



**Stabilisation Unit**

**Elite Bargains and Political Deals Project:  
Democratic Republic of Congo (M23) Case Study**

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This report has been produced by an independent expert. The views contained within do not necessarily reflect UK government policy.



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## **Background to Elite Bargains and Political Deals Project**

This case study is one of a series commissioned to support the Stabilisation Unit's (SU) development of an evidence base relating to elite bargains and political deals. The project explores how national and international interventions have and have not been effective in fostering and sustaining political deals and elite bargains; and whether or not these political deals and elite bargains have helped reduce violence, increased local, regional and national stability and contributed to the strengthening of the relevant political settlement. Drawing on the case studies, the SU has developed a series of summary papers that bring together the project's key findings and will underpin the revision of the existing 'UK Approach to Stabilisation' (2014) paper. The project also contributes to the SU's growing engagement and expertise in this area and provides a comprehensive analytical resource for those inside and outside government.



## Executive Summary

The conflict between the Congolese government and the M23, a rebel movement largely drawn from Congolese communities of Rwandan origin, took place in eastern Democratic Republic of Congo (DRC) in areas close to the Rwandan and Ugandan borders between early 2012 and late 2013. It was the product of a failed 2009 peace deal between the DRC and an earlier rebel group, which formed the nucleus of the M23. Although the M23 was relatively small, fielding some 1000 fighters, it managed to hold a significant territorial enclave against numerically superior government forces, briefly occupied the largest local city and threatened the stability of both the DRC and the wider region. It was widely alleged to have benefited from strong support from the Rwandan state.

### *The challenges in reaching a deal*

The key challenge in resolving the M23 crisis was the ambiguity of the group's character. Different readings of the M23's origins, motivations and legitimacy led to significant confusion in determining the most appropriate response. For some, the M23 was an expression of popular anger over a dysfunctional Congolese government, corruption and abuses – abuses, historically, that had been particularly felt by Congolese of Rwandan origin. This line of analysis treated the M23 as having legitimate grievances amenable to a negotiated solution. For others, the M23 was the latest in a long line of Rwandan-linked rebel movements that represented a proxy for the economic or security ambitions of the Rwandan state. In these terms, it was an illegitimate actor that required a hard-edged military response.

### *External actors and multiple approaches*

Different understandings of the conflict generated parallel – and sometimes contradictory – approaches to ending it. Direct negotiations held from late 2012 in Kampala, Uganda, sought to establish a deal between the M23 and the Congolese government. Talks were held under the auspices of the International Conference on the Great Lakes region (ICGLR), a regional organisation that had both Rwanda and Uganda as members. At the same time, the DRC's regional allies in the Southern African Development Community (SADC) mustered political and security resources to aid in the M23's military defeat. The wider international community and UN sought to encompass something of a hybrid of both these positions, pushing for the successful completion of the Kampala talks while simultaneously working to end Rwandan involvement and protect regional stability. It finally authorised a SADC military intervention, via a UN Security Council resolution.

Ultimately, the Kampala negotiation failed. Instead, a hard-edged approach by the SADC ended the crisis with the military defeat of the M23 in November 2013, after the ending of Rwandan support had significantly diminished the M23's combat capacity.

The final resolution of the M23 crisis, therefore, was not directly achieved via a formal peace agreement or through set-piece international diplomacy. Rather, it was the result of shifts in the geo-political context, bilateral aid suspensions, behind-the-scenes high level diplomacy, and the willingness of key SADC states to commit significant military and political resources. The key decisions remained bilateral, ad hoc and off-the-record. SADC activity is likely to have been based on informal deal making between the key regional players – Angola, South Africa and Tanzania – which was then driven through formal decision-making channels.

The international community had its most significant impact by changing the cost-benefit calculation being made in Rwanda, through aid suspensions and wider political pressure, which resulted in an end to Rwandan support to the M23. In part, this was a consequence of Rwanda being a small, tightly governed and relatively cohesive state, able to take rational decisions in the face of a changing environment. Nonetheless, ensuring a conducive regional political environment, and focussing



pressure at the most appropriate point, proved to be more productive than costly engagement in detailed, complex and uncertain technical peace-making at local level.

### *Wider implications*

This case points to a number of factors that have bearing on other contexts. First, accurate analysis matters. An initial reading of the M23, which saw it as an expression of community grievances with real popular support, may have prevented an early resolution to the crisis. Had the M23 been understood from the outset as a military movement with little local legitimacy, its reliance on external support could have been identified sooner, and sufficient pressure exerted on its backers to bring about its defeat or collapse.

Second, peace talks may do more harm than good. The start of the Kampala talks in late 2012 were a vital de-escalation mechanism at the most dangerous point of the conflict. But persisting in pressing for a deal between an illegitimate local actor and a national government risked lending credibility to the M23 and encouraging its leaders and backers. Had the talks succeeded and a deal been done, it would almost certainly have replicated the failings of earlier peace deals and been little more than a temporary fix, given that the M23 was itself the product of an earlier failed peace deal. Therefore, the goal of inclusive peace talks must be tempered by an assessment of the legitimacy of the parties, given the potential for inappropriate peace talks to freeze or extend, rather than resolve, conflict.

Third, neutrality may not be possible. Many in the international community sought to maintain relationships across all sides of the conflict, and prioritised peace talks over taking an explicitly political position. But Congolese political and civil society actors perceived international support to a negotiated settlement at Kampala as tantamount to a declaration of support to the M23 and its perceived Rwandan backers. This demonstrates that what donors understand as a neutral – or even self-evidently ‘good’ – policy may be understood very differently by those directly involved, which can then have ramifications that linger well beyond the duration of the conflict. As a result, international credibility in the DRC continues to suffer, and has an ongoing impact on the delivery of wider aspirations around democratisation and development.

Fourth, donors may be more effective at shaping the regional environment than in intervening directly. International leverage over the direct parties to the conflict – the M23 and the Congolese state – was limited, despite the deployment of sanctions and other mechanisms, and the reliance of the Congolese government on the international community for many of its functions. But where the international community had real influence was in changing the terms of the regional political settlement, cutting off cross-border support to the M23 and preparing the ground for a decisive regional intervention.

Fifth, donors matter, but regional heavyweights matter even more. The decisive action was ultimately taken by SADC states. Regional heavyweights had the will and means to commit significant military and political resources to the crisis, and were the most important factor bringing it to an end.

Finally, not all conflicts can be resolved peacefully. The M23 and its backers were defeated, and it was the use of military force that brought about this defeat. This went against the instincts of many in the international community, and particularly among humanitarian actors, who were extremely concerned about the short-term impact on civilians. But the alternative – of a ‘successful’ peace process that simply put off a further round of violence – could have, over the long term, brought about more rather than less suffering.



## I: Background

### **Collapse and war**

The Democratic Republic of Congo (DRC) is one of Africa's largest countries, bordered by nine states and straddling East, Southern and Central Africa. It suffered two destructive conflicts following the collapse of Zairean state authority in the early 1990s, and the overspill of regional conflicts – notably Angola's long-running civil war and the aftermath of the Rwandan genocide – onto its territory. The first (1996-1997) saw the decades-long dictatorship of President Mobutu overthrown by a rebel coalition, largely based in the East of the country, with the strong backing of Rwanda, Uganda and Burundi, and the tacit approval of wider African and international opinion: Mobutu's usefulness as a Cold War ally of the West had ended, and tolerance for his long misrule had ebbed away. Mobutu was replaced by Laurent-Desire Kabila, a veteran rebel, widely seen as a puppet for Rwandan and Ugandan interests.

The second war (1998-2003), sometimes called Africa's First World War, was launched following Kabila's rejection of Rwandan and Ugandan control, an attempt by Rwandan troops to overthrow him, and attacks on Congolese civilians of Rwandan origin. Another rebel coalition, the Congolese Rally for Democracy (RCD), was born, again with its roots in the East of the country and again with significant Rwandan and Ugandan backing. But this time, the DRC's other neighbours, gathered under the banner of the Southern African Development Commission (SADC), intervened to protect the nascent administration, and by 1999 the conflict had become a stalemate, with a UN mission deployed to monitor the front lines. The Eastern portion was under the control of rebels and their backers; the government and its allies retained the West.

This stalemate quickly degraded rebel cohesion, and the RCD split, and then split again. One faction, the RCD-Goma, emerged as the most powerful of the original rebel movement, and retained control of the regions over the border from their primary backers, the Rwandan government. This area included the Provinces of North and South Kivu and the town of Goma, quickly evolving from a quiet lakeside resort to become the trading and political centre of the rebellion. Uganda backed breakaway RCD factions that swiftly withered, and sponsored the creation of a rival group, the Movement for the Liberation of Congo (MLC), which controlled areas in the North of the DRC. Despite nominal rebel rule, the real power holders were Rwanda and Uganda military forces, widely perceived by Congolese as occupiers. Furthermore, relations between Rwanda and Uganda broke down to the point that their armed forces fought battles over the strategically and economically important city of Kisangani, many hundreds of kilometres from their borders.

### **Transition, elections and renewed conflict**

A long running peace process, held largely under South African stewardship, finally came to fruition with the Sun City accords of 2002. The 'Global and All-Inclusive Agreement' put in place a transitional administration, with the Presidency and four Vice-President positions shared between the government – now led by Laurent Kabila's son, Joseph – RCD-G and MLC, and the strong implication of the international community. Parallel agreements saw foreign armed forces, including those of Rwandan and Uganda, withdrawn from the DRC. The transition culminated with elections in 2006, won by Joseph Kabila. The results were not accepted by a significant proportion of either of the main rebel groups. As a result, MLC troops fought with Kabila loyalists in Kinshasa in 2007, and powerful RCD-G units, which had refused integration into the national military, once again rebelled in the East.

In 2007, these RCD-G combatants were reconstituted as the National Congress for the Defence of the People (CNDP), under the leadership of General Laurent Nkunda. Both the UN mission, which by now



had become a fully-fledged peacekeeping operation, and the dysfunctional national army – the *Forces Armées de la République Démocratique du Congo* (FARDC) – were powerless to stop the CNDP from retaking control of a significant proportion of former RCD-G held territory, including lucrative mining sites and trade routes. Direct Rwandan backing for the CNDP was widely alleged but never proven. Although the CNDP was militarily ascendant and repeatedly threatened to take Goma from the government, it had limited political legitimacy among the Congolese population, and its intransigence led to significant diplomatic pressure on the Rwandan government. A peace deal was signed on March 23 2009, that saw the CNDP become a political party, its forces partially integrated into the FARDC (with the caveat that they would remain under semi-autonomous command structures, and only deployed in the East), and action pledged on a number of long-standing grievances felt by Kinyarwanda-speaking Congolese populations.

Kabila's first mandate came to an end in 2011 with the DRC's second post-conflict election. Though the electoral cycle was never completed, Presidential and National Assembly polls were held. Kabila was returned as President despite widespread complaints about electoral fraud, and the CNDP proved unable to win any National Assembly seats at all. Following heavy international condemnation, and looking to rebuild legitimacy among Eastern populations that had turned against him, Kabila moved against former CNDP combatants, redeploying them away from their Eastern heartlands, and threatening to arrest a key commander, Bosco Ntaganda, whose protection from an International Criminal Court arrest warrant had become a touchstone for external critics of his government. Bosco led a mutiny of former CNDP troops in early 2012, which coalesced into the M23. It was named after the March 23 agreement with the CNDP, which its supporters claimed had not been honoured by the government, and swiftly established control over some of the areas that had been CNDP territory, although both its scope and fighting forces were far smaller. Rwandan backing was once again alleged. It repeatedly defeated the FARDC, and – unlike the CNDP – took Goma in November 2012. It was finally defeated a year later.

### **The drivers of conflict**

#### *Popular Grievances*

There were three overarching drivers for the M23 conflict. The first was the M23 claim that it represented the particular and legitimate grievances of Congolese of Rwandan origin, notably Tutsi communities in North Kivu. These included the protection of Tutsi from violence, especially from the *Forces Démocratiques pour la Libération de Rwanda* (FDLR),<sup>1</sup> the return of Congolese Tutsi refugees from camps in Rwanda,<sup>2</sup> and the resolution of long-standing uncertainty over their status as Congolese citizens.<sup>3</sup> Many of these issues had been reflected in the terms of the March 23 2009 peace deal. The M23 agenda expanded over the course of the conflict, moving beyond its original, locally-rooted demands, to positioning itself as the champion of all Congolese people against a corrupt and dysfunctional state, notably after the group took the important town of Goma in November 2012, and briefly expressed the intention to extend their rebellion across the DRC. These two linked agendas were put forward interchangeably at different times by the M23 itself, and by its sympathisers.

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<sup>1</sup> The FDLR are a Rwandan rebel group, long based in the DRC, that was formed by elements of the military and militias that carried out the Rwandan genocide of 1994. Though much smaller than in the past, and now largely made up of recruits with no direct connection to the genocide, its senior leadership retains an extremist anti-Tutsi ideology.

<sup>2</sup> Congolese Tutsi, due to their perceived closeness to a Rwandan government widely seen as occupiers during the conflict, had faced violence and persecution; many had fled to camps in Rwanda.

<sup>3</sup> Congolese citizenship for Rwandan-speaking populations has been an issue for generations, exacerbated by Mobutu era manipulation and poorly drafted legislation.



### *Proxy Warfare*

A second factor was the continuing role of Rwanda, and, to a lesser extent, Uganda, in seeking to maintain covert external influence and control over areas of Eastern DRC, both as a buffer against threats emerging from Congolese territory – especially from the FDLR, and the growing risk of a new generation of internal Rwandan dissidents finding safe haven in the DRC – and a mechanism to defend the entrenched economic and security advantages felt largely by a Rwandan-linked, and often Tutsi, local elite. This elite had taken root during the domination of Eastern DRC by the RCD-G, and included control of trade routes, mining sites and large areas of grazing land. Though impossible to prove, these resources are likely to have channelled significant profits back to Rwanda. The CNDP was launched by former RCD-G combatants, which in turn gave birth to the M23. Therefore, for many Congolese observers, the M23 represented the continuation of the long-running conflict with its war-time Rwandan opponent.

### *Spoilers*

The third important, but less widely discussed, factor was that the rebellion was driven by freelancing individual ‘spoilers’ who acted to defend their personal interests. Linked to the long-running perception – and partial reality – of Eastern DRC as the site of a resource conflict, they were driven by competition for the DRC’s mineral wealth, trade, and access to land. Chief among these ‘spoilers’ was Bosco Ntaganda, the commander of the initial cohort of 300 dissident soldiers whose rebellion in early 2012 was the first move of the M23 story. Bosco had long been a key player in various Great Lakes conflicts, most notoriously during the inter-communal violence in Ituri in 2002 that briefly threatened to reach genocidal proportions. He was indicted by the ICC in 2006 for his role, and is thought to have been acting – at least in part – to avoid arrest by the Congolese government in starting the new rebellion.

### *Complexity and Competing Narratives*

Under the first of these views, the M23 rebellion was triggered by cumulative frustration over the Government’s failure to implement the CNDP peace deal of March 23 2009, combined with widespread discontent over Congo’s governance failings. Under the second, the proximate cause of the M23 rebellion was Rwanda’s reaction to the attempt of the Congolese state to deploy former CNDP army officers away from the East – threatening the parallel chains of command that enabled them to retain significant military power, control over mineral sites and trade routes. Under the third, the M23 represented the region becoming drawn into a conflict not of its own making, and reacting to circumstance rather than following a strategic blueprint. Each view generated different narratives, and thus different – and sometimes incompatible – approaches to ending the conflict.

## **The political economy and the state**

The Congolese state was extremely weak. When the M23 formally emerged in April 2012, the DRC was still embroiled in the aftermath of the much-criticised and incomplete electoral cycle of 2011. The legitimacy of the Government was further reduced from an already low base, particularly in the East where Kabila had been popular in the immediate aftermath of the second Congo war. In large measure, this was because he was seen to have defeated the Rwandan-backed forces widely felt to be illegitimate – and often brutal – occupiers. This support had largely evaporated by 2011 as a result of pervasive insecurity and a widespread sense of abandonment by a remote Kinshasa elite, exacerbated by Kabila’s 2009 deal with the Rwandan-backed CNDP.

The DRC’s political economy was still marked by deep patterns of corruption and clientelism established under the long rule of President Mobutu. This dysfunctional governance had survived the war and multiple reform efforts largely unchanged, with state services undermined by appropriation of state funds, mismanagement and weak leadership. This was most notoriously evident in the Congolese military (FARDC), which had been pulled together piecemeal at the end of the second



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Congo war (1998-2003), with units from the various belligerent factions nominally integrated into a new command structure. The FARDC was riddled with parallel chains of command, leading to rent-seeking, the widespread theft of soldiers' pay, endemic indiscipline and abuse of the civilian population. Rather than effectively deal with non-state armed groups – most notoriously the Rwandan FDLR – the FARDC was repeatedly accused of collaborating with them, including trading of illicit resources.

These two factors came together in the Eastern Province of North Kivu, where the M23 was based, to create an environment marked by weak Government control, competition between rival elites for control over lucrative mining sites and trade routes – both within the military, and between military and non-state armed groups – and pervasive insecurity. For the population, the result was repeated large-scale civilian displacement, poverty, and widespread abuses at the hands of non-state armed groups and the military alike. Almost two decades of war had also left a legacy of easily accessible small arms, and a large number of young, unemployed men with experience of armed violence.

### The evolution of conflict

#### *Birth and Initial Gains (March – November 2012)*

The M23 began with an April 2012 mutiny of 300 former CNDP combatants led by Bosco Ntaganda, who had latterly been made a General in the FARDC. This group was initially announced under a CNDP umbrella, and first referred to as the M23 in May 2012 when Ntaganda was replaced as leader by Sultani Makenga, also a former FARDC officer. A political head, Jean-Marie Runiga, was appointed in July 2012. It gradually attracted the support of a number of former CNDP combatants and officers, who absconded from their official FARDC posts and rallied to the M23. Many of them had fought successively for the RDC-G and CNDP – and indeed for the Rwandan military before that – and so had decades of military experience and training.

In comparison to either the CNDP or RCD-G, the M23 had access to very few fighters – only 1000 joined M23, of the 4-7000 that CNDP had fielded; the remainder chose to stay with the FARDC – and it was initially placed under severe pressure by the FARDC, which pushed it back into a few enclaves by June. But its troops were experienced, motivated, well-equipped and fighting on terrain that they knew well. It was widely alleged that they also received direct support from Rwandan special forces. By July, a resurgent M23 had retaken significant territory, and inflicted several humiliating defeats on the FARDC. This advance culminated with the capture of the North Kivu Provincial capital of Goma in November 2012.

#### *Stalemate and Splits (December 2012 – June 2013)*

Although they proved to be extremely effective in military terms, extending their geographical control through 2012 to include a substantial enclave on the Congolese borders with Rwanda and Uganda, M23 was never able to generate any sort of domestic political momentum. In fact, its support base even among its core constituency of Congolese Tutsi was significantly lower than that enjoyed by the CNDP or RCD-G, as long experience of conflict led to widespread rejection of their militarised – and often brutally violent – approach. The CNDP had been able to run a relatively efficient parallel administration in their zones of control,<sup>4</sup> but despite efforts in this direction, the M23 were never able to establish equivalent systems. They were instead implicated in large-scale 'punishment' abuses against civilians in their enclave, including targeted killings and rapes, in an attempt to enforce compliance. Against this backdrop, the M23's populist rhetoric of protecting

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<sup>4</sup> Aid agencies, for instance, reported that operations in the CNDP zone were significantly easier than in areas nominally controlled by the Congolese government. The CNDP appointed civilian administrators, collected taxes and arranged some basic welfare services.





civilians against government abuses and misgovernment fell on deaf ears and it was never able to generate any meaningful public support.

Still less were they able to make any progress on building political alliances to take on the government outside of their core zones of North Kivu. A call for nation-wide revolution, issued at a rally held while they were in control of Goma, fell on deaf ears: one Congolese officer from outside the Provinces of North and South Kivu rallied to the M23,<sup>5</sup> and, while temporary alliances of convenience were reached with some other non-state armed groups,<sup>6</sup> they built no momentum towards a genuinely plural rebellion. The M23 were largely viewed by Congolese as unambiguous proxies for Rwanda and Rwandan-linked elites.

The result was a stalemate, in which the M23 were essentially militarily unchallenged in their zones of control but isolated from large-scale political support. The fall of Goma led to a spike in international attention, heavy pressure on the governments in both Kinshasa and Kigali, and pushed the M23 and Congolese government into direct talks held in Kampala. Although these negotiations never seemed likely to result in a political deal, they did set the context for the deep splits in the M23 to open into violent internal conflict, broadly between those loyal to Sultani Makenga, and those linked to Bosco Ntaganda, in particular M23 political head Jean-Marie Runiga. Mukenga's faction were victorious; Runiga was dismissed in February and arrested in Rwanda in March 2013. This was followed in April by the surrender of Bosco Ntaganda to the US Embassy in Kigali and his subsequent transfer to The Hague.

### *Isolation and Defeat (June – December 2013)*

Although talks continued, they were inconclusive, and the M23's failure to rally any meaningful support from within the DRC left its leadership exposed and increasingly isolated. Indeed, it was this isolation which ultimately exposed the one vector of effective backing that they were able to access – from Rwanda. The domestic support that they could muster was sufficiently small that Rwandan military interventions were relatively evident, and their claim that the M23 represented a meaningful Congolese constituency looked increasingly hollow. This, in turn, generated strong messaging from international actors, along with cuts in development aid, which resulted in a change in Rwandan policy and the effective abandonment of the M23.

In parallel, set-piece international diplomacy had succeeded in generating a broad regional peace agreement, the Peace, Security and Co-operation Framework (PSCF) signed in early 2013, which paved the way for Security Council authorisation of a SADC military intervention, known as the Force Intervention Brigade (FIB), as well as more active UN support to the FADRC. Hostilities resumed in mid-2013, but with external support removed, and facing a newly energised FARDC backed by an effective SADC force operating under a UN banner, the M23 first gave ground, and ultimately crumbled, losing its final enclaves by November 2013. Remaining M23 combatants scattered into exile in Rwanda and Uganda. A largely symbolic series of declarations – falling short of a peace agreement – were released in December 2013, marking the end of the Kampala peace talks.

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<sup>5</sup> A Colonel Tshibangu defected from the FARDC in the Kasai Provinces, and travelled across the DRC to the M23 zone with a handful of men.

<sup>6</sup> Groups that allied with the M23, according to the UN, included a variety of Mai Mai groups, ethnically-based self-defence militias, and some foreign armed groups, including Burundians in South Kivu. However, these groups were largely numerically small and likely opportunistic in their support.



## Key actors and their motivation

### *The M23*

The M23's motives were neither unitary nor consistent, and there is no one single answer as to their 'real' motivation. Some of their leaders and combatants were driven by genuine concerns for the Congolese Tutsi community over threats from armed groups, issues of nationality and the return of refugees. Others were likely to have been more self-interested, seeking to exploit the weakness of the Congolese government to defend or expand their control – over land, mining sites, parallel chains of command within the Congolese military, and trade routes – either for their own profit and power, or on behalf of local and regional backers, most notoriously Rwanda. Still others were seeking to avoid arrest and, in the case of Bosco Ntaganda, prosecution by the ICC. Loyalty to former commanders, both Congolese and external, are likely to also have played an important part.

These varied motives translated initially into a shared fear of being deployed away from their power-base in Eastern DRC, which would have left communities and business interests alike undefended. But, once it became clear that the fall of Goma would not translate into a wider Congolese uprising, and the group came under increasing pressure, these differences in motivation translated into splits in the movement, notably over whether to come to a compromise deal with the Congolese government in early 2013.

These divisions were exacerbated by deep and lingering divisions along clan lines and resentment over the arrest of CNDP commander Laurent Nkunda. The majority of the commanders and rank-and-file of the M23 were drawn from Congolese communities of Rwandan origin, mostly from Tutsi areas of North Kivu. The M23 grew out of the CNDP, and most of its important figures had been involved with previous armed groups, either in military or political terms. The first mover in the M23 crisis was Bosco Ntaganda. He had initially fought with the Rwandan Patriotic Front (RPF) during the Rwandan civil conflict of the early 1990s, and had later emerged as a military leader in the RCD-G, Ituri conflict, and CNDP. His motives were – and remain – unclear, but he garnered a reputation as a self-interested and ruthless warlord, more mercenary than politically-motivated. His colleagues in the M23 were likewise veterans of repeated iterations of rebellion in Eastern DRC, having fought for or held political positions with the RCD-G and CNDP.

### *Government of the Democratic Republic of Congo*

The DRC Government was involved inasmuch as the conflict was taking place on its soil, it involved dissidents from its armed forces – the majority of whom were former opposing combatants, integrated following a prior peace deal in 2009 – and, ultimately, it threatened the stability of the state and its legitimacy. In addition, many in the Congolese Government saw the M23 as a direct continuation of a long succession of Rwandan-allied enemies dating back to the RCD-G, groups that had until 2006 controlled a third of Congo's territory. This perspective was shared by a majority of the Congolese population, making the M23 a much more dangerous and influential political problem for the Kinshasa authorities than its size or territorial reach would have suggested – despite its relatively small number of combatants, it constituted a clear symbolic threat to their legitimacy to govern, notably in the context of the disputed 2011 elections. For many Congolese, rather than being a discrete rebellion, the M23 crisis represented the final act in the second Congo war.

### *Government of Rwanda*

Rwanda's involvement was, and remains, disputed. The majority of observers saw the hand of Rwanda behind the M23, although assessments as to the extent of this involvement varied, and the Rwandan government consistently denied any role. The UN Panel of Experts alleged that Rwanda directly founded and directed the group, while other observers assessed that Rwanda's role was limited to logistics, recruitment and some direct military assistance, but that the M23 was at origin an autonomous political entity. While no conclusive answer is possible, it is highly improbable that



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the M23 could have flourished without the knowledge and, at least tacit, consent of Rwanda. The strong historical relationship between Rwanda and the former CNDP soldiers that founded the M23 mean that some level of Rwandan support is almost certain to have been provided from its inception, and it is beyond doubt that the medium-term survival of the group was largely dependent on Rwandan material assistance, including the deployment of military forces into the DRC. Rwandan political support for the M23 also began with its foundation, and grew in intensity as the M23 made territorial gains. What is less clear is the extent to which Rwanda was directly responsible for the M23's creation, or conversely whether it was reacting opportunistically to events triggered by Congolese actors.

The reasons for Rwanda's involvement have likewise remained unclear. There are a number of potential explanations, from adventurism by elements of the Rwandan military to aid former comrades in arms, protect Congolese Tutsi communities, or maintain economic advantage; to Rwandan aspirations to maintain a security buffer zone in Eastern DRC under its de facto control. The extent to which Rwandan involvement was a centrally-directed policy, as opposed to opportunistic or unilateral action by elements within its security apparatus, remains unclear.

### *Government of Uganda*

Uganda's primary role was to act as facilitator and host for peace-talks between the Congolese government and M23. While the UN Panel of Experts alleged some Ugandan support to the M23, this is disputed by many observers, and – if it took place – was small scale and relatively unimportant. The reasons for Uganda's involvement are again complicated. It risked being directly affected by conflict in its border regions – the source of both considerable revenue for members of Uganda's elite, and potential refugee flows into Ugandan territory – and has long acted to balance perceived Rwandan influence in Eastern DRC, with the likely motive of protecting trade routes. In addition, President Museveni has historically sought a leadership role in the Great Lakes sub-region.

### *Government of South Africa*

South Africa took a leading role in mobilising the will and materiel for the deployment of the Force Intervention Brigade that provided a vital cutting edge to UN support to the FARDC, and was instrumental in the M23's defeat. South African motivation is likely to have been dependent on the level of South African investment in the DRC, animosity with Rwanda following the assassination attempt against a Rwandan dissident in South Africa in 2010, and a desire to reassert its status as regional hegemon and military heavyweight following the death of South African peacekeepers in the Central African Republic (CAR).

### *Donors*

The wider international community predominantly perceived the M23 as both a threat to regional peace and the credibility of UN peacekeeping, and as the cause of a serious humanitarian crisis. Although the Congolese government had lost a great deal of international credibility through the 2011 elections and its manifest unwillingness to implement even basic governance reforms, the legacy of the perceived success of Congo's post-conflict transition (2003-2006), and the general reduction in violence in Eastern DRC, meant that donors, international media, and the humanitarian community were all very sensitive to any resumption of open conflict. At the same time, Rwanda's most significant aid donors – the US, EU and UK – were reluctant to blame Kigali for the rise of M23, and sought throughout to balance effective conflict resolution with the maintenance of their programmes and relationships in Kigali.

### *The United Nations*

The UN peace and stabilisation mission in the DRC, MONUSCO was the most expensive in the history of peacekeeping, and had a complex mandate to protect civilians and stabilise the DRC's nascent democracy. The stakes were high: the UN system was highly sensitive to perceptions of failure, which



reached a peak with widespread criticism of MONUSCO for failing to prevent the fall of Goma to the M23, and a more general inability to fulfil its mandate to protect civilians. For many in the UN system, the credibility and future of UN peacekeeping itself were under threat. This concern explains the activism of senior UN figures in early 2013, which proved instrumental in crafting the regional security framework and ensuring its swift agreement, the authorisation of the FIB, and the step-change in the extent of MONUSCO support to FARDC efforts against the M23.

## **II: Significant stabilisation approaches to end the conflict**

There was a complex array of approaches to seeking an end to the conflict. These included direct talks, regional political activity, and international diplomacy, both bilateral and multilateral, overt and behind the scenes. They can be divided into approaches that were predicated on an understanding of the conflict as a Congolese phenomenon, rooted in national politics and local grievances; and approaches that saw the conflict as fundamentally a product of regional dynamics, and downplayed its local political salience; and those that attempted to deal with both aspects simultaneously. There were also a number of initiatives that were not directly or formally intended as conflict resolution mechanisms in specific relation to the M23 crisis, but nonetheless had a significant impact on the evolution of the conflict and its ultimate conclusion.

### **The M23 as a Congolese phenomenon: talks but no deal**

Peace-making initiatives that treated the conflict primarily as an internal political dispute sought to achieve a direct deal between the M23 and the Congolese government. Beginning from the earliest days of the Ntaganda rebellion in early 2012, a range of actors called for de-escalation and a peaceful resolution. As the M23 became larger, and the stakes of the conflict grew, pressure for meaningful talks mounted, with significant statements from major international players. In the early stages of the conflict, practical attempts to facilitate talks were led by a regional mechanism, the International Conference of the Great Lakes Region (ICGLR) and President Museveni of Uganda. At the same time, the Congolese government attempted to defeat the M23 militarily on a number of occasions. The attempts to initiate talks were roundly unsuccessful, despite some support from the UN.

There was a significant spike in international concern, pressure and attention following the fall of Goma in November 2012. The capitulation of the FARDC in the face of M23 aggression had amplified pressure on the Kinshasa government, and it seemed possible that the M23 would be able to dictate terms. For the first time, therefore, formal, direct negotiation could take place. Talks in Kampala, under the facilitation of the Ugandan Minister of Defence Crispus Kayonga, began in early December 2012.

However, they did not start well. The M23 delegation failed to appear for the first session, and the opening statement of the Congolese government described the M23 as ‘a criminal group that needed to be eradicated’. A political delegation of the M23 was subsequently sent to Kampala, though it was relatively junior – neither Makenga or Runiga attended – while DRC Foreign Minister Raymond Tshaybanda led the DRC delegation. Talks did start, but were hampered from the outset by mutual mistrust, extreme negotiating positions and repeated threats from the M23 to pull out of negotiations. The first round ended in late December with only rules of procedure and a provisional agenda agreed.

The resumption of the dialogue, scheduled for 4 January 2013, was blocked by disagreement on the issue of the conclusion of a formal ceasefire, which the DRC Government had rejected. On 8 January, M23 declared a unilateral ceasefire, which allowed the talks to continue; on 16 January, the Government and M23 formally adopted the agenda of the talks; and on 21 January, both delegations completed their respective evaluations of the implementation of the 23 March 2009 agreement. But



## Stabilisation Unit

despite this tentative progress, the M23 continued to present a series of unrealistic demands, including wholesale changes to the DRC's political structures that were impossible for the government to accept.

In spite of these problems, it was rumoured in late January 2013 that a possible deal between the government and the Makenga wing of the M23 was close. However, this fell apart when the M23 split, in part due to the fear Bosco Ntaganda and his loyalists had that they would be betrayed by the Makenga faction and – at least in the case of Bosco – would face justice for their prior crimes. This split resulted in fierce infighting, including the deaths of hundreds of M23 combatants in internecine clashes in February, and the ultimate defeat of the Ntaganda loyalists. Runiga was arrested, and Ntaganda handed himself in to the US Embassy in Kigali. Bertrand Bizimwa was promoted to the head of the M23, and Rene Abandi took over leadership of the M23 delegation to the Kampala talks.

By the time the dust settled, the M23 had lost considerable momentum and the government was boosted by the agreement and subsequent deployment of the Force Intervention Brigade. The talks staggered on to May, after the FIB had deployed, but never seemed close to achieving a deal. The government once again attempted a military solution. Fighting resumed in May and June, but although the M23 was weakened, the FARDC was once again unable to achieve a victory.

Talks in Kampala resumed in early September. It was notable that the M23 position had moved from maximalist demands for the wholesale national reforms to concerns over the modalities of reintegration of M23 fighters. These talks were suspended in October 2013, largely over M23 demands for amnesty for 80 of its combatants. But by the end of October, the M23 had been finally defeated by a combined force of the FARDC and SADC Force Intervention Brigade, and pushed out of its last strongholds. It announced plans to disarm in early November, with most of its fighters scattered across Rwanda and Uganda. Both the DRC government and M23 signed declarations in December 2013, released along with a joint ICGLR and SDAC communique formally bringing the Kampala talks to a close – without the achievement of a formal peace deal.

### **The M23 as a regional phenomenon: cutting off its regional support**

A parallel series of initiatives were undertaken that were rooted in an understanding of the conflict as predominantly a product of regional dynamics – specifically linked to Rwanda's role. These approaches sought to undermine the M23 through cutting it off from the Rwandan support that had sustained it, and – in some assessments – created and directly controlled it.

Though Rwandan involvement in Eastern DRC during the Congo war was overt and a matter of public record, and Kigali had been widely perceived to have been a significant supporter of the CNDP, it vehemently denied any involvement with the M23 at its inception, instead arguing that the rebellion was a purely Congolese phenomenon with roots in legitimate grievances on the part of Congolese communities. This position was largely accepted – at least publicly – by the international community, notably Rwanda's most important development partners.

But the DRC's regional allies – notably South Africa, Angola and the rest of SADC – seem likely to have been more firmly convinced from the outset that the M23 had no legitimate political platform, and that Rwanda was playing a key role in their success. Given the private nature of much bilateral action, it is impossible to know precisely what positions these actors were taking. SADC discussed DRC at its summit on 17-18 August 2012, and the SADC Secretary General went to Rwanda a few days later.

Reflecting its different understanding of the drivers behind the conflict, the text from the SADC summit declarations stood in stark contrast to those released by the ICGLR: they did not rehearse



M23's grievances, and instead simply condemned them as illegitimate. There were reports that Angolan President Dos Santos expressed the desire to help the DRC militarily as early as August 2012. A tripartite meeting between the Heads of State of DRC, Angola and South Africa immediately after the signing of the PSCF in March 2013 underlined the strength of the relationship.

The most concrete expression of the SADC position was the Force Intervention Brigade itself. A new armed force for Eastern DRC had been initially mooted – under the rubric of a 'neutral international force' (NIF) – in the margins of an African Union summit in July 2012. The idea was then developed further by the ICGLR, which elaborated a concept of operations for the force in November. But it was SADC that authorised the deployment of an intervention force of some 3000 soldiers on 10 December 2012, at an Extraordinary Summit.

This force, though delayed by wrangles over command and control between SADC and the UN, was authorised by UN resolution 2098 in March 2013 and deployed over the subsequent months, under the leadership of a Tanzanian General. Although it was – and remains – formally part of MONUSCO, it is widely thought to have operated under a functionally independent command. Comprised of troops from South Africa and Malawi as well as Tanzania, it had significant military capability, notably in the shape of South African attack helicopters and sniper teams. It had the dual function of offering robust combat assistance to the FARDC, and raising the political stakes for any further Rwandan action in support of the M23, the latter of which would have been tantamount to a declaration of war on SADC.

This action was combined with bilateral international action to press Kigali into ceasing its support. While, as noted above, donors had initially accepted Rwandan denials of involvement, by late 2012 evidence was mounting to the contrary – including, most importantly, reports of the Group of Experts for the UN Sanctions Committee – and Rwanda came under sustained financial and diplomatic pressure to end its relationship with the M23 and work constructively to bring the conflict to an end. This shift became clear when a wide range of development actors cut or suspended financial assistance to Rwanda, including the US, EU, UK, the Netherlands, Germany and Belgium. There was also significant high-level diplomatic pressure placed on the Rwandan leadership by key allies, including the US and UK.

Given the opacity of Rwandan decision-making, it is difficult to understand the factors that drive their actions with any certainty. But the result seems to have been the final withdrawal of Rwandan support towards the end of 2013. Left without a sponsor and facing a rejuvenated FARDC supported by SADC, the remaining M23 forces gave up their final strongholds and fled into exile.

### **The 'hybrid' approach: regional mechanisms and international actors**

The third strand of activity sought to encompass both predominant narratives, namely condemning armed aggression and defending the territorial integrity of the DRC, while at the same offering tacit legitimacy to the M23 as a political actor with genuine grievances rooted in the dysfunction and weakness of the Congolese state. The ICGLR was the leading actor in this strand of activity, supported at various times by the AU, UN and wider international community.

The ICGLR's first engagement with the M23 crisis was at an extraordinary summit of Heads of State, in July 2012 at the margins of an AU summit. The ICGLR met again at Heads of State level in August, September and October, led regional condemnations of the M23 capture of Goma in November 2012, and met again in Kampala on 24 November.

The ICGLR responded to the crisis in three broad ways. First, it worked for an immediate de-escalation at the worst moment of the crisis, following the M23 capture of Goma. The M23 withdrew



from Goma after 11 days of occupation, following direct talks in Kampala between Kabila and Kagame on the side-lines of an ICGLR meeting, and a 'peace accord' brokered by the ICGLR.

Second, it encouraged both the M23 and Congolese government to engage with the Kampala negotiations, a position that was predicated on the view that the M23 had 'legitimate grievances' that would be amenable to a negotiated settlement. As noted above, the Kampala negotiations did not ultimately result in any sort of political deal, despite further ICGLR emergency summits in Nairobi, in July 2013, and in Kampala in September 2013, at which it continued to push for a political solution.

Finally, the ICGLR adopted and developed the idea of the 'neutral international force' to 'eradicate' armed groups in Eastern DRC, first mooted after direct talks between Kabila and Kagame in Addis Ababa in July 2012. The ICGLR called for UN/AU neutral intervention force at a Goma summit of Ministers of Defence on 15 August, and in September, it sent a military assessment team to Goma to begin practical planning. It elaborated a concept of operations for the force in November 2012. But, as noted above, it was ultimately SADC, not the ICGLR, which finally created and controlled the international force, providing troops, leadership and political backing that ICGLR could not generate.

The ICGLR also undertook one of the few practical actions to try to resolve the crisis, in deploying what was known as the Enhanced Regional Verification Mechanism. Although the ERVM was intended to monitor cross-border threats between the DRC, Rwandan and Uganda, in reality it consisted of 24 senior military officers from ICGLR members who lacked neither the motivation nor means to fulfil this mandate.

The approach of balancing the local and regional roots of the M23 was also visible in the activities of the majority of international actors. As noted above, donors were robustly critical of Rwanda in public statements, backed by cuts in development and military assistance. While there is no public record, it is likely that this was mirrored in private bilateral communications. However, they were also keen to highlight the legitimacy of M23's grievances, linked to wider criticism of Congolese governance and stalled post-conflict reforms. Thus they were strongly supportive of the Kampala peace process and the PSCF.

The most notable contribution of the UN was to lead the negotiations of the large-scale regional agreement on conditions for lasting peace in Eastern DRC, the PSCF, including the development of the text itself over a period of intensive shuttle diplomacy by a UN negotiator,<sup>7</sup> The PSCF was a clear expression of the 'hybrid' approach to the M23 conflict, balancing the imperative of respecting territorial integrity and ending cross-border support for rebel groups – a clear reference to alleged Rwandan support to M23 – with a list of fundamental reforms necessary to stop Eastern DRC once more becoming the crucible for conflict, which tacitly legitimised the claim of M23 to be acting on legitimate grievances. The PSCF was signed by 11 states, including Rwanda and the DRC, in Addis Ababa in February 2013, under the auspices of the UN Secretary General. The UN, AU, SADC and ICGLR also signed as witnesses and guarantors.

The UN also appointed former Irish President Mary Robinson as the UN Secretary General's Special Envoy for the Great Lakes region, with a mandate to push for the implementation of the PSCF. She acted in concert with an informal group of special envoys, including representatives of the US, AU and EU, to conduct high-level diplomacy to build and maintain momentum towards both sustainable

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<sup>7</sup> The process of drafting the PSCF was not open to external observers, including Security Council members, so no comment can be made as to the dynamics of its agreement with regional governments.



regional peace, the end for cross-border support for armed groups, and the fulfilment of the DRC government's commitments under the PSCF to implement effective reform.

### **Additional mechanisms for tackling conflict: sanctions and the ICC**

There were a number of piecemeal initiatives that are likely to have had an important impact on the outcome of the M23 crisis. Many predated the creation of the M23, and were intended to tackle long-term structural issues driving violence in the DRC, from impunity to disarmament and the smuggling of small arms.

The DRC Sanctions Committee of the UN had been set up in 2003, to police an arms embargo against all non-governmental groups and individuals operating in the DRC. It was supported by a Group of Experts, able to collect and publicly report on information on possible violations of the embargo. As noted above, the report of the Group of Experts of November 2012, identified significant Rwandan support to the M23, and was important in prompting enhanced international pressure on the Rwandan government. It was also the vehicle for targeted sanctions, placed on groups and individuals – the M23 was listed in December 2012, and a number of M23 leaders subjected to individual sanctions, including travel bans and asset freezes.

The International Criminal Court, though not directly engaged in conflict resolution, also had a material impact on the evolution of the conflict – Bosco Ntaganga, the instigator of the original rebellion, was reported in part to be motivated by avoided arrest under a 2005 ICC warrant against him. Added to this was the \$5 million reward announced by the US government for information leading to Ntaganga's capture, under its War Crimes Rewards Program. Bosco's fear of betrayal is likely to have played a role in M23 splits in early 2013.

### **Local peacebuilding**

Local-level stabilisation and peacebuilding initiatives did not play a prominent direct role in the resolution of the M23 crisis. In fact, the two principle vectors for building sustainable peace, large scale projects centred around stabilisation and disarmament, were both suspended in the area affected by the M23. Equally, while there were a large number of Congolese and international organisations engaged in peace-building in Eastern DRC, they were not prominent in finding a solution to the crisis, and were left out of both the PSCF process and the Kampala talks.

But, while impossible to prove, it is very likely that incremental improvements in conditions in Eastern DRC, stabilisation programming, the reduction of armed men through prior disarmament programmes, and initiatives to put in place mechanisms for inter-community dialogue and conflict resolution, played an important role in preventing the escalation of the M23 crisis. This was apparent in both the relatively low number of former CNDP combatants who joined M23, and the lack of popular support for the M23's calls for widespread insurrection after the fall of Goma.

Finally, Congolese civil society was vocal in its condemnation of the M23, which was universally seen as a proxy for Rwanda. Rather than calling for a negotiated settlement, Congolese civil society groups pushed for the military defeat of the M23, and condemned international community efforts at finding a negotiated settlement as constituting complicity with Rwanda (and, to a lesser extent, Uganda). A deal between the Congolese government and the M23 would thus have been seen by much of Congolese civil society as a betrayal, and would thus have carried significant political costs to Kabila – making a successful conclusion to the Kampala talks even less likely.





### **III: What worked, what did not work, and why**

In the most fundamental terms, there was no negotiated settlement to the M23 conflict, and no political deal done. The Kampala talks never reached a conclusion, and no peace agreement was signed. Instead, the conflict ended with the military defeat of the M23, cut off from Rwandan support, at the hands of the Congolese military and their regional and international supporters, most importantly the SADC Force Intervention Brigade operating under a UN umbrella.

The overt political deal that was done – the PSCF – was regional, and only tangentially related to the conflict itself. This was a diplomatic success in that it enshrined the principle of regional non-interference and co-operation. But violence continued for eight months following the signature of the PSCF and it had little immediate impact on the M23 conflict. And while the central principle of regional stability has held to the present, the wider obligations that it placed on the Congolese government – to tackle the governance shortfalls widely seen as at the root of violence in Eastern DRC – have not been implemented.

Instead, the resolution to the M23 crisis came as a result of a complex interplay between local, regional and international dynamics that came together to change the political context to one in which Rwandan support for M23 was no longer tenable, and the SADC deployment in support of the Congolese military accepted by the UN and wider international community. In essence, all interventions predicated on the first narrative – that M23 was an autonomous political actor, representing legitimate grievances – failed. Interventions that understood the M23 as a predominantly military actor, and as a product of regional dynamics, succeeded – the conflict was brought to an end by the removal of regional support and the M23's military defeat.

There are a number of lessons that can be drawn.

#### **Kampala talks failed because M23 was not a political actor**

The Kampala talks started at the moment of the M23's greatest power, and at a time that the Congolese government was under severe strain. Yet the M23 showed no sign of wishing to negotiate in good faith, despite the advantages the circumstances presented: the unfulfilled pledges of the CNDP peace deal of 2009 had been forgotten in favour of maximalist and unrealistic demands. Despite claiming to represent the views of Congolese communities, it had almost no political support and no legitimacy as an interlocutor. It also lacked internal coherence, with different wings of the group seeming to have very different agendas. In fact, the greatest impact of the Kampala process was perhaps to crystalize these differences into splits and infighting, which resulted in the arrest or detention of the most radical and intransigent of its leadership.

The political framework of the talks was also problematic. Negotiations were facilitated by Uganda, a government widely perceived to be a party to the conflict, and therefore lacking the credibility to act as a neutral broker. It was also under the aegis of the ICGLR, an organisation that had both Rwanda and Uganda as members, and that had taken a stance from the early period of the conflict that gave significant credence to the M23 as a genuine political movement. There was a moment in early 2013 when the Congolese government could perhaps have been forced to a deal – Kabila was weak, and the fall of Goma had put it under severe pressure – but this would have been less the product of a genuine political negotiation, and more the imposition of terms by a victorious – if illegitimate – military actor; it is unlikely to have lasted long.



### **The ‘hybrid’ approach was correct... but for the wrong conflicts**

The approach taken by the ICGLR and most international actors was to view the M23 as simultaneously a product of regional politics, and of national and local level grievances against the Congolese state. This approach was analytically correct in historical terms – violence in Eastern DRC has long been a product of the inter-relationship of both factors – and entirely valid for long-term stability, but inaccurate in relation to the specific case of the M23. As noted, the M23 was not a product of local grievances, nor of the weakness of the Congolese state. These factors certainly *facilitated* its rise, and doubtless were part of the motivations of some of its combatants, but they did not *cause* it.

The issue, therefore, is one of defining ‘conflict’. Local grievances undoubtedly drive violence in Eastern DRC, and were almost certainly part of the motivation for many M23 combatants. But without external support – in this case from Rwanda – the M23 would likely have remained a purely local phenomenon, like many other non-state Congolese armed groups. It would have been a threat to local people, and contributed to continued low-level unrest, but is very unlikely to have had the capacity or ambition to threaten the integrity or stability of the Congolese state.

Therefore, a diplomatic position that placed equal emphasis on Congolese governance failings and Rwandan involvement was not appropriate to the swift resolution of the M23 crisis. In fact, the tacit legitimisation of the M23 claim to be fighting for Congo’s communities that resulted may have lengthened the crisis, through encouraging the M23 leadership and its external backers. At the same time, the view that the structural drivers of violence in Eastern DRC needed to be addressed in order to build long-term stability was – and remains – an entirely valid one. But it was valid for the generality of non-state armed conflict in Eastern DRC, not the particular case of the M23.

### **Disaggregating the actors**

The final resolution of the M23 crisis came about through a political deal. But it was not a deal that directly involved the M23 or the Congolese government, the ostensible combatants. In fact, the critical focal point was Rwanda – the deal that was reached was between opposing groups within the Rwandan government: those who wished to see support to the M23 continue, and those who wished it to end.

Simply put, the development aid suspensions, diplomatic pressure and loss of international prestige that the Rwandan government was suffering as a result of its relationship with the M23, combined with the direct implication of SADC – and, by extension, of South Africa and Angola – to change the terms of the cost-benefit calculation being made in Kigali, to the point where Rwanda stood to lose a great deal more than it gained from continuing a policy of support to M23. Once these conditions had changed, the internal political deal among rival perspectives inside Rwanda changed to reflect them.

Though this re-orientation was perhaps delayed by the ambiguity of the formal multi-lateral process identified above – that gave continued credibility to the M23 narrative of legitimate grievance that had provided initial cover for Rwandan involvement – in the final analysis, the incoherence of the international community did not offer enough political space for Rwanda to escape attention, and censure. The result was a political about-turn in Kigali – at unknown cost to its internal regime coherence – and the subsequent defeat of the M23.



### **The PSCF was a diplomatic success, but not an end in itself**

But while the ‘hybrid’ perspective identified above may have delayed the defeat of the M23, it nonetheless brought significant long-term advantages. While the PSCF – the culmination of this approach – did not bring about the immediate end of the M23, which lingered for eight months after its signature, it was an important milestone, both for the management of the M23 crisis, and for the long term stability of the region.

Firstly, the PSCF provided the justification – in the shape of a symbolic strategic plan for the region, and a widely agreed political framework – to allow the UN Security Council to authorise the SADC Force Intervention Brigade (FIB), which it did in March 2013. Second, it also provided help in maintaining relationships with Rwanda, notably in avoiding Rwanda becoming completely isolated – in wrapping the M23 crisis into a wider conversation about regional stability and Congolese government failings, it gave Kigali a ladder to climb down, and a mechanism through which Rwanda’s external allies – the US, UK and EU – could maintain a relationship at the same time as forcing their hand over ending support to the M23.

And finally, it provided a framework for driving much-needed reform efforts in the DRC. Though, as noted, not at the root of the M23 crisis, the structural weakness of the Congolese state, and the fragility of its Eastern Provinces, remained a humanitarian priority, and a clear risk of future conflict. The PSCF was a valid – and valuable – attempt to use the M23 crisis to tie the Congolese state into a reform process, though it has not to date proved sufficient to generate any real momentum for internal change in the DRC.

### **African geopolitics and economic interests as a driver to end the conflict**

It is likely that the most significant factor in the resolution of the M23 crisis was a tectonic shift in African geopolitics. The DRC had long been a victim of its status as a frontier state for many regional blocks -central, southern and east Africa – that had left it without a coherent political framework to shape its international relations, and lacking a committed champion to drive external engagement. Instead, the country had been divided by a tacit division of responsibility, with Angola and Rwandan each taking a lead in their own border zones.

The M23 crisis crystalized a shift in these patterns. South Africa has huge economic equities tied up in the DRC – not least the ‘Grand Inga’ hydropower project that could meet its long-term energy needs – and could not afford for a local dispute between Rwanda and the DRC to escalate into a crisis that could threaten the overall stability of the Congolese state, and thus the future of South African investment. The result was that SADC, most visibly embodied in the FIB, laid forceful claim to Eastern DRC, and in doing so pushed Rwanda out of an area that it had seen as its near abroad for close to two decades. For all the frenetic activity of the wider international community, it is likely that the political and military resources that SADC were willing and able to deploy were the key factors in changing the context within which the M23 had been able to flourish.

## **IV: Multiple actors, multiple approaches: beyond set-piece diplomacy**

There were multiple levels of co-ordination and delivery. At international level, the most significant vectors of co-ordination were the International Contact Group – bringing together senior officials from the most important donors every three months, involving the US, EU, UK, France, Belgium, the Netherlands and others, to discuss headline policy issues – and, latterly, an informal envoy-level mechanism, bringing together the most senior representatives of the UN, AU, EU and US, who collectively drove international mediation with key regional players.



The coordination of regional diplomacy took place through the four institutions that co-signed the PSCF – the UN, AU, SADC and the ICGLR. At regional level, the ICGLR was the most visible forum for regional discussion, bringing together a grouping of 13 states, including all the major regional players in the M23 drama. The ICGLR organised multiple summits throughout the conflict, and was the forum for emergency diplomacy at points of particular crisis, notably calling Heads of State together following the fall of Goma. It was the sponsor of the Kampala talks and the progenitor of the PSCF, although, as noted above, none of its initiatives were ultimately effective in resolving the crisis.

The UN also played an important role, notably after the appointment of Martin Kobler as SRSG of MONUSCO in June 2013, who – along with a new Force Commander, Brazilian General Dos Santos Cruz – was instrumental in pushing UN forces into a prominent role in the final military defeat of M23, despite facing criticism from many in the humanitarian community for the ‘militarisation’ of peacekeeping. The UN Secretary General also lent diplomatic weight to the agreement of the PSCF, and the subsequent appointment of Mary Robinson as Special Envoy was important in building momentum behind its implementation.

SADC was also active, through summits and statements, but functioned more as a framework for promoting Angolan and South African diplomacy than as a coherent institution – with the notable exception of its role making the FIB a reality. The AU did not play a significant role in shaping responses of the crisis, although an AU special envoy for the Great Lakes was active throughout the conflict as part of the ‘Envoys Group’. In addition, while the situation in the DRC was the subject of repeated discussions by the Peace and Security Council – sessions often attended by the Chairs of SADC and the ICGLR, as well as the UN – and the AU was a signatory to the PSCF, it was content to allow the ICGLR and SADC to lead in shaping the diplomatic response.

The final resolution of the M23 crisis was not directly achieved via a formal peace agreement or set-piece international diplomacy. Rather, it was the result of shifts in the geo-political context, expressed via bilateral aid suspensions, behind-the-scenes high level diplomacy, and the willingness of key SADC states to commit significant military resources. While much of this activity was likely to have been to some degree harmonised, notably between major donors, the key decisions remained bilateral, ad hoc and off-the-record. SADC activity is likely to have been based on informal deal making between the key regional players – Angola, South Africa and Tanzania – which was then driven through formal decision-making channels.

## Conclusion

### Analysis and Information is Key

Many of the shortcomings of approaches to peace-making in relation to the M23 were down to a misreading of the nature of the group. The M23 was initially treated as a Congolese armed group, rather than the product of cross-border links, and seen as analogous to the multiplicity of small non-state armed actors, rather than categorically different. This misapprehension was corrected as the conflict progressed, largely due to information gathered and disseminated by actors on the ground in North Kivu, and it was acceptance of the extent and importance of Rwanda’s role that was key to unlocking the conflict.

This demonstrated the utility of moving diplomatic, development and peacekeeping resources to the epicentre of the conflict. Previous iterations of conflict in Eastern DRC had taken place in an information vacuum, and policy was caught between rival perspectives generated in Kigali and Kinshasa. By 2012, there was much more robust information gathering capacity on the ground in North Kivu, enabling understandings of events to be grounded in reality.



It also underlines the particular importance of reporting by the UN Group of Experts. Though the Group undertook valuable original investigation, its impact was more in re-packaging widespread rumours – and probable intelligence material – regarding Rwandan involvement into a publicly accessible format, that donors could not ignore, and that could be acted on. As such it functioned as something of an ‘intelligence laundering’ mechanism.

This points to the fact that understanding the real motivations of non-state armed groups is the vital first step. This demands up-to-date, accurate and detailed information. For the international community to take a strong stand on state backing for non-state armed groups, accurate, publicly accessible information is vital – intelligence that cannot be openly discussed or acknowledged is not sufficient. UN Panels of Experts are also a powerful tool in this regard.

### **An Unripe Conflict**

There was almost no ‘ripe’ moment when the conflict – understood as being between the M23 and Congolese government – was amenable to a negotiated solution. When negotiations in Kampala started, the M23 were militarily dominant and had no reason to compromise. Once their military superiority had been lost, the DRC Government had no reason to seek an agreement – it would have carried significant domestic political costs, and was unnecessary.

Furthermore, it is possible that persisting with efforts to push an ‘unripe’ conflict to a negotiated settlement had the perverse impact of elongating the period of violence. The Kampala talks provided an extremely important mechanism for de-escalation at certain critical points, notably in the immediate aftermath of the fall of Goma. They also exposed latent divisions within the M23, and were perhaps the trigger for internal splits. But they constituted a distraction, diluting scarce international political resources, and providing a platform for an illegitimate actor – the M23 – to build political credibility, and to deflect international criticism. It was also problematic that the facilitator to the talks – Uganda – was widely perceived to also be a party to the conflict.

It is important, therefore, not to assume that political peace processes are an unambiguous ‘good’. Negotiating with an illegitimate actor may be tempting in the short term, as a way of reducing violence, and can place an armed group under stress – perhaps stimulating splits – but can also carry significant long-term costs.

### **Political Deal or Short-Term Fix?**

The M23 crisis was the product of the failure of a previous political deal – between the CNDP and Congolese Government in 2009. Had the Kampala talks been successful in the immediate aftermath of the fall of Goma, this failure would almost certainly have been replicated: the Congolese Government would have been forced into compromise with an illegitimate actor with no real local power-base. It would almost certainly have simply delayed a resumption of conflict, by months or years, rather than constituting a lasting settlement.

Instead, while the failure of the talks carried costs, in continued violence, displacement and humanitarian suffering, it also forced donors into confronting the uncomfortable – and dangerous – regional geo-politics driving the long-term conflict cycle. This points to the fact that any reflex that simply pushes for a political deal at all costs risks ‘freezing’ a conflict, not solving it.

### **‘Conflict Resolution’ is Not Necessarily Politically Neutral**

There is a tendency to treat conflict resolution as a technical rather than a political exercise. The Kampala talks – with goal of pushing the M23 and Congolese Government to a deal – was seen by



many outside Congo as a relatively straightforward and above all neutral policy in which brokers refused to take sides, and rather pressed both sides to agree. But, given the M23's lack of political legitimacy and deep local unpopularity, this purported neutrality was seen by many observers – above all, by the Congolese – as a political act, attempting to force a sovereign government into a deal with a non-state proxy of a neighbour was tantamount to openly aligning with Rwanda. Similarly, the mooted 'Neutral International Force' was still-born, while the decidedly partisan Force Intervention Brigade was made operational and had a material impact.

That is not to argue that the Kampala talks were necessarily the wrong approach – despite their ultimate failure – but rather that they should have been understood as a political, rather than technical, process. Congolese civil society and public opinion certainly viewed international support to a negotiated settlement as a highly charged, political act – close to an overt declaration of support to the DRC's enemies. So even policy that donors see as technical or an unambiguous normative 'good', such as peaceful conflict resolution, may not be understood as such by those more directly involved. Therefore, it is important to bear in mind that conflict resolution occurs in political environment, and that remaining strictly neutral may be impossible.

### **The 'Political Marketplace' and Maximising International Impact**

The international community had little direct leverage over M23 leaders or combatants. Instead, it proved much more effective at influencing the state system and the individual states within it. Whether or not the M23 could have been considered a true 'spoiler', it was a very difficult group for the international system to engage with – it was elusive, had shifting a leadership and had goals that were neither consistent nor necessarily rational. But its key backer, Rwanda, proved to be a rational actor, capable of making a sophisticated cost-benefit calculation and adjusting its behaviour accordingly. It was therefore a viable target for the mechanisms of traditional diplomacy. Thus the international community proved to have significant influence over the regional political landscape, and was able to change the nature of the 'political marketplace' through raising the costs to Rwanda of continuing to support the M23, through a combination of diplomatic pressure and development conditionality. The resolution of the M23 crisis provides a clear example of the effectiveness of aid conditionality, in the right conditions. The loss of financial support from donors was very likely to have been a fundamental part of changing Rwanda's stance on the M23.

Therefore, rather than engaging in expensive and uncertain internal reforms or local peace-building, in certain situations it may be both more efficient and effective for donors to ensure that the international and regional political landscape is as conducive to effective conflict resolution as possible – certainly in the first instance. State backers could be the 'soft underbelly' of irrational and elusive non-state armed groups, given their greater sensitivity to the international system and exposure to mechanisms that could force a change in the cost-benefit calculation driving their policy. Accurate and dispassionate analysis is essential to identify where the 'real' political calculation driving the conflict is taking place – and robust proof must be obtained, in a format that can be publicly acknowledged. Rwanda was as sensitive to the reputational costs of public identification as a backer to M23 as it was to the immediate material ones. The court of international public opinion matters. Therefore, this case points to the fact that major donors may be more effective at shaping the international and regional 'political marketplace' than local-level conflict resolution. States may be the most efficient targets of traditional diplomacy, and can be the 'soft underbelly' of otherwise untouchable non-state armed groups – particularly when supported by robust, public information that helps sway the court of public opinion.



## The Limits of Donor Influence

While the international community was able to effectively influence the regional political marketplace, and the political calculation being made in Rwanda, the extent of international community influence in this particular context should not be overstated. Rwanda is a small country that is heavily dependent on external aid, and is something of a unique actor. At the same time, it has both the military resources and will to intervene across its borders, and is sufficiently politically cohesive to make a strategic cost-benefit calculation to end that intervention in response to changing circumstances. International leverage over the DRC, for instance, has proved much harder to generate – it is extremely unlikely that aid conditionality would have had any positive effect.

Additionally, it was perhaps the regional heavyweights of Angola and South Africa that were most important in changing Kigali's policy – they had both the reach and the will to raise the stakes, politically and militarily, to the point where Rwanda was forced to back down. Had either state not chosen to back the DRC, the outcome could have been very different.

Furthermore, it should be recognised that, while there was a brief alliance of convenience between these regional hegemonies and the donor community, this does not necessarily mean that all perspectives or objectives were shared. For instance, the FIB was authorised by the Security Council as a weapon against all armed groups in Eastern DRC; for SADC and the troop contributing countries it was an expression of a political intervention in a regional confrontation between Rwanda and the DRC. The FIB, regardless of its UN mandate, was a mechanism to provide political cover for SADC military action against the M23 and its backers, not to eradicate armed violence in Eastern DRC. It should therefore have come as little surprise that the FIB has not subsequently taken on the FDLR. Donors, therefore, need to realise the limits of their influence, and make working with regional hegemonies a priority, even if it means changing or lowering the conditions for 'successful' conflict resolution.

## International Unity is Vital

Although the PSCF and the international envoys group were not in themselves directly responsible for the resolution of the crisis, these initiatives were crucial in maintaining a framework of international and regional unity. This had two important implications. Firstly, the narrative encapsulated by the PSCF framed the hard-edged diplomatic, developmental and military action against the M23 and its backers in a positive, forward looking and widely agreed context. This gave political cover to international actors from the Security Council downwards to take the hard actions necessary to end the crisis – not least authorising the FIB – while protecting individual donors from political risk.

Secondly, the PSCF and the work of the international envoys that followed was crucial in preventing Rwanda from becoming completely isolated – it maintained the basis for future co-operation between rival regional blocks, between Rwanda, South Africa and Angola, and ultimately tentative improvements between Rwanda and the DRC.

So while the detail of the PSCF – notably the heavy emphasis it placed on internal reform in the DRC – has not subsequently been implemented, it was a success in avoiding the escalation of the M23 crisis into a wider regional conflagration, at the same time as legitimising the necessary coercive actions to bring the crisis to a close. This points to the fact that generating and maintaining international unity is crucial, and can be temporarily bought at the price of frameworks that may ultimately be impossible to implement. In other words, creating short-term political space at the right time is vital.



### **The Pros and Cons of Inclusive Regional Organisations**

The ICGLR was extremely important in shaping the early regional response to the crisis, providing a forum for regional Heads of State, de-escalating the crisis after the fall of Goma, and launching the Kampala talks. But it was not able to translate these early successes into concrete results.

This was largely because its point of greatest strength – its inclusive membership – was also its greatest weakness: it lacked a coherent regional power-base, was politically lightweight, and included states on both side of the conflict. Thus it was unable to take a clear position on the fundamental issues surrounding the crisis, in contrast to SADC, which was much more forthright from the first at pointing the finger at Rwanda – and backing this up with serious political and military resources. It was also implicit in the predictable failure of the Kampala talks, given that the facilitator was widely perceived as a party to the conflict. Therefore, broad-based regional organisations may be very effective as mechanisms for early action to de-escalate conflict, but are less likely to be able to deliver ultimate resolution, particularly to crises involving members on both sides of the conflict.