conventional Weapons Destruction projects across Angola, Burundi, Chad, Colombia, DRC, Rwanda, Somalia, Sudan and Swaziland as well as a weapons marking and tracing project across 10 countries within Southern Africa.

**DISCLOSURE FORM FOR WITNESSES
CONCERNING FEDERAL CONTRACT AND GRANT INFORMATION**

INSTRUCTION TO WITNESSES: Rule 11, clause 2(g)(4), of the Rules of the U.S. House of Representatives for the 109th Congress requires nongovernmental witnesses appearing before House committees to include in their written statements a curriculum vitae and a disclosure of the amount and source of any federal contracts or grants (including subcontracts and subgrants) received during the current and two previous fiscal years either by the witness or by an entity represented by the witness. This form is intended to assist witnesses appearing before the House Armed Services Committee in complying with the House rule.

Witness name: Adam Komorowski

Capacity in which appearing: (check one)

Individual

Representative

If appearing in a representative capacity, name of the company, association or other entity being represented: MAG America

²⁰¹⁰
FISCAL YEAR ~~2005~~

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
PM/WRA-various	State Dept	19,359,956	weapons removal & abatement
PRM-Sudan	State Dept	111,107	Mine risk education - Sudan

²⁰⁰⁹
FISCAL YEAR ~~2004~~

federal grant(s)/ contracts	federal agency	dollar value	subject(s) of contract or grant
PM/WRA-various	State Dept.	17,763,773	weapons removal & abatement
PRM-Sudan	State Dept.	11,807	Mine risk education - Sudan

FISCAL YEAR ²⁰⁰⁸ ~~2003~~

Federal grant(s) / contracts	federal agency	dollar value	subject(s) of contract or grant
PMI/WRA-various	State Dept.	16,145,898	Weapons Removal: Abkadan
PRM-sudan	State Dept.	107,800	Mine Risk Education-Sudan

^{Grant}
Federal ~~Contract~~ Information: If you or the entity you represent before the Committee on Armed Services has contracts (including subcontracts) with the federal government, please provide the following information:

Number of ^{grants} ~~contracts~~ (including subcontracts) with the federal government:

Current fiscal year (2005): ²⁰¹⁰ 20 _____;
 Fiscal year 2004-2007: ¹⁷ 17 _____;
 Fiscal year 2003-2008: ¹⁸ 18 _____;

Federal agencies with which federal ^{grants} ~~contracts~~ are held:

Current fiscal year (2005): ²⁰¹⁰ State Dept _____;
 Fiscal year 2004-2007: State Dept _____;
 Fiscal year 2003-2008: State Dept _____;

List of subjects of federal ^{grants} ~~contracts~~ (s) (for example, ship construction, aircraft parts manufacturing, software design, force structure consultant, architecture & engineering services, etc.):

Current fiscal year (2005): ²⁰¹⁰ Conventional Weapons Destruction _____;
 Fiscal year 2004-2007: 11 _____;
 Fiscal year 2003-2008: 11 _____;

Aggregate dollar value of federal ^{grants} ~~contracts~~ held:

Current fiscal year (2005): ²⁰¹⁰ 19,471,063 _____;
 Fiscal year 2004-2007: 17,875,080 _____;
 Fiscal year 2003-2008: 10,253,718 _____;

