

Neither peace nor war?

THE CONTINUATION OF CONFLICT
AND INSECURITY IN KALEHE,
SOUTH KIVU

**Godefroid Muzalia, Alain Bahati,
Eric Batumike and Stanislas Bisimwa**

THE INSECURE LIVELIHOODS SERIES / APRIL 2022

INSECURE LIVELIHOODS SERIES

The Insecure Livelihoods Series publishes independent and field-driven information and analysis on the complexity of conflict and security in the Democratic Republic of Congo. Its reports are based on independent, non-partisan and collaborative research.

AUTHORS

Godefroid Muzalia is Professor at the Institut Supérieur Pédagogique de Bukavu (ISP-Bukavu), director of GEC-SH and co-founder of the Congolese Network for Research on Peace and Security (ResCongo).

Alain Bahati is a researcher associated with GEC-SH and an assistant at the Institut Supérieur des Techniques de Développement de Kalehe.

Eric Batumike Banyanga is a researcher at GEC-SH focusing on urban security in the east of the Democratic Republic of Congo. He is also a lecturer in the History Department at ISP-Bukavu.

Stanislas Bisimwa Baganda is a researcher at GEC-SH and a consultant working on gender, peacebuilding and conflict dynamics in the east of the Democratic Republic of Congo.

CONFLICT RESEARCH GROUP (CRG)

Director: Koen Vlassenroot

Research Director: Christoph Vogel

Project manager and learning lead: Michel Thill

www.ugent.be/ps/conflict-ontwikkeling/crg/en

GROUPE D'ÉTUDES SUR LES CONFLITS ET LA SÉCURITÉ HUMAINE (GEC-SH)

Director: Godefroid Muzalia

Project officers: Francine Mudunga, Elisée Cirhuza and Cubaka Muderhwa

www.gecshceruki.org

GOVERNANCE IN CONFLICT NETWORK (GIC)

Coordinator: Tomas van Acker

www.gicnetwork.be

PUBLISHING

Translator: Martial Kashori

Designer: Marie Wynants, achttien.eu

© Governance in Conflict network, Ghent University, Belgium. 2022



Neither peace nor war?

THE CONTINUATION OF CONFLICT AND INSECURITY IN KALEHE, SOUTH KIVU

**Godefroid Muzalia,
Alain Bahati,
Eric Batumike and
Stanislas Bisimwa**



Executive Summary

This report investigates the security context in Kalehe territory in South Kivu from the time the FARDC conducted operations against the CNRD armed group in December 2019 until the resurgence of violence in the same area in May 2021. More than a year after the destruction of the CNRD strongholds in 2019, the report identifies three main security dynamics that have been reshaped. The first is the reactivation of local armed groups that had been dormant since the FARDC's military operations a year earlier. The second is the general uptick in community conflicts, particularly between the Tembo and the Hutu. The third is the violent competition over resources. Various peace initiatives have been taking place around these three dynamics in the Kalehe area, where local development organizations, state and non-state organizations, and MONUSCO through its civil affairs section have been actively involved. Yet, unfortunately, there is no evidence that peace has been restored and it is rather a type of a *paix des armes* that gradually takes hold in Kalehe territory.

Table of Contents

1 INTRODUCTION	6
2 ARMED GROUP DYNAMICS SINCE MAY 2020	10
2.1. Preludes to the CNRD's dismantling	10
2.2. Military operations and their impact	14
Impact of military operations in late 2019 and early 2020	15
Insecurity fostered by armed groups and residual militias	16
The FARDC's functional ambivalence?	17
The reactivation of armed groups	19
Two informal "new coalitions" of armed groups	24
3 INTER-COMMUNITY RELATIONS TODAY	25
3.1. The tendency to consider Congolese Hutu as Rwandan Hutu	25
3.2. Beyond the Hutu issue	27
Political competition	27
Competition over resources	30
Tensions around potential new rural communes	30
4 PEACE INITIATIVES AFTER THE CNRD'S DISMANTLING	32
4.1. Joint efforts between FARDC and MONUSCO	32
4.2. The Murhesa process: a failed dynamic?	33
4.3. The impasse of community-based DDR	35
5 CONCLUSIONS AND RECOMMENDATIONS	37
6 BIBLIOGRAPHY	40

Introduction

Located to the north of the provincial capital Bukavu, Kalehe territory shares borders with Walikale and Masisi in North Kivu, and Kabare, Shabunda and Idjwi in South Kivu. Kalehe is also connected to neighboring Rwanda by Lake Kivu. The territory extends from the shores of Lake Kivu to the highlands and has two chieftaincies: Buhavu and Buloho where customary power and public administration overlap. Bunyakiri, Kasheke, Kalonge, Numbi, Minova, Nyabibwe and Ziralo are the major urban agglomerations of territory. Kalehe is inhabited by Havu, Tembo, Rongeronge, Twa, Hutu and Tutsi.¹ While the first four groups are considered “indigenous” at the local level, the latter two are mostly descendants of populations from previous migrations, often stigmatized as “people of questionable nationality” (Mugisho 1997). This dichotomy plays an important role in the recurring conflict in Kalehe (Bouvy et al. 2019). For nearly three decades now, this area has been experiencing chronic insecurity with multiple causes, including the questioning of “migrant” land ownership by “natives”, the militarization of social relations and competition between communities for the control of political space and access to resources (Vlassenroot & Verweijen 2017, Ansoms et al 2011).

¹ In fact, the Tutsi and Hutu of Kalehe come from three major waves of migration from Rwanda to the DRC. The first group is linked to pre-colonial mobility of populations between the Rwandan kingdom and Buhavu. The second group is that of Rwandans recruited by the Belgian colonial administration to work on plantations in eastern Congo. Finally, the “last” significant group is the Rwandan refugees, mainly Tutsi, who fled the aftermath of the 1959 Hutu revolution (IRRI 2019).

In general, these local dynamics have long been an anchor for other national and regional conflicts. More specifically, local conflicts are compounded by interventions of Rwandan armed groups based in eastern DRC, such as the *Forces démocratiques de libération du Rwanda* (FDLR) and the *Conseil national pour le renouveau et la démocratie* (CNRD). Both political and economic issues revolve around the problem of land tenure, the control of agricultural and mineral resources, the question of a potential return of Kinyarwanda-speaking Congolese refugees to Kalehe (IRRI 2019) and, to some extent, the creation of new rural communes by Decree No. 18/020 of 30 May 2018.² Previous wars further reinforced identity and political divisions insofar as armed resistance to the two main Congolese rebellions of the 1990s, the *Alliance des forces démocratiques pour la libération du Congo-Zaïre* (AFDL) and the *Rassemblement congolais pour la démocratie* (RCD), had been built on a community basis (Vlassenroot et al. 2016; APC 2015).

The security situation in Kalehe went “up and down” despite several civilian and military peace efforts in South Kivu.³ Throughout the various demobilization processes in the region, there has been an almost permanent recycling of rebels (Vogel & Musamba 2016), resulting in continuing insecurity in the area. In early March 2019, the CNRD, a dissident branch of the FDLR, moved into Kalehe from Masisi territory (Bouvy et al. 2019). Very quickly, the newcomers and their dependents became involved in land conflict, causing the reactivation of local armed groups including Mai-Mai Kirikicho, and diverse Raia Mutomboki and Nyatura groups. There had also been concerns about the CNRD’s presence near the Rwandan border. According to a Hutu community member, CNRD elements claimed in March 2019 that they were just passing through Kalehe and needed to join their units based in the highlands of Fizi territory, with the ultimate goal of gaining access to Rwanda.⁴ CNRD’s establishment in Fizi represented a threat to the region that would have prompted a potential Rwandan intervention. However, there is no evidence that the CNRD’s elements actually

² Decree No. 18/020 of May 30, 2018, *Journal officiel*, 59th year, July 2018.

³ Several military operations have already been conducted either by the FARDC, MONUSCO or jointly against local and foreign armed groups. Examples include Kimia I and Kimia II, Amani Leo, Amani ya Kweli etc. All of these military operations have failed to bring peace. Also, several consultations on “inter-community dialogue” have been organized, but have failed to reduce tensions in this part of South Kivu province.

⁴ Interview No. 9, Bukavu, 6 June 2020.

intended to deploy to Uvira and Fizi. Instead, their actions soon betrayed their intention to establish themselves comfortably in Kalehe: land occupation, logging and mining, mainly in the *Hauts Plateaux* and *Moyen Plateaux* of Kalehe, an area that is well known for its “five hills conflict”.⁵

Like an earlier contribution to this series (Bouvy et al. 2019), this report finds that conflicts in Kalehe Territory have a historical basis and revolve primarily around land, power, and identity. The militarization of social relations and the cyclical violence observed in the area are rooted in this triad. A major element to consider here is the dismantling of CNRD strongholds by the Congolese army, the *Forces armées de la République démocratique du Congo* (FARDC), between late 2019 and early 2020. Despite the relative success of the FARDC operations, conflict drivers were not sufficiently addressed and thus continued to fuel insecurity and armed mobilization. A year into the dismantling of the CNRD, four recent dynamics are relevant to this study. First, the gradual remobilization of some armed groups that had already surrendered to the FARDC between late 2018 and early 2019. Second, the growing divisions between local communities, mainly between Hutu and Tembo, over land and identity issues. Third, armed banditry, linked both to remobilization and, to a lesser extent, to the consequences of the “state of siege” declared in the neighboring North Kivu province in May 2021. According to a civil society representative from Bunyakiri, as soon as military operations began under this state of siege, several armed bandits who were active in North Kivu migrated to South Kivu. Finally, these three dynamics are accompanied by an increased involvement of civil society actors, international NGOs, the United Nations Organization Stabilization Mission in the Congo (MONUSCO) and the Congolese government in the peace process.⁶ This report outlines the process.

⁵ The five hills are: Lumbishi, Numbi, Kavumu-Luzirantaka, Karoba, and Shanje. The term “five hills conflict” summarizes much of the land issue in Kalehe. Prior to the deployment of the *Mission d’Immigration des Banyarwanda* (MIB) in the 1930s, the territory of Kalehe was sparsely populated. Four local communities (Havu, Rongeronge, Tembo, and Twa) lived in large “uninhabited” areas, including the “five hills” which seemed to be of little interest to the local communities because of their very cold nature. It is on these areas that several waves of immigrants, mainly from Rwanda, gradually settled. They only had to pay a fee to the Mwami Sangara for land access. The “five hills” gradually came under the control of the Banyarwanda (Hutu and Tutsi) who are considered foreigners in the area. The new owners then “legally” and/or militarily secured their land. This is seen by the Havu and Tembo as a form of land grabbing, a source of conflict.

⁶ Interview 11, Bulambika, 10 July 2020.

Data collection for this report was conducted in two phases. The first, which took place in May 2020, collected data in the highlands of Kalehe, the groupings (*groupements*) of Ziralo (in Mubuku) and Mbinga-Sud. The purpose was to identify the main dynamics of insecurity after the CNRD's dismantling in Kitindiro and Rutare in late 2019. The second phase took place in June 2021 and mainly focused on updating the information collected during phase one, through new data collection at the shores of Lake Kivu, in Mbinga-Sud, and in the *Hauts Plateaux* and *Moyens Plateaux* of Kalehe.⁷ Interlocutors included community leaders, civil society actors and political leaders based in Bukavu and Goma. The study used a qualitative approach with semi-structured interviews, group interviews and field observations. Interviews were conducted with local civil (customary and administrative) and military authorities, civil society members, community representatives, artisanal miners and mine operators, and armed group members or relatives. In addition to using these primary sources, this study made use of numerous reports on the security situation in South Kivu in general and in Kalehe territory in particular (Vlassenroot et al. 2020; IRRRI 2019).

Finally, we explored the abundant correspondence from civil society actors and community leaders among Tembo and Hutu denouncing the escalation of violence and the increase in ethnic cleavages in the area following the clashes around Katasomwa and the enforcement of the state of siege in North Kivu province. In addition to the chronic insecurity in Kalehe territory, the first phase of the research was seriously hampered by the COVID-19 pandemic. The researchers had to shorten their fieldwork in favor of remote interviews, but several informants were unwilling to provide information over the phone. The second phase of the research was affected by repercussions of the clashes between community-based armed groups in Katasomwa. However, this new context allowed us to capture changes in the security environment between the two phases of the research and to improve the content of the report.

⁷ April 2021 was characterized by clashes between community-based armed groups (Tembo and Havu) in several villages in the Ziralo and Mubuku groupings. The Nyatura and Raia Mutomboki groups were particularly involved. The second phase of the research therefore focused on understanding the escalation of violence during this particular period.

Armed group dynamics since May 2020

In order to understand the current configuration of armed groups in Kalehe, it is necessary to consider the security context that prevailed in the area before, during and after the military operations conducted by the FARDC. This is addressed period by period in the following three sub-sections. The first outlines the context before the military operations, the second discusses military operations and their impact, and the third presents the configuration of armed groups one year after military operations against the CNRD began.

2.1. Preludes to the CNRD's dismantling

The arrival of the first CNRD elements and their dependents was reported in December 2018 in the territory of Kalehe. At that time, there was relatively little armed activity in Kalehe. Nevertheless, armed groups operating in the area were responsible for looting, abductions and rape. These groups fall into three categories, all of which were involved in these abuses: groups known as Mai-Mai, the largest being that led by Kirikicho Mwanamayi, a long-time Tembo combatant based in Tushunguti (Ziralo); Congolese Hutu-led groups known as Nyatura (“those who hit hard” in Kinyarwanda), with the major wing under the command of Matias Kalume; and finally, several Raia Mutomboki groups. The first CNRD armed elements, essentially Rwandan Hutu militiamen and their dependents, arrived late 2018 and early 2019. According to several sources, they were fleeing Masisi and Walikale after being attacked by the Nduma Defence of Congo-Rénové under Guidon Shimiray. In early March 2019, the establishment of CNRD elements in Kalehe territory intensified with the arrival of other elements from the territories of Uvira and Mwenga. The

newcomers, heavily armed, contributed to a rise in violence and reinforced divisions between local communities.

For example, leaders of the *Buuma Bw'e Batembo*⁸ and civil society actors in Bunyakiri, who suspected that the Congolese Hutu wanted to take advantage of the presence of Rwandan Hutu in the area to strengthen their positions in the highlands, organized several demonstrations in Bunyakiri and Bukavu to demand the disarmament and repatriation of Hutu rebels to Rwanda (Bouvy et al. 2019). Congolese Hutu, on the other hand, became concerned over the risk of being perceived as Rwandan refugees and CNRD elements. By maintaining this climate of mutual distrust, with each side watching the other closely, communities implicitly participated in the reactivation of community armed groups, aggravating an already fragile security situation. Despite the intensification of abuses committed on the population by armed men, it took seven months for the FARDC to launch military operations against the CNRD and other armed groups in Kalehe (Bouvy et al. 2019). When a FARDC officer was interviewed about this lethargy, he responded:

It was a highly risky and delicate operation [...]. We had to make sure that the operations would be carried out with as little damage as possible. You know [...] in this area there are Rwandophones including both Hutu and Tutsi. Also, among the Hutu and Tutsi there are Rwandans and Congolese. Our mission was to dismantle the CNRD. The CNRD are Rwandan Hutu. But in the same area there are also the Nyatura, who are Congolese Hutu. They speak the same language and they have the same morphology... it's the same thing with their respective dependents. How were we going to tell the difference? We needed time to understand all this.⁹

The situation was in fact even more complex than what was outlined by the officer. Rwanda was determined to secure its borders because of the presence of the CNRD in Kalehe. In 1996, Rwanda intervened in the DRC in support of the AFDL led by Laurent-Désiré Kabila because of the threat of hostile armed elements near its borders. The danger of a similar situation occurring again was pointed out by a leader of the Hutu community in Kalehe, who said:

⁸ "Unity of the Tembo", the mutuality of all Tembo based in Congo and abroad.

⁹ Interview No. 9, Bukavu, 6 June 2020.

For the Rwandan government, there is no difference between Congolese Hutu and Rwandan Hutu involved in the CNRD. It [the Rwandan government] knows that it is vital to find a solution to the threat that the CNRD represents for Rwanda [...] It is clear to us that for the security of Rwanda, the RDF [Rwanda Defence Force] is ready to intervene directly or indirectly in Kalehe. We (Hutu) therefore fear for our own security. Rejected in Kalehe by other communities, we would not be spared either in case of a military operation involving the RDF.¹⁰

The concerns expressed by the FARDC officer and the leader of the Hutu community in Kalehe are confirmed by civil society actors. As soon as the CNRD arrived in Kalehe in March 2019, they denounced the infiltration of the population by the CNRD with the alleged or proven complicity of the Hutu of Kalehe, including Nyatura elements.¹¹ The CNRD's presence in the region would therefore lead to a phenomenon that can be termed a "CNRDisation" of certain Hutu, i.e., a confusion of the boundaries between groups and individuals' affiliations, which one respondent illustrates with this proverb: *Hakuna tafauti kati ya panya ya pori na panya ya mu nyumba*.¹² This confusion is reflected in the contested question of Hutu nationality. The task is further complicated by the fact that the National Independent Electoral Commission (CENI) lacked professionalism during the registration process (2017-2018), which led to the registration of Rwandan Hutu refugees in the electoral register, mainly CNRD elements. This is confirmed by several people:

Some CNRD dependents who reached Kalehe territory in February 2019 claimed to have fled the killings perpetrated by infiltrators of the RDF in the refugee camps of Kitchanga and Mweso in North Kivu. Curiously, many of them have Congolese voter cards. The same as ours.¹³

Obviously, there is no evidence that the Congolese voter cards held by some Rwandan Hutu were issued by the CENI itself, but what is clear is that they have contributed to complicate the situation and to re-launch the issue of "questionable nationality". In the eyes of several informants, both Hutu

¹⁰ Interview No. 20, Bukavu, 18 July 2021.

¹¹ Interview No. 2, Ihusi, 25 May 2020.

¹² This Kiswahili quote translates as: "There is no difference between a rat that lives in a house and a rat that lives in the bush". In other words: "Congolese Hutu and Rwandan Hutu are one and the same".

¹³ Interview No. 8, Nyabibwe, 28 May 2020

and Tembo, the resulting confusion about the nationality of Hutu is understandable. According to them, the cultural, social and linguistic proximity of Congolese and Rwandan Hutu would force them to a form of solidarity and mutual protection against a threat that would come from neighboring Rwanda, as well as from “other communities”.¹⁴ As the situation in Kalehe became explosive after the installation of the CNRD, NGOs and MONUSCO first tried a non-military solution. A MONUSCO outpost was set up in the area to monitor CNRD movements, while at the same time several awareness campaigns for voluntary disarmament and repatriation to Rwanda were conducted.¹⁵ But these campaigns produced very mixed results. According to some FARDC, the CNRD rebels chose to send their wives and children to the area instead of going themselves. This attitude revealed the intention of several CNRD elements who, far from wanting to surrender, wanted to establish themselves in the area.

When the FARDC were alerted about such ambitions, they decided to use Nyatura elements, with whom they had formed a temporary alliance in previous campaigns against armed groups who had refused to surrender, to counter the CNRD. The confusion thus increased. Strategically, the FARDC needed scouts who could control the area. The FARDC therefore relied on certain elements of local armed groups on an ad hoc basis. The latter were easy to convince, as the arrival of the CNRD in the region had significantly impacted their areas of influence and therefore affected their access to resources. In this respect, some Nyatura were recruited as scouts even though they had previously surrendered to the FARDC. These scouts, perceived as “suspicious” because of their common language with members of the CNRD, were carrying out their mission at the same time as other scouts from different factions of the Raia Mutomboki were operating in parallel for the FARDC.¹⁶ However, the fact that the FARDC used Tembo scouts against the CNRD also reinforced divisions between the Tembo and Hutu. According to a Hutu respondent already quoted:

¹⁴ Interview No. 20, Bukavu, 16 September 2021.

¹⁵ Interview No. 1, Ihusi, 25 May 2020.

¹⁶ Interview No. 9, Bukavu, 6 June 2020.

Other communities (Tembo, Havu and Rongeronge) do not understand that in addition to the conflicts that divide us locally, we the Hutu are also targeted by the Rwandan government. The latter is intervening in eastern Congo with a clear goal: to neutralize any attempt to organize the CNRD into a military force that could destabilize Rwanda. This fight is more than political, it is also ethnic. It pits the Hutu against the Tutsi everywhere in the world. In the same way that the Tembo say that there is no difference between a “rat in the bush and a rat in the house”, for the Tutsi, there is no difference between Congolese Hutu and Rwandan Hutu.¹⁷

This Hutu leader’s view puts the Kalehe issue in a broader context, that of Hutu survival in the face of a larger threat. This respondent went so far as to insinuate that “certain Tembo leaders would be manipulated by the Rwandan government to put us into trouble”.¹⁸ This Hutu leader also named, without providing convincing evidence, some Tembo politicians based in Kinshasa who, according to him, were in touch with Rwandan security circles with the aim of making influential Congolese Hutu look like dangerous Rwandan Hutu. Mutual concerns are expressed by civil society leaders in Bunyakiri who denounce what they consider “a security problem of invasion [...] by Congolese Hutu, who have never denounced the invasion movement of foreign armed groups and the CNRD in the highlands of Mubuku and Ziralo”.¹⁹ This made it impossible to find a peaceful solution.

2.2. Military operations and their impact

The FARDC deployment in Kalehe intensified from early September 2019. During this period, there were persistent rumors of Rwandan troops infiltrating the area from the port of Irambo-Kasheke.²⁰ The military operations began effectively on 20 September 2019. Supervised by FARDC generals Delphin Kahimbi and Akili Muhindo Mundos, they reportedly received logistical and military support from the RDF. The operations were conducted along three main axes by the 3415th FARDC regiment. The Bunyakiri axis was entrusted to colonels Rutarara, Ilunga and Mbaza. The Mubuku axis was supervised by Colonel Lucien Saddam, while the Ziralo and highlands axis

¹⁷ Interview No. 20, Bukavu, 24 September 2021.

¹⁸ Interview No. 17, Bukavu, 18 July 2021.

¹⁹ Interview No. 11, Bulambika, 10 July 2020.

²⁰ Interview 6, Nyabibwe, 28 May 2020.

was assigned to Colonel Fimbo. On 26 November 2019, 26 CNRD camps were attacked from Kitindiro, Bibatama, Nyamugari and Rutare. Several FARDC elements lost their lives on the battlefield, but the CNRD retreated. Some units escaped to the highlands while others joined the Kahuzi-Biega Park (PNKB). Others, trying to reach Kabare and Shabunda via the groupings of Kalonge and Bitale, were captured by the Raia Mutomboki who immediately handed them over to the FARDC. They were then taken to the Nyamunyunye transit camp before being transferred to Rwanda. The apparent collapse of the CNRD and the subsequent period of calm led to the belief that the group had been neutralized. In reality, however, the FARDC only dispersed the group to calm Rwanda's concerns and to satisfy the multiple pressures exerted on the Congolese government by other communities in Kalehe (Tembo, Havu, Rongeronge) through demonstrations. Yet, the CNRD was still there.

IMPACT OF MILITARY OPERATIONS IN LATE 2019 AND EARLY 2020

Military sources reported that the CNRD had been informed in advance of the impending attack and had taken effective measures to limit casualties, while on the FARDC side, the human toll was very high. According to these sources, the casualties were due to the fact that some CNRD dependents who had infiltrated the civilian population were well-armed and attacked the FARDC by surprise:

The CNRD civilians killed more of the FARDC. Knowing that the FARDC were coming to attack them, they pretended to be ember sellers and waited for the right moment to attack the FARDC.²¹

While the FARDC military operations were not able to neutralize the CNRD, they did seriously damage its military capabilities. The resulting displacement of several CNRD elements to Masisi in North Kivu led to the conversion of many of them to artisanal tourmaline mining in Rubaya. Clashes between the FARDC and the CNRD have also caused massive displacement of civilians. The grouping of Mbinga-Sud, for example, has received nearly one hundred families from Numbi, Lumbishi and even Bunyakiri seeking safety. An informant at the Mwami's court in Ihusi said:

²¹ Interview No. 9, Bukavu, 6 June 2020.

On 19 January 2020, 42 people from more than ten Tutsi families, including 28 children, 9 women and 5 men, were found in a host family in Kabumbiro, a village in Kasheke not far from the natural boundary between Kalehe and Kabare territories. These displaced persons came from the forests of Rutare and Kitindiro, areas formerly controlled by the CNRD.²²

Many Havu and Hutu have also left the highlands because of the clashes. Among these displaced persons, one particular category is drawing attention in central Kalehe. These are about one hundred Twa families who fled the PNKB and its surroundings due to the violence.²³

INSECURITY FOSTERED BY ARMED GROUPS AND RESIDUAL MILITIAS

The security situation deteriorated as the population was displaced. Armed men, referred to as “unidentified armed men in uniform”, were the main perpetrators of violence. In Northern Mbinga, raids by residual armed groups and murders were reported. According to military sources, armed banditry, some of which we will illustrate, intensified between February and May 2020. On 27 May 2020, the Nyatura led by Habarugira Ndengane, Mugabo, Shukuru Mamera, and Maombi Hakiza were caught by the FARDC with bags of fresh beef. It was later revealed that they had stolen cows from the Matabaro concession. During the same period, the Mai-Mai Kifuafua of Maachano attacked the FARDC in Ufamando II, causing damage to the population (destruction of property and incidents of mob justice, such as lynching). In addition, armed men stole goats in Karoba during the night of 24 May 2020. With the intervention of civil society in support of the FARDC and the Congolese National Police (PNC), two goats were recovered and two thieves were caught. Cattle theft by unidentified armed men has become common in Karoba. The perpetrators often operate in the presence of the FARDC, who are reluctant to intervene because they lack the exact location of the thieves.

Hostage-taking, which has also resurfaced, is not limited to armed groups either, but follows an overall logic, based on abduction and ransoms for release. The case of Muleme Katoto, whose body was found at the Lwako

²² Interview No. 1, Ihusi, 25 May 2020.

²³ The PNKB has always deplored the presence of Twa in the park and advocated for their settlement elsewhere. The Park promotes the education of pygmies. Some Twa children are studying thanks to the PNKB's subsidies.

airfield on 5 May 2020, a few days after his abduction, is an example. The Mai-Mai Kirikicho continued to collaborate with local authorities to impose a fee (goats, drinks and weapons) on the population in exchange for their protection. Also, a special *lala salama* tax,²⁴ demanded by almost all the armed groups, was imposed in Ziralo despite the fact that armed groups were no longer actively present on the ground. According to several informants, the resurgence of armed banditry in Kalehe can be explained by an intense and uncontrolled circulation of light weapons and concomitant ammunition. Arms dealers are said to be mainly former combatants who have lost territory to the FARDC, CNRD elements, and from time to time FARDC elements who do not hesitate to sell “some of the weapons collected” from their victims. An officer who requested anonymity said: “In this area, it is very easy to get a gun. You only need 15,000 to 20,000 Congolese francs (less than 10 USD).” It is also this easy access to weapons and ammunition that has contributed to the spread of violence in areas such as Buzi, Lumbishi, Ziralo, Mubuku and Tchigoma.

THE FARDC’S FUNCTIONAL AMBIVALENCE?

While it is true that most abuses are perpetrated by armed groups, it is also true that some FARDC elements are contributing to insecurity. The soldiers’ actions are motivated by poor living conditions when deployed to an “operational zone”, exposed to theft and other harassment. They receive very limited food rations, and are sometimes forced to rely on taxing farm products and transporters on market days, just like the armed groups.²⁵ FARDC soldiers know that this is an illegal practice, but they argue, as does this soldier interviewed in Lumbishi, that this is the only way they can survive:

Bolobela biso kuna, biso tozokufela mboka, mais ration té. Tala officier ya ville na officier ya awa. Tala, ata kolia eza pasi. Moto moko, kopo moko ya fufu ! Lelo nayebi te ngai na bana tokolia nini. Tala nzoto ekondi, tout un officier ! D’ailleurs nalingaki bouteille oyo tozomela awa oconvertir

²⁴ *Lala salama* means “good sleep”. This is how the Mai-Mai Kirikicho call the tax imposed on the population “in exchange for security”. Not paying the tax means being exposed to night-time burglaries and other inhumane treatment.

²⁵ The FARDC erected barriers to collect food from people passing by. The civil society is not happy about this and accuses them of harassment. But the FARDC, for their part, complain that the hierarchy has not sent them rations for several months, even though it knows that they are in an operational zone.

yango en argent, po na zua bileyi ya lelo. Gouvernement ezangi donc ata hélicoptère moko ya ko memela biso bileyi mpo to souffrir na nzala boye ?²⁶

Indeed, many of the soldiers are under-equipped. Their worn-out uniforms are similar to those of combatants and armed groups. In fact, some of armed group uniforms are cleaner and more presentable. This is confusing for the population, which is inclined to assimilate soldiers of the regular army with elements of armed groups. In the meantime, armed groups take advantage of this to disguise themselves as FARDC. A soldier expresses this confusion:

Soki gouvernement akebi te, makambo ekobeba neti na Fizi [...]. Kuna ba civile Banyamulenge, Babembe, Bavira na Bafulero basi basimba manduki, baike balata mpe ba tenues neti biso. Situation ekobeba pe coté oyo. Ekoma kaka masolo ya Vietnam.²⁷

In addition to these security dynamics, operations against the CNRD have resulted in disastrous consequences for small-scale businesses. As soon as they settled in Kalehe territory in March 2019, CNRD elements and their dependents engaged in logging in the hills of Bibatama, Kitindiro, Rutare I and Rutare II. A flourishing trade was established between these hills and Shanje locality, whose market supplied Shanje, Numbi, Kalungu and Nyabibwe. Several CNRD dependents were involved in this trafficking, and shopkeepers in Chambombo and Shanje benefited from it. These were the main supply centers for the CNRD rebels in terms of basic necessities. Following the attack on them, some businesses closed for two reasons. Some went bankrupt because they began selling on credit to their new customers associated with the CNRD. However, prior to the operations,

²⁶ “Please plead for us, we are dying for the republic, but we have no food rations. Compare officers in the city and us in the middle of operations here. Eating is difficult! One officer, one cup of flour. Today I don’t know how my family and I are going to eat. This is how we have lost weight, and I wish the drink we are having together in this conversation could be converted into money to see if I could find a meal for the whole family. Does the Congolese government have a single helicopter to supply us with food to suffer like this?” (Interview No. 22, Lumbishi, 24 May 2020).

²⁷ “If the government is not careful, we are going to experience the situation that prevails today in Fizi [...] where Banyamulenge, Bembe, Vira and Fulliro civilians are in possession of weapons of war. Some of them even have uniforms like us. The situation is likely to become even more complicated here. It will be like Vietnam. (Interview No. 22, Lumbishi, 24 May 2020).

CNRD members were paying according to negotiated terms, but after the operations the debtors were impossible to locate. The second reason is that some of these shopkeepers had involved CNRD members in their businesses. The latter were careful to withdraw their shares as soon as they were informed of the imminent FARDC attacks. Such collaboration between combatants and the population has often been reported but is rarely documented. A brief period of calm followed the destruction of CNRD strongholds in 2020, and after the clashes of April 2021 in the Mubuku and Ziralo groupings. Armed groups in Kalehe are in the midst of reconstitution. The CNRD, the Nyatura, the Mai-Mai Kirikicho and the Raia Mutomboki are gradually regaining momentum.

THE REACTIVATION OF ARMED GROUPS

After the repatriation to Rwanda of 300 CNRD elements captured by the FARDC in December and January 2020, other CNRD elements who had managed to escape had scattered into small groups in the PNKB, Katasomwa, the hills of Kitindiro, Rutare I and Rutare II, and in several villages around Numbi, Shanje, Chambombo and Lumbishi. Some of their former bases were occupied by Hutu civilians. A year after the operations, human rights organizations are warning of the progressive reactivation of CNRD elements and their involvement in the degradation of security in Kalehe.²⁸

A Hutu leader in Kalehe said that the rapid resurgence of the CNRD was easily explained by the fact that, well before the military operations, the core group of combatants had moved in two directions. The first group (larger in number) had gone into Masisi through Rubaya. The second group would have forced its way to the highlands of Fizi through Ninja in Walungu territory. However, no reliable statistics are available on the number of CNRD combatants and their dependents who were temporarily settled in Kalehe. An agent of the *Direction Générale de la Migration* (DGM) estimated, in lack of complete a database, that they could number 1,800. According to him, only 200 had returned to Rwanda. These figures are close to those put forward by the ICRC, which mentions the repatriation of 300 CNRD elements

²⁸ Interview No. 10, Nyabibwe, 11 June 2021.

to Rwanda. But in the absence of reliable figures, the only evidence remains that several CNRD elements and their dependents have spread out in the Kalehe highlands where they would have benefited from the solidarity of certain Congolese Hutu.²⁹

The hardship endured by former Rwandan Hutu refugees since 1994 has aroused the compassion of Congolese Hutu. This solidarity has raised many suspicions among some civil society in Bunyakiri as to the nature of the relationship between Congolese and Rwandan Hutu. One of them asserted, without providing proof, that the Rwandan Hutu of the CNRD would benefit from Congolese support at several levels: local alliances, the support from certain political actors for political positioning reasons at the provincial (North and South Kivu) and national levels, as well as support from the international Rwandan diaspora.³⁰ The fear of a form of “Hutu nationalism” conveyed in the expression *turarambiye* (“we are tired” [of being persecuted]), conveying a message of a communal and “borderless” nature, is what contributes most to the reinforcement of the Hutu/Tembo divisions in Kalehe. NGOs involved in the peace process in this area should take into account this subjective dimension of the conflict as it occupies an important place in the community’s imagination and contributes to the consolidation of belligerent complexes. For example, for the Hutu community leader in Kalehe, if anyone benefits from the conflicts between his community and the “other communities” in the area, it is the Rwandan government. The latter would like to maintain a climate in Kalehe that is unfavorable to the stabilization of Rwandan Hutu in eastern Congo, as stated below:

This is not the first time! Shortly before the Rwandan rebellion of the FPR started in 1990, the Tutsi had put in place a Machiavellian strategy to pit the Hutu of North Kivu against the Hunde and Nyanga. They wanted to ensure that Habyarimana’s power would not be tempted to seek reinforcements in the [Zairian] Hutu community. It is the same strategy today. Rwanda is behind the conflicts between us and the other communities in general and the Tembo in particular.³¹

²⁹ Interview No. 10, Nyabibwe, 11 June 2021.

³⁰ Interview No. 12, Numbi, 11 June 2021.

³¹ Interview No. 20, Bukavu, 20 September 2021.

Beyond the obvious concern in this testimony, the persistence of the Hutu of Kalehe in asserting themselves as Congolese shows the complex and even the fear of being seen as “people of questionable nationality”. This is why, according to a Hutu from Kalehe, his community would do its best not to interfere in Rwandan issues, the repercussions of which are felt in Kalehe territory. The Nyatura, regardless of their branch, are armed groups made up of Congolese Hutu. Like all local armed groups, they claim to be fighting for the protection of their land and their interests. Similarly, they are included in demobilization efforts. Following two retreats that brought together armed groups in Murhesa in December 2019 and September 2020 (see below), some of them demobilized and regrouped in Nyamunyunye in Kabare territory. The arrival of the CNRD placed these Congolese Hutu in a difficult position. While there are cultural and historical links between them and the Rwandan Hutu, it is equally true that their Congolese nationality requires them to coexist with other communities. However, for the time being, this coexistence depends on the power relations, both political and military. If from a political standpoint, representativeness at the local and provincial levels is an important issue, securing land is not only a legal issue, but also and above all a military one. This is mainly what motivated the recent reactivation of the Nyatura in Kalehe.

FARDC military operations also reduced the capacity of the Mai-Mai and Raia Mutomboki groups in Kalehe territory. Although the intensity of violence has decreased, several armed factions are still active in the area, despite waves of self-demobilization in 2019. The failure of previous DDR programs and the impasse in which several combatants found themselves at the Nyamunyunye transit center, are the reasons for this “circular return” (Vlassenroot et al. 2020). Combatants such as Raymond Kabishula, known as “Ngubito,” Ngandu Lundimu and other Mai-Mai leaders and Raia Mutomboki were awaiting either integration into the FARDC or civilian reintegration, neither of which has occurred. Many got tired and preferred to return. However, there are two additional explanations for this circular return: the ongoing competition for land access and, above all, the effects of the state of siege in North Kivu. With regard to the land issue, Tembo and Hutu conflicts over land have worsened significantly since the arrival of the CNRD in the area in March 2019. The Tembo leaders, in an attempt to put an end to the land grabbing

process, have decided to revoke several land purchase contracts considered “vague” when they have been issued by a Tembo to a Hutu, i.e., contracts that do not sufficiently specify boundaries. With respect to the state of siege in North Kivu, armed groups involving Rwandan Hutu reportedly felt particularly targeted by the military operations. In an attempt to escape them, some have migrated in small waves to South Kivu. There are no statistics on the number or frequency of these movements between North and South Kivu, but one thing seems certain: the arrival of new armed elements has not gone unnoticed. One week after the declaration of the state of siege in North Kivu and Ituri, a large shipment of military equipment from North Kivu was seized by the FARDC in Minova.³² It was reported that some armed bandits who were operating in North Kivu also migrated to Kalehe. This was a strange experience for local communities, particularly the Tembo, similar to the arrival of CNRD elements in the area in March 2019. Hence the need for “serious self-defence”. The table below gives an idea of the current status of reactivated armed groups in Kalehe territory:

³² Interview No. 21, Buzi, 16 June 2021.

Table of armed groups that are still present in the area³³

N°	NAME	LEADERS	LOCATION	COMMUNITY
01	Nyatara Turarambiwe	Musekura Alfonse and Mugiraneza Ndabazi	The entire Highlands area, part of the Ziralo, Buzi, Mubuku, Northern Mbinga, Southern Mbinga, Mutale and Batayo groupings	Hutu and Tutsi
02	Mai-Mai Kirikicho	Kirikicho Mirimba Mwanamayi	Matutira, Biliko, Ziralo, Tushunguti, Batayo, Lulere, Ufamandu and Mubuku	Tembo
03	Nyatara Kalume	Kalume Kage	Ramba, Murango, KBNP, Bushaku, Mweya, Katasomwa, Musenyi, Gashie, Ngandjo, Bushengeshenge, Numbi, Ziralo, Mushunguti Tushunguti/Katale, Kalamo and its surroundings	Hutu
04	Raia Mutomboki Butachibera	Butachibera Mwinja alias Ndege ya chini	Lailai/Kilimanjaro Forest and Kabalaga, Luhoho, Kalonge, Bigizi Kashenyi, Kambegeti, Hombo, Mashe, Kabenga	Tembo of Mubuku
05	Raia Mutomboki Lance	Samuel, Lance Muteya and Kachamba	Ramba, Musenyi, Kasuru Nganjo, Bikunda, Bushengeshenge, Ziralo, Bunyakiri, Ngokwe, Tchitababulwa, Makuta, Kalonge, Mwamiwidju, Katare	Tembo
06	Raia Mutomboki Hamakombo	Bwaale Hamakombo Shifuly	Village of Chabunda, Kalima, Maofu, Kalonge, Buhavu (Mubuku), Byolwa Katubiriro, Kafunda, Shishe and towards Mafuo	Rega of Shabunda
07	Mai-Mai Ngubito	Raymond Kabishula Ngubito	Ziralo, Kachiri and Mubuku	Hutu
08	Raia Mutomboki Mungoro	Mungoro Matafali	Chirungo, Cinene, Lukando, Cibiriro, Walikale, Mbombo	Tembo of Kalima
09	Raia Mutomboki Shukuru	Shukuru Kawayo	Kabalaga to Luntukulu (Reserve), Luowo, Mashere, Hombo	Tembo
11	Raia Mutomboki Safari	Safari Cirongo alias Chef de division	Mahema, Mukaba, Nguliro, Mushinji, Nyantesa, Sati, Mutale, Kalabuza, Bisisi, Bigaru, Cibinda	Rega of Shabunda

³³ Discussion with informants and consultation of the Kalehe territory security action plan, January 2019.

TWO INFORMAL “NEW COALITIONS” OF ARMED GROUPS

Two broader and more or less informal community-based coalitions took shape after the April 2021 clashes in Mubuku and Ziralo. The first is made up of Kinyarwanda-speaking armed groups, while the second is made up of Temboled groups. This development has the potential to destabilize Kalehe in the long term. The first of these armed groups, made up of Congolese Hutu combatants, is dominated by the Nyatura. Expressions such as *Turarambiwe* or *Turahurhye* (“we are persecuted”), terms also used by Nyatura branches in North Kivu, indicate the existence of a solidarity expressed by the Congolese Hutu community in the face of a real or supposed threat plotted by the Rwandan government. Nationalism recycled in this way has two objectives. The first, internal to Congo, aims to protect Congolese Hutu against the tendency of other communities to assimilate them to Rwandan Hutu, while the second is regional and advocates for the return of Rwandan Hutu to Rwanda. The second alliance is formed on the Tembo side and includes the Raia Mutomboki under Hamakombo and Butachibera. In addition to the classic argument from these groups that they are fighting to defend their ancestral lands and oppose the “balkanization” of the Congo, there is an ethnic dimension. In a memorandum addressed to President Felix Tshisekedi by the *Buuma bw’e Batembo* mutuality leaders on 22 April 2021, it is stated as follows:

The Tembo feel that their entities have been forsaken by the Congolese State, which is watching the killings and massacres of its people. These actions are motivated by the expansionist philosophy of the enemy aiming at the balkanization of the country and occupation of our lands by imported individuals, including the Hutu who fled the war in Rwanda.

According to a *Buuma* leader, the purpose of this political message was to draw the president’s attention to the insecurity in Kalehe territory, while at the same time telling him between the lines that, as long as the “threat of balkanization” was there, the Tembo would continue to resist. Militias tied to these two trends were very active in the violence of March and April 2021. These clashes took place on two axes: in the highlands, they pitted the Nyatura against the Raia Mutomboki, while on the Kalonge-Kahuzi-Biega axis, the fighting pitted the Raia Mutomboki against the FARDC, whose 3312th regiment reportedly includes some Kinyarwanda-speaking military officers. The fighting caused massive displacement and seriously damaged relations between communities, particularly between Hutu and Tembo.

Inter-community relations today

Inter-community relations, particularly between Tembo and Hutu, have been negatively affected by the clashes mentioned above. Tembo leaders tend to establish contacts, even complicity, between Congolese Hutu and Rwandan Hutu. In addition to the land conflicts between members of these two communities, there is a larger context of competition in which the Tembo's denial of Hutu nationality is used as a political weapon.

3.1. The tendency to consider Congolese Hutu as Rwandan Hutu

Conflicts over land and identity are part of the social landscape in Kalehe and affect all communities.³⁴ However, those between the Tembo and the Banyarwanda (Hutu and Tutsi) have been aggravated since the early 1990s. Relations between the two communities have further deteriorated since 2011/2012. This period coincides with the creation of the Raia Mutomboki in Shabunda territory (neighboring Kalehe) and its tracking down of FDLR elements that had committed massacres in several Tembo villages. It was in response to these massacres that the Tembo created their own armed branch, the Raia Mutomboki, to hunt down the FDLR. According to a Hutu leader in Kalehe, the hunting down of the FDLR by the Raia Mutomboki of Kalehe did not spare the Congolese Hutu community: "In order to defend ourselves and to separate the FDLR from us, the Congolese Hutu militia Nyatura was created".³⁵

³⁴ There are many land conflicts in the Kalehe highlands. They oppose the Rwandophone communities (Tutsi and Hutu) to the Tembo and Havu, but also the "big concession holders" to the small farmers without land.

³⁵ Interview No. 20, Bukavu, 24 September 2021.

From then on, the militarization of social relations became part of the larger panoply of local security practices. With the arrival of the CNRD in the area and the establishment of camps in Katasomwa, Bushaku I, Bushaku II and Solifem, the situation became even more complicated. According to several Tembo *notables*, these so-called refugee camps would be military bases offered to the CNRD by the NGO *Actions et interventions pour le développement et l'encadrement social* (AIDES), a humanitarian organization active in the area in collaboration with the UNHCR. Mistrust of certain humanitarian organizations is common in Kalehe territory. It is fueled by conspiracy theories that have circulated in eastern Congo since the beginning of the cycle of violence in 1996 with the invasion of foreign armies, mainly from Rwanda, Burundi and Uganda.

Late March and early April 2021 were characterized by a *paix des armes* during which clashes between community-based armed groups contributed to reinforcing divisions between Hutu and Tembo. The Congolese Hutu community is now perceived as being part of the CNRD. Local leaders, mainly Tembo, accuse the Hutu not only of having welcomed “their brothers from Masisi” in 2019 on Tembo ancestral land, but also of wanting Rwanda to occupy Mubuku and Ziralo. The leaders mentioned a circumstantial element in their suspicions: the state of siege decreed by President Tshisekedi in Ituri and North Kivu. According to interviewees from Nyabibwe, several FDLR elements fleeing the state of siege in North Kivu arrived in Kalehe, where they found CNRD members “well integrated” among the Congolese Hutu, who allegedly welcomed them. The gap was bridged between suspicions of “questionable nationality” and the assimilation of Congolese and Rwandan Hutu. A letter sent by the Bunyakiri Red Cross to its supervisors in Bukavu illustrated this confusion.

A civil society actor in Bunyakiri went so far as to describe the security situation as an “invasion”. According to him, this “invasion” is the result of several factors, such as the presence of CNRD and FDLR elements in the Katasomwa highlands, in the Mubuku and Ziralo groupings; the presence of foreign armed individuals described as refugees in the same area as these combatants; the confusion between Nyatura, CNRD, FDLR and Hutu who established themselves in Katasomwa a long time ago (before 2017); the possession and uncontrolled circulation of arms and ammunition among CNRD, Nyatura and other “foreign” armed elements; and finally, the suspected complicity of Hutu,

who were never going to denounce this movement of “invasion” by foreign forces. Such an assimilation of Congolese to Rwandan Hutu does not necessarily mean that they are identical with Rwandan refugees. It would rather express the Tembo leaders’ feeling of powerlessness in the face of a growing Hutu influence in all sectors of life in Kalehe and the province: those who were initially considered as immigrants would have ended up dominating the economy. They acquired land and became involved in both farming and mining. At present, they have clearly expressed political ambitions: to have political control over the territory, to gain access to political positions at all levels (in Kalehe, Bukavu and Kinshasa). The Tembo feel that they are in danger of being swallowed up by the very people they have welcomed “into their homes” and to whom they have sold their land.

3.2. Beyond the Hutu issue

In addition to the assimilation issue of Congolese and Rwandan Hutu, there is political competition for control over territory and access to resources in Kalehe, which will be discussed in this section.

POLITICAL COMPETITION

While social relations have become militarized, local communities are well aware of their obligation to live together. From this standpoint, the tendency of some Tembo leaders to equate Congolese Hutu with Rwandan Hutu could be seen as a political strategy intended to pressure the Hutu to distance themselves from the FDLR and the CNRD. It is believed by Tembo and other communities in Kalehe that the Hutu community is capitalizing on the presence of Rwandan refugees in Kalehe territory for political purposes:

The Rwandophone communities (Hutu and Tutsi) would like at all costs to obtain an autonomous entity (grouping) in the Kalehe highlands. This grouping is expected to be established around a sub-village of Nyamugari headed by a certain Tondeye. Thus, the Hutu would like to increase their numbers with their Rwandan brothers.³⁶

³⁶ Interview No. 12, Ihusi, 25 May 2020.

According to various sources, a meeting was held in Lumbishi on 6 May 2021 with the objective of making this project a reality. The entity (grouping) that is the subject of so much speculation should be constituted by gleaning portions of land from each of the five groupings in the Kalehe highlands (Ziralo, Mubuku, Buzi, Northern Mbinga and Southern Mbinga) and will be called the Kalehe Highlands Grouping (or territory). The creation of such an entity is not impossible. Indeed, Congolese laws provide for the creation of new administrative entities by merging or splitting up existing ones. All that is required is that the law and procedures be respected. In this regard, Article 5 of the Organic Law n°010/011 of 18 May 2010 is clear: “A territory can be created by decree of the Prime Minister deliberated in the Council of Ministers after consultation by referendum of the populations in the concerned territories”.³⁷ The *Buuma bw’e Batembo* leaders are convinced that the Hutu of Kalehe aim at exactly that. A Hutu leader, when asked about this, responded to these speculations:

The Tembo and the Havu are simply afraid of our potential political breakthrough. Already in 2018, that is to say well before the arrival of the CNRD in Kalehe, we (Hutu) managed to get two members of parliament: one at the provincial level and another at the national level. The other communities, especially the Tembo, think that we (Hutu) are going to use this political position to set up a “Hutuland” in Kalehe. That is why they are fighting us. But this is just suspicion.³⁸

Suspicion or not, some leaders of the “other communities” feel the same way, like this *notable* of the Havu community:

Considering their numerical superiority, the Hutu are estimated to represent 80 percent of the population in the highlands, and given that they have elected officials, they are now driven by tribalism. Since they are many in numbers, they think they have to dominate the other communities. They are currently holding nightly meetings to refine their strategies. In the meantime, the other communities are thinking about strategies to bypass their plan.³⁹

The positions and perceptions of the communities regarding the presence of CNRD elements in the area reflect these fears. For the Tembo and Tutsi

³⁷ Article 5, Organic Law No. 010/011 of 18 May 2010 establishing territorial subdivisions within provinces.

³⁸ Interview No. 17, Bukavu, 18 July 2021.

³⁹ Interview No. 14, Numbi, 25 May 2020.

communities, it is essential to continue tracking down the CNRD in the highlands, not only because this would reduce the FDLR's influence, but also in order to reduce the ever-increasing influence of Congolese Hutu in the political arena. To the Congolese Tutsi community in particular, the presence of the CNRD in the area means that they continue to pay the bill for Rwanda's "insatiable appetites" in eastern Congo. Kalehe community leaders (including Tutsi), rightly or wrongly, tend to see a Rwandan presence everywhere. Given that the Mai-Mai movements in eastern Congo were largely created in response to the Rwandan army's involvement in the Congolese rebellions of the 1990s, Tutsi in Kalehe are concerned that rumors of RDF elements infiltrating the FARDC to hunt down the CNRD could mean they may be equated with Rwandan foreigners. According to the Tutsi, this would expose them to revenge from CNRD elements. Nevertheless, by forcing the CNRD out of the region and thus removing the risk of land conflicts that are looming, the military operations conducted by the FARDC have benefited the Tutsi community. In addition, they have been life-saving, as the presence of FDLR Hutu in the highlands was causing great panic in the Tutsi community. The FARDC attacks take credit of having removed the threat. The dismantling also helped destroy the CNRD's headquarters and ease Kigali's concerns, at least for a while. According to a Tutsi herder interviewed in Numbi:

They [the CNRD] wanted to join forces with Callixte Sankara and Kayumba Nyamwasa [Rwandan armed opposition stalwarts] with the goal of attacking Rwanda.⁴⁰

The mobilization mentioned above, although far from Kalehe, refers to the *Moyens Plateaux* and *Haut Plateaux* of Fizi and Uvira, from where a possible attack from Rwanda would be prepared. The Kinyarwanda-speaking communities in Kalehe were concerned about this. For some, the Rwandan interventionism that "wants to perpetuate conflicts opposing the Tutsi to other communities in order to justify its presence in the area for strategic reasons",⁴¹ would explain the local conflict. For others, "it is an internal war aimed at driving out the Tutsi so that they can return home (Rwanda)".⁴² In both

⁴⁰ Interview No. 16, Numbi, 25 May 2020.

⁴¹ Interview No. 18, Lumbishi, 24 May 2020.

⁴² Interview No. 18, Lumbishi, 24 May 2020.

cases, according to a number of Tutsi farmers, the Tutsi of Kalehe would not be spared “if the armed groups from Fizi were to defeat the Banyamulenge, the next step will inevitably be the destabilization of Kalehe territory”, said this interlocutor. These dynamics are believed to be among the causes of the escalation of violence in April 2021.

COMPETITION OVER RESOURCES

Several studies exist on land conflict between Banyarwanda (Hutu and Tutsi) and other communities in Kalehe, such as the Tembo, Havu and Rongeronge (Mudinga & Ansoms 2014, Mudinga 2013). However, it is worth mentioning that beyond the land-identity-power triad often used to explain conflicts in this part of South Kivu (Huggins 2010), by destroying CNRD strongholds, the FARDC forced the combatants to retreat into areas where other armed groups and communities were already engaged in mining. By taking control of several mining areas in PNKB, for example, CNRD combatants appropriated resources at the expense of other communities and armed groups (the Mai-Mai groups of Cisayura and Kirikicho were the most mentioned). Other CNRD combatants have moved to the *Moyens Plateaux* and *Haut Plateaux* of Kalehe, an area rich in minerals (Numbi and Lumbishi) where there is a significant presence of Kinyarwanda-speakers. The dispersal of Rwandan Hutu in this area has contributed to growing suspicions about the nature of the relationship between Congolese Hutu and Rwandan refugees: all of them are allegedly involved (along with mining operators from other communities, of course) in a vast network of clandestine mining.

TENSIONS AROUND POTENTIAL NEW RURAL COMMUNES

The 2006 decentralization process led the Congolese government to create certain cities and rural communes. Decree No. 13/029 of 13 June 2013 thus creates new rural communes throughout Congo. Most of these new administrative entities are not yet effective. The creation of these new communes will necessarily lead to a loss of customary power over a large portion of the entities that they control at present. As most of the target communities are important commercial and mining centers, changing their status is at the core of both political and ethnic tensions. In Kalehe territory, the two communes that have been created, even though they are not yet effective, are at the center of the rivalry between communities. These are the communes of

Nyabibwe and Bulambika (Bunyakiri). Between contestation and approval, local communities are anticipating the struggle for control of these administrative entities. The majority Hutu in Nyabibwe in particular are in favor of this new rural commune, which would be “democratically” under their control. The minority Havu and Tembo, on the other hand, fear the decline in customary power that will result from its creation and feel that their access to resources is threatened by this new territorial division:

The evolution of small-scale mining centers such as Nyabibwe, emerging in a context of armed conflict, reveals an urbanism that offers livelihood and economic opportunities, but also fierce conflict and contestation (Cuvelier et al. 2014: 246).

The legally established delimitation of the new commune of Nyabibwe (delimited to the north by the Mukana River, to the south by the Nolindi, to the east by Lake Kivu, and to the west by the grouping of Ziralo, which is not included) effectively heralds the loss of control by customary authority, not only over a fringe of Kalehe territory, but also over taxes and royalties that until now have been collected by the Mwami. The most “extremist” or “far-sighted” political and social actors (depending on viewpoints) are alarmed that the creation of this commune would result in a transposition of the “Minembwe scheme” into their territory and would establish the “Hutuland” that they have been fighting since the beginning of the war in 1996. In a premature reaction, given the rural commune of Nyabibwe is not yet effective, community leaders, who are not themselves targeted by decree no. 13/029 of 13 June 2013, are reviving autonomist aspirations. They adopt a discourse of resistance likely to further fuel the logic of community militarization. The notables of Kalima, for example, want to make their locality a territory, while those of Kalonge want to establish this locality as a chiefdom with a Mwami independent of the Havu of Buloho. There are also territorial conflicts between the Buzi, Ziralo and Mubuku groupings. At the same time, some sub-village chiefs suddenly want their sub-villages to be transformed into villages in a real domino effect.

Peace initiatives after the CNRD's dismantling

Several peace and stabilization efforts in Kalehe were undertaken before and after the CNRD was dismantled. A joint FARDC-MONUSCO mission, for example, worked with victims of local atrocities, a demobilization process was conducted through the Murhesa initiative, and community-based DDR projects were conducted as well.

4.1. Joint efforts between FARDC and MONUSCO

Conscious of the importance of truth and justice in peace processes, after the CNRD and other armed groups were dismantled, a team composed of the FARDC military auditor in Bukavu, lawyers, and MONUSCO representatives worked to identify victims of atrocities committed by armed groups against civilians in the Kalehe highlands. From 22 to 26 April 2020, the team received 58 victims in Minova who witnessed acts of rape, theft, torture, village burnings, and abductions perpetrated by Nyatura against them between 2017 and 2020. The process served both a denunciation and a therapeutic purpose. The victims then signed deeds giving their lawyers the right to take them to court when needed. Some Hutu leaders were unhappy about this and saw it as an indicator of future prosecutions for war crimes. However, several witnesses report the involvement of young Congolese Hutu in the violence. The leaders of this community, wanting to spare their “children” from prosecution, immediately began to threaten civil society actors and community leaders involved in raising awareness among the victims. Since then, distrust has developed between civil society leaders – their so-called

Forces Vives branch, led by a Hutu, and the *Nouvelle Société Civile Congolaise*, led by a Tembo – in the spirit of “each community has its own civil society”.⁴³

This fragmentation of civil society is linked to several factors, including the emotional attachment of certain local leaders to certain communities, competition of a more or less political nature around the issues at stake, and a form of moral populism whose logic and practices are not very different from those implemented by political actors to protect their interests. The consequence is a multipolar and hybrid civil society that, depending on its interests, navigates between social, political and military spheres. This competition of “civil societies” crosses all sectors of life in Kalehe to the point of making all its aspects conflictual, including the most vital issues such as health. For example, when a measles epidemic broke out in Numbi just after the CNRD was dismantled, some Hutu leaders, supported by “their civil society”, wrote to the authorities (at all levels) to denounce the “poor treatment of Hutu patients”. Deploring the high mortality of Hutu children, they demanded the replacement of all medical personnel at Numbi hospital.

4.2. The Murhesa process: a failed dynamic?

In December 2019, as part of the Murhesa process, representatives of the main armed actors operating in South Kivu (approximately 100), the Congolese National Police (PNC), the FARDC, civil society, and Congolese officials and national and provincial members of parliament met. The meeting, funded by Search For Common Ground as part of its “Maji ya Amani” project, was co-facilitated by the *Commission interprovinciale d'appui au processus de désarmement, démobilisation et réinsertion communautaire* (CIAP-DDRC), the *Association pour le développement intégré* (ADI), and the *Initiative pour un leadership cohésif* (ILC), which played an important role in raising awareness. The organizers were ambitious in their thinking about the possibility of a simultaneous withdrawal of all armed groups and their foreign allies from areas under their control. A timetable was developed to implement this process between 8 January and 15 March 2020. In the meantime, armed groups’ leaders committed to facilitating humanitarian access to areas under their

⁴³ Interview No. 15, Bukavu, 11 June 2021.

control and establishing mechanisms within the groups to sanction abuses and violence committed by their elements against civilians. Murhesa came to conclusions as ambitious as its objectives, including:

- a “commitment” by all Congolese armed group leaders present in Murhesa to a ceasefire by 23 December 2019;
- a proposal to “launch joint operations” between local armed groups and the FARDC to track down foreign armed groups
- a plan to sanction commanders of armed groups who perpetrate abuses and violence and to put an end to the actions of *coupeurs de routes*;
- the establishment of a follow-up committee for the agreement.

The Murhesa process, despite the participation of 32 commanders, remains a “mountain that gave birth to a mouse”. The post-Murhesa period is characterized not only by the stagnation of the demobilization process, but also by the gradual reactivation of armed groups and the resurgence of violence in Kalehe. This failure is demonstrated by clashes in late April and early May 2021 in Katasomwa, which can be explained in two ways. The first is that the process of the surrender of combatants that began before Murhesa (for instance, Kirikicho) had failed. The Congolese state had not taken any steps to give life to the process, to the point that some of the candidates for demobilization (mainly Nyatura) left the Nyamunyunye camp and decided to return to combat. The second reason for this failure is that by targeting the warlords, the organizers of the Murhesa retreat only superficially took into account the community dimension of armed groups. In doing so, they reduced armed groups to “gangs” that would easily be demobilized as long as they were made up of “outsiders” and “collaborators” serving more or less localized political and economic interests. The limitations of this approach have been demonstrated.

Armed groups are actually connected to social spaces. They are able to mobilize significant social security capital to the point of creating a space

of legitimacy in their operating environments. This being the case, armed group elements who participated in the Murhesa meeting were merely representatives of networks and social spaces whose ramifications sometimes extend beyond the province. This explains why the groups from Yakotumba, N'ykiribha, Kashumba, Mushombe and Gumino did not want to participate in these meetings. Sources close to the Murhesa organizers say several commanders had received counter-orders from leaders based in Kinshasa. This is evidenced by a series of meetings held mainly by Bembe and Banyamulenge community leaders before and after the Murhesa meetings, in Kinshasa as well as in Bukavu and Uvira. The Murhesa process is at risk to turn into a failure, as it was more likely to lead to radicalization than to pacification.

4.3. The impasse of community-based DDR

In January 2019, during his inaugural speech, Felix Tshisekedi reached out to armed group leaders, triggering the voluntary surrender of some groups. Several local leaders in Numbi and Ziralo involved their local security councils in sensitizing those who still resisted demobilization. After the CNRD was dismantled, however, the enthusiasm for self-demobilization faded, to the point that many ex-combatants have already returned home. According to ex-combatants interviewed in Nyamunyunye, several factors explain this withdrawal. First, there was very little involvement by CIAP-DDRC in assisting ex-combatants. Almost all of them complained about the harsh living conditions and lack of opportunity that awaited them after their time in Nyamunyunye. The combatants slept long nights on the floor, their food ration was hypothetical, and Kinshasa did not seem to want to take care of them. Secondly, there were “mass escapes” of Nyatura combatants who allegedly returned to their villages where they resumed civilian life in through self-demobilization. Finally, there has been a shift among certain political actors and community leaders based in Kinshasa. After having supported the demobilization advocated by Felix Tshisekedi, they suddenly changed their minds and asked local chiefs and combatants to boycott peace initiatives. The information collected in Nyamunyunye was echoed by a provincial member of parliament interviewed in Bukavu:

The DDRC process is hindered by the duplicity of community leaders at all levels. While promising Felix [Tshisekedi] they will support demobilization, Kinshasa-based political and community leaders are instructing their militias to do the opposite. This is what the Banyamulenge leaders are doing. They were the ones who asked the Gumino commanders not to participate in the Murhesa meeting. The Bembe leaders did the same thing. As a result, the other communities, mainly in Kalehe, wondered why they had encouraged their youth to leave the forest. This is another reason for the waves of remobilization.⁴⁴

Thus, several attempts to reactivate the Mudundu 40 group (which was based in Walungu between 1998 and 2002) are reported in Ninja, where the presence of the CNRD was momentarily reported. The same dynamic is observed in Shabunda where, despite his attempt, the surrender of Commander Ngandu Lundimu, alias *Baleine*, failed to put an end to the recycling of rebels. On the contrary, several Raia Mutomboki factions are still active in the area. This suggests that demobilization should now be seen as a political, social and military process, with the real actors to be involved being the “moral, financial and political authorities” of the resistance.

⁴⁴ Interview No. 13, Bukavu, 6 June 2020.

Conclusions and recommendations

In conclusion, it should be noted that in dismantling the CNRD, Kalehe was confronted with a “no peace, no war” situation, characterized by the spread of small-scale armed banditry across most of the territory. Insecurity in the area is caused by several armed actors. The most recurrent security incidents are cattle theft, murders and abductions (which have recently declined in intensity). This deteriorating security context is fostered by an intense circulation of light weapons. The main perpetrators are residual CNRD elements and local armed groups. Meanwhile, the FARDC are involved in “harassment” through the erection of roadblocks and other techniques. All of this contributes to the displacement of populations from insecure areas to more stable areas. One year after the destruction of CNRD strongholds in the *Moyens Plateaux* and *Haut Plateaux* of Kalehe, a process of remilitarization of social relations is taking place. The Raia Mutomboki branches, thought to have been wiped out, participated in clashes against the Nyatura in Katasomwa in May 2021. This reactivation has political motives. In fact, many communities, mainly Hutu and Tembo, are engaged in a competition for the control of political power not only at the local level, but also at the South Kivu provincial level and in Kinshasa. The demographic advantage of the former over the latter, as well as their desire to create new administrative entities in Kalehe, is of concern to the latter.

With regard to intercommunity conflicts, this report has established the complication of relations between Hutu and Tembo, whose relations have seriously deteriorated. A form of “CNRDisation” of Congolese Hutu perceived through their association with certain CNRD elements, tends to intensify,

thus reinforcing speculation of “conspiracies” that the Hutu are allegedly preparing against other communities. In addition to the division between the Hutu and other communities, there are several other local conflicts over land and political issues and over the autonomous aspirations generated by the creation of new rural communes as part of the government’s decentralization process. Other recurring struggles are over access to resources. Conflicts around mining sites persist alongside the militarization of mining. As part of this struggle, CNRD elements and Nyatura are active in both Numbi and Lumbishi. There are open conflicts between cooperatives over the PNKB and its mineral resources: gold, cassiterite and coltan, but also poaching, ember and timber.

Finally, it is necessary to point out that several peace initiatives were conducted in the area following the dismantling of the CNRD. The process led by MONUSCO was dominant in this regard. This dynamic has encountered resistance from the Hutu community, fearing either revenge for the exaggeration of the “CNRDisation”, or sanctions that would be imposed on some of their members who were actively involved in acts of violence before, during and after the CNRD was dismantled. Several recommendations that could contribute to the restoration of peace were made by our interlocutors. However, they are all based on common peace practices. A common limitation of these practices is that they focus on what to do about the consequences of conflict rather than addressing the root causes of conflict, which are rooted at the local, national and regional levels. It is therefore vital to consider all these dimensions. For example, it is in the interest of the “international community” to work towards easing the tensions that currently exist between Rwanda and Burundi. This would help counteract reasons that drive foreign armed groups to set up bases in eastern DRC and that lead their governments to establish sometimes “unholy” alliances with Congolese armed groups, mainly for security reasons. Such an initiative would be a serious first step toward establishing peace in eastern DRC.

The Congolese government should confront the complex reality underlying a true multidimensional conflict system (economic, political and geopolitical) and deploy a transparent diplomatic approach in the region, while continuing military operations to neutralize armed groups that are unwilling to comply

with the new P-DDRCS process. Several political figures perceived to be the “moral authorities” of the community-based armed groups should also be apprehended by the competent judicial authorities. Forcing them to work towards the demilitarization of social relations should be the ultimate goal of this process. However, just as the security context in Kalehe is subject to regional pressures, the demilitarization of social relations in this part of South Kivu province must consider the interference of regional conflicts on the configuration of violence dynamics. Finally, the fragmentation and politicization of civil society is a major obstacle to building peace from the bottom up. The fact that each community has established “its own” civil society does not make it easy for local and international organizations involved in peace initiatives. The state, while guaranteeing freedom of association, should take the lead in peace initiatives. As idealistic as it may sound, peace enforcement could be a solution if the state fully assumed its responsibility to secure its territory and guarantee the safety of people and their property.

- Ansoms, A. & Mudinga, E. (2014). *L'accaparement des terres par des élites en territoire de Kalehe*. Voir sous <http://www.nelga-ca.net/images/document/2.pdf>.
- APC (2015). *Conflits fonciers et dynamiques de cohabitation en territoire de Kalehe. Sud-Kivu*. Life & Peace Institute, Bukavu.
- Bouvy A. et al. (2020). *La paix des armes dans le Nord-Kalehe. Stabilisation, démobilisation et reconfiguration des groupes armés*. GIC Network, Gand.
- Cuvelier J. et al. (2014). La dimension politique de l'urbanisation minière dans un contexte fragile de conflit armé. Le cas de Nyabibwe. *L'Afrique des Grands Lacs, Annuaire 2013-2014*. Harmattan, Paris.
- CENADEP et IPIS (2018). *La fraude de la contrebande minière dans le territoire de Kalehe (Sud-Kivu). Cas de la chaîne d'approvisionnement de Numbi/Lumbishi*. Anvers-Bukavu.
- Chibembe Safari, A. et al. (2015). *Exploitation de bambous, cause des conflits entre le Parc National de Kahuzi-Biega et la population environnante*. *Studies* 72(2): 265-287.
- Hoffmann, K. & K. Vlassenroot (2014). *Armed groups and the exercise of public authority: the case of Mai-Mai and Raïa Mutomboki in Kalehe, South-Kivu*. *Peacebuilding* 2(2): 202-220.
- Huggins, C. (2010). *Land, power and identity. Roots of violent conflict in Eastern RDC*. International Alert, London.
- IRRI (2019). *Returning to Stability. Lessons from the Great Lakes Region*. International Refugee Rights Initiative.
- Kabonyi Nzabandora et al. (2011). *Le parc de Kahuzi Biega (RD Congo) Patrimoine en péril ? Situation et perspectives*. Bukavu.
- Lubala Mugisho, E. (1997). La situation politique au Kivu : vers une dualisation de la société. *L'Afrique des Grands Lacs, Annuaire 1996-1997*. Harmattan, Paris.
- Mudinga, E. (2013). Les conflits fonciers à l'Est de la RDC : au-delà de la confrontation entre rwandophones et autochtones à Kalehe. *L'Afrique des Grands Lacs, Annuaire 2012-2013*. Harmattan, Paris.
- Vlassenroot, K. et al. (2020). Navigating social spaces: Armed mobilisation and circular return in Eastern RD Congo. *Journal of Refugee Studies* 33(4): 832-852.
- Vlassenroot, K. et al. (2016). *Contesting authority. Armed rebellion and military fragmentation in Walikale and Kalehe, North and South Kivu*. Rift Valley Institute, Nairobi.
- Vlassenroot, K. et J. Verweijen (2017). Democratic Republic of Congo: The Democratisation of Militarized Politics, in: Boas & Dunn (eds). *African Insurgents. Navigating an Evolving Landscape* (Boulder, Lynne Rienner): 99 -118.
- Vogel, C. & J. Musamba (2016). *Recyclage de rebelles ? La démobilisation au Congo*. Rift Valley Institute, Nairobi.

The Insecure Livelihoods Series

