

**EXAMINING THE CONTRIBUTION OF STRUCTURAL FACTORS AND PEACE TALKS
TOWARDS A SUSTAINABLE PEACE IN CONFLICT RESOLUTION
IN THE GREAT LAKES REGION; A CASE OF THE DEMOCRATIC
REPUBLIC OF CONGO (1996-2016)**



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ABSTRACT

The aim of the study was to assess THE CONTRIBUTION OF STRUCTURAL FACTORS AND PEACE TALKS TOWARDS A SUSTAINABLE PEACE IN CONFLICT RESOLUTION IN THE GREAT LAKES REGION; A CASE OF THE DEMOCRATIC REPUBLIC OF CONGO (1996-2016). The leading research question was; why have peace talks failed to create sustainable peace to the effect that peace has remained elusive in the Great Lakes Region especially the DRC? Four research questions guided the study; what are the structural barriers affecting the realisation of sustainable peace in the DRC? What are the peace talks' processes contributing towards sustainable peace in conflict resolution? What peace talks' strategies contribute towards sustainable peace in conflict resolution? What factors inhibit peace talks from creating sustainable peace in conflict resolution? The study used an ethnographic / qualitative research design which enabled the researcher to investigate the subject of peace talks and structural barriers to sustainable peace in detail, through interviews and documentary review. Qualitative data was analysed using thematic analysis technique and presented using paraphrasing of responses, direct quotation and descriptive narration. The study found out that that failure by the Congolese government to have full control and command on all its geographical territories is the problem why the country cannot have sustainable peace, in spite of a number of peace talks. The failure to have a unified state control over national territories leaves the country vulnerable to insurgents and bandits, such as rebels and war lords. The study found that since the 1990s the Democratic Republic of the Congo (DRC) has continued to be mired in intractable conflicts. Despite the establishment of an elected government in 2006 following the implementation of a series of peace agreements, the country still faces challenges in consolidating peace throughout its territory. The eastern regions of the DRC have consistently experienced high insecurity and repeated incidences of violence, often as a result of interference of neighbouring countries. The recurring episodes of violence in both the eastern and other regions of the DRC indicate that the process of conflict transformation is impeded by deep structural issues in society. Vast sections of the country remain politically and logistically disconnected from the seat of government—Kinshasa. This situation has made a significant portion of the population feel disenfranchised and marginalized. This has created a fertile ground for wars, conflicts and instability which fail all efforts of sustainable peace in the DRC and the Great Lakes Region in general. The study concluded that the vast geographical size of the DRC Has greatly contributed to lack of sustainable peace not only for the DRC but to the neighbouring countries as well, such as Uganda. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state. The ADF, LRA and other regional insurgents have found fertile places of hide out with in DRC impenetrable forests, mainly on the country sides where state governments have no direct control over. In such forests and country sides, the rebels have continued to attack civilians, make forced military conscriptions, looted, and made military bases to attack both government forces and civilian populations, in the DRC and outside the DRC, such as Uganda, Rwanda and CAR. The study recommended that in order to overcome structural barriers, a deliberate ambitious programme should be adopted to make the geographical territories of the DRC well accessible and governable by the state. Macro-economic projects should for example involve providing modern roads and railway networks, train the national army to exert state control and protection over national territories and deter the harbouring of insurgent groups such as rebels, bandits, war lords and militias in the country sides, as well as proving electricity to the rural parts of the DRC.

CHAPTER ONE

GENERAL INTRODUCTION

1.0 Introduction to the Study

'The root causes of civil wars in Africa and elsewhere are complex: weak or failed states; authoritarian rule; a lack of coincidence between nation and state; the exclusion of minorities from governance; and acute socio-economic deprivation and inequity. The conventional approach to 'early warning' and preventive diplomacy relegates these factors to "background conditions" and assumes naivety that mass proximate rather than its structural causes¹' (Mollel, 2009).

Since humans have always waged conflicts, humans also have always engaged in various ways to end them (Kriesberg, 2006). One of such ways is peace talks. Peace talks have become a tool for addressing protracted social conflict. Peace talks have typically attempted to link the cessation of hostilities to new political and legal structures through what is often essentially a constitutional framework that sets out new or refurbished organs of government whose goal is to address the state's internal and external legitimacy crisis. However, peace talks alone may not guarantee sustainable peace without due consideration of certain structural factors that matter in a particular context (Iwiladei, 2011). This study will look at how structural factors and peace talks contribute towards sustainable peace by examining the structural factors in the DRC, the peace talks' processes, peace talks' strategies and factors inhibiting attaining sustainable peace in the region. The chapter presents the background, problem statement, objectives of the study, research questions, scope and significance of the study as well as the theoretical framework.

1.1 Background to the Study

'Peacekeeping as the name implies, involves deployment of troops to a conflict state with the aim of keeping the peace. Peacekeeping operation may involve military observer missions, peacekeeping forces, or a combination of both. Military observer

¹ Mollel, A. (2009). International Adjudication and Resolution of Armed Conflicts in the Africa's great lakes: A focus on the DRC conflict. *Journal of Law and Conflict Resolution Vol. 1(1), pp. 010-029, June.*

missions are made up of unarmed officers, typically to monitor an agreement or a cease-fire. Soldiers of the peacekeeping forces have weapons, but in most situations can use them only in self-defence²' (Mollel, 2009).

Structural impediments or barriers can be understood as aspects of the external environment that limit negotiating options, to the extent that there are no possible points of agreement (Bouvier et al., 2016). Even agreements-in-principle can be disrupted by structural impediments, as the nature of the system in which the actors operate confounds their efforts to follow through with the provisions of the agreement to have sustainable peace. They are literally barriers to communication, such as geographical size, mountains, rivers, jungles, deserts, oceans, and scarce resources, and they can limit the ability to communicate or to provide the material underpinnings of an effective agreement.

Structural barriers are therefore issues being part of the context or environment beyond one's personal control, other than peace talks (Bouvier et al., 2016). In many conflict-stricken countries, the contribution of structural barriers as an impediment to sustainable peace cannot be underestimated; solving the conflicts in Sri Lanka, Ivory Coast and Colombia, among other areas, offers important lessons for the DRC with emphasis to pay attention to certain structural factors alongside peace talks during conflict negotiations for sustainable peace (McGregor, 2006). The Great Lakes Region seems to have a lot of such structural barriers, such as vast geographical size, poor transport and communication network, tribal and ethnic differences, an abundance of natural resources, among others, although their contribution to sustainable peace remains undocumented, which is the intention of this study. As such, structural barriers were examined alongside peace talks to understand their contribution to eluding sustainable peace in the Great Lakes Region, particularly the Democratic Republic of Congo (DRC).

The importance of peace talks is acclaimed by Article 33 of the Charter of the United Nations 1945 that outlines that, "The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiating, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful

^{2 2} Mollel, A. (2009). International Adjudication and Resolution of Armed Conflicts in the Africa's great lakes: A focus on the DRC conflict. *Journal of Law and Conflict Resolution Vol. 1(1), pp. 010-029, June.*

means of their own choice.” The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means (Mollel, 2009).

However, peace talks alone cannot account for sustainable peace if the structural barriers are not taken note of. There seems to be structural barriers that exist that impede the attainment of sustainable peace in the Great Lakes Region, Particularly the DRC (McGregor, 2006). Throughout history, peace talks have been used to settle conflicts to ensure sustainable peace in conflict resolution the world over. In classical ancient Greece, there were negotiated truces. In 392 BC there was a request for peace talks by the king of Sparta and the Great King of Persia.

During the peace negotiations at Sardis, the Persian King was offered everything the Spartan king thought would help end the war. This ended in the multilateral peace agreement in the turbulent history of ancient Greece known as the ‘King’s Peace’ or the ‘peace of Antalcidas’, sworn by the great powers of Greece and the Great King of Persia, Artaxerxes II, in 386 BC. This agreement ended the Spartan-Persian War (399-386 BC) (Gómez et al., 2016). This continued to happen in various regions of the world until the modern days. For instance, in 1783 the Paris treaty that followed peace talks that started in April 1782 ended the American war of independence against the British.

In the recent history, the first famous and protracted peace talks were those between European powers at the Congress of Vienna 1814 – 15. These peace talks resulted in the Vienna settlement between European powers that ended the Napoleonic wars against Europe (Rage, 2010). This became a precursor to several peace talks in what was known as the Congress system. This trend also followed after the Second World War with the peace talks in Paris 29 July to 15 October 1946 that resulted in the Paris Peace Treaties. These peace talks’ discussed payment of war reparations, commitment to minority rights and territorial adjustments (Mason, 2016).

In colonial Africa including the Great Lakes Region, there were several peace talks between the African leaders and the colonialists to establish sustainable peace. Onyango (2016) writes that in the Great Lakes Region that comprises Burundi, Rwanda, north-eastern DR Congo, Uganda, Kenya and Tanzania such major peace talks that resulted in agreements included the negotiations that resulted in the Buganda Agreement of 1900 that pacified Buganda following the rebellion of Kabaka Mwanga 1886-1889. The

peace talks in Burundi that resulted in an agreement in 1890 which allowed Mwezi to stay as king but recognise German authority. However, in the Great Lakes region largely it was the British who reached peace treaties with locals for sustained peace to prevent large expenses on war. Such included the peace treaties with the Nandi that is the peace treaty of Kipture in 1906 and the Bunyoro Agreement with/between the British and Omukama Winyi IV by which Bunyoro was officially recognised as the Kingdom of Bunyoro-Kitara (Reid, 2009; Uzoigwe, 2016).

After independence, the Great Lakes Region especially the DRC, Rwanda, Burundi and Uganda got plagued with conflicts leading to several peace talks (Onyango, 2016). In DRC, after independence mutinies and secessionist movements marred the post-independence era. Patrice Lumumba became the Prime Minister and Joseph Kasavubu President.

Kasavubu and Lumumba got engaged in a power struggle and later Kasavubu dismissed Lumumba in September 1960 who later got assassinated on January 17, 1961. In 1965 Lieutenant General Joseph-Désiré Mobutu, ousted both President Kasavubu and Prime Minister Tshombe in the 1965 coup. Under Mobutu bad governance within the state accompanied by the external dimension that is the Rwandan genocide of 1994 laid the foundation of conflict in the DRC. Laurent Kabila backed by Rwanda and Uganda ousted Mobutu in May 1997.

In January 2001, President Laurent-Désiré Kabila was assassinated and his son, Joseph Kabila, took over. In 2001, the Inter-Congolese dialogue (peace talks) was initiated to set the stage for peace and democracy. In April 2003, the Pretoria Peace agreement paved way for peace. However, instability remained in the Eastern Congo since groups like the Mai Mai rebels were left out of the settlement. Optimism for a permanent peace came after peace talks that led to the Goma agreement was signed on 23 January 2008 (Uzoigwe, 2016). On 23 March 2009, the National Congress for the Defence of the People (CNDP) signed a peace treaty with the DRC government, where it became a political party, and the M23 soldiers integrated into the Armed Forces of the Democratic Republic of the Congo (FARDC) AFP, 2009).

However, the failure of the Congolese government to implement the tenets of the Goma Peace Accord, led to the formation of the M23 political movement in April 2012. M23 is an abbreviation of the March 23 Movement (*Mouvement du 23-Mars*) (BBC, 2013). M23 takes its name from the date of the peace

accord (March 23) (AFP, 2009). This is a rebel military group based in eastern areas of the Democratic Republic of the Congo (DRC), mainly operating in the province of North Kivu. The group is involved in an armed conflict with the DRC government (BBC, 2016).

Since January 2013, M23 leaders and the DRC government have been engaged in peace talks (Muhumuza, 2013). The M23 Rebels demanded general amnesty for all acts of war and acts of insurrection, dissolution of all existing DRC institutions and the formation of a transitional government they called National Transitional Congolese Council, or CNTC, tasked with reviewing the Congolese constitution (Enough Team, 2013). Unfortunately, the peace talks with the M23 rebels currently are in a stalemate. This followed the dismissal of their president Jean-Marie Runiga over accusations that he was supporting Bosco Ntaganda, a wanted war criminal with financial support to recruit military personnel and was compromising the peace process in order to protect Ntaganda. The move split the M23 with a new group formed by those supporting Runiga (Associated Press, 2013).

Contextually, there have been several peace talks in the DRC with local rebels and outside countries supporting different groups. Various Peace Agreements have been signed since 1999 for the withdrawal of foreign military forces involved in the hostility and by the main Rwandan and Ugandan proxies – the Rally for Congolese Democracy (RCD) and the Movement for the Liberation of the Congo (MLC) but were never implemented (These agreements were the Lusaka, Kampala and Harare Peace Accords of 1999). ‘Congo Peace talks revived in 2001 and peace negotiations successfully enabled the withdrawal of foreign forces and signing of peace agreements with all major rebel groups (The "Sun City Agreement" signed in South Africa in December 2002 formed an "all Inclusive" interim government) (Mollel, 2009). However, since January 2013, M23 leaders and the DRC government have been engaged in peace talks seeking to establish sustainable peace (Muhumuza, 2013).

However, despite these peace talks' efforts, sustainable peace has not been established in the DRC. This trend of peace talks paints a clear picture that peace talks alone could not guarantee sustainable peace in Congo. Perhaps consideration of the structural factors that surround the countries in the Great Lakes Region, particularly the DRC needs to be given adequate attention, which is the aim of this study. This

study examined influential structural factors in the DRC, the DRC peace talks' processes, strategies, and factors inhibiting peace talks to suggest a way forward for the Great Lakes Region especially the DRC.

1.2 Statement of the Problem

Despite the several peace talks held to resolve the conflicts in the Great Lakes Region, sustainable peace remains elusive. In particular, the Democratic Republic of Congo has been engulfed in conflicts many of which escalate into wars (Muhumuza, 2013). The conflicts have claimed numerous lives and plunged the resource-rich country into chaos and acute underdevelopment. At the beginning of the war in 1998, rebels and their Rwandan and Ugandan allies were reported to have killed 200 civilians in Kassika in South Kivu. Later, 818 other civilians were killed in 'the massacre of Makobola'. Their houses were burnt and almost at the same time fifteen women were buried alive in Kamituga. As early as February 1999, thirty people were killed at Kilambo in North Kivu by the Rassemblement des Congolais pour la Démocratie (RCD), backed by the Rwandan army. RCD rebels and the Rwandan soldiers and militias tied up men, raped women in front of their sons and husbands and killed them. In May the same year, the RCD with its Rwandan allies killed at least thirty villagers in Katogota (Muhumuza, 2013).

In late 1999, the RCD with their allies sexually tortured and buried many women alive in Mwenga. All this brought untold suffering and still continues with many Congolese refugees in every country in the Great Lakes Region and the world over. Peace efforts through peace talks that include Lusaka, Kampala and Harare Peace Accords of 1999, the "Sun City Agreement" in South Africa December 2002 (Mollel, 2009) and the recent peace talks between the M23 leaders and the DRC government in Kampala (Muhumuza, 2013) have not yielded sustainable peace.

Given that sustainable peace has remained elusive despite the peace talks efforts, this study aims at unravelling the complex relationship between peace talks and sustainable peace in conflict resolution. The leading research question is; **why have peace talks failed to create sustainable peace to the effect that peace has remained elusive in the Great Lakes Region especially the DRC?** This leading research question shall lead the researcher to answer several other sub-research questions such as; what peace talks have been held to bring about sustainable peace in the DRC since 1996? Why do civil wars rarely end in lasting negotiated settlements, and what conditions ultimately lead to negotiated solutions to these wars? What is the focus of peace talks that contribute towards sustainable peace in the DRC?

What structural factors inhibit peace talks from creating sustainable peace in conflict resolution? And what should be done to ensure that peace talks create sustainable peace in the DRC and the great lakes region in general?

1.3 General of Objective of the Study

The general of the study is to make an assessment of the structural barriers, peace talks and how these factors impede realisation of sustainable peace talks in the Great Lakes Region, particularly the DRC.

1.3.1 Specific Objectives of the Study

1. To assess the structural barriers affecting the realisation of sustainable peace in the DRC.
2. To investigate the peace talks' processes contributing towards sustainable peace in conflict resolution.
3. To assess the peace talks strategies contributing towards sustainable peace in conflict resolution
4. To establish factors that inhibit peace talks from creating sustainable peace in conflict resolution.

1.4 Research Question

The Study was out following the line of inquiry below;

1. What are the structural barriers affecting the realisation of sustainable peace in the DRC?
2. What are the peace talks' processes contributing towards sustainable peace in conflict resolution?
3. What peace talks' strategies contribute towards sustainable peace in conflict resolution?
4. What factors inhibit peace talks from creating sustainable peace in conflict resolution?

1.5 Significance of the Study

The study will give a clear understanding of the need for peace talks, factors/ conditions needed for peace talks and the hindrances of peace talks and why peace agreements are broken.

The research will also be useful for general reading to those interested in studying peacebuilding approaches as it will provide a basis for academic discourses to scholars.

The study is expected to contribute to the existing knowledge and provide a basis for further research.

1.6 Scope of the Study

The researcher envisaged three types of scopes in this study to help come up with reliable deductions for this body of knowledge. The kinds of scopes adopted included subject, geographical, time, and interviewee scopes.

1.6.1 Subject scope

The study limited its content to finding out the structural barriers affecting the realisation of sustainable peace in the DRC; the peace talks' processes contributing towards sustainable peace in conflict resolution; peace talks' strategies contributing towards sustainable peace in conflict resolution and; factors inhibit peace talks from creating sustainable peace in conflict resolution.

1.6.2 Geographical scope

The study assesses peace agreements so far signed between the government of D.R.C and rebel groups, and neighbouring countries which have all aimed at peace building process in the Great Lakes Region.

1.6.3 Time Scope

The research study surveys the period 1996 to 2016 because during this period a lot of conflicts have taken place in the Great Lakes Region particularly in DRC per the dates of the major agreements.

1.7 The Theoretical Framework

The Spoilers' Theory

According to Stedman (2012: 01), 'the greatest source of risk comes from spoilers-leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it'. By signing a peace agreement, leaders put themselves at risk from adversaries who may take advantage of a settlement, from disgruntled followers who see peace as a betrayal of key values, and from excluded parties who seek either to alter the process or to destroy it. By implementing a peace agreement, peacemakers are vulnerable to attack from those who oppose their efforts. And most important, the risks of peacemaking increase the insecurity and

uncertainty of average citizens who have the most to lose if war is renewed. Stephen Stedman addresses the problem of dealing with “spoilers” in peace processes-local actors who attempt to disrupt efforts to terminate conflicts. Stedman examined the activities of spoilers in several recent conflicts and drew the lesson that it is important to distinguish between different types of spoilers. As noted above, it is important for policymakers in dealing with conflict situations to have a correct image of the adversary. Stedman presents an analysis of types of spoilers that can be used to classify spoilers and judge how best to interact with them in order to advance the peace processes they may try to derail.

His typology focuses on important differences in the motives of spoilers and in their objectives; classifies spoilers as “limited,” “greedy,” or “total”; identifies three strategies for managing spoilers (withdrawal, a “departing-train” strategy involving a threat to move the peace process forward without involving the spoiler, and the use of inducements to address a spoiler’s grievances); and evaluates these strategies in terms of their potential for success with different types of spoilers. Stedman finds that a correct classification of the type of spoiler is critical for choosing the most effective strategy for neutralizing the spoiler’s effort to disrupt a peace process. He provides practitioners with a framework that can assist them in classifying future spoilers and with propositions that lead to advice on how to proceed once the spoiler has been correctly classified.

This was also a basis for the investigations of the study. The theory is relevant because it acknowledges the importance of structural factors during negotiations to reach a common ground during peace talks. This theory was found relevant because in the DRC, the lack of sustainable peace is not only due to natural or structural factors, but there could be some individuals who act as spoilers, wanting to benefit from the political and war situation of turmoil. Owing to the enormous natural resources the DRC has, many businessmen feel that they can properly survive and reap from the unstable political environment, by dealing in the lucrative mineral and timber wealth, without the strong arm of government interference through licencing, demanding or emphasizing tax obligations and regulation. Such businessmen continue to reap big from DRC’s war situation. This study considered that the Spoilers Theory was relevant to the DRC case because, there could be many parties who are not interested in a comprehensive peace process because they somehow reap from the state of turmoil currently experienced, either economically, politically, or socially, as this study found out.

1.8 Definition of Key Terms

Peace: Peace is the maintenance of an orderly and just society; orderly in being protected against the violence or extortion of aggressors, and just in being defended against exploitation and abuse by the more powerful (Cortright, 2008).

Peace talks: peace talks refer to a discussion or series of them between dissenting groups or countries to attempt to end hostilities (Dictionary.com, 2013).

Sustainable: sustainable is, “able to be maintained over time (Heinberg, 2010). Therefore, sustainable peace means being able to over time maintain an orderly and just society.

Process: A process is a systematic series of actions directed to some end (Bandor, 2007). Thus, the peace talks processes are systematic series of actions directed enabling discussion or series of them between dissenting groups or countries to attempt to end hostilities.

Structural barriers: This refers to aspects of the external environment that limit negotiating options, to the extent that there are no possible points of agreement, such as the nature of the system in which the actors operate confounds their efforts to follow through with the provisions of the agreement (Howard, 1984).

1.9 Structure of the Thesis

This thesis is organised into five chapters; Chapter one presents the introduction and background to the study, chapter two presents a review of the literature related to the study; Chapter three presents the methodology to be followed by the study; Chapter four presented analysis of the findings, and lastly chapter five presented the conclusions and recommendations to be made by the study.

CHAPTER TWO

LITERATURE REVIEW

2.0 Introduction

This chapter presents the review of the related literature. The content of the literature on the variables obtained from the studies carried out on peace talks to provide understanding and insight on the problem of the study. While reviewing literature, gaps and trends on structural barriers to sustainable peace, peace talks' processes, the peace talks' strategies, the focus of peace talks and factors that inhibit peace talks will be evaluated.

2.1 Theoretical Review

2.1.1 Veto Players Theory of Cunningham (2006)

The main argument about the Veto Players Theory is that when more parties get involved in a conflict, it makes civil wars more difficult to resolve through negotiation and therefore of longer duration. Within civil wars, there is a sub-set of these groups (which could include all of them) that have the ability to block an end to the war. These groups can be labeled "veto players" because they have the capacity to veto peace and continue the war on their own even if the other groups involved sign a peace agreement and stop fighting. The costs of war, informational asymmetries, and commitment problems are important factors in the duration of war. Civil War Actors as Veto Players Veto player analyses have been used in the political science literature to examine the effect of institutional arrangements on policy (Cunningham, 2006).

The heart of the theory is that when there are more actors in government with divergent preferences that have to approve any new policy, it becomes harder to implement policy and to move from the status quo. In governmental systems with more veto players, finding agreement on new policy is difficult and fewer policies are implemented. When viewed this way, there are similarities between governmental bargaining and civil war negotiations. Civil wars can be thought of as violent conflict over policy. Insurgent groups revolt in response to dissatisfaction with a set of policies of the government. They seek to push their demands on the government through fighting and bargaining. Negotiations in a civil war, like in governmental bargaining, involve parties at the table making offers for a new policy to replace the

existing policy, and each party must decide whether it prefers the new policy to the status quo. Governmental bargaining and civil war negotiations are not identical processes, however, for two reasons. First, when the civil war negotiations break down, fighting continues and the costs of conflict are borne by all parties. Bargaining breakdown in governmental negotiations can be costly as well, but those costs are less obvious and it is not clear that all actors in government bear them.

Secondly, factions in a civil war face a constant threat of being defeated militarily and therefore unable to bargain further. In governmental bargaining this situation only arises around elections. Rather than seeing these differences as making it impossible to apply a veto player framework to civil war negotiations, a theoretical model of multiparty bargaining in civil war is developed using both the similarities and differences between governmental bargaining and civil war negotiations. This model emphasizes the strategies that actors in conflict will use both on the battlefield and at the negotiating table to try to get the best deal possible based on the number, preferences, and strength of veto players participating in the conflict.

These various strategies affect the duration of these conflicts. Before turning to the presentation of the theory there is one remaining issue that needs to be addressed-why conflicts vary in the number of combatants. The next section presents a discussion of the factors that lead some civil wars to become multiparty. Why Civil Wars Are Multiparty Using a veto player framework to analyse civil war negotiations is only useful if there is variation in the number of actors across civil wars. The introduction discussed several examples of multiparty internal conflicts. A closer look reveals that a significant number of civil wars contain more than two parties.

Combatants in civil war can be generally categorized into three groups: the government, internal insurgents, and external actors who have intervened in the fighting. Civil wars generally start when one domestic insurgent group launches a violent challenge against the government. The factors that make civil wars multiparty are those that lead to additional internal insurgents emerging and to external states intervening in the conflict. Each of these conditions is discussed in turn. Internal Groups Internal insurgents in conflict can be further divided into two types: "original groups" who emerge independently and pursue a separate agenda from the other original groups in the conflict, and "splinter factions" who emerge due to a split within an existing group. The domestic insurgent groups in the 1998-2001 civil war in the Democratic Republic of the Congo can illustrate this distinction.

Conflict began in August 1998 when a Congolese insurgent group, the Rally for Congolese Democracy (RCD), based on the border with Rwanda, launched an armed challenge against the Congolese government. In November 1998 a second Congolese insurgent group emerged, the Movement for the Liberation of the Congo (MLC), based in north eastern Congo. The MLC had a completely separate leadership structure from that of the RCD, received support from a separate external patron (Uganda, instead of Rwanda), and represented a different ethnic base of support than the RCD did. These two groups can both be thought of as "original" groups in that they emerged independently of each other. The conflict in the DRC also saw the emergence of splinter factions.

In January 1999, the leader of the RCD, Ernest Wamba dia Wamba, was replaced at a party congress in Goma. Wamba moved to Kisangani and announced that he was not stepping down. This leadership dispute led to a split in the organization and two main factions, RCD-Goma (the original faction) and RCD-ML (led by Wamba) both fought against the DRC government and battled against each other. RCD-Goma actually saw further splintering across the conflict, although none of these other splinter factions was large enough to have a significant effect on the fighting and thus accounting for lack of sustainable peace in the DRC. This shows that Veto player theory was at play.

2.1.2 The Spoilers' Theory

According to Stedman (2012: 01), 'the greatest source of risk comes from spoilers-leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it'. By signing a peace agreement, leaders put themselves at risk from adversaries who may take advantage of a settlement, from disgruntled followers who see peace as a betrayal of key values, and from excluded parties who seek either to alter the process or to destroy it. By implementing a peace agreement, peacemakers are vulnerable to attack from those who oppose their efforts. And most important, the risks of peace making increase the insecurity and uncertainty of average citizens who have the most to lose if war is renewed. Stephen Stedman addresses the problem of dealing with "spoilers" in peace processes-local actors who attempt to disrupt efforts to terminate conflicts.

Stephen Stedman addresses the problem of dealing with "spoilers" in peace processes-local actors who attempt to disrupt efforts to terminate conflicts. Stedman examined the activities of spoilers in several recent conflicts and drew the lesson that it is important to distinguish between different types of spoilers.

As noted above, it is important for policy makers in dealing with conflict situations to have a correct image of the adversary. Stedman presents an analysis of types of spoilers that can be used to classify spoilers and judge how best to interact with them in order to advance the peace processes they may try to derail.

His typology focuses on important differences in the motives of spoilers and in their objectives; classifies spoilers as “limited,” “greedy,” or “total”; identifies three strategies for managing spoilers (withdrawal, a “departing-train” strategy involving a threat to move the peace process forward with-out involving the spoiler, and the use of inducements to address a spoiler’s grievances); and evaluates these strategies in terms of their potential for success with different types of spoilers. Stedman finds that a correct classification of the type of spoiler is critical for choosing the most effective strategy for neutralizing the spoiler’s effort to disrupt a peace process. He provides practitioners with a framework that can assist them in classifying future spoilers and with propositions that lead to advice on how to proceed once the spoiler has been correctly classified.

This was also a basis for the investigations of the study. The theory is relevant because it acknowledges the importance of structural factors during negotiations to reach a common ground during peace talks. This theory was found relevant because in the DRC, the lack of sustainable peace is not only due to natural or structural factors, but there could be some individuals who act as spoilers, wanting to benefit from the political and war situation of turmoil. Owing to the enormous natural resources the DRC has, many businessmen feel that they can properly survive and reap from the unstable political environment, by dealing in the lucrative mineral and timber wealth, without the strong arm of government interference through licencing, demanding or emphasizing tax obligations and regulation. Such businessmen continue to reap big from DRC’s war situation. This study considered that the Spoilers Theory was relevant to the DRC case because, there could be many parties who are not interested in a comprehensive peace process because they somehow reap from the state of turmoil currently experienced, either economically, politically, or socially, as this study found out.

2.1.3 Ripeness Theory of Conflict Resolution

Ripeness Theory embodies a very common sense principle: that a party does not take an action unless it feels it has to – when the situation is ripe for intervention. The most important characteristic of ripeness often misunderstood, is the pain that marks the mutually hurting stalemate. Thus, ripeness is not self-implementing; it is a necessary but insufficient condition for the opening of negotiations and must be seized, by the parties or by a third party. Crocker (1992:471) states very forcefully (in boldface in the original) that “the absence of ‘ripeness’ does not tell us to walk away and do nothing. Rather, it helps us to identify obstacles and suggests ways of handling them and managing the problem until resolution becomes possible.” Crocker’s own experience indicates, first and above all, the importance of being present and available to the contestants while waiting for the moment to ripen so as to be able to seize it when it occurs. Thus, two policies are indicated when the moment is not ripe: positioning and ripening. Strategies of positioning and ripening are adjuncts to ripeness theory, but they are very important to the practitioner. As such they are not theoretically tight but rather suggestive. To begin with, Crocker (1992; see also Haass, 1990, and Goulding, 1997) lists a number of important insights for positioning:

Give the parties some fresh ideas to shake them up; Keep new ideas loose and flexible and avoid getting bogged down early in details; Establish basic principles to form building blocks of a settlement; Become an indispensable channel for negotiation; Establish an acceptable mechanism for negotiation and an appropriate format for registering an agreement. Other strategies include preliminary explorations of items identified with pre-negotiations (Stein, 1994):

Identify the parties to be involved in the settlement; identify the issues to be resolved, and separate out issues that are not resolvable in the conflict. Air out alternatives to the current conflict course; Establish bridges between the parties. International Conflict Resolution After the Cold War; Clarify costs and risks involved in seeking a settlement; Establish requirement, the sense that each party will reciprocate the other’s concessions; Assure support for a settlement policy within each party’s domestic constituency.

Ripening can also be the subject of creative diplomacy. Since the theory (Proposition 3) indicates that ripeness results from objective indicators plus persuasion, these are the two elements that need attention in ripening. If some objective elements are present, persuasion is the obvious diplomatic element, serving

to bring out the perception of both a stalemate and pain. Such was the message of Henry Kissinger in the Sinai withdrawal negotiations (Golan, 1976) and of Crocker in the Angolan negotiations (Crocker, 1992), among many others, emphasizing the absence of real alternatives (stalemate) and the high cost of the current conflict course (pain).

If there is no objective indicator to which to refer, ripening may involve a much more active engagement of the mediator, moving that role from communication and formulation to manipulation (Zartman and Touval, 1997; Touval, 1999; Rothchild, 1997). As a manipulator the mediator either increases the size of the stakes, attracting the parties to share in a pot that otherwise would have been too small or limits the actions of the parties in conflict, providing objective elements for the stalemate. Such actions are delicate and dangerous since they threaten the neutrality and hence the usefulness of the mediator, but on occasion they may be deemed necessary.

A ripe moment is one at which “the parties’ motivation to settle the conflict is at its highest” (Zartman 2000: 228). This moment is not necessarily a function of the duration of the conflict. Rather it is characterized with “circumstances conducive for negotiated progress or even solution” (Haass 1990: 6). “In this notion, time matters in the sequencing of events that must take place over the life of a conflict. According to ripeness scholars, disputes cannot end until certain stages of conflict development have been passed through” (Regan and Stam 2000: 243).

In other words, parties are most likely to accept mediation and cooperate for a peaceful resolution only after certain conditions are met: “when the parties find themselves locked in a conflict from which they cannot escalate to [unilateral] victory and this deadlock is painful to both of them (although not necessarily in equal degrees or for the same reasons), they seek a way out” (Zartman 2000: 228). This refers to the famous concept of “mutually hurting stalemate” (Zartman 1985/1989; Touval and Zartman 1985). The dynamics of the conflict change in a way that results in the transformation of antagonists’ cost-benefit calculations and/or goals, and the strategies they choose to pursue.

Perhaps owing to its attractiveness as an easy to understand metaphor, scholars and practitioners alike have widely used “ripeness” as a tool for explaining in retrospect why third parties could manage some conflicts more successfully than others. As Stedman Stephan expresses, however, “to improve the usefulness of the concepts, we need to bring more precision to it, so that ripeness becomes more than a

tautology and subject to more rigorous definition” (1991: 240). The pace of this study was to find out whether the ripeness theory has contributed in any way to the peace situation in the DRC.

The NATO bombing of Serb positions in Bosnia in 1995 to create a hurting stalemate, or the American arming of Israel during the October war in 1973 or of Morocco (after two years of moratorium) in 1981 to keep those parties in the conflict, among many others, are typical examples of the mediator acting as a manipulator to bring about a stalemate. (Kissinger’s action to increase the size of the pot during the second Sinai disengagement through U.S. aid is an example of the first type of manipulation.)

Finally, using ripeness as the independent variable, practitioners need to use all of their skills and apply all concepts of negotiation and mediation to take advantage of that necessary but insufficient condition in order to turn it into a successful peace-making process. Here the various notions of “readiness” already indicated are useful but not exclusively so. The study and practice of negotiation are so complex that both analysts and practitioners should be on guard against any single-factor theory or approach. William Zartman provides a major clarification and extension of earlier writings on the concept of “ripeness” and its role in bringing the parties to a conflict into serious negotiations. Zartman’s Ripeness Theory is primarily an elaboration of a theory as the basis for an empirical analysis of the effectiveness of a conflict resolution technique. Ripeness focuses attention on the timing rather than the substance of proposals for conflict settlement. Zartman maintains that more attention is needed to the timing question because those who focus on substantive aspects of negotiation have generally ignored or downplayed timing. Zartman reemphasizes that ripeness and the related notion of the mutually hurting stalemate are perceptual phenomena, necessary but not sufficient for the opening of productive negotiations. Not all ripe moments are seized, and some kinds of negotiations can take place in the absence of ripeness. In addition to a perceived stalemate, a perceived possibility of a way out through negotiation or mediation is also necessary for productive negotiations to begin. Zartman summarizes references to ripeness in accounts by scholars and diplomatic practitioners and reviews the literature on the ripeness concept, presenting and analysing a series of propositions about timing and ripeness. He notes the important refinements of the ripeness concept by a number of authors, including Stephen Stedman, who took the concept “beyond a single perception into the complexity of [the] internal dynamics” of each side to a conflict. This refinement expands the concept of the perception of ripeness to include a country’s patrons, its military officers, changes in leadership, and domestic rivalries. Zartman notes a number of problems with the

emphasis on the need for ripeness. One is that increased pain may increase resistance rather than reduce it. He postulates that “cultural” differences may explain this variation: some parties to a conflict may act as “true believers” who treat increased pain as a justification for intensified struggle.

Zartman says that “in the current era, cases of resisting reactions . . . come particularly from the Middle East.” For example, he sees the United States in the Iran hostage crisis as having acted under the logic of the hurting stalemate, exerting increased pressure in the hope that the Iranian leaders would perceive a stalemate and agree to negotiate; Iran, however, saw the U.S. strategy as indicating the opposite of the contrition Iran required as a basis for negotiation. Zartman concludes that negotiations with true believers take longer to come to fruition because ripe moments are harder to find. The task of this study was to find out whether the ripeness theory has contributed in any way to the peace situation in the DRC.

2.2 Peace talks held in the interests of the DRC

The Uganda Peace Accord of December 1985 created a new national army, divided leadership positions in the military council between the government and the rebels, and called for further political power sharing. Having resolved these tricky military and political issues, one would have expected this accord to flourish without the need for additional security guarantees; all the terms of the accord were in place. But security guarantees were crucial to both the final acceptance and the subsequent failure of the treaty. Kenya, Tanzania, Britain, and Canada were asked to establish a peacekeeping force to monitor the ceasefire, but Britain and Canada declined to participate. As a result, the terms were never implemented (SIDA, 2014).

Chad’s Reconciliation Accord followed a similar pattern. Signed in August 1979, it called for the demilitarization of the capital, a general amnesty, a broad-based transitional government, and the dissolution of all armed forces. A neutral peacekeeping force from Guinea, Benin, and Congo was promised to enforce the ceasefire. This case is interesting because the government of “national unity” was actually established in November 1979. Unfortunately, the neutral African force did not arrive when scheduled, and no other terms were ever implemented. The new government broke down by March 1980, and the war resumed until the guerrillas eventually won a decisive victory seven years later. The importance of enforcement, therefore, should not be underrated. In most cases, adversaries were far more intransigent about basic security issues during the transition period than they were over multiparty rule,

land reform, or majority rule. In many cases negotiations followed the same timetable: the political and economic issues were settled first, followed by the security arrangements (SIDA, 2014).

First, and most importantly, the only type of peace keeping that appears to help end a war is that which is backed by a promise to use force. Observers or unarmed peacekeepers with no military backup will have little positive effect on either negotiations or treaty implementation. In fact, these “traditional” peacekeepers will most likely be placed in unstable situations prone to spiral back into violence. Even in the most promising situation—for example, when belligerents have signed a detailed peace agreement the war will most likely resume, and unarmed peacekeepers will suffer (Tatiana, 2009).

Actors of the Democratic Republic of Congo’s political negotiations in finding a solution to the crisis after Joseph Kabila’s refusal to leave office were to observe a 4-day Christmas break. They were to return to the negotiating table on Thursday, and the National Episcopal Conference of Congo hoped an agreement would be reached after a day after the resumption on December 30. One official who was the chairman of the mediation committee said that the divergence on the consensual management of the transition period had been flattened to 95%. The opposition and government had not reached an agreement on Saturday when they were breaking for Christmas.

Kabila was required by constitutional term limits to step down when his second mandate came to an end on December 19, but a constitutional court ruled that he can stay on until a new successor is elected. Elections have been postponed to April 2018 after the electoral commission complained of inadequate resources to conduct the process. The opposition accuse Kabila of manipulating the system to cling on to power, while a faction of the opposition has agreed and through a national dialogue, got one of its members appointed Prime Minister until the election. This description shows that DRC has been going through different peace processes, but all to no positive avail.

The Goma agreement signed by the Kinshasa government, dissident CNDP General Laurent Nkunda, and Mai Mai militias on 23 January 2008 called for a ceasefire, the withdrawal of troops from key areas, and the disarmament, demobilization, and reintegration of combatants. But implementation of both the Goma agreement and the subsequent Amani disengagement process failed, and by August 2008 fighting had resumed. The failure of the controversial joint operations of government forces (FARDC) and

MONUC against Nkunda's CNDP rebels, and the very public collapse of government forces in the face of CNDP advances left an over-stretched and under-equipped MONUC as the only layer of protection against Nkunda's growing control over the region.

The Lusaka agreement called for the immediate cessation of hostilities within twenty-four hours of its signing. By 'hostile action' it meant not only military attacks and reinforcements, but all hostile propaganda as well – an important emphasis in a region where hate speech has incited violence with devastating consequences. Furthermore, the agreement called for disarming foreign militia groups in the Congo, the withdrawal of all foreign forces from the country, and the exchange of hostages and prisoners of war. It also called for the establishment of a Joint Military Commission (JMC) composed of representatives of the belligerents, each with veto power. But despite these numerous agreements, sustainable peace has remained elusive, hence the need to understand the possibility of other factors, such as the structural factors that contribute to peace and conflict in the DRC.

2.3 Structural Barriers to Sustainable Peace

Structural barriers are literal barriers to communication, such as mountains, rivers, jungles, deserts, oceans, and scarce resources, and they can limit the ability to communicate or to provide the material underpinnings of an effective agreement (McGregor, 2006). Structural barriers are also an "issue" (not a "trouble"). Beyond one's personal control, part of the context or environment.

The Democratic Republic of the Congo (DRC), with a population of over 68 million, has been beset by civil war since 1996 (Ahere, 2012). To date, an estimated three million people have been killed and seven regional states (Angola, Namibia, Zimbabwe, Rwanda, Uganda, Burundi, and Chad) embroiled in the violence. The DRC territory is about a fourth of the size of the United States (US), or about the size of Western Europe. The sophisticated web of external interventions and insurgencies after the Second Congo War has rendered the DRC essentially ungovernable. Throughout its entire history since independence, the central government has never succeeded in establishing political order backed by the rule of law. The first and second Congo wars created a political vacuum in many parts of the DRC, most notably in the east. Vast sections of the country remain politically and logistically disconnected from the seat of government–Kinshasa. This situation has made a significant portion of the population feel

disenfranchised and marginalized. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state.

This has created a situation in the DRC where mineral-rich areas are typically infested with militias. Because the DRC's provinces are politically, socially and economically disconnected from each other, the sense of a unified national identity and patriotism is weak, which creates a vacuum that has been filled by militias, rebellions and unwelcome foreign interests. This study shall analyse how the vast size of DRC contributes to the lack of sustainable peace in an environment where many of the territories are disconnected from the centre of state power, and where many regions are physically cut off by thick natural forests and rivers that make communication and transport a problem (Ahere, 2012).

Ahere (2012) notes that despite the fact that the DRC is wealthy in natural resources, vast populations continue to be politically and economically marginalized. Delivery of basic services and social amenities beyond the capital, Kinshasa, continues to be a challenge. The territory of the DRC is about a fourth of the size of the United States (US), or about the size of Western Europe. The sophisticated web of external interventions and insurgencies after the Second Congo War has rendered the DRC essentially ungovernable. Throughout its entire history since independence, the central government has never succeeded in establishing political order backed by the rule of law. The first and second Congo wars created a political vacuum in many parts of the DRC, most notably in the east. Vast sections of the country remain politically and logistically disconnected from the seat of government –Kinshasa.

This situation has made a significant portion of the population feel disenfranchised and marginalized. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state. This has created a situation in the DRC where mineral-rich areas are typically infested with militias. Because the DRC's provinces are politically, socially and economically disconnected from each other, the sense of a unified national identity and patriotism is weak, which creates a vacuum that has been filled by militias, rebellions and unwelcome foreign interests, delayed justice for victims of violent conflicts and inadequate reconciliation in the DRC. An important transformative aspect of the Global and Inclusive Agreement was its provision for a Truth and Reconciliation Commission (TRC). After

reaching the Agreement and the presence of unregulated mining operations in the DRC is one of the biggest impediments to peace in the country (Tatiana, 2009).

With the many parties and diverse interests involved, negotiating a representative settlement became challenging. The Congo Wars, for example, have seen the participation of up to nine countries. Although the war officially ended with the formation of the transitional government in mid-2003, since then Burundi, Rwanda and Uganda, which all participated in the Second Congo War, have made incursions into eastern DRC. These invasions have mainly been driven by national security interests, but ultimately they have served to contribute to the instability of the DRC (Tatiana, 2009).

Ahere (2010) notes that since the 1990s eastern regions of the DRC have consistently experienced high insecurity and repeated incidences of violence, often as a result of interference of neighbouring countries. The recurring episodes of violence in both the eastern and other regions of the DRC indicate that the process of conflict transformation is impeded by deep structural issues in society. These structural barriers must be addressed if peace in the country, and the Great Lakes region, is to be achieved.

It has been suggested that since the causes of the DRC conflict were also distinctively local, they could only be properly addressed by combining action at grassroots level with intervention at higher political levels.³¹ Most of the grassroots conflicts required a considerable measure of bottom-up approaches to peacebuilding, in addition to the top-bottom approaches. However, it has been noted that only a few non-governmental organisations conducted bottom-up peacebuilding in the most fragile flashpoints. There was no attempt to resolve land disputes, to reconstruct grassroots institutions for the peaceful resolution of conflict, or to promote reconciliation within divided villages or communities, even though international and Congolese actors could easily have done so, or supported these initiatives, with the resources at hand. This study will find out whether similar structural barrier existed in the DRC, impeding sustainable peace in the multi-lingual nation. The study found that similar structural factors contribute to the illusion of sustainable peace in the DRC.

Some examples of structural impediments might be group identities, political and legal institutions, mountains and oceans, or production and trade patterns in a region. Structural impediments are domain-specific (Mollel, 2009). Some structural limits may exist for one person in one conflict, but not for the

same person in a different conflict. For example, a legal institution can be a structural barrier in a local environmental dispute because it limits the possible outcomes. The same corporation that may be involved in this local dispute will not be constrained by that legal system in the international realm. There is no overarching enforcement mechanism at the international level to constrain the corporation. Similarly, states, it is argued, exist in an environment of anarchy. The number of parties involved can be important determinants of possible agreements; institutions, beliefs and information, and physical limitations are also important constraints on possible agreements and their implementation (Mollel, 2009). This thesis focused on a handful of examples in order to show how these barriers limit conflict resolution, and to discuss possibilities for overcoming the limits imposed by structural limitations in the DRC.

The other important issue is the proper nature of a development strategy for DRC. Its main assets are obviously the minerals, and mineral export must, also obviously, play a very important part of any strategy. But the challenge for the international community in general, and the transnational economic mineral actors specifically, is to allow a pattern of distribution of the concessions and future profits, which avoids rather than promotes future conflicts.

Another structural barrier rotates around political and legal institutions. Intractable conflicts at all levels are constrained by the rules, regulations, and political coalitions that define the institutional environment (Mollel, 2009). This environment varies widely as one moves from conflicts within states to conflicts between states, to conflicts in failed states. In conflicts between states and in failed states, the institutional environment is structured by power and anarchy. That is, agreements are limited by the lack of an overarching government that can provide effective sanctions against illegal actions. Thus, some argue, power rules and Might Makes Right.

There are also geostrategic reasons and the fact that the country is laden with important minerals that are critical to the work of a range of industries. The irony is that whereas these entities benefit a great deal from the mineral wealth of the DRC, they do not seem to extend any importance to the socio-political issues that are a consequence of their activities. Montague posits that several mining companies domiciled in western nations fund military operations in exchange for lucrative contracts in the east of the DRC. The presence of unregulated mining operations in the DRC is one of the biggest impediments

to peace in the country. For as long as these mining companies operate in the prevailing conflict-laden environment that allows them to trade arms for minerals, peace in the DRC will remain a pipe dream (Tatiana, 2009).

Another serious structural barrier is about the physical barriers or limitations. The oldest and some of the most difficult structural barriers are simple physical limitations to an agreement. These are literal barriers to communication, such as mountains, rivers, jungles, and enormous resources in the DRC limit the ability to communicate or to provide the material underpinnings of an effective agreement (Giessmann & Wils, 2009).

According to Gwinyazi and Laker (2010), the conflict in the Congo, particularly in the eastern parts of the country, is entangled with other recent conflicts in the Great Lakes region such as Burundi and Rwanda. An April 2010 meeting of the Economic Community of the Great Lakes Countries (CEPGL) brought together the presidents of the parliaments of Burundi, Rwanda, and the DRC to discuss peace, security, cooperation, and economic development issues. In July 2010, the DRC officially became a Heavily Indebted Poor Country (HIPC), and the World Bank and the International Monetary Fund (IMF) announced that about 90 percent – or \$12.3 billion – of the country's external debt would be annulled. The magnitude and complexity of the DRC conflict means that Congolese and external parties must contribute sufficient and appropriate resources to tackle the formidable obstacles to post-conflict reconstruction efforts in the country.

Insufficient, deficient or destroyed infrastructure is a contribution to, as well as a consequence of the conflict. It creates a foundation for isolated rebels, as well as other criminal and war-lords, groups, as it undermines the development of formal economies and the integration into the national and international economy, as well as society. Denying remote areas access to markets, social service, information, etc. provides a hotbed for any armed group to mobilize frustrated marginalized populations. Economic and social development in urban/central areas but not in the periphery create uneven development and increasing frustration gaps in the periphery, as clearly illustrated by the Ugandan or eastern DRC situation. In addition, it is costly and difficult to control areas with an incomplete infrastructure (Giessmann & Wils, 2009).

The region is rich in natural resources. As we can see in the section on DRC, Uganda and Rwanda, natural resources are at stake for many actors in the conflict. However, they are also a potential for post-conflict rehabilitation and development. There are strong conflicting interests between different groups and actors at different levels, which have been analysed at length, in the literature, and UN reports. Among the challenges, we find the need to develop institutions and frameworks that both integrate/transform the informal to a formal economy, governed by a reasonable rule of law, transparency and efficiency. At the same time, the extraction of resources has to be modernized in a sustainable way, and with as high value added as possible at the local level, without marginalizing local and regional actors (Giessmann & Wils, 2009).

The ongoing violent crisis in the DRC threatens to reverse gains made in the peace process and through the implementation of peacebuilding efforts. The current interest by regional and international actors in the crisis provides an opportunity for laying a framework for the resolution of the underlying structural issues that have plagued the DRC for a long time. The reality is that historical issues take a long time to resolve and that the peacebuilding process in the DRC cannot be tied to a timeline.

The actors and stakeholders interested in consolidating peace in the DRC must focus on transformative strategies that are aimed at ensuring the development of infrastructure for a stronger and more peaceful DRC. This will involve coalesced efforts and context-specific long-term peacebuilding strategies by multiple stakeholders whose interests are entrenched in reconciliation and wellbeing of the people of the DRC (Giessmann & Wils, 2009). But physical barriers place important constraints on third-party involvement. Even in situations where two parties to a conflict may desire intervention, they are not likely to be able to cover the cost. As the cost of overcoming barriers mounts, it is less likely that third parties will be available to provide the vital input necessary to resolve a conflict. In an environment where high levels of scarcity and low levels of development are pervasive, relations are likely to remain strained. The Great Lakes Region has a lot of such physical barriers, such as Lakes, Rivers, Mountains, Thick Tropical Forests, Natural Resources and Poor Transport and communication network, among others; however, how these could be contributing to lack of sustainable peace in the DRC remains a matter to be investigated by the instant study.

The other important structural factor in the DRC peace process are its neighbours, such as Uganda, Rwanda, Burundi, Tanzania, Zimbabwe, Zambia, South Africa and the UN and the AU, among others (Jonas, 2014). Analysing the case of Uganda for example, the relationship between Uganda and the eastern part of the DRC (Zaire) has been very close since long before independence. In many cases, the people in the border areas have lived in a situation as if this was part of the same country, migration and trade being constant features (Giessmann & Wils, 2009).

Mineral resources

In particular, the eastern part of DRC is well endowed with minerals. Five layers of actors could be discerned: Trans National Corporations (TNC's), regional, national and local entrepreneurs and state institutions, and at the bottom, local "hackers"/small-scale miners/excavators. There is a risk that the interest of the state, and the national entrepreneurs, of the rapid modernization of the mining sector in order to increase national tax revenues and investment opportunities, might create a conflict of interest between the national elites, the marginalized local elites and the small-scale extractors.

The necessary access to the trans-national mining companies' capital, technology, knowledge and markets may marginalize and undermine local entrepreneurs, middlemen, and small-scale miners. This may create a breeding ground for new cycles of local mobilization. Marginalization of regional actors, i.e., entrepreneurs from neighbouring countries, could be a source of conflict, when lucrative extraction is denied, and conversely, national actors and local actors can perceive regional actors as "looters". The state's and local government's bargaining and monitoring capacities in relation to international (and local) investors are weak. Long-term development in the region requires the establishment of a regional market economy with scope for regional actors to participate in a legitimate way in the exploitation of, and building up of processing capacity for, the natural resources in eastern DRC.

Energy

Cheap and reliable availability of energy, not least electricity, contributes to conflict prevention by creating conditions for rehabilitation, development and a feeling of being included in the modernization process, on condition that rural and peripheral areas are included. Vice versa, the denial or cutting off, of

the energy supply could generate a breeding ground for conflicts, as illustrated by the distribution of electricity in Uganda. Huge hydropower potential exists in the region. The methane gas under Lake Kivu could generate substantial parts of the region's electricity requirements. Rwanda, Burundi and DRC have many smaller rivers that could be utilized for micro-hydropower. A community-based micro hydro plant would then both facilitate the development of the social capital and provide electricity (Jonas, 2014).

Oil is in a similar way a potential source of both development and conflicts. Oil prospection is under way in several areas. Barrick Oil already claims the exploration rights around Lake Albert and Edward. The potential oil resources could fuel the conflict between Uganda and DRC, as well as conflicts between local, national, regional and international interests, as illustrated by the case of southern Sudan (Jonas, 2014).

Forest

The forest resources have been a source of conflict, but are also a key for peace and development. The export of timber and hardwood, in combination with weak monitoring structures, has generated an unsustainable and conflict-prone situation. The timber trade has driven roads deep into the forest, providing easier access for hunters to areas previously out of reach. Bush meat finds a ready market in the towns and cities of the region; this has long ceased to be a subsistence activity. However, forest resources have great potential to contribute to the modernization of the economy, and thus the reduction of structural violence if the export of unprocessed timber could largely be processed locally, and done in a way that would not marginalize nor exclude local people and entrepreneurs. Pulp and paper industry, sawmills, furniture factories are examples of processing industries that are needed for the rehabilitation of homes and offices, furniture, paper for newspapers and school books in a post-conflict phase (Jonas, 2014).

Lake resources

The large and deep lakes have vast potential to produce both fish and other products. All larger lakes are border lakes. Lake Tanganyika, which is the second largest and deepest lake in the world, has a larger water volume than the shallow Lake Victoria. It yields 200,000 tons of fish a year, an important source

of food and revenue for the shoreline countries. Lakes Kivu, Albert and Edwards are smaller and do not produce so much fish due to methane gas. The question on how and by whom, the lakes resources should be used is a source of conflict. Jonas (2014) illustrates that peace talks alone could not explain absence of peace in the DRC, but certain other structural factors, such as vastness of the DRC Territory, endowment with natural resources, the thick natural forests that hinder transport and communication, DRC being landlocked and its neighbours, such as Uganda and Rwanda, among others. This thesis thus analyses how these structural factors could have hindered sustainable peace in the DRC.

2.4 The Peace Talks Process and Sustainable Peace in Conflict Resolution

The framework and impetus of peace processes very often focus on bilateral negotiations between central political actors with the assistance of an external third party mediator. While each peace process contains its own complex and contextual particularities, transitions in societies as diverse as Colombia, Israel/Palestine and Northern Ireland share the common feature of elevating elite-based and exclusive peace negotiations to the centre of the broader movement towards of peace. Broader society is only afforded a subordinated role at the peripheries, however strong its organisation and capacity (McGregor, 2006). With the failure of the peace talks in the DRC to bring about sustainable peace, it's most likely that this is because of lack of involvement of the broader society and this attracted investigation of this study.

The peace process requires confidence-building measures. More confidence building measures are needed to move beyond ceasefires which are mere conflict management processes and progress towards a successful ethnic conflict resolution. The demobilisation of armed insurgents and the return to the barracks of troops are critical to an enduring ethnic peace (Bouvier et al., 2016). When the government relentlessly continues to expand its domination over ethnic territories, the rebels still aim to keep their weapons to retain control over resources, lootable commodities, and lucrative trade routes (Egreteau, 2016). However, with most peace talks in the DRC not yielding results, it is assumed that there is a lack of confidence building measures which this study investigated.

In peace talks, the location of the talks should not generate additional tensions or encourage enemies of the process (Bouvier et al., 2016). As a principle, mediation and negotiations should be conducted within the country in conflict, or nearby. However, because mediation usually starts in moments of fierce and

often on-going battles, safe venues for mediation are as important for the mediators as they are for the conflicting parties (Giessmann & Wils, 2009). However, the missing link is whether the peace talks' process in the DRC have been held in locations that help not generate additional tensions which this study investigated.

The peace talks' process may involve adjudication. Adjudication generally refers to processes of decision making that involve a neutral third party with the authority to determine a binding resolution through some form of judgment or award. Adjudication is carried out in various forms, but most commonly occurs in the court system (Bratic & Schirch, 2007). Where a condemned state fails, or deliberately default in complying with the Court's decision, the other party may have recourse to the United Nations Security Council, which may, if it deems necessary, make recommendations or decide on measures to be taken to give effects to the judgment (Mollel, 2009). With different countries involved in the DRC conflicts, it is assumed that in the peace talks process, there has been adjudication which this study investigated to establish its contribution to ensuring sustainable peace.

The peace talks' process requires the selection of mediators. Conflicting parties will not accept mediators who question their status or who will be presumed to take a partial stance against their interests. Some third parties are not acceptable for historical reasons or because regional powers refuse to work with them. It is important that mediators acceptable to the different conflicting parties are chosen. (Giessmann & Wils, 2009). This study investigated the nature of mediators if their acceptability has had an impact in promoting sustainable peace in the DRC.

Bouvier et al. (2016) indicate that with peace talks, there is a need for being prepared before sitting down to talk. Talks do not need to be rushed such that a work plan and a road map, and the teams are put in place. Support from the international community has to be sought from the start. However, it is not clear if the peace processes in solving armed conflicts in the DRC; this made conducting this study imperative to ascertain how peace processes have influenced peace outcomes in the DRC peace negotiations over the time.

The peace process needs to re-examine the central aspects of the historical and contextual narratives prevailing in society. Communities do not turn rivalry into friendship the same way school children do,

simply by deciding to put bad feelings behind (Bratic & Schirch, 2007). However, with unending conflicts in the DRC, it was not clear if the peace talks have taken historical and contextual narratives of the society under consideration and this has attracted the attention of this study.

The end of conflict should entail "laying down arms." The talks should provide a road map that commits the parties to "uninterrupted direct talks with the objective of attaining an agreement for termination of the conflict that contributes to building a stable and lasting peace" (Egreteau, 2016). However, the missing link that this study will investigate is whether the peace talks in the DRC have ensured that agreement on key reforms and issues, as identified in the agenda, will lead to the end of the conflict. Establishing a ceasefire before these mechanisms are in place has its risks. Likewise, the parties will need to clarify what acts are to be considered violations, and create mechanisms to process complaints (Bouvier et al., 2016). However, it was not clear if the peace talks in that DRC have ensured that clear and viable verification and control systems are established before formalising any agreement and this was studied in the peace processes in the DRC.

2.5 Peace talks strategies and sustainable peace in conflict resolution

Bouvier et al. (2016) expound that peace talks require a communications strategy that seeks both to protect the process but also inform the public. The early stage of confidence building between the parties requires isolation from the media and public debate. Discretion is necessary to explore areas of key concessions for both sides and thus identify or move toward a minimum consensus that will serve as a basis for possible agreements. With the little success of the peace talks in the DRC in bringing about sustainable peace, it's possible that communications strategy that seeks both to protect the process but also inform the public has not been employed to enhance peace talks and this was studied.

To have successful peace talks, negotiations must be opened with all rebel guerrilla groups and solutions must address other critical factors of violence. The right mechanism must be found to integrate all guerrilla groups into the process in joint or parallel tables, or other forms that might be determined. Moreover, the government should clearly define, *starting now*, an effective policy against groups that emerge after the demobilisation (Bouvier et al., 2016). However, what is not clear is whether in the DRC there has been finding a mechanism to integrate all guerrilla groups into the process in joint or parallel tables and this was studied.

When parties to a conflict enter talks reluctantly, the building of a broad international coalition to support the talks can be key in maintaining the momentum of the talks so that it is more difficult for parties to walk out. The fracturing of such a coalition can, conversely, send mixed signals to parties about international commitment to negotiations (Hendrickson & Tumutegereize, 2016). However, it was not clear if the DRC leaders have been building broad international coalitions to support the talks and this has attracted the study.

Feminising peace talks in such a way that women and their peculiar experiences take centre stage in talks is important. Women should not be excluded from peace talks because this practice has resulted in agendas and ultimately resolutions that ignore many post-conflict conditions. Democracy thrives on the widest possible degree of political participation. The more all social interests are accommodated and given a voice, the higher the likelihood of social cohesion and a sustainable peace. Above all, feminising peace talks is premised on the assumption that women are inherently peace makers (Iwiladei, 2011). Owing to the factor that in most African countries men are the major actors, the study investigated the involvement of women the talks in the DRC and if their involvement promoted sustainable peace.

The media is also an important strategy in peace talks that can help in leading to sustainable peace. According to Media events can be used at the beginning of negotiations to build confidence, facilitate negotiations or break diplomatic deadlocks to create a climate conducive to negotiation. Media events such as press releases, rock concerts, or radio programs can celebrate peace agreements and negotiations. The media events may help to promote and mobilise public support for agreements (Bratic & Schirch, 2007). This study investigated the role of media as a peace talks' tool in promoting sustainable peace.

During peace talks, it is imperative not leave the table until a peace agreement is reached. If peace is not reached during this process the chances of achieving a political solution will be deferred for a long time to come or might disappear altogether, and the war will suffer further degradation. It is inevitable that provocations and confrontations will challenge the process. Participants at the table must be prepared to face such provocations hopefully neutralising them ahead of time. Above all, both sides must keep their commitment not to get up from the negotiating table no matter what until all agreements are finalised

(Bouvier et al., 2016). This study investigated how commitments in the DRC have been emphasised to promote sustainable peace.

2.6 Factors inhibiting peace talks and sustainable peace

The DRC's security and that of the Great Lakes and Central and Southern African regions are intertwined. The conflict in the Congo, particularly in the eastern parts of the country, is entangled with other recent conflicts in the Great Lakes region such as Burundi and Rwanda. An April 2010 meeting of the Economic Community of the Great Lakes Countries (CEPGL) brought together the presidents of the parliaments of Burundi, Rwanda, and the DRC to discuss peace, security, cooperation, and economic development issues.

In July 2010, the DRC officially became a Heavily Indebted Poor Country (HIPC), and the World Bank and the International Monetary Fund (IMF) announced that about 90 percent – or \$12.3 billion – of the country's external debt would be annulled. The magnitude and complexity of the DRC conflict means that Congolese and external parties must contribute sufficient and appropriate resources to tackle the formidable obstacles to post-conflict reconstruction efforts in the country. There are barriers that impede peace talks preventing establishing of sustainable peace.

According to Bar-Siman-Tov (2010), the barriers are structural, strategic or psychological. With structural barriers, these are shaped by the internal political structures of the negotiating parties. Structural barriers create institutional and bureaucratic constraints that undermine the legitimacy of the peace process and its conditions, costs and benefits. Political institutions and agents, like political elites, parties and interest groups – and also organisations such as the military and other security agencies – may object to the peace process for political, ideological and security reasons. Such barriers promote the importance of absolute values – justice, fairness and equality – and undermine willingness to make concessions, to compromise or to take risks. They undercut the need to set priorities and they warp perceptions of what is to be gained or lost. However, it was not clear if the problems of peace talks in the DRC have been a result of structural barriers attracting the investigations of the study.

Strategic barriers relate to security risks involved in making peace in cases where the parties are required to make concrete concessions (territorial, for instance). Strategic barriers may also relate to the efforts of

the parties to maximise their achievements at the negotiation table and to drive a hard bargain at the expense of the other side by employing harsh strategies and tactics, while ignoring the need to build and maintain peace in both the immediate and long-term future (Bratic & Schirch, 2007). With Eastern Congo being highly mineralised, strategic interests over wealth control could be impeding peace talks and this will be investigated by the study. In the DRC with different ethnic groups, there could be factor psychological barriers which this study will investigate. However, these should be looked at alongside physical, logistical, technological, human resource, and peace talks, among others, as this study examined.

In line with the Veto Players' Theory, the conflict began in August 1998 when a Congolese insurgent group, the Rally for Congolese Democracy (RCD), based on the border with Rwanda, launched an armed challenge against the Congolese government. In November 1998 a second Congolese insurgent group emerged, the Movement for the Liberation of the Congo (MLC), based in north eastern Congo. The MLC had a completely separate leadership structure from that of the RCD, received support from a separate external patron (Uganda, instead of Rwanda), and represented a different ethnic base of support than the RCD did. These two groups can both be thought of as "original" groups in that they emerged independently of each other. The conflict in the DRC also saw the emergence of splinter factions – the veto players, for example;

Within civil wars, there is a sub-set of these groups (which could include all of them) that have the ability to block an end to the war. These groups can be labeled “veto players” because they have the capacity to veto peace and continue the war on their own even if the other groups involved sign a peace agreement and stop fighting.

In January 1999, the leader of the RCD, Ernest Wamba dia Wamba, was replaced at a party congress in Goma. Wamba moved to Kisangani and announced that he was not stepping down. This leadership dispute led to a split in the organization and two main factions, RCD-Goma (the original faction) and RCD-ML (led by Wamba) both fought against the DRC government and battled against each other. RCD-Goma actually saw further splintering across the conflict, although none of these other splinter factions was large enough to have a significant effect on the fighting. This shows that Veto player theory was at play.

The dyadic nature of battles means that the participants (veto players) in that battle must use its outcome not only to adjust their probability of victory against each other but also relative to other actors in the conflict as a whole. We can think of each actor as having two separate types of probabilities in multiparty conflicts: the probability that they will defeat each other group independently and the probability that they will win the conflict as a whole. Participating in a dyadic battle can certainly reveal information for the first type of probability, but it is not as clear how it reveals information for the second type.

Finally, a problem that only arises in negotiations with more than two parties is the problem of shifting alliances between or among parties. In negotiations among multiple combatants, a range of issues are brought to the table that must be addressed in a final settlement. Shifting alliances emerge when parties can form different coalitions on separate issues. This problem is particularly detrimental to multiparty negotiations because it prevents combatants from forming negotiating blocs to help them reach an agreement. Since war is costly, parties have an incentive to find ways to achieve their goals through negotiation. One way groups could do this would be for them to ally permanently with others who had broadly similar goals and form some overarching institution to negotiate. Shifting alliances prevent groups from achieving such alliances, however, because groups that agree with each other on one issue often disagree on others. In the DRC, such groups have been evidently seen, such as that of RCD-Goma, RCD-ML (led by Wamba), M23 Rebels, Banayamulenge, among others. These veto players, on top of the structural barriers offer a clear explanation why peace has eluded DRC over the years and decades.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

This section describes how the study was carried out. It presents the research design, the study area, study population, sampling, sampling techniques, sample size, measurement of study variables, data collection instruments, validity and reliability, data analysis, research procedure and limitations.

3.1 Research Design

The study used a qualitative research design which enabled the researcher to investigate the subject of peace talks and structural barriers to sustainable peace in detail, allowing deep probing to obtain a wider understanding of the picture on the ground. This type of research is involved with a group, organization, culture, or community. Normally the researcher shares a lot of time with the group (Amin, 2005). The qualitative methodology is concerned with the meanings people attach to their experiences of the social world and how they make sense of that world, and one of its key strengths, is that it studies people in their natural settings rather than in artificial or experimental ones (Creswell, 2003). The study will be guided by constructivism model. Constructivists claim that truth is relative and that it is dependent on one's perspective and is built upon the premise of a social construction of reality.

Creswell (2003) claimed that the aim and function of qualitative inquiry is to understand the meaning of human actions by describing the inherent characteristics of social objects and human experiences. Being exploratory, Creswell (2003) affirms that qualitative methods are more interactive and humanistic in nature, rendering the researcher an opportunity to interact with informants on an investigated phenomenon, which is not easily quantifiable with other methods. The qualitative methodology enabled a detailed description of the situation of sustainable peace in the DRC in detail, and present the findings through narration, direct quotation/verbatim and paraphrasing, of which of which aided in reaching meaningful conclusions and recommendations.

3.2 Study Population, Sample Size, Selection and Sampling Technique

The study was carried out in the Great Lakes region particularly the DRC and Uganda. Uganda has largely been involved in peace talks of the DRC to establish sustainable peace. The population study was

Journalists, Academicians, Politicians and the civil society in Uganda. Purposive sampling was used because to help in selecting typical and useful people that gave relevant data. Purposeful sampling selects information-rich cases for in – depth study (Oso & Onen, 2009).

3.3 Data Collection Methods and Data collection instruments

Data collection instruments included interview guide and the documentary review checklist. Primary data was obtained using interviews. Secondary data was sourced from reading literature in secondary sources.

Interview guide

Interviews with the help of an interview guide were conducted. This helped in obtaining rich information in regard to the topic under study. Interviews were used, since they are appropriate in providing in-depth data required to meet specific objectives, allows clarity in questioning and quite flexible compared to questionnaires. Only 4 respondents were interviewed.

The interview method was used to explore qualitatively on how peace talks have contributed to sustainable peace in conflict resolution. This method takes the option of face to face interviews that sought to provide the required data as specified above. Interview method was used because it provides an excellent opportunity to probe and explore questions (Glasow, 2005).

Documentary review checklist

The study also carried out reviews of existing documents primarily the peace treaties, journals, textbooks and other relevant reliable sources. This gave an overview of how much has been addressed in this topic.

Document review method was used in sourcing for secondary data in all relevant documents in relation to peace talks and their contribution to sustainable peace in conflict resolution. These were sourced from peace treaties, journals, textbooks and other relevant reliable sources.

3.4 Pre-testing (validity and reliability)

3.4.1 Validity

The study established content validity. The instruments had adequate traits due consultations with the researcher's supervisor, colleagues and a research expert. They helped in strengthening the validity of the research instruments. Content Validity Index was used to test the validity of the instruments. The test of content validity was established through inter judge with two research consultants. The formula is;

$$CVI = \frac{\text{Number of relevant items}}{\text{Total number of items}} \times 100$$

The CVI for the questionnaire was 0.952, well above the alpha value of 0.70, hence, the instrument was valued as valid (Amin, 2005).

3.4.2 Reliability

Reliability was determined according to the nature of data. The strategies for obtaining reliability of qualitative data peer debriefing, prolonged engagement and audit trails. The researcher was adaptable to the respondents, holistic and ensure processional immediacy. Data was systematically checked, focus maintained and there was the identification and correcting errors to ensure the accuracy of data (Morse et al., 2002).

3.5 Data Processing and Analysis

The study identified patterns and connections within and between categories of data collected. It was presented in form of notes, word-for-word transcripts, single words, brief phrases and full paragraphs (Powell & Renner, 2003). Data was interpreted by composing explanations and substantiating them using the respondents' open responses. While analysing qualitative data, conclusions were made on how different themes/variables are related.

3.6 Limitations

The researcher could not visit DRC for a better collection of data as the country is very insecure at the moment. It was also difficult to get many respondents to the interview guide because of the political climate in Uganda. The topic is considered too dangerous politically for the respondents to talk about it freely.

3.7 Chapter Summary

This chapter has laid a firm ground for the methodology of the study; the study design, population of study and the methods of data analysis have all been discussed. The next chapter presents an analysis of the findings, and their relation to the theories reviewed. Chapter five presented a summary to the findings, conclusions and recommendations made by the study.

CHAPTER FOUR

PRESENTATION AND ANALYSIS OF FINDINGS

4.0 Introduction

This chapter presents an analysis of the findings in line with the leading research question;

4.1 The Leading Research Question

Why have peace talks failed to create sustainable peace to the effect that peace has remained elusive in the Great Lakes Region especially the DRC?

Despite the several peace talks held to resolve the conflicts in the Great Lakes Region, sustainable peace remains elusive. In particular, the Democratic Republic of Congo has been engulfed in conflicts many of which escalate into wars (Muhumuza, 2013). The conflicts have claimed numerous lives and plunged the resource-rich country into chaos and acute underdevelopment. Therefore, the leading research question was answered as follows;

According to information obtained from the interviewees and documentary review, peace talks have failed to create sustainable peace to the effect that peace has remained elusive in the Great Lakes Region especially the DRC because of the structural factors and regional actors in the DRC.

One Interview was quoted explaining thus;

... As long as Congo remains as large as it is in its geographical size, one should forget about having sustainable peace, no matter how many peace talks are held... no government in DRC can administer such a large territory effectively... there will always be wrong groups hiding in the vast territories where government cannot reach to exert effective control.... (Political leader in Uganda).

In similar terms, another interviewee stated thus;

There are some parts of DRC where government does not collect taxes because it has no control over whatsoever.... Some areas are controlled by warlords and

rebel groups... how can you have peace in such a country with no consolidated state control ...? (A Ugandan Journalist).

These responses seemed to suggest that failure by the Congolese government to have full control and command in all its geographical territories is the problem why the country cannot have sustainable peace, in spite of a number of peace talks. The researcher agrees with these findings and adds that failure to have a unified state control over national territories leaves the country vulnerable to insurgents and bandits, such as rebels and warlords. This situation cannot guarantee peace in the DRC.

Another respondent stated that the DRC has many neighbouring countries whose national claim double citizenship, for example, either from Rwanda or Uganda and as well as claiming they are Congolese. An example was given when a rebel group by Ntaganda who was originally from Rwanda but claiming to be Congolese and trying to fight for the rights and interests of fellow Rwandese in Congo. Such issues of citizenship have also prevented DRC from having sustainable peace. The researcher found this assertion true, given the fact that much of the conflicts in DRC have involved external players from neighbouring countries, such as Rwanda, Uganda or Burundi, who claim to be fighting the cause of their nationalities in DRC. Therefore, the issue of citizenship in DRC is a source of regional conflict, hence causing lack of sustainable peace in the DRC and the great lakes region at large.

The issue of neighbouring countries falls well with in Steadman's Spoiler's Theory. Many of DRC's neighbours as well as other parties within and outside DRC are vehemently opposed to sustainable peace in the DRC. They seem to benefit from the political turmoil which continues many parts of the DRC ungovernable. Trade in the rich mineral wealth and wood products of timber has survived and thrived well for decades, simply because of a weak central / state government. The greatest source of risk comes from spoilers-leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it.² By signing a peace agreement, leaders put themselves at risk from adversaries who may take advantage of a settlement, from disgruntled followers who see peace as a betrayal of key values, and from excluded parties who seek either to alter the process or to destroy it. By implementing a peace agreement, peacemakers are vulnerable to attack from those who oppose their efforts. And most important, the risks of peace making increase the insecurity and uncertainty of average citizens who have the most to lose if war is renewed. When spoilers succeed, as they did in Angola in 1992 and Rwanda in 1994, the results are catastrophic.

In both cases, the casualties of failed peace were infinitely higher than the casualties of war. When Jonas Savimbi refused to accept the outcome of UN-monitored elections in 1992 and plunged Angola back into civil war, approximately 300,000 people died. If all spoilers succeeded, then the quest for peace in civil wars would be dangerously counterproductive. But not all spoilers do succeed. In Mozambique, the Mozambique National Resistance (RENAMO), a party known as "the Khmer Rouge of Africa," stalled in meeting its commitments to peace, and threatened to boycott elections and return to war. In the end, however, RENAMO joined parliamentary politics, accepted losing an election, and dis-armed, thus ending a civil war that had taken 800,000 lives. In Cambodia, the peace process was able to overcome resistance from the real Khmer Rouge, the party with the distinction of providing the sobriquet for fanatic parties else- where. The crucial difference between the success and failure of spoilers is the role played by international actors as custodians of peace. Where international custodians have created and implemented coherent, effective strategies for protecting peace and managing spoilers, the damage has been limited and peace has triumphed. Where international custodians have failed to develop and implement such strategies, spoilers have succeeded at the cost of hundreds of thousands of lives.

This leading research question led the researcher to answer several other sub-research questions such as;

4.2 What peace talks' processes contribute towards sustainable peace in conflict resolution?

The study found that the crisis in the DRC is a cause for concern which continues to dominate international discussions. The extremely violent and resource-driven nature of the conflict, massive displacement of people, as well as sexual and gender-based violence that characterises the conflict in the DRC continue to shock the world and to hold the attention of multiple actors. This is evident in the commitment of the African Union (AU) to formulate and adopt strategies to resolve the conflict.

In 2005, the AU and the New Partnership for Africa's Development worked on a post-conflict reconstruction framework which is structured around three broad phases: the emergency phase, the transitional phase and the developmental phase. Currently under implementation, this strategy is powered by multiple actors. Since 1999, US\$ 8.73 billion have been spent to fund the United Nations' (UN) peacekeeping efforts in the DRC. The UN has maintained its presence through the UN Stabilisation Mission in the DRC, whose mandate was renewed on 27 June 2012, placing emphasis on ensuring the protection of civilians. The International Conference on the Great Lakes Region (ICGLR) has taken a

regional stance to finding a lasting solution to the DRC crisis, noting that the emergency in the DRC is not only a threat to the country, but also to the peace and security of the entire Great Lakes region. It is important to note that whilst significant attention has been paid to the DRC by both regional and international actors, the humanitarian crisis and violence still continues. In spite of the numerous peace talks, elaborate peace processes and signed peace agreements, the DRC continues to experience high levels of human insecurity.

This agrees with Zartman's theory of conflict resolution, where he stated that as a new development, states and associations of states are no longer the only actors that can use techniques of influence like those of traditional diplomacy. For example, in the 1980s, even before the end of the Cold War, transnational corporations, pressured by negative publicity about their investments, and even local governments used.

In line with Steadman, peace processes create spoilers. This is a statement about definition and causality. In war there are combatants, who can be identified in myriad ways-for example, rebels, bandits, pariahs, rogues, or terrorists-but not as spoilers. Spoilers exist only when there is a peace process to undermine, that is, after at least two warring parties have committed themselves publicly to a pact or have signed a comprehensive peace agreement. Peace creates spoilers because it is rare in civil wars for all leaders and factions to see peace as beneficial. Even if all parties come to value peace, they rarely do so simultaneously, and they often strongly disagree over the terms of an acceptable peace. A negotiated peace often has losers: leaders and factions who do not achieve their war aims. Nor can every war find a compromise solution that addresses the demands of all the warring parties. He notes the important refinements of the spoilers' concept by a number of authors, including Stephen Stedman, who took the concept "beyond a single perception into the complexity of [the] internal dynamics" of each side to a conflict. This refinement expands the concept of the perception of ripeness to include a country's patrons, its military officers, changes in leadership, and domestic rivalries. Zartman notes a number of problems with the emphasis on the need for ripeness. One is that increased pain may increase resistance rather than reduce it.

He postulates that "cultural" differences may explain this variation: some parties to a conflict may act as "true believers" who treat increased pain as a justification for intensified struggle. Zartman says that "in

the current era, cases of resisting reactions . . . come particularly from the Middle East.” For example, he sees the United States in the Iran hostage crisis as having acted under the logic of the hurting stalemate, exerting increased pressure in the hope that the Iranian leaders would perceive International Conflict Resolution After the Cold War a stalemate and agree to negotiate; Iran, however, saw the U.S. strategy as indicating the opposite of the contrition Iran required as a basis for negotiation.

Zartman concludes that negotiations with true believers take longer to come to fruition because ripe moments are harder to find. Zartman discusses various suggestions for “ripening” conflicts to bring about negotiations as a conflict resolution technique. He emphasizes that, when ripeness exists, practitioners need all their skills to turn it into a successful peace-making process. Ripeness, when created, only provides an opportunity for substantive knowledge and techniques of negotiation to come into play.

The DRC has been deeply fractured by a conflict that can be divided into three parts. The First Congo War began in November 1996 and ended with the toppling of President Mobutu Sese Seko in May 1997. In this war, Angola, Rwanda and Uganda formed a coalition against the DRC forces. After a brief lull in the fighting, the new president, Laurent Kabila, fell out with his Rwandan and Ugandan allies who had been instrumental in ousting the Mobutu regime and installing Kabila in power. This falling out sparked the Second Congo War which began in August 1998.

The second war was characterized by the participation of many actors in complex alignments. Some joined the war in support of Kabila, whereas others joined to seek to oust him. On one side there was Angola, Chad, the DRC, Namibia, and Sudan, Zimbabwe and the Mai-Mai and Hutu-aligned forces. On the other side there was Burundi, Uganda, Rwanda and the Movement for the Liberation of the Congo, the Congolese Rally for Democracy (RCD) and Tutsi-aligned forces. Ending the second war was accomplished through four incremental peace agreements: the Lusaka Ceasefire Agreement (1999), the Sun City Agreement (April 2002), the Pretoria Agreement (July 2002) and the Luanda Agreement (September 2002) that ultimately contributed to the Global and Inclusive Agreement of December 2002 which finally ended the war.

It is important to note that these different peace agreements did not succeed in stemming the violence in the DRC and this can be attributed to the fact that the conflict had many actors whose interests were not

sufficiently addressed to compel them to agree to enter into any agreement(s) or respect the one(s) entered into. Even though these agreements did not effectively curb violence in many parts of the DRC, they served as instrumental pillars for the Global and Inclusive Agreement which ended the Second Congo War and which led to the formation of a unified Transitional Government of the DRC in 2003. This agreement has, however, not succeeded in ridding the DRC of violence, especially in the eastern regions, in what can be considered as the third episode of the conflict.

In 2003, DRC was being unified after years of civil war, and all belligerents were obliged to integrate their troops into the Armed Forces of the Democratic Republic of the Congo (FARDC). A group of officers from the Rwanda-backed RCD, however, refused to join the FARDC. They launched a rebellion which they called the National Congress for the Defence of the People (CNDP). In January 2009, the CNDP was integrated into the FARDC after a peace deal. In April 2012, CNDP members in the FARDC mutinied and subsequently formed the March 23 (M23) rebel group. The mutiny was a pre-emptive move to prevent their leaders from being dispersed from eastern DRC to other parts of the country. The Rwandan government has been accused of supporting the M23.

The three phases of the war in the DRC were also reportedly fuelled and supported by various national and multinational corporations (MNCs) which sought to obtain mining concessions or contracts in the country on terms that were more favourable than they would have received in countries where there was peace and stability. MNCs reportedly developed networks of key political, military and business elites to exploit the DRC's natural resources. MNCs also traded with rebels who, upon taking control of mineral-rich areas, set up financial and administrative bodies so as to obtain revenue from the minerals. Revenue gained from trade in the DRC's natural resources has assisted all the armed belligerents to fund their participation in the conflict, as well as to enrich themselves.

One respondent stated during interviews that;

...The national resources that could be used by government are controlled by rebels and militias who sell them and buy weapons to destabilize the peace of the nation... these bandits sell the resources and acquire guns for fighting to benefit themselves, yet the

average Congolese nationals remain languishing in abject poverty ... (A Journalist from Uganda).

This finding squarely agrees with the Spoilers Theory of Zartman; the lack of sustainable peace is not only due to natural or structural factors, but there could be some individuals who act as spoilers, wanting to benefit from the political and war situation of turmoil. Owing to the enormous natural resources the DRC has, many businessmen feel that they can properly survive and reap from the unstable political environment, by dealing in the lucrative mineral and timber wealth, without the strong arm of government interference through licensing, demanding or emphasizing tax obligations and regulation. Such businessmen continue to reap big from DRC's war situation.

4.3 What peace talks' strategies contribute towards sustainable peace in conflict resolution?

The study found that almost all stages of the DRC peace process have been characterized by the involvement of external actors who have played critical roles which have at times been helpful and at times destructive. Many countries and militant groups were directly involved in the conflicts in the DRC. Most, if not all, of these parties had strong preferences regarding the outcome of the transitional arrangements. This is because all these countries were motivated to be part of the war by particular interests, which necessitated their follow-up to ensure that the ensuing peace accords reflected these. These interests were mainly based on the need to ensure that the DRC did not continue to serve as rear

This was confirmed by one respondent during interviews by stating that;

Many actors are often involved in DR politics and wars ... Uganda, Rwanda, Burundi, Tanzania, Zimbabwe, Angola and South Africa, among others...all of them have interest therein.... They end up confusing and failing any peace strategies devised, because they cannot agree on a common position...

The researcher agrees with the above finding and adds that, most, if not all, of these parties had strong preferences regarding the outcome of the transitional arrangements. The DRC has bases for rebel groups that operated against mainly Rwanda, Uganda, Burundi and Angola. With the many parties and diverse interests involved, negotiating a representative settlement became challenging.

The Second Congo War, for example, saw the participation of up to nine countries. Although the war officially ended with the formation of the transitional government in mid-2003, since then Burundi, Rwanda and Uganda, which all participated in the Second Congo War, have made incursions into eastern DRC. These invasions have mainly been driven by national security interests, but ultimately they have served to contribute to the instability of the DRC.

Although truth commissions tend to focus mainly on their immediate products, “the real effect on conflict resolution will be in how the process of truth seeking is undertaken,” the impact on public policy, and the responses of public actors. Truth commissions make their strongest contributions to preventing violence when (1) civilian authorities are willing and able to implement the commission’s conclusions and recommendations; (2) perpetrators are weak and have incentives to acknowledge and apologize for past wrongs; (3) human rights groups and other elements of civil society are strong and support the commission and its recommendations; (4) the international community supports the commission and its recommendations; (5) the commission has a strong mandate and adequate resources; and (6) the old regime is no longer strongly supported or feared. These conclusions imply that international support for strong truth commissions, civil society organizations, and domestic institutions for peaceful conflict management can all contribute to peace-making in transitional countries.

These findings also agree with Zartman’s Ripeness Theory. The investigation into ripeness and the attempt to turn an intuitive notion into an analytical concept was undertaken with the aim of producing a useful tool for practitioners as well as analysts. Parsimony, explicitness, and precision are particularly important not only in developing common terms and meanings so that the object can be discussed and used (i.e., in specifying the intuitive) but also in bringing out hidden implications and refocusing inquiry on refinements and new areas uncovered by a precision of the concept (i.e., in uncovering the counterintuitive). If the limitations on a concept are bigger than the concept itself, one should start looking elsewhere. But limitations become particularly interesting when they open up the possibilities and alternatives for better analysis and better practice.

In line with Zartman’s ripeness theory, it identifies three main elements of ripeness: a mutually hurting stalemate; an impending, recently experienced, or recently avoided catastrophe; and an alternative way out (1985; 2000). A hurting stalemate is essentially a painful deadlock, while an imminent catastrophe

resembles a deadline, which the parties would be afraid to miss as they fear that their situation might further deteriorate. The point when conflict is ripe for resolution is associated with two different sorts of intensity—called here plateaus and the precipice—which produce different sorts of pressure—called respectively deadlocks and deadlines. A plateau and its deadlock begin when one side is unable to achieve its aims, to resolve the problem, or to win the conflict by itself, and they are completed when the other side arrives at a similar perception. Each party must begin to feel uncomfortable in the costly dead-end into which it has gotten itself. A plateau must be perceived by both not as a momentary resting ground, but as a hurting stalemate, a flat, unpleasant terrain stretching into the future providing no later possibilities for decisive escalation or for graceful escape (Zartman 1989: 267).

It is in that hope that this presentation will open fruitful discussions and applications of the use of hurting stalemates and the creation of compelling opportunities. There is room for further research all along the ripening process. More work needs to be done on ways in which unripe situations can be turned ripe by third parties so that negotiations and mediation can begin, and, of course, the mainstream of negotiation research on how to take advantage of ripe moments by bringing the parties to a mutually satisfactory agreement needs to be continued.

4.4 What is the focus of peace talks that contribute towards sustainable peace in conflict resolution?

The study found that the causes of the DRC conflict were also distinctively local, they could only be properly addressed by combining action at the grassroots level with intervention at higher political levels. Many peace talks have been held in the interest of sustainable peace for the DRC, but many, if not all, have failed to bear sustainable results towards the realization of tangible peace. Despite these failings, the talks produced dozens of meaningful resolutions intended to establish such institutions as a Truth and Reconciliation Commission – negotiated institutions that could potentially provide the basis for a durable peace rather than having to reinvent the wheel.

Most of the grassroots conflicts required a considerable measure of bottom-up approaches to peacebuilding, in addition to the top-bottom approaches. However, it has been noted that only a few non-governmental organisations conducted bottom-up peacebuilding in the most fragile flashpoints. There was no attempt to resolve land disputes, to reconstruct grassroots institutions for the peaceful resolution of conflict, or to promote reconciliation within divided villages or communities, even though

international and Congolese actors could easily have done so, or supported these initiatives, with the resources at hand.

The study found that the peace talks' process may involve adjudication. Adjudication generally refers to processes of decision making that involve a neutral third party with the authority to determine a binding resolution through some form of judgment or award. Adjudication is carried out in various forms, but most commonly occurs in the court system (Bratic & Schirch, 2007). Where a condemned state fails, or deliberately default in complying with the Court's decision, the other party may have recourse to the United Nations Security Council, which may, if it deems necessary, make recommendations or decide on measures to be taken to give effects to the judgment (Mollel, 2009). With different countries involved in the DRC conflicts, it is assumed that in the peace talks process there has been adjudication which this study investigated to establish its contribution to ensuring sustainable peace.

The peace talks' process requires the selection of mediators. Conflicting parties will not accept mediators who question their status or who will be presumed to take a partial stance against their interests. Some third parties are not acceptable for historical reasons or because regional powers refuse to work with them. It is important that mediators acceptable to the different conflicting parties are chosen. (Giessmann & Wils, 2009).

One respondent stated that;

One factor that has contributed to the lack of lasting results from peace talks in the DRC is because, there is a lack of transparency and trust on the mediators. He gave the example of the current agreement between DRC and the M23 rebels, the agreement which was brokered by President Museveni in Kampala; many of the M23 rebels who were supposed to be held up in a camp in Uganda have since escaped back to DR, regrouped and launched attacks on DRC. In such circumstances, DRC may not trust peace agreements with rebels, if there is no credible guarantor that the rebels would not attack Congo again if pardoned.

This is in contrast with Barbara who had suggested that there should deliberate efforts by internal and external stakeholders to identify credible third party guarantors for constructive dialogue and peace agreements. Third-party guarantors can change the level of fear and insecurity that accompanies treaty

implementation and thus facilitate settlement. This is due partly to capacity constraints but mostly to the need for external guarantors and credible, punitive threats for non-cooperation. An important and frequent reason why opponents fail to reach successful settlements is because they cannot credibly commit to an agreement that will become far less attractive once implemented. Third parties, however, can guarantee that groups will be protected, terms will be fulfilled, and promises will be kept (or at least they can ensure that groups will survive until a new government and a new national military is formed). In short, they can ensure that the payoffs from cheating on a civil war agreement no longer exceed the payoffs from faithfully executing its terms.

4.5 What structural factors inhibit creating sustainable peace in conflict resolution?

The territory of the DRC is about a fourth of the size of the United States (US), or about the size of Western Europe. The sophisticated web of external interventions and insurgencies after the Second Congo War has rendered the DRC essentially ungovernable. Throughout its entire history since independence, the central government has never succeeded in establishing political order backed by the rule of law.

This was in line with one respondent who confirmed during interview that;

... not all countries with large geographical sizes are un governable, but for the case of the DRC, the country is ungovernable... the central government is weak, the national army is either ill-trained, or not well equipped and not adequately motivated ... several times, the army has been overrun by militias.... It is only MONUC forces that have tried to pacify DRC, but not the national forces which are weak...

The above quotation suggests that coupled with a large and disconnected geographical area, the national army is weak to defend national territories, hence accounting for the proliferation of militias and rebel groups that disturb the peace of the country and the region. The researcher agrees with this finding, since because, findings show that in many instances, the conglobe army has complained of poor training and low motivation, hence reason why they are often over powered by rebels in the country sides.

The study found that the presence of natural resources has been linked to serious problems, including armed conflict, in the DRC. The issues of illegal mining and exploitation of natural resources must be tackled in a sustainable way. The interim report of the Group of Experts on the Democratic Republic of the Congo has made several recommendations. These recommendations need to be translated into action by the UN Security Council (UNSC) which is globally mandated as the primary enforcer of peace and security.

Considering that the illegal plunder of the wealth of the DRC clearly threatens international peace and security, the UNSC should rise above the interests of its individual members in the DRC and set deterrent measures to oblige countries whose companies or nationals engage in pillaging in the DRC to put in place legal frameworks to prevent the same. The US government recently put in place regulatory mechanisms to control the sourcing of minerals from the DRC by public companies that originate from the US.³⁵ this illustrates how countries can control the activities of their companies outside their borders.

This has created a situation in the DRC where mineral-rich areas are typically infested with militias. Because the DRC's provinces are politically, socially and economically disconnected from each other, the sense of a unified national identity and patriotism is weak, which creates a vacuum that has been filled by militias, rebellions and unwelcome foreign interests.

The DRC territory is about a fourth of the size of the United States (US), or about the size of Western Europe. The sophisticated web of external interventions and insurgencies after the Second Congo War has rendered the DRC essentially ungovernable. Throughout its entire history since independence, the central government has never succeeded in establishing political order backed by the rule of law. The first and second Congo wars created a political vacuum in many parts of the DRC, most notably in the east. Vast sections of the country remain politically and logistically disconnected from the seat of government—Kinshasa. This situation has made a significant portion of the population feel disenfranchised and marginalized. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state.

Ahere (2012) notes that despite the fact that the DRC is wealthy in natural resources, vast populations continue to be politically and economically marginalised. Delivery of basic services and social amenities beyond the capital, Kinshasa, continues to be a challenge. The territory of the DRC is about a fourth of the size of the United States (US), or about the size of Western Europe. The sophisticated web of external interventions and insurgencies after the Second Congo War has rendered the DRC essentially ungovernable. Throughout its entire history since independence, the central government has never succeeded in establishing political order backed by the rule of law. The first and second Congo wars created a political vacuum in many parts of the DRC, most notably in the east. Vast sections of the country remain politically and logistically disconnected from the seat of government –Kinshasa.

This situation has made a significant portion of the population to feel disenfranchised and marginalised. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state. This has created a situation in the DRC where mineral-rich areas are typically infested with militias.

Because the DRC's provinces are politically, socially and economically disconnected from each other, the sense of a unified national identity and patriotism is weak, which creates a vacuum that has been filled by militias, rebellions and unwelcome foreign interests, delayed justice for victims of violent conflicts and inadequate reconciliation in the DRC. An important transformative aspect of the Global and Inclusive Agreement was its provision for a Truth and Reconciliation Commission (TRC). After reaching the Agreement and the presence of unregulated mining operations in the DRC is one of the biggest impediments to peace in the country (Tatiana, 2009).

There are also geostrategic reasons and the fact that the country is laden with important minerals that are critical to the work of a range of industries. The irony is that whereas these entities benefit a great deal from the mineral wealth of the DRC, they do not seem to extend any importance to the socio-political issues that are a consequence of their activities. Montague posits that several mining companies domiciled in western nations fund military operations in exchange for lucrative contracts in the east of the DRC. The presence of unregulated mining operations in the DRC is one of the biggest impediments to peace in the country. For as long as these mining companies operate in the prevailing conflict-laden

environment that allows them to trade arms for minerals, peace in the DRC will remain a pipe dream (Tatiana, 2009).

The region is rich in natural resources. As we can see in the section on DRC, Uganda and Rwanda, natural resources are at stake for many actors in the conflict. However, they are also a potential for post-conflict rehabilitation and development. There are strong conflicting interests between different groups and actors at different levels, which have been analysed at length, in the literature, and UN reports. Among the challenges, we find the need to develop institutions and frameworks that both integrate/transform the informal to a formal economy, governed by a reasonable rule of law, transparency and efficiency. At the same time, the extraction of resources has to be modernised in a sustainable way, and with as high value added as possible at local level, without marginalizing local and regional actors (Giessmann & Wils, 2009).

The large and deep lakes have vast potential to produce both fish and other products. All larger lakes are border lakes. Lake Tanganyika, which is the second largest and deepest lake in the world, has a larger water volume than the shallow Lake Victoria. It yields 200,000 tons of fish a year, an important source of food and revenue for the shoreline countries. Lakes Kivu, Albert and Edwards are smaller, and do not produce so much fish due to methane gas. The question on how and by whom, the lakes resources should be used is a source of conflict. Jonas (2014) illustrates that peace talks alone could not explain absence of peace in the DRC, but certain other structural factors, such as vastness of the DRC Territory, endowment with natural resources, the thick natural forests that hinder transport and communication, DRC being land locked and its neighbours, such as Uganda and Rwanda, among others.

One respondent stated during interviews that;

... The forest resources have been a source of conflict, but are also a key for peace and development. The export of timber and hardwood, in combination with weak monitoring structures, has generated an unsustainable and conflict-prone situation.

This implies that the timber trade has driven roads deep into the forest, providing easier access for hunters to areas previously out of reach.

Bush meat finds a ready market in the towns and cities of the region; this has long ceased to be a subsistence activity. However, forest resources have great potential to contribute to the modernisation of the economy, and thus the reduction of structural violence if the export of unprocessed timber could largely be processed locally, and done in a way that would not marginalise nor exclude local people and entrepreneurs. Pulp and paper industry, sawmills, furniture factories are examples of processing industries that are needed for the rehabilitation of homes and offices, furniture, paper for newspapers and school books in a post conflict phase (Jonas, 2014).

Throughout recent history, business entities have had a keen interest in the DRC. That interest is due to geo-strategic reasons and the fact that the country is laden with important minerals that are critical to the work of a range of industries. The irony is that whereas these entities benefit a great deal from the mineral wealth of the DRC, they do not seem to extend any importance to the socio-political issues that are a consequence of their activities. Montague posits that several mining companies domiciled in western nations fund military operations in exchange for lucrative contracts in the east of the DRC.

The presence of unregulated mining operations in the DRC is one of the biggest impediments to peace in the country. For as long as these mining companies operate in the prevailing conflict-laden environment that allows them to trade arms for minerals, peace in the DRC will remain a pipe dream.

Foreign policies of states exist to serve their national interests, including economic interests. The availability of strategic minerals in a country continuously shapes the foreign policies of other nations towards the country. The commercial interests in the DRC are therefore intrinsically linked to the national interests of the countries where the investments originate from.

This contributed to the involvement of many countries in the first and second Congo wars. The fact that there were, and continue to be, so many actors is perhaps one of the biggest challenges to the achievement of sustainable peace in the DRC. The conflict in the DRC has many national and international actors. These actors include Congolese nationals, traders from neighbouring countries, MNCs and western nations, among others who benefit from the mineral trade. Some are visible and some use proxies to further their interests. The actors who have used proxies have not had their interests tabled for settlement or negotiation.

The situation is compounded when some of these actors and their proxies offer to facilitate the mediation of the conflict. The complexity is due to the fact that business interests that fuelled and continue to fuel the conflict originate from the same western nations and are supported by countries surrounding the DRC. This results in conflict of interest with regard to their (western nations and neighbouring countries) role in any attempts aimed at resolving the conflict in the country. The situation that has prevailed is that the interests of some members of the international community, most notably western nations and African countries that exploit the DRC minerals, have never been openly addressed and so they always remain spoilers.

Illegal exploitation of the mineral resources of DRC has been a constant feature in the discussion about the war in DRC in general, and especially in the eastern part of the country.

One interviewee stated that;

.... A main dividing line in different analysis has been between those highlighting the exploitation of mineral resources as a main aim for the foreign armed forces, and others seeing their use of existing resources mainly as a way of financing the war efforts. Here most observers do also point at a difference between Uganda and Rwanda. Ugandan interests would have been more inclined to individual enrichment, while the Rwandan intervention and organisation of extraction and export would have been more directed at financing of the military engagement. This 'wild west' mineral exploitation period has now come to an end.... (A political commentator, Uganda).

However, besides the short term interests displayed during the war there is obviously a long-term interest in DRC's mineral resources. This has been so since colonial time, and the economic policies to be pursued during to coming years emphasise the mineral sector as the main engine of growth.

The challenge in the mineral sector is to strike a balance between all the different interests engaged in the sector. Besides the dominating transnational corporation with long-term engagement in Congo, also new regional players are very interested in entering this arena. Here we can envisage growing claims from Ugandan and Rwandan interests, wanting to be included. There will also be claims from various

Congolese capitals groups, not only those formerly linked to the parastatals in the sector. However, a main engagement is coming from South Africa. South Africa has since the fall of the apartheid system worked arduously to expand its mineral sector activities in Africa.

This has gone hand in hand with the Government's increasing engagement in the continent's political affairs. South Africa's deep commitment to the peace process in Central Africa could well be seen in this light. The recent US\$ 10 billion accord between South Africa and DRC is the public confirmation of this long term commitment. The agreement covers co-operation in various areas such as defence and security, the economy and infrastructure. A main contribution will be that the South African Chamber of Commerce will rehabilitate the giant Gecamines mining concern, as well as one concession of the Kilomoto Gold Mines. The risks involved in the mineral sector today are not of the same local and violent kind, as during the war period. But different parties in a sensible negotiation process on contracts and concessions may, at times, use political, or even military threats, to reinforce their bargaining power.

The main risk would be to leave Rwandan and Ugandan interests completely out this business. The politically and long-term most sensible issue here is how to balance between, on the one hand, the economic and political forces emphasising the historical commercial and economic links that eastern Congo has had eastwards, and the need of reinforcing this eastward orientation, and, on the other hand, the legitimate and obvious interest of a new Congolese government to keep control of all Congolese resources that can contribute to the construction of a legitimate peace process.

DRC is a failed state rests on the assumption that all citizens disobey laws unless given a reason not to do so. There are many applicable and useful definitions of failed states to draw upon, but for the sake of simplicity, I will rely on Ian Hurd's concepts force, price, and legitimacy as the primary criteria for a failed/non-failed state. According to Hurd, coercion, self-interest, and legitimacy, or force, price, and legitimacy, are the "currencies of power" that allows states to achieve obedience to laws and a level of social organization (379-380).

From the standpoint of Hurd's framework, a failed state is defined as a state that is unable to utilize and monopolize those three factors to ensure citizens obey the law. States, first, should have a monopoly on

violence. However, in the case of a failed state such as the Congo there are many actors using force to achieve financial, political, and ethnic goals.

The DRC is a failed state because it lacks the power and authority to maintain social obedience to law and order. Perpetrators are able to take advantage of the fact that there are no repercussions for their actions. Coercion is improbable as police and army members do not feel obligated to perform their state sanctioned function. So the Congolese government does not have a monopoly on force.

4.6 What should be done to ensure that peace talks create sustainable peace in the DRC and the great lakes region in general?

When political groupings and citizens feel that they have an avenue through which to periodically reflect on their relationships and actions, a transformative process is enhanced in that mutual suspicions are not allowed to become deep-rooted to the point of violence. A good example of an effective and practical dialogue process is the Inter-Congolese Dialogue of 2001 which brought together the various actors in the conflict to chart a way forward for the DRC. A similar or better framework could be adopted for use in the current crisis. Another example from the African continent is the establishment of District Peace Committees (DPCs) in Kenya in the 1990s. DPCs contributed substantially to pacification and redefinition of relationships between pastoral and agro-pastoral communities in the country's North-Eastern Province, to the extent that they were insulated from negative ethnicization and eventual violence in the period shortly before, during and after the 2007 general elections.

The DRC needs a comprehensive roadmap to resolve the current crisis and enhance the conflict transformation process. Just as the AU was instrumental in ending the Second Congo War and supporting the establishment of a recognised government in Kinshasa, the institution can continue to play an important role by providing resource persons with 'good offices' that can assist the government and the people of the DRC to consultatively develop and implement this roadmap. The underlying conflict issues stem from before the First Congo War and given their complexity and evident ability to spark unrest in recent times, the AU should rise to the task of assisting DRC citizens in their quest for conflict transformation. Given its size, wealth and location, the DRC is of immense geo-strategic significance to members of the AU.

This was re-emphasized by one other key informant during interviews when she said that;

.... A stable DRC would provide African states with a viable economic and political partner with which to conduct diplomacy on relatively equitable terms. The AU should therefore not leave the DRC to drown in vicious cycles of intractable conflicts. As an urgent course of action, the African Standby Force (ASF) must also be operationalised and prepared for any eventualities in the DRC and other African hotspots....

The researcher agrees, and supplements that the ASF can provide a viable option (to the existing ones) to tackle peacebuilding and conflict management challenges in Africa.

This finding is in line with Barbara's Theory of Civil War / Conflict Resolution. Barbara stated that international wars usually end with some type of explicit settlement. Civil wars do not. Current explanations claim that power asymmetries, indivisible stakes, bargaining difficulties, or opposing identities make settlement in civil wars nearly impossible. But this seems unlikely. Military stalemates often emerge in civil wars without prompting negotiations; governments can be shared by more International Organization than one party; and groups that appear ethnically or religiously incompatible do meet to discuss alternative solutions to war.

Others argue that groups are stuck in what could be called a game of deadlock; cooperation is impossible because competing domestic groups will always have opposing preferences and interests. But this also seems unlikely. Civil war adversaries do not always continue to be fought because they cannot arrange compromise settlements. Between 1940 and 1990 42 percent of civil wars (seventeen out of forty-one) experienced some form of formal peace negotiation, and 94 percent of these cases drafted at least a cease fire accord. In other words, adversaries often attempted very serious peace talks that then broke down. In short, none of the current explanations identifies a compelling reason why domestic enemies would forgo negotiations in favour of potentially lengthy battle field contests. What follows is an attempt to identify additional factors that might inhibit successful civil war resolution and cause even promising negotiations to cycle back into war. For the case of DRC, the structural factors are very pertinent in explaining why peace talks have not yielded sustainable peace, for example, the vast size of DRC,

endowment with mineral resources and the big part of the country being disconnected by natural barriers such as lakes, rivers, forests and poor road network.

The findings also agree with Cunningham's (2006) theory of Veto Players. Cunningham's (2006) is that within civil wars, there is a sub-set of these groups, which could include all of them) that have the ability to block an end to the war. These groups can be labeled "veto players" because they, have the capacity to veto peace and continue the war on their own even if the other groups involved sign a peace agreement and stop fighting. On top of the structural barriers, veto have been evident in accounting for the absence of sustainable peace in the DRC. For example, in January 1999, the leader of the RCD, Ernest Wamba dia Wamba, was replaced at a party congress in Goma. Wamba moved to Kisangani and announced that he was not stepping down. This leadership dispute led to a split in the organization and two main factions, RCD-Goma (the original faction) and RCD-ML (led by Wamba) both fought against the DRC government and battled against each other. RCD-Goma actually saw further splintering across the conflict, although none of these other splinter factions was large enough to have a significant effect on the fighting. This shows that Veto player theory was at play.

The dyadic nature of battles means that the participants (veto players) in that battle must use its outcome not only to adjust their probability of victory against each other but also relative to other actors in the conflict as a whole. We can think of each actor as having two separate types of probabilities in multiparty conflicts: the probability that they will defeat each other group independently and the probability that they will win the conflict as a whole. Participating in a dyadic battle can certainly reveal information for the first type of probability, but it is not as clear how it reveals information for the second type.

Finally, a problem that only arises in negotiations with more than two parties is the problem of shifting alliances between or among parties. In negotiations among multiple combatants, a range of issues are brought to the table that must be addressed in a final settlement. Shifting alliances emerge when parties can form different coalitions on separate issues. This problem is particularly detrimental to multiparty negotiations because it prevents combatants from forming negotiating blocs to help them reach agreement. Since war is costly, parties have an incentive to find ways to achieve their goals through negotiation. One way groups could do this would be for them to ally permanently with others who had broadly similar goals and form some overarching institution to negotiate. Shifting alliances prevent

groups from achieving such alliances, however, because groups that agree with each other on one issue often disagree on others. In the DRC, such groups have been evidently seen, such as that of RCD-Goma, RCD-ML (led by Wamba), M23 Rebels, Banayamulenge, among others. These veto players, on top of the structural barriers offer a clear explanation why peace has eluded DRC over the years and decades.

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.0 Introduction

This chapter presents a summary of findings, conclusions and recommendations made by the study, in line with the research question.

5.1 Summary

The study found that since the 1990s the Democratic Republic of the Congo (DRC) has continued to be mired in intractable conflicts. Despite the establishment of an elected government in 2006 following the implementation of a series of peace agreements, the country still faces challenges in consolidating peace throughout its territory. The eastern regions of the DRC have consistently experienced high insecurity and repeated incidences of violence, often as a result of interference of neighbouring countries. The recurring episodes of violence in both the eastern and other regions of the DRC indicate that the process of conflict transformation is impeded by deep structural issues in society. These issues must be addressed if peace in the country, and the Great Lakes region, is to be achieved.

The study found that the DRC territory is about a fourth of the size of the United States (US), or about the size of Western Europe. The sophisticated web of external interventions and insurgencies after the Second Congo War has rendered the DRC essentially ungovernable. Throughout its entire history since independence, the central government has never succeeded in establishing political order backed by the rule of law. The first and second Congo wars created a political vacuum in many parts of the DRC, most notably in the east. Vast sections of the country remain politically and logistically disconnected from the seat of government—Kinshasa. This situation has made a significant portion of the population feel disenfranchised and marginalized. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state (Egreteau, 2016). This has created a fertile ground for wars, conflicts and instability which fail all efforts of sustainable peace in the DRC and the Great Lakes Region in general.

5.2 Conclusions

The study concluded that while several factors account for the elusiveness of peace in the DRC, the reality is that historical issues will take a long time to resolve and that the peacebuilding process in the DRC cannot be tied to a timeline. The actors and stakeholders interested in consolidating peace in the DRC must focus on transformative strategies that are aimed at ensuring the development of infrastructure for a stronger and more peaceful DRC. This could involve coalesced efforts and context-specific long-term peacebuilding strategies by multiple stakeholders whose interests are entrenched in reconciliation and wellbeing of the people of the DRC.

The study concluded that the vast geographical size of the DRC has greatly contributed to lack of sustainable peace not only for the DRC but to the neighbouring countries as well, such as Uganda. This situation has made a significant portion of the population feel disenfranchised and marginalized. With a ready supply of arms from dubious mineral trading entities and external actors with questionable interests, disaffected groups have been quick to carve their destinies parallel to those of the DRC state. The ADF, LRA and other regional insurgents have found formidable places of hide out within DRC impenetrable forests, mainly on the country sides where state governments have no direct control over. In such forests and country sides, the rebels have continued to attack civilians, make forced military conscriptions, loot, and made military bases to attack both government forces and civilian populations, in the DRC and outside the DRC, such as Uganda, Rwanda and CAR.

The lesson one can draw from the Congo wars about regional solutions is that, despite deep regional divisions, regional actors can (and did) initiate and successfully negotiate agreements to end conflicts in which large and important portions of that region are participants in the conflict. However, the lessons from the Congo also suggest that regional mediation in a regional conflict involving numerous state actors from that region is difficult without external partners. This is due partly to capacity constraints but mostly to the need for external guarantors and credible, punitive threats for non-cooperation.

Although truth commissions tend to focus mainly on their immediate products, “the real effect on conflict resolution will be in how the process of truth seeking is undertaken,” the impact on public policy, and the responses of public actors. Truth commissions make their strongest contributions to preventing violence when (1) civilian authorities are willing and able to implement the commission’s conclusions and recommendations; (2) perpetrators are weak and have incentives to acknowledge and apologize for

past wrongs; (3) human rights groups and other elements of civil society are strong and support the commission and its recommendations; (4) the international community supports the commission and its recommendations; (5) the commission has a strong mandate and adequate resources; and (6) the old regime is no longer strongly supported or feared. These conclusions imply that international support for strong truth commissions, civil society organizations, and domestic institutions for peaceful conflict management can all contribute to peace making in transitional countries.

5.3 Recommendations

The study recommended that peace process is in need of the re-establishment of a legitimate political system, not least to supervise the use of the country's immense mineral resources. However, in order to target the traditions of divide and rule politics, and the fragmentation of political and economic elites, such a strategy must carry a conscience about the need to establish a legitimate Congolese leadership. Such a leadership must be given every opportunity of building a domestic political and social legitimacy, as a pillar for a deeper democratisation of public life.

To overcome structural barriers, a deliberate ambitious programme should be adopted to make the geographical territories of the DRC well accessible and governable by the state. Macro-economic projects should for example involve providing modern roads and railway networks, train the national army to exert state control and protection over national territories and deter the harboring of insurgent groups such as rebels, bandits, war lords and militias in the country sides, as well as proving electricity to the rural parts of the DRC. Given the enormous endowment with natural resources such as gold, diamond, timber, among others, it is not difficult implement such ambitious macro-economic infrastructural projects which are key in realizing social-economic development and re-asserting the legitimacy of state governments to control and administer over all national territories with ease and create sustainable peace for the DRC ns the region.

At the local level there are considerable needs, there is an emerging consensus among Congo analysts that efforts to end the violence in DRC have deeply neglected politics, and in particular Rwanda's real interests in the region. There is thus an urgent need for a comprehensive political framework that would address the key issue in these conflicts – Congo's relationship with Rwanda, which has not been fully

addressed in peace agreements in the DRC, and which would support local reconciliation efforts. The Inter-Congolese Dialogue was to be the ‘founding act’ of the process of national reconciliation,¹⁰ but it never quite met those expectations as it failed to create a new political dispensation in the DRC.

The study further recommends that the end of conflict should entail “laying down arms.” The talks should provide a road map that commits the parties to “uninterrupted direct talks with the objective of attaining an agreement for termination of the conflict that contributes to building a stable and lasting peace.” However, the missing link the peace agreements should have on the agenda, key reforms and issues, as identified in the agenda, that will lead to the end of the conflict. Establishing a ceasefire before these mechanisms are in place has its risks. Likewise, the parties need to clarify what acts are to be considered violations, and create mechanisms to process complaints.

Peace talks require a communications strategy that seeks both to protect the process but also inform the public. The early stage of confidence building between the parties requires isolation from the media and public debate. Discretion is necessary to explore areas of key concessions for both sides and thus identify or move toward a minimum consensus that will serve as a basis for possible agreements. With little success of the peace talks in the DRC in bringing about sustainable peace, it’s possible that communications strategy that seeks both to protect the process but also inform the public has not been employed to enhance peace talks.

As Barbara suggests, there should be deliberate efforts by internal and external stakeholders to identify credible third party guarantors for constructive dialogue and peace agreements. Third-party guarantors can change the level of fear and insecurity that accompanies treaty implementation and thus facilitate settlement. This is due partly to capacity constraints but mostly to the need for external guarantors and credible, punitive threats for non-cooperation. An important and frequent reason why opponents fail to reach successful settlements is because they cannot credibly commit to an agreement that will become far less attractive once implemented. Third parties, however, can guarantee that groups will be protected, terms will be fulfilled, and promises will be kept (or at least they can ensure that groups will survive until a new government and a new national military is formed). In short, they can ensure that the payoffs from cheating on a civil war agreement no longer exceed the payoffs from faithfully executing its terms. Once cheating becomes difficult and costly, promises to cooperate gain credibility and cooperation becomes more likely.

But how does one ensure that promises made by a third party at the negotiating table are themselves credible? DRC should also borrow Barbara's the credible-commitment theory of civil war resolution. To be credible, a guarantee must fulfil at least three basic conditions. First, the outside state must have a self-interest in upholding its promise. Old colonial ties, strategic interests, economic investments, or alliance loyalties will enhance any commitment to intervene and will indicate the political will to persevere. Second, the guarantor must be willing to use force if necessary, and its military capabilities must be sufficient to punish whichever side violates the treaty.

The study recommended that equal or greater force is necessary for any threat to effectively deter cheating. Third, the intervening state should be able to signal resolve. The outside power can either station sufficient forces to deter aggression without having to send for additional forces if conflict breaks out. Or it can create some type of military trip wire, as Britain did in Zimbabwe. Outside forces can also be placed at strategically important locations, such as troop assembly areas, borders, or munitions sites, and guarantors can have pre-approval from home governments for further action. These costly signals should allow states to reveal their true preferences and enhance the credibility of their promises. These and other strategies, if properly adopted, could help turn the dream of sustainable peace in the DRC and the greater lakes region into a reality.

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APPENDIX I: MAP OF THE GREAT LAKES REGION



GREAT LAKES REGION



APPENDIX II: INTERVIEW GUIDE

Dear Sir/Madam,

I am currently undertaking a study on the topic “Examining the Contribution of Structural Barriers and Peace Talks towards a Sustainable Peace in Conflict Resolution in the Great Lakes Region; a Case of the Democratic Republic of Congo (1996-2016)”. The information sought is required only for academic purposes. Participation is entirely out of your free will and necessary for the success of this work. Information provided will be handled with utmost confidentiality.

Sincerely

SECTION A: BACKGROUND INFORMATION

1. Your Sex

Male	Female

2. Your age group:

20-30 years	31-39 years	40-49 years	40-50 years	above 51 years

3. Your level of education:

Certificate	Diploma	Bachelor’s Degree	Master Degree	PhD Degree

4. What is your occupation/position?

.....

SECTION B: RESPONSES TO THE VARIABLES

1. Has there been involvement of the broader society in the peace talks in the DRC?
2. What has been the effect of the location of peace talks on their success?
3. What is the influence of structural barriers, such as geographic size of the country, strategic location, natural resources, transport and communication network, cultural beliefs, etc, on achieving sustainable peace in the DRC?
4. What has been the significance of different third party members in the peace talks?
5. What has been the role of the media in the peace talks?
6. What has been the significance of involving all guerrilla groups in the peace talks?
7. What has been the role of the internal community in the peace talks?
8. What has been the concern of the peace talks?
9. Who have been the spoilers in DRC peace talks?
10. What should be done to ensure sustainable peace talks in the DRC and the great lakes region in general?