

## ON THE PRECIPICE OF NAIROBI PROCESS FAILURE: EAST AFRICAN COMMUNITY'S CHALLENGES TO REALIZE PEACE IN DEMOCRATIC REPUBLIC OF CONGO

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### **ABSTRACT**

*Since 1997 the Democratic Republic of Congo (DRC) has been facing armed conflicts between ethnic groups which was triggered by land conflicts and gold and cobalt mine possession control on East Congo. Interventions done by other countries to support rebellions expanded the scale of conflict and got labeled as The African World War. The conflict, which entangled African countries around Great Lakes forced East African Community (EAC) to intervene with the peace treaty known as the Nairobi Process in 2021. This article aims to convey the EAC's initiative to bring about peace in the DRC, and the challenges it faces. This study employs a literature study method, drawing on secondary data released in the form of press conferences, reports from international organizations, journals, newspapers, and books. The outcomes of this study reveal what is the major reason that generates the EAC's failure in asking the parties to engage in negotiations known as the Nairobi Process. The stability did not last long as DRC government only used EAC peacekeeping force as additional force to drive away the M23 rebels. When the objective wasn't met and EAC peacekeeping force was unable to carry out supervision and disarmament mission, M23 rebels still control cobalt and gold mines in the east of DRC.*

**Keywords :** Nairobi Process; East African Community; Democratic Republic of Congo Conflict

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## INTRODUCTION

The Democratic Republic of Congo (DRC) is the second largest country on the Africa, bordering Central African Republic and South Sudan on the north, Republic of the Congo and Atlantic Ocean on the west, Rwanda and Burundi on the east, and Angola and Zambia on the south. The DRC covers an area of 2,345,410 km<sup>2</sup> and has abundant natural resources in the form of minerals such as cobalt, gold, diamonds, etc. The DRC has the 51 percent of the world's total cobalt production (ANAPI, n.d.). However, the abundance of natural resources became the main reason for the ongoing armed conflict in DRC. Long before the DRC gained its independence from Belgium, in 1888 the indigenous Hema and Lendu tribes were already fighting over territory for cattle and agriculture (Stanley, 1993).

After The Democratic Republic of Congo gained its independence from Belgium in 1960, the country plunged into an armed conflict. The conflict was caused by nationalist party and pro-Belgian group that clashed over sovereignty and the death toll reached 6-10 million people (Nziem, 2008). This event forced the UN to intervene by sending the first wave of peacekeepers in the DRC under the name *Opération des Nations Unies au Congo* (ONUC). In 1965 Nationalist and pro-Belgian long disputes led General Joseph D. Mobutu to launch a successful military coup to stabilize his country (Sweet, 2020). General Mobutu later abused his power and became an authoritarian leader. The people rejected Mobutu regime by forming the Anti-Mobutu coalition.

They received foreign assistance from Rwanda and Uganda to seize power from Mobutu. Between 1996-1997 a war broke out between Mobutu loyal forces and anti-Mobutu coalition aided by Rwanda and Uganda which later became known as the First Congo War. At the end of the war, power in the DRC passed to Laurent Kabila's regime (Reybrouck, 2012). A year later, the Second Congo War broke out between Laurent Kabila and the coalition forces of Rwanda, Uganda and Burundi. This war occurred due to deteriorating relations between Laurent Kabila and his allies. As a result of the war, 3.3 million people died and the UN re-deployed its troops under the *Mission de l'Organisation des Nations Unies en République démocratique du Congo* (MONUC) in the DRC. During the Second Congo War, there were at least three agreements were signed by the belligerents, the Lusaka Casefire, the Luanda Agreement, and the Sun City Agreement. It was also during this war that rebel groups emerged and gained their footholds. In 2003, the Second Congo War finally ended with the assistance of Angola, Zimbabwe, and Namibia (Braeckman, 1999).

Table 1: Conflict Cronologies in DRC

Phenomenon	Actors	Reasons	Effects
Belgium Colonialism 1908-1960	Belgium vs DRC	Colonialism and Natural Resources	(1) Conflict made DRC into 2 blocks Belgium side and DRC side; (2) UN Security Council protect the area with ONUC; (3) 6-10millions people murdered
Congo War I 1996-1997	Joseph D. Mobutu vs Laurent Kabila, Rwanda, Uganda	Authoritarian leadership	DRC moved from military authoritarian to civil ideology
Congo War II 1998-2003	Laurent Kabila vs Rwanda, Uganda, Burundi	Bad relationship between Kabila coalition	(1) Murder to 3,3millions people; (2) Rebellion groups start to move out inside public area; (3) Lusaka Ceasefire Agreement, Luanda Agreement, Sun City Agreement, The Global and All-Inclusive Agreement
Defends against rebellion groups 2003-now	RDK, EAC, UN vs M23 Rebellion and other rebellion groups	Ineffectiveness of the peace agreement	(1) Murder to population; (2) over 1,5 million refugees; (3) transformation of rebellion groups

On 10 July 1999, after the signing of the Lusaka Ceasefire agreement in Namibia, the UN Security Council sent the United Nations Organization Mission in the Democratic Republic of Congo (MONUC) to conduct surveillance. MONUC troops carried out missions in the DRC based on the principles of 1999 UNSC resolution no. 1279 and 2000 UNSC resolution 1291 by forming the Joint Military Army (JMC) (Bernath, 2003). However, MONUC assistance couldn't change the situations in the DRC. The civilians still experienced human rights violations. MONUC couldn't find the root of the problem and was unable to create favorable conditions for the community. Although the DRC government and rebel groups had agreed for several peace agreements and the presence of MONUC troops, the conflict reoccured in the Ituri region and killed 50,000 people (Ukelo, 2009).

The cause of the recurring conflict due to Lusaka Ceasefire peace agreement wasn't properly implemented by the DRC government (Turner, 2007). In addition, Rwanda was accused by the UN Security Council of providing arms and logistical support to the M23 movement. The conflict led to a wide range of human rights violations, such as threats of

physical and mental violence, sexual crimes, kidnappings, the use of child soldiers, and mass killings. In addition, the conflict between the DRC and the M23 rebel movement also became a threat for peace in the Great Lakes region (Stearns, 2012).

At the beginning of the 21st century, armed rebel groups undertook a major transformation by reshuffling and reorganizing their structures. After the death of president Laurent Kabila in the Second Congo War, there were many vacancies in conflict-prone areas. Dozens of rebel groups took power in Eastern Congo. The Forces Démocratiques de Libération du Rwanda (FDRL) and the Tutsi Congrès National pour la Défense du Peuple (CNDP) were the two major rebel groups that controlled the region (Scott, 2008). Although the 23 March 2009 Agreement reduced the conflict between the government and the rebel groups, in April 2012 the rebels re-emerged under the name March 23 Movement (M23). The name M23 was inspired by the violation of the 23 March 2009 peace agreement (Stearns, 2012). Following the DRC accession to the East African Community on 29 March 2022, the EAC agreed to establish an East African Community (EAC) Joint Force. On 15 August 2022, Burundi became the first country to deploy its troops in Eastern Congo. In addition, the EAC held regular conferences to plan for conflict resolution in Eastern Congo. The first meeting of this conference was held in April 2022 in Nairobi, Kenya.

General Robert Kibochi, as the EAC chief of military staff presented a military operations strategy of deploying at least 6,500 to 12,000 troops to contain, defeat and eradicate hostile forces in Haut-Uele, Ituri, North Kivu and South Kivu (Walle, 2022). An article written by (Umubyeyi & Mtapuri, 2023) that discusses sexual violence against Banyamulenge women during armed conflict in the DRC presents detailed information on the number of victims and testimonies of sexual violence in Eastern Congo. Banyamulenge women are foreigners who are the main targets of inhumane treatment. The hatred that was created by political campaigns and the historical record reasons for their justification to the sexual violence, and was also directed at them due to perception of their foreign origin.

However, it highlights a lack of focus on key aspects such as prevention, mental health support, and the involvement of international organizations dedicated to conflict resolution and peace efforts. Another major human rights violation during the DRC conflict is the use of child soldiers. The study *Understanding Voluntary Enrollment of Child Soldiers: A Key to Reintegration* written by Ndongo et al. (2021) explains the motivation behind the children who joined rebel forces to fight the military during the war in DRC. This research reveals that the child soldiers main motive is because their families have been subjected to cruel physical violence and coercion. By joining rebel groups, they want to protect their families from threats

of violence. This difficult situation became a major challenge for the government to reintegrate them into society. Although the findings presented by (Ndongo et al., 2022) have yet to fully explore solutions for reintegrating child soldiers into a neutral society. Another research conducted by Barrera A (2015) provides the information on the failure of UN operations in containing the rebel groups. DRC is still dealing with old problems that predate the war with rebel groups. The MONUSCO and its "islands of stability" strategy can prevent the secondary problems such as the internationalization of the conflict, but not primary problems such as land grabbing and population fragmentation. This research has yet to maximally provides the contributions of other international organizations in resolving the conflict in the Democratic Republic of Congo, such as the East African Community, which has recently played a crucial role in promoting peace in the region. (Barrera, 2015).

Several studies read by the author have examined the United Nations' failure in resolving the conflict in the Democratic Republic of Congo, focused on micro-scale impacts, such as sexual violence against women, and the recruitment of child soldiers into armed groups. However, there has been limited discussion on the role of the Nairobi Process and the East African Community (EAC) in facilitating peace efforts and achieving lasting stability in the DRC. Thus, in this research found that the government parties by DRC did not play a cooperative role, resulting in sense of disbelief. This research aims to understand how the East African Community efforts to foster peace in the Democratic Republic of Congo, and provide comprehensive information and data on the Nairobi Process and the EAC's contributions to the conflict resolution in the region. The Nairobi Process is the outcome of the EAC conference to resolve the conflict.

## **RESEARCH METHODS**

This article utilized descriptive qualitative research methods that present a general description or visualization of various facts or data found to get conclusions. Qualitative research according to Walidin et al. (2015) is a method used to understand phenomena in human life which is then organized and presented using a sentence structure that describes the phenomenon thoroughly (Walidin et al., 2015). To reveal the peace process in the DRC, researchers used the literature study method. Research data were obtained through press conferences, reports of international organizations, journals, newspapers, and books. In this study, the researchers focused on collecting data from press conferences and official reports on the EAC website. Furthermore, the data that has been collected is combined with supporting

data obtained through newspapers and journals. The information and data later were used as the basis of the argument formulated with theories from the book sources. Moreover, this study employs conflict resolution as a framework to guide the analysis. The framework itself is said as a tool to eliminating or terminating a conflict as in negotiation, mediation, or bargaining process (Rahim, 2002). It examines various stages, including avoidance, escalation, negotiation, mediation, arbitration, and litigation (Ensari et al., 2016). The focus is on how the East African Community, as a third party, can effectively regulate the conflict management process by establishing ground rules and determining the decision-making authority.

### **Emergence Of Conflict In The Democratic Republic Of Congo**

The conflict between the DRC government and rebel groups is still ongoing to the date of this article is written, despite the DRC government is being supported by the EAC. The rebels were managed to defend their land and have strong grip on important mineral resources such as cobalt and gold, which are used as their main income (Barrera, 2015). The trading of high value mining products has enabled them to survive the assaults launched by the East African Community Regional Force (EACRF) peacekeepers. In addition, the DRC government didn't grant the rebel groups request for ceasefire talks. The DRC government seemingly indifferent response to the rebel groups request made them cancel their intention to disarm (Ross, 2023). Finally, the EAC peacekeepers were unable to carry out their surveillance and disarmament missions to M23, which led to anti-peacekeeping protests from the DRC people (Wafula, 2023).

The history of the DRC conflict was first written by Stanley, a european explorer who was passing through a valley in the DRC in 1888 and saw the conflict between the Hema and Lendu tribes over land for farming and grazing field. Since then, news about conflicts in the DRC region had been widely reported long before the Ituri and Goma conflicts occurred (Stanley, 1993). During the reign of Joseph D. Mobutu, a military general who launch a military, the DRC economic conditions suffered a severe decline. To solve the problem, Mobutu's policies led to the fragmentation of society. Those who were in office and had power in a region were allowed by him to continue their rule and survived on their own, Mobutu called it *débrouillez-vous*. As a result of the policies implemented at the time to address economic problems, arbitrary taxation by those in power was imposed on the general public. At the end of his term as president, Mobutu maintained his power by splitting the government opposition



which resulted in more than 200 political parties. His strategy of dividing society continued by rewarding certain ethnicities with land. This only increased inter-ethnic rivalry and competition for political positions in the government (Doom et al., 2000). The shockwaves of conflict worsened when refugees from the Rwandan genocide arrived in 1994. The fighting between communities spread to the Banyarwanda refugees (Willame, 1997).

The popular uprising of 1996-1997 became the mark of the downfall of Mobutu's government. Anti-Mobutu groups with the assistance of Rwanda and Uganda were able to oust Mobutu from power. This incident resulted in Laurent Kabila becoming the new president of the DRC. In 1997 during the first Congo War, Rwanda, Uganda and Burundi allied themselves with the Alliance des Force Democratique pour la Liberation (AFDL) rebel group led by DRC President Laurent Kabila to control natural resources (United Nations, 2001). The rebel groups that controlled Eastern Congo utilized their position as rulers to strengthen their economic networks and exploit natural resources. The rebels trade mining products such as gold and cobalt to finance their economic needs and strengthen their positions by purchasing more weapons (Nangini, 2014).

In 1998 Rwanda supported the Rally for Congolese Democracy (RCD) along with Uganda, which supported the Congolese Liberation Movement (CLM), to fight against their former ally Laurent Kabila. This event led to worsening conditions in the DRC and the emergence of various rebel groups (Pruiner, 2011). Following this incident, massacres of Tutsi, Hema, Hutu and Bantu tribes took place in Eastern Congo (United Nations, 2010). The death toll of this massacre has reached at least 3.3 million people (Nzongola, 2002). On July 10, 1999, Namibia assisted the DRC by bringing together the conflicting parties for peace talks in Lusaka between the DRC government, UN, RCD, CLM. The meeting resulted in the Lusaka Ceasefire Agreement signed by six countries, the DRC, Rwanda, Uganda, Namibia, Zimbabwe and Angola. The parties has agreed to: 1) a ceasefire in the DRC and prohibited all military-related actions; 2) maintaining security in the DRC and the surrounding region; 3) withdraw foreign military forces in the DRC to their respective countries; 4) guarantee security and human rights to civilians in the conflict area (United Nations, 1999).

The achievement of the Lusaka agreement didn't end the fighting between the belligerents. In 2001, Laurent Kabila was assassinated and the presidency was succeeded by his son Joseph Kabila. Joseph Kabila's leadership rejected the Sun City Agreement in 2002 to make peace with the rebels because of the demand for the reintegration of former militants into the military (Licklider, 2014). Eventually, the conflict was stopped after the signing of The Global and All-Inclusive Agreement in 2002. This agreement managed to end the conflict by

creating a transitional government consisting of the belligerents, civil society, and the political opposition in July 2003.

### **Power Sharing To The Rebels**

The end of the war in 2003 was preceded by the sharing of power in political institutions and the integration of the rebels to the DRC military. A transitional government was put in place by the DRC government from 2003 to 2006. The composition of the government gave turns to the each four opposing parties (DRC, RCD, CLM, political opposition) to send their representation as vice president. In addition, they were given ministerial positions to represent their interests in the transitional government. In the DRC transitional government, positions were distributed among the parties of the peace agreement. Those who received positions did not fully serve the state, but they retained their group secrets. Moreover, the rebel groups that integrated to the military didn't end their parallel command to the rebel group leaders. Meanwhile, those who are members of political institutions continue to impose taxes to corner the rebel groups. Functionally, the rebels have been affiliated with the DRC government military forces, but the structural chain of command remains the same as when they were rebels (Sweet, 2020).

The RCD group started the rebellion against the transitional government by utilizing its chain of command in the South Kivu region. The rebel group employed former RCD members to form a new group called the National Congress for the Defense of the (CNDP). The CNDP launched their first attack in the Bukavu region of South Kivu. Former RCD members who held positions in political institutions suspended and left their positions. The RCD vice president left his post to support the CNDP rebels. Meanwhile, another rebel group CLM abused their power in the customs by suspending the tax payments to the capital until 2005. The taxes collected only circulated in the South Kivu region to strengthen their position. Their parallel power chains formed a network of political and military institutions, which undermining the central government power (International Crisis Group, 2005).

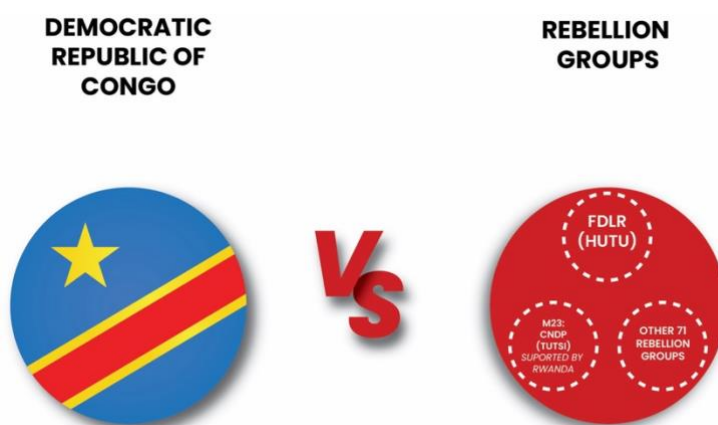
### **Defending Against Rebel Groups**

New rebel group called the Forces Democratie de Liberation du Rwanda (FDLR) emerged in Kivu Province and became the largest group in the region. Confirmed by Marina (2006), FDLR is the successor of the Armee de Liberation du Rwanda (ALiR) group and also the successor of the Rassablement pour le Retour des Refugies et la Democratie au Rwanda (RDR). In other words, the FDLR personnel were composed of Hutu people from Rwanda who



fled to the Kivu region of the DRC. The main objective of the FDLR rebel group was to initiate negotiations between the Rwandan people and the government in order to return to their country (Rafti, 2008). In 2006, another rebel group called National Congress for the Defense of People (CNDP) established its presence in North Kivu. The emergence of the CNDP coincided with the rejection and rebellion of the first elections held in the DRC. The group was led by General Laurent Nkundabatware and consisted of former members of *Rassambolement Congolais pour la Democratie* (RCD) rebel forces and Rwandan Defense Force (RDF) who supported the Tutsi tribe in Rwanda (Spittaels et al., 2008).

During the leadership of President Joseph Kabila, the rebel group National Congress for the Defense of the People (CNDP) led by General Laurent Nkundabatware was defeated and signed a peace deal on March 23, 2009. One of the main conditions was the integration of the CNDP into the Armed Forces of the Democratic Republic of the Congo (FARDC). This agreement brought an end to the CNDP insurgency in Eastern Congo. However, three years later the Congolese government broke the agreement by arresting former CNDP members. As a result of President Joseph Kabila's attitude, in 2012 another rebellion based in Eastern Congo was emerged. This group, called the March 23 Movement, was inspired by the failed implementation of the March 23, 2009 peace agreement. The proclamation of the M23 rebellion was made on April 4, 2012 (Stearns, 2012).



*Figure 1: Multiple Actors in DRC's Conflict*

The beginning of the M23 rebellion was due to inequality among FARDC members. The government plan was to integrate the CNDP into the FARDC with the aim of providing new opportunities for former CNDP members to contribute to the government. According to one rebel member, he explained that there was a inequality within FARDC "The soldiers were tired of seeing their commanders get rich and not give them anything. Why risk your lives for commanders you don't trust?". In addition, another reason for the resentment of CNDP towards the government was none of the former CNDP members have held ministerial or legislative

position since the peace agreement was approved. The government excuse was intended to test their loyalty to the state, but it turned out to have a different meaning for ex-rebels. The discontentment due to wealth and political inequality was the main reason for the failure of the March 23, 2009 peace agreement (Stearns, 2012).

Rwanda is one of the major actor that act as the main supporter for rebel groups in the DRC. The Rwandan civil war in 1994 drove Hutu and Tutsi tribes to seek asylum in Eastern Congo. This evidence was presented by Colonel La Fontaine that his POWs were refugees from Rwanda, both Hutu and Tutsi people. The POWs had been summarized by name, date of birth, place of birth, parent names, children names, and uncles names. The data taken from the POWs became a clue that led to refugee communities from Rwanda (Spittaels et al., 2008). Rwanda involvement in supporting the M23 rebel group has been investigated by the UN. In the investigation report, the UN discovered a substantial evidence of Rwandan soldiers directly assisting rebel groups against the DRC military. Furthermore, Rwanda provided assistance in the form of weapon and ammunition supply to the rebel groups. The U.S. as the representative of the UN Security Council believed that Rwanda is involved in the conflict in the DRC (Pri, 2022). The UN Security Council investigation team has reported Rwanda assistance to the rebels to international human rights organizations, the three embassies in Kigali, and MONUSCO. The involvement of interviews with the M23 movement and local residents has reinforced the evidence of Rwanda's support to the M23 movement. In June 2012, the M23 movement with a total of 300-700 troops began its attack on the DRC military forces with heavy weaponry. As a result of these attacks, the DRC military forces were pushed back. Essential supplies of arms and ammunition as well as paramedics are thought to have come from Rwanda. Rwanda contribution in assisting the M23 movement was key to the success of the rebellion against the DRC in the Bunagana and Rutshuru regions. As a result of the attacks by the M23 movement, the capital of North Kivu province, Goma, was captured and controlled, and the DRC military and MONUSCO troops based at Goma International airport were pushed out (Stearns, 2012).

Rwanda's assistance to the M23 rebel group was the main factor that made it difficult for the DRC and international organizations to end the conflict. Accusations have been made between the DRC and Rwanda about who is using the rebel group to undermine regional security. The DRC argues from evidence they have found that Rwanda is deliberately helping the M23 to steal natural resources in the Eastern Congo region. Meanwhile, Rwanda accuses the DRC of utilizing Hutu groups who have a history of genocide with Rwandan Tutsi to continue to carry out attacks in the border region (Ross, 2023).

### **Initiating The Nairobi Process With The East African Community**

The Democratic Republic of Congo was accepted by the East African Community on March 29, 2022 and officially became a member on July 11, 2022. By joining the EAC, The DRC President, Felix Tshisekedi, intends to expand his Kinshasa-based mining, natural resources and energy trading network. In addition, he intends to ease tensions with neighboring countries, especially Rwanda, which has internationally known of its support to the rebellion in the DRC. In welcoming the DRC into the EAC, Uganda supports the DRC interest in cooling down its ongoing tension with neighboring Rwanda. Together with other nations within the EAC community, DRC also needs to strengthen its efforts to protect its borders from terrorism, piracy and transnational crime that could threaten the Great Lakes region (East African Community, 2022).

Since the establishment of the EAC in 1999, peace and security issues have been a top priority for the member nations. Based on the 13th Council of Ministers meeting in 2006, the EAC established an expert group tasked with developing a regional strategy through a consultative and inclusive process that can be used as a principle for any activity on the field of peace and security. In addition, this strategy serves as a principle for member states to work together. According to Article 124 of the Treaty establishing the EAC and the EAC partner states security, a broad implementation approach is required to create a stable and secure environment in the East African region. The EAC has an Interstate Security Sectoral Council that has the function of enhancing oversight of the implementation of peace and security cooperation (East African Community, n.d.).

In April 2022, Kenyan representative to the EAC, Uhuru Kenyatta facilitated the DRC and the EAC to establish the Nairobi Process conflict resolution to resolve the conflict in the Eastern Congo region. The Nairobi Process itself has principles of inclusiveness, dialogue, ownership, regional leadership, and international support that are believed to resolve the DRC conflict. In its implementation, the EAC through the Nairobi Process seeks to involve conflicting parties including the DRC government, rebel groups, civil society communities, and international organizations to seek a settlement through negotiation and dialogue (East African Community, 2022).

### **Peace Process Through Political Means**

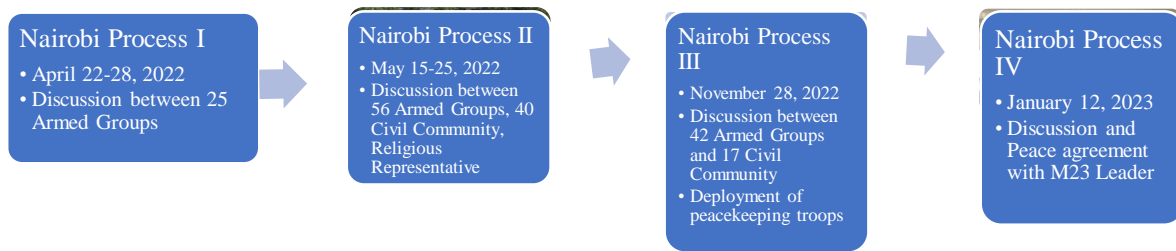
Conflict resolution in the peacekeeping mission in Eastern Congo was demonstrated by the EAC through a process of dialogue and negotiation between the DRC and the M23 movement. In this process, peace requests are made with ceasefire and disarmament,

demobilization and reintegration of the M23 movement, as well as the process of demobilizing displaced victims to return to their homes. To launch the dialog process, the EAC has several mechanisms. The EAC encourages belligerents, victims, and international organizations to express their opinions regularly. The aim is to know and be able to identify the root of the problem and be able to come up with solutions. Furthermore, it holds forums for the DRC, the M23 movement, civil society, and international organizations to discuss the issues that keep the conflict going. Finally, the EAC facilitated a meeting to discuss and negotiate an agreement between the DRC and the M23 movement known as the Nairobi Process. At this meeting Kenya was the organizer and facilitator (EAC, 2022).

### **Nairobi Process Dialog And Negotiations**

At the first meeting of the 22-28 April 2022 Nairobi Process dialogue and negotiations, the EAC gave the M23 movement the opportunity to address its concerns in Eastern Congo to the DRC government, in exchange for the DRC providing a long-term solution to security in the region. This meeting was attended by at least 25 rebel groups in Nairobi, Kenya. The second meeting, between May 15-25, 2022, was held in Ituri, North and South Kivu, specifically in the regions of Goma, Beni, Bunia, and Bukavu. The EAC was able to gather at least 56 rebel groups, 40 civilian communities, and religious representatives in Beni. The third meeting on November 28 - December 6, 2022, held at the Nairobi Safari Park Hotel, Nairobi, Kenya brought together 42 rebel groups, and 17 civilian groups. In November 2022, the EACRF was officially deployed and based in Goma (East African Community, 2022). The final Nairobi Process took place on January 12, 2023 in Mombasa, Kenya, led by Uhuru Kenyatta, the former president of Kenya, who met with senior political-military leaders of the M23 movement. At this last meeting the EAC was able to conclude an agreement that gave hope for peace in Eastern Congo. At this meeting, the M23 agreed to a peace agreement containing a disarmament and ceasefire as well as the withdrawal of M23 movement troops in Eastern Congo. In addition, the M23 movement specifically requested to be given the opportunity to have a direct dialogue with the DRC government and minimize efforts to derail the peace agreement such as hate speech by civilians and the DRC government against them (EAC, 2023).

Figure 2: Nairobi Process Steps



### Forming The Eac Peacekeeping Force

The EAC initial idea for the conflict in Eastern Congo was to establish a joint peacekeeping force. This peacekeepers was named the East African Community Regional Force (EACRF). The force was officially established in April 2022. The initial plan was to deploy at least 6,500-12,000 soldiers from EAC members. However, it wasn't easy for the EAC to immediately deploy their troops in Eastern Congo region (Walle, 2022). The challenge the EAC faces is that it is not fully capable of financing and facilitating the peacekeeping force. Even asking the UN Security Council for help was out of the question. It is known that it has already spent over a billion dollars on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) which first stationed 16,000 troops in 1999 and was renewed in 2010 on DRC territory (United Nations, 2010). In addition, the issue of Rwanda favouritism towards the M23 is one of the challenges for the EAC to be able to execute its task effectively.

The EACRF force was established under its mandate from Chapter 23 of the Treaty Establishing the EAC (Articles 124 and 125) and the EAC Protocol on Peace and Security. This decision was passed by EAC heads of state in Tanzania at the 22nd EAC Ordinary Summit. The peacekeeping force consists of troops from Burundi, Kenya, Uganda, and South Sudan. While DRC, Rwanda and Tanzania have a role in the deployment of troops at the EACRF headquarter. In November 2022, EACRF troops were officially deployed in the Eastern Congo. The EACRF placed their headquarter in the Goma region, which is the central of Eastern Congo. Due to the conflict between the government and the M23, millions of people have left their homes. This humanitarian crisis makes the region around Eastern Congo need more attention from the EAC. EACRF deployments are centered in conflict hotspots such as Masisi, Nyragongo, and Rutshuru in North Kivu. Their tasks were to: (1) plan and conduct operations with the Armed Forces of the Democratic Republic of the Congo (FARDC); (2) support the FARDC in fostering peace; (3) support and cooperate with humanitarian agencies that aid the refugees; (4) support disarmament, demobilization, and recovery programs in conflict areas (EAC, 2022).

## **A New Wave Of Rebellions**

Not long after a peace agreement was agreed between the DRC government and M23, a UN operations team found 42 unidentified bodies buried on January 19, 2023 (BBC, 2023). The bodies were found in Ituri region, Nyamamba and Mbogi villages. This discovery was made a day after report of attacks by the Codeco rebel group. They are a group from the Lendu tribe who have a history of conflict with the Hema tribe. In addition, on January 23, 2023, there was another rebellion by the Allied Democratic Forces (ADF) group in Beni village, North Kivu, which resulted in 20 deaths. The ADF has killed, looted and terrorized the civilians (BBC, 2023).

Two weeks after the M23 agreed to a peace agreement with the DRC government, they carried out an attack in Kitchanga, Eastern Congo. They fought against DRC government forces for 3 consecutive days. This incident has forced more than 400,000 people to flee their homes to seek refuge. General Laurent Nkunda, the leader of the M23 was reluctant to resolve the conflict until the DRC government took decisive action against the ongoing genocide against the Tutsi CNDP (BBC, 2023). The next attack occurred in February 2023 against EAC troops when they were deployed by helicopter (BBC, 2023). In the same month, M23 carried out another attack on five villages in North Kivu. According to local media, the attacks occurred after Rwandan sent reinforcements to M23 (BBC, 2023).

A peace agreement was again facilitated by the UN on March 7, 2023 between the DRC and M23, however, on the same day they attacked the peacekeepers again. They denied the group was attacking and defended that they were under attack from FARDC forces. Exchange of accusations led to another conflict. The M23 opened fire on Burundian EACRF and UN troops on duty. No clarity could be found in a conflict based on mutual accusations between peacekeepers and M23 (BBC, 2023). Fighting resumed 3 days later in the village of Murambi. This battle signaled that the peace agreement that had been sought by the government was unable to solve the problems they faced (BBC, 2023).

The rebels relaunched their attacks even though they had agreed to several prior peace agreements. Codeco is one of the rebel groups from the Lendu tribe that fought against the Hema tribe. They terrorized, looted and murdered the surrounding communities. It is known that the cause of the conflict between Lendu and Hema is a problem that has occurred in the past because they are fighting over farmlands and grazing grounds (BBC, 2023). In addition to Codeco, the rebel group Allied Democratic Forces (ADF), which is suspected of having links to ISIS, has been attacking the local population and aim to control the natural resources in the



region. They have different targets from the M23 who are demanding peace with the DRC government, Codeco and the ADF are fighting for their interests by killing and terrorizing the civilian population (BBC, 2023).

The M23 rebel group is reluctant to resolve its conflict with the DRC government. It is because the government is unwilling to engage a direct dialog with the M23. They agreed to several peace agreements, but there was only one request that was not granted by the DRC government, which was to conduct direct dialog. In a video statement made by M23 leader Sultani Makenga, they will not demobilize or disarm, they will continue to terrorize the civilian population. In addition, they will always seize territory if the DRC government does not immediately conduct direct dialog with M23 (BBC, 2023). President Felix Tsishekedi was reluctant to comply with the rebels request and the DRC stuck to the agreed points that all rebel groups must demobilize from the conflict area and disarm supervised by MONUSCO and EACRF forces (BBC, 2023).

As a result of the new rebellion that occurred after the approval of the March 7, 2023 agreement, the people protested to the peacekeepers for their immediate termination due to the ineffectiveness of their mission in the Eastern Congo region (Wafula, 2023). The demonstrations by the population finally received a response from President Felix Tsishekedi. MONUSCO and EACRF were finally withdrawn from the Eastern Congo region on the assumption that they failed to complete their mission to fight rebel groups and conduct disarmament and demobilization supervision missions even after 25 years of MONUSCO in the DRC (BBC, 2023). According to the DRC, the EACRF peacekeepers actually coexist with the rebels. Conducting daily activities as if there was no problem between them. The government also believes that the presence of the peacekeepers resulted in 40 fatalities due to civilian protest (BBC, 2023). On December 20, 2023, the UN approved the withdrawal of MONUSCO troops (BBC, 2023) followed by the withdrawal of EACRF troops on December 21, 2023 from their positions in Eastern Congo at the request of President Felix Tsishekedi (BBC, 2023).

Previous research conducted by Umubyeyi, et al. (2023) reported that sexual violence that occurred in the conflict in the DRC against the Banyamulenge ethnicity was due to political campaigns and hate speech by community groups against foreigners occupying Eastern Congo. As a result, they experience pressure from the environment and affect their mental health. In the study of Ndongu et al. (2021), the use of child soldiers in the DRC conflict was a result of feelings of wanting to protect their families from physical violence and hate speech from the

environment. As a result, children voluntarily offer to join rebel groups in order to have the power to protect their families from physical violence and hate speech.

This research offers novelty and exclusivity in addressing the causes of protracted conflict in the Democratic Republic of Congo. In this case, conflict resolution is the basis for resolving the protracted conflict in the DRC. The DRC and the EAC refer to conflict resolution, which is defined as an action that two or more conflicting parties use to find a solution through a formal or informal process (Shonk, 2023). Various attempts have been tried to form a lasting peace agreement. The Nairobi Process dialogue and joint peacekeeping forces were solutions to resolve the conflict. However, the peace process was halted due to emergence of a new wave of rebellion caused by one of the parties not fulfilling the demands in the signed agreement. In addition, the rebel groups interest in controlling the land they use to extract natural resources for their economic motive cannot be ruled out. On the other hand, the DRC continues to accuse Rwanda of using the M23 to steal natural resources in Eastern Congo. Although they have made various efforts to obtain peace, it seems that the interests of each party still cannot be secularized to reconcile with each other.

The analysis in this study reveals that the East African Community peace initiative has been hampered by alleged Rwandan intervention, including the provision of arms and medical support to the M23 rebel group. This ‘third party intervention’ has undermined the Nairobi Process, as research by (Chang et al., 2007) shows that such involvement can either facilitate peace or exacerbate conflict, especially when biased. Furthermore, according to the concept of conflict resolution by (Ensari et al., 2016) avoidance, by ensuring that no one is involved in physical or verbal contact again. At this stage, the deployment of EAC peacekeepers in the East Congo region was initially in accordance with their target of being able to provide security for the population from the terror of the rebel group. However, in the end they were involved in armed contact with the M23 which led to the rejection of peace. To overcome this challenge, it is important to determine the extent of Rwanda’s involvement in the M23. If evidence confirms Rwanda’s support, the EAC and the DRC government should issue a strong warning demanding its immediate withdrawal. This will pave the way for effective conflict resolution. On the other hand, if Rwanda's involvement is not proven, the warring parties must re-engage in dialogue to rebuild trust and reach a lasting peace agreement.

Furthermore, according to the escalation stage, conflict resolution should be carried out openly and provide education related to the benefits achieved when peace is achieved. What has been done in the second stage of the Nairobi Process involving 123 rebel groups in an open discussion process is a step that is in accordance with the principles of good escalation. In the

next stage with procedures and controlled. All aspirations from the parties involved can be expressed. However, at the negotiation stage, the process was not productive due to the lack of commitment from the DRC government by refusing to meet with the M23 party who had been brought in by EAC representatives to conduct a negotiation dialogue. The failure of this negotiation, according to (Lewicki et al., n.d.) was due to not implementing an open process for the common good. The DRC's ineffective conflict management, including its failure to understand and respond to the conflict appropriately, also contributed to the deadlock, as noted by (IISS Strategic Comments, 2013) this has eroded the rebel group's trust in the government's sincerity. Because of the negotiation process could not be carried out properly, the peace process in this conflict stopped and could not be continued to the mediation, arbitration and litigation stages.

## **CONCLUSIONS**

The Democratic Republic of Congo implemented the Nairobi Process conflict resolution initiated by the East African Community. Political dialogue and the deployment of joint peacekeeping forces in conflict areas are the efforts they use to achieve peace. Several peace agreements have been signed by the conflicting parties, but the government was unable to fulfill the demands of the rebel groups, leading to a new wave of rebellion. The Nairobi Process conflict resolution initiated by the EAC has not fully succeeded in resolving the conflict in Eastern Congo. Each actor has interests that can affect their survival in the future. Their failure to end the conflict is a result of each party selfishness in defending their interests. In the implementation of conflict resolution, each conflicting party should seek agreements and solutions that produce a win-win solution for them. This is because if the conflicting parties do not seek an agreement and win-win solution, the peace agreement will not have any effect in resolving the conflict.

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