

WARID: Democratic Republic of Congo (MLC) 1998-2002

STARDATE: 7 November 1998

ENDDATE: 17 December 2002¹

Related cases: Zaire/DR Congo (AFDL) 1996-1997
DR Congo (RCD) 1998-2004
DR Congo (CNDP) 2006-2009
Rwanda (FPR/PALIR, FDLR) 1990-2002
Uganda (ADF) 1996-2002
Angola (UNITA) 1998-2002
Burundi (CNDD, CNDD-FDD) 1994-2004
Burundi (Palipehutu, FNL) 1997-2008

Last update: 1 October 2015

Authors: Hannah Pehle, Anna Schwarz

Reviewer: Kai Koddenbrock

Conflict overview

During the First Congo War (October 1996-May 1997), the rebel alliance ‘Alliance des Forces Démocratiques pour la Libération du Congo’ (AFDL) – led by Laurent-Désiré Kabila and backed by the governments of Angola, Burundi, Rwanda and Uganda – toppled Zairian president and longtime dictator Mobutu Sese Seko. Kabila declared himself President and proclaimed the Democratic Republic of Congo (DRC).

In August 1998, the Second Congo War broke out. In the course of the fighting, seven foreign countries, various foreign rebel groups and over a dozen indigenous militias (mostly the so-called Mayi-Mayi²) became embroiled in the armed struggle. Troops from Angola, Chad, Namibia, Sudan and Zimbabwe entered the war behalf of President Kabila. Rwanda, Uganda and Burundi, once backers of the AFDL forces, turned from Kabila and supported the rebels. Rebel groups from Burundi, Uganda and Rwanda now sided with Kabila, after having fought against the AFDL in the first war.

After the official establishment of the ‘Rassemblement Congolais pour la Démocratie du Peuple’ (RCD), Rwandan and Ugandan troops crossed the border to support the rebels who were quickly advancing on Kinshasa. The quick seizure of the country ultimately failed and

1 We deviate from the UCDP in this case, which dates the end of the war to 31 December 2001, arguing that the exact day and month is unknown. However, the armed struggle caused further fatalities above the threshold of 25 battle-related deaths throughout 2002.

2 The term ‘Mayi-Mayi’ or ‘Mai-Mai’ refers to loose groups of ethnic militias in eastern Congo.

the rebels turned their focus to consolidating their power in the occupied territories.³ Against this backdrop, former Mobutist Jean-Pierre Bemba announced the foundation of another rebel movement, the ‘Mouvement de Libération du Congo’ (MLC), in the province of Equateur (northern DRC) in autumn 1998. The movement’s armed wing was the ‘Armée de Libération du Congo’ (ALC). The ALC received support from Uganda, who sent soldiers to fight alongside MLC combatants. The rebels and their foreign backers⁴ seized control of the entire Equateur province, approximately one third of the country.⁵ However, the situation on the ground soon reflected a military stalemate, and as the military defeat of Kabila receded into the distance, economic interests gained center stage.

The anti-Kabila rebellion is closely related to the war against Mobutu: parts of the warring parties remained the same, though they fought in a different constellation. After Kabila assumed office, he either excluded former Mobutists from power or arrested them. While Kabila was in the middle of his armed struggle against rebel groups in the eastern and north-eastern DRC, the MLC seized the moment to enter the complex war, with domination and financial support from former Mobutists.⁶ The rebels’ main objective was to topple Kabila in order to regain access to political and economic power. The MLC did not have a substantial agenda apart from this.⁷ All of the DRC is considered the disputed territory, as the rebels’ objective was to overthrow Kabila and capture Kinshasa.

Given the enduring military stalemate, the belligerents agreed on the Lusaka Ceasefire Agreement (LCA) on 31 August 1999. However, its implementation was delayed due to renewed fighting. On 16 January 2001, President Kabila was killed and his son, Joseph Kabila, succeeded him in office. He revived the peace negotiations and the Inter-Congolese Dialogue (ICD) – which had been envisaged in the LCA – finally convened between February and April 2002. On 18 April 2002, the MLC and Kabila signed a partial power-sharing agreement. Bemba accepted Kabila’s presidency while being named prime minister.⁸ Hostilities between the government and the MLC ceased after the signing of the agreement;

3 Kabila was close to defeat when Zimbabwe and Angola sent troops to defend the capital in late August 1998.

4 Apart from Ugandan troops and the provision of weapons, soldiers from the Central African Republic, Angolan UNITA rebels and over 3,000 US mercenaries supported the MLC in the course of the fighting (Carayannis 2008: 6; ICG 1999b; ICG 2000: 38, 58; Prunier 2009: 205, 232, 259-60).

5 See Stearns 2011: Map IV; Weiss 2000: 12.

6 Despite his obvious entanglement with former Mobutist circles, Bemba claimed to be independent (Kisangani 2012: 141).

7 Taking advantage of the current chaos, Uganda, as patron to the rebels, supported the MLC and looked to exploit of resources on Congolese soil.

8 The RCD-G and the UDPS (an unarmed opposition party) leader Étienne Tshisekedi tried to torpedo this agreement and established the ‘Alliance pour la Sauvegarde du Dialogue Inter-Congolaise’/ASD (ICG 2002: 10; Prunier 2009: 270).

despite this, one-sided violence by MLC rebels and clashes between Bemba's fighters and other rebel groups resulted in more than 100 fatalities throughout the year. On 17 December 2002, all conflict parties⁹ finally signed the Global and All-inclusive Agreement (GIA) in Pretoria, which foresaw a transitional period.¹⁰ Hence, the war between the MLC and the Kabila government ended with the signing of the GIA after 50 months of armed struggle **[WARENDUC=1, WARENDOS=1, WARDUR=49]**.¹¹

According to UCDP (Uppsala Conflict Data Program) estimates, fatalities caused by armed struggle between the DRC government and MLC rebel forces numbered 2,496. One-sided violence by the parties involved in the conflict and fighting between non-state actors of the dyad resulted in an additional 1,163 deaths. Thus, the UCDP estimates a total death toll of 3,659 **[FATALUC=4000]**.¹²

However, other sources indicate a much higher number of fatalities, though figures differ widely. Between 1998 and 2000 alone, around 200,000 people are said to have died in the armed struggle.¹³ Kisangani (2012: 146) even estimates the number of deaths resulting from acts of violence between 1998 until 2002 to be 700,000.¹⁴ According to the UCDP, about 19% of all fatalities between 1998 and 2000 (15% between 1998 and 2002) were related to the MLC dyad. Applying this share to the number of 200,000 (and 700,000 respectively), which does not distinguish between different dyads, at least 38,000 (or 105,000 – equivalent to 15% of 700,000 fatalities) people were killed up to the year 2000 (2002). As the lower estimate does not include fatalities in 2001 and 2002, we settle on a death toll of at least 105,000 **[FATALOS=105000]**.

According to World Bank estimates, the population of the DRC prior to the war was 44,078,397 **[PREWARPO=44100000]**.¹⁵ The number of fatalities based on UCDP data equals 0.01% of the pre-war population **[INTENSUC=0.01]**. Considering the higher death toll, the losses amount to 0.24% of the pre-war population **[INTENSOS=0.24]**.

9 The government of the DRC, the RCD-G, the MLC, the RCD-ML, the RCD-National, Mayi-Mayi militias, the unarmed political opposition, and member of civil society were all signatories of the agreement.

10 For a conflict overview, see Afoaku 2002; Auteserre 2010; Carayannis 2003; Carayannis 2008; Dunn 2002; ICG 2000; ICG 2001a; ICG 2002; Johnson 2008; Kisangani 2003; Kisangani 2012; Marriage 2013; Prunier 2004; Prunier 2009; Stearns 2011; Weiss 2000.

11 See UCDP Conflict Termination dataset, dyadic version, available at: http://www.pcr.uu.se/research/ucdp/datasets/ucdp_conflict_termination_dataset/ (24 May 2014).

12 See UCDP Conflict Encyclopedia, available at: http://www.ucdp.uu.se/gpdatabase/gpcountry.php?id=38®ionSelect=2-Southern_Africa# (5 Jun 2014).

13 See Afoaku 2002: 122; ICG 2000: 67; Prunier 2009: 242.

14 Since there are no sources indicating the number of fatalities related to the dyad for the period between 1998 and 2004, the following calculation only serves as an approximation.

15 Data on the population available at: <http://api.worldbank.org/v2/en/country/cod?downloadformat=excel> (26 Aug 2014).

Military balance at the end of the war

According to Cunningham et al. (2009) the MLC effectively controlled large parts of Equateur. The rebels established administrative structures that facilitated the extraction of tax revenues (Carayannis 2008: 6-7).¹⁶ Bemba established a civilian presence, considering that he was able to recruit soldiers,¹⁷ and he also received substantial financial support from former Mobutist economic elites.¹⁸ Moreover, the MLC and their Ugandan backers profited considerably from diamond, gold, timber and coffee exports in areas under their control.¹⁹ After the signing of the Lusaka Agreement in 1999, the MLC was able to expand its territory as the ALC advanced along the border of the Central African Republic, capturing several cities while pushing south towards Kinshasa (ICG 1999b: 12). Following the 2002 peace agreement with Kabila, the rebels formally merged their stronghold with government-held territories in the western part of the country, totaling approximately 60% of the whole DRC (ICG 2002: 7; Johnson 2011: 105). However, this reunification was only on paper. The MLC remained in de facto control of its former stronghold. Thus, the rebels still controlled the larger part of their territory by the end of the war [**REBTERR=1**].

Despite the government's failure to re-establish state control in large parts of the DRC, in relation to the country as a whole, the government clearly controlled more of the disputed territory than the MLC [**MORETERR= -1**].²⁰

According to Cunningham et al. (2009) the relative fighting capacity of the MLC was 'moderate' [**REBFIGHT=0**].²¹ The ALC was considered to be "the best trained and most disciplined of the Congolese armed groups" (Carayannis 2008: 7).

By 2001, the rebels' ambitions to capture Kinshasa had vanished on account of the continuous military stalemate. The MLC lacked the capabilities to expand its offensives outside the province of Equateur.²² An advance on Kinshasa would have been impossible without broader support from Kampala and the increased troop deployment of Ugandan soldiers (ICG 2000: 39; Prunier 2009: 208). Moreover, the MLC assisted the government of the Central African

16 These civilian administrations included an executive branch, a territorial council and a territorial assembly (Carayannis 2008: 7).

17 Bemba's troops were mainly composed of Mobutu's former presidential guard, the 'Division Spéciale Présidentielle'/DSP (Carayannis 2008: 5; Kisangani 2003: 268).

18 See Carayannis 2008: 3, 6; ICG 2000: 37-38; Kisangani 2003: 268; Prunier 2009: 205-208.

19 See Afoaku 2002: 118; Carayannis 2008: 6; Dunn 2002: 68; ICG 1999b: 13, 20; ICG 2000: 31; Kisangani 2003: 273-274; UN 2002: para. 97-131.

20 See Autesserre 2010: 50; Weiss 2000: 12.

21 As Bemba recruited soldiers from the Central African Republic and Ugandan UDF troops joined the rebels' military operations, the MLC's original force of roughly 150 combatants in 1998 was rapidly strengthened, tremendously increasing the rebels' fighting capacity in a very short period of time (Carayannis 2008: 3; ICG 2000: 1, 38; Prunier 2009: 205, 232).

22 Temporarily, the MLC had hoped to win a military victory in 2000 after the rebels had captured Mbandaka and advanced on Kinshasa (Prunier 2009: 234).

Republic during a military coup in October 2002 (Stearns 2011: 230). Thus, their forces were further constrained and the rebels had fewer troops available to continue the fight in the DRC. Kabila's army was caught between two frontlines (Kisangani 2012: 144, Prunier 2009: 305). Neither of the parties had the power to win the war and Kabila would not have been able to continue the armed struggle along all the frontlines without accepting substantial losses (ICG 2000: 2, 10). Both warring parties were in a position to defend their strongholds, but neither side was likely to make territorial gains through continued fighting beyond the frontlines [CONFIGHT=0].²³

Both Bemba and President Joseph Kabila actively participated in the negotiation process. Neither of them was killed or captured by their opponent during or at the end of the war [LEADER=0].²⁴

Given the military stalemate, neither side can be considered the military victor [VICTORY=0]. As early as 1999, the situation on the ground reflected a military standoff. This was reinforced when tensions between foreign backers of the MLC and RCD (Uganda and Rwanda) heightened, turning the rebel alliances against each other.²⁵ By 2002, neither side would have been able to ensure a military victory. The government feared the end of foreign support from Angola and Zimbabwe and the rebels were caught in the war (Prunier 2009: 273, 305).

In sum, the overall military balance at the end of the war did not favor either side [WARBAL=0].

Military balance in the post-war period

One of the main tasks of the transitional government was to implement security sector reforms (SSR) as outlined in the GIA (Annex V, art. 2a). This agreement provided for a unified Congolese defense force that incorporated all forces of the GIA signatories into the new army (art. 2, par. 3; Boshoff 2005: 3-4, 8). However, little progress was made regarding the integration of combatants due to continued fighting in several parts of the country. The first phase of SSR started November 2004.²⁶ Up until then, the national army was exclusively

23 See ICG 2000: 10-11.

24 See Stearns 2011: 315. Joseph Kabila's father Laurent-Désiré Kabila was killed in 2001. However, the background of his assassination was unclear. One of his bodyguards was said to have shot him (Dunn 2002: 53).

25 When the rebels' frontlines converged, tension over the exploitation of resources increased. Control over mines around the city of Kisangani (located in the north-east of the DRC) exacerbated strains between the RCD and MLC as well as their patrons, leading to several military confrontations in 1999 and 2000.

26 See Boshoff 2007: 1; Boshoff 2010: 1-2; Clément 2009: 91; Eriksson Baaz/Verweijen 2013: 10ff.; ICG 2006a: 3.

comprised of former government soldiers and is thus considered a separate armed force [STATEFOR 2003-2004= -1].

By 2005, government forces contributed to the new army with at least 5,000 troops, the ‘Forces Armées de la République Démocratique du Congo’/FARDC (ICG 2005: 3; ICG 2006a: 14). Following the Bukuvu crisis in 2004, between 3,000 and 5,000 MLC soldiers joined FARDC brigades in eastern Congo. An additional 1,800 rebels were incorporated into newly integrated units and 1,500 reported for demobilization (ICG 2006a: 14). Hence, both warring parties substantially participated in the state’s new military forces from 2005 onwards. These troops are said to have lost their links to the MLC leadership [STATEFOR 2005-2012=0].

Notwithstanding efforts to integrate all armed forces, Kabila retained his personal bodyguards, the ‘Groupe Spéciale de Sécurité Présidentielle’ (GSSP)²⁷, and refused to disband the contingent (Boshoff 2004: 64). The GSSP was an elite corps under Kabila’s direct control, numbering between 10,000 and 15,000 soldiers.²⁸ Although the GIA only provided 5 to 15 personal bodyguards for former rebel leaders (GIA Annex V), Bemba kept several hundred personal militiamen, the ‘Détachement de Protection Présidentielle’ (DPP).²⁹ Prior to the 2006 elections, he demonstrated a willingness to integrate his troops, wanting to await the outcome of the polls, which ultimately protracted the implementation of the SSR (Scherrer 2012: 161). When Kabila finally prevailed in the runoff elections, Bemba’s militia was called upon to integrate itself into the regular forces. But the MLC leader allowed the ultimatum to lapse and Kabila’s GSSP attacked his militia in Kinshasa in March 2007, resulting in 600 fatalities in three days of fighting.³⁰ Eventually, Bemba went to Portugal in April 2007, leading hundreds of his personal militiamen to surrender or flee.³¹ In May 2008, the International Criminal Court (ICC) issued an arrest warrant for Bemba and, shortly thereafter, he was arrested in Brussels.³² Since the spring of 2007, the rebels no longer had separate armed forces at their disposal [SEPFORCE 2003-2006=0, SEPFORCE 2007-2012= -1].

27 The presidential guard was later renamed ‘Garde Républicaine’ (GR).

28 See AI 2007: 56-57; Clément 2009: 92-93, 107; Freedom House 2007; ICG 2005: 2, 15; ICG 2006a: 3-4, 29; ICG 2006b: 7; Prunier 2009: 311. From 2008 onwards, ‘The Military Balance’ estimates the number of GR forces at 6,000 to 8,000 (IISS 2009-2013).

29 See Boshoff 2007: 1; Merckx/Vander Wayden 2007: 811; Stroux 2006: 2. HRW (2008: 15, 24) estimates the number of Bemba’s personal guards at 800-900, of which 400-500 were deployed in Kinshasa.

30 See Boshoff 2007: 1-2; Carayannis 2008: 14; Clément 2009: 106; HRW 2008: 21 ff.; ICG Feb 2006: 4; Kisangani/Bobb 2009: 51; Kisangani 2012: 157; Prunier 2009: 316.

31 See Freedom House 2008; HRW 2008: 25; Prunier 2009: 316; Schröder/Dane 2008: 624.

32 See http://www.icc-cpi.int/en_menus/icc/structure%20of%20the%20court/office%20of%20the%20prosecutor/prosecutions/Pages/prosecutions.aspx (13 Aug 2014).

Since we lack consistent data on the number of rebel forces as well as precise figures on integrated MLC soldiers in the FARDC for the respective post-war years, we cannot assess whether there was a change in the number of troops in favor of either of the warring parties [**TROOPS 2003-2012=n.d.; ARMS 2003-2012=n.d.**].³³

With the signing of the GIA in late 2002, the MLC turned into a political party. The province of Equateur, once occupied by the former rebels, remained the party's political stronghold in the post-war period. In the 2006 parliamentary elections, the MLC won most of its seats (one third) in Equateur and held the governor's office in the province (Merckx/Vander Weyden 2007: 812, Rohde 2007: 115). However, in 2009, a member of Kabila's government coalition (Alliance pour la majorité présidentielle (AMP)), Jean-Claude Baende, replaced the MLC governor.³⁴ Until then, the MLC controlled important territory, when we consider the domination of official state institutions in Equateur. Thereafter, Kabila's AMP gradually took over power in the province while the MLC faded into the background [**TERRCON 2003-2009=0, TERRCON 2010-2012= -1**].³⁵

The government clearly controlled more important territory in the post-war years than the MLC did. Kabila was able to push back the RCD and regain control of formerly RCD-controlled areas; the MLC only retained partial control on the political level in Equateur [**TERRWIN 2003-2012= -1**]. However, we must bear in mind that state control remained relative, given the poor capacities of the government to exert physical control in areas outside of its stronghold.

Despite the MLC's partial control over Equateur, the government still controlled the larger part of the DRC. Thus, we consider the governing side strategically less vulnerable in its territory [**VULNERAB 2003-2012= -1**]. When the MLC lost the governorship in the province of Equateur in 2009, the former rebels no longer controlled any territory at all.

UN peacekeeping forces were stationed in the DRC after 2000 under the 'Mission de l'Organisation des Nations Unies en République Démocratique du Congo' (MONUC).³⁶ The mandate was extended throughout the years and, in 2010, the mission was renamed

33 'The Military Balance' estimates the number of MLC troops at 18,000 until 2009 (IISS 2002/2003-2010). Other sources speak of 5,000 to 10,000 MLC troops in 2002 (ICG 2006a: 14; Ndikumana/Kisangani 2003: 40). The MLC itself stated it had 20,000 soldiers (ICG 2006a: 14; Prunier 2009: 306). Due to the army integration process and MLC troop deployment in the Kivus, the number of 18,000 MLC soldiers seems exaggerated (ICG 2005: 2). According to the ICG (2006a: 14), only 1,000 to 1,500 MLC troops remained in formed units in Equateur.

34 See <http://radiokapi.net/emissions-2/dialogue-entre-congolais/2013/03/21/ce-soir-revocation-du-gouverneur-de-lequateur-jean-claude-baende/> (20 Aug 2014).

35 The MLC did not nominate a presidential candidate to compete with Kabila in the 2011 elections.

36 See <http://www.un.org/en/peacekeeping/missions/past/monuc/facts.shtml> (27 May 2014).

MONUSCO.³⁷ In order to support the approximately 17,000 UN soldiers and provide security during the general elections in 2006, the European Union (EU) deployed a temporary EU force composed of 1,500 soldiers [**PEACEKEEP 2003-2012=0**].³⁸ There was no permanent member of the UN Security Council that would have militarily intervened on behalf of either of the warring parties [**P5ALLY 2003-2012=n.r.**].

Throughout the whole post-war period, the military balance favored the government [**POSTBAL 2003-2004= -0.5, POSTBAL 2005-2006= -0.33, POSTBAL 2007-2009= -0.5, POSTBAL 2010-2012= -0.67**]. Likewise, the overall military balance mirrors a constant advantage for the government, which increased after a drop in 2005 and 2006, reaching its peak in 2010 [**BALANCE 2003-2004= -0.25, BALANCE 2005-2006= -0.17, BALANCE 2007-2009= -0.25, BALANCE 2010-2012= -0.33**].

Economy

Although the gross domestic product (GDP) per capita doubled in the post-war period, the economy remained at a very low level.

Table 1: GDP per capita in current USD³⁹

<i>Year</i>	<i>Population (total)</i>	<i>GDP per capita</i>
2003	50972323	111
2004	52487293	124
2005	54028003	133
2006	55590838	159
2007	57187942	175
2008	58819038	198
2009	60486276	185
2010	62191161	211
2011	63931512	246
2012	65705093	262

The scale of compromise after the war

The Global and All-inclusive Agreement (GIA) provided for power-sharing between the government and the different rebel groups. The signatories of the agreement were commissioned to constitute a government of national unity and to prepare free, democratic and transparent elections. The agreement further envisaged the participation of all parties of the Inter-Congolese Dialogue (ICD) in the political administration (art. I and II). Both the

37 Mission de l'Organisation des Nations Unies pour la Stabilisation en République Démocratique du Congo; see www.un.org/en/peacekeeping/missions/monusco/background.shtml (8 Aug 2014).

38 See EU 2006: 4; Freedom House 2007; http://www.eeas.europa.eu/csdp/missions-and-operations/eufor-rd-congo/index_en.htm (29 Aug 2014).

39 <http://api.worldbank.org/v2/en/country/cod?downloadformat=excel> (26 Aug 2014).

government and the MLC contributed with seven ministers and four deputy ministers in the transitional government (GIA Annex). Kabila maintained the presidential office, and four vice-presidencies were granted to the rebel forces, including one for MLC leader Bemba, the government and the unarmed opposition (art. V). The MLC and the government also contributed 94 representatives to the National Assembly and 22 senators to the second legislative chamber (Annex I). Hence, both the government and the MLC participated in the transitional government [GOVERN 2003-2006=0].⁴⁰ Elections in 2006 marked the end of power sharing in the government. As the new government was only inaugurated in 2007, the MLC was still considered part of the government in 2006. From 2007 onwards, only the side governing at the beginning of the war participated in the government [GOVERN 2007-2012=-1].

According to the GIA, both former warring parties shared power in the transitional period, but neither of them had the right submit a veto. Following the rebuilding of the government after the general elections in 2006, the MLC lost its participation in the executive branch; however, the former rebels continued to be represented in the parliament and senate.⁴¹ Nonetheless, a veto right did not exist for both sides – the government decided exclusively in political questions [VETO 2003-2006=n.r., VETO 2007-2012= -1; VETOSAT 2003-2012=n.r.].

Elections were scheduled for late 2005 but the date was deferred. Since the government in office included President Kabila and MLC leader Bemba, not holding elections was in both of their favors since they could not be challenged by other parties [ELECT 2003-2005=0]. On 30 July 2006, the first general elections were held after over 40 years. Transitional president Kabila prevailed in the presidential elections with 44.8% of the votes against his main competitor, MLC leader Bemba (20%), in the first round of the polls.⁴² Following the promulgation of the election outcome on 20 August 2006, fighting between Kabila's presidential guard and Bemba's DDP broke out in Kinshasa, causing at least 50 fatalities.⁴³ In a runoff on 29 October 2006, Kabila turned out as winner with 58% of the votes, while Bemba came in second (42%).⁴⁴ Apart from some irregularities, the elections were basically

40 The government of national unity finally convened on 30 June 2003.

41 In the 2006 parliamentary elections, Bemba's 'Union pour la Nation', successor of his 'Rassemblement des Nationalistes du Congo' (RENACO), won 116 seats (23%), of which the MLC itself made up 64 seats (13%). In the Senate elections in 2007, the MLC won 14 seats including one for Bemba (Freedom House 2008; Kisangani/Bobb 2009: 371; Prunier 2009: 312; Rohde 2007: 113-115). In 2011, the MLC gained 22 seats in the parliament, see <http://www.refworld.org/docid/4f9e58782.html%20%2812> (14 Aug 2014).

42 See Carayannis 2008: 2; Kisangani 2012: 157; Prunier 2009: 213; Rohde 2007: 113.

43 See Boshoff 2006: 7; Freedom House 2007; HRW 2008: 16 ff.; Kisangani 2012: 157; Merckx/Vander Wayden 2007: 811; Schröder/Danne 2008: 622; Stroux 2006: 2.

44 Bemba rejected the results and tried to contest the election, going to court (Prunier 2009: 314). In the end, Bemba accepted Kabila's victory and ran for a seat in the 2007 senate election (Freedom House 2007).

transparent, democratic and free with no incidents of deliberate fraud.⁴⁵ The Freedom House (2007) political rights rating improved from ‘6’ to ‘5’ [**ELECT 2006=0**].

In early 2007, elections for the second parliamentary chamber, the senate, took place. However, political violence had increased by that time and the political opposition, especially the MLC, faced increased suppressions.⁴⁶ Freedom House (2008) ranking decreased to ‘6’. As the ranking remained at ‘6’, we extrapolate this coding for the following years until 2011. In 2011, general elections were held on 28 November. However, the polls were accompanied by irregularities, violence and fraud.⁴⁷ An amendment of the electoral law in January had eliminated the necessity of run-up elections in the case that one candidate did not obtain the required majority. This was viewed as an intentional manipulation in order to secure the re-election of incumbent president Kabila.⁴⁸ The MLC did not have an official presidential candidate but several party leaders defected to form their own party prior to the election (Carter Center 2011: 4).⁴⁹ Against the backdrop of the shortcomings during the elections and Freedom House (2012) political rights rating ‘6’, we assess that the polls were not basically free and fair [**ELECT 2007-2012= -1**].

Neither the secession of a certain territory nor conflict over borders between federal or sub-state units or the allocation of competences among different political levels were causes of the armed struggle [**EXBORDER 2003-2012=n.r.; INBORDER 2003-2012=n.r.; COMPETEN 2003-2012=n.r.**].

The warring parties did not fight about the economic order or over special programs for the promotion of specific groups or over measures against their discrimination [**ECONOMY 2003-2012=n.r.; SPECPRO 2003-2012=n.r.**].

Soon after the outbreak of the war, economic interests gained center stage. Resource exploitation became the primary motivation behind the armed struggle for the MLC. In theory, the DRC Government would have had the clear entitlement to impede the exploitation of resources by the rebels; the MLC never fought against government forces over this issue and only clashed with other rebel groups and their backers, especially the RCD, during battles around the city of Kisangani in 1999 and 2000. Thus, resource exploitation was not a central conflict item between the MLC and the Congolese government.

45 See BTI 2008: 6; EISA 2006: 7, 9, 13; EU 2006: 11, 13-14; Merckx/Vander Weyden 2007: 810-811; Prunier 2009: 314; Stroux 2006: 5-6.

46 See Carayannis 2008: 13; HRW 2008; Kisangani 2012: 164.

47 See Carter Center 2011: 66-67; Freedom House 2012; Githaiga 2012: 1, 6-8.

48 See BTI 2012: 8; Freedom House 2012; Githaiga 2012: 3; Kisangani 2012: 161. This amendment indeed came into effect as Kabila was announced winner of the 2011 elections gaining only 49% of the votes (Githaiga 2012: 7).

49 See <http://www.refworld.org/docid/4f9e58782.html%20%2812> (14 Aug 2014).

The rebels' main aim was to oust Kabila in order to regain access to political and economic power, which the new president had denied them after his victory over Mobutu. Although Kabila's defeat became increasingly unlikely, as the war continued, no additional central issues emerged would emerge [ISSUE 2003-2012=n.r.; ISSUE2 2003-2012=n.r.]. The MLC's main agenda remained the end of Kabila's rule, which was reiterated in the peace negotiations in 2002. However, the GIA confirmed Kabila's presidency and Bemba became vice-president.

There were no further central issues that emerged in the post-war period [NEWCON 2003-2012=n.r.; NEWCON2 2003-2012=n.r.].

There were no compromises reached up until 2012 [BENEFIT 2003-2012=n.r.; BENEFIT2 2003-2012=n.r.]. Until 2006, the post-war order favored neither of the former warring parties. However, after the disbanding of the transitional government and Kabila's electoral victory over Bemba, the post-war order reflected a strong predominance of the government [COMPROM 2003-2006=0, COMPROM 2007-2012= -1].

Stability of peace

There was no renewed outbreak of war between the DRC Government and the MLC through the end of 2012 [SAMEWAR=0; DATESAME=n.r.; PEACMON1=120].⁵⁰ There was, however, fighting in late 2006 between former RCD-G rebels – then called 'Congrès nationale pour la défense du peuple' (CNDP) and headed by Laurent Nkunda – and government forces that were rekindled in North Kivu that precipitated into a new armed conflict. This war, however, was a recurrence of the RCD conflict and must not be counted twice, i.e. once with regard to the RCD dyad and once with regard to the MLC dyad. Thus, the war between the DRC Government and the CNDP was not relevant for this case description [ANYWAR=0; DATEANY=n.r.; PEACMON2=120].

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