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Democratic Republic of Congo: A Review of 20 years of war

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DEMOCRATIC REPUBLIC OF CONGO: A REVIEW OF 20 YEARS OF WAR

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EXECUTIVE SUMMARY

Although the intensity of the armed conflict that has been suffering the Democratic Republic of Congo (DRC) for the past two decades has been gradually reduced, in the east of the country the situation of violence and instability that has its origins in the coup d'état made by Laurent Desiré Kabila in 1996 against Mobutu Sese Seko, which culminated in his yielding of power in 1997, continues. Afterwards, in 1998, the so called 1st *African World War* began, in which Burundi, Rwanda and Uganda, together with different armed groups, tried to oust Kabila, who received, among others, the support of Angola, Chad, Namibia, Sudan and Zimbabwe, in a war which caused the death of nearly five million victims, at least 200.000 women, became victims of sexual violence, the forced displacement of hundreds of thousands, and a chronic humanitarian crisis. The signature of a ceasefire in 1999, and of the various peace agreements in between 2002 and 2003, brought the withdrawal of foreign troops and the formation of a transitory Government led by Joseph Kabila and, subsequently, in 2006, an elected Government, approved by referendum in the 2011 elections under fraud accusations. Nevertheless, this process did not put an end to violence in eastern DRC due to the role of Rwanda and the presence of factions of non-demobilized groups and of the *Forces Démocratiques pour la Libération du Rwanda (FDLR)*, responsible for the Rwandan genocide in 1994. The non-compliance with the peace agreements in 2009 triggered the desertion of the militants of the former group called CNDP, who had joined the Congolese Army in 2012. Those deserters organized a new rebellion, named *Mouvement du 23-Mars (M23)* and supported by Rwanda. In December 2013 the rebellion was defeated. At the same time, it has to be highlighted that the armed actors that operate in the DRC, from the armed groups to the Armed Forces and the other governmental bodies, have committed and continue to commit rapes and other acts of sexual violence as a war weapon. In this way, they contribute to the climate of insecurity and generalized impunity that is widespread in the area.

Indeed, the instability and violence are still present in the east of the country, and the control and plundering of natural resources have contributed to the perpetuation of the DRC war and to the

continuous presence of foreign armed forces. In this business have participated the Congolese Armed Forces (FARDC), local and foreign armed groups, local firms, various neighboring countries and Western and Asian multinationals, as indicated by the United Nations for the first time in April 2001. 15 years have gone by and even if some progress has been observed in what concerns the application of the due diligence guidelines needed to assure that the supply chains do not support the exploitation of minerals from conflict-affected and high-risk areas, the mineral sector does not observe them, as shows the continuing importance of smuggling. It is in Rwanda where the major part of the illegally exported resources are laundered and labeled, as signaled by the UN Group of Experts. However, several measures exist at the international level, mainly the US legislation, which is beginning to be implemented. An EU legislative process on the issue is also underway, which could spark a change in the DRC's situation by cutting the flux of economic resources that contribute to the perpetuation of the conflict in the Great Lakes.

In what regards militarism, the data about armaments and militarization of the conflict, despite be-ing non-conclusive, raise suspicions about a possible link between the proliferation of weapons, militarization and the predominant bet to face the DRC conflict by military means, leading to its sustenance and to the surge of new armed groups. It is an obligation to mention here the responsibility of the home country producers of the weapons that have been and are being used in the DRC during the various phases of the conflict.

In the last analysis, the fact that the country finds itself plunged in the midst of an increasing political instability derived from the approaching end of Kabila's second presidential mandate has to be underscored. There has been an increase of political violence, the repression of the opposition and the excessive use of force in mobilizations. The non-compliance with the electoral calendar has become reality, which can lead to the holding of elections being delayed and to the prolongation of the presidential mandate of Joseph Kabila, which is bound to conclude at the end of 2016, an issue which could fuel a new cycle of instability.

1. INTRODUCTION

This study is the result of a mix of ground investigation made in the past few years in the Democratic Republic of Congo (from here on, DRC) and in the neighboring countries of the Great Lakes region by the School for a Culture of Peace. During those stays, numerous interviews to a wide range of local and international actors from the military, political and social fields, both to governmental actors and international institutions, and to non-governmental actors and members of the civil and armed opposition, were undertaken. Moreover, the study is the product of monitoring and analysis of current international events from a number of sources and media of local, regional and international character, as well as from local and international organizations; and from other authors and the specialized literature on the topic.

The analysis of armamentism is based on the main reports written by the UN Group of Experts on the exploitation of the DRC's natural resources and on the research on arms transfers carried out by centers such as SIPRI, Small Arms Survey and GRIP, amongst others. On the other hand, this study incorporates the analysis of official governmental reports of EU members, which are, at the same time, amongst the main producers and sellers of armament in the globe. In regard to the Spanish case, the official reports of the Spanish government, as well as their critical interpretations made by campaigns such as *Arms under control* or the Study Centre for Peace J.M. Delàs have been considered. Lastly, the main databases of arms trade have been taken into account: SIPRI and NISAT for a global viewpoint, ENAAT for the European one, and the Centre Delàs for the Spanish one. In regards to militarisation, the primary sources used have been the military spending databases of SIPRI and the annual reports of IISS.

The study is made of nine chapters, introduced by a methodological briefing. The second chapter seeks to identify the roots causes of the conflict, followed by a third chapter on the main armed actors which intervene directly in it. The analysis of armamentism is exposed in the fourth chapter, structured in three differentiated subparts. The quantitatively more salient values of exports in the defense field to the DRC are showed according to the databases of SIPRI, NISAT, ENAAT and the EU's official reports. The more significant transfers of armament are also analyzed from a qualitative point of view, as well as their diversion towards armed groups and the identification of weapons found on the ground. Furthermore, the main armament exports to the neighboring countries that have been or continue to be implicated at a higher or lower degree in the conflict are also analyzed: Burundi, Uganda and, especially, Rwanda. Finally, a parallel analysis of militarism in the DRC regarding both military spending (in chapter 5) and armed forces on the ground together with their countries of origin and number of effectives will be presented. The sixth chapter dwells into the economy of war and the role that natural resources play in the conflict, as well as the initiatives taken to regulate it. The seventh chapter presents an overlook of the current political situation and chapter 8 analyses the gender dimension of the armed conflict. Lastly, some preliminary conclusions are drawn for each of the studied parts.

2. ROOTS OF THE DRC CONFLICT

The Democratic Republic of Congo (DRC) is a country that during the XXth century has been recurrently plunged into a situation of despotism, absence and disintegration of the State and of exploitation of its natural resources. The territory occupied nowadays by the DRC is a juxtaposition of languages and dialects (near the 700) and of communities (250) placed in the river Congo basin, in the middle of the African continent. It is born from a genocide estimated at 10 million native people in the pre-colonial period of the end of the XIXth century, a period during which the region was called -life's irony- the Free State of Congo, and was the personal property of king Leopold of Belgium. The census carried out in 1924 established the population at 10 million people, which highlights the magnitude of the tragedy. This situation of violence spread throughout the Belgian colonial period which began in 1908 and, with the exception of a brief gap after its independence in 1960, continued for more than 30 years under the dictatorship of Mobutu Sese Seko, characterized by a civil war, the repression of the political dissidence, rebellions being violently crushed, serious violations of human rights and the enrichment of the mobutist elites through the pillage of human resources for their own benefit. The dimensions of this country, with nearly 2,4 millions of km², with 9000 km of borders to protect and surrounded by nine States, have contributed to hinder the attempts to build a Nation State. Moreover, some of its neighbors have also suffered from internal crisis or have been threatened by rebellions that had their bases in the DRC (Angola, Uganda, Rwanda and Burundi), in front of the incapacity in some cases, and the complicity in others, of Mobutu to bring those situations to an end. In between 1996 and 1997, Mobutu was ousted from power by a coalition of rebel groups led by Laurent Kabila and supported by several surrounding countries.

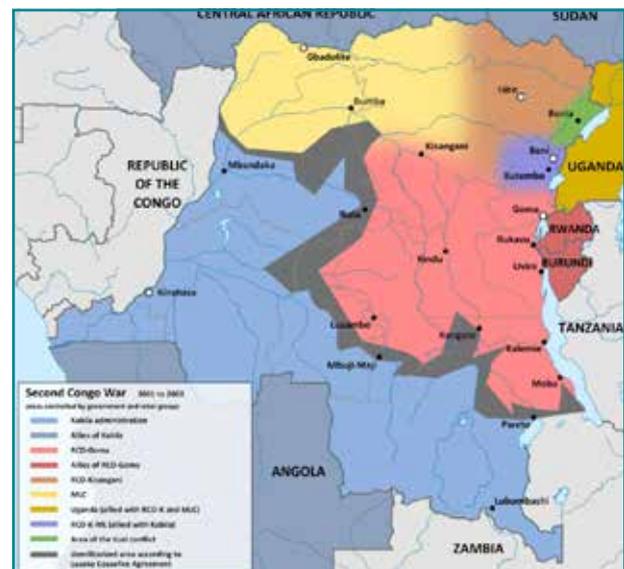
The armed conflict that suffers the DRC nowadays has so far caused the death of more than five million victims since 1998,¹ in what has been called the 1st African World War for the implication of various regional countries. Those were, on the side of Kinshasa, mainly Angola and Zimbabwe (although also, at a lower degree, Namibia, Sudan, Chad and Libya), and, on the opposing rebel side, Rwanda and Uganda, as well as Burundi (which

Map 2.1. War in the DRC - continental dimension



also invaded the eastern DRC, despite being the only one which has never admitted having had troops there, and was the only one which could truly claim that its presence was a response to internal security issues) and, at a lower degree, the Central African Republic and South Africa. The peace process of 2002 and 2003 resulted in the creation of a transitory Government led by

Map 2.2. War in the DRC - regional and national dimensions



1. The study Mortality in the Democratic Republic of Congo: An Ongoing Crisis made by the American organization International Rescue Committee, affirmed that in between 1998-2007 5,4 million people had died directly or indirectly over the course of the conflict. This study estimated that a 10% of this percentage makes reference to the combatants dead as a direct consequence of the fighting. However, there is not any other definitive data or more rigorous that would be able to endorse or deny such a number, which has become one of the most recognized ones. In this line, another study carried out by the Human Security Report Project of Simon Fraser University questioned the methodology used to establish this balance of the conflict. See Human Security Report Project, *Human Security Report 2009/2010: The Causes of Peace and The Shrinking Costs of War* (2010).

Joseph Kabila, the son of Laurent Kabila, elected in 2006 as president in the first democratic elections for more than 40 years, although it has not been translated in a cessation of violence.

This war continues to be one of the most severe and forgotten nowadays. Nearly two million people continue to be displaced as a consequence of the violence and the insecurity which persist, at the beginning of 2016, in the east of the country. There are 1.6 million of displaced people and 170,000 refugees from other countries, and nearly another half of a million of Congolese people are in the neighboring states. The Government has been unable to solve the deep roots of the conflict in the east -when it has not been responsible for its continuity- and has failed in its attempt to extend the State's control to the whole territory. The situation is complex due to the multiplicity of actors involved and to the diverse dimensions of the conflict at its local, regional and international scale, linked not only to the exploitation of natural resources, but also to the dynamics of power, in a region where Rwanda and other regional countries play a fundamental role, but also in a globalized world where the great powers (USA, China) compete to extend their areas of influence.

Nowadays, the situation is characterized by the persistence of the political instability and the existence of various outbreaks of violence in the east, despite the Congolese Government's efforts and its international sponsors, which try to promote the demobilization of the armed groups, the reform of the security sector and projects of development, with slender results. The main focus of insurgent violence and of armed activity by the Armed Forces of the DRC (FARDC) are to be found, in the first place, in the districts of Haut Uélé and Bas Uélé (Orientale province, in the north-east) due to the internationalization of northern Uganda's conflict and the presence of the armed group with Ugandan origins named Lord's Resistance Army (LRA), situated in the bordering area between the Central African Republic, the

DRC and South Sudan. On the other hand, in the north of the North Kivu province, there is another armed group, also with Ugandan origins, the Allied Democratic Forces (ADF). Moreover, scattered over the provinces of North Kivu and South Kivu (on the border with Uganda, Rwanda and Burundi, in the east), we find the *Forces Démocratiques pour la Libération de Ruanda (FDLR)*, an armed group with Hutu Rwandan origins, of which part of its members are responsible for the 1994 Rwandan genocide, and the remaining of the armed group with Tusti Rwandan origins, the M23, which, despite having been defeated in December 2013, some of its members continue to be active. It is also worth mentioning the factions of the *Forces Nationales de Libération (FNL)* with Burundian origins, which from being a practically eradicated group, has resurged and been reactivated due to the evolution of the situation in Burundi. Finally, it has to be pointed out that the Ituri district (Orientale province, in the country's north-east) has been progressively normalized.

Nevertheless, besides those armed groups, there are studies which indicate the existence of at least another 70 active groups and militias of different sizes in the Kivus. There is a myriad of elements which have led to this current fragmentation, but amongst them stand out the lack of alternatives; the failure of the demobilization and integration in the FARDC process, which in certain periods has co-opted and supported some of the groups at the expense of the others; the availability of the economic resources, which has contributed to transform the alternative of the war economy into a *modus vivendi*; the instrumentalization of violence in the 2011 elections, during which various movements emerged, and political parties resorted to the use of militias to obtain political leadership and marginalize the adversaries, a fact which triggered the mobilization of local communities to protect themselves from its neighbors, entering an action-reaction circle. All these factors, amongst others, perpetuate this situation of instability which hinders its resolution.

3. ARMED ACTORS IN THE EAST OF THE DRC

The FARDC

In 2003, the Congolese Armed Forces were reformed as a product of the peace accords reached at the national level, and the Armed Forces of the DRC (FARDC) were created. The country has more than 150,000 soldiers and combatants of armed group from the different security bodies of the State, as well as from the remaining of the *Armées Zaitoises* and the *Garde Présidentielle* -from Mobutu's epoch-, the former Congolese Armed Forces (FAC) of the 1998-2003 period, and the tens of thousands of combatants product of the national peace process, the various Mai Mai militias, and the foreign fighters. After the several disarmament, demobilization, reintegration, repatriation and resettlement processes (tens of thousands soldiers belong to foreign armed groups that have been repatriated), and the security sector's reform, the new FARDC ended up having 150,000 members and the Congolese National Police in between 110,000 and 150,000 members, with which it seeks to grant the security of a territory of Western Europe's size. Nevertheless, the program of reintegration in the FARDC presented serious deficiencies and did not deal with parallel leadership chains -many of the soldiers remain loyal to their former leaders- nor excluded from its ranks the perpetrators of human rights violations, nor included any international humanitarian law and human rights education. The FARDC continue to be divided along geographic and identity lines, and many of the 60,000 soldiers deployed in the east continue to be responsible for abuses and serious violations of the human rights of the civil population. Years afterwards, thousands of demobilized minors have been recruited again by force or voluntarily to fill, essentially, the ranks of the FDLR, the Mai Mai militias and the M23 (the former CNDP).

The CNDP / M23

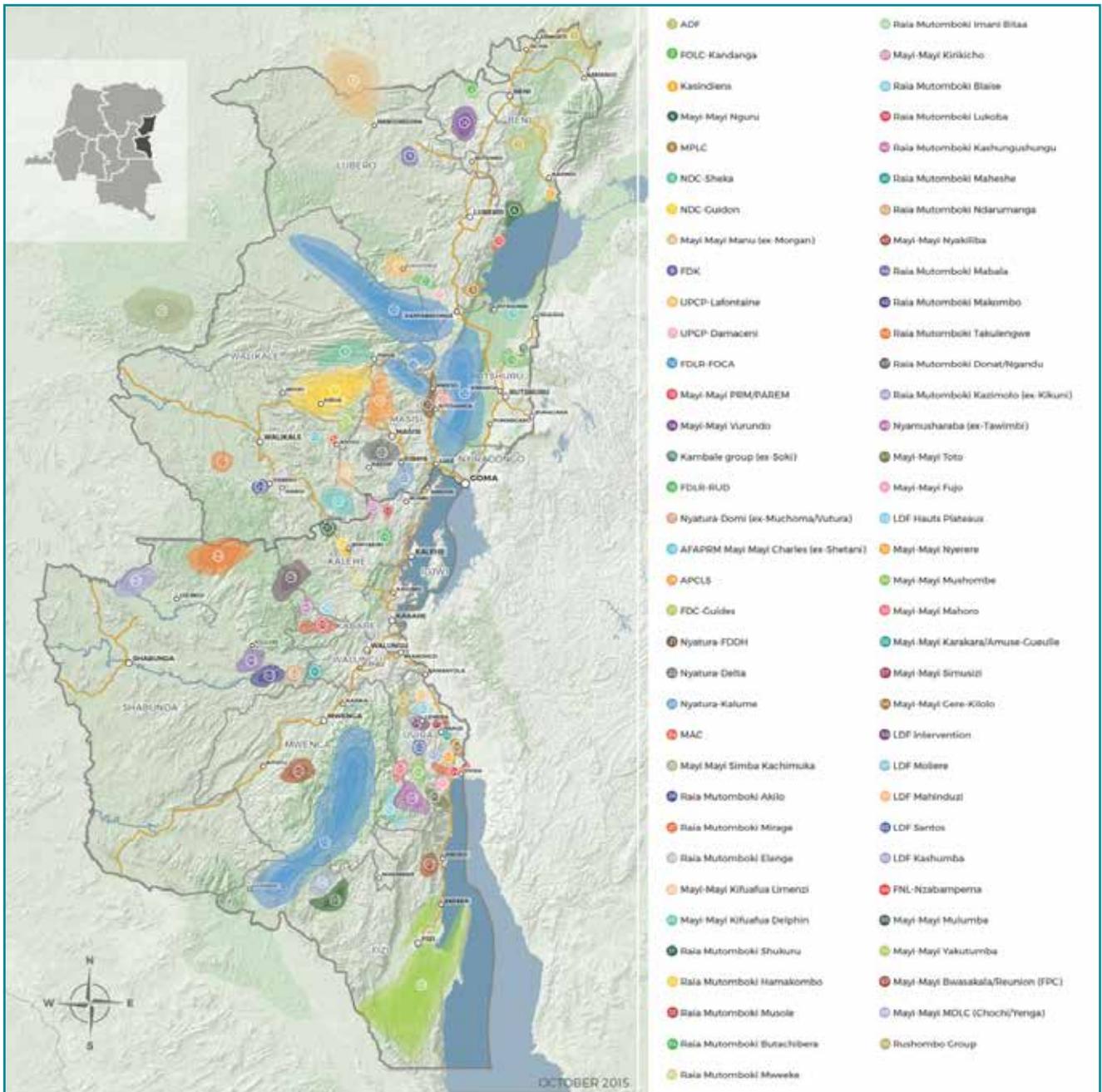
After the signature of the 2002 and 2003 peace agreements, one of the main Congolese armed groups made out of the Congolese Tutsi population, the DRC-Goma (a satellite armed group of Rwanda), integrated the national transitory Government. However, some sectors of this community continued to feel politically excluded, and created in 2006 the *Congrès National pour la Défense du Peuple* (CNDP) with the support of Rwanda, led by the general Laurent Nkunda,

with the aim of defending and protecting the Banyarwandan community and assure its political representation in the Congolese institutions and its recognition as Congolese citizens. It also stood as the representative and defender of the rights of the Congolese population which had fled to Rwanda. It claimed to combat the discrimination faced by the Banyarwandan community, defend itself from the FDLR and promote federalism in the country. In 2006 and 2012, it integrated and left several times the FARDC, until they created in 2012 the M23 group (*Mouvement du 23 mars*) and confronted again the FARDC, which defeated them in December 2013 thanks to the participation of an UN offensive intervention brigade outside of the UN mission mandate (MONUSCO). Nevertheless, many of the M23 combatants are to be found as refugees in Rwanda and Uganda after the 2013 defeat and, because the attempts at repatriation and amnesty have failed, they can reactivate at any time. Nkunda was betrayed by one of its lieutenants, Bosco Ntaganda, and has been detained in Rwanda since 2009. Ntaganda surrendered himself to be judged by the International Penal Court in 2013.

Mai Mai militias

The name "Mai Mai" (also "Mayi Mayi") has its origins in the Swahilian and Lingalan term "*maji*", which means water, and refers to the magic properties of the liquids and ointments with which the militiamen sprayed them before the combat and which, as they claimed, protected them from the bullets and made them invulnerable. These traditional warriors were known by the Congolese for having terrorized the eastern part of the country during the 1964 Simba/Mulele rebellion ("Simba" meaning lion in Swahili), led by the young Laurent Kabila, which was crushed by Mobutu. However, their ferocity and resistance had already become famous in that period. They usually have an ethnic and territorial adscription. The violence exerted by the Hutu Rwandan armed groups in the Kivu in 1995 and the Banyarwandan community's militias, together with the invasion of Rwanda and the forces led by Laurent Kabila in 1995, triggered their resurgence. They act as militias of civil self-defense with nationalist features, opposed to the intervention of Rwanda in Congolese internal issues, and by extension they demand the expulsion of the Banyarwandan community. The militiamen are youth from different communities from the two

Map 3.1. Grupos armados en las provincias de Kivu Nord y Kivu Sud, RDC



Source: The Landscape of Armed Groups in the Eastern Congo, Jason K. Stearns & Christoph Vogel, Congo Research Group, December de 2015

provinces, who live in conditions of vulnerability and for whom being part of the self-defense militias becomes a matter of sub-sistence and social recognition.² Throughout the 90s it was estimated that they could have around 30,000 members. The Mai Mai militias are a particular phenomenon

of the DRC's east. In the Pretoria and Sun City agreements of 2002 and 2003, they succeeded in taking part in the transitory Government and were integrated in the Armed Forces. Nevertheless, the internal tensions and the personal rivalries between the different militias, the delays in their integration

2. Cros, M.-F., i Misser, F. (2006), *Géopolitique du Congo (RDC)*, Brussels, Éditions Complexe.

in the Army, the grievances in its core due to them being treated as secondary soldiers, the scarce resources allotted to its sustenance and salaries, and the broken promises, made that the major part of its members returned to their communities of origin.

The Mai Mai militias are not a monolithic organized structure, but around twenty organizations, nowadays more than seventy, which in particular moments have created alliances to negotiate and defend themselves from the aggressions of other armed actors present in the country. They have varied in legitimacy and in their relationship with the population, and have evolved from the nationalist feeling to the extortion and pillage of the population they claim to protect. Nowadays it is a phenomenon which responds mainly to the absence of the State's authority and, in some cases, which is closer to delinquency than to the protection of the communities of origin. In many cases, it has progressively led to the formation of autonomous armed groups with members of the communities' civilian population, and the links with the *chef de village* and the *chef coutumier* are every time more diverse depending on the Mai Mai being analyzed. In some cases those traditional leaders continue to head the militias, which are also led by former military officials of the *Forces Armées Zairoises* of Mobutu, of the Congolese Armed Forces of Kabila father or of the FARDC (that is, that they integrated them and, afterwards, dissatisfied, left their offices). Those have become warlords paid by local politicians or notables, or on their own, and have attacked other communities and areas to obtain economic benefices (precious woods, charcoal, cattle, extortion, roads' control) and control or participate in the exploitation of natural resources. In this way, the different Mai Mai militias act nowadays like the rest of groups, commit pillage and abuses of the population and hijack thousands of minors, particularly PARECO, APCLS, Yakutumbra, Sheka, Simba and Raia Mutomboki.

Rwanda

The categories "Tutsi" and "Hutu" are flexible and contain elements of ethnicity, lineage, clan, social status or economic activity, as has been highlighted by Gerard Prunier (1995) and Itziar Ruiz-Giménez (2003) among others. The arrival of Belgian colonialism instated the Hamitic myth, according to which the Tutsis -in between the 10 and 15% of the population- from Nubia and Ethiopia which had come migrating in the XIIth and XIIIth centuries would be considered a superior race, more civilized and close to Europe, which would

have succeeded in dominating the local population, the Bahutus and the Batwa. This myth, of scant scientific rigor, became the base upon which the indirect government dominated by the Tutsis in Rwanda and Burundi was built. This stereotyped myth and the discriminating colonial policies fed an aggressive inferiority complex among the Hutu, resulting in successive waves of violence in the fifties and sixties which prompted the Hutu majority to power after independence (1962). This majority had created a discourse against the Tutsis, considering them foreign invaders opposed to the Hutus, depicted as being the legitimate inhabitants of the country. Nevertheless, before the German occupation (1897) of the Rwandan, Burundian and Tanzanian region, Bantus and Batutsis had historically gone through a process of integration and cohabitation. To those groupings it has to be added the living population currently situated in Congolese territory.

The stereotipation of the Hamitic myth and the discriminatory colonial policies fed an aggressive inferiority complex among the Hutu, which resulted in successive waves of violence in Rwanda

In the course of the 50s, the UN, following a European democratization and successive negotiated withdrawal plan, urged Belgium to increment the participation of the Hutus in public life.

In 1959, the Belgian had replaced half of the Tutsi hierarchy by Hutus. That very same year, the Hutus created the Party of the Movement of Hutu Emancipation (Parmehutu) and the monarchist Tutsis created the Rwandan party of National Union (UNAR), in the midst of violent confrontations. At the beginning of 1960, two years before the proclamation of the Republic of Rwanda and the separation from Burundi, the UN overlooked the elections which gave the Hutu party a wide majority. In between 1961 and 1973, the Parmehutu killed 20,000 Tutsis and triggered the fleeing of about 300,000 people in the successive years (mostly Tutsis) towards Burundi, Uganda, Tanzania and Zaire (the current DRC). The remaining Tutsis suffered the confiscation of their land and the exclusion from all the State's bodies, as well as criminalization for their supposed collaboration with the various invasions that the exiled Tutsis of the UNAR attempted during that period.

In 1973, a coup d'état carried out by some sectors of the Parmehutu who disagreed with the foreign policy and the inequitable distribution of the privileges done by the president Gregoire Kaybanda, ousted the latter from power. His minister of Defense, the colonel Juvenal Habyarimana, who had conducted the coup, established a one-party State in 1975, and governed it through the National Revolutionary Movement for Development (MRND), with the support of France. The segregation of the Tutsis that he promoted

brought 300,000 to flee, creating a strong feeling of Tutsi grievance among the exiled population and the wish to recapture power. In 1987, in the Tutsi refugee camps of Uganda, the Rwandan Patriotic Front (RPF) was created, with the goal of toppling the Hutu Government of Rwanda.

Towards the end of 1980, the abrupt drop of price of coffee (which represented around the 75% of the exports of Rwanda) triggered a socioeconomic collapse and the beginning of a serious crisis in the country. In October 1990, the RPF began its offensive in Rwanda, brought to an end thanks to the intervention of Belgian troops (the traditional referent of the Tutsis), France (which benefitted from the Hutu hegemony) and the Zaire. In June 1991, the first mandatory signed the new Constitution which envisaged multipartism, separation of the State's power and a limitation of two presidential mandates. In August 1992, in front of the systematic violation of the Magna Carta, repeated armed confrontations and attempts by the Tutsi refugees dispersed among the neighboring countries to return to the country, the UN negotiated a ceasefire and called for peace conversations to take place at the beginning of 1993 in Arusha (Tanzania). On the 6th April 1994, Habyarimana and the president of Burundi (also a Hutu) died in an air strike. A few hours later, the UN mission to maintain peace in the country (UNAMIR) abandoned Rwanda, together with 600 French residents. The death of Habyarimana gave rise to a genocide against the Tutsis, as well as against moderate Hutus and the Twas, which caused the death of around five hundred thousand people and a million of people (90% of which were Tutsis) in a hundred-day lapse. This number is bound to an important controversy.³ At the beginning of July, the RPF took Kigali with the support of Uganda and the American consent, with a great impact in terms of violence, as it is estimated that around 300,000 people died in what has come to be called the second genocide, an offensive during which crimes against humanity could have also been committed, although there is no con-sensus either around the issue.

The UN sent troops to grant the establishment of a Government of national unity, in which the major general Paul Kagame, one of the commandants of the RPF, became the strong man.

Moreover, the offensive of the RPF triggered the exodus of approximately two million Rwandan

refugees. This population basically moved to the east of the DRC -also to Burundi and, in a lower quantity, to Tanzania- in the so-called *Operation Turquoise*. This French operation created a secured zone in the southeast of Rwanda that facilitated the fleeing to the DRC of these two million people, among which hid those responsible of the Rwandan genocide. Despite the major part of them being civilians, they were used by the Rwandan political and military leadership willing to recuperate the power in Rwanda, so that the Rwandan refugee population was perceived by its Hutu leaders as an instrument to manipulate the international community, seduce the Congolese president, Mobutu Sese Seko, with the humanitarian aid received to alleviate the crisis, and threaten the new Government in Kigali.⁴

Rwanda has interfered in Congolese internal affairs to counter the rebellion of the FDLR, heir of the Hutu leadership which committed the genocide in Rwanda

Since then, in order to counteract this Hutu leadership in the Congolese exile that aims to overthrow the Kagame regime, Rwanda has participated and intervened in Congolese internal affairs, first in order to help Laurent Desiré Kabila topple Mobutu (who had given cover to those responsible of the Rwandan genocide) in 1997 and, afterwards, to try to overthrow Kabila.

In the year 2000, Kagame, the regime's 'strong man', was declared president of the country and, in 2003; a plebiscite legitimated him as president in the midst of repression and threats. In October of that same year, the first direct multiparty parliamentary elections in Rwanda (which observers denounced as showing wide irregularities, threats and pressure to the political opposition) gave an ample majority to the RPF. From then on, despite the economic successes achieved by the Kagame Government with international support and the supposed success in reconciliations the country, the former guard of the RPF has controlled the whole country, legitimizing and justifying the climate of police control through the threat of the FDLR present in the DRC. This argument has also served to repress and silence the political dissidence, which had even appeared in the core of the RPF, which forced some of its leaders to go into exile for fear of retaliations. According to various researchers, the US, the UK and its allies justify the development and military aid that Rwanda received with the narrative of the genocide and the feeling of guilt that the international community has for having failed to intervene. Thus Rwanda receives international support despite the climate of repression and the human rights violations that its Government commits nowadays.

3. Mandani, M. (2001), *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Ruanda*, Princeton, Princeton University Press.

4. Prunier, G. (2009), *From Genocide to Continental War*, Londres, Hurst & Company.

The FDLR

After the genocide which took place in Rwanda in 1994, among the more than two million Rwandan refugees which fled to the DRC, there were the members of the former Rwandan Armed Forces (FAR) and the *Interhamwe* militias, which belonged mainly to the Hutu ethnicity, were responsible of the genocide and had been defeated by the RPF. This triggered its regrouping with the aim of perpetrating new attacks in Rwanda, with the permissively and even the connivance of the Congolese Government of Mobutu. To this initial nucleus, known as the *Armée de Libération du Ruanda* (ALIR), were added young Congolese from the Banyarwandan community recruited voluntarily or by force in the provinces of North Kivu and South Kivu. From that point, it started to launch its military operations against Rwanda. In the year 2000, ALIR merged with other Hutu political-military sectors which had their base in Kinshasa, and together formed the **Forces Démocratiques de Libération du Ruanda (FDLR)** in 2001, although the FDLR officially denied being linked to the ALIR. Both the ALIR first, and then the FDLR afterwards, collaborated and received the economic and military support of Kinshasa. The governmental support and tolerance continued overtly up to the beginning of 2009, when the Congolese Government decided to change its policy towards the FDLR and collaborate with Rwanda. Nevertheless, as several reports from the UN and NGOs testify, some sectors of the FARDC have continued to support the FDLR and supply military material to them. The group has seen its military capacity decrease with the passage of time and the different military offensives of the FARDC and Rwanda. Indeed, of the 6,000-8,000 combatants it had at the beginnings of the 2000s, at the beginning of 2016 it does not have more than 2,000.

The FDLR has a support network and lobbies in different countries of the African continent and Europe (in Germany, Belgium, France and the Nordic countries) and in North America (Canada and the US). The goals of the FDLR are to topple the current Government of Rwanda and to promote a political dialogue, democracy and the respect for fundamental liberties in the Rwandan society. The main reivindication of the FDLR -prior to a pacific return to the country- is the holding of an inclusive inter-Rwandan dialogue. The group has maintained relationships of cohabitation and protection with the local population, although this relationship has also swung towards authoritarianism and

the submission of the civilian population, victim of recurrent abuses, retaliations, human rights violations, forced recruitment and pillages. Nowadays, the major part of the FDLR financial resources come from the commercialization of products from the mining areas that it controls in the east, as well as taxes and selling of crops such as palm oil and cannabis.

The Ugandan armed groups: the LRA and the ADF

The **Allied Democratic Forces – National Army for the Liberation of Uganda (ADF-NALU)** is an Islamist rebel group led by Ugandan and Congolese combatants that operate in the mountain range of Rwenzori (North Kivu, in between the DRC and Uganda). In its origins it had around 1,200 and 1,500 militiamen recruited mainly from the two countries and Tanzania, Kenya and Burundi, although nowadays it does not have more than 250 fighters. It is the only group in the area considered an Islamist organization, and it is included in the list of terrorist groups of the US. It was created in 1995 by the merging of a few Ugandan armed groups exiled in the DRC (Rwenzururu, ADF) and was successively named ADF. In the group, an ideology which has its roots in the marginalized Islamist movements of Uganda, linked to the conservative Islamist movement Salaf Tabliq, prevails. In its first years, it was instrumentalised by Mobutu's Zaire (and later also by Kabila) to pressure Uganda. It also had the support of Kenya and Sudan, and had a strong underground support in Uganda. In the beginning, it pursued the instauration of an Islamic state in Uganda, but in 2000, it consolidated in the communities which hosted it in the DRC, becoming more of a local threat for the Congolese administration despite its limited activity. At the beginning of 2013, the group initiated a wave of recruitment and hijackings, and increased its attacks against the civilian population. The ADF have its operation base around Beni and Butembo (Grand Nord, the northern region of the North Kivu province) as traders, and have contacts and support among the Congolese dealers. According to several local analysts, the group is being used by companies which exploit wood as a supervisor in the territory of Grand Nord and Ituri. It also cultivates fields and taxes the transportation of goods. Officials from the Ugandan Army have had contact with the ADF, and they would have supplied them with weapons. The difficulties to dismantle the ADF stem from the cross-border community collaboration with the armed group, the weakness

The goals of the FDLR are to topple the current Government of Rwanda and to promote a political dialogue, democracy and the respect for fundamental liberties in the Rwandan society

of the Congolese Army and the increasingly tense relationship between the DRC and Uganda. Throughout the year 2014, the FARDC launched a military offensive, Sukola I (in Lingala, “cleanse”), with unequal results. Towards the end of 2014 and 2015, approximately 450 civilians died supposedly in the hands of the group. In April 2015, its leader, Jamil Mukulu, was detained in Tanzania and consequently extradited to Uganda. Although weakened, the group maintains its military capacity and the remaining hierarchy continues untouched.

On the other hand, Uganda’s northern region has suffered since 1986 from a conflict in which the opposition armed group **Lord’s Resistance Army (LRA)**, moved by the religious messianism of its leader Joseph Kony, has tried to overthrow the Government of Yoweri Museveni, establish a regime based on the Bible’s Ten Commandments and pull out the country’s north from marginalization. The violence and insecurity caused by the LRA’s attacks against the civilian population, the kidnapping of minors to expand its ranks (nearly 25,000 since the beginning of the conflict) and the confrontations between the armed group and the Armed Forces (together with the pro government militias) and the serious human rights violations perpetrated by all sides, Government included, has caused the death of around 200,000 people and the forced displacement of around two million people at the peak of the conflict. The LRA extended its activities to the neighboring countries (the DRC, the Central African Republic, and Sudan) where it established its bases, given the incapacity of the DRC and the Central African Republic to prevent it, and the complicity of Sudan.

In between 2006 and 2008, the peace agreements in relation to the cessation of the hostilities, were held successfully,⁵ despite ultimately failing. In December 2008 the armies of Uganda, DRC and Meridional Sudan (SPLA, which in July 2011 became an independent state, South Sudan) carried out an offensive against the LRA which triggered the disaggregation of the group towards the northeastern region of the Central African Republic, the southeast of Sudan and the southwest of South Sudan, where the offensive continued, since then by small groups with a certain degree of autonomy. The military operations to dismantle the LRA pushed the group (or some of its units, particularly the one led by Joseph Kony) even more towards the north, fragmenting and internationalizing its composition. Dozens of members of the LRA have deserted during the last years, have been captured or have died as a consequence of the encounters with the Armed Forces, up to the point

that the number of members has been reduced to a few hundreds, mostly minors, although not for that reason it has lost its lethal capacity. In 2011, the US decided to provide around a hundred military assistants to support the central African countries and the military operation promoted by the AU (the initiative of Regional Cooperation against the LRA [RCI-LRA]) in order to capture the group’s leader, Joseph Kony. The LRA would be using guerilla tactics, attacking isolated communities where security, the State’s presence, accessibility and communications are very limited. The aim of many of those attacks in the later years has been to ensure the survival of the group through the pillage of food, medicines and weapons and the hijacking of minors.

The FNL

The origins of the *Forces Nationales de Libération (FNL)* in Burundi dates back to the end of the 70s, concretely in 1979, when the Party for the Liberation of the Hutu People (PALIPEHUTU) was created as a consequence of the State’s violence and impunity of those responsible for the crimes and, particularly, the exclusion of broad sectors of the population, an exclusion with ethnic, regional, political and gender elements. Since 1991, the military arm of the movement, the National Liberation Forces (FNL), began to launch attacks from the refugee camps placed in Tanzania and the DRC, especially since the 1993 coup. This was the last group to accept the signature of the Arusha peace agreement, and remained active until 2009, when it joined the political deal by renouncing to violence. Nevertheless, the 2010 elections, considered a fraud by the opposition, became an obstacle which triggered an involution in the country due to the reconfiguration of some insurgent sectors. Moreover, it has to be highlighted the rising authoritarianism and the persecution of the political opposition by the Government, which has pushed part of the opposition to get back to armed fighting as a means to pressure the Government. The remaining of the FNL and other Burundian actors are to be found in eastern DRC, in the South Kivu province, concretely in the Fizi river plain, situated in the border between Burundi and the DRC. Another territory in which the FNL is present is in the Fizi, in between the Uvira plateau and Ubwari peninsula.

The FRPI

The Ituri district, in the southeastern part of the Orientale province bordering Uganda, suffered

5. Royo, Josep M. (2008), *Escenarios de paz y de guerra en el norte de Uganda*, Quadern de Construcció de Pau núm.

a serious conflict in between 1998 and 2003 characterized for being a reflection of the armed conflict that was experiencing the country as a whole, as the Governments of Uganda, Rwanda and the DRC had local armed actors on the ground to maximize their interests. The withdrawal of the Ugandan troops in 2003 left a power vacuum that various local militias and warlords tried to fill. This evolution forced an international intervention (the European Union's Artemis Operation led by France). Nowadays the tension in the region has been considerably reduced due to the presence of the MONUSCO troops, the advances in the DDR process and the undergoing military operations. The tensions in Ituri were the result of several factors, which include the traditional confrontations over land property (the Lendu, who constitute half of the region's population, are agriculturalists, while the Hema, pastoralists), exacerbated inter-communitarian tensions (the fight over political power, the preeminence of the Hema community during the period of Belgian colonialism) that have been manipulated, instrumentalized and rekindled by economic and political interests, mainly by Uganda and Rwanda. This region, like the east and southeast of the country, has abundant natural resources, like wood, gold, diamonds, coltan, uranium and, more

recently, oil. This area has been controlled since the beginnings of the conflict by the Ugandan Armed Forces, its main goal being to exert a monopoly over the critical local natural resources. Nevertheless, the instability persists due to the continuous incursions of the *Front de Résistance Patriotique d'Ituri (FRPI)*. The FRPI was created in November 2002 out of the Ngitu community's youth, allies of the Lendu community and the *Front des Nationalistes et Intégrationnistes (FNI)* groups, demobilized in August 2007 and transformed into a political party. The group, opposed to Thomas Lubanga Dyilo⁶'s Union des Patriotes Congolais (UPC), the main Hema militia, attained a membership of 9,000 in 2003 and has even received the support of Uganda. Although around the 15,000 members of the FRPI were demobilized in 2006 and their main leader, Germain Katanga, was arrested and transferred to the ICC under accusations of war crimes and crimes against humanity, many of the non-demobilized factions or those that participated in the DDR process and subsequently re-organized themselves, continue to commit acts of pillage and extortion of the civilian population, to cut roads to recruit minors. The FARDC have since 2015 been carrying out a military operation to force this group to give up using arms.

6. On the 17th March 2006, Thomas Lubanga became the first leader of an armed group to be arrested and transferred to the ICC. His trial started in 2009 and peaked at mid-March 2012. He was declared guilty of war crimes for having recruited minors by force. It has been the first ruling of the ICC in its eleven years of functioning.

4. IMPACTS OF ARMAMENTISM

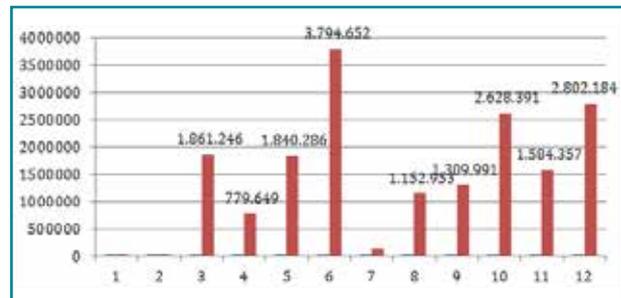
Arms exports from the EU to the DRC

The sale of defense material from the EU to the DRC can be analyzed using official data since 2001, when the European report on exports of defense and dual use material began to be published. Even though the information facilitated by every state differs in detail and specificity, the total amounts of the authorized exports and exported can be used to interpret the tendencies and main volumes of the armament sale to the DRC in a period during which the armed conflict has been kept alive. The armaments embargo in place from 2002 to nowadays supports this claim.

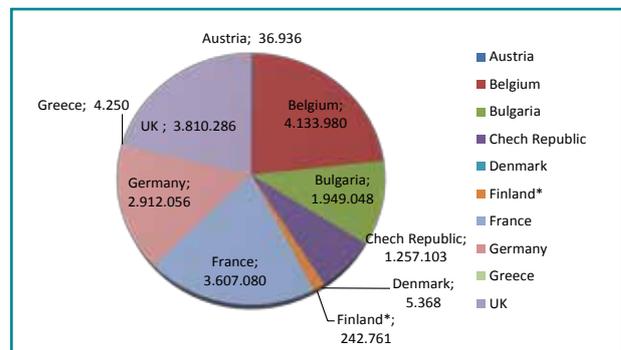
The period under analysis shows that there has been an important volume of defense material authorized to be exported from the EU to the DRC, which amounts to 17,958,868 current euro. The authorizations given by the country's former colonial power, Belgium, stand out. Nevertheless, its prominence as the main seller of defense material to the DRC until 2008 has been overshadowed by the UK, France and Germany, the three main European armament industries, which concentrate the 58% of the authorizations of this period. Worth mentioning is the fact that the UK and Germany have destined part of those transfers to the UN mission. In regards to the other EU countries that have provided information on some of their authorized armament exports, Austria, Denmark, Greece and Finland close the list, although the last two countries and Austria in 2006 destined their transfers to arm the mission of the UN to the DRC.

Finally, this data has to be interpreted together with the rejections that some states part of the Union has issued during this same period by applying the European common legislation. Indeed, due to the embargo on the export of weapons to the DRC, it can be interpreted that there are authorizations of transfers that could be considered as non-complying with the Common Position on arms export. In any case, it can lead to the conclusion that while some countries have considered inappropriate to sell weapons to the DRC, considering that the country was in conflict, under sanctions and embargo, under the risk of not preserving the region's peace or of that defense material being transferred to the places and actors of the conflict, others have not done so and can be claimed responsible, with full knowledge of the facts, of feeding the conflict in the DRC with weaponry or any other type of defense material.

Graph 4.1. Authorized exports of defense material from the EU to the DRC 2001-2012 (temporal evolution)

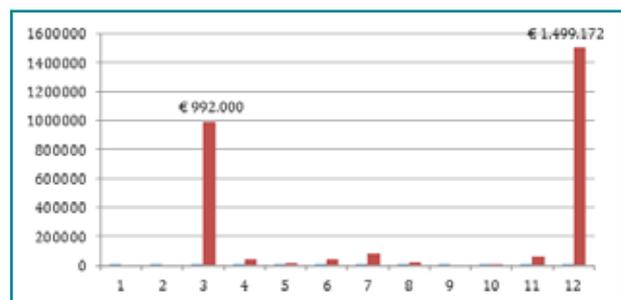


Graph 4.2. Authorized exports of defense material from the EU to the DRC 2001-2012 (by exporting country)

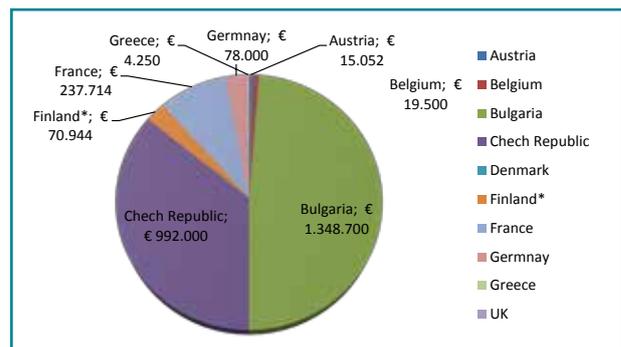


Source: EU Annual Reports According to Operative Provision 8 of the EU Code of Conduct on Arms Exports (http://www.eeas.europa.eu/non-proliferation-and-disarmament/arms-export-control/index_en.htm)
*Finland destines its sells to the military mission of the UN

Graph 4.3. Exports of defense material from the EU to the DRC 2001-2012 (temporal evolution)



Graph 4.4. Exports of defense material from the EU to the DRC 2001-2012 (by exporting country)



Source: EU Annual Reports According to Operative Provision 8 of the EU Code of Conduct on Arms Exports (http://www.eeas.europa.eu/non-proliferation-and-disarmament/arms-export-control/index_en.htm)

Chart 4.1. Rejected licenses to exports of defense material from the EU to the DRC 2001-2012

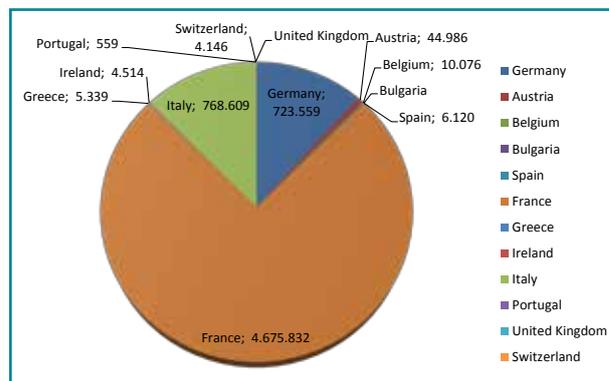
	Total	Categoría	Criterios apelados
2001	2	..	1
2002	3	..	1
2003	1	ML 10	7
2004	..		
2005	10	ML 1 ML 2 ML 3 ML 11	1, 3, 7 3, 7 3, 4, 7 1, 3
2006	..		
2007	1	ML 6	1, 3, 7
2008	2	ML 6	1, 3
2009	2	ML 6	1, 3, 7
2010	..		
2011	12	ML 2 ML 3 ML 4 ML 6	2, 4, 7 2, 3, 4, 7 2, 4, 7 1
2012	1	ML 6	1

Source: EU Annual Reports According to Operative Provision 8 of the EU Code of Conduct on Arms Exports (http://www.eeas.europa.eu/non-proliferation-and-disarmament/arms-export-control/index_en.htm)

One also has to check the other direct sells of weaponry that can be accessed by checking the most relevant databases on the issue of arms transfers to the DRC from EU countries. Concerning the numbers given by SIPRI, the available information is scarce but nevertheless gives an idea of the type of weapons effectively being transferred to the DRC at different points of the conflict. On one hand we observe that France supplied military planes to the regime of Mobutu Sese Seko, while Belgium did the same with at least a military helicopter in 2002. Bulgaria, which as we have seen before, authorized in 2012 a great quantity of armament transfers to the DRC, effectively realized the selling in 2013 of artillery material (See Table 2. Identified armament sells to the DRC (1995-2013) of the annex).

Lastly, twelve EU countries also appear as being among the main sellers of small arms and light weapons, as can be checked in Table 3. Transfers of small arms and light weapons from the EU to the DRC (1995-2013) of the annex. Some countries clearly stand out for its exports of armament of the type being mostly used in the DRC, among which France, Germany and Italy.

Graph 4.5. European exports of small arms and light weapons to the DRC 1995-2013



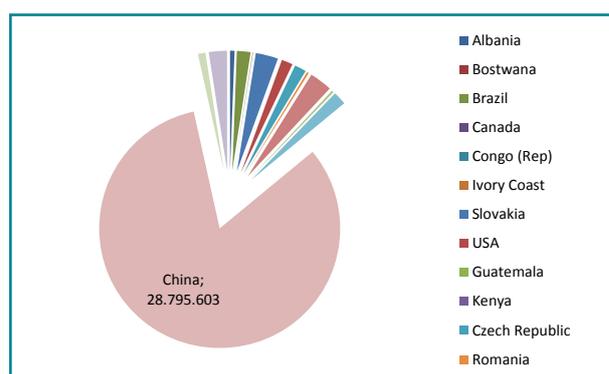
Source: NISAT, values in current USD

Exports from the rest of the world to the DRC

Since 1996 up to nowadays, the country which stands out due to its weapons' exports to the DRC, according to the SIPRI database, which can be consulted in the table of the annex: Table 2. Identified armament sells to the DRC (1995-2013), is Ukraine, which has transferred a large number of combat helicopters, tanks and small arms and light weapons of several types. Until the period of great military confrontation, Serbia, Libya and Belarus -besides Ukraine- have supplied weapons.

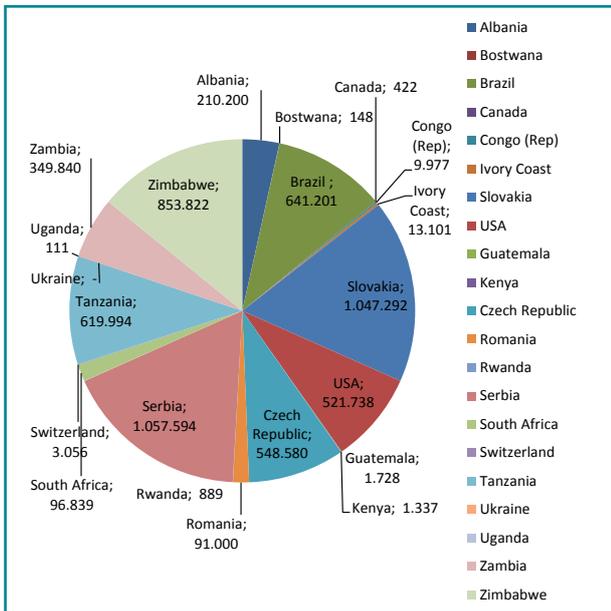
Concerning the small arms and light weapons sales that the NISAT database of the PRIO collects (Table 2. Transfers of small arms and light weapons to the DRC (from the rest of the world) (2004-2013) of the annex), it can be seen how 22 countries besides the EU have exported several types of munitions, bombs, explosives, guns, revolvers and all types of armament belonging to the category that includes armament which can be transported by one or two people, which are the most used in conflicts such as the DRC one.

Graph 4.6. Small arms and light weapons transfers to the DRC (from the rest of the world) (2004-2013)



Source: NISAT, values in current USD

Graph 4.7. **Small arms and light weapons transfers to the DRC (from the rest of the world) (2004-2013)**



Source: NISAT, values in current USD

Among all the other, a sale of great dimensions (given the type of weaponry) stands out: that proceeding from China in 1998, which amounts to the 83% of the total value of the exports of small arms and light weapons from the rest of the world to the DRC. Also a few years before the peak of the armed conflict, there was an important direct sale to the Congolese government by Slovakia and the Czech Republic. Also have to be highlighted the export volumes from Brazil, the US and Serbia from the last decade. Although PRIO has also identified several transfers of small arms and light weapons from Ukraine to the DRC, the values of those selling operations remains unknown. (To see it in detail, see *Table 4. Transfers of small arms and light weapons to the DRC [rest of the world]* of the annex).

On the other hand, concerning armament exports, the information proceeding from the reports made on the ground -which in the DRC case is very numerous- also have to be consulted. Those provide with specific examples of armament destined directly to armed factions, be them official or rebel, and the traffic between states and between armed groups.

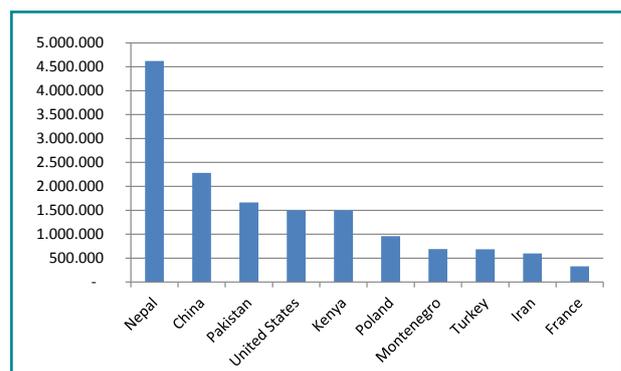
In Chart 5. Significant armament transfers to the DRC of the annex, we can observe a broad spectrum of origins, destinations in the DRC itself and in the neighboring countries and of armament types. A great part of the latter are related to the supply of the war's raw materials and its munitions.

In regard to Europe, defense material from Belgium, France, Switzerland, the UK and Denmark has been identified, but in the case of armament itself, only from Bulgaria, the Czech Republic and Ukraine. Defense material from Israel and the US has also been located in the DRC. But the main supplier of small and light weaponry are African countries (South Africa, Angola, Tanzania, Sudan and Egypt, besides Uganda and Rwanda, who are particularly active actors in the DRC conflict) and others (Jordan, China, Malaysia and North Korea). It has also been found South African, Greek, Chinese, Russian, North American and Serbian armament, which has in several cases ended up in the hands of rebel groups (*Table 6. Identification of the precedence of armament found in the DRC conflict*, in the annex). In this line, it has to be pointed out that there are also internal transfers of armament going on, from the FARDC to several rebel armed groups (*Table 5. Internal diversion of armament in the DRC conflict*, in the annex).

Exports of small arms and light weapons to porous borders (Burundi, Rwanda and Uganda)

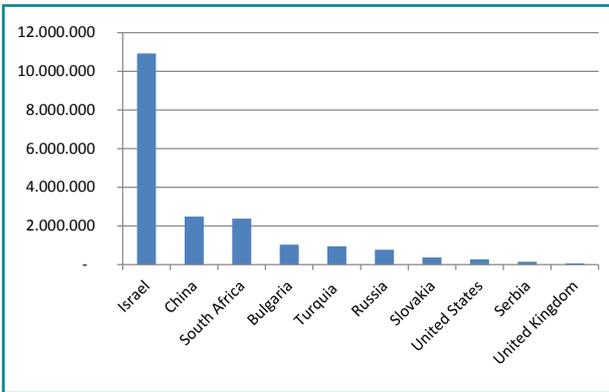
As seen before, in what regards the traffic of armament from neighboring countries, the borders of the DRC can be considered porous. Therefore it is of importance to analyze the armament sells to the neighboring countries, particularly those belonging to the categories of small arms and light weapons, as they have a higher possibility of being illegally sold and used in the type of armed con-flict developed in the eastern DRC. As we can observe in the tables 8, 9 and 10 of the annex (Exports of small arms and light weapons to Burundi, Rwanda and Uganda (1995-2013)), and in the graphs that we present below in which the 10 main exporters of weapons to the DRC in the last years are shown, China appears always as the primordial

Graph 4.8. **Main exporters of small arms and light weapons to Burundi (1995-2013)**



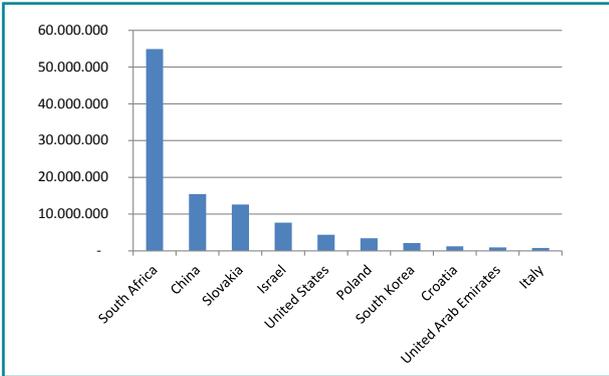
Source: NISAT, in current USD

Graph 4.9. Main exporters of small arms and light weapons to Rwanda (1995-2013)



Source: NISAT, in current USD

Graph 4.10. Main exporters of small arms and light weapons to Uganda (1995-2013)



Source: NISAT, in current USD

actor in the armamentism of Africa and, in our case, of the Great Lakes regions and, directly and indirectly, of the DRC conflict. The US and South Africa also play preponderant roles. It stands out, though, that Nepal has punctually sold the major part of small arms and light weapons to Burundi, Israel to Rwanda and South Africa to Uganda.

The small arms and light weapons which have been exported to the DRC's neighboring countries could have been massively diverted towards the conflict in its eastern region. The sources that demonstrate with findings on the ground that the armament arriving at the bordering countries end up in the hands of rebel groups are several. The link between the porosity of the borders and militarism in the conflict zone is a good example. Identifying the countries of origin of the weapons call again for the responsibility of the regional African powers, of the great producers of small arms and light weapons in the world and of the traditional exporters that are the powerful armaments industries' countries, such as South Africa or Kenya in Africa, China, the US, Russia, Israel and Poland, among others.

5. MILITARY SPENDING

The level of militarization of the armed conflict's area can be measured in terms of access to weapons and the acquisition of defense material by the contentious sides. Moreover, it can also be measured through the resources destined to military spending, as it is these which make possible a sufficient budget to maintain the armed activities, both concerning the payment of salaries to the troops, as well as the acquisition of new weapons and munitions. Therefore, we will analyze the evolution of military spending, in absolute terms, in percentage of the GDP and also relative to the country's budget.

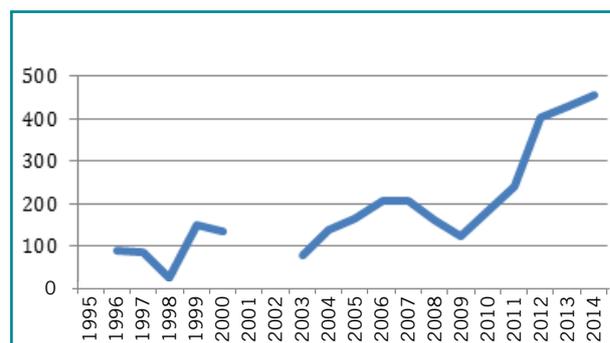
Chart 5.1. Evolution of military spending in the DRC

	Millones de USD corrientes	% presupuesto	% PIB
1995	nd	nd	nd
1996	89,3	16,20%	1,50%
1997	83,8	12,80%	1,40%
1998	26,6	3,50%	0,40%
1999	149,3	12,30%	1,20%
2000	132,9	8,90%	1,00%
2001	nd	nd	nd
2002	nd	nd	nd
2003	78,7	8,80%	1,40%
2004	137,6	12,80%	2,10%
2005	165,2	10,20%	2,30%
2006	205,1	10,10%	2,40%
2007	205	9,90%	2,10%
2008	160	5,70%	1,40%
2009	122,4	4,10%	1,10%
2010	184	5,10%	1,40%
2011	239	5,20%	1,50%
2012	401	7,50%	2,10%
2013	429	7,50%	2,00%
2014	456	7%	2,00%

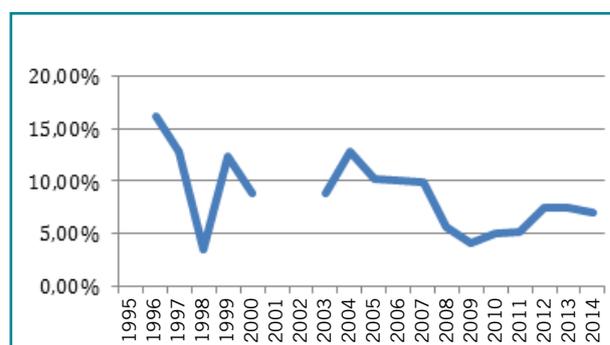
Source: own elaboration based on the SIPRI Database

The military budget of a country such as the DRC, plunged into a conflict in which the resources destined to internal security issues present an evident militarizing character and an aim of

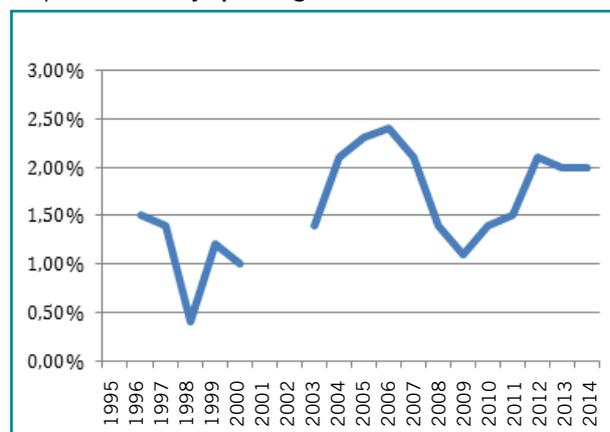
Graph 5.1. Military spending in the DRC (absolute values)



Graph 5.2. Military spending in the DRC (% of the budget)



Graph 5.3. Military spending in the DRC (% of the GDP)



acquiring weapons, require some considerations related to the concept of opportunity cost. On the other hand, the various elements of the conflict that are perpetuated due to dynamics such as that of the war political economy require prioritizing social spending. The latter favors processes of conflict resolution and of reduction of violence. The increasing and already high military spending of the DRC supposes the diversion of scarce resources towards factors that bolster the conflict.

6. THE POLITICAL ECONOMY OF THE WAR

The control and pillage of natural resources has contributed to the perpetuation of the war in the DRC, which has its roots in Joseph Conrad's book *'Heart of Darkness'* when the Belgian began plundering this part of the African continent in the XIXth century. In this business have participated the Congolese Armed Forces (FARDC), local and foreign armed groups, local businesses, several neighboring countries and Western and Asian multinationals, as signaled for the first time by the UN in April 2001.⁷ It is also the UN that in that moment was asserting that the exploitation was systematic and systemic and that the cartels had branches all over the world. It claimed that several firms had participated in the war and had promoted it directly; exchanging weapons for natural resources and some others had facilitated the access to financial resources to buy armament. It also added that the bilateral and multilateral donors had adopted very diverse attitudes towards the involved governments. Nevertheless, only a few voluntary good practice guidelines from the OECD were drawn from the report.

All the armed actors benefited from the illegal exploitation of natural resources of the east of the DRC, as well as a bunch of local firms and transnational ones that operate through intermediaries in the country, as has been signaled by the UN. However, this has triggered little reaction from the international community to put a halt to this plunder.

The armed actors have benefitted in three different ways from the mineral resources of the country: through its physical control, its trade, and the establishment of taxation. They can carry out the despoilment directly, by means of workers under a slave regime, by the control of the trade and export of the natural resources, or by the direct control and exploitation of the mines. Mechanisms of indirect pillage include taxing in the place of origin, in the mines themselves, in the transportation by road, through the establishment of controls and physical barriers, or by air, establishing taxes on the airline companies that provide the linkage to the *comptoirs*⁸ placed in most of the localities and cities in the east of the DRC, Butembo, Goma

and Bukavu standing out.⁹ Besides the control and exploitation of the natural resources, other resources which generate important benefits for the armed groups and the FARDC have to be taken into account, like the taxation of the trade and breeding of beef cattle, essential for the Banyarwanda community, the Banyamulenge and for Rwanda and Burundi. Besides the Congolese, the Rwandan and Burundian breeders send or have their cattle in the Kivus -where there are not as many problems of demographic pressure and competition for the livestock pastures as in their respective countries-, the exploitation of wood, agriculture and the production of charcoal -which is also being exported to Rwanda and Burundi, two countries which are practically deforested as a consequence of this activity-.

The UN asserted in 2001 that the exploitation was systematic and systemic and that the cartels had branches all over the world. Not many things have changed since then

15 years have gone by since the first study by the Group of Experts of the UN and, even if the situation on the ground is not as serious as back then as the troops of nearby countries -especially, Uganda and Rwanda- have withdrawn from the DRC and now have acceptable relations with its Congolese neighbor, the illegal plundering practices continue to follow the same patterns, as well as the sexual violence and the forced displacement of the population as a consequence of the confrontations.

It has to be reminded that the situation in the DRC is the sum of many factors, as not only does the exploitation of natural resources finance the war, but also the tensions over the property of the land, unresolved identity questions, fights over regional power and the weakness and corruption of the State. As a consequence, the control of the pillage of natural resources will not put an end to the multiple problems that affect the country, but it can stop financing the war economy derived from the despoilment of the resources and the permanent extortion of the mining sector and the civil population who works there by armed groups still active and sectors of the Armed Forces.

Even though some progress has been made concerning the application of the 'Due Diligence Guidance on Responsible Supply Chains' to assure that they do not support the exploitation of minerals from conflict-affected and high-

7. See Security Council of the UN, *Letter from the Secretary General on the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo*, S/2001/357, of the 13th of November 2001. <http://www.un.org/en/sc/documents/letters/2001.shtml>

8. Selling-buying offices of mineral resources which are the point of origin of the exports.

9. Personal interviews, Butembo, 2011. To delve into the issue, see the studies made by GW, IPIS (2009) or the reports by the Group of Experts on the exploitation of natural resources of the DRC.

risk areas, the mining sector does not observe them, and only a few *comptoirs* in eastern DRC and in the neighboring countries do, as testifies the considerable importance of smuggling. It is in Rwanda that the major parts of the illegally exported resources are laundered, as signaled by the UN Group of Experts on the exploitation of natural re-sources in the DRC.

Nevertheless, there are several initiatives that are beginning to be applied which can contribute to spur a change in the situation and cut the fluxes of economic resources that contribute to perpetuate the conflict in the Great Lakes. In the first place, it has to be highlighted that the lobby campaign begun in 2007 by the American organization Enough Project, which precisely contributed, together with other organizations, to the elaboration of a law put forward by the congressman James McDermott which received the support of organizations and businesses such as Human Rights Watch and Hewlett Packard, among others, but which did not see the light of the day. Afterwards, in July 2010, the American government carried out a financial reform law in the context of the global economic crisis, the Dodd-Frank Wall Street Reform and Consumer Protection Act, in which its Section 1502 signaled

that the US economic regulator, the Securities and Exchange Commission (SEC), had to apply a series of requirements to American companies so as to reveal the origin of its minerals with due diligence. Despite that, the law has received multiple critiques, both from the business sector due to the constraints it implies and the necessary resources needed to audit the supply chain, and from some Congolese local actors and NGOs. Nevertheless, since 2012, the SEC began implementing the law. The UN Security Council also defined the due diligence in its resolution 1952 (2010). Subsequently, in December 2010, the OECD elaborated a series of recommendations, as did the International Conference on the Great Lakes Region in the Lusaka Summit. It was not until the end of 2012 that the directives clarifying the particular obligations for the firms affected by Section 1502 were approved. The causes of such delay are to be found in the difficulty implied in an issue of great technical complexity and the pressure of business groups in the US, opposed to the regulation and who attempted to impede its development.

To these international initiatives are to be added the efforts of the Congolese Government, who approved a directive in September 2011

Map 6.1. Fairphone, a responsible circuit for global production



Source: Fairphone

requesting all the mines' operators in the country, at all levels of its production chain, to observe due diligence as defined in resolution 1952 (2010) of the Security Council and the OECD guidance. Nevertheless, in order to all these measures have a real impact, initiatives at the local level have to be taken to improve governability and, at the international level, European and Asian firms have to be bound by the same regulations as the American ones. In this line, voices have also risen those who question the initiatives that only imply the prohibition to import minerals from the country, as it has caused undesired effects on the economy that are not being translated into a decrease of violence, as signaled by the International Peace Information Service (IPIS).

In September 2015, the American organization Enough Project pointed out that the 60% of the firms engaged in the smelting of T3G minerals (gold, tin, coltan, wolfram) had gone through audits that had revealed that they were not trading with minerals coming from the conflict zones of the DRC. This percentage means that until September 2015, according to Enough Project, 192 out of 300 refineries and foundries had gone through audits to certify the origin of their minerals.

Nevertheless, this partial regulation is limited to those four minerals, thus leaving the remaining under no legislative regulation. Moreover, despite these mines not being under the control of armed actors (the Armed Forces, armed groups), this does not imply that labour conditions there are adequate, as, by instance, has documented Amnesty International (AI) and Afrewatch in January 2016 concerning the cobalt mines of the former Katanga province, in the country's southeast. In this study, it was being pointed out that cobalt, which is used to make batteries for mobile phones and cars, is obtained from mines where child labour is being used and where workers labour under high risk conditions. The DRC produces the 50% of cobalt at the global level, a mineral which is not under any regulation. One of the main companies which processes cobalt at the international scale is the subsidiary company CDM of the Chinese Huayou Cobalt that provides such mineral to firms which supply batteries to companies such as Apple, Microsoft, Samsung, Sony, Daimler o Volkswagen.¹⁰

The EU: a long path towards the regulation of the sector

The EU started in 2014 to carry out a series of consultations among different governmental and economic actors in order to grasp the state of the issue given that the European market is one of the main consumers of those minerals. Such process crystallized in the passing of a law to regulate the question by the European Parliament (EP) in May 2015. The plenary session went further than the proposal that had been previously elaborated by the European Commission, of voluntary compliance, and then the report passed by the Committee of International Trade (INTA) of the PE, which called for the limitation of the obligation of corporate responsibility to a very small fraction of the companies involved in the supply chain (more than 800,000 companies of the EU). Through audits by independent third parties, companies were called to identify the extraction and trading conditions of the four minerals that the American law pointed out to. Since then, negotiations among the legislative bodies of the EU (the European Council and the EP, with the participation of the European Commission) have been initiated in order to establish a final text. However, on 17th December 2015, the European Council accepted the negotiating mandate based on the proposal of the Commission (a voluntary certification of due diligence for a reduced group of firms). Thus the presidency of the first semester of 2016, in the hands of Holland, has the mandate to propose a legislation of voluntary character, while the EP wants to continue with the proposal passed in May 2015 and suggest a mandatory legislation which would affect all the companies involved in the supply chain, and not only a reduced part as the Commission pretends.

10. Amnesty International and Afrewatch, "This is what we die for: Human rights abuses in the Democratic Republic of the Congo power the global trade in cobalt", January 2016, <https://www.amnesty.org/en/documents/afr62/3183/2016/en/>

7. CURRENT POLITICAL AND SOCIAL SITUATION

The DRC is plunged into an increasing political instability stemming from the proximity of the end of President Joseph Kabila's second mandate, which translates into a rise in political violence, the repression of the opposition and the excessive use of force in mobilizations. The non-compliance with the electoral calendar is becoming a reality, which could result in a delay in the holding of elections and the prolongation of the presidential mandate of Kabila. The Constitution does not permit a third presidential mandate, but Kabila has not as yet stated whether he will renounce to it and comply with the Constitution or, on the contrary, will run for a third mandate in the presidential elections of 2016. According to several constitutional dispositions, the new legislative and presidential elections should be organized before the 19th December 2016 in order to elect a new president and the members of Parliament, as their mandate ends on that date. In February 2015, with the publication of the electoral calendar and the electoral law, the process that was launched should lead to the holding of 11 direct and indirect elections at the local, provincial and national levels before December 2016. The manifold challenges and pending reforms and the difficulties related to the compliance with the calendar raise fears that the current president, Joseph Kabila, will try to postpone the presidential elections and, in this way, extend his mandate.

Already in January 2015, the Parliament passed a draft bill which included a disposition that conditioned the holding of the legislative and presidential election to the organization of a new national electoral roll, but the technical and financial difficulties that its elaboration brings about made that several actors from the civil society and the opposition interpreted such disposition as a maneuver that would imply a delay in the electoral calendar. This decision triggered important social mobilizations supported by the Catholic Church against this law in Kinshasa -the most important and serious since the supposed electoral fraud detected in the 2011 elections- in which at least 42 people died as a consequence of the excessive use of force by the security bodies. On the 23rd January 2015, after the mobilizations, the Government withdrew

the controversial disposition from the draft bill. However, the Independent National Electoral Commission (CENI) conditioned the launching of the calendar to the solving of 23 external issues linked to the legal framework (electoral roll, voting in foreign countries, provincial decentralization, among others) and to the availability of economic resources to carry out the process. Some of these issues suffer great delays and others have not yet been able to be absorbed by the relevant authority, thus the regime has created the conditions under which complying with the electoral calendar is nearly impossible.

Since then, a rise in political violence has been observed, and the Government has sought to silence dissidence by means of threats, violence and arbitrary detentions, as denounced by different local social movements, such as LUCHA (Lutte pour le Changement) or Filimbi, and local and international organizations of human rights defense. The presentation of Filimbi (whistle, in Swahili) on the 15th March 2015 in Kinshasa, a meeting in which Senegalese movements like Yen a Mare and Burkina like Bali Citroen participated, resulted in the detention of all the participants and the expulsion of the Senegalese and Burkina activists.

The militants Fred Baume (LUCHA) and Yves Makwambala (Filimbi) were detained in that very same day and in March 2016 remain detained, despite the numerous local and international initiatives that call for his liberation. Facing this political climate, since April 2015, Joseph Kabila has attempted to gain support for the holding of a national dialogue between the majoritarian coalition in power, the political opposition and civil society, in order to address the electoral calendar, the inclusion in the electoral roll of several millions of electors which would have acquired the right to vote since 2011, the financing of the process and security issues in the elections. The opposition debated whether to participate in the process, which could be translated into a legitimization of the calendar reform (the feared "glissement", the delay in the electoral calendar). Some of the present political actors demanded

The regime led by Joseph Kabila, in power since 2001, has created the conditions under which complying with the electoral calendar is nearly impossible

international presence in the process. The Bishop's Conference (CENCO) celebrated in a communiqué on the 26th June the initiative to carry out a national dialogue in which the existing institutional framework would be observed, and proposed to postpone the local elections until the national ones are held in due date due to, among other reasons, technical, logistical and judicial delays. The local and provincial elections that had to be held on the 25th October were postponed due to judicial irregularities and lack of financial resources, a decision ratified by the Constitutional Court. On September 2015, a group of 7 political parties (the "G7") of the governing coalition also requested Kabila to hold the local elections after the national and provincial ones, because it is feared that the revision of the calendar would imply a delay in the presidential elections, de facto extending Kabila's presidency. As a consequence, the G7 was expelled from the governing coalition.

It has also requested that the Congolese population be able to benefit from its own resources. In June 2014, they mobilized 3,000 people in Goma asking for access to drinking water. It is a horizontal movement without structures nor leaders, similar to the antiglobalization movements of the 90s and the Arab Spring, a way which is being increasingly used by other African social movements such as Y'en en Marre (Senegal), Coalition contre la Vie Chère (Burkina) or Landless People's Movement (South Africa).¹¹

The Government launched an investigation for supposed corruption against some of its rivals and candidates to replace him, which according

to certain analysts could be a way to suppress possible rivals, among them the ex-governor of the powerful region of Katanga, Moïse Katumbi. In December 2015, Filimbi and LUCHA organized a meeting with the political and social opposition of the Gorée Island, in Senegal, facilitated and financed by the Konrad Adenauer (Germany) and Brenthurst (South Africa) foundations. The result was the creation of a broad oppositional coalition called Front Citoyen 2016, which requests the holding of the presidential elections at the end of 2016 as established by the Constitution. Floribert Ansuluni, the coordinator of Filimbi, became the coordinator of the platform. This meeting triggered the cooling of the relations between Senegal and the DRC. Later, Katumbi announced that he would join the Front Citoyen 2016, as well as the Congolese human rights organizations ASADHO and Amis de Nelson Mandela pour la Défense des Droits Humains (ANMDH). The CENCO gave support to the Front Citoyen. Also in December 2015, the UN Office for Human Rights (OHCHR) published a report in

which it highlighted the violations of political rights and of liberties committed by agents of the State and the prevalence of a climate of impunity. Those restrictions and threats highlighted a tendency of progressive reduction of the political space which could affect the credibility of the process. The wide following of the "ville morte" day (general strike) of the 16th February -to commemorate the march in 1992 against Mobutu's dictatorship after the Sunday mass which ended in a bloodshed- convened by the opposition brought to the fore the degree of support and the country's tense political climate.

LUCHA is a youth movement born in 2012 in Goma (Kivu Nord) which promotes social justice, human dignity and political change, and has organized different actions of mobilization, sensibilization and denouncement of war, to reform the Army, the refugee problem and the FDLR

11. Marta Íñiguez de Heredia, "La LUCHA, mouvement de jeunes en RDC, sur la lutte et ses aspirations pour la dignité de la personne, la justice sociale et le changement politique", Thinking Africa, 11th October 2014, <http://www.thinkingafrica.org/V2/la-lucha-mouvement-de-jeunes-en-rdc-rdc/>

8. GENDER DIMENSION OF THE CONFLICT

The armed conflict in the DRC has had multiple impacts on gender due to the serious disparities existing in the country between women and men that the conflict's dynamics has helped consolidate.¹² According to the Social Institutions and Gender Index (SIGI) of the OECD, the DRC is a country with very high levels of female discrimination. The gender dimensions of armed conflicts fundamentally manifest themselves in the differentiated effects that violence has on women and men. In this war, sexual violence, forced displacement, the interruption of health and education services, the breaking of communitarian support nets and impoverishment are some examples of the direct or indirect consequences that can disproportionately affect the women. In parallel, men continue to constitute the major part of the lethal victims in armed conflicts and are the main victims of genocides and massacres. Those impacts happen, however, in a context of an enormous complexity, where women are victims of violence -also men-, but where they also participate actively in the dynamics of the conflict and, of course, get actively involved in the building of peace at different levels.

In the DRC case, sexual violence is without doubt the gender impact that has received a major visibility, up to the point that the country has been considered by humanitarian organizations as one of the worst places in the world in which to be a woman or a girl. The UN and several NGOs have estimated that hundreds of thousands of women and girls have been victims of sexual violence since the beginning of the hostilities in 1996, during the phase previous to the conflict which lasts since 1998. Concretely, at least 200,000 cases of sexual violence have been registered since that year, according to the UN Secretary General. This number is considered to be a moderated and conservative estimation of the total cases due to the fact that the major part are not denounced and that some of the victims do not survive. To this estimation the rapes committed during the 1994 Rwandan genocide should be added because that event was the prelude of the violence experienced in the DRC since then and has had a great influence on the situation's evolution. What's more, part of the population of the east of the DRC has strong linkages with the population of Rwanda (and also with the Burundian one).

Nearly 2 million Rwandans, among which were hidden those responsible for the 1994 genocide, took refuge in the east of the DRC and it was there where the Hutu rebellion of the FDLR that continued to whip Rwanda to justify its presence in the area and its military intervention was set up. It has been calculated that between 250,000 and half a million of women were victims of rapes during the 1994 Rwandan genocide.

All the armed actors that operate in the DRC, both the armed group as well as the Armed Forces and other governmental security bodies, have committed and continue raping and other acts of sexual violence and use sexual violence as a war weapon, contributing to the climate of insecurity and generalized impunity that prevails in the area. In the country's eastern region, the abuses of this kind have had a generalized and systematic character. Women and girls suffer frequent rapes during military operations as punishments for "supporting the enemy", as a way to embarrass and frighten their communities. In some cases, their husbands and sons have been forced to be present during the rapes. The attacks against women and girls usually happen when those are doing everyday tasks, such as working on agricultural lands, getting firewood, or going back or forth to the market. In some areas, during the peaks of the conflict, men have abandoned their families and homes to avoid being recruited by force by armed groups, a fact which exacerbates the vulnerability of women to sexual violence.

Thousands of minors have been hijacked and recruited by force by all sides with the aim of making them participate in the actions of combat and support in the rearguard, and thousands of girls have been hijacked and used as sexual slaves, as has been denounced by Coalition to Stop the Use of Child Soldiers several times. Boys have also been the victims of rapes. An independent expert in human rights of the UN claimed in 2008 in front of the UN General Assembly that the scope and brutality of the sexual violence that women in the country suffer could be qualified of war crime and crime against humanity. Moreover, in North Kivu and South Kivu, as well as in the provinces of Equateur, Kasai Oriental and Kasai Occidental, Bandundu and Kinshasa, that are not currently affected by the armed conflict, there

12. The term gender is an analytical category which sheds light on the fact that the inequalities between women and men are a social product and not the result of nature, showing its social and cultural construction to distinguish it from the biological differences between the sexes. Gender pretends to give visibility to the social construction of the sexual difference and the sexual division of labor and power. The gender perspective seeks to evidence that the differences between men and women are a social construction product of the unequal power relations that have historically been established in the patriarchal system. Gender as an analysis category has the objective of showing the context specific nature of sexual differences.

has been observed a rise in the incidence of acts of sexual violence committed by civilians. The task and credibility of the UN in the country was compromised due to the several denunciations that documented at least 150 cases of abuses, rapes and sexual exploitation committed by the military and civilian personnel of the MONUC (which became the MONUSCO in 2010), which were made public for the first time in 2004, an event which triggered an internal investigation in the UN in 2005. The investigation, which was hampered, concluded that the problem of sexual exploitation and the abuses of women and minors by the mission were a serious and extended issue, which happened with regularity, and usually in exchange for food or money. Since then, the organization has tried to correct this situation in the core of the mission. Nevertheless, the leakage of new cases and denunciations of sexual abuses perpetrated by contenders of the UN continues year after year.

The studies have revealed very different numbers regarding sexual violations in the country. There are studies which estimate around 1,000 cases of complaints of sexual violence per month, which equals 30 victims per day, as signaled by the UN mission in the study carried out by the American Journal of Public Health, which claimed that more than 1,000 women were being raped every day in the country, multiplying by 26 the estimations established up to then. According to the study, more than 400,000 women and girls in between 15 and 49 years of age were raped in the country between 2006 and 2007, a report which triggered an enormous controversy.¹³ Nevertheless, there is a great number of cases not being denounced. Facing the magnitude of the situation and due to the pressures of local organizations and the international community, the Government decided to tighten the legislation against sexual violence in the country beginning in the year 2006, although such decision has not had as a consequence a descent in the number

of aggressions nor a descent in impunity, as the major part of the cases have not been denounced nor punished. As highlighted by the UN Secretary General, the military command, the research officials of the Police and the magistrates continue to encourage the families of the victims of rapes to reach extrajudicial arrangements, perpetuating in this way the culture of generalized impunity. This climate of impunity extends to local authorities, who do very little to prosecute those responsible for the crimes. The UN does not have enough resources and the international community cannot access the area due to the bad security conditions in the inside of the North Kivu and South Kivu, the provinces most affected by violence. The judicial system is incapable of confronting the problems of sexual violence and the women who survive the rapes do not receive the necessary attention and protection, thus suffering several interrelated consequences: the physical and psychological consequences, the social stigmatization and lastly, in many cases, HIV/AIDS transmission by contagion. The Government, through the Minister of Gender, Family and Minors, launched in 2010 the National Action Plan to apply the resolution 1325 on the women, peace and security agenda, but in practice it has not brought any significant changes in the situation.

As pointed out by the UN Women, although articles 5, 14 and 15 of the DRC's Constitution establish a legal base for the policies of equality and equity, women currently hold only the 7,2% of the offices in the highest national decision-making level bodies. In 2015, the 52% of women of the DRC are survivors of domestic violence and the 39% claim to have been threatened or injured. The 27% of the DRC's women are victims of harmful traditional practices. Early marriage is common. Very few women have access to decent jobs and, in general, women and girls have less access to education than men and boys, as well as a higher percentage of illiteracy.

13 Amber Peterman, Tia Palermo, Caryn Bredenkamp, "Estimates and Determinants of Sexual Violence Against Women in the Democratic Republic of Congo", November 2010, <http://ajph.aphapublications.org/doi/abs/10.2105/AJPH.2010.300070>

9. CONCLUSIONS

A long conflict that still remains active

Although the intensity of the armed conflict that has been suffering the Democratic Republic of Congo (DRC) for the past two decades has been gradually reduced, in the east of the country the situation of violence and instability that has its origins in the coup d'état made by Laurent Desiré Kabila in 1996 against Mobutu Sese Seko, which culminated in his yielding of power in 1997, continues. Afterwards, in 1998, the so called 1st African World War began, in which Burundi, Rwanda and Uganda, together with different armed groups, tried to oust Kabila, who received, among others, the support of Angola, Chad, Namibia, Sudan and Zimbabwe, in a war which caused the death of nearly five million victims, at least 200,000 women becoming victims of sexual violence, the forced displacement of hundreds of thousands, and a chronic humanitarian crisis.

The signature of a ceasefire in 1999, and of the various peace agreements in between 2002 and 2003, brought the withdrawal of foreign troops and the formation of a transitory Government led by Joseph Kabila and, subsequently, in 2006, an elected Government, approved by referendum in the 2011 elections under fraud accusations. Nevertheless, this process didn't put an end to the violence in the east of the country due to the role of Rwanda and the presence of factions of non-demobilized groups and the Forces Démocratiques pour la Libération du Rwanda (FDLR), responsible of the Rwandan genocide of 1994. The non-compliance with the peace agreements in 2009 sparked the desertion of militants of the former group called CNDP that had joined the Congolese Army in 2012, who organized a new rebellion, called Mouvement du 23-Mars (M23), supported by Rwanda. In December 2013 the rebellion was defeated.

The exploitation of the natural resources and the conflict

The control and exploitation of the natural resources has contributed to the perpetuation of the war in the DRC and to the presence of foreign armed forces. In this business have participated the Congolese Armed Forces (FARDC), local and foreign armed groups, local companies, several neighboring countries and Western and Asian multinational firms, as signaled by the UN for the first time in April 2001. 15 years have gone by and this exploitation continues despite the efforts and international initiatives.

An insufficient process of regulation at the international level

Although some progress has been observed concerning the application of different guidelines regarding the due diligence to assure that the supply chains do not support the exploitation of minerals from conflict-affected and high-risk areas, the mining sector does not observe them, as showed by the continuing importance of smuggling. It is in Rwanda where the major part of the illegally exported resources are laundered and labeled, as signaled by the UN Group of Experts. However, several measures exist at the international level, mainly the US legislation, which are beginning to be implemented, and an EU legislative process is underway, which could spark a change in the situation in the DRC and cut the flux of economic resources that contribute to the perpetuation of the conflict in the Great Lakes.

Weapons feeding the conflict

The armed conflict in the DRC has gone through different stages that, from the point of view of the role of armament transfers and militarization, are interrelated with the development and the perpetuation of the conflict. The weapons that nowadays feed the armed conflict in the DRC are weapons that come and have come from African countries directly or indirectly involved in the conflict, but also from the main weapons' production and export global powers, be there an embargo in place or not. It also has to be highlighted the entry of armament from other countries, mainly European, who have established commercial relations in defense material punctually or on a stable basis in time with the different Congolese governments and/or with certain neighboring countries more involved in the different wars of the DRC. The identification of weapons in the hands of the FARDC and of several rebel groups show the difficulty of tracing back the trade of armament and the porosity of the borders that circumvent the conflict.

Ineffective military solutions

Moreover, the increasing defense budget and stabilized at high levels of military spending has not been able to put a halt to the conflict, and can have meant the diversion of resources from social spending, which is undoubtedly more necessary for a country such as the DRC and which, of having been invested on social issues in the conflict's areas, the military and armaments measures to

continue the armed confrontations would have been less and the possibility of the cessation of the hostilities more plausible.

Increasing pressure, permanent pre-campaigning and the threat of the “glissement”

Some positive elements such as the end of violence in the major part of the country, the launching of institutional reforms, economic growth (although very unequally distributed), among other issues, could be compromised due to the proximity of the new electoral cycle, which although it should contribute to strengthen the DRC's political system, it carries several risks. The country lives a rising political instability derived from the proximity of the end of the second presidential mandate of Joseph Kabila, who should step out from power in December 2016. In February 2015, with the publication of the electoral calendar and the electoral law, the process which should lead to the holding of 11 direct and indirect elections at the local, provincial and national levels before December 2016 was launched. Nevertheless, the deficits and pending challenges at the technical level make that, at the beginning of 2016, the compliance with the electoral calendar is virtually impossible. Several political initiatives taken by the Kabila Government; the increasing political

violence that has been observed in 2015 and the attempts by the mandatar to postpone the presidential elections and in this way prologue his mandate; the few progresses in the military operation against the FDLR and the failure of the amnesty and return of the armed group M23, are different elements which could spark the reactivation of the conflict and its influence in the general situation. They also highlight the seriousness of the situation.

Gender dimension

The DRC has been considered by humanitarian organizations as one of the worst places in the world in which to be a woman or a girl. The UN and several NGOs have estimated that hundreds of thousands of women and girls have been victims of sexual violence since the beginning of the hostilities in 1996, during the phase previous to the conflict which lasts since 1998. Concretely, at least 200,000 cases of sexual violence have been registered since that year, according to the UN Secretary General, although due to the fact that the major part of the cases are not denounced and some of the victims do not survive, this number is considered to be a moderated and conservative estimation of the total of cases.

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ANNEX

Table 1. Exports of defense material from the EU to the DRC (2001-2012)

Exports authorized											
Year	Austria	Belgium	Bulgaria	Czech Republic	Denmark	Finland*	France	Germany	Greece	UK	Exp authorized
2001		28.825						7.106			35.931
2002		22.841						2.301		1.160	26.302
2003				1.126.246						735.000	1.861.246
2004	21.884			15.000		22.765				720.000	779.649
2005		572.500			5.368	15.816	1.097.800	13.398		135.404	1.840.286
2006	15.052	2.999.197				5.400		335.531	4.250	435.222	3.794.652
2007							24.930	87.920		30.076	142.926
2008		510.367						502.298		140.288	1.152.953
2009							1.051.000	13.968		245.023	1.309.991
2010		250		115.857		198.780	1.215.843	59.814		1.037.847	2.628.391
2011							217.507	1.366.850			1.584.357
2012			1.949.048					522.870		330.266	2.802.184
	36.936	4.133.980	1.949.048	1.257.103	5.368	242.761	3.607.080	2.912.056	4.250	3.810.286	17.958.868
Exports conducted											
Year	Austria	Belgium	Bulgaria	Czech Republic	Denmark	Finland*	France	Germany	Greece	UK	Exp conducted
2001											€ -
2002											€ -
2003				€ 992.000							€ 992.000
2004						€ 43.768					€ 43.768
2005						€ 16.566					€ 16.566
2006	€ 15.052	€ 19.500							€ 4.250		€ 38.802
2007								€ 78.000			€ 78.000
2008							€ 24.930				€ 24.930
2009											€ -
2010						€ 10.610					€ 10.610
2011							€ 62.312				€ 62.312
2012			€ 1.348.700				€ 150.472				€ 1.499.172
	€ 15.052	€ 19.500	€ 1.348.700	€ 992.000	€ -	€ 70.944	€ 237.714	€ 78.000	€ 4.250	€ -	€ 2.766.160

Values in current Euros

* For the United Nations

Source: EU Annual Reports According to Operative Provision 8 of the EU Code of Conduct on Arms Exports (http://www.eeas.europa.eu/non-proliferation-and-disarmament/arms-export-control/index_en.htm)

Table 2. Arms sales identified in DRC (1995-2013)

	1996	1997	1998	1999	2000	2001	2002	2005	2006	2009	2010	2012	2013
Belarus		<6> Self-propelled MRL (BM-21 Grand 122mm)											
Belgium							<1> Helicopter (Mi-26/ Halo)						
Bulgaria													(a) 6 (b) Towed gun (c) D-20 152mm
France	<3> Transport aircraft (Carvelle)												
Georgia					<10> Ground attack ac (Su-25/ Frogfoot-A)								
Ghana								<1> Transport aircraft (DC-8-55)					
Libya			<2> Fighter aircraft (MiG-23MS/ Flogger-E)										
serbia	<5> Fighter aircraft (MiG-21PFM/ Fishbed-F)	<2> Trainer aircraft (G-2A Galeb) <3> Ground attack ac (J-1 Jastreb)										<60> Mortar (M-75 120mm)	
Ukraine	<4> Combat helicopter (Mi-24P/ Hind-F & Mi-24V/Hind-E)				<6> Self-propelled gun (2S1 122mm) <30> APC (BTR-60PB) <4> Combat helicopter (Mi-24V/ Hind-E) <6> APC (MT-LB)				<20>IFV (BMP-1) <20> Tank (T-55)		<12> Self-propelled gun (2S1 122mm) <12> Self-propelled gun (2S3 152mm) <12> Self-propelled MR <36> Towed gun (D-30 122mm) <36> Mortar (M-43 120mm) <4> Combat helicopter (Mi-24V/Hind-E) <30> TanK (T-55) <100> Tank (T-72M1)	<2> Ground attack ac (Su-25/ Frogfoot-A)	

Source: SIPRI Arms Transfers Database

Table 3. **Transfer of small arms and light weapons from the EU to DRC (1995-2013)**

COUNTRY	1995	1996	2001	2002	2003	2004	2005	2006
Germany	-	-	68.094	73.303	5.629	-	-	61.485
Austria	-	-	-	-	-	7.021	-	37.965
Belgium	10.076							
Bulgaria								
Spain		6.120						
France	-	19.418	-	-	13.695	933.146	2.359.911	396.041
Greece	-	-	-	-	-	-	-	5.339
Ireland								4.514
Italy	56.391	-	-	-	-	189.507	109.156	167.556
Portugal	-	-	-	-	41	518	-	-
United Kingdom	-	-	-	-	-	-	-	-
Switzerland								
	66.467	25.538	68.094	73.303	19.365	1.130.192	2.469.067	672.900

COUNTRY	2007	2008	2009	2010	2011	2012	2013	Total
Germany	101.000	52.000	126.000	-	-	111.561	124.487	723.559
Austria	-	-	-	-	-	-	-	44.986
Belgium								10.076
Bulgaria								-
Spain								6.120
France	-	215.367	-	1.326	493.913	-	243.015	4.675.832
Greece	-	-	-	-	-	-	-	5.339
Ireland								4.514
Italy	64.197	68.730	113.072	-	-	-	-	768.609
Portugal	-	-	-	-	-	-	-	559
United Kingdom	-	-	-	-	-	-	-	-
Switzerland							4.146	4.146
	165.197	336.097	239.072	1.326	493.913	111.561	371.648	6.243.740

Source: NISAT (type of weapons in accordance with the classification PRIO)

Table 4. Transfers of small arms and light weapons to DRC (rest of the world) (2004-2013)

COUNTRY	1995	1996	2001	2002	2003	2004	2005	2006
Albania								
Bostwana								
Brazil								
Canada							422	
Congo (Rep)								
Ivory Coast								
Slovakia		1.047.292						
USA						2.848		3.460
Guatemala								
Kenya								
Czech Republic		400.054		148.526				
Romania	91.000							
Rwanda								
Serbia								
South Africa					1.151			
Switzerland							3.056	
Tanzania								
Ukraine								
Uganda								
China			28.795.603					
Zambia								
Zimbabwe							767.797	74.854
	91.000	1.447.346	28.795.603	148.526	1.151	2.848	771.275	78.314

COUNTRY	2007	2008	2009	2010	2011	2012	2013	Total
Albania					210.200			210.200
Bostwana			148					148
Brazil				20.451			620.750	641.201
Canada								422
Congo (Rep)						9.977		9.977
Ivory Coast							13.101	13.101
Slovakia								1.047.292
USA				515.430				521.738
Guatemala	940	788						1.728
Kenya				1.337				1.337
Czech Republic								548.580
Romania								91.000
Rwanda				889				889
Serbia	1.040.000						17.594	1.057.594
South Africa					95.688			96.839
Switzerland								3.056
Tanzania		606				23.560	595.828	619.994
Ukraine				-				-
Uganda		111						111
China								
Zambia				64.614	196.829	88.270	127	349.840
Zimbabwe	11.171							853.822
	1.052.111	1.505	148	602.721	502.717	121.807	1.247.400	34.864.472

Source: NISAT (type of weapons in accordance with the classification PRIO)

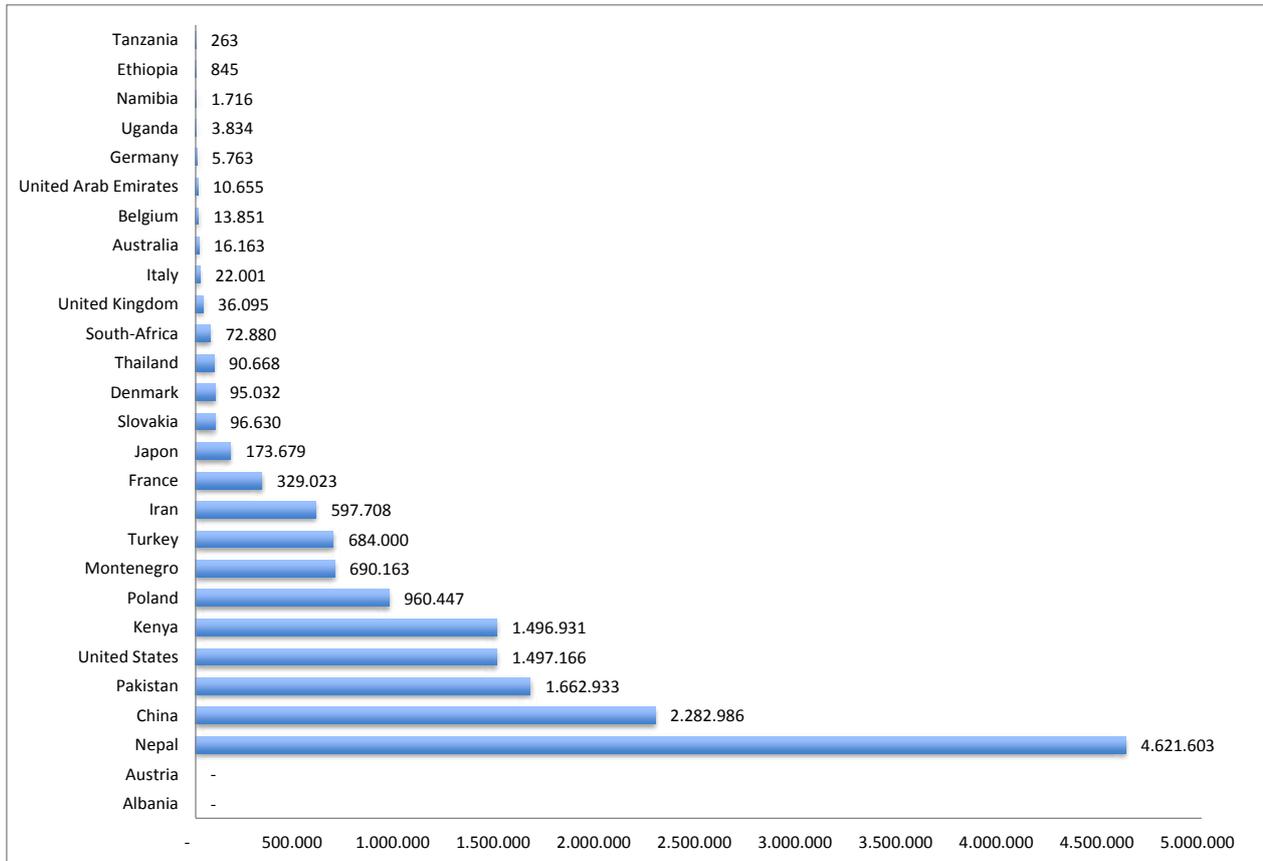
Table 5. Internal arms deviations in the DRC conflict

From	to	where	quantity	date	comments	Source
Burundi	not militarized population	Masisi	80 weapons	October 2004	masisi is a rural village, Hutu Kinyarwanda speaking population without command or structure or military training	s/2005/30
(FADRC) General Masunzu	received by the 112 brigade	From Bukavu (ruanda border) to Minembwe (more in the interior)	30 cases of 7,62 x 39 sub-machine gun ammunition, 6 cases of RPG-7ammunition, 5 cases of 82 ammunition and 2000 uniforms with boots.	October 6-7th 2005	with 5 flights hidden by the FARC	s/2005/435
FADRC	FDLR (democratic forces for Rwanda liberation)	within DRC	3000 arms	Between november 2005 and may 2006	weapons from various disarmament programs, which were delivered to FADRC to distribute the units of the integrated army. Half a year later they are again in the hand of the FDLR	S/2006/525
FADRC	?	Bunia (border with Uganda)	five cans containing ammunition	2006	*stolen form the FADRC in Bunia	S/2006/526
FADRC	Burundian national - FNL	South Kivu, DRC	5firearms and 3000 ammunition cartridges		an official of the FADRC sold them to the Burundis thanks to the FNL	S/2006/526
FADRC (8th military region)	CNDP	Goma	weapons, uniforms, salaries and ammunition	From january to september 2007	by an operation in which the tzo forces are integrated temporarily	S/2006/526
FADRC (15th brigade)	CNDP	Kikuku	between 15 - 20 tones de weapons and ammunition	December 2007	*stolen. CNDP stole them with the complicity of the officers of the FADRC	S/2008/772
FADRC (14th and 18t brigade)	CNDP	Mushaki	"stocks de weapons and ammunition"	December 2007 (just after Kikuku)	*stolen. CNDP brigades straight defeat and stole weapons	S/2008/773
FADRC	?	Walungu	Significant number of mortars, rocket-propelled grenades, machine guns and ammunition	June 2008	*stolen	S/2008/774
FADRC	CNDP	Katsiro	82mm mortars, quatre 60mm mortars, one 75mm rocket launcher, 8 heavy machine guns, one 14mm mortar, 22 rockpropelled grenades, 130 AK47 assault rifles, and ammunition for the mortars and rifles.	September 2008	*stolen. Tank weapons Katsura	s/2008/773
FADRC	CNDP	Rutshuru	10 - 12 FADRC trucks full of ammunition	November 2008	*stolen during the fighting in Rotshuru town	s/2008/774
from Ruanda, Vicent Mwambutsa (Nkuda's uncle, CNDP official)	CNDP	Bunagana	several shipments of uniforms	2008	by trucks over the ugandan border crossing	s/2008/775
FADRC oficals	FDLR		107m hundred cannon shells, 107mm recoilles cannon, several RPG three 12,7mm machine guns and 14,5mm, 200 boxes of ammunition 7,62*39mm (about 50,000 cartridges), 230 AK42 and several mortars of 82mm	2008,several occasions	diversion of military equipment thanks to the collaboration between former FDLR combatants and officers FADRC	s/2009/603
FADRC (Colonel Rugayi)	FDLR		at least some AK47 machine guns and 500 107mm rockets	end of 2008	Rwandan support after taking part controlled by MaiMai weapons is transferred to FDLR	s/2009/604
FRF	FDLR		light and heavy weapons	september 2009	with the one with which they cemented alliance	S/2009/603
FDLR	FRF	Hauts Plateaux (West, Cameroon)	12 boxes of ammunition 7,62*39mm, seven boxes of 12,7mm ammunition for machine guns and 12 grenade launchers RPG	september 2010		S/2009/604
FADRC	M23	Goma	good for \$3milions value: T55 tank, extensive stock of army weapons and mortars	2013	*stolen	S/2013/433

Table 6. Identification of arms sources found in the conflict in DRC

Year	weapons found	Manufactured in	Company	in hands of	comments	Primary source	Source
2004	382 light and heavy weapons, deadly projectiles 399 and more than 10,000 rounds, or half a ton of ammunition. Weapons such as Kalashnikovs, metralldoreslleugeres, 12,7 and 7 machine guns, grenades, about 81 and 120 mm mortars and self-propelled vehicles and two vehicles mounted with 88mm mortars.			Mutebutsi (RCD-Goma)			
2004	Rifle SR-5 newly manufactured	South - Africa		RCD-Goma	Rwanda weapons previously provided by a licensed purchase from South Africa	S/2004/551	
2006	bullets	Greece, China, Russia, USA		Rebels		Press release Oxfam International 16/10/06	Transfer and trafficking of arms in DRC, GRIP 2007
	sniper rifle bullets	USA	Company Cartridge Federal (USA)	Rebels		Press release Oxfam International 16/10/07	Transfer and trafficking of arms in DRC, GRIP 2008
	bullets for rifles	Greece	Pykal (Greece) manufactured in the late 80	Rebels		Press release Oxfam International 16/10/08	Transfer and trafficking of arms in DRC, GRIP 2009
2006	small weapons	Russia, China, Serbia, South-Africa		Rebels		Press release Oxfam International 16/10/09	Transfer and trafficking of arms in DRC, GRIP 2010
	R4 assault rifle	South-Africa				Press release Oxfam International 16/10/10	Transfer and trafficking of arms in DRC, GRIP 2011
	assault rifle	China				Press release Oxfam International 16/10/11	Transfer and trafficking of arms in DRC, GRIP 2012
	Gun	Serbia				Press release Oxfam International 16/10/12	Transfer and trafficking of arms in DRC, GRIP 2013
?	11000 Ak47			? En Bunia (RDC oriental)		11/06/2006	
2015	12,7x108mm ammunition	China		CNDP y M23		S/2015/19	

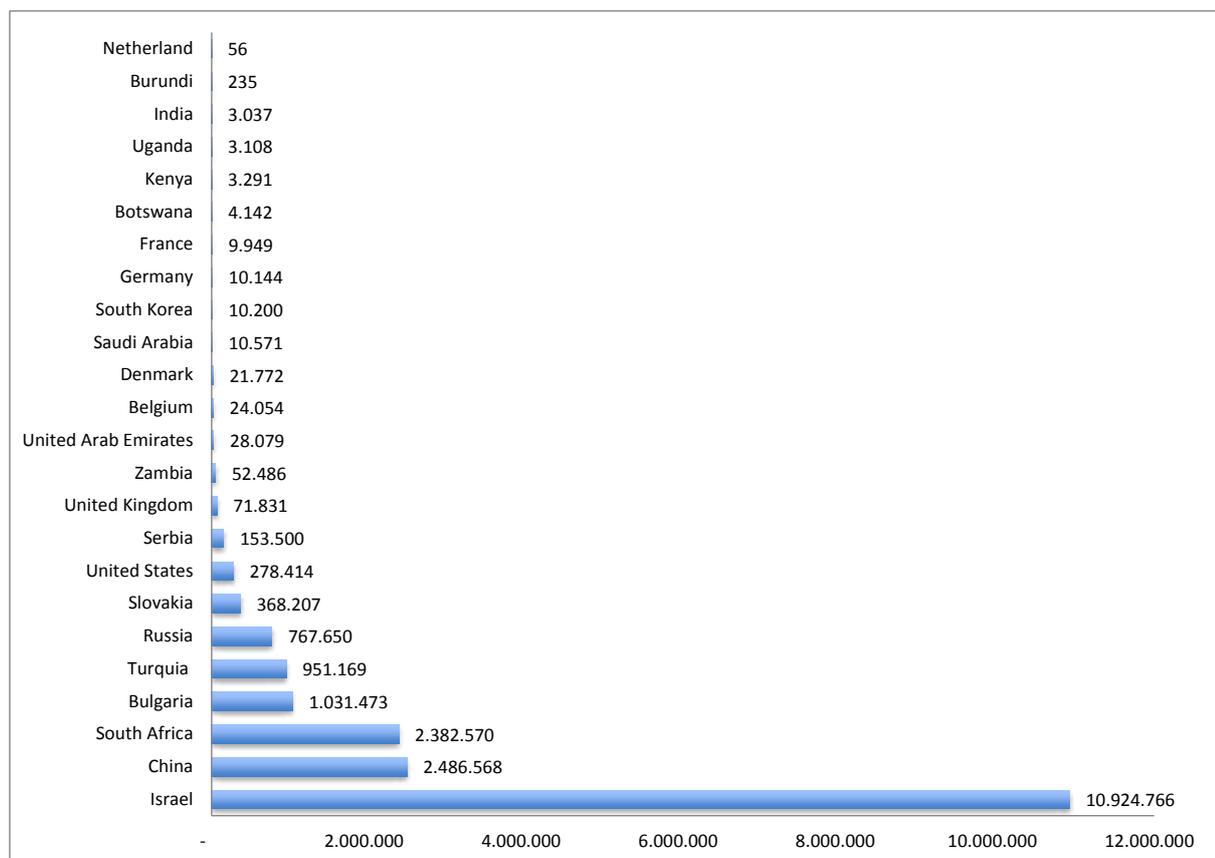
Table 7. Exports of small arms and light weapons to Burundi (1995-2013)



Albania	desconegut
Austria	desconegut
Nepal	4.621.603
China	2.282.986
Pakistan	1.662.933
United States	1.497.166
Kenya	1.496.931
Poland	960.447
Montenegro	690.163
Turkey	684.000
Iran	597.708
France	329.023
Japon	173.679
Slovakia	96.630
Denmark	95.032
Thailand	90.668
South-Africa	72.880
United Kingdom	36.095
Italy	22.001
Australia	16.163
Belgium	13.851
United Arab Emirates	10.655
Germany	5.763
Uganda	3.834
Namibia	1.716
Ethiopia	845
Tanzania	263
Total	15.463.035

Source: NISAT

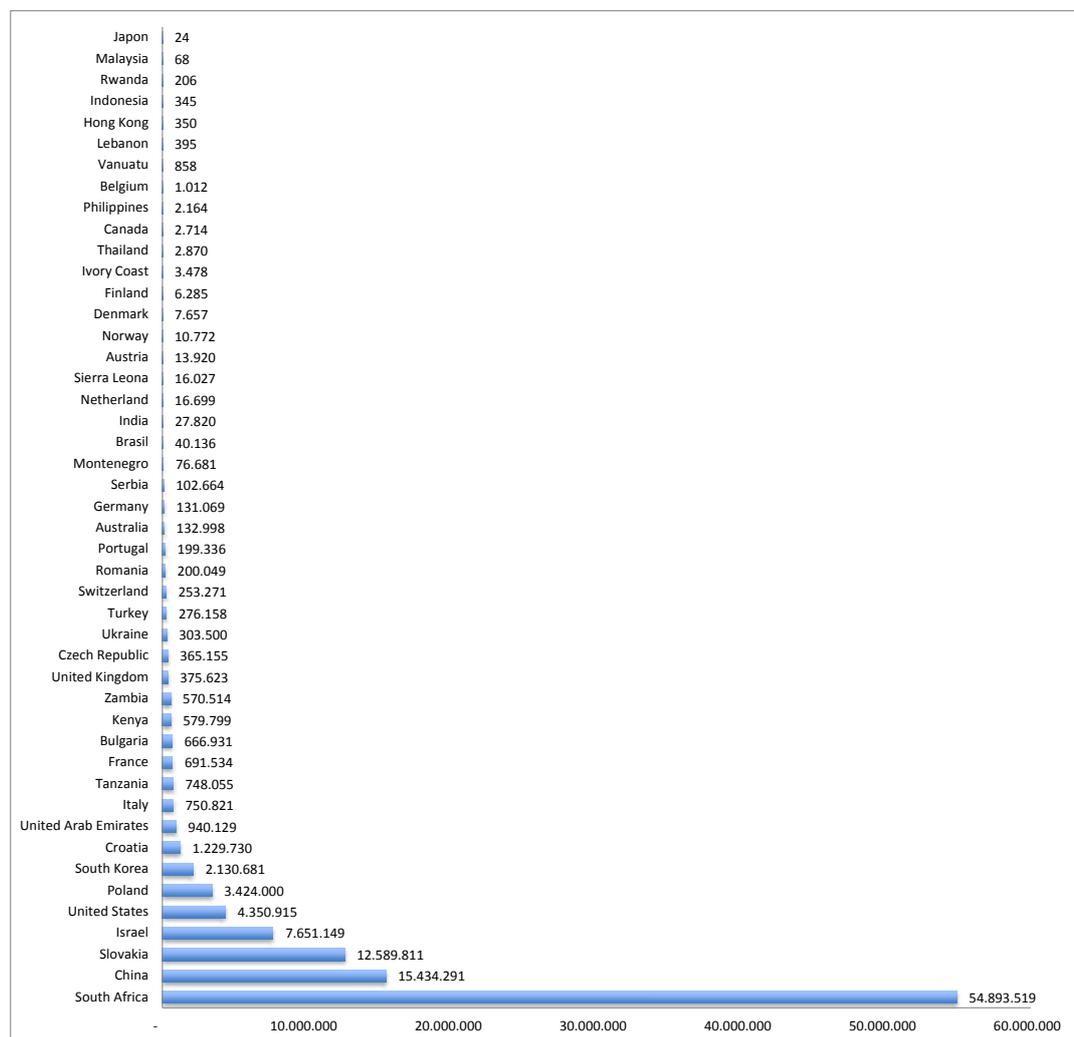
Table 8. Exports of small arms and light weapons to Rwanda (1995 - 2013)



Israel	10.924.766	Denmark	21.772
China	2.486.568	Saudi Arabia	10.571
South Africa	2.382.570	South Korea	10.200
Bulgaria	1.031.473	Germany	10.144
Turquia	951.169	France	9.949
Russia	767.650	Botswana	4.142
Slovakia	368.207	Kenya	3.291
United States	278.414	Uganda	3.108
Serbia	153.500	India	3.037
United Kingdom	71.831	Burundi	235
Zambia	52.486	Netherland	56
United Arab Emirates	28.079	Total	19.597.272
Belgium	24.054		

Source: NISAT

Table 9. Exports of small arms and light weapons to Uganda (1995-2013)



South Africa	54.893.519	Portugal	199.336	Hong Kong	350
China	15.434.291	Australia	132.998	Indonesia	345
Slovakia	12.589.811	Germany	131.069	Rwanda	206
Israel	7.651.149	Serbia	102.664	Malaysia	68
United States	4.350.915	Montenegro	76.681	Japan	24
Poland	3.424.000	Brasil	40.136	Total	109.222.183
South Korea	2.130.681	India	27.820		
Croatia	1.229.730	Netherland	16.699		
United Arab Emirates	940.129	Sierra Leona	16.027		
Italy	750.821	Austria	13.920		
Tanzania	748.055	Norway	10.772		
France	691.534	Denmark	7.657		
Bulgaria	666.931	Finland	6.285		
Kenya	579.799	Ivory Coast	3.478		
Zambia	570.514	Thailand	2.870		
United Kingdom	375.623	Canada	2.714		
Czech Republic	365.155	Philippines	2.164		
Ukraine	303.500	Belgium	1.012		
Turkey	276.158	Vanuatu	858		
Switzerland	253.271	Lebanon	395		
Romania	200.049				

Source: NISAT

ESCOLA DE CULTURA DE PAU (UAB)

La Escuela de Cultura de Paz (ECP) es una institución académica de investigación para la paz ubicada en la Universidad Autónoma de Barcelona. Fue creada en 1999 con el objetivo de promover la cultura de paz a través de actividades de investigación, diplomacia paralela, formación y sensibilización. Sus principales ámbitos de trabajo incluyen el análisis de conflictos, procesos de paz, género, derechos humanos y justicia transicional y la educación para la paz.

Los ámbitos de acción de la Escola de Cultura de Pau son:

- Investigación. Las áreas de investigación de la ECP incluyen los conflictos armados y las crisis sociopolíticas, los procesos de paz, los derechos humanos y la justicia transicional, la dimensión de género y la educación para la paz.
- Diplomacia paralela. La ECP promueve el diálogo y la transformación de conflictos a través de iniciativas de diplomacia paralela, incluyendo tareas de facilitación con actores armados.
- Servicios de consultoría. La ECP lleva a cabo servicios de consultoría para instituciones locales e internacionales.
- Educación y formación. El personal investigador de la ECP imparte clases en cursos de grado y postgrado en universidades catalanas, incluyendo la Diplomatura en Cultura de Paz, el título de postgrado que la propia ECP ofrece a la Universidad Autónoma de Barcelona. Asimismo, se ofrecen clases y talleres en temas específicos, entre ellos la educación en y para el conflicto y la sensibilidad al conflicto.
- Sensibilización. Las iniciativas de la ECP en materia de sensibilización incluyen actividades dirigidas a la sociedad catalana y española, entre ellas colaboraciones con medios de comunicación.

CENTRE DELÀS D'ESTUDIS PER LA PAU

El Centre Delàs d'Estudis per la Pau es una entidad independiente dedicada al análisis de la paz, seguridad, defensa y armamentismo. Combina el trabajo de estudio y publicación con la difusión y movilización social en torno a los efectos negativos del militarismo y la proliferación de armas. Presta especial atención a las políticas de seguridad y defensa, las exportaciones de armas, la financiación de la industria militar, los presupuestos y gastos militares, el funcionamiento de las Fuerzas Armadas, la industria militar, la Investigación y el Desarrollo (I + D) militar y las operaciones militares en el exterior.

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