Do Local Agreements Forge Peace? The Case of Eastern DRC

Claude Iguma Wakenge and Koen Vlassenroot
DO LOCAL AGREEMENTS FORGE PEACE?
THE CASE OF EASTERN DEMOCRATIC REPUBLIC OF CONGO
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KEY POINTS

• Local agreements in the eastern Congo have been used as an instrument to dismantle armed rebellions, to settle land conflicts and other forms of community disputes, and to deal with interpersonal feuds.

• Due to mutual distrust between communities stemming from a long history of tensions and violence, and given the fragmentation of the approaches taken, mediation efforts and subsequent local agreements have had limited effect in tackling conflicts and violence and even seem to bypass them.

• Given a context in which violence and conflict have become part of communities’ history and are fueled by a particularly unstable national and regional context, many dialogues and related agreements address the symptoms of conflicts rather than their causes and have limited impact on the behavior of actors of power.

• The lessons learned from experienced Participatory Action Research (PAR) and dialogue programmes implemented by specialized organizations, the working of local structures set up by these organizations, and emerging mediation efforts and agreements may be useful in addressing the causes rather than the symptoms of conflict.

• There is a need to move beyond a tendency towards formality as signed agreements are seen as a measure of success, instead of being considered as a tool for a longer process towards forthcoming ‘real dialogue’ on specific issues raised during the PAR’s round tables.

• Donors should encourage and finance long-term peace programmes and subsequent ‘dialogues’ addressing conflict dynamics and involving key actors from the grassroots to the highest level. This approach should include PAR and analysis components which might bring more knowledge to conflicts and help move beyond the simplistic narratives that are often used to fuel them.
INTRODUCTION

The end of the 1998-2003 Congolese war was symbolised by the signing of the ‘All-Inclusive Agreement’ in Pretoria in December 2002. However, due to the continued proliferation of national and foreign armed groups as well as unaddressed community grievances, this agreement did not bring peace and stability to the Kivu and Ituri Provinces (Boshoff and Hoebeke 2008), or the Democratic Republic of the Congo (DRC) as a whole. On 9 November 2007, the Governments of the DRC and Rwanda reached an agreement whereby the DRC agreed to forcibly disarm the Rwandan Hutu insurgent group (the Forces Démocratiques pour la Libération du Rwanda) on its soil. After several rounds of negotiations between the Congolese government and 22 armed groups, as part of the Amani Peace Process, on 23 January 2008, the “actes d’engagements” (shared commitments) were signed in Goma. Several other agreements followed, between warring partners, between communities, and between other opposing parties. The most recent example includes a peace agreement, signed in February 2020, between the Congolese government and the Force de Résistance Patriotique de l’Ituri (Patriotic Resistance Force of Ituri (FRPI), the largest armed group still operating in the Ituri province. These examples show a broader trend in which “local agreements” in the eastern DRC are used as an instrument to dismantle armed rebellions, settle land conflicts, and other forms of community disputes – but also, increasingly, to deal with localized disputes between individual farmers and family members.

This briefing focuses on these local agreements and mediation efforts that attempt to reduce land-related conflict and violence in North Kivu, South Kivu, and Ituri. How do conflict protagonists and peace-builders reach such agreements? What are their approaches? Who are the actors involved? How are they successful, and what are the challenges they face? To what extent do local agreements forge peace at the grassroots level, and under which conditions do they prevent or feed renewed violence? Through an analysis of these questions, this briefing aims to shed light on the processes that lead to these “local agreements” and to investigate whether such agreements are an efficient instrument for conflict resolution. For reasons of consistency and given their multitude, “local agreements” here refer to a wide range of written documents resulting from mediation efforts at the local, provincial, and regional levels. These include the “plan d’action” (action plans), “plan de paix” (peace plan), “actes d’engagements” (social plan), etc.

Local agreements foster changes in conflict dynamics through the inclusion of key stakeholders in the search for durable peace. This briefing argues that (i) due to mutual distrust between communities that stem from a long history of tensions and violence, and (ii) given the widespread tendency to consider signed agreements as a measure of success rather than a tool for a longer process of peacebuilding, mediation efforts and local agreements have not succeeded in tackling violent conflict; rather they seem to bypass them. Therefore, there is a need to support long-term peace programs that not only aim to tackle the root causes of conflicts, but that also encourage coordination between the different organizations engaged in addressing them (Bouvy and Lange 2012).

CONGO’S ENDURING FRAGILITY

In eastern Congo, local agreements are considered a tool for peace. Without being exhaustive, we find that between 2006 and February 2020, more than fifteen were signed in North Kivu, South Kivu, and Ituri provinces (see annexed table 1 below).

Despite the existence of signed agreements, change seems to remain elusive (Ndahinda 2019). An August 2019 update by the Congo Research Group identified more than 130 armed groups in the two Kivu provinces, including 82 groups operating in the South Kivu province alone. In both Kivu provinces, armed actors pose as public authorities, claiming the right to govern populations, resources, and territories (Vlassenroot et al. 2016). Cattle looting and acts of extortion are recurrent phenomena (Verweijen and Brabant 2017; Ntayoma 2019; Hoffmann et all 2020); ethnic grievances are pervasive, and land disputes and conflicts over customary power are omnipresent in most rural areas (Van Acker 2005). A recent press release by the International Crisis Group warns of an alarming resumption of proxy violence, with the involvement of Rwandan and Burundian armies as well as their armed opponents in the Uvira territory (South Kivu). Local agreements are often mobilized in an attempt to reduce the levels of violence caused by these issues. Yet, at the same time, they demonstrate the key weaknesses of the Congolese state in its struggle to recover from complex and intricate political and security constellations rooted in and connected to regional fragility (Life & Peace Institute 2011; ICG 2020).

ACTORS AND APPROACHES TO LOCAL AGREEMENTS

Mediation efforts and local agreements are usually initiated through four main processes: i) participatory peace programming, often implemented through Participatory Action Research (PAR); ii) support or creation of local structures for conflict mediation; iii) intercommunity provincial Barza, and iv) direct negotiations between conflict protagonists.

The PAR experiments are conducted by national and
international NGOs. In Participatory Action Research experiments, customary chiefs, civil society representatives, politicians, and entrepreneurs (e.g., landholders) take on the research findings and participate in an inter-community dialogue. Participants then sign onto an agreement to settle their disputes, agree on an action plan, and participate in the structures set up to make the research findings and agreement/plan operational. Thus, PAR comprises three main steps: i) knowledge production by placing communities affected by conflict and their experiences at the centre of the research process; ii) a round table to initiate discussions on concrete actions for conflict resolution and; iii) actions as practical solutions to solve the conflict.

The second approach to promote, and enforce compliance with local agreements is through the initiation of mediation efforts by existing or newly created local structures. Given the fact that local peace processes tend to be ‘NGO-driven’ and are often limited in scope, such mediation efforts address only parts of signed peace agreements. Local structures with various denominations (such as “commissions,” “noyaux,” “antennes”, “cadres”, etc.) are usually compromise of delegates from different communities or groups within communities that have the mandate to mediate local conflicts. In the absence of a reliable or functional justice system, these mediation mechanisms are presented as the best possible strategy to provide some form of (legal) protection for rural populations and to settle disputes affecting local cohabitation. Mostly introduced by local civil society organisations and supported by international development actors, these extra-judicial conflict-management mechanisms also respond to growing local demand for justice and dispute resolution.

These mechanisms mostly deal with family feuds, and land-related conflicts between individual farmers and are based on the customary tradition of conciliation. For instance, in Kalehe and Kabare territories (South Kivu), the Congolese NGO Action pour la Paix et la Concorde (APC) has created more than 30 Cadres de Dialogue et de Médiation (CDM) and a similar number of noyaux de paix (peace clusters). CDM’s mediation between conflicting parties is sanctioned by an ‘acte de compromis’ between them. In Walungu and Kabare (South Kivu) the organisation Innovation et Formation pour le Développement et la Paix (IFDP) initiated the Groupes de Réflexion sur les Questions Foncières (GRQF) and brought together representatives from the population in collaborative structures to reflect on land access norms. In Uvira and Fizi (South Kivu), a number of Cadres de Concertation Inter-communautaires (CCI) are operational and were technically and financially supported by Life and Peace Institute (LPI) until 2015. In Masisi (North Kivu), Action Solidaire pour la Paix (ASP) has put in place a number of Cadres Inter-paysans de Plaidoyer pour la Transformation des Conflicts (CIPTC) to address issues such as insecurity, land conflicts, and illegal roadblocks. In 2017 in South Lubero (North Kivu), the Centre d’Etude Juridique Appliqué (CEJA) initiated a dozen ‘groupes de dialogue permanent’ that are dealing with land-related disputes.

The inter-community Barza (Barza intercommunautaire), which is mostly operational at the provincial or urban level, can also be seen as a structure of conflict mediation (Clark 2008). In these Barza, ethnic communities are represented through their mutualité, which is a social support structure that brings together members of the same ethnic community to make political claims. These Barza are involved in various kinds of identity-based mediation and bring together delegates from different ethnic groups for dialogue, especially during clashes affecting ethnic cohabitation in rural areas that affect social cohesion. The Barza also plays a key role in the political system by encouraging ethnic representation in provincial governments. In this regard, the Barza’s members are consulted to propose candidates for nomination as ministers, thereby facilitating a kind of ethnic equilibrium in provincial governments.

Finally, mediation efforts led by church leaders, clan elders, and other public figures to reduce violence also include direct negotiations between armed protagonists. The aim has mainly been to stop hostilities between armed groups and to offer them a share of a peace-dividend such as military integration, or to assist them in demobilizing their troops. Over the last two decades, negotiations involving armed groups and targeting their dismantling or integration into the Forces Armées de la République Démocratique du Congo (FARDC) have seen considerable shifts. In most instances, the negotiation process took place directly between the Congolese government (or a commission acting on its behalf) and armed groups with the backing of the Mission des Nations Unies pour la Stabilisation du Congo (MONUSCO) and other international players.

WHEN AND WHY DO MEDIATION AND LOCAL AGREEMENTS FAIL?

Actors’ diversity: Experience shows that in eastern Congo, local peace agreements involve a diversity of actors with divergent interests in the conflict (Bouvy 2010: 43). Signed agreements have a limited effect on the conduct of armed actors and their political alliances and should only be considered a first step in the transformation of conflict dynamics. Political support is critical to their longer-term impact and success. Local organisations facilitating inter-community dialogue or promoting negotiations between politico-military actors do not have the power or capacity to apply the necessary pressure on those actors, who are decisive in reversing logics of armed mobilisation and violence. ‘Bottom-up peacebuilding’ initiatives are also often unable to connect processes of community mobilization at the local level.
to the political engagement of authorities or other stakeholders at higher levels (i.e., provincial, national, regional). This suggests that a ‘bottom-up’ approach is easily limited to ‘community peacebuilding,’ rendering peace efforts weak, limited to local actors (Hoffmann et al. 2018), and prone to attacks by armed groups often undoing valiant local reconciliation efforts (Stearns et al. 2017).

**Legitimacy:** Other challenges include the lack of legitimacy of delegates participating in these negotiations, short term perspectives of donor organisations; and the adverse effects of incentives offered to involved parties. Participatory peace programming so far has failed to achieve the legitimacy necessary to produce sustainable change. Although PAR processes allow for the collection of useful knowledge on existing conflict dynamics and drivers and open space for dialogue between different community-based leaderships, one of the principal causes of their failure relates to the fact that these dialogues (or round tables) are often considered ‘for-show social events.’ Concluding a round table with the signing of an agreement between the conflict protagonists following several days of reflection, discussions, and sometimes antagonism is generally considered a one-off event. Often, instead of focusing on a long-term process of change towards peace and stability, round tables are also unable to move beyond the clichés or stereotypical thinking about what shapes conflict, and in the worst case, even reproduce existing conflict dynamics (Morvan and Nzweve 2010). Round tables also fail to tackle issues such as conflictive identity, ethnic resentment, manipulation of local actors by politicians and military entrepreneurs, and diverging interpretations of historical events (Vlassenroot 2002).

**Structural issues:** Additionally, research findings presented during round tables initiate discussions, but these discussions often remain superficial and ephemeral. They rarely address the structural causes of conflicts or their connections to national and regional dynamics or embrace many issues and objectives at the same time. Moreover, they often lack good facilitation and tend to be overly driven by donor interests. A round-table held by LPI’s partners in March 2010 is a good illustration of these issues. As a global strategy to address decades of conflicts in Uvira and Fizi, the action plan following this round-table resembled a shopping list of actions and identified three major dimensions of conflict to be tackled: i) community support to armed groups; ii) land conflicts and iii) the administrative governance of entities. These dimensions are so complex that it is hardly possible to address them in the short term and without more considerable (political) support and buy-in. Given an existing context where violence and conflict have their roots in the communities’ history and are fueled by a particularly unstable national and regional context, many dialogues and subsequent agreements address the symptoms of conflict rather than root causes. It is worth mentioning here that these weaknesses in implementing the PAR process do not necessarily mean that this approach is not at all useful. Instead, it seems that the organizations that are supposed to facilitate such dialogues do it in a superficial way and that ambitions are seldom realistic. These results can be justified because the existing ‘opportunity’ structure does not allow for more realistic ambitions: civil society organisations seldom have the authority or power to address underlying causes and conflict dynamics. Consequently, a superficial process will never reach any meaningful result.

**Temporality:** Related to this, donors usually do not favor long-term research and programming on conflict and peace. Many civil society organizations implementing participatory research on conflict (e.g., PAR) are confined by the linearity of project cycles, including i) data collection; ii) round table and signed agreements; iii) and actions aimed at conflict transformation. In such cycles, dialogues and signed agreements are viewed as the highest achievement for involved organizations and their donors, ticking a box to satisfy donors, auditors, or political constituencies in donor countries. With this in mind, there is a tendency towards formality, as signed agreements are seen as the organisation’s measure of success instead of being considered a tool for a longer process of ‘real dialogue’ on specific issues raised during the round table. It is observed that many organizations often have to conclude the process of dialogue at the very point when the necessary conditions for a long term dialogue and search for conflict resolution strategies are finally achieved. In most cases, donor funding ends with the signing of a peace agreement, which is considered to be a sufficient result in itself.

**Violence Dividend:** Similarly, negotiations between armed belligerents and/or their political representatives have also often focused on the signing of an agreement to end hostilities or to demobilise. These negotiations have produced only limited long-lasting conflict-reducing effects, or have been fundamentally flawed right from the start. They have offered these groups an additional form of legitimacy and have opened doors to an endless negotiation process that, in turn, opens the door to impunity for the use of violence, and to the possibility of renewed activity should the concluded agreement no longer be considered beneficial. Also, these negotiations allow armed group leaders to gain access to military grades and positions within state security services, hence enforcing impunity by rewarding the use of armed violence rather than condemning it (Verweijen and Wakenge 2015). As a consequence, these negotiations have not been able to break the cycle of violence but, in many cases, have provided an
additional impetus to beef up the number of combatants or to return to the bush. Power-sharing was the key strategy to reduce violence, yet led to constant negotiations aimed at integrating factions into the armed forces and the politico-administrative apparatus. As the factions with the biggest capacity to inflict violence obtained the most important positions, incentives were created for groups to retain or rebuild military capacity’ (Vlassenroot & Verweijen, 2017). It has been one of the reasons why the Congolese government eventually shifted towards the use of military strategies to deal with the proliferation of armed groups.

Ownership: The operationalization of local agreements and peace deals remains a major challenge and is also impeded by an ambiguous legitimacy. Delegate representativeness often signing agreements on behalf of the delegates in the room. It is often not clear to what extent the signatories of an agreement that are acting as delegates of communities (including sometimes contested customary chiefs) or armed groups are the most credible figures within their constituencies, why, and how these individuals were selected, and by whom. A recent example adds credence to this observation. In December 2019, the Commission Interprovinciale d’appui au processus de Sensibilisation, Démobilisation et Réintégration Communautaire (CIAP-DDRC) held a meeting (in Murhesa, near Bukavu) gathering 38 delegates of armed groups. The main objective of the meeting was to sensitize armed actors to join the Congolese army or to reintegrate into civilian life. During the meeting, the absence of prominent armed group leaders raised doubts about the legitimacy of the delegates representing them and about the seriousness of armed actors to engage in the process. At the same time, in such meetings, (foreign) political sponsors are absent, the victims of human rights abuses and other stakeholders went unsolicited, which in some cases left the impression that signed agreements are ‘une affaire des autres’ (someone’s else business) (Abekyamwali 2007). Also, compliance with the terms of the agreement is generally on a voluntary basis.

Representativeness: The inter-community Barza is equally fragilized by issues of representativeness. It is not clear to what extent representatives of the mutualités are legitimate in the eyes of their community members. Also, questions remain as to how the composition and work of these Barza have been politicised by those authorities with whom many civil society organizations are reluctant to engage because of different views on peacebuilding (Bilak, 2009). Analysis of the Barza in North Kivu shows that despite the potential of contributing to a reduction of ethnic tension, it has been a huge challenge to prevent external interference and to transcend ethnic divisions as a condition to facilitate a real dialogue (Clark, 2008).

Donor Dependence: When finally looking at local mediation efforts dealing with localized tensions and conflict (usually centered around land access), inclusiveness is a key factor explaining their success. Even if, in most cases, their impact is limited in scope and time, their participatory approach gives them a significant level of local legitimacy. The effects of such initiatives can even go beyond land conflict-related issues as their inclusiveness also provides some opportunities for larger-scale reconciliation and peacebuilding. Obviously, such approaches have a limited effect on the underlying causes of land disputes, which in most cases are left unaddressed, either because they are considered to be too complex or because of a lack of impact on powerful actors involved in these conflicts. Nevertheless, they can reduce existing tensions and promote grassroots cohabitation. In most cases, though, such initiatives suffer from a strong dependence on external funding, a lack of coordination between a multitude of initiatives, and limited political support. The role of donor agencies is often experienced as crucial, which causes concerns about the sustainability of initiatives once donors are no longer involved. Also, mediation efforts often lack the means to enforce decisions, which risks undermining the durability of mediation and arbitration outcomes. So, their activities can only be sustainable if administrative and political authorities support them. Although local structures are often officially recognized, their cooperation with public authorities is not institutionalized as the latter do not technically or financially support these structures and the actions planned for peacebuilding.

Good Practices: Nevertheless, outcomes of such mediation efforts, as well as other local agreements can include a legal dimension that enhances their impact in the longer term. Official recognition of land conflict mediation can lead to more sustainable arrangements that reduce tension at a local level. One example is the upgrading of mediation mechanisms through the promulgation of provincial edicts aimed at improving land security for small farmers by reasserting the responsibilities of customary chiefs. Promulgated in 2011 by the Governor of North Kivu (Julien Paluku), a provincial edict on land governance resulted from several dialogue initiatives including customary chiefs, landholders, and farmers and initiated by Forum des Amis de la Terre (FAT). In 2015, the Governor of South Kivu, Marcellin Cishambo signed a decree (N°19/008/GP/SK) on the regulation of the transhumance of cattle, one of the main drivers of recurrent conflict in Fizi and Uvira territories (Brabant and Nzweve 2013; Verweijen and Brabant 2017). This decree was the result of a number of consultations and inter-community dialogue. Overall, such provincial decrees challenge the prevalence of informal methods of regulation and allow conflict protagonists to move beyond the voluntary character of complying through
signed agreements. Nevertheless, it has to be acknowledged that the implementation of such edicts is often fraught with several constraints related to the complexity of the problems to be addressed and a weak implementation capacity by state institutions and civil society organisations.

**CONCLUSION AND POLICY CONSIDERATIONS**

From the above analysis, it can be concluded that in the case of eastern Congo, local peace agreements have been widely used as a means to address conflict dynamics. Despite the weaknesses discussed in this research brief, local agreements have the potential to engage the protagonists of conflict in the search for a durable peace. However, these agreements only have a long-lasting impact if a number of conditions are in place. It must be stated though that such agreements can only contribute to peacebuilding and will never be sufficient to address the causes of conflict if not connected to more comprehensive strategies with bigger scopes. In an analysis of security governance in Ituri, conflict dynamics in most cases are too complex for bottom-up approaches to tackle and thus that the ambitions of such approaches should be realistic. The same analysis also shows that the processes leading to such agreements always challenge other actors’ positions and thus should be considered highly political as well (Hoffmann et al., 2016).

Local peace agreements can contribute to and be part of lasting peace if they add to the understanding of conflict, and act upon its root causes, rather than just its symptoms. Such a contribution depends on the existence of a permanent process of dialogue that builds on and goes beyond signed agreements. This requires that a number of crucial conditions are met. First, donors should encourage and finance long-term research and programming on conflict dynamics. It is imperative that organizations engaged in conflict management gather detailed knowledge of the conflict dynamics in the areas where they operate (Morvan and Nzweve 2010: 51). The lessons learned from past PAR processes and the performance of local structures related to mediation efforts and inter-community dialogue and agreements may be useful in this regard. Second, recent research on peace processes questions the relevance of supporting specialized organizations. In eastern DRC, decades of conflict have led to the mushrooming of opportunist peacebuilding organizations who claim fields of expertise in areas of intervention that rarely connect (Müller and Wakenge 2019). Even though these areas allow for expanding their financing opportunities, few organizations have developed well-adjusted peacebuilding responses and programmes. Third, in this context of mushrooming organisations engaged in peace building, there is a need for donors to encourage concerted and coordinated approaches to conflict transformation. The Cluster protection™ that exists resembles an unclear mixture of organizations with a hybrid approach based both on human rights violations (denunciation) and those engaged in negotiation/mediation efforts. This renders difficult the coordination of their approaches.

The impact of mediation efforts and local agreements on the larger peace process also suffers from a lack of engagement with customary and other political authorities, and of the absence of a policy dealing with armed groups’ impunity. Beyond recognizing mediation outcomes, promulgating provincial edicts, participating in sessions held by civil society organizations or local structures regarding mediation, and the cosmetic celebration of signing agreements including with armed groups, the ability of Congolese authorities to render these agreements successful is limited. At every policy level, authorities fail to conceive of comprehensive peace programmes and to take measures to tackle impunity. The same authorities have outsourced their responsibilities to civil society organisations and donors, and do not provide any budgetary support to existing programmes. Supporting such programmes is viewed as an international community’s affair. This lack of engagement and participation by Congolese authorities undermines the durability of mediation efforts and needs to be reversed. At the same time, peace agreements can only be successful if the relevant politico-military networks are directly involved in them.

The general failure to make local agreements tangible reveals the weaknesses of peace interventions in eastern DRC. After about 20 years of peacebuilding interventions, donors should ask the question why these interventions have not addressed conflict causes more effectively. While there is no easy answer to this question, it partly relates to what can be described as the “ordinary peace business” that has become characteristic of peace interventions. This business suggests that many CSO’s implement peace initiatives but are aware that the results are flawed from the start and thus will be limited. Nevertheless, they are eager to do so because of the incentives offered by international donors who ironically want to continue their investment in peace and stabilisation strategies despite the limited results. If the aim is to move forward, there is an urgent need to reflect on the responsibilities of donors, and international and national organizations in the persistence of such a peacebuilding model.
ENDNOTES

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4 The current UN stabilization mission MONUSCO is composed of over 20,000 personnel at a yearly cost of more than 1 billion USD. For details, see MONUSCO Fact Sheet, accessed on 12 October 2019.

5 The LPI’s partners were the Réseau d’Innovation Organisationnelle (RIO), Action pour la Paix et le Développement Endogènes (ADEPAE) and Arche d’Alliance.

6 Morvan and Nzweve identified 171 organizations in North and South Kivu.

7 Working under the United Nations Coordination of Humanitarian Affairs (OCHA), this cluster coordinates and provides inter-agency policy advice and guidance on the implementation of peace programmes and responses to human right violations.

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<td>Association pour le Développement Intégré (ACDI)</td>
<td>Community leaders, Barza members</td>
<td>Bukavu</td>
<td>N/A</td>
<td>Negotiation</td>
<td>Project of agreement</td>
<td>N/A</td>
<td>2019</td>
<td>MONUSCO and LCI</td>
</tr>
<tr>
<td>15</td>
<td>Congolese government</td>
<td>Force de résistance patriotique de l’Ituri (FRPI)</td>
<td>Geti/Bunia</td>
<td>Irumu</td>
<td>Negotiation</td>
<td>Agreement</td>
<td>Insecurity</td>
<td>2020</td>
<td>N/A</td>
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