

International Alert.

SMALL STEPS TOWARDS PEACE

Inventory and analysis of local peace practices
in North and South Kivu

Hélène Morvan and Jean-Louis Kambale Nzweve

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Executive summary

Since 1996, the Democratic Republic of Congo, and in particular the provinces of North and South Kivu, have been the scene of internal and international armed conflict. This violence has its roots in the country's political history and is fuelled by a particularly unstable regional context. The human cost of years of conflict translates into millions of deaths, displaced persons, and acts of brutality. It also translates into chronic political instability and insecurity, which continue to threaten the progress made in recent years in terms of diplomacy and security.

It was in this context that the European Commission asked International Alert for support in its programme for peace and stabilisation in Eastern DRC. The objective of this 18-month endeavour, entitled "Enhancing Dialogue in Eastern Democratic Republic of Congo", was to offer support for the peacebuilding process, monitor the security situation, and promote peace initiatives and inter-community dialogue.

This study focuses on local peace initiatives, examining to what extent and how they contribute to peace.

The report outlines the results of the research, which is structured around two activities:

- Mapping the local peace structures that operate in North and South Kivu (Section 1)
- Documenting the local peace initiatives in detail (Section 2)

The three chapters that present the results of the documentation of local peace initiatives in Section 2 focus on the intervention strategies employed: non-judicial conflict-management mechanisms, action-research and advocacy. The choice of structuring the research around such strategies allows us to provide a concrete operational perspective of these local peace initiatives.

171 civil society organisations were identified in North and South Kivu as operating in the peacebuilding, governance and human rights sectors. 43.9% of the organisations have an exclusive mandate in one or more of these three sectors.

These organisations are primarily involved in the management of local conflicts. The map shows three zones with a concentrated presence: the Beni-Lubero, Fizi-Uvira and Kalehe territories. The apparent reasons for this concentration are conflict and associative dynamics. Despite the fact that the violence in Eastern DRC is widely analysed as the result of regional conflict dynamics, less than 10% of organisations work at a regional level (Burundi, Uganda and Rwanda).

In order to respond to the crisis of the judicial system and the escalation of the conflict, actors from civil society have put in place extra-judicial conflict-management mechanisms. These mechanisms mostly deal with land-related conflict and family feuds, and are based on a customary logic of conciliation that corresponds to the legal outlook shared by the population. However, the multiplicity of these structures provokes clientelistic practices.

By intervening in a preventive manner, the local conflict mechanisms can counter the risk of political cooptation. However, they have a limited impact on the management of conflicts with a political and/or ethnic dimension, mainly because the people involved and the issues at stake extend beyond the local level.

Partisan positions, prejudices and rumours limit people's capacity in the DRC to work together and make coherent proposals. By producing in-depth analysis, research projects shed some light on the different issues and actors involved in the country's conflicts.

When people involved in conflicts participate in the research process, it opens spaces for dialogue that go beyond fixed positions and *clichés* and actually come up with appropriate solutions. However, the extent to which the authorities and decision-makers take on board research findings depends on the urgency of the need for action; this in turn limits the extent to which the structural causes of violence are properly considered.

The Congolese political model is characterised by informal power networks that block the development and implementation of public policy. Although many actors say they carry out advocacy work (72.5% of organisations questioned), this rarely targets the national authorities. While the chapter on advocacy focuses on the experiences of a single organisation, the lessons learned are of a much wider application.

The success of the advocacy work carried out by FAT (*Forum des Amis de la Terre*) is the result of a constant shuttling back and forth between the authorities and the population; its grassroots support gave the organisation the legitimacy to bring proposals to decision-makers, and the decision-makers accorded them the institutional space to have these proposals adopted. Nonetheless, this work remains subject to the uncertainty of legal provisions and political agendas: both laws and policies serve the interests of the dominant forces at any given moment.

The recommendations are aimed at the structures and actors responsible for implementing them. However, for each one, even where this is not made explicit, the organisations that finance and define policies must be informed and involved.

- In order to reduce opportunistic practices and sub-contracting tendencies, international NGOs must favour a long-term approach to partnership that includes the concerted development of policies and strategies. Furthermore, conflict analysis, project development and the selection of partners must take into account the different groupings within Congolese society, in particular different ethnic groups.
- In recognition of the complexity and diversity of conflicts in the DRC, local civil society organisations must come up with flexible solutions that combine conflict-management mechanisms with conflict monitoring. In particular, these mechanisms should be structured in a manner that makes it possible to choose the methods and the persons who will intervene according to the type of conflict and the relations between the parties concerned.
- Women's participation in conflict management remains limited and requires local civil society organisations to set strict measures and develop mechanisms to accompany women in the effort to improve their levels of participation.
- The multiplicity of rules and practices in the different provinces and territories of the DRC requires the involvement of Congolese civil society to ensure that decision-makers are sufficiently informed of these realities. As the same time, civil society organisations should develop national and provincial networks to facilitate dialogue and concerted reflection and also to reinforce their ability to put pressure on national decision-makers.
- Decisions made by civil society groups can only be sustainable if their actions are accompanied by the will of the administrative and political authorities. This political will can be expressed by official/legal recognition of the decisions made or the structures put in place, by institutionalising a form of cooperation between these structures and State structures, or by building on the experiences of civil society in order to develop more democratic State structures.

Acronyms¹

AAP	Aide et Action pour la Paix
ADEPAE	Action pour le Développement et la Paix Endogènes
ADF/NALU	Alliance of Democratic Forces/National Army for the Liberation of Uganda
AFDL	Alliances des Forces Démocratiques pour la Libération du Congo
APC	Action pour la Paix et la Concorde
CARG	Conseil Agricole de Gestion
CCI	Cadres de Concertation Intercommunautaires
CCAP	Comité de Coordination pour les Actions de Paix
CDJP	Commission Diocésaine Justice et Paix
CJP	Commission Justice et Paix
CLPC	Comités Locaux Permanents de Conciliation
CNDP	Congrès National pour la Défense du Peuple
COTEDER	Conseil Technique pour le Développement Rural de Beni-Lubero
CPAP	Cellule Provinciale d'Appui à la Pacification
FAT	Forum des Amis de la Terre
FARDC	Forces Armées de la République Démocratique du Congo
FDLR	Forces Démocratiques pour la Libération du Rwanda
FEC	Fédération des Entreprises du Congo
FOPAC	Fédération des Organisations de Production Agricole du Congo
FRF	Forces Républicaines Fédéralistes
UNHCR	United Nations High Commissioner for Refugees
ICCN	Institut Congolais pour la Conservation de la Nature
IFDP	Innovation et Formation pour le Développement et la Paix
ISDR	Institut Supérieur de Développement Rural
MONUC	Mission des Nations-Unies en République Démocratique du Congo
MONUSCO	Mission des Nations-Unies pour la Stabilisation en République Démocratique du Congo
NGO	Non-governmental organisation
OCHA	Office for the Coordination of Humanitarian Affairs
PARECO	Patriotes résistants Congolais
RCD	Rassemblement Congolais pour la Démocratie
RDC	République Démocratique du Congo
RFDA	Réseau des Femmes pour un Développement Associatif
RIO	Réseau d'Innovation Organisationnelle
STAREC	Programme de Stabilisation et de Reconstruction des zones sortant des conflits armés
SYDIP	Syndicat de Défense des Intérêts Paysans
UNDP	United Nations Development Programme
UPDI	Union Paysanne pour le Développement Intégral

¹ Abbreviations in this report have been maintained in French, except where an official English translation is available.

Introduction

1. Context, Motivation and objectives

Since 1996, the Democratic Republic of Congo (DRC) has been torn apart by conflict that is rooted in the country's troubled history and fuelled by a particularly unstable regional context. This period has seen struggles for the control of zones of political and economic importance at an international level, clashes between armed groups for political control at a national level, and conflict over land and authority between local communities. These dimensions are intertwined and count an ever-increasing number of protagonists, as alliances form and reform.

The human cost of years of conflict has been millions of deaths, displaced persons, and acts of brutality. It has also been chronic political instability and insecurity, which continue to threaten the progress made in recent years in terms of diplomacy and security.²

It was in this context that the European Commission asked International Alert for support in the implementation of its programme for peace and stabilisation in Eastern DRC, and in particular in applying and monitoring the statements of commitment (*Actes d'engagement*) made during the Goma conference and the Amani programme. The objective of this 18-month endeavour, entitled "Enhanced Dialogue in Eastern Democratic Republic of Congo", was to support peacebuilding processes, monitor the security situation in North and South Kivu and in Ituri, and to promote peace initiatives and inter-community dialogue.

This study focuses on this last element by providing a descriptive and critical analysis of local peace initiatives, in particular those that have made a significant contribution to the peacebuilding process in Eastern DRC. The research took place against the backdrop of renewed violence in North Kivu between the CNDP and FARDC in 2008, and the signing of a second peace agreement (the "Ihusi Accords") between the Congolese Government and armed groups in March 2009. The role of the international community in facilitating this process became very limited, and the role of the European Commission in monitoring the accords was cancelled. Given this change in climate and the failure of the Amani programme, International Alert reoriented its activities towards local peace actors.

The objective of this study is to improve the knowledge of local peacebuilding practices and better understand the extent to which and how they contribute to peace.

This report outlines the results of the research, which was built around two activities:

- Mapping the local peace structures that operate in North and South Kivu (Section 1); and
- Documenting local peace initiatives in detail, revealing the specific role they play and capitalising on the lessons learned from their experiences (Section 2).

The three chapters that present the results of this documentation work are structured around the intervention strategies employed by the actors whose work is analysed. These strategies are: non-judicial conflict-management mechanisms (2.1), action-research (2.2), and advocacy work (2.3).

² The Lusaka Accord in 1999, Pretoria Accord on political transition in 2002, the Transitional Constitution of 2003, presidential and parliamentary elections in 2006, Goma Accord in 2008 (complemented in 2009 with the Ihusi Accords).

The decision to focus the research on methods of intervention allows the study to provide a concrete operational perspective of these peace actors. By focusing on the “way they do things”, the study determines the following:

- The conditions necessary to duplicate these initiatives via an understanding of the local dynamics and issues that hinder or favour their implementation and success; and
- The way in which these actors manage or even circumvent the constraints imposed on them by the context in which they are operating.

This approach avoids any static vision of the role played by these initiatives and provides a better understanding of the innovative solutions they continue to provide in the ever-changing context of the DRC.

2. Methodology and research limitations

The chosen survey methodology uses tools that allow the collection of quantitative and qualitative data in order to satisfy the dual requirement of, on the one hand, producing a map of the peace initiatives in North and South Kivu, and on the other, documenting some of these initiatives in detail.

Inventory of local peace structures and initiatives: This was done by referring to existing repertoires and inventories. The main sources consulted were: the registry of local NGOs compiled by the provincial planning division, and the repertory of NGOs and UN agencies updated by OCHA in June 2010;³ for North Kivu, the 2009 report by CPAP (provincial peacebuilding support),⁴ and the 2001 “Campagne pour la Paix” report entitled “Concertation des initiatives de paix au Nord Kivu”;⁵ and for South Kivu, the list of peace actors compiled in 2003 by a local NGO, *Réseau d’Innovation Organisationnelle* (RIO).⁶

Once they had been identified, five meetings were organised in July-August 2010 with the local organisations active in the peace sector in North and South Kivu. This was done with support from a local facilitator, whose role was to send out the invitations but also to identify other organisations. The facilitator was selected for his knowledge of local civil society.

These meetings included more than 150 organisations in total: 23 in Goma (10th July), 30 in Butembo (20th July), 28 in Beni (23rd July), 55 in Bukavu (27th July) and 25 in Uvira (6th August). During the meetings, participants were given a form to fill out asking for details of the organisational identity of their structure and the work they carry out in the peacebuilding sector. The first objective of the meeting was to help the organisations complete the forms in order to limit any errors or misunderstandings. The meetings also allowed the researchers to discuss with civil society actors their own perceptions of the key issues in terms of peacebuilding and the role they see themselves fulfilling in that process. Furthermore, it was an opportunity to observe and better understand the dynamics and relationships between the different actors.

Limitations of the inventory: The size of the geographical area to be covered in a research period of just four months meant that it was not possible to include initiatives beyond the formal structures or those of grassroots community organisations (which are not registered at a provincial level). Furthermore, more than 150 organisations were identified as operating in the peacebuilding sector, and the inventory is limited by the absence of data that would make it

3 OCHA ‘Who does What Where’, quarterly repertory of humanitarian actors by province.

4 CPAP and UNDP (April 2009). *Exercice participatif d’analyse des conflits et capacités de paix pour la planification du développement dans la province du Nord-Kivu* (UNDP report).

5 Campagne pour la Paix (August 2001). *Concertation des initiatives de paix au Nord-Kivu* (activities report), Goma.

6 Réseau d’Innovation Organisationnelle (2003). *Recensement des acteurs de paix en préparation d’un symposium sur l’éducation à la paix* (activities report), Bukavu.

possible to determine the quantitative and qualitative value of the work being done by each one. The inventory was therefore complemented by individual interviews with selected organisations, chosen based on their reputation in the peace sector, or because the researchers came across their work in the field, or because of their inclusive character (with regard to networks of peace actors and organisations).

Documenting local peace initiatives: As well as the inventory work, much of the time spent on the ground was devoted to documenting local peacebuilding initiatives. Our selection of the initiatives to be documented was not made in an effort to provide a representative sample of such initiatives in Eastern DRC, but in order to show the specific role played by certain local actors, whose initiatives were deemed by International Alert to be particularly pertinent.

The targeted initiatives were as follows:

- In North Kivu:
 - Alpha Ujuvi peace huts (*paillottes de paix*);
 - Land edict and advocacy work by *Forum des Amis de la Terre* (FAT) on land law; and
 - Land conflict resolution committees of AAP (*Aide et Action pour la Paix*).
- In South Kivu:
 - Research on the Rasta phenomenon and the CCPs (*Centre Permanent de Paix*) of the UDPI (*Union paysanne pour le développement rural*).
 - Research and inter-community dialogue on the conflicts in the Fizi and Uvira territories, conducted by ADEPAE (*Action pour le développement et la paix endogènes*), RIO and Arche d'Alliance;
 - IFDP (*Innovation et formation pour le développement et la paix*) groups for reflection on land issues;
 - Village peace committees of the RFDA (*Réseau des femmes pour le développement*);
 - APC's (*Action pour la paix et la concorde*) initiative for consultation between civilians and the military.

The documentation work was structured around four overall themes: history/development of initiatives; strategic and methodological choices (pertinence); degree of anchoring in the context (relations with other actors and perceptions); and perspective/lessons learned. The analysis was done using different sources of information: written data (e.g., research publications, evaluation reports, project documents and didactic tools); interviews (with those who initiated the projects and with their direct and indirect beneficiaries); and by participation as observers of the activities being carried out by these organisations. The research team worked without a predetermined interview format, so for each new interview the focus was redefined according to the specific initiative and the information already collected.

From mid-June to the end of September 2010, the research team carried out interviews in the Walungu, Kalehe, Uvira and Fizi territories in South Kivu, the Masisi, Lubero and Beni territories in North Kivu, and in the towns of Bukavu, Uvira, Goma, Butembo, Beni and Bunia. The research sites were defined according to the zones in which the initiatives under analysis were being implemented. More than 120 interviews were carried out in total, with an average duration of 90 minutes each. They focused on civil society actors including churches (75% of interviews) and local authorities (customary authorities, politico-administrative authorities and security forces). Most of the interviews were done individually, as group interviews risk producing results that are skewed by the power relations and hierarchies within the group.

The interviews were complemented by participation in the activities carried out by the organisations during the research period: local conflict-mediation sessions in Goma and Minova/Kalehe (Alpha Ujuvi), central Masisi/Masisi (Commission Justice et Paix) and Bunyuka/Beni (AAP); a workshop

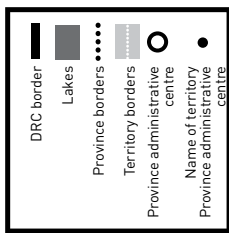
on civil disarmament in the Bulambika/Kalehe territory (APC); and a workshop on conflict management in relation to transhumance⁷ in Baraka/Fizi (ADEPAE, RIO and Arche d'Alliance).

In mid-September 2010, a two-day workshop was organised with representatives from these organisations in order to discuss and validate the preliminary findings of the study.

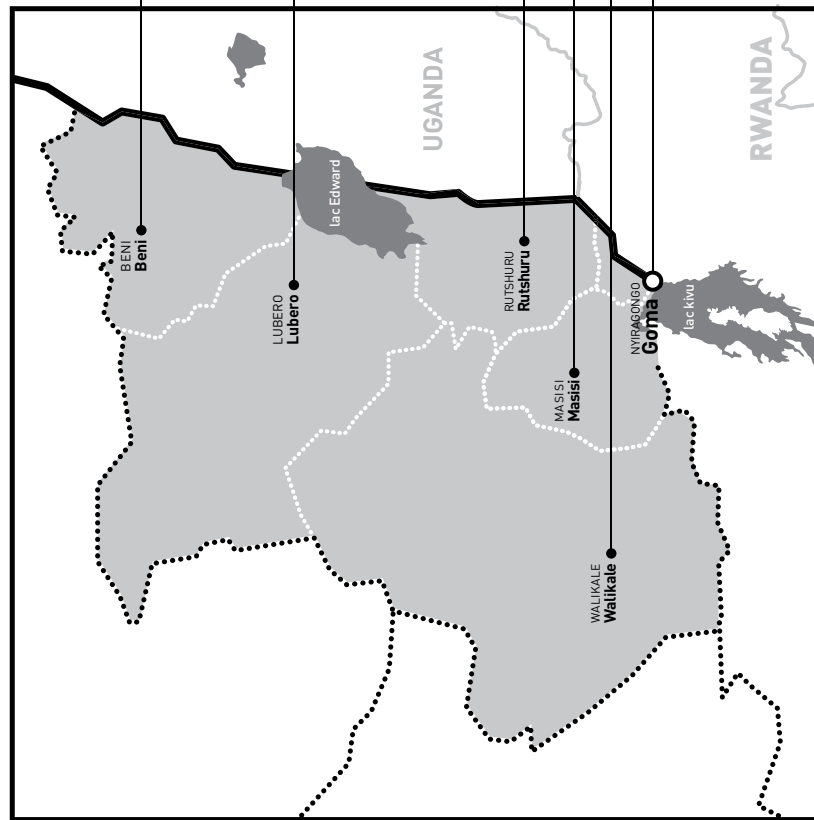
Limitations of the documentation: The research team was only able to observe a limited number of initiatives, which meant that the analyses are largely based on the interviews. To redress this issue, the researchers employed the triangulation principle by multiplying the sources of information and ensuring that the people interviewed reflected the different opinions or categories of those interested or affected by the study's subject matter. Furthermore, the Haki na Amani network (Alert's partner organisation in Ituri) was unable to accommodate us for field research in this area.

⁷ The seasonal migration of cattle in search for pastures during the dry season.

LOCATION OF NGOS IN THE TERRITORIES OF THE NORTH KIVU PROVINCE



SITUATION OF THE KIVU IN THE CONGO



BENI	AAP, ADDF, AFFSC, AIOD, ASPD, ASSADHO, AVIGUITURI, BCSC, Barza des Femmes pour la Paix, BOAD, CADERCO, CADIMR, CAF, CBNRM, CDJP, CEJA, CEPAC, CEPROSSAN, CIP/FAB, CRAD/ISDR, CRC, FAT, FEPSI, FIP/Nord-Kivu, FJDF, FOPAC, FOPRADI, FPA, FYDHO, GADHOP, GLHRP, GRACE, HDW, IFED, IJAD, IPHAD, JEDHO, La Colombe, LLB, LOFEPACO, LPC, PAP, PARDE, Pax Christi, PDH, PEAC, PFPSSP, Réseau WIMA, SAFDF, SOFEPADI, SPAR, SYDIP, UWAKI.
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LUBERO	ADDF, AFFSC, AIOD, ARPEY, ASPD, ASSADHO, BOAD, CACUDEKI, CADERCO, CDJP, CEJA, CEPROSSAN, CIP/FAB, CRC, FAT, FEPSI, FJDF, FOPAC, Forever for Peace Africa, FIDHO, GADHOP, GLHRP, GRACE, IFED, IJAD, IPHAD, JEDHO, La Colombe, LOFEPACO, LPC, PAP, Pax Christi, PDH, PEAC, PFPSSP, PREPP16, Réseau WIMA, RFEDI, SAFDF, SAPIN, SPAR, SYDIP, UWAKI.
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RUTSHURU	AJERH, ANAMAD, ASPD, BOAD, CAU, CDJP, DEF, DGPA, ETN, FAT, GEAD, GRACE, La Colombe, LOFEPACO, PDH, PFNDE, RACID, REID, SYDIP, UWAKI.
MASISI	AAP, AHDI, AJERH, DIDDE, ANAMAD, ASP, ASPD, BOAD, CADERCO, CDJP, COPADI, COMADER/CECMAD, DEJ, DGPA, ETN, FAT/BL, GEAD, La Colombe, LOFEPACO, PAFEVIC, PDH, PFNDE, PFPSSP, REID, SAFEDI, SYDIP.
WALIKALE	AHDI, AJERH, DIDDE, ASPD, BOAD, CADERCO, CAU, CDJP, COPADI, DEF, DGPA, ETN, FAT, GEAD, GRACE, La Colombe, LOFEPACO, PFNDE, PFPSSP, REID, RFEDI, SAFEDI.

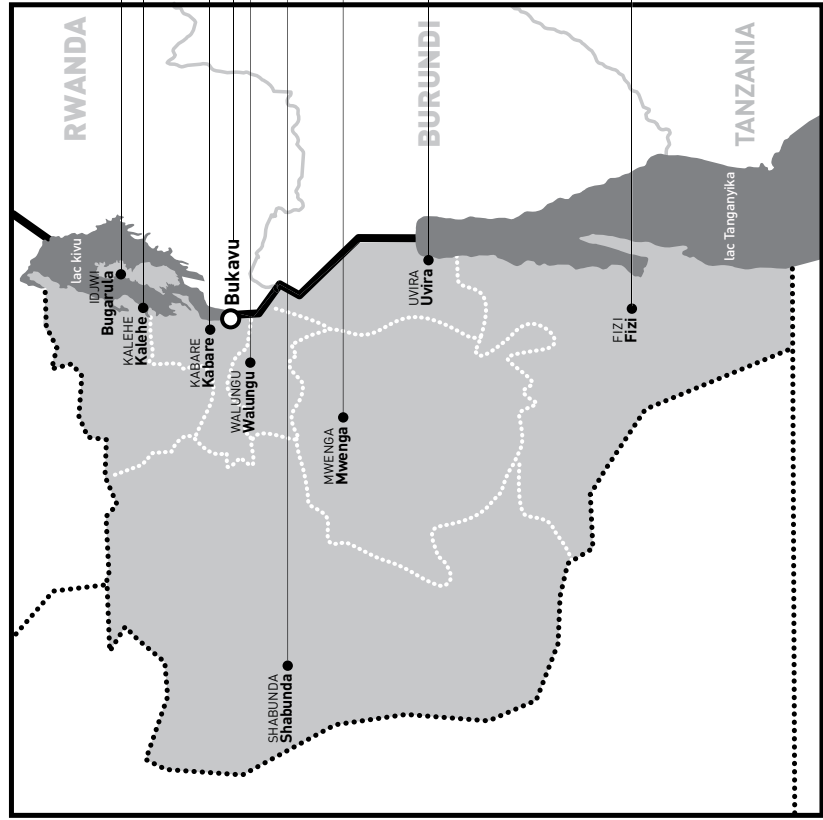
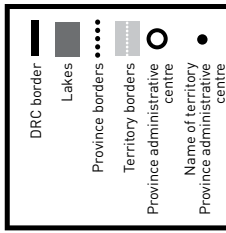
NYIRAGONGO	APD, BOAD, CDJP, DEF, DGPA, FAT, FOPAC, GEAD, GRACE, La Colombe, LOFEPACO, PDH, RACID.
Goma	AAP, AMUD, ANAMAD, ARPEY, APRODEPED, ASMA, ASP, ASPD, ASSODIP, BEDE/CELPA, BOAD, CAFFED, CAREP/ULPGL, CAU, CDJP, CEFAD, CIP/COMICO, CJPSC, CODE-Advocacy, CPDAC, CPDH, CPP, CRONGD, DEF, ETN, FAT/BL, FOPAC, FPA, GEAD, GIDNKU, GRACE, La Colombe, LUNAJUN, LOFEPACO, OLPD, Pax Christi, PFNDE, Pole Institute, RACID, SAJ, SFVS, SOPROP, SPR, TPD, UJADP, UPDNEGL, UWAKI.

Nominative list of NGOs in annex – page 62-4

LOCATION OF NGOS IN THE TERRITORIES OF THE SOUTH KIVU PROVINCE



SITUATION OF THE KIVU IN THE CONGO



IDJWI	ADI-Kivu, AFECEF, AFEM/ISK, BVES, CADERCO, CDJP, CENADEP, Groupe Jérémie, GRACE, MSV, Héritiers de la Justice, PEAC, RADHOSKI.
KALEHE	ADEPAE, ADI-Kivu, AFECEF, AFEM/ISK, ANAMAD, APC, Arche d'Alliance, BVES, CADERCO, CAFEJUCO, CAMPS, CAU, CDJP, CEDAC, CENADEP, EMI, ETN, GEAD, Groupe Jérémie, GRACE, Héritiers de la Justice, LAV, OLAME, PDH, PPSSP, PRODES, RADHOSKI, SARCAF, SYDIP.
KABARE	ADI-Kivu, AFECEF, AFEM/ISK, Arche d'Alliance, BVES, CADERCO, CAFEJUCO, CAMPS, CDJP, CEDAC, Groupe Jérémie, Héritiers de la Justice, JFDP, MSV, OLAME, PAD, RACID, RADHOSKI, RFDP, SARCAF, UWAKI.
Bukavu	3Tamis, ADEPAE, AFEM/ISK, A.JD, APC, APRODEPED, ASSK, BVES, CAFEJUCO, CAMPS, CDJP, CEDAC, CERPRU, CERUKI, CJPSC, CMLC, COPARE, CPDH, CUP, Dauphins, Ek Abana, EMI, ICJP, JFDP, INECOM, LAV, LINAJEUN, Emo-ya-Mbondo, MSV, OGP, OLAME, PAD, Pax Christi, PEAC, PEDER, Pale Institute, RACID, RADHOSKI, SAMPGL, SOS Villages d'Enfants, SPR, SYNECAT, SYNEP, TPD.
WALUNGU	ADI-Kivu, AFECEF, AFEM/ISK, Arche d'Alliance, ASEFEM, BVES, CADI, CAFEJUCO, CAMPS, CDJP, CENADEP, Coe, Oba, Oba, Oba, Oba, Héritiers de la Justice, INECOM, LAV, MESEP, MSV, OGP, Pax Christi, RADHOSKI, RFDP, SARCAF, UWAKI, VICO.
SHABUNDA	BVES, CAMPS, CDJP, Héritiers de la Justice, MESEP, RADHOSKI.
MWENGA	ADI-Kivu, AFEM/ISK, Arche d'Alliance, BVES, CAMPS, CDJP, CEDAC, COPAH, Héritiers de la Justice, INECOM, LAV, MESEP, OGP, Pax Christi, RADHOSKI, SARCAF, SYFED, UWAKI.
UVIRA	ADECOP, ADEPAE, ADIF, ADI-KIVU, AFDI, AFEC, AFEM/ISK, Arche d'Alliance, BAP, BVES, CADI, CAFEJUCO, CAMPS, CDJP, CEDAC, COPAH, DSF, Elimu, EMI, GASAP, Groupe Milima, Héritiers de la Justice, MIJAS, Pax Christi, RADHOSKI, RFDA, SIPROFFA, SOFIBEF, SOPADI, SOS Village d'Enfants, SYFED, UCPDDH, UWAKI.
FIZI	ADECOP, ADEPAE, ADIF, AFDI, AFEC, AFEM/ISK, AFIP, Arche d'Alliance, BVES, CADI, CAMPS, CCAP, CDJP, COPAH, DSF, Elimu, EMI, GASAP, GEAD, Héritiers de la Justice, MIJAS, Pax Christi, RADHOSKI, RFDA, SEDI, SOCODODEFI, SOFIBEF, SYFED, UCPDDH, UGEAFI, UWAKI.

Section 1: Civil society as an actor for peace in the DRC

As far as possible, the definitions of “civil society” and “peace actions” as used in this mapping are intended to be highly inclusive and in no way prescriptive. Civil society denotes all structures developed beyond the ambit of the government; these include unions, NGOs, charities, tribal solidarity groups, research centres and religious organisations. Furthermore, we decided to include assimilate organisations working in peace, governance and human rights, as these three sectors, when interpreted by donors and organisations alike, are often connected.

This non-prescriptive approach allowed us to include all those that define themselves as a civil society organisation and all initiatives described by these organisations as “peace initiatives”. This in turn helps construct a practical definition of what the actors and initiatives for peace in Eastern DRC actually are, rather than what we would like them to be.

1. Inventory of local peace structures

a. The number of organisations

171 organisations (81 active in North Kivu, 69 active in South Kivu, and 21 operating in both provinces) were identified as operating in the peace, governance and human rights sector. However, before the analysis of the research findings are presented, several limitations of this work should be highlighted:

- Seven of the organisations identified in North Kivu and 16 in South Kivu did not complete the forms handed out. The information about these organisations is therefore not taken into account. The reasons for their failure to participate were: a lack of time, absence of the person responsible for providing the required information, failure to locate the organisation’s offices, and mistrust (some organisations said they worried that others would steal their projects).
- As mentioned in the methodology section, the inventory was done from five urban centres (Bukavu, Goma, Butembo, Beni and Uvira), which necessarily excluded grassroots community organisations without provincial representation.
- By identifying networks, the research sometimes overlooked their member organisations.
- The visibility of churches in the inventory is limited as compared to their importance on the ground. This is because the dynamic of churches is largely separate to the dynamic of associations. Churches, and especially the Catholic Church, which have their own sources of funding and benefit from a wide public platform, do not require help from NGOs in order to act or be heard. The Catholic Church, via the *Justice and Peace Commission*,⁸ has a network of members that stretches from Kinshasa to every parish and sector in the country.⁹ It should also be noted that some organisations that do not present themselves as churches are affiliated to religious groups, like Alpha Ujuvi or Pax Christi (and the groups and associations that are affiliated with Pax Christi, such as RFDA or Groupe Jérémie).

⁸ The Pontifical Commission “Justitia et Pax” was initiated by the Vatican Council II to promote justice and peace in the world. At the national level, the establishment of structures is under the responsibility of the national church body (the Episcopal Conference). The Episcopal Conference of DRC (ex-Zaire) created the Justice and Peace Commission in 1978. In the DRC, the CEJP (*la Commission Episcopale Justice et Paix*) has the mandate to make the faithful aware of their responsibilities in the field of justice and peace and to initiate actions related to the problems the Congolese society is facing. The Justice and Peace Commissions are notably active in the DRC on the following topics: good governance and civic education, fight against human rights violations and community-based reconciliation initiatives (<http://www.cejp-rdc.org>).

⁹ With 47% of the DRC’s faithful, Catholicism is the dominant religion; see J. Gouzou and Y. Van der Schoot (2006). *Analysis of civil society during the transition period in DRC*. Report commissioned by ASDI/SIDA, Stockholm.

Despite these limitations, the inventory establishes the importance of those that intervene in the peace, governance and human rights sector in North and South Kivu.

The most common explanation (put forward by the civil society organisations themselves) for the multitude of actors operating in the peace sector is a form of opportunism caused by the available financing. In a climate of limited economic opportunities, for many Congolese citizens the creation of an NGO has become a means of survival. In 2006, the Life & Peace Institute identified 4,700 NGOs in the DRC. This figure was just 450 in 1990.¹⁰

Since the 1980s, faced with the Congolese Government's failure to meet the needs of the population, Western governments have developed an aid policy based on non-State bodies. This policy favoured the creation of NGOs that have become essential providers of basic public services (education and health).

War and its consequences, including insecurity, massive population displacement, pillaging and violence, led to a progressive retreat of the main development donors. Faced with this work shortage and the degradation of the humanitarian situation, many members of these former associations adjusted their strategies in response to the effects of war in their areas. With no financial means or skills, and despite the security risks, the commitment of these local peace actors is above all a response to the immediate need to ensure their own survival and that of their communities.¹¹

With new sources of financing, these local actors began to restructure or transfer to the peace and humanitarian sectors.

b. How the structures are organised

Timeline of the organisations

The categorisation of 171 organisations according to their founding dates reveals three main periods in which the human rights, governance and peace organisations emerged:

- 36 organisations (21.1%) emerged between 1990 and 1994. This period was marked by the dawn of multi-party politics in the DRC and the beginning of the democratic process as illustrated by the National Sovereign Conference in 1992.¹² Around the same time, opposition to the Mobutu regime emerged and ethnic violence broke out in Masisi, Burundi and Rwanda.
- 36 organisations (21.1%) were founded between 1995 and 1999, a period which included the wars of 1996 and 1998.
- Finally, 60 organisations (35.1%) were founded between 2000 and 2004, a period that saw the peace process, political transition and the preparation of elections, but also continued violence in the east of the country.

Legal status

Of the 171 organisations identified, more are registered nationally¹³ than at a provincial¹⁴ level (48% and 44.4%, respectively).

¹⁰ J. Gouzou and Y. Van der Schoot (2006). *Op. cit.*, p. 28.

¹¹ H. Morvan (2005). *Réinventer le quotidien: La cohabitation de la population civile et des combattants mai-mai au Kivu*. Life & Peace Institute, Uppsala.

¹² With the end of the Cold War, the international aid donors have brought new topics on the agenda such as democracy and human rights. In this context, in 1990, Mobutu initiated a democratisation process including the end of the single-party ruling and the organisation of a national debate. From August 1991 to December 1992, the *Conférence Nationale Souveraine* (CNS) brought together 2,850 Congolese delegates from government institutions, political parties and civil society. The aim of the CNS was to draft a constitution, to propose an electoral agenda and to give the opportunity to the participants to express their views and suggestions on the country's development. Nevertheless, none of the recommendations made by the participants were implemented.

¹³ Approval by the ministry responsible or recognition of legal status by the Ministry of Justice.

¹⁴ Approval by the governor.

The low proportion of non-registered organisations (3.5%) or those registered at a local level¹⁵ (3.5%) reflects the limits of the sample, which focused on the inventory of organisations based or represented in urban areas.

The high proportion of organisations registered nationally is surprising given the complexity and cost of the process. This trend might be seen as a means of securing financing (an organisation registered nationally appears more credible in the eyes of potential donors), but also reveals something about the sensitivity of the domain in which these organisations are active. Since 2005, there have been six assassinations of human rights workers and journalists in the DRC, as well as several cases of intimidation.¹⁶ Although registration at a national level does not prevent such attacks, it can limit the administrative harassment to which these organisations are sometimes subjected.

Size of structures

The categorisation of the organisations according to size, and in particular according to the number of employees, reveals considerable heterogeneity: 10.5% have no employees, 22.8% have between 1 and 5, 41.5% have between 6 and 20, and 17.5% have more than 20 employees.

In terms of members, the organisations fall into one of two categories:

- Networks made up of member associations; and
- Associations made up of individual members.

In the case of networks and platforms, the figures show that 63.3% of those identified have between 20 and 100 member organisations, with a majority (40%) having between 20 and 49. 26.7% (8 platforms) have less than 20 member associations.

Thirty-nine percent of the associations with individual members have less than 25 members, 17.7% have between 25 and 50, and 36.2% have more than 50. (However, these very high figures appear to suggest confusion between members of the organisation and members of the community structures to which they offer support). Finally, it should be noted that 10 organisations did not provide the number of their members.

c. Types of structures

Analysis of the results of the categorisation of organisations according to type reveals the importance of networks. Of the 171 organisations identified, 30 are networks or platforms, which means an average of 5.7 organisations for each network. The data also shows that a majority of organisations (49.1%) do not belong to a network or platform.

The establishment of networks or platforms is often encouraged by international donors. The desire to bring people together and coordinate is a response to the need for order in a complex and fragmented reality, providing a federal framework with the means to efficiently organise the often disparate and sometimes redundant actions of the actors involved. However, by seeking to organise multiple initiatives under a unified programme, the consortiums and platforms are hindering the expression of the many tensions and divisions that mark society. According to Béatrice Pouligny, ‘Most outsiders tend to reduce the main characteristics and richness of any civil society: its diversity. In our frequent quest for homogeneity, we tend to seek a “consensus” or a “common view”’; however, this does not exist in any society (post-war periods being an excellent example!). A so-called common belief is neither necessary nor desirable for remedying the real problem: a long, contradictory process of defining a new social contract. Historians and sociologists have shown us that such processes rarely

¹⁵ Authorisation of operations provided by the chiefdom/sector head or the administrator of the Territory.

¹⁶ Human Rights Watch (2008). *On va vous écraser : La restriction de l'espace politique en République Démocratique du Congo*. New York.

unfold in sanctified harmony but are rather the outcome of successive negotiations or, indeed, of concrete struggles'.¹⁷

In the Congolese context, this aim to provide structure coincides with the political will to organise and structure civil society. The thirst for a formalised and ordered civil society is part of Congolese history and can be traced back to the National Sovereign Conference of 1991–92¹⁸ and the peace process, from the initial negotiations right through to the end of the political transition (2001–6).

During these two periods, civil society played a fundamental role in Congolese politics, a role that profoundly weakened and divided it. The main reasons for the divisions in civil society are, on the one hand, the divergent political positions adopted by its representatives both at the Conference and in the peace process, and on the other, the political co-optation of many of its members, including some who in 2003 joined the transition government and became members of parliament as “representatives of civil society”.¹⁹

While the definition adopted at the beginning of this analysis emphasised the *distinction* between civil society and government, it would be useful at this point to highlight the *links* that exist in practice between Congolese civil society organisations and the country’s political sphere.

There are two such links:

- Civil society acts a springboard to power, as shown by the co-optation of certain civil society leaders during the National Sovereign Conference and the peace process. While this practice is by no means limited to the DRC, it takes on a particular importance and nature in this country, where civil society is as much a political actor as the political parties themselves.
- Civil society provides a basis for mobilisation of political support. Political figures, particularly in the peace sector, have founded their own organisations. In North Kivu, Eugène Serufuli, the province’s Governor from 2000–07, established *Tous pour la Paix et le Développement* (TPD). During interviews for this study, a representative from the peace and reconciliation commission of the STAREC programme²⁰ felt it perfectly natural to point out that the three organisations chosen to implement the programme’s activities were close to or presided by the province’s current Vice-Governor, Maître Feller.

But even beyond the politicians and donors, the desire for coordination has been felt within civil society itself. In 1992, after the National Sovereign Conference, offices were set up in the different provinces to coordinate civil society: South Kivu became the first province to have such an office. These structures are run by about ten representatives, who are elected by the members of the organisations that make up civil society, according to sector or identity (religious faith, development organisations, human rights, unions, youth groups, etc.).

These coordination offices have been widely criticised for the deep divisions from which they suffer (four different entities recently contested the representation of women’s groups nationally)²¹ and they are seen as serving the political interests of their members rather than those of the organisations they represent. Despite all this, civil society supports the networking function of these offices.

17 B. Pouligny (October 2004). *Civil society and post-conflict peace building: Ambiguities of international programs aimed at building ‘new societies’*, in *Post-conflict peace building: How to gain sustainable peace? Lessons learnt and future challenges*. Presented at a conference held by the Graduate Institute of International Studies, Geneva.

18 Of the 2,850 participants at the National Sovereign Conference, 1,100 were civil society delegates.

19 J. Gouzou and Y. Van der Schoot (2006). *Op. cit.*, pp. 52–53.

20 STAREC (Stabilization and Reconstruction Plan for War-Affected Areas) aims to consolidate the security situation, to restore the authority of the state, to help displaced people return home and to relaunch local community economies. STAREC was designed by the Congolese authorities and is supported by the international community through the Stabilization Strategy set in place by the United Nations.

21 World Bank (May 2010). *Civil society and extractive industries in the Democratic Republic of Congo*. Washington, p. 6.

However, observations suggest that the large number of networks stands in contrast to the exchanges actually taking place between these organisations, which often have no knowledge of the work being done by the other groups, even where they operate in the same sector and the same zone. This seems to reflect a trend that was highlighted by several interviewees (in particular, network members): certain networks tend to convert to autonomous bodies with their own articles of association and board of directors, acting outside of the structures of which they are made up. Setting up a network then becomes a new way to attract financing, as they can benefit from the successes of their member organisations.

2. Themes, methodology and areas of intervention

a. Specialised organisations

Among the organisations identified, 43.9% have a specific mandate in the human rights, peace and governance sector. Among those with such a mandate, most work solely in the human rights sector (22.7%). They are followed by those working on peace only (16%), while those working exclusively on governance are marginal (10.7%) and consist mainly of unions. The other organisations, as well as operations in peace, human rights and governance, work in the development and humanitarian sector.²² In addition, it should be noted that 43.9% of the organisations intervene in favour of a specific category of people, including 49.3% that work specifically with women.

Many of the organisations encountered in the course of this study claim to be both peace and human rights organisations. During the restitution workshop,²³ one participant suggested that our categorisation of different conflict types (such as armed conflict, conflict related to land or family, or access to natural resources or power) could be summarised in a single category: “conflicts relating to abuse and violations of human rights”.

This assertion raises a certain number of questions as to the implications of a vision of peace that depends on the precepts of human rights. Can one reconcile denunciation and negotiation? Does the status of human rights defender extend to the position of the mediator, who is “neither judge nor party”? And does an approach based on human rights violations not risk excessive focus on the consequences of conflict to the detriment of the structural causes of violence and socio-economic injustice?

Furthermore, the absence of specialisation among nearly half the organisations might be seen as opportunism: by claiming several areas of intervention, organisations can expand their financing opportunities.

Nonetheless, the absence of a clear mandate in the case of so many organisations must also be seen in light of the several constraints they face.

Caught between the expectations of the population and those of their donor(s), civil society organisations develop hybrid and often ill-adjusted identities. This is the result of a compromise between the expectations of a population preoccupied by improvements in their economic, social and security living conditions, the specific mandates of the international organisations that support them, and the available financial opportunities.

The scattered pattern of the initiatives being carried out by most of the organisations encountered

²² Several respondents were unable to clearly specify their mandate. The categorisation we suggest comes from a combination of the information we already had and the responses provided to the following categories: sector of operations, mandate and activities carried out.

²³ A two-day workshop was held in mid-September 2010 to discuss and validate the preliminary findings of the study with the principal organisations approached during the fieldwork.

also reflects the diversity and sporadic nature of their sources of financing. The information gathered about these initiatives relates to past actions, some of which took place more than five years ago, like those in preparation for the elections held in 2006.

b. Heterogeneity of themes and intervention strategies

The initiatives carried out by civil society organisations in the peace sector target the following themes, in order of importance:

Conflicts related to human rights abuses and violations	129 organisations (75.4%)
Family conflicts (inheritance, succession, conjugal feuds)	84 organisations (49.1%)
Land-related conflicts	83 organisations (48.5%)
Inter-community conflicts	80 organisations (46.8%)
Conflicts over access to power (exclusion, battles for power, customary conflicts, etc.)	53 organisations (31%)
Intra-community conflicts	53 organisations (31%)
Conflicts relating to return of refugees or internally displaced persons	50 organisations (29.2%)
Social conflicts (inter-generational, work-related, etc.)	47 organisations (27.5%)
Conflicts over access to economic resources (mineral exploitation, forestry, etc.)	44 organisations (25.7%)
Conflicts related to power dynamics (taxation, etc.)	39 organisations (22.8%)
Armed conflicts	33 organisations (19.3%)

As well as the initiatives listed in the questionnaire, the organisations mentioned those carried out in the security sector (demobilising and preventing the recruitment of child soldiers, reinsertion of ex-combatants), the governance sector (electoral education, promotion of female participation in peacebuilding) and the human rights sector (fight against violence against women, monitoring of prisons and itinerant courts).

Although we excluded initiatives related to human rights violations (a category which is on the margins of peace practices), the data show that the vast majority of civil society actors contribute to the management of land and family-related conflicts, and only a small minority to the management of economic or armed conflict. This trend is in fact the reverse of that observed by Séverine Autesserre in the case of international organisations, which focus their efforts and analysis on the national and regional dimensions of conflict, in particular military and economic questions.²⁴ This labour division between national and international actors might also be seen as a division between those conflicts deemed to be “minor” and those considered “major”, whereby the former are handled by local civil society and the latter are the responsibility of the international organisations – mainly UN agencies.

This operational division nonetheless seems to overlook or neglect the close links between the local, national and regional dynamics and levels. An example of this is the consequences for the economies of Maniema, North Kivu and South Kivu of the decision to suspend artisanal mineral exploitation in these areas, where the economic, social and financial activities are highly dependent on the mineral trade. In areas where the adults were working in the mining sector, some parents have removed their children from school as they could not pay the school fees. Beside the direct impact on the mining sector, many economic activities that depended on the mining trade

²⁴ S. Autesserre (June 2010). *The trouble with the Congo: Local violence and the failure of international peacebuilding*. New York: Cambridge University Press.

(local flight companies or restaurants, for example) have closed. And finally, the mining sector is a major source of foreign currency, which is the main currency in the DRC.²⁵

In descending order of importance, the intervention methods and strategies of the organisations studied are as follows:

Education and awareness-raising	141 organisations (82.5%)
Training and capacity-building	136 organisations (79.5%)
Advocacy	124 organisations (72.5%)
Conflict management (mediation, arbitration, conciliation, etc.)	98 organisations (57.3%)
Analysis and research of peace and conflict dynamics	82 organisations (48%)
Initiatives for dialogue between groups/communities in conflict	78 organisations (45.6%)
Media production and dissemination	45 organisations (26.3%)

The most commonly cited intervention methods or strategies are education/awareness-raising and training/capacity building.

Awareness-raising includes a number of actions carried out in an effort to inform the population or decision-makers about a given issue. The practices observed on the ground showed a disparity in terms of the issues tackled (fight against sexual violence, land laws, inter-ethnic cohabitation), the people targeted (youths, customary authorities, general population) and the tools employed (distribution of brochures, informal chats/debates, radio broadcasts). However, this generic term often covers badly defined operations, whereby superficial or unsuitable information is given to the public, as for example when the text from French-language laws was distributed to largely illiterate Swahili-speaking citizens.

Similarly, training and capacity-building operations are carried out over a period lasting half a day or several months, again revealing the methodological and qualitative disparity in these practices.

By placing the target issues and intervention strategies in relation to one another, we can see just how dispersed the different actors are. This dispersion in terms of both issues and intervention approaches must be seen in the context of the peacebuilding policies adopted by multilateral and bilateral donors, international NGOs and governments.

Unlike other sectors like education, health, agriculture or humanitarian aid, the peace sector is poorly defined. Cross-cutting peacebuilding actions can be observed alongside agricultural operations, such as land-conflict management measures, in the educational sector via peacebuilding and citizenship awareness-raising programmes, or in humanitarian aid via the “Do no harm” principles.²⁶

The challenge facing donors in this sector is also due to the political and sensitive nature of such interventions, the difficulty in measuring the impact of operations, and the highly mitigated results of the interventions by local and even international organisations (in particular UN peacekeeping missions). Together these factors contribute to piecemeal policies that reflect the hesitation and caution of donors. The DRC is marked by a volatile political and security climate, multidimensional conflicts involving many actors, a weak state, a vast territory and a limited communications network, all of which further complicate the intervention of donors in the peace sector.

The lack of coherence in the peacebuilding programmes and activities of civil society organisations is also reinforced by the fact that their actions are part of a pyramid structure in which they are

²⁵ Ministerial order no. 705 [dated 20th September 2010] on the suspension of mining activities in the Maniema, North and South Kivu provinces.

²⁶ The “Do no harm” principle is a reference to the strategies developed by humanitarian workers in order to create programmes designed to attenuate conflicts or prevent their escalation.

often the weakest block. At the summit of this structure are the international donors (bilateral or multilateral agencies), followed by the international intermediaries (NGOs or UN agencies), and then the national partner organisations, who often depend on grassroots community structures for actual implementation. The large number of actors involved multiplies the various principles, policies and methods that underpin peace actions.

By complicating the decision-making chain, this pyramid structure reduces the capacity of local actors, who act as “sub-contractors”, to be innovative or take their own decisions. As a result, their capacity to adapt their work to the expectations of the communities they are supposed to serve is also reduced. Local “partners” become project managers for the policies of government or international actors, having to relay messages to which they do not themselves adhere. As one local association put it in an interview, ‘We only expect STAREC to contact us when the population turns against its programme’.

A final point is that this pyramid structure must be seen in the context of the complex relationships that unite (or separate) the urban civil society organisations and the grassroots community structures they put in place. These are often tainted by the same distance that marks relations between the mostly educated urban centres and the poorly educated rural areas. The tensions that exist between local support organisations and the community structures are also linked to the fact that the members of the support organisations receive a salary, while those in the community structures are generally asked to work on a voluntary basis.

Areas and levels of intervention

In North Kivu, Beni (53 organisations) and Lubero (44) territories have the largest number of peace, governance and human rights structures. They are followed by Masisi territory (25), then Walikale (21), Rutshuru (20), and Nyiragongo (13).

In South Kivu, it is Uvira (33 organisations), Fizi (31) and Kalehe (29) territories that have the most actors active in this sector. These two territories are followed by Walungu (25), Kabare (21), Mwenga (17), Idjwi (13) and Shabunda (6).

The data for Goma (37) and Bukavu (43) must be treated separately. As provincial administrative centres, they serve as the locations for headquarters of most of these organisations, which, even though they may not run peacebuilding activities there as such, use these locations for work involving advocacy, coordination and representation.

These figures reveal three zones in which the organisations working in the peace, governance and human rights sector are concentrated: one in the extreme south of South Kivu, one that straddles North and South Kivu, and another in the extreme north of North Kivu.

In North Kivu, Beni and Lubero territories display a strong associative dynamic built around, on the one hand, the Catholic Church, which is particularly influential there,²⁷ and the peasant movement on the other. Both are very densely populated areas. Furthermore, these territories accommodated those displaced by the Ituri war between 2002–05, and the region is marked by the presence of several armed groups, in particular the FDLR (*Forces Démocratiques pour la Libération du Rwanda*) in South Lubero and the ADF/NALU (Alliance of Democratic Forces/National Army for the Liberation of Uganda) in the foothills of Mount Ruwenzori, as well as the PARECO (*Patriotes résistants Congolais*) and the Mai-Mai Vurundo.

In South Kivu, Uvira and Fizi territories have been plagued by recurring violence since the 1960s, and currently hold several Congolese and foreign armed groups. Furthermore, the armed clashes that have affected the two territories make it a zone in which people are displaced and to which

27 H. Romkema [November 2001]. *An analysis of the civil society and peace building prospects in North and South Kivu*. Study commissioned by the Life & Peace Institute, Uppsala, , p. 47.

refugees return. Finally, the dynamic created by the CCAP network (*Comité de Coordination pour les Actions de Paix*),²⁸ which brings together 28 organisations active in the peacebuilding sector in Fizi (and also Uvira, since most CCAP bodies intervene in both zones), might explain the high concentration of organisations in this area, which has a low population density and no tradition of associations.

Finally, at the boundary between North and South Kivu, the Kalehe territory suffers from tensions between the many communities that live there (Bahavu, Batembo, Barongeronge, Batwa, Hutu and Tutsi). These inter-ethnic tensions have led to the development of local armed groups, who in 1996 were joined by the foreign FDLR.²⁹ This territory, which is accessible from Goma and Bukavu, benefits from the intervention of organisations from both South and North Kivu.

The difficulty in accessing the Shabunda territory, which is nonetheless affected by the conflict, explains the limited number of organisations present there.

A further point is that the composition of civil society is affected by ethnic origin, which influences the choice of zones in which to operate, the preference being to operate in the zone of one's ethnic origins. In North Kivu, civil society is mostly divided along an ethnic line between the "original" population and Rwandophone groups, whereas in South Kivu, civil society structures are dominated by the Bashi.³⁰ The preference to operate in one's own ethnic zone is accentuated by the population themselves, who have at times violently express their hostility to "foreign" workers being employed by the organisations active in their area.

Of the organisations, 88.9% say they operate at a local level (localities, *groupements* and territories) and only 19.9% at a national level and 9.9% at regional level (Rwanda, Burundi and Uganda).

The fact that civil society actors all say they are engaged at a local level and very few at a national or regional level, reflects the earlier observation of a division of labour between the international and local organisations: one group manages the macro level and the other the micro level.

The limited number of national operations can be explained in large part by the size of the country and its weak communications network. However, it is surprising to note that few organisations are engaged in regional operations despite the fact that the conflicts and violence in Eastern DRC are widely seen by local organisations as the consequence of regional conflict dynamics. The lack of such operations would appear to be the result of the deep mistrust and tension that continue to taint relations between the people of the DRC, Rwanda, Burundi and Uganda.³¹

28 The CCAP initiative originated in the rapprochement between the Banyamulenge and Babembe communities, which was encouraged by the activities of two organisations active in Fizi – SOCODEFI (*Solidarité et coopération pour le développement de Fizi*) and UGEAFI (*Union des groupes d'études et d'actions pour le développement de Fizi*). In 2002, with help from the Life & Peace Institute, an informal framework for consultation and analysis was set up. This now includes 28 organisations. Initially intended as a framework for consultation, it has since become a framework for coordination that is structured as an association and benefits from institutional support from the German organisation EIRENE (<http://www.eirene-deutschland.org>).

29 Of an estimated 6,000–7,000 FDLR fighters spread over both Kivu provinces, the Kalehe territory alone has around 2,000; see *Action pour la Paix* (April 2009). *Analyse du contexte du territoire de Kalehe* (unpublished research report by the Life & Peace Institute), Bukavu, p.24.

30 H. Romkema (2001). *Op. cit.*, pp. 43-54.

31 International Alert (2007). *Les mots qui tuent : Rumeurs, préjugés, stéréotypes et mythes parmi les peuples des Grands Lacs d'Afrique*. London.

Section 2: Peace initiatives

Section 1 described the civil society organisations working in the peace, governance and human rights sector. Section 2 analyses the peace initiatives carried out by these organisations.

The analysis focuses on three intervention strategies: non-judicial conflict-management mechanisms (Chapter 1), participatory action-research (Chapter 2) and advocacy work (Chapter 3). As explained in the introduction, the choice of strategies was not made in order to provide a representative sample of the work being done by civil society, but rather in an effort to present initiatives that have been successful or which are deemed innovative by Alert.

The three parts complement one another by offering a perspective on peace initiatives that have been carried out at three different levels of intervention:

- Part 1 presents conflict-management experiences at a local level. The conflicts dealt with are mostly land- or family-related and concern two parties (individuals or families) in a limited geographic entity (*village or groupement*).
- Part 2 deals with conflicts that have multiple stakes and affect one or more territories and several communities.
- Part 3 focuses on two initiatives, one national and one provincial. These involve specific actions aimed at the national and provincial political authorities.

Despite this complementarity, the three parts form heterogeneous units. The first is based on analysis of 15 different initiatives from across civil society, while the second compares three participatory action-research experiments conducted with technical support from the Life & Peace Institute. The third focuses on two instances of advocacy work carried out by a single organisation.

While the initial idea was to present the experiences of three organisations (one of non-judicial conflict management, one of action-research, and one of advocacy), the approach ultimately adopted was determined by field-research constraints and the expectations of our partners in this project. For Part 1, the organisation whose work we had hoped to present was unable to accommodate us, and the decision to employ a comparative analysis in Part 2 was determined by the Life & Peace Institute. However, although this was not planned, the number of initiatives presented in each chapter is quite a good reflection of the distribution of organisations in terms of the level of their interventions: many operate at a local level and very few at a national level.

1. Alternative conflict-management methods

Alternative conflict-management methods refer here to the extra-judicial mechanisms used in conflict resolution. This part will analyse civil society initiatives in this domain, but it will also look at traditional conflict-management structures, which largely inspired both the civil society structures and those put in place (or being put in place) by State bodies or international institutions.

The part draws on the findings from interviews with and observations of the following initiatives:

- Civil society organisations that put in place local conflict-management structures: land conflict-resolution groups (AAP – *Aide et Action pour la Paix*), peace huts (Alpha Ujuvi and RFDA – *Réseau des femmes pour un développement associatif*), land-related reflection groups (IFDP – *Innovation et Formation pour le Développement et la Paix*), arbitration (UPDI – *Union Paysanne pour le Développement Intégral*), peace committees of the Peace & Justice Commission, offices for peaceful conflict resolution (CEJA – *Centre d'Etudes Juridiques Appliquées*), paralegal work by agricultural support centres (SYDIP – *Syndicat de Défense des Intérêts Paysans*), conciliation chambers (FEC – *Fédération des Entreprises du Congo*) and intra-community *Barzas* (tribal solidarity groups – *mutualités ethniques*).³²
- Governmental structures: permanent local conciliation committees (STAREC – *Programme de Stabilisation et de Reconstruction des zones sortant des conflits armés*) and rural agricultural management council (Ministry of Agriculture); and
- Customary structures in Masisi, Lubero and Kalehe.

Having analysed the links between the structures put in place by civil society representatives and the customary structures, this chapter will then present the ways in which the civil society structures operate by analysing their choice of mediators and their methods of intervention. It will then consider their limitations and the durability of the decisions they make.

a. Creation of new spaces: Between stability and change

Borrowing from customary methods and principles

Faced with the judicial crisis and the weakening of customary conflict-management structures, as well as a climate in which social links were undermined and conflicts escalating (both in number and scale), members of civil society decided to develop new spaces devoted to conflict management.

These spaces widely respect the logic of customary conflict resolution, which is based on negotiated solutions and the restoration of social cohesion. This approach reflects the practices and principles of communities for whom conciliation comes before justice. Any individual who goes before the courts without first pursuing the path of conciliation is perceived to be dishonest. For the Babembe in South Kivu, taking legal action against someone from your community is considered a curse.³³ ‘Those who are quick to take legal action know they are wrong and that they can buy their rights by buying justice. Even the great Lubero bourgeoisie look to the *Barzas* for help’.³⁴

Similarly, the FEC (Congolese business federations),³⁵ which bring together entrepreneurs, major traders and the *mutualités ethniques* (tribal solidarity groups)³⁶ that represent community leaders, seek conciliation when managing disagreements between their members.

Customary leaders: Distant yet integrated

Although civil society recognises the value of the customary methods and principles of justice based on the search for consensus, these structures are nonetheless on the margins of the traditional

³² The term *Barza* derives from the Swahili word “baraza”, meaning “verandah” or a meeting place. Traditionally, the *Barza* refers to a place where local elders gather to discuss problems in the community as well as a place to honour the local ancestors. In this case, the term *Barza* refers to a group of elected people from one ethnic group that is appointed to mediate conflicts and to represent the interest of their group.

³³ (Under the direction of) S. Candeias (March 2010). *Etude anthropologique. Les mécanismes extra-juridictionnels de réponses aux violences sexuelles à l'Est de la RDC*. Congolese Ministry of Justice and REJUSCO, Goma, p. 68.

³⁴ Interview with customary leader, Lubero, September 2010.

³⁵ The *Fédération des Entreprises du Congo* serves as both a Chamber of Commerce and an employers’ union. It caters to private companies and businesses of mixed sizes across the country. It acts to defend companies’ interests, in particular with regard to public powers (<http://www.fec.cd/>). Although its mission (promoting business in the DRC) and its composition (private-sector representatives) make it hard to compare the FEC to civil society organisations, because of its union-based activities (acting as a professional organisation for employers), its status as a not-for-profit organisation, and the fact that it is one of the ten members of the civil society office, we decided to include it in our list of civil society organisations.

³⁶ Known as *mutuelles*, these associations bring people from the same tribal or ethnic community together. They are sociable places where members can chat and help each other out. Although they cater to people from the same community, their members have different origins and tendencies: political outlook, chiefdom, clan, occupation, etc. can all differ. These groups represent a unique place in which community leaders can consult one another and share ideas.

institutions. The relationship between the traditional conflict-management mechanisms and the civil society structures is in fact ambiguous. Civil society representatives tend to do the following:

1. Employ the traditional methods of conflict management;
2. Replace them with their own structures; and
3. Integrate the authorities into these structures.

The use of traditional methods and principles of conflict management largely reflects the idea just outlined, i.e., that they correspond to the values and practices of the communities they serve.

However, the ambiguous role of customary leaders in these structures reveals their status in society: they are weakened and have lost their legitimacy, yet they remain the most credible figures within the community.

This loss of legitimacy is linked to the co-optation of customary leaders by the politico-administrative authorities. Under Mobutu's regime, they illegally³⁷ sold customary land to the political and economic elite in order to build a network of alliances. Their illegitimacy is today reinforced by the establishment of peace tribunals in lieu of the customary tribunals and the prospect of decentralisation,³⁸ whereby decisions made by customary leaders will be subject to validation by the *échevins*.³⁹

In addition, the preference of rural populations for customary power must be seen as a disavowal of the courts. Their resistance to the judicial system is due to its dysfunctional state and the distance between them and the courts. The judicial procedures require considerable investment both in terms of energy and resources, but offer no guarantee of a satisfactory solution in a climate where mere survival takes up all the time and strength of the poorest members of society. In addition to the duration and cost of the procedures, corrupt practices are rife in the system and allow the most well off to secure a legal victory at the expense of the less privileged.

As a result, most civil society organisations endeavour to include the customary authorities, sometimes explaining that it is a means to diminish their ability to cause harm. Some organisations have developed mechanisms to limit the influence of the customary authorities over the decision-making process, while nonetheless including them in the structure. In such cases, they are given the title of "counsellor".

The more or less important role accorded to the customary authorities in the structures put in place by civil society also depends on the context, as the way traditional structures operate and the legitimacy of customary leaders vary from one place to another. The disparities are linked to the stability of the social and political entities into which the customary structures and authorities try to fit.

Any analysis of the stability of these structures must take account of various elements:

- The impact of the recent period of conflict on communities and the institutions that govern them;
- The diverse ways in which customary power is exercised according to the tribe; and
- The impact of colonisation, urbanisation, rural capitalism and the patrimonial system under the Mobutu regime.

³⁷ Legislation passed in 1973 made the land State property, but also introduced a modern system for the acquisition of land deeds. The customary leaders traditionally in charge of land management used their status to monetise the redistribution of customary lands. See Statute no. 73-021 (dated 20th July 1973) on the general regime for assets, the regime for land and property and the regime for securities.

³⁸ The law governing operations in decentralised entities states that no decision by a chiefdom leader can have effect unless countersigned by a municipal magistrate. See Statute no. 08-016 (dated 7th October 2008) on the composition, organisation and operations of decentralised entities (*Entités Territoriales Décentralisées*) and their relationship with the State and the provinces.

³⁹ The term *échevin* refers to the two elected deputy of the chiefdom leader (*chef de chefferie*). The function of *échevin* is outlined in the decentralization law which is not implemented yet.

From one territory to another, major disparities can be observed in the way customary power is structured and, therefore, its influence on local decisions. In the mountainous parts of Kivu, and in particular the Ngweshe and Kabare chiefdoms (South Kivu), customary power is highly structured. The authority of the leaders is exercised as part of a hierarchical structure that goes from the localities to the *groupements*⁴⁰ to the chiefdoms, whereas in Fizi customary power is segmented, organised around leaders of *groupements* (clan leaders) who reign over limited geographic zones.⁴¹

Customary power is also undermined by internal struggles for succession (with several contenders fighting over access to power) and its subordination to the political power base (customary leaders are appointed by the Ministry of the Interior). The assimilation of the customary authorities to civil servants is also evident in their poor knowledge of the customary rites and practices, which undermines their competence in conflict mediation.⁴²

The logic adopted by civil society organisations seems to mirror that adopted by the government, which via its STAREC programme declares that it will:

1. Seek to restore the authority of the State; this would include supporting the resolution of customary conflicts⁴³ and would, according to the rapporteur from the STAREC Technical Committee for Peace and Reconciliation, aim to restore the authority of the “true customary authorities”;⁴⁴ and
1. Support the establishment of permanent local conciliation committees (CLPCs – *Comités Locaux Permanents de Conciliation*), whose mission includes tasks traditionally devolved to customary leaders, such as the prevention and resolution of land-related conflicts.

“Peace huts”: Breaking with traditional power structures

In Fizi and Uvira territories, the associative networks RFDA (*Réseau des Femmes pour un Développement Associatif*) and DSF (*Dynamique Synergie des Femmes*), with support from International Alert, have developed conflict-management structures known as “peace huts” (*paillottes de paix*), where women participants outnumber their male counterparts.

Initially, single-sex structures were created to offer women a space for discussions and meetings where they could gain confidence and experience expressing themselves in public (custom forbids women from speaking publicly in the presence of men). As the project developed, this learning space was transformed into a mixed-sex conflict-management committee. The project strengthened the leadership of certain female figures (who occupy privileged positions on the committees) and also provided a platform from which to address questions that had been neglected because of women’s exclusion from decision-making spheres.

The inclusion of women gave voice to the silent conflicts that have women as victims, in particular those related to inheritance or marital violence. Women have no land rights under most of the DRC’s customs, and this situation is particularly dramatic in a climate of conflict that is marked by the break-up of many homes and in which a woman who loses her status as a spouse is deprived of her legal existence.⁴⁵

However, by challenging the dominant attitudes and balance of power in communities, this initiative has met with resistance. Their very identity as “structures managed by women and

40 K. Vlassenroot and C. Huggins (2005). ‘Land, migration and conflict in eastern DRC’, in C. Huggins and J. Clover (Eds.). *From the ground up: Land rights, conflict and peace in Sub-Saharan Africa*, ACTS Press/Institute for Security Studies, Nairobi/Pretoria, p. 124.

41 S. Sango Alo-I-Bya (September 2001). *Les modes traditionnelles de résolution des conflits chez les Babembe* (unpublished course work), Centre Universitaire de Paix, Bukavu, , pp. 23-29.

42 CPAP and PNUD (April 2009). Op. cit., p. 43.

43 Operational plan of the Technical Commission for Peace and Reconciliation, STAREC Programme, March 2010.

44 Interview with the rapporteur from the STAREC Technical Commission for Peace and Reconciliation, Goma, June 2010.

45 J. Gouzou, M. Eriksson-Baaz and A.-M. Olsson (June 2009). *Gender Country Profile: The Democratic Republic of Congo*. Study commissioned by ASDI/SIDA, Stockholm, , p.27.

emanating from women's organisations" means that the peace huts are largely relegated to the management of family conflicts and small land-based conflicts. According to one chief in Luvungi (Uvira territory), it is not right to hand the secrets of custom over to a woman who is from outside the community.⁴⁶ Furthermore, the socio-economic context (especially in rural areas) tightly restricts the participation of women in the public or political spheres. Their social role is within their own family and later that of their husband, on whom they are dependent and to whom they are subordinate. In economic terms, they are responsible for the family's subsistence; this was a role reinforced by the war, despite the increased poverty it caused. The reduced commercial opportunities in the country's industrial sector,⁴⁷ which was the preserve of men, also increased the responsibility of women, who are in charge of subsistence agriculture, in the household economy.

b. The "mediator": Outlook and methods

We are using the term *mediator* because it is the term most commonly used by the organisations themselves, although as we will see it does not correspond to the practices of those organisations whose work we observed.

Selecting mediators: Election and representation

In the traditional conflict-resolution mechanisms, mediators were chosen on the basis of their function (those who were traditionally trained and empowered in customary matters), credibility and commitment (those who were recognised within the community as wise men), or knowledge of the conflict.

In the civil society structures observed, the selection of mediators is made according to two principles: election and representation. However, a certain number of criteria are established in order to guide the choices made by the "electors"; these criteria largely correspond to those that have traditionally been used to select mediators. They vary from organisation to organisation, but include the following: availability, commitment, integrity, wisdom, knowledge of the rule of law and customs, and credibility within one's own community.

All the organisations add the criterion of representation in an effort to include in their committees representatives of the community's main components (based on age, sex, occupation and ethnicity) and representatives from the authorities, but also people who have traditionally been excluded from political decision-making (women, youth and certain ethnic minorities such as pygmies). While the Congolese constitution recognises the principle of parity, these structures instead try to respect the Great Lakes practice of having a minimum quota of 30% participation by women in political bodies.⁴⁸ Furthermore, these organisations, which do not adopt the traditional approach to customary power (whereby power falls to the first people who occupy a zone), incorporate the different ethnic groups and their customs.

In the case of tribal solidarity groups, the conflict-management body is made up of elected or co-opted members who represent each segment within a community (geographic origin, clan affiliation and political loyalty). While women have been traditionally excluded, they are now represented in these structures.

⁴⁶ Married women are perceived as being outside their own family because by marrying they join their husband's community, and outside their husband's family because they are not original members.

⁴⁷ The deterioration in commercial opportunities has been a long process that began with the Zairianisation of 1973 (nationalisation of companies built on foreign capital, in a political climate marked by nepotism and corruption) and worsened with the decline in security.

⁴⁸ This figure of 30% reflects the practice adopted in neighbouring Burundi, Uganda and Rwanda, which unlike the DRC have combined their provisions on women's participation with measures of positive discrimination, including a system of co-optation and quotas; see EASSI and International Alert (2007). *Participation politique des femmes dans les pays sortant d'un conflit dans la région des Grands Lacs en Afrique* (report by the *Atelier de consultation*). Kampala, Uganda, 28–30 August 2007, pp. 37–41.

Qualities required in a mediator: Neutrality and proximity

Partiality in the laws of the DRC

In theory, the mediator is supposed to help people understand the conflict that divides them by guaranteeing a space for equal dialogue and by accompanying them in their search for a negotiated compromise. By seeking *negotiated* justice, the mediation process eschews the judicial approach, relying instead on common sense and fairness.

However, field observations suggest that many of these frameworks are initiated by human rights organisations and placed under the supervision of legal experts, often involving efforts to increase awareness of the land law.

Although local conflict management requires knowledge of the norms and rules that govern Congolese society, the predominant reference to the law risks impeding the search for a fair solution given that the context of the DRC has been marked by a clientelistic use of the law. The patrimonial and predatory system that was imposed under Mobutu (and continues today) placed the customary authorities in allegiance to the politico-administrative authorities, which means that chiefs no longer acquire legitimacy from their subjects, but instead from their capacity to mobilise the support of the country's elite.⁴⁹ The introduction of the principle of private ownership in the land tenure system, via the 1973 land law,⁵⁰ allowed chiefs to establish or strengthen their patrimonial networks by selling land to the elite, who then supported them to the detriment of their communities.⁵¹ The elite, who can justify their property rights with a deed, take precedence over the local communities, who have no written proof of their entitlements.

Mediation: An endogenous practice

From a methodological point of view, the different structures visited during the course of this research follow a similar procedure for mediation: they listen to the parties concerned, hold a face-to-face meeting, conduct an on-site visit (if necessary), search for a consensual solution, and, very often, the parties sign a written declaration of conciliation. The mediation process is also always led in a collegial fashion by two or more mediators. In some cases observed, they even outnumbered the parties involved. This is due to the application of the principle of representation.

However, although the procedure is the same, practices vary. The main element that influences the way the mediation is carried out is how familiar the mediators are with the people and the context of the conflict in question. This familiarity determines their capacity to reconstruct the different elements of the conflict, gain the trust of both sides, and manage the different types of regulation (laws, customs and practices) and any clashes between them.

In many of the cases observed, the complexity, multiple ramifications and diverse parties involved in the conflict made it extremely difficult to understand the problem. Added to this is the fact that again and again, the mediation process threw up obstacles related to unspoken issues or taboos that prevented the mediators from fully understanding the problem.⁵² Needless to say, the fact that traditional conflict-management mechanisms were combined with local structures (families, sub-clans and clans) made it easier for mediators to have a better understanding of the conflicts.

The participation of notables and the guardians of custom is therefore essential. More broadly, the selection of mediators must take account of their knowledge of the people involved and the area in which they are intervening, and they must be able to improve on this knowledge by updating the information they have. In this regard, the inventory of land conflicts in Ituri (1,318 conflicts

49 Interview with Professor Mugangu, Bukavu, August 2010.

50 The land legislation of 1973 recognises the deed as the only proof of property ownership.

51 K. Vlassenroot and C. Huggins (2005). *Op. cit.*, p.136.

52 In Beni, a feud over a small plot of land revealed a wider conflict related to a taboo. Twenty years ago, a woman was buried alongside her unborn child, even though the Nande custom requires pregnant women to be buried separately. The violation led to the husband's expulsion from the land he inhabited, which was then reallocated by the customary leaders. These facts were discovered during the observation of a mediation session in Bunuyka (Beni territory) in July 2010.

identified),⁵³ carried out by the Haki na Amani network and IKV Pax Christi, is a remarkable contribution to the documentation and information available on mediation initiatives.

Modus operandi: Mediation or conciliation?

Traditionally, conflict management was done with respect for the principles that founded customary justice: the restoration of social cohesion. Negotiation is central to this restoration process, which seeks to reconcile the protagonists in the conflict as well as the different stakes and interests that divide them.⁵⁴

Conflict-management methods vary according to the gravity of the problem. Where the harmony of the clan is not threatened, the problem is tackled within the confines of the family, whereas conflicts relating to respect for customary rules are dealt with by a customary court.

The handling of intra- and inter-family feuds is based on a procedure of conciliation between the parties that must lead to a compromise, whereas the customary court, which is presided by a customary chief, has the power to settle disputes either on the basis of customary laws or on the basis of the chief's power as successor of his ancestors.⁵⁵ Traditionally, the decision or statement of conciliation is combined with a symbolic act of reconciliation and sometimes compensation.

Most of the civil society organisations said their procedures pursue an objective of reconciliation via mediation.

In a climate marked by a crisis of trust and deep divisions, mediation, which in principle leads to a sincere agreement based on the will of all parties and their participation to find a solution, meets with difficulties in practice. By allowing conciliators to offer a solution, the process of conciliation better meets the expectations of the parties in conflict, who want to be advised and steered towards a solution. The result is that mediators adopt a role as conciliators.⁵⁶

Furthermore, the presence of chiefs in these structures tends to give their proposals a restrictive quality that is reinforced by the fact that they retain the attitudes of a chief even when acting as mediators.⁵⁷

The transformation of mediators into conciliators modifies the mediation goals by shifting the procedure towards finding an agreement rather than reconciling the parties. The main distinction between conciliation and mediation is that the former is directed towards the search for a solution to a conflict, whereas the latter is a process centred on re-establishing communication and rebuilding the links between parties divided by conflict.

One might also argue that by seeking an agreement, the conciliation process better meets the expectations of organisations and donors, who often measure the success of their actions by quantitative indicators. This appears to be reflected in the keenness of certain mediators (and conciliators) to find a solution, even though their efforts seem at odds with reality: of the 12 mediation sessions we observed, 11 were postponed to a later session because the parties failed to reach a compromise (the only mediation that led to a solution was in Bujovu, where the decision was largely imposed by the village chief).

53 E. Mongo, A. Nkoy Elela and J. Van Puijenbroek (2009). *Conflicts fonciers en Ituri : Poids du passé et défis pour l'avenir de la paix. Haki na Amani et IKV, Pax Christi, Bunia*. December.

54 S. Candeias (2010). *Op. cit.*, pp. 67-68.

55 *Ibid.*, pp. 74-75.

56 Mediation is understood as the use of a third party to help the parties in a dispute reach a negotiated solution, while conciliation refers to the intervention of a third party whose job it is to propose a solution. Both terms should be distinguished from arbitration, where a solution is imposed on both parties.

57 A woman had three children with a man to whom she was not legally married. She left the father's home because he suffered from neuropsychological problems. She is now remarried and would like to place her children in the care of their natural father, who so far has never been responsible for them. The mediation took place following an administrative decision to place the children in his care. The village leader who had taken this decision was present during the mediation session. He spoke several times in order to reassert the decision taken, while the father's family complained they were given no opportunity to speak. At the end of the session, the children (in tears) were entrusted to the father's family. This episode was observed during a mediation session in Bujovu (Goma) in June 2010.

The IFDP (*Innovation et Formation pour le Développement et la Paix*) initiative, which approaches land transactions in terms of their normative and social dimensions, offers interesting perspectives on how to overcome these shortcomings. In its programme, IFDP combines activities to encourage the restoration of trust via “socio-therapy” with the development of negotiated land practices. The GRFs (*Groupes de Réflexion sur les Questions Foncières*) bring together representatives from the population and the authorities in collaborative structures where participants reflect together about land practices and norms, and propose solutions to the conflicts affecting their community.

c. Durability of decisions and structures

As mentioned, mediation is designed to reach a solution with no coercive force other than respect for what each party has to say. The durability of any agreement will largely depend on the parties' level of satisfaction with regard to the solution.

According to remarks made by the coordinator of the CDJP (*Commission Diocésaine Justice et Paix*) in Butembo, one-third of all mediations led by the commission there fail. For him, this failure reflects the tendency to use the different judicial and non-judicial mechanisms in competition with one another, and also reflects the competition between an approach based on restoring community links and an individual approach based on defending each party's own interests.

The fragility of the decisions to emerge from mediation, which is based on the free involvement of all parties, encourages many members of civil society to seek ways to make these decisions last. This includes the formalisation of the decision in a document signed by both parties and the mediators, and sometimes the validation of this document by one of the authorities (customary or administrative). UPDI (*Union Paysanne pour le Développement Intégral*) has put in place a system to validate decisions via the Kavuma *Tribunal de Grande Instance* (high court) in Kalehe territory.

This desire to formalise decisions comes against a backdrop of major institutional insecurity that is marked by a wide diversity of conflict-management institutions and mechanisms; this encourages clientelism in the justice system. The legal duality that results from Congolese legislation favours a situation whereby the country's norms – and the institutions that govern them – are pitted against one another. Meanwhile, it is the population that both suffers and exploits these contradictions.

In the case of a dispute, the parties will employ the strategy that promises to secure them a victory at the lowest possible cost. The primary motive that will encourage them to use the frameworks put in place by civil society is that they are free. The result is that ‘if people have some financial means and want to win against their adversary, they'll go to the courts’.⁵⁸

The question of the durability of decisions made by extra-judicial bodies affects both the customary authorities and civil society organisations and both seek recognition by the judicial institutions of their mediation structures and decisions. Some people we spoke to would like to see recourse to mediation made obligatory as an initial step: ‘A sentence, even if is just, can be invalidated by a corrupt justice system. The population shows contempt for the mediation structures by not responding when they are summoned, by skipping certain stages, or by bringing cases to the courts when the civil procedure had already begun. Once a court hearing is arranged, the civil structures are requested to relinquish the case’.⁵⁹

Although the civil society organisations that operate in the same locality know one another, there are no measures in place to prevent the population employing “wandering” tactics. A single individual can bring a case before the CJP (*Commission Justice et Paix*), Arche d'Alliance and AAP.

58 Interview with customary leader, Masisi, July 2010.

59 Interview with traditional judge, Lubero, September 2010.

This is also true for the international organisations and governmental structures. The STAREC programme is installing permanent local conciliation committees that include mediation for land-related conflicts, while the Ministry of Agriculture is preparing to put in place agricultural land committees in the same localities via the *Conseil Agricole Rural de Gestion* (rural agricultural management council).

In some of the localities visited, the administrative and customary authorities collaborate, although once again this depends entirely on the goodwill of the people involved. In Lubero, some village chiefs are using the expertise of paralegal experts from SYDIP and integrating them into the traditional conflict-management structures. But while in general the customary and administrative authorities accept the civil society initiatives, these initiatives are widely perceived by the police, the courts and the land registry as depriving them of work (even though the law provides for recourse to conciliation). This resistance by civil servants, and magistrates in particular, can be read as part of a professional culture in which positive law takes precedence over all other normative sources and in which corrupt practices are rife.

The durability of decisions made during mediation is also undermined by the fragility of the civil society structures that are responsible for their implementation. Most of these local structures are satellites of civil society organisations established at a provincial level. Very often, those responsible for local conflict-management activities neither initiate nor manage these projects. The system of tutelage has given the population an image of these structures as offshoots of the overseeing organisations rather than as community structures. The durability of their initiatives often therefore depends on the durability of the financing that keeps them afloat. What then is the value of an agreement reached via a structure that no longer exists?

d. Limits of mediation

Although mediation has always been used in the DRC, we are now seeing a proliferation of such structures. The increasing interest in extra-judicial conflict-management mechanisms seems to coincide with greater consideration by governmental bodies and international organisations for local conflict dynamics.⁶⁰

The findings from our inventory of actors and initiatives in the peace sector show that a majority of civil society organisations are active in the management of everyday disputes related to land conflicts or family feuds: illegal sale and occupation of land, conflicts related to the return of displaced persons and refugees, disputes between pastoralists and farmers, feuds over succession and inheritances, family abandonment, marital separations and infidelity.

The concentration of conflict-management initiatives around land- and family-related issues can be explained by the number and intensity of these conflicts, as well as the lack of skills and resources in civil society to tackle more complex conflicts.

In Masisi, land conflicts are situated at the intersection of political and identity-related dynamics. They are mainly linked to the fact that the State awarded major concessions to the detriment of small-scale farmers. This followed a practice that excluded so-called “foreign” (or ‘immigrant’) populations from having access to land, as customary chiefs gave preference to those who belonged to their own ethnic group and who recognised their authority. So the attribution of land was a means for those in power to forge new alliances, while recourse to the law was a means for the so-called “foreign” populations to gain access to land.

⁶⁰ This “consideration” must nonetheless be seen in light of the specific post-conflict context of land dispute management. In the DRC, this approach involves concentrating the initiatives of international organisations around the resettlement of displaced persons and refugees.

Although local conflict management can act as an obstacle to the political exploitation of certain disputes and can prevent an increase in violence, the contribution of local conflict-management mechanisms to addressing the more structural aspects of violence is limited. Worse still, by offering a solution that is “acceptable”, mediation can contribute to the legitimisation of unacceptably inequalitarian relationships. The strongest members of society (who have the law on their side, support from the authorities, or considerable social or economic status) impose their will on the weakest. During the preparations for a mediation observed in Ituri, one of the two parties called for the intervention of politicians from their ethnic community, explaining that on their own they would not carry sufficient weight to proceed.

The complexity and multitude of issues and people involved in Congolese conflicts mean that they extend beyond local mediators to people not living in the community and to questions that go beyond purely local issues.

However, the field research shows that beyond the local conflict-management structures, there are other mediation initiatives in which decision-makers participate. The FEC’s conciliation chamber in Butembo claims that it resolves more cases than the judicial courts.⁶¹ And during the war, tribal solidarity groups⁶² helped armed factions to enter into negotiations.⁶³ In North Kivu, finally, in an urban context of significant ethnic diversity, inter-community *Barzas* brought delegates together from the different ethnic groups, thereby facilitating a rapprochement between communities in conflict following the serious ethnic violence that affected the province in 1993.⁶⁴

However, these structures do not escape the power struggles witnessed across society and are in fact largely perverted by them. Even though the tribal solidarity groups and the FEC are respected and heard, and even though they have the authority to impose decisions on their members, the logic behind these decisions is dominated by the need to defend corporate, tribal and political interests, rather than the search for fairness and reconciliation. In Butembo, the elderly businessmen who preside over the Council of Sages in the FEC’s conciliation chamber are part of a familial capitalism based on the allegiance that younger members of society owe to their elders, who supported and financed them in the early stages of their careers.

2. From research to participatory governance

This section presents the analysis of three research experiences by three different partners of the Life & Peace Institute:⁶⁵ *Action pour la Paix et la Concorde* (APC),⁶⁶ *Union Paysanne pour le Développement Intégral* (UPDI),⁶⁷ and a joint initiative (known as TRIO) by *Action pour le Développement et la Paix Endogènes* (ADEPAE), Arche d’Alliance and *Réseau d’Innovation Organisationnelle* (RIO).⁶⁸

61 Interview with a representative of the FEC, Butembo, September 2010.

62 The tribal solidarity groups were set up under Mobutu with a view to bringing influential people together so that they would defend the interests of their community before the political institutions, but also with a view to bringing the community conflicts under control.

63 H. Morvan (2005). Op. cit.

64 P. Clark (2008). *Ethnicity, leadership and conflict mediation in Eastern Democratic Republic of Congo: The case of the Barza Inter-Communautaire*, Journal of Eastern African Studies, Oxford, Vol. 2, N°1, pp. 1-17.

65 The LPI (Life & Peace Institute: <http://www.life-peace.org>) is an international ecumenical research and action institute operating in the peace sector. It was founded in Sweden in 1985 by the Swedish Ecumenical Council.

66 APC (Action pour la Paix et la Concorde) is an NGO that works towards the transformation of conflicts.

67 The UPDI (Union Paysanne pour le Développement Intégral) is a peasant union that brings together 33 groups which in turn represent 598 different grassroots organisations with some 15,000 members. The UPDI operates in South Kivu and is a member of FOPAC/Sud-Kivu, an umbrella body for 10 peasant unions.

68 ADEPAE is a peace and development NGO. Its head office is located in Bukavu, but it also operates in the Fizi, Kalehe and Uvira territories. Arche d’Alliance, whose head office is in Uvira, is an NGO working for the promotion and defence of human rights; it is active in the Fizi and Uvira territories. RIO is attached to the Congolese Church of Christ (ECC), whose services it seeks to reinforce at an organisational level; it also works towards the transformation of conflicts. It operates in the Uvira, Fizi, Kabare and Mwenga territories, and has its head office in Bukavu. The collaboration between these three organisations, known as TRIO, is intended to give their initiatives a multiple identity so as to avoid being seen as the work of a single ethnic group.

Following a brief presentation of these initiatives in Boxes 1, 2 and 3, the section provides a comparative analysis of how they were implemented. This will focus in particular on the process by which those involved in the conflicts took on board the research findings, as well as the modus operandi of the structures set up to make these findings operational.

By comparing these three initiatives, the chapter also provides an insight into the stages by which the method of intervention (participatory action-research) is formalised. While the experiment carried out by UPDI in 2008 was based on the results of a qualitative study involving ten researchers from partner organisations, the work presented by the TRIO in 2010 is the product of two years of research that benefited from contributions by those engaged in conflicts, including armed groups.

a. Knowledge underpinning dialogue

Access to information is a major issue in the DRC.⁶⁹ Partisan positions, fears, prejudices and rumours dominate analysis of the country's conflicts, and as a result any capacity to make coherent and concrete proposals must be built on a better understanding of the problems facing the population.

By placing the communities affected by conflict and their experiences at the centre of knowledge production, these three experiments aim to help those actually involved to better understand the dynamics of the conflicts they face, and thereby encourage them to adopt a proactive and responsible approach to finding appropriate solutions.

Box 1: Roundtable on violence and insecurity in Nindja/Kaniola

The research carried out by UPDI on the attacks perpetrated by the "Rastas"⁷⁰ in Kaniola and Nindja in South Kivu was an effort to provide a response to the suffering experienced by UPDI members at the hands of this group. This coincided with the request by the Protection Cluster,⁷¹ which was concerned by the recurring violence in this area and wanted to better understand the underlying causes.

With support from the Life & Peace Institute, UPDI undertook an eight-month on-site research project that involved interviewing more than 200 people at a local and provincial level. This detailed work allowed UPDI to develop precise knowledge of the political, social and economic dimensions of the Rasta movement, and to understand the different perceptions of this "phenomenon",⁷² as well as the role played in the perpetuation of the violence by the many people involved (local population, local and provincial authorities, businessmen, and national and international representatives).

In January 2008, a roundtable was organised in Bukavu for those identified as being involved (representatives from local communities, customary authorities, political and military authorities from the province, and members of the UN peacekeeping mission, MONUC).

⁶⁹ International Alert (2007). *Les mots qui tuent : Rumeurs, préjugés, stéréotypes et mythes parmi les peuples des pays des Grands Lacs d'Afrique*. London.

⁷⁰ The Rastas refers to an armed group that attracted attention in South Kivu when it carried out a series of particularly violent massacres between 2005 and 2007. Research carried out by the UPDI shows that the Rastas are FDLR deserters (who no longer have any military or economic ties to the FDLR) who teamed up with former Mai-Mai. At the time of the study, the group was estimated to have eight members; see Life & Peace Institute (2009). *Violence et Insécurité à Nindja/Kaniola : Le phénomène Rasta*. Uppsala, pp. 32-35.

⁷¹ The "Cluster approach" is a mechanism for humanitarian coordination that was established as part of the humanitarian reforms of 2006. Protection Clusters bring together UN agencies and NGOs (both national and international) active in the domain of protection.

⁷² The study uses the term "Rasta phenomenon" to emphasise the multidimensional consequences of this group's presence, and also to highlight the social, political and security conditions that allowed this violence to emerge and be perpetuated. See: UPDI (2009). *Op. cit.*, pp. 9-11.

Box 2: Roundtable for peace and security in the Kalehe territory

In March 2009, the Congolese authorities announced their decision to launch a military operation known as Kimia II against the FDLR. Five brigades were to be deployed to Bunyakiri in South Kivu. The number of soldiers deployed (with no logistical planning), the internal tensions due to former members of armed groups recently at war operating together within the military brigades (with no integration process), and the lack of strategic planning all led to abuse on a massive scale of the civil population by the armed forces. At the same time, the hunt for the FDLR and their subsequent flight involved attacks on civilians, which in turn provoked massive displacement towards the commercial centres and the main road in the area.

This period coincided with APC (*Action pour la Paix et la Concorde*)'s finalisation of its detailed analysis of the security situation in the Kalehe territory.⁷³ This analysis, which was carried out between October 2008 and February 2009, was based on interviews with civilians and the authorities and focused on the dynamics of cohabitation between civilians and armed groups, as well as land- and identity-based conflicts.

Conscious of the major security risks associated with the deployment of Congolese troops, but also of the need to act in order to retain the trust of the people they had interviewed during their research, APC decided to organise a roundtable on the security situation. Although the need to intervene was quickly apparent to the APC members, the process that led to the roundtable required significant lobbying, targeting donors as well as the province's political and military authorities, who were anxious about committing themselves on such a sensitive issue.

The roundtable, which was held over two days in July 2009, brought together political, military and customary authorities, as well as members of civil society. The aim was to inform the population about the objectives and developments of operation Kimia II, help improve relations between civilians and the military, and encourage the involvement of diverse groups in the protection of the civil population.

Box 3: Inter-community dialogue in the Uvira and Fizi territories

From 2007 to 2009, ADEPAE, Arche d'Alliance and RIO, with support from the Life & Peace Institute, collaborated on a participatory action-research project in the hope of better understanding the causes and dynamics of conflict in Uvira and Fizi territories in South Kivu (affected by recurring violence since the 1960s) and encouraging the different communities to participate in finding local solutions.

During this period, researchers from the three organisations carried out interviews with members of the Fizi and Uvira communities. The first series of interviews included people living in these territories, as well as some who had been "delocalised" to Kinshasa, Goma, Kigali, Bujumbura and Tanzania. So as to better understand the local conflict dynamics, which included the endemic presence of armed groups, the research team decided to focus on the Ruzizi plain, and the mid- and high-plateaux of Fizi and Uvira where these armed groups and communities in conflict are located.

The focus of this research on the local actors and dynamics gave the communities a unique chance to speak about their experiences of the conflict, thereby making it possible to trace the local histories of those involved and help them come up with possible solutions.

The participatory action-research process reached its close with an inter-community dialogue (DIC) organised in March 2010. The objectives of this dialogue were to create a meeting space for the four main communities in conflict in the Uvira and Fizi territories – the Babembe, Bafulero, Banyamulenge and Bavira⁷⁴ – and to help them develop mechanisms to overcome their differences.

⁷³ Action pour la Paix (2009). *Analyse du contexte du territoire de Kalehe*. Unpublished research report. Life & Peace Institute: Bukavu. This contextual analysis was an introductory stage in a wider process (participatory action-research) that is currently being finalised.

⁷⁴ Each community had 15 representatives (chosen by their community according to their influence and the level of their participation in the research); added to these 60 people were representatives from the public authorities, civil society and the international community.

Conditions for dialogue: Knowledge as a tool for action?

The population's participation in the research

For all five organisations, the presentation of the research findings was the trigger for starting discussions going beyond self-evident truths and preconceived notions. During the roundtable on relations between civilians and the military organised by APC, the researchers borrowed and reformulated the opinions expressed by the population, which provided them with the necessary confidence and credibility to enter into balanced dialogue with the military authorities.

Furthermore, the participatory nature of UPDI's presentation of the findings '... gave this work a credibility and legitimacy that were decisive in order for the authorities to take the findings on board'.⁷⁵ However, this participatory quality was limited on the one hand by the sensitivity of the issue, which at times forced the researchers not to disclose the objectives of their work to those being interviewed, and on the other by the violent and clandestine nature of the Rasta group, which made it impossible to carry out interviews with members of this group.

The participation in the research process by those affected by and involved in the conflicts in Uvira and Fizi was done most systematically by the TRIO.

After the data collection and before the inter-community dialogue, 16 intermediary sessions involving homogeneous groups were organised in order to present the findings. These sessions made it possible to validate the provisional findings at a local level. They were conducted by moderators from within the communities who were trained in facilitation and mediation techniques. With a view to reducing any obstacles thrown up by existing conflicts within the community, intra-community meetings were organised between the armed groups and ethnic communities (in whose interests these groups claim to act). These meetings allowed each community to develop the claims and grievances they wished to express to the other communities.

This stage, which preceded the roundtables, was not simply about gathering data, but also designed to gain the trust of the different people involved and ensure that the roundtables took place in a spirit of dialogue already instilled in the communities.⁷⁶

Despite this long participatory process, the validation and appropriation of the research results by those involved in the inter-community dialogue was hampered by major obstacles.

Caught between the urgent need to act and changing perceptions

The coincidence between the end of the research and the rise in instability and attacks in Bunyakiri, created the right circumstances for discussions focused on action. In contrast, by focusing on the deeper causes of conflict, and in particular on the political and identity-related aspects, the research on the conflict dynamics in Uvira and Fizi territories met with opposition when it came to finding common ground.

APC's knowledge of local conflict dynamics and its lengthy experience in the area gave it legitimacy to approach the authorities. The organisation's contact with the provincial authorities was helped by the fact that in 2003 (when it was part of PADEBU)⁷⁷ it was already involved in brokering a local peace agreement between the RCD (Rassemblement Congolais pour la Démocratie) and the Mai-Mai (the so-called Kashewe Accord). Faced with a deterioration in security and the many reports condemning attacks on civilians⁷⁸ committed by the country's armed forces, the authorities were in need of outside intervention.

75 A. Bilak (2009). 'La société civile face à l'Etat : Vers une transformation positive des conflits', in (under the direction of) T. Tréfon, *Réforme au Congo : Attentes et disillusiones*. Cahiers Africains, L'Harmattan, Paris n°76, September 2009, p. 165.

76 Interview with head of mission at the LPI, Bukavu, October 2010.

77 Platform for development associations in Bunyakiri.

78 Weekly report on humanitarian situation, April, May and June 2009. See <http://www.rdc-humanitaire.net>.

Already on the last evening of the roundtable, the Brigade Commander organised field visits to question military personnel seen armed in public.

Contrary to APC's experience, the research became an obstacle during the inter-community dialogue (DIC). The organisers came up against the refusal of certain participants to validate the research report. This refusal was expressed by leaders of the Banyamulenge community,⁷⁹ who felt that the report was biased against them.

This might be interpreted as the refusal of political leaders who see their interests threatened by the publication of a report revealing the violence committed by the movement they represent and for which, in a pre-electoral context, they are not willing to shoulder responsibility. It might also be their way of saying that they feel their history has been overlooked. Although the report by TRIO⁸⁰ offers considerable information about the recent causes and dynamics of the conflicts in question, their historical origins, and in particular the role played by waves of migration, remain little understood and under-reported.⁸¹

The historical imbalance between the two periods is the result of the methods used for the transmission of knowledge – based on interviews with first-hand witnesses of events – but is also due to the population's limited knowledge of history. This is particularly true of those living in difficult-to-access localities where access to information and education is limited.

The actors' short-term memory can have serious repercussions for the understanding of the dynamics of conflict. For the Banyamulenge politicians, their involvement in armed movements (AFDL, RCD and FRF) was the result of a policy of marginalisation that is part of their long history. By truncating this history, they would argue that the research denies the legitimacy of their struggle.

The analysis of UPDI's experience, finally, can be located at the intersection between these two experiences. The research was motivated by the urgent need to act after the attacks on civilians in Nindja and Kaniola. However, the roundtable took place in February 2008 during a period of relative calm, when the population had not been the victims of violence for some ten months.

The first day of discussions, devoted to the causes and consequences of the Rasta phenomenon, provoked intense debate about the responsibility of the different protagonists in the perpetuation of the violence. The debate was especially virulent when it came to defining the Rasta group.

For most participants, the focus on the Rasta epiphenomenon obscured the deeper causes of insecurity in Eastern DRC, which they identified as the presence of foreign armed groups and the illegal exploitation of mineral resources. The research was therefore seen as a means to relativise the violence committed by the FDLR and implicitly support their increasingly settled presence in the DRC. Such a reading is reinforced by the context in which the roundtable took place, coinciding as it did with the Joint Nairobi Communiqué and the Conference on Peace, Security and Development in the Kivu regions, which addressed the FDLR question.⁸²

Like the organisers of the DIC, the organisers of the roundtable on the Rasta phenomenon, after failing to reach consensus on the research findings, decided to focus their attention on what

79 It should be noted that apart from the Banyamulenge community, which was represented by two national political figures, only the Babembe had a delegate in Kinshasa.

80 ADEPAE, Arche d'Alliance and RIO (November 2009). *Au-delà des groupes armés : conflits locaux et connexions sous-régionales : l'exemple d'Uvira et Fizi/Sud-Kivu* (provisional report). Bukavu: Life & Peace Institute. The results of the participatory action research done by ADEPAE, Arche d'alliance and RIO have been presented during the inter-community dialogue in March 2010. After this meeting, a provisional research report was sent to the representatives of each community for feedback and comments. Given that there is no final report, we are referring to the version that was forwarded to the people who participated in the dialogue for feedback.

81 Four pages of the provisional report focus on the period from 1918 to 1992 (including the question of migration, the rebellion of 1964 and the controversy surrounding nationality), whereas the period from 1993 to 2009 is dealt with in over more than 50 pages.

82 UPDI (February 2008). *Compte-rendu de la table ronde sur « la Violence et l'Insécurité à Nindja/Kaniola : le Phénomène Rasta »* (internal report), Bukavu.

common ground there was.⁸³ This approach allowed them to re-open discussion spaces and focus efforts on the search for functional solutions.

The exhaustive nature of the information gathered, the identification of the roles and responsibilities of the different people involved, and the specific nature of the problem being addressed formed the basis for open dialogue that could lead to practicable solutions. The exchanges and workshop group sessions in the case of the DIC made it possible to develop possible paths towards conflict management related to transhumance, and also develop plans to create an observatory of governmental action in the Fizi and Uvira territories.⁸⁴

However, the difficulty in finding common ground is proof of the persistence of inward-looking interpretations of events: 'Each community tends to dwell on the violence its members have suffered. The only victims are those in the community; the brutality inflicted on other groups is systematically eluded. Each community constructs an inward-looking interpretation of events. These parallel memories become both a symptom of and a factor in community protectionism, which acts as a considerable hindrance to discussion platforms'.⁸⁵ From an operational point of view, this raises the question of how the research (and the dialogue initiatives that emerge from it) can facilitate the long process of changing perceptions. Beyond the urgent context that forces actors to look for immediate solutions, how is it possible to tackle the deeper causes of conflict?

Knowledge-building: To integrate or disassociate research analyses?

Beyond the question of validating the research on conflict in Uvira and Fizi territories, the difficulty in finding a compromise based on the report is an illustration of the fractured interests and fractured society that separate the Congolese elite (urban and educated) from its base (rural and largely illiterate). The leaders from the different communities in Kinshasa have now seized the report in order to add to it those elements they feel it is lacking, and are even ready to make use of archives housed in Belgium to do so. This appropriation of the report runs the risk of turning it into a political instrument rather than a tool by which to transform the conflicts it analyses.

However, even before politicians became interested in the research, the redaction and validation stages had already indicated that a distance was being maintained between the research and the community, as three university professors were asked to validate the report and bibliographical references were included to compensate for the "lacunae" left by the communities.

Similarly, during the roundtable on the Rasta phenomenon, the absence of consensus on the nature of this group was seen by the organisers as a form of resistance by the victims of FDLR violence to any acceptance of the researchers' conclusions. The resistance to UPDI's research findings is an expression of the chasm that separates real-life painful experiences from the neutral and distant tone of the researchers.⁸⁶

Because the written research renders the orality of the interviews static, because it translates the language of the communities into that of the researcher, because it tries to reconcile a diversity of viewpoints, and because it rationalises the suffering experienced by people, it creates a distance between the actors and victims of the conflict and the researchers. In the case of UPDI, it is interesting to note that behind the scenes, most participants validated the research findings.

What then is the best strategy for tackling the heterogeneity of these communities? How is it possible to reconcile the diverse interests and experiences of those in conflict? Given the fragmented

83 The facilitator of the roundtable on the Rastas mentioned another obstacle to discussions: the direct call on intellectuals to face their responsibility in the search for solutions and move beyond divisive talk of conspiracy.

84 ADEPAE, Arche d'Alliance and RIO (March 2010). *Rapport du dialogue intercommunautaire entre les communautés des territoires d'Uvira et Fizi* (internal report), Bukavu.

85 W. Barnes (March 1999). 'Kivu : L'enlèvement dans la violence'. in *Politique Africaine*, Karthala, Paris, n°73, p. 134.

86 UPDI (February 2008). *Compte-rendu de la table ronde sur « la Violence et l'Insécurité à Nindja/Kaniola : le Phénomène Rasta »* (internal report), Bukavu.

perceptions and knowledge of the different groups that make up these communities, how best to accompany them in their search for a common strategy to overcome the conflicts that divide them?

b. Experiences of participatory local governance

The first section of this chapter outlined the opportunities for dialogue created by the research. This section focuses on the ways in which local actors are trying to make the achievements of this dialogue last by establishing permanent consultation frameworks.

At the close of the dialogues,⁸⁷ the participants from the three initiatives agreed to set up commissions to monitor the recommendations made:

- Theme-based commissions, and later the UPDI permanent peace centres (CPPs);
- The APC mixed commission for protection and mediation between civilians and the military; and
- The TRIO inter-community consultation frameworks (*Cadres de Concertation Intercommunautaires* – CCI).

The role of these commissions/frameworks is to help with the application of the recommendations made and ensure all actions are properly carried out.

Choosing the commission members: Masculine legitimacy

The main criterion for choosing members is representation, for which the criteria vary according to the objectives of each activity.

For APC and UPDI, whose commissions' mandates are mainly related to improving security, the main figures judged to be representative were the security services, the administrative and customary authorities, MONUC⁸⁸ and representatives of the population (the victims of insecurity). As well as representation, it was important to identify decision-makers who would be capable of making commitments on behalf of the institution they represent. For this reason, the organisations insisted that those identified should not seek to be represented by others. In the case of APC, this stipulation is combined with measures designed to ensure information can be handed over in the event of a person changing posts.

In terms of the CCIs,⁸⁹ the organisers emphasised the inclusive nature of the commissions and the legitimacy of their members. These commissions include representatives seen as legitimate within their respective ethnic communities. In the case of Uvira, the choices made by the communities seemed to tend towards persons of influence such as former dignitaries, who would be able to represent the interests of their communities. The 13 people selected in Uvira include two former deputies, a former administrator and representatives from tribal solidarity groups. For communities with two representatives, the choices reveal a desire for balance between the different, mainly political, sensitivities that mark the community.

Finally, it is striking to note the almost total absence of women from these commissions. This reflects the fact that despite campaigns and other actions in favour of their participation, without further incentives, women remain removed from the decision-making spheres.

⁸⁷ The "dialogues" here refer to the roundtables organised by the UPDI and APC, as well as the inter-community dialogue organised by ADEPAE, Arche d'Alliance and RIO.

⁸⁸ The UN peacekeeping mission in the DRC was called MONUC until July 2010, when its mandate changed to one of stabilisation and protection of civilians; this change was marked by a new acronym: MONUSCO. We will use one or either acronym, depending on the period being referred to.

⁸⁹ Four consultation frameworks have been established; their locations depended on the location of the communities affected by the conflict (Uvira, Baraka, Minembwe and Bukavu).

The absence of women in the APC and UPDI commissions can be explained by the fact that they rarely occupy posts of significant responsibility (particularly in the security sector). For the CCIs associated with the inter-community dialogue (where the selection of members was made on the basis of legitimacy), this absence shows that women are not considered to be legitimate or capable of defending the community's interests.⁹⁰

Functionality: Lessons learned from UPDI's experiences

Box 4:

Five commissions were set up at the end of the workshop organised by UPDI in January 2008, with each one addressing a specific problem analysed as a factor in the perpetuation of the violence committed by the Rastas against the people of Kaniola and Nindja.

The main aims of these commissions were to help eradicate the complicity between the Rastas and the local communities, improve the impact of military operations against the armed groups, reinforce the protection of civilians by MONUC, and also restore the leadership of local leaders.

An evaluation of the work carried out by the UPDI commissions showed that despite having a clear action plan, these structures encountered major operational difficulties due to their dependence on the goodwill of their members.

In December 2008, ten months after they were set up, UPDI and commission members decided to restructure the monitoring commissions.⁹¹ This process was due to the difficulties related to the participation of the authorities. The irregular presence (or absence) of the authorities at commission meetings prevented the other members from taking decisions, but even when present, their participation was an obstacle to the smooth running of these structures. Some people found it difficult to express themselves in the presence of the authorities, who in some cases were their hierarchical superiors. To cope with this problem, it was decided to replace the five theme-based commissions with local committees known as permanent peace centres (CPPs). These are committees with limited powers that bring together local leaders from the zones affected by the Rastas. This restructuring process aimed to compensate for the obstacles associated with the chiefs' participation, and also encourage the local community to take on board the dynamics of peace in a more lasting manner.

The restructuring also saw a revision of the local committees' role in relation to their members' competence, their capacity for influence and their decision-making powers.

The CPPs are in charge of restoring social cohesion between the populations in Nindja and Kaniola (the two localities suspect each other of complicity with the Rastas and FDLR, the groups responsible for attacks in the area) and developing mechanisms to improve security.⁹² To do this, the CPP members are lobbying decision-makers to defend the interests of the community and are participating in security meetings.⁹³ Their actions have notably helped reduce the harassment of civilians by soldiers. Finally, thanks in part to a lull in security risks, the CPPs have contributed to the return of customary chiefs and a corollary reduction in the confusion generated by the presence of "interim interim" customary chiefs.⁹⁴

⁹⁰ It should nonetheless be noted that the DIC organisers plan to hold a second dialogue session for women in order to balance out the composition of the CCIs.

⁹¹ UPDI (December 2008). *Rapport de l'atelier d'évaluation des commissions de suivi des recommandations de la table-ronde* (internal report), Bukavu.

⁹² An example of such mechanisms are the local vigilance committees, an initiative of the governorate, but widely adopted by the population. These committees are made up of civilians and are intended to alert the military of any attacks using whistles and bells; the people we met in Kaniola and Nindja suggested this initiative was more effective than the armed forces or MONUC in protecting the population from Rasta attacks.

⁹³ The security meetings are non-institutional frameworks for the exchange of information between those involved in security (political and military authorities, and occasionally representatives from civil society). These meetings are held once a month at a provincial level and weekly at a local level (chiefdom and territory). This initiative depends on the national security council, which in turn answers to the office of the President.

⁹⁴ The research carried out by the UPDI showed that the political vacuum created by the departure of leaders following the violence profoundly destabilised those communities whose leaders had been monitoring tensions within the community and informing the administrative and military authorities about the security situation in their area.

However, the alliances created between the CPPs and the authorities have encouraged a trend whereby certain people behave as informers in the service of these authorities.⁹⁵

In May 2010, just over a year after the CPPs were set up, UPDI began a process of disengagement.⁹⁶ This took shape in July with the drafting of articles of association and an action plan for 2010–12 that was prepared by CPP members and presented during a meeting in Kaniola the same month.⁹⁷ This action plan focuses on operational documents, board meetings, and the details of running a permanent structure, but fails to define the actions to be taken.

Although it is the most well documented, the experience of UPDI is by no means unique. The observation of the consultations established by APC and the TRIO⁹⁸ revealed the same symptoms:

- A tendency towards formality that undermined the framework's capacity for action;
- Fraught participation of the authorities: the chairman of the commission put in place by APC was transferred, and since this change the delegates claim that meetings have been irregular. The chairman of the CCI in Baraka also left his post due to other official commitments;
- Difficulty of members in understanding their role and autonomously initiating actions. In the case of the military personnel who took part in the APC initiative designed to improve relations between civilians and the military, their perception of this process seems differ considerably from that of the organisers. For APC, it was a question of reducing army attacks on civilians, but the military personnel saw the primary objective as strengthening collaboration between civilians and the military in the interests of the latter. During the interviews conducted in Bunyakiri, the military cited as an example of “good collaboration” the fact that with the help of the authorities, the Congolese armed forces (FARDC) were recruiting civilians to act as scouts in missions against the FDLR.⁹⁹

Moving beyond the initial drive: Adopting the dynamics and making them last

Accompanying the local commissions

The commissions that emerged from the three dialogue initiatives have stimulated innovation, decision-making and concrete actions that were jointly planned by both decision-makers and the population. ‘A representative of State authority at a local level can be a much more strategic vector for change than a senior figure, as they sometimes enjoy a greater capacity to mobilise people’.¹⁰⁰ This practice is part of the make-do approach that is “facilitated” by the State's disengagement from matters like health, education and even security and which forces the population to come up with and develop its own solutions. This experience now represents a real opportunity for the people to capitalise on the (as yet hypothetical) process of decentralisation.

The interviews show that the work done by civil society facilitates action in areas where the authorities are deficient. ‘The research has shown the role played by everyone in the perpetuation of the violence, and therefore the need to involve everyone in the search for solutions. Prior to the action of UPDI, there was no action and the people felt like hostages’.¹⁰¹ This feeling is even stronger in areas like Kaniola and Nindja, where the customary authorities and church representatives, the community's main moral references, fled during the period of insecurity.

However, beyond this initial drive, civil society encounters major difficulties in generating a more long-term dynamic and encouraging its adoption both by the authorities and the local population.

⁹⁵ UPDI (December 2009). *Rapport d'évaluation des CPP* (internal report). Bukavu.

⁹⁶ UDPI (May 2010). *Rapport des activités de désengagement d'UPDI* (internal report). Bukavu.

⁹⁷ Observation of a meeting at which the CPP action plan was presented (Kaniola, July 2010).

⁹⁸ However, it would be premature to draw any conclusions about the running of the CCIs, as they have only been in existence for a total of three months as of time of writing.

⁹⁹ Interviews with civil and military members of the mixed commission, Bunyakiri, July 2010.

¹⁰⁰ A. Bilak (2009). *Op. cit.*, p. 167.

¹⁰¹ Interview with village leader, Kaniola, July 2010.

A major weakness can be observed in all of these initiatives: a lack of investment, both in terms of time and financial and human resources, to accompany these structures as they seek to adopt the dynamics put in place and make them last. As a result, the organisations supporting these initiatives, and who are pressed for time, tend to focus on the institutionalisation of structures or seek new financing to make operations last.

After a few months in existence, the civilian-military commission was taken over by an UNHCR programme, which turned the individual commissions into mediation structures designed to support the return of refugees. In the absence of clear channels of communication, this change in status runs the risk of sowing confusion among commission members, who are being asked to “own” this new dynamic. Furthermore, the return of Rwandophone refugees to Kalehe takes place in a climate of inter-ethnic tension that risks undermining the APC initiative, which the population (who raised this fear during the roundtable)¹⁰² may see as a way of supporting a Rwandan presence in Eastern DRC.

The many frameworks put in place by civil society and the failure of the public authorities to adopt these frameworks serve to reinforce the fragmentation and confusion within the decision-making spaces, and cause clashes between decisions made and those working on the ground.

Institutionalisation of a local consultation framework: CARG

The institutionalisation of consultation frameworks represents a unique opportunity for the authorities: by taking over the dynamics and innovations initiated by civil society, they can build more inclusive institutions that are adapted to the needs of the population.

Although it doesn't belong to the participatory action-research we have just presented, the rural agricultural management council (*Conseil Agricole de Gestion – CARG*)¹⁰³ nonetheless provides an interesting example of the institutionalisation of a consultation framework that was initiated by civil society. Furthermore, this example links in with the next section, which offers a more detailed presentation of the process that led to this institutionalisation.

Box 5:

Following the drafting of the agricultural code, FOPAC (*Fédération des Organisations de Production Agricole du Congo*) was entrusted with the task of establishing CARG, in other words, institutionalising the mixed consultation framework for agriculture which FOPAC initiated in 2005.

CARG is a structure for the regulation of the agricultural sector and is run by representatives from the public authorities, the private sector and civil society organisations, including the *Inspection de l'Agriculture*, educational and research institutions from the field of agronomy, peasant unions and the FEC.

Although this structure falls under the agricultural code, its initiators are fighting to preserve its neutral character as a tripartite consultation framework: public authorities, private-sector actors and civil society organisations. 'At the beginning, the public authorities saw it as an office of the governorate or the provincial agricultural division'.¹⁰⁴

The question now is whether the recognition of this framework by the national government will help overcome the difficulties encountered under FOPAC, i.e., 'the rigidity of the public authorities and the exporters, who are not willing to sit around the table and share commercial information with the peasants'.¹⁰⁵

¹⁰² 'Is it not a government policy to force us to abandon our fields to the FDLR so that they can claim citizenship and take over the land we have left behind?' Comments by a workshop participant, in APC (July 2009). *Rapport de la table-ronde sur la paix et la sécurité en territoire de Kalehe* (internal report), Bukavu, p. 20.

¹⁰³ The *Conseil Agricole Rural de Gestion* is a consultation structure that brings together different figures from rural areas, the executive, the (provincial) legislature, the administration, the private sector, the peasant associations and unions, universities and research centres.

¹⁰⁴ Interview with the provincial director of the CARG in North Kivu, Goma, August 2010.

¹⁰⁵ *Ibid.*

Added to the restrictive nature of the institutionalisation of this structure is the fact that its smooth running will depend on its capacity to encourage the active participation of “strong” actors like the public authorities, for whom the regulation of the agricultural sector could represent a loss of earnings.

3. Advocacy: *Forum des Amis de la Terre*

This third and final section focuses on the presentation of just one experience, that of the advocacy work done by FAT – *Forum des Amis de la Terre*.

FAT focused on two types of advocacy: one at a national level (developing the agricultural code) and one at a provincial level (developing an edict on the customary principles of land management). In connection with the previous section, FAT’s experience reveals how this advocacy led to the institutionalisation of the mixed agricultural consultation framework that was initiated by FOPAC in 2005.

a. A fragmented and opaque state regulatory system

The system of patrimonial governance that dominates the DRC is widely seen as being responsible for the emergence and perpetuation of the country’s conflicts.¹⁰⁶ This system has led to the creation of a paradoxical State that is at once strong and weak, potentially rich but poor in effect.¹⁰⁷

The Congolese political model is characterised by a high degree of opacity, in which there is confusion between the public and private spheres, and networks of informal power escape any rational State control.¹⁰⁸ A weak institutionalisation of power and the prevalence of informal methods of regulation are an obstacle to the development and implementation of public policy.

The body politic is organised around clientelistic networks that largely depend on ethnic loyalties. In a climate in which war has led to a resort to identities among a population looking for security and protection, ethnic belonging has become a powerful weapon of mobilisation.

In this context, despite the dramatic consequences of bad governance in the DRC, the role and actions of civil society to influence the authorities remain limited. The difficulty civil society has encountered in trying to influence the development and implementation of policies is largely due to the fragmentation of the spheres of power. Added to this is the fact that civil society suffers from the same conflicts and ills as those affecting the whole of Congolese society.¹⁰⁹ Because it reproduces many of the divisions and polarisations that affect the population, communal action (necessary for advocacy work to be done at a national level) has proven difficult.

As a result, for many actors from civil society, advocacy amounts to increasing awareness among the wider public and the authorities, which never results in any political decisions. In this regard, the experience of FAT is remarkable.

b. Accessing the corridors of power

Founded following the world social forum in Porto Alegre in 2007, FAT defines itself as ‘a space for dialogue and trust-building among the different actors involved in the sustainable and responsible management of natural resources, including land, forestry, water, minerals and other natural resources’. FAT’s operations focus on analysis, dialogue and advocacy on land-related issues.

¹⁰⁶ See A. Bilak (2009). Op. cit.

¹⁰⁷ J.-F. Médart (July 2009). ‘L’Etat patrimonialisé’, in *Politique Africaine*, Karthala, Paris, n°39, October 1990, pp. 25-36.

¹⁰⁸ P. Chabal and J.-P. Daloz (1999). ‘L’Afrique est partie ! Du désordre comme instrument politique’, *Economica*, Paris, pp. 13-28.

¹⁰⁹ J. Gouzou and Y. Van der Schoot (2006). Op. cit., pp. 50-52.

Box 6: Advocacy experience at a national level

The development of the agricultural code lasted for more than two years. It brought together representatives from civil society, including farmer associations and the FEC, government representatives and land and agricultural experts and researchers. The participants in this process included a coalition of peasant associations, all originally from Butembo, made up of FAT, FOPAC and SYDIP.¹¹⁰

The participation of these three organisations in the drafting of the agricultural code came about by their own initiative. When informed of the reforms launched by the Ministry of Agriculture and the absence of small producers at the negotiating table, they sought to be included.

The FAT coordinator, the former executive secretary of SYDIP (who at the time was a provincial deputy) and the executive secretary of FOPAC joined the negotiating table during the fourth phase of negotiations.

Following this phase, FAT, FOPAC and SYDIP organised meetings in each of the North Kivu chiefdoms. They laid out the risks of adopting an agricultural code that mainly favoured large farmers and called for proposals from small farmers to amend the proposed legislation. Two workshops were organised in Goma and Butembo to develop the proposals. The Goma workshop was attended by 120 people involved in land-related issues (technical and administrative services, provincial government, customary leaders, civil society organisations, etc.). It was at this meeting that the idea for the Coalition was developed.

Faced with the absence of alternatives and the informal diplomacy undertaken by the members of the Coalition, the proposals that emerged from these consultation meetings were to play a central role in the drafting process. This participatory approach received particular support from Alain Huart, technical advisor at the Ministry of Agriculture, and the Coalition was rewarded with the presidency of the sub-commission in charge of the land segment of the agricultural code.

At the end of the process, this sub-commission gave FAT the mandate to serve as the government's technical interface for the establishment of agricultural land committees¹¹¹ nationwide, and entrusted FOPAC with the task of structuring the national peasant movement and overseeing the establishment of CARG.

Box 7: Advocacy at a provincial level

FAT was also behind a proposal for a provincial edict aimed at improving land security for small farmers by reasserting the responsibilities of customary chiefs in this regard. The edict provides a general framework that allows each community to follow the specific customary principles that govern them.

This initiative is part of the SYDIP programme which since the beginning of the 2000s has worked towards recording customary principles in North Kivu. This failed in 2000: at the time North and South Kivu were under the control of the rebellion, which disapproved of organised meetings between customary chiefs, but the initiative also failed because these chiefs could not reach a consensus.

¹¹⁰ FAT is a forum for individuals and structures (civil society organisations, customary leaders, elected officials, churches, etc.) that work on land-related issues. FOPAC (*Fédération des Organisations de Production Agricole du Congo*) has a total of 62 member organisations (village-run development associations, agricultural cooperatives, agricultural federations and peasant unions). It is a consultation and exchanges platform for groups of agricultural producers. SYDIP (*Syndicat de Défense des Intérêts Paysans*), which acts to defend farmers' interests, is active in the provinces of North Kivu, Ituri and South Kivu. It includes more than 13,000 farmers, divided into agricultural sector (coffee, food supplies, papaya, fish, quinquina, potatoes, rice, pastoralism and palm oil). SYDIP offers support to farmers, from the selection and production of seed to the processing and trade of their produce.

¹¹¹ The *Comité Foncier Agricole* is a local conciliation body that works on land conflicts. It is worth noting that FAT renamed this committee the "permanent local land commission" (*Commission foncière locale permanente*) in the hope of covering all land-related issues (agricultural and non-agricultural land).

The project to codify customary principles was relaunched in 2004, when a series of consultation workshops for the population and their customary chiefs was organised by SYDIP in the five chiefdoms of the Beni and Lubero territories (Watalinga, Baswagha, Bamate, Bashu and Batangi).

In 2006, the elections that saw the establishment of a provincial government provided an opportunity to get a text on the customary principles of land management adopted by the provincial parliament.

In August 2008 and January 2009, two workshops were organised together with the customary leaders from Beni and Lubero, and later Rutshuru, Masisi, Walikale and Nyiragongo, in order to complete an edict formalising the customary principles.

Following these meetings, the proposals were reformulated and drafted as a piece of legislation. Eleven provincial deputies were briefed before bringing the proposals before the provincial assembly; among them were four customary chiefs. These deputies collaborated with FAT in order to define a strategy to present and defend the edict before the assembly; it was handed over to the assembly in December 2009, but at the time of writing has not yet been examined.

From the bottom up: Local consultations and national alliances

The Coalition's successful access to the corridors of power was the result of a dual strategy that consisted in constantly moving between the political leaders (who pass the laws) and its citizens (who are subject to them); it depended, on the one hand, on the proposals to emerge from the large-scale consultation process, and on the other, on a strong network of allies. 'It must be recognised that this advocacy work emanated from the people. You can see how SYDIP has been mobilising peasants and customary leaders on the land issue for more than ten years now. The texts that were drafted were designed by the peasants, or at least by their representatives that were present in the various forums and workshops'.¹¹²

Even though the text has not yet been promulgated, the Coalition has launched a project to make it available to the wider public in the hope that they will approach the deputies during the parliamentary break and ask them to adopt it quickly. The customary leaders have also signed a commitment to respect the content of the edict and make it widely available.

FAT and FOPAC, who deemed the land issue to be sufficiently urgent in North Kivu, are not waiting for the agricultural code to be adopted before launching their operations. Together with CARG,¹¹³ FAT organised a series of meetings to heighten awareness of the two texts and expect the agricultural land committees to be set up by the end of 2010. On the ground, however, this initiative has come up against the problem that was highlighted in the previous chapter: the large number of consultation frameworks,¹¹⁴ which all depend on the same bodies (customary authorities), deal with the same question (resolution of land-related conflicts) and employ the same methods (mediation or conciliation).

While the work done on the ground by FAT, SYDIP and FOPAC was crucial in the development of the land code, they in turn depended in large part on a network of allies referred to as "alert mechanisms".

These allies, based in Kinshasa, facilitated the Coalition's work by keeping it informed of any deadlines or developments in the process at a national level, and also by showing government bodies their support for the project.

¹¹² Interview with civil society organisation, Beni, August 2010.

¹¹³ CARG was recognised by a ministerial order in February 2010.

¹¹⁴ During our interview, the provincial director of CARG in North Kivu spoke of a list of initiatives he had encountered on the ground, all of which were government-led: local development committees in the chiefdoms that were part of the national support programme for decentralisation; land mediation centres set up by UN-Habitat in cooperation with the Congolese Ministry for Land Affairs; and dialogue committees set up by the Ministry for the Environment in order to manage the conflicts between residents living in the national park and the Congolese wildlife conservation authority (ICCN). Furthermore, the forestry code also provides for the establishment of a national and provincial consultative council for the country's forestry.

This network of allies includes the technical advisor from the Ministry of Agriculture, Professor Alain Huart, who showed an interest in the initiative and spoke favourably of it in his department, Abbot Malu-Malu (Chairman of the Independent Electoral Commission) who, as a Butembo man and a figure of influence in the government, is a key supporter for the members of the Coalition, and finally the project's most active supporter, Vahamwiti Chrysostome (former executive secretary of SYDIP), who now serves as vice-delegate general of OKIMO, a state gold-mining company based in Ituri.

At the end of 2009, to follow on from the work started by the Coalition, a national committee was set up for advocacy on the agricultural code in support of small farmers. It brought together representatives from seven different provinces: Eastern Province, South Kivu, North Kivu, Lower Congo, Bandundu, Equatorial Province and Kinshasa. Its objectives were to consolidate the proposals from the different peasant associations for ways to improve the agricultural code, and reinforce their capacity to influence the political decision-making process. This second objective relied mainly on the creation of new alliances, in particular with the deputies from each of the seven provinces.

The long history of the peasant movement in Beni and Lubero

The links between the three organisations that make up the Coalition (FAT, FOPAC and SYDIP) and which allowed them to intervene at a national level must be understood in the context of the peasant movement in the Beni and Lubero territories.¹¹⁵

Agricultural cooperatives came into existence in these territories in the 1950s, and the first such co-ops were stimulated by the colonial government, which looked among the rural population for peasants that could pilot a project of agricultural exports.

In 1960, the departure of the colonists brought about a sharp fall in prices; this was linked to the collapse of a market that was mainly oriented towards European consumers, and added to this was the government's policy of low pricing in favour of urban consumers. It was in this context that the new cooperatives came about, with their main objective being to ensure that production would flow towards the urban centres. COOVEPALA, a co-op for the sale of agricultural produce in the Lubero territory, was one structure that managed to distinguish itself in its trade with a Kinshasa wholesaler, the *Société Générale d'Alimentation*.

However, trade initiatives suffered from the degradation of the road infrastructure and the economic crisis in the 1970s. The demonetisation of December 1979 was a critical point in this trend and ultimately led to the disappearance of the co-ops.¹¹⁶

New structures emerged with the help of Western development aid in the 1980s, including farmer federations and unions responsible for the commercialisation of agricultural produce. In 1987, a technical council for rural development (*Conseil Technique pour le Développement Rural de Beni-Lubero* – COTEDER) was established in Beni and Lubero. This initiative by a group of former students at the ISDR (*Institut Supérieur de Développement Rural*) in Bukavu developed from the idea that the failure of the co-ops in North Kivu was due to a lack of management expertise. COTEDER's operations centred around two branches: technical support for farmers and education on civics and trade unions.

115 J.L.K Nzweve (March 2010). *Commercialisation collective, mouvement paysan et transformation rurale au Nord-Kivu*, in *Initiatives de développement et transformation sociale en milieu rural au Sud-Kivu*. Cahier du CERPRU, Bukavu, N°19, pp. 61-75.

116 J.M.C. Vahamwiti (September 1996). *Leadership associatif et autopromotion paysanne. Etude comparative des associations coopératives, des comités villageois de développement et des radio-clubs : Cas du Nord-Kivu/Zaire* (dissertation). Université Lumière Lyon II, Lyon.

In 1997 this educational branch gave rise to SYDIP, whose union structure was a response to the wishes of AGRITERRA and VECO,¹¹⁷ which represented peasant associations and wanted to deal with the peasants directly.

SYDIP is structured by local committees (each representing around 50 farmers in one village) and a congress for the delegates from South Kivu (North Kalehe), North Kivu (Masisi/lakeside, Rutshuru, Beni-Lubero) and Ituri (Mambassa). The consultation of rural dwellers from the bottom up was a cornerstone of SYDIP's union work on land issues, which were particularly sensitive in Beni and Lubero, where pressure over land is especially intense. SYDIP was in opposition to the major landowners as well as the customary chiefs, as it denounced the land allocation contracts that left farmers in the precarious position of having the right to use the land for only three seasons. The first activity led by SYDIP was to train paralegals and develop the programme for the codification of customary land principles.

In the absence of a national federation, SYDIP was also given a mandate by the East African Farmers Federation (EAFF) and the International Federation of Agricultural Producers (IFAP) to represent them in the DRC and structure the farmers' movement at a national level.

However, when SYDIP and its (financial and technical) partners concluded there was no improvement in farmers' standards of living, its mandate was shifted to offer technical support for small producers.

FOPAC emerged in 2002 and was later joined by FAT: the former took over the union work, while FAT took over the advocacy work on land issues.

The historical and structural links between these different organisations represent both a strength and a weakness:

- A strength insofar as the initiative forms part of a long and inclusive project built on intricate knowledge of local dynamics; and
- A weakness insofar as this project was developed in the context of Lubero and is dominated by the former students from the ISDR.

The farmers' movement in Beni and Lubero was the precursor and force behind several elements. However, its experience is also deeply marked by the realities of the Lubero territory, which is characterised by land shortages (primarily in the higher areas where the population is most dense), intense economic activity that favoured the emergence of rural entrepreneurs to the detriment of small farmers, an extension of rural and urban agglomerations that impinge on customary land, and considerable ethnic homogeneity.

At an institutional level, it was the main leaders of the Coalition's three member organisations that initiated COTEDER. Their vision is marked by a shared higher education at the ISDR, which trains technicians working in rural development, with a focus on socio-economic aspects. During the interviews for this report, experts in agronomy complained about a lack of consideration within the Coalition for agronomic issues, in particular techniques of agricultural production.

However, it should be noted that this initiative sought to remain open to newcomers, and in particular encouraged the participation of women's organisations. FAT welcomed two such organisations in 2009: UWAKI, a union of female farmers in North Kivu,¹¹⁸ and CAF (Collectif

¹¹⁷ VECO and Agriterra are the two historical backers of the peasant movement in the Beni and Lubero territories. VECO (<http://veco.vredeseilanden.org/fr>) is a Belgian developmental organisation working in the agricultural sector. Its aim is to contribute to the development of viable subsistence for family-run agricultural production (in the North and South) based on sustainable methods. Agriterra (<http://www.agriterra.org/fr/index>) is an organisation working for international cooperation in the agricultural sector; it was founded by farmers' organisations in the Netherlands with a view to supporting similar structures.

¹¹⁸ Since 2007, UWAKI has set up territorial mediation commissions dealing with women's access to land.

des associations féminines de Beni), a collective of women's associations from Beni. In structural terms, the inclusion of women's groups involved the establishment of a commission in charge of questions related to "gender and access to natural resources".

c. Ensuring decisions are applied

Fluid laws and mobile political figures

The history of laws and rules in the DRC is closely linked to the patrimonial organisation of power structures: laws serve the interests of those who, at the time of promulgation, are favoured by the authorities. The fragility of these loyalties results in precarious legal statutes. With regard to access to land, the introduction of positive law via the 1973 land law enabled influential figures to access land through a system of alliances between entrepreneurs, politicians, administrative workers and representatives of customary power.¹¹⁹

In this ever-shifting context, the capacity of civil society to influence the decision-making process is dependent on its capacity to develop and use its networks to get access to the decision-makers and maintain control over the divergent interests affected by these decisions. But even if it were possible to exert absolute control over the decision-making channels, any decisions that are made remain precarious because of the massive mobility of the figures of power, the changing rules in accordance with the alliances and interests that prevail, and the lack of procedures to ensure that decisions last. Some ministers take their files with them when they leave office.

FAT's successful advocacy is the result of a long and fastidious process that faced numerous constraints: the slow pace of administrative decisions, the difficulty in reconciling the different timescales of the Coalition's members, the uncertainty of political agendas, and the political pressures exerted by those at the top of the agricultural industry.

While the proposed agricultural code was presented and adopted by the Council of Ministers on 28th August 2009, and has been voted in by the Senate, the text has yet to be adopted by Parliament, and fears remain that the proposed legislation will be replaced by a competing proposal.

Indeed, independently of the project defended by the Coalition, another text was submitted to the Parliament by Deputy Bamanisa (a businessman from the Eastern Province). His proposal, which favours industrial agriculture, was presented to Parliament for adoption; the precedence given to proposals made by deputies means that those promoting the text in favour of smaller producers must begin by submitting their document to the Senate rather than the Parliament.

Furthermore, at a provincial level the proposed edict was submitted in December 2009 and added to the agenda for the parliamentary sessions of March and June 2010. It has yet to be examined by the provincial deputies.

This delay can be explained by the tensions that have marked relations between the executive and the provincial assembly (since the publication of the so-called "Nzangi Commission report" which accuses the provincial government of embezzlement), the abundance of issues on the agenda, or the privilege accorded to matters such as drafting and validating the budget. However, the failure by deputies to adopt this text might also be a form of resistance among some members to adopting a text that will strengthen customary authority, or it might be a reaction to a text that they see as the proposal of a political family different from their own. The land issue was one of the electoral arguments in the campaign of former SYDIP executive secretary, the unsuccessful candidate for the post of Governor of North Kivu.

119 K. Vlassenroot and C. Huggins (2005). *Op. cit.*, pp. 133-136.

Fragmented power and partisan logic

Until land law is reformed, the edict provides a pragmatic and immediate response to the problem of land insecurity experienced by small agricultural producers. It would make it possible to clearly identify practices and rules for land allocation that would favour farmers and limit the arbitrary nature of oral customs.

In terms of its application, the edict is built on the customary structures that are the frame of reference for the vast majority of rural communities. Given the costly and complex nature of official deed procedures, customary chiefs remain the preferred option for the management of land transactions in rural areas. The strategy to have the edict adopted therefore depended in large part on alliances with these leaders: ‘We managed to get the support of the customary authorities for our project: the necessary securing of land contracts, whether modern or traditional, written or oral’.¹²⁰

However, this initiative is restricted by the contradictory interests and principles that characterise Congolese society, in particular the institutions and laws that govern the country.

FAT members consider the edict to be a good thing because it helps regulate relations between the communities and the customary chiefs, who are described as ‘despots’, ‘perverted by a thirst for money’, ‘divided by conflicts over succession’, ‘greedy’, ‘manipulative of the orality of customs’ and ‘arrogant’.¹²¹ The interviews we held with customary leaders reveal that their primary motivation is the fact that the edict represents a means to restore their authority.

The different motivations that seem to unite the customary authorities (who want to strengthen their power) and FAT members (who want to defend the interests of small farmers against the arbitrary power of the leaders) may in fact prove to limit the edict’s application. However, this text can also be seen in the light of decentralisation, which by identifying the chiefdom as the first level in this process strengthens the customary institutions, but actually channels the power of customary leaders by placing their authority under the control of *échevins*.

Finally, by focusing on customs, this text helps consolidate practices that are contested and discriminatory:

- The principle of a customary tax. This practice, which consists of a payment to customary leaders, formalises the allegiance that land users are expected to show them. This allegiance is contested by certain populations who are not originally from their leader’s zone, as well as by the urban elite, who do not recognise the authority of local chiefs. The challenges to customary practices reflect the conflicts that result from the competition between two land management systems: one that is built on the 1973 legislation (which allows investors to get around the customary chiefs in their acquisition of land) and the customary system that applies to most farmers.
- Women’s access to land. Article 22 of the edict states that ‘every customary leader must reject any discriminatory measures that prevent women from accessing natural resources, and land in particular, and they must take measures that will allow women to access land’. However, it is highly probable that this text, given the absence of any proposed measures to facilitate women’s access to land in practice, will remain without effect. Once again it is striking to note the virtual absence of women from this process, despite the central role they play in agricultural production. This can be explained in part by their exclusion from the decision-making process and in part by the concentration of the farmer dynamic around commercial agriculture, from which women remain largely absent.

¹²⁰ Interview with SYDIP workshop leader, Butembo, August 2010.

¹²¹ Focus group with members of the Coalition and a representative of land affairs, Butembo, July 2010.

Conclusion, observations and recommendations

1. Conclusion: Reunite the “governable spaces”

Although very few civil society organisations claim to be specialists in governance, it is a recurring theme in the DRC. The emergence and development of civil society coincided with the opening up of political spaces at a national level (National Sovereign Conference and Inter-Congolese Dialogue). Current government and UN programmes form part of the “restoration of State authority” paradigm. In the political imagination of the people, Congolese identity is built around the idea of the Nation-State, and this despite the State’s failure to provide basic services.¹²² Finally, the question of governance is at the heart of the work by the civil society actors presented in this report, with each one looking for the kind of authority that could consolidate the decisions being made and make their initiatives last.

‘Who governs the DRC?’ The heterogeneous responses given to this question reflect the fragmented reality of power in the DRC; the country’s power structure has been built on networks that escape State control. ‘It is not that there is a State deficit, but rather an excess of State practices: too many people are fighting to run the State’.¹²³ This fragmentation is also reflected in the constant repositioning of alliances that date back to the patrimonial and predatory practices inherited from the Mobutu regime, as well as the spaces left vacant by the inability of the state to provide basic public services.

In the practices of those civil society actors presented herein, the complexity and fragmentation of power can be seen by their efforts to identify the members of the structures they put in place or even to identify their allies in the advocacy work they carry out.

Local governance emerges in the space where State representatives, customary leaders, civil society actors, religious leaders, local businessmen, armed groups and international organisations meet to form alliances and reinvent spaces for the negotiated exercise of power. In Butembo, security is provided by mixed civilian and military brigades,¹²⁴ and taxes are collected with support from the FEC, which is also behind the initiative to rebuild the town hall.¹²⁵ In Bunyakiri¹²⁶ and Fizi, the national army is recruiting young civilians to serve as scouts in military operations. In Luwindja,¹²⁷ the mining company Banro has developed alliances with Mwami Kazi¹²⁸ to establish its commercial activities.

The reciprocal and fragile dependencies that unite the State with parallel power structures¹²⁹ lead to the emergence of “governable spaces”.¹³⁰ However, because they are built on a fragile balance between the strength and interests of those involved, these negotiated spaces contribute

122 P. Englebort (2002). ‘A research note on Congo’s nationalist paradox’, *Review of African Political Economy*, Carfax publishing, Abingdon, n° 93/94.

123 B. Aretxaga (October 2008). ‘Gouvernance et ethnographie en temps de crise : De l’étude des ordres émergents dans l’Afrique entre guerre et paix’, *Politique Africaine*, Karthala, Paris, n° 111, p. 6.

124 Interview with the Mayor of Butembo, Butembo, July 2010.

125 T. Raeymaekers (2007). *The power of protection: governance and transborder trade on the Congo-Uganda frontier* (unpublished doctoral thesis), University of Ghent, pp. 140-144.

126 Administrative monitoring post for the Kalehe territory in South Kivu.

127 Groupment in the Mwenga territory in South Kivu.

128 Mwami Kazi is the chiefdom leader’s wife and is responsible for the regency of power from his death until his successor reaches the age of majority.

129 (Under the direction of) K. Arnaut, C. Højbjerg and T. Raeymaekers (October 2008). ‘Gouvernance et ethnographie en temps de crise : De l’étude des ordres émergents dans l’Afrique entre guerre et paix’, *Politique Africaine*, Karthala, Paris, n° 111, p. 14.

130 M. Watts (2004). *The sinister political life of community economies of violence and governable spaces in the Niger Delta, Nigeria*, Working Paper n° 3, Institute of International Studies, University of California.

to an acceptance of unequal practices. Furthermore, the fragile balance of these “governance spaces” are a major source of institutional insecurity for the population. All decisions (even legal provisions) can be undermined by developments in the “arrangements” between those in power.

As well as the considerable heterogeneity of the motivations and skills of Congolese civil society, this study has shown how certain organisations have made significant contributions to the peace process, even though the progress observed on the ground remains fragile.

The new negotiated spaces (mediation spaces, consultative frameworks for decision-making, and alliance networks for advocacy) form a part of and “make do with” the spaces and figures of governance in the DRC. However, by including those traditionally excluded from power (women in particular), and by carrying the wishes of the people, these spaces are renewed by becoming more participatory and democratic. In North Kivu, the customary chiefs are working towards the acceptance of an edict that would strengthen land security for farmers. In Lubero, the village leaders are using paralegals trained by civil society to help them manage local conflicts. In Kalehe, following a request by representatives of the civilian population, the military authorities are reprimanding soldiers seen armed in public. In Uvira, men sit alongside women and work together to resolve the community’s conflicts. However, these efforts are not without risk. In 2000, the Pole Institute set up local governance structures known as “cores of legitimacy” (*noyaux de légitimité*). Their objective was to build multi-ethnic and democratic spaces that would favour the participation of the people in the decision-making process. In Nyamilima (Rutshuru territory) in 2005, one of the members of the legitimacy core tragically died in a climate of inter-ethnic violence that once again revealed the difficulty in overcoming partisan and divisive mindsets.

Beyond these obstacles and difficulties, the innovative experiences of civil society show that there are solutions to the problems encountered by the population. However, in the absence of a more unified governance structure, these experiences remain fragile, as the application of decisions made largely depends on the “goodwill” of the many different authorities.

The apparent incoherence of peacebuilding programmes reflects the hesitations and constraints encountered by both local and international actors in the implementation of their work, as each one seeks legitimate actors to help them access the decision-making process. The UK’s Department for International Development (DfID) supports the electoral process at a national level, while supporting “parallel governance structures” (village development committees) at a local level via financing from the International Rescue Committee (IRC). The State actors say they want to restore the authority of the customary chiefs all the while setting up local development committees responsible for resolving land conflicts, a task traditionally left to the customary authorities. The government also supports UN-Habitat (via the Ministry of Land Affairs) and FAT (via the Ministry of Agriculture) with a view to setting up local land-conflict management committees.

In this context, decentralisation could represent a major opportunity to overcome the race for legitimacy and support the emergence of a democratic system based on the experiences of civil society organisations. However, support for the emergence of a new leadership must be part of a longer process in order to tackle the structural dimension of conflict, and must be built on modest objectives¹³¹ that take account of the chaotic history of the construction (and deconstruction) of the State in the DRC.

131 H. Romkema and K. Vlassenroot (May 2007). *Local governance and leadership in DRC*. Study commissioned by Oxfam-Novib, The Hague, p. 4-7.

2. Main findings and recommendations

a. Inventory of actors for peace

171 civil society organisations were identified in North and South Kivu as working in the peace, governance and human rights sector. This high number reflects a diverse landscape of structures, mandates, and domains and geographic zones of intervention.

However, despite this diversity, a few major trends can be identified.

Main observations

The emergence of organisations in the peace, governance and human rights sector coincided with that of multi-party politics in the DRC and the beginning of the country's democratisation in 1992. Since then, there has been a steady rise in the number of organisations working in these fields.

Of the 171 organisations listed, 30 are platforms or networks. However, this sizeable proportion should not hide the fact that 49.1% of these organisations say they belong to no network or platform.

43.9% of the organisations have a specific mandate in the peace, governance and human rights sector, while the others combine operations in the peace sector with humanitarian and development activities.

The operations carried out by civil society organisations focus mainly on local conflict management (family feuds and land-related disputes); the two most commonly cited approaches are to build awareness and strengthen capacities for action.

The map of the peace actors reveals three zones of concentration: the Beni-Lubero, Kalehe and Fizi-Uvira territories. The factors behind this are conflict dynamics (presence of armed groups, displacement of persons and massive human rights violations) and associative dynamics.

Despite the fact that the conflicts and violence in Eastern DRC are widely seen as the result of regional conflict dynamics, less than 10% of organisations say they are engaged in regional initiatives (Burundi, Uganda and Rwanda).

Recommendations

For donors and international support organisations:

- **Tackle the inegalitarian yet complementary nature of “partnerships”.** The financial links between local organisations and their donors/partners lead to sub-contracting and opportunistic practices. While the necessary power imbalance implicit in financial dependence cannot be denied, it is important to establish long-term partnerships that favour the development of relationships built on trust and allow concerted approaches to policy-making and strategy-building.
- **Question the importance and role of consultation frameworks.** The creation of consultation frameworks is necessary for improved coordination between the different operations being carried out, and to encourage people to share their experiences and adopt common positions. However, when these bodies seek to produce unified programmes or standardised intervention strategies, they run the risk of obscuring the structural causes of conflict, which can only be transformed by a long and contradictory process.
- **Bring some balance to the diversity of perceptions and analyses of conflict.** The division and exclusion that is rife in the DRC requires all actors (especially external actors) to work

towards balancing, both in their analyses and in the implementation of their programmes, the diverse perspectives of the different ethnic communities.

b. Negotiated methods of conflict management

In order to offer an alternative in the face of a judicial crisis, weakened customary structures and the escalation of conflict, members of civil society have put in place extra-judicial conflict-management mechanisms.

The conflicts being dealt with by these structures are mostly land- or family-related and usually involve two individuals or families.

These observations and recommendations are drawn from analysis of 15 different initiatives involving civil society structures as well as State and customary bodies.

Main findings

These mechanisms adopt a customary approach that reflects people's legal outlook, according to which conciliation takes precedence over justice.

For organisations wishing to engage in conflict management, the complexity and multiple ramifications of the conflicts in the DRC require them to have detailed knowledge of the area in which they operate.

The approach adopted by civil society organisations is one of conciliation (where a solution is proposed) rather than mediation (where the parties are assisted in their search for a negotiated solution). The shift from mediation to conciliation is a response to the expectations of the population, who need guidance. However, the emphasis on reaching an agreement does not make it possible to rebuild relations of trust based on the search for a concerted solution.

The conflict-management structures put in place by civil society organisations have facilitated the participation of women, but their presence in debates remains marginal and they are rarely represented as parties in their own right.

In the absence of legal recognition, the durability of the decisions made as part of these initiatives depends on the "goodwill" of the parties and other actors. The diverse nature of legal norms and structures leaves those seeking justice in a position of insecurity and encourages the development of clientelistic practices.

In a context marked by a clientelistic use of the law, the predominance of recourse to the law in the mediation structures undermines the search for a fair solution.

Local structures are often satellites of civil society organisations established at a provincial level. This tutelary system means that these structures are widely perceived by the population as belonging to the organisation that initiated the structure rather than to the community itself.

By intervening in a preventive manner, the local conflict-management bodies can work to reduce the risk of political cooptation. However, in existing conflicts they have a limited impact on conflicts with political and/or identity-related dimensions, primarily because the people involved and the stakes of the dispute extend beyond the local level.

Recommendations

For civil society organisations:

- **Develop flexible structures and conflict-monitoring mechanisms.** To cope with the complexity of conflicts, local structures must be able to incorporate mediation resources to deal with each individual case. They must also adopt a proactive approach by developing conflict-monitoring strategies so as to be able to intervene before conflicts degenerate.
- **Promote participation among women.** This involves establishing strict measures to ensure women's participation (especially in rural areas) and developing separate mechanisms to facilitate this (e.g., economic strategies to limit their workload, training in public speaking, and steps to manage cultural resistance to their participation in the public sphere).
- **Combine (but do not confuse) mediation, conciliation and arbitration.** Depending on the nature of a conflict, its consequences and relations between the parties, one may choose to use either mediation, conciliation or arbitration. However, it is important to distinguish between these three methods in order to ensure that the chosen approach corresponds to the expectations of the parties and makes it possible to achieve the objectives set out.
 - In the case of mediation, it is a good idea to create local spaces for dialogue and reflection on land practices and norms, and accompany these activities in an effort to restore social bonds (this is the practice adopted by IFDP).¹³² The restoration of social bonds must be built on the restoration of trust within and between communities. In order for such a process to succeed, the scope of action must be limited.
 - In the case of conciliation, it is important to develop mechanisms that ensure any decisions taken will last; this can be done by asking the local authorities (customary, administrative or judicial) to validate the verbal conciliation procedures.
 - In the case of arbitration, which necessarily leads to a decision that is imposed, it is essential that the civil society actors identify the competent authorities to validate the decision and involve them in the arbitration procedure.
- **Diversify the responses and mechanisms used in conflict management.** Mediation, conciliation and arbitration provide solutions to local conflicts, yet their impact remains limited; it is essential to reflect on how they might be complemented by initiatives such as research, inter-group dialogue and advocacy.

For the administrative and judicial authorities at national, provincial and territorial levels:

- **Institutionalise decisions and/or structures.** This involves striving towards complementary and institutionalised collaboration between the different judicial and non-judicial mechanisms used in conflict resolution.

c. Participatory action-research

In the DRC, partisan positions, fears, prejudice and rumours limit people's capacity to work together and make coherent and concrete proposals. In such a climate, access to information is of major importance; research can be a tool by which to transform conflicts. By producing detailed analysis, research studies allow us to look beyond an inter-individual level, shed light on the many issues and people behind each conflict, and see them from a historical perspective.

The observations and recommendations are drawn from the comparative analysis of three initiatives carried out with the technical and financial support of the Life & Peace Institute. Each initiative used the same method: participatory action-research.

¹³² Innovation et Formation pour le Développement et la Paix (innovation and training for development and peace).

Main findings

The participation of different conflict actors in the production of knowledge lends research findings the necessary credibility to create a space for discussions that can move beyond self-evident truths and preconceived notions.

Such spaces allow the designing of appropriate solutions that address the real problems encountered by the communities in question.

Whether or not the authorities/decision-makers take on board these findings depends on the urgency of the need to act and is therefore linked to developments in the wider context.

Punctual initiatives for dialogue do not allow provision of solutions to the deeper causes of conflict, in particular issues that relate to perceptions, as with the identity question. Furthermore, the production of knowledge based solely on direct interviews with the population limits the understanding of the deeper historic causes of conflict.

By seeking to respect academic criteria, the redaction of research studies distances the communities under analysis and runs the risk that the urban and intellectual elite will dictate the content.

The frameworks designed to follow up on recommendations produced during inter-community dialogue meetings suffer from the same symptoms: a desire for formality that undermines the content-based analysis, the absence of commitment from the authorities, and a tendency among members to align themselves with the decisions made by the authorities.

The multiplicity of frameworks put in place by civil society and the failure of public authorities to take matters on board reinforces the fragmentation and competition within the decision-making sphere.

Recommendations

For civil society organisations:

- **Support non-prescriptive research.** This involves promoting research that can identify the common ground between those in conflict without obscuring or minimising their differences. Furthermore, in accordance with the interests, experiences and level of knowledge of the different people involved, it is important to identify strategies by which to produce, validate and disseminate research studies. The findings of a study do not have the same value or function for a politician or intellectual as they do for an illiterate farmer.
- **Combine participatory and academic research.** Whereas participatory research allows for those involved in a conflict to be placed at the heart of the knowledge-producing process, academic research offers a form of knowledge that is distant and well documented; this might be necessary in order to move beyond prejudices and rumours.
- **Introduce community mechanisms for analysis and action.** This would involve rapid-response community mechanisms based on the monitoring of conflict dynamics and the development of operational plans that emphasise the roles and responsibilities of local actors.

For the political authorities at national and provincial levels:

- **Capitalise on the lessons learned to inform the decentralised structures:** The experiences of civil society in the dialogue held between the governed and their governors should be capitalised on in order to inform and support the implementation of the decentralisation process.

d. Advocacy

The Congolese political model, which is marked by informal networks of power, is an obstacle to the development and implementation of public policy. Although many organisations say they carry out advocacy work (72.5%), the projects aimed at the national authorities remain limited. The experience of FAT (detailed in the section on advocacy) is therefore all the more remarkable.

While our chapter on advocacy focused on one specific experience, the advocacy FAT carried out on land issues and the lessons to be learned from their work are of general application.

Main findings

The success of FAT's advocacy can be traced to its decision to constantly move between the country's leaders and its citizens; its grassroots support gave it the legitimacy to bring proposals to the top of society, which in turn accorded it the institutional space to have these proposals adopted.

Advocacy work is subject to the fragility of legal provisions, which can be explained by a patrimonial system under which the laws serve existing political alliances.

The uncertainty of political agendas and the slow pace of administrative decisions restrict those engaged in advocacy work as well as those who support them to continue their actions in the long term.

The territorial nature of the dynamic that saw FAT come into existence means it enjoys a certain legitimacy and durability. However, the desire to define decisions of national importance on the basis of local experience and local analysis carries the risk of encouraging decisions that fail to take into account the specificity of the different areas to which they apply.

Recommendations

For civil society organisations:

- **Develop and apply laws according to local realities.** The diversity of principles and practices that govern the DRC's many provinces and territories results in various levels of obedience to the law (and even causes resistance). In order to anticipate or take this diversity into account, it is necessary to expand the legislature's reflection by looking at analyses and proposals that reflect the country's multiple realities.

Box 8:

The international advocacy campaign on sexual violence has led to decisive legal progress. In 2006, the penal code and the code for penal procedures were revised and now include specific provisions related to sexual violence. One such provision stipulates that all acts contrary to moral standards committed (with or without consent) against a person under the age of 18 are punishable by up to five years' imprisonment (and up to 20 if the victim is less than 10 years old). This provision makes it illegal to have sexual intercourse with anyone under the age of 18, thereby going against traditional marital rules and practices, according to which puberty marks the beginning of sexual majority. If the laws that have been promulgated are not accompanied by measures of application, their contradiction of local realities may well lead to serious difficulties; such difficulties have already manifested themselves violently. 'The inhabitants of central Shabunda protested against the arrest of alleged sexual offenders in the territory. Among them were men accused of marrying girls under the age of 18, even though such unions are recognised by local customs. The inhabitants attacked NGOs working to defend human rights, accusing them of arbitrarily bringing the men before the courts. Calm was restored after local authorities met with the protesters'.¹³³

- **Establish inclusive advocacy frameworks at provincial and national levels.** This would involve developing strategies to lead joint advocacy campaigns at provincial and national levels, in accordance with the area of advocacy. The introduction of inclusive advocacy frameworks should help reinforce the capacity of civil society actors to influence political decision-making, and also build national and provincial spaces for communal dialogue and reflection. Furthermore, in a highly politicised context, care must be taken to avoid political cooptation and ensure that the voice of those being represented continues to be heard.

For donors and international support organisations:

- **Provide technical and political support to the advocacy process.** Technical support would include identifying key figures, collecting and analysing data prior to the actual advocacy work, political and legislative monitoring, and preparing policy and legislative proposals. At a political level, donors and international organisations should actively seek to protect civil society organisations (especially if the advocacy touches on politically sensitive questions), and also exert their influence on the government in order to reduce the fragility of political and legal decisions and encourage political figures to take part in discussions.

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Annexe

Liste nominative des organisations

1. 3TAMIS, Centre de production vidéo participative
2. AAP, Aide et action pour la paix
3. ADDF, Association pour la défense des droits de la femme
4. ADECOP, Action pour le développement des communautés paysannes
5. ADEPAE, Action pour le développement endogène et la paix
6. ADIF, Association pour le développement intégré et intégral de Fizi
7. ADIKIVU, Actions pour le développement intégré au Kivu
8. AFDI, Action des femmes pour le développement intégré
9. AFEC, Association des femmes chrétiennes
10. AFECEF, Association des femmes cadres pour l'épanouissement intégral de la femme
11. AFEM/SK, Association des femmes des médias du Sud-Kivu
12. AFIP, Action des femmes pour les initiatives de paix
13. AFPSC, Association féministe pour le progrès social et culturel
14. AHDI, Action humanitaire pour le développement intégré
15. AIOD, Action pour l'intégration de l'ouest (Beni-Lubero) au développement
16. AJD, Action jeunesse et développement
17. AJERH, Association des jeunes pour la défense des droits de l'enfant et la lutte contre le racisme et la haine
18. AMUD, Association des mamans unies pour le développement
19. ANAMAD, Association nationale de mamans pour l'aide aux déshérités
20. APADER, Alliance paysanne pour le développement rural
21. APC, Action pour la paix et la concorde
22. APD, alliance pour la paix et le développement
23. APDEV, Action pour la paix et le développement
24. APRODEPED, Action pour la promotion et la défense des droits des personnes défavorisées
25. Arche d'alliance, Association de défense des droits humains.
26. ASEFEM, Action socio-économique en faveur des femmes marginalisées
27. ASMA, Association de soutien aux mamans
28. ASP, Action solidaire pour la paix
29. ASPD, Action sociale pour la paix et le développement
30. ASSADHO, Association africaine de défense des droits humains
31. ASSK, Association des scouts du Sud-Kivu
32. ASSODIP, Association pour le développement des initiatives paysannes
33. AVIGUITURI, Association des victimes de la guerre de l'Ituri
34. BAP, Les Bâisseurs de la paix
35. BCSC, Bureau de la coordination de la société civile
36. BEDE, Bureau d'étude et de développement de l'Église 5e communauté CELPA
37. Barza des femmes pour la paix, association de promotion de la participation de la femme.
38. BOAD, Bureau œcuménique d'appui au développement
39. BVES, Bureau pour le volontariat au service de l'enfance et de la santé
40. CACUDEKI, Centre d'animation pour la culture et le développement de Kirumba
41. CADERCO, Centre d'appui pour le développement rural communautaire
42. CADI, Comité d'action pour le développement intégral
43. CADIMR, Centre d'appui pour le développement intégral en milieux ruraux
44. CAF, Collectif des associations féminines
45. CAFED, Collectif des associations féminines pour le développement
46. CAFEJUCO, Association des femmes juristes congolaises
47. CAMPS, Centre d'assistance médico-psychosocial
48. CAREP, Centre africain de recherche pour la paix
49. CAU, Collectif Alpha Ujvu
50. CBNRM, Comité de base pour la gestion communautaire des ressources naturelles de Mwenga
51. CCAP, Comité de coordination des actions de paix
52. CDJP, Commission diocésaine justice et paix
53. CEDAC, Centre d'étude, documentation et animation civique
54. CEFAD, Centre de formation et d'appui au développement durable
55. CEJA, Centre d'études juridiques appliquées
56. CENADEP, Centre national d'appui au développement et à la participation populaire
57. Centre Olame, coordination des activités féminines au sein de l'archidiocèse de Bukavu
58. CEPAC, 8e communauté de l'église pentecôtiste en Afrique centrale
59. CEPROSSAN, Centre de promotion socio-sanitaire
60. CERPRU, Centre de recherche pour la promotion rurale
61. CERUKI, Centre de recherche universitaire au Kivu
62. CIP/FAB, Centre d'intégration psychologique / Facultés africaines Bakhita
63. CJP/COMICO, Commission justice / Communauté islamique du Congo
64. CJPSC, Commission justice, paix et sauvegarde de la création
65. CMLC, 26e communauté méthodiste libre du Congo
66. CODEO-Advocacy, Comité d'observation des droits des enfants orphelins du VIH-SIDA
67. COPADI, Construisons la paix et le développement
68. COPAH, Commission œcuménique de pacification et d'assistance humanitaire
69. COPARE, Conseil pour la paix et la réconciliation
70. COWADER, Confédération des organisations coopératives de Walikale pour le développement intégral
71. CPDAC, Centre pour la paix et le développement en Afrique centrale
72. CPDH, Centre pour la paix et les droits de l'homme
73. CPP, Campagne pour la paix
74. CRAD/ISDR, Cellule recherche - action - développement / Institut supérieur de développement rural
75. CRC, Centre résolution conflits
76. CRONGD, Conseil régional des organisations non gouvernementales de développement
77. CUP, Centre universitaire de paix
78. Dauphins, association paix et réconciliation qui travaille dans la ligne d'action des archevêques Munzihirwa et Kaliko
79. DFJ, Dynamique des femmes juristes
80. DGPA, Dynamique des groupes des peuples autochtones
81. DSF, Dynamique synergie des femmes
82. Ek'Abana, Foyer d'accueil des « filles-sorcières »
83. Elimu, Association de développement.
84. EMI, Eben Ezer Ministry International
85. Emo-ya-Mbondo, Mutuelle Babembe.
86. ETN, Equipe d'éducation et d'encadrement des traumatisés
87. FAT, Forum des amis de la terre/Grands-Lacs

88. FEPSI, *Femmes engagées pour la promotion de la santé intégrale*
89. FIP/Nord-Kivu, *Fraternité internationale des prisons*
90. FJDF, *Femmes juristes pour les droits de la femme et de l'enfant*
91. FOCV, *Fight and Other Catastrophe's Victims*
92. FOPAC, *Fédération des organisations des producteurs agricoles du Congo*
93. FOPRADI, *Foyer pour la promotion paysanne et la redynamisation des actions pour le développement intégral*
94. Forever Peace Africa
95. FYDHO, *Fondation Yira des droits de l'homme*
96. GADHOP, *Groupe d'associations de défense des droits de l'homme et de la paix*
97. GASAP, *Groupe d'actions socio-agro-pastorales*
98. GEAD, *Groupe d'études et d'actions pour un développement bien défini*
99. GIDNKI, *Groupe d'Intérêt et de défense pour le développement du Nord-Kivu*
100. *Groupe Jérémie, association de défense des droits humains et d'éducation civique*
101. GLHRP, *Great Lakes Human Rights Program*
102. GRACE, *Groupe d'appui - conseil aux réalisations pour le développement endogène*
103. *Groupe Milima, association de développement*
104. HDW, *Human Dignity in the World*
105. *Héritiers de la justice, association de défense des droits humains.*
106. ICJP, *Initiative congolaise pour la justice et la paix*
107. IFDP, *Innovation et formation pour le développement et la paix*
108. IFED, *Intégration de la femme au développement*
109. IJAD, *Initiation des jeunes aux activités de développement*
110. INECOM, *Innovation d'évolution dans une communauté responsable*
111. IPHAD, *Intégration des Pygmées et des handicapés au développement*
112. JEDHO, *Juristes engagés pour la défense des droits de l'homme*
113. *La Colombe, réseau des organisations de paix au Nord-Kivu*
114. LAV, *Laissez L'Afrique vivre*
115. LINAJEUN, *Ligue nationale et d'appui aux initiatives des jeunes en RDC*
116. LLB, *Ligue pour la lecture de la Bible*
117. LOFEPACO, *Ligue des organisations des femmes paysannes du Congo*
118. LPC, *Let's Protect Children*
119. MESEP, *Messagers pour l'éducation et la sensibilisation à la paix*
120. MIJAS, *Mission de Jacobins sages*
121. MSV, *Monde sans violence*
122. OGP, *Observatoire gouvernance et paix*
123. OLPD, *Opération la paix pour le développement*
124. PAD, *Programme d'appui au développement durable*
125. PAP/RDC, *Programme d'assistance aux Pygmées*
126. PARDE, *Parlement d'enfants*
127. PAVEFIC, *Programme d'appui aux femmes victimes des conflits et catastrophes*
128. *Pax Christi, Groupe local affilié à Pax Christi International*
129. PDH, *Promotion de la démocratie et protection des droits humains*
130. PEAC, *Province de l'église anglicane du Congo / Programme de santé et VIH*
131. PEDER, *Programme diocésain d'encadrement des enfants de la rue*
132. PFNDE, *Plate-forme des femmes du Nord-Kivu pour un développement endogène*
133. *Pole Institute, Institut interculturel dans la région des Grands Lacs*
134. PPSSP, *Programme de promotion des soins de santé primaire*
135. PREPPYG, *Association paysanne pour la réhabilitation et la protection des Pygmées*
136. PRODES, *Programme de développement social*
137. RACID, *Réseau d'actions citoyennes pour la démocratie*
138. RADHOSKI, *Réseau des associations des droits de l'homme du Sud-Kivu*
139. REID, *Réseau d'initiatives locales pour un développement durable*
140. *Réseau WIMA, Watu Imara kwa Maendeleo na Amani*
141. RFDA, *Réseau des femmes pour le développement*
142. RFDP, *Réseau de femmes pour la défense des droits et la paix*
143. RFEDI, *Réveil des femmes pour le développement intégré*
144. SAFDF, *Solidarité des associations féminines pour les droits de la femme et de l'enfant*
145. SAFEDI, *Syndicat des associations des femmes pour le Développement Intégré*
146. SAJ, *Synergie pour l'assistance judiciaire aux victimes des violations des droits humains*
147. SAMPGL, *Synergie des artistes musiciens pour la paix dans les Grands-Lacs africains*
148. SAPIN, *Solidarité agricole pour le progrès intégral*
149. SARCAF, *Service d'accompagnement et de renforcement des capacités d'autopromotion de la femme au Sud-Kivu*
150. SEDI, *Solidarité échange pour le développement intégral*
151. SFVS, *Synergie des femmes pour les victimes des violences sexuelles*
152. SIPROFFA, *Soutien aux initiatives promotionnelles de la femme et famille*
153. SOCOODEFI, *Solidarité et coopération pour le développement de Fizi*
154. SOFEPADI, *Solidarité féminine pour la paix et le développement intégral*
155. SOFIBEF, *Solidarité des femmes de Fizi pour le bien-être familial*
156. SOPADI, *Solidarité et paix pour le développement intégré*
157. SOPROP, *Solidarité pour la promotion sociale et la paix*
158. *SOS Village d'enfants, structures d'accueil des enfants orphelins.*
159. SPAR, *Syndicat Paysan et artisan*
160. SPR, *Synergie pour la paix et la réconciliation des peuples des Grands-Lacs d'Afrique*
161. SYDIP, *Syndicat de défense des intérêts paysans*
162. SYFED, *Syndicat des femmes défavorisées*
163. SYNECAT, *Syndicat national des écoles conventionnées catholiques*
164. SYNEP, *Syndicat national des écoles conventionnées protestantes*
165. TPD, *Tous pour la paix et le développement*
166. UCPDDH, *Union chrétienne pour le progrès et la défense des droits de l'homme*
167. UGEAFI, *Union des groupes d'études et d'actions pour le développement de Fizi*
168. UJADP, *Union des jeunes artistes dessinateurs et peintres*
169. UPDDHEGL, *Union pour la protection et la défense des droits humains et l'environnement*
170. UWAKI, *Umoja wa Wanawake wa Kivu (Union des femmes du Kivu)*
171. VICO, *Villages cobaye*

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