

Testimony
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Bureau of African Affairs
U.S. Department of State
Before the House Committee on Foreign Affairs
Subcommittee on Africa, Global Health and Human Rights
“The Devastating Crisis in Eastern Congo”
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Chairman Smith, Ranking Member Bass, and members of the Committee. Thank you for the invitation to testify before the Subcommittee on the crisis unfolding in the eastern Democratic Republic of the Congo, or DRC.

As you know, the security and humanitarian situation in the Congo is the most volatile in Africa today. An estimated five million people have died in the years since the second regional war began in 1998, and millions more have been forced to flee their homes. The DRC is also the site of one of the world’s longest-running and most expensive peacekeeping operations, having hosted a UN peacekeeping presence for several years after its independence in 1960, in addition to the more recent UN missions starting in the late 1990s. The people of North and South Kivu provinces in particular have faced repeated cycles of conflict, atrocities, and displacement. An unthinkable number of women, men, and children have experienced sexual violence or rape at the hands of soldiers and armed groups.

The November 20 fall of Goma to the M23 rebel group provided a stark reminder that, even as the international community has made major investments in humanitarian aid and peacekeeping, the underlying causes of the recurring conflicts in eastern DRC remain unresolved. The Congolese government has failed to provide effective security, governance, and services in the eastern provinces, and political and economic tensions persist between the DRC and its eastern neighbors, particularly Rwanda. The current crisis has been fueled and exacerbated by outside support to rebel groups operating in the Kivu provinces.

The M23 is one of many armed groups operating in the eastern DRC. Most of its officers were at one time nominally integrated into the Congolese army, a concession they extracted after nearly capturing Goma as part of a precursor insurgency in 2008. Once integrated, these officers operated in a parallel chain of command and enjoyed impunity for their human rights abuses and illegal exploitation of the country’s mineral wealth. When the Congolese government

appeared poised earlier this year to challenge these arrangements, several of these officers mutinied and constituted themselves under a new name, the M23. The commanders of the M23 represent a “who’s who” of notorious human rights abusers in the eastern DRC. They include Bosco Ntaganda, who faces an International Criminal Court arrest warrant for sexual violence and other crimes against humanity and continues to play an active role in the militia.

Since the M23 rebellion erupted last spring, the United States has worked closely with international and regional partners to mobilize a comprehensive response aimed at preventing a further deterioration of the situation, securing an end to hostilities, and maintaining humanitarian assistance. In September, Secretary Clinton met with Congolese President Kabila and Rwandan President Kagame at the UN General Assembly to urge them to engage in a more constructive dialogue. In the UN Security Council, we proposed and supported new actions to ensure that five of the M23’s top commanders are now under targeted sanctions. We have also stressed the need to hold accountable all of those who commit human rights abuses. Ambassador Rice has remained directly engaged with senior UN officials throughout the crisis, as we believe it is critical that the UN continue to play a key mediating role. In early November, Under Secretary of State Wendy Sherman traveled to the region to meet with key heads of state to urge a rapid and peaceful resolution to this crisis.

In response to the M23’s offensive on Goma last month, I traveled to Kinshasa, Kigali, and Kampala between November 24 and 28 with my British and French counterparts. During meetings with senior Ugandan, Rwandan, and Congolese officials, we delivered a clear and common message: as agreed in the November 21 and 24 Kampala communiqués, there must be an immediate cessation of hostilities and M23 must withdraw from Goma; the Congolese, Rwandan, and Ugandan governments should ensure the implementation of these commitments; and any outside support to the M23 is unacceptable and must stop. We also urged top officials in the Congolese, Rwandan, and Ugandan governments to work together toward a sustainable resolution of underlying issues. All three governments reiterated to us their commitment to these goals. So far, the cessation of hostilities between Congolese forces and the M23 appears to be holding. Most M23 forces appear to have withdrawn from Goma, though many remain much closer to the city than the Kampala agreements called for.

We also stressed that, while the DRC government has agreed to hear the political grievances of the M23, there should be no impunity for senior M23

leaders who are under ICC indictment or international sanctions for human rights violations.

The M23 would not be the threat it is today without external support, and we will continue to discourage outside parties from providing any assistance to the M23. There is a credible body of evidence that corroborates key findings of the Group of Experts' reports – including evidence of significant military and logistical support, as well as operational and political guidance, from the Rwandan government to the M23. The British government has recently indicated that it shares this assessment. We do not have a similar body of evidence that Uganda has a government-wide policy of support to the M23.

Based on this evidence, we continue to press Rwanda to halt and prevent any and all forms of support to Congolese armed groups. As required by law, the Department suspended Foreign Military Financing funds to Rwanda this year. Looking forward, we expect all parties, including Rwanda, to cease any support to M23 and other armed groups, abide by the November 21 and 24 agreements, and to work constructively with neighbors and the international community and take affirmative steps to end impunity for M23 commanders responsible for human rights abuses in order to reach an acceptable political agreement. We ask the government of Uganda to ensure that supplies to the M23 do not originate in or transit through Ugandan territory, including from individual officials that may be acting on their own. The Department continues to closely monitor reports of external support and we will continue to respond appropriately, including by reviewing our assistance, to deter this support as the situation develops.

We are taking a number of other steps, in concert with our international partners, as part of our comprehensive response to the current crisis.

First and foremost, we are monitoring humanitarian needs and mobilizing a response. The humanitarian situation in the eastern Congo remains deplorable, as it has been for years, with more than two million Congolese currently displaced internally or to neighboring countries. The recent attacks by M23 and other armed groups have displaced some 500,000 more. The re-opening of the Goma airport on December 5 was an important step toward ensuring that vulnerable populations receive the emergency assistance they need. UN officials report that humanitarian organizations currently maintain sufficient capacity to respond to immediate humanitarian needs in and around Goma, but some areas of North and South Kivu are still not accessible to humanitarians because of insecurity. The United States provided more than \$110 million in humanitarian assistance for Congolese

refugees, internally displaced persons, and conflict-affected civilians in Fiscal Year 2012, including a \$5 million supplemental contribution for the increased needs in the DRC, Uganda, and Rwanda as a result of displacements caused by the M23 rebellion. At the UN, we have urged donors to respond to the UN's consolidated appeal for the DRC.

Second, the International Conference on the Great Lakes Region, or ICGLR, the African Union, and the Security Council have all demanded that the M23 refrain from further offensives and stay out of Goma. In the ICGLR talks, the Congolese government agreed to hear the grievances of the M23. We are calling on the DRC, neighboring governments, and the broader international community to ensure accountability for M23 leaders who have committed serious human rights abuses. And we will continue to speak out against the forcible recruitment of children and the other crimes the M23 continues to commit against Congolese civilians. We also call on governments to enforce the terms of the travel ban and asset freeze imposed by UN sanctions.

Third, we believe that Presidents Kabila, Kagame, and Museveni must continue to engage in direct talks to address the underlying causes of instability in the region. These include conflict over land, tensions in areas where refugees have returned or may seek to return, armed rebel groups and their support networks, and the illegal exploitation of natural resources. The governments of the DRC, Rwanda, and Uganda also have opportunities to discuss potential drivers of progress, including new agreements and concrete initiatives on economic integration and peace and security issues. We encourage the UN Secretary-General to appoint a UN Special Envoy to engage on a sustained basis to facilitate ongoing discussions toward a long-term solution of these long-standing problems. We need such a high-level Special Envoy to be dedicated to the hard work of helping develop this long-term solution with all of the relevant stakeholders and to ensure that the solution is implemented over the long run, especially when the world's attention turns to the next crisis. We intend to continue working with our European, African, and UN partners to support this dialogue. We will work to ensure that any agreement is transparent, sustainable, and enjoys the support and commitment of the region, including Congolese civil society and civilian communities.

Fourth, we appreciate the brave service of peacekeepers from several dozen countries operating in very difficult, often dangerous conditions. Yet more must be done to protect civilians in the Eastern DRC. We and our fellow Security Council members and troop contributing countries are reviewing options for

improving the UN's ability to protect civilians and help implement defined aspects of a potential regional political settlement. We must remain realistic about what MONUSCO can be expected to achieve to protect civilians across a large expanse of DRC territory. We are also following the regional Great Lakes proposal to develop an effective regional fighting force in the Kivus that would confront the M23 and other armed groups. We are strongly encouraging our partners to ensure these efforts are coordinated with, and perhaps even integrated into, UN peacekeeping efforts.

Fifth, the DRC government has the primary responsibility for protecting its territory and all its citizens. We are urging President Kabila to undertake a credible effort to professionalize and reform the Congolese security forces. This will take time, but the Congolese government needs to take clear and bold measures to ensure that its soldiers are professionally trained, adequately paid and supported, and respectful of international human rights norms. We also find very disturbing, and recognize the need to address, the abuses committed by the Congolese military, including recent reports of rapes and looting in North Kivu. At the same time, we are making clear that the Congolese government must accelerate its efforts to deploy and strengthen state institutions and provide needed public services in the Kivus. The extension of effective governance, combined with legitimate provincial elections, is necessary for a lasting peace.

We believe that the time has come for the region's leaders and the international community to break the cycle of violence and impunity in the region. We, and most importantly, the region's political leaders, must ensure that the national security and territorial integrity of the DRC, Rwanda, and Uganda are protected; must help build a future for people who have seen more conflict than peace over the last two decades that is rooted in strong and credible institutions, the transparent and legitimate use of the East's vast mineral wealth for economic development and not personal gain, and respect for human rights; and must establish non-violent means of addressing their differences. It is for this reason that even as we tackle the immediacy of the current crisis, we are also focused on the equally urgent need for a long-term and lasting solution.

As Secretary Clinton noted when she visited Goma in 2009, the Congolese people are courageous and resilient. There are reasons for hope in the DRC. The Congolese army has begun implementing a program to pay its soldiers through electronic and mobile banking and has committed to removing the last vestiges of the use of child soldiers. Thousands of combatants and dependents from the *génocidaire* militias have been demobilized and returned to civilian society. And

for the first time, a horrific mass rape in January 2011 was followed with swift criminal justice for the perpetrators and the officers who directed them.

We need to build on these steps, which have been gravely set back by the M23 rebellion and the violence committed by other armed groups. The decisions taken now will set the trajectory of the next several years. Other abusive militias in the Kivus are watching to see if violent behavior is an effective path to power and influence. Reformers who are promoting a conflict-free trade in mineral resources are watching to see if insecurity will be allowed to continue and prolong the conditions favorable to illegal smuggling. The FDLR militia is still active in the Kivus. The vicious Lord's Resistance Army of Joseph Kony, which operates hundreds of miles away on the DRC's northern borders, is watching to see if insecurity in the Kivus will undermine regional efforts to deny it a safe haven. And the world is watching to see whether the eastern Congo can transcend its history as a theater for proxy conflict and finally have the chance to move toward peace.

If we are to stop the recurring lethal violence, rape, humanitarian emergencies, and cross-border conflict in the eastern DRC that have cost millions of lives and billions of dollars, we must move beyond short-term fixes. Today's crisis is a tragedy, but it also offers a real opportunity to help the Congolese people set a more sustainable course toward peace. The framework for action at the national, regional, and international levels that I have outlined today could help enable the peoples of the region to escape the recurring cycles of conflict.

Thank you again for the opportunity to testify. I look forward to answering your questions.