



Africa Faith and Justice Network

Two Rebel Groups, One Solution to the Crisis in Eastern DR Congo

The Democratic Forces for the Liberation of Rwanda (FDLR) and the National Council for the Defense of the People (CNDP) must surrender and Rwanda must play a more responsible role.

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Executive Summary

The crisis in eastern Democratic Republic of the Congo (DRC) is incredibly complex; it is a war over resources, a war among many rebel groups, and a war supported and sustained by Western powers. Over six million people have died since 1996 and over one million Congolese are currently displaced from their homes. The Democratic Forces for the Liberation of Rwanda (FDLR) and the National Council for the Defense of the People (CNDP) are two of many rebel groups operating in the region, each responsible for many of the crimes in eastern DRC including rape, looting, and mass killing. This paper dissects the problems and the possible solutions for demobilizing the FDLR and CNDP and concludes that Western governments can play a significant role in either creating further insecurity or in achieving lasting peace. Surrender by FDLR and CNDP will come only when Rwanda acts as a responsible neighbor and provides adequate incentives for disarmament and reintegration.

The objective of this paper is to provide a detailed analysis of two of the primary factors contributing to DRC's continued instability. It is also hoped that the reader will take the final section on advocacy and join the movement to bring attention to Africa's most devastating war. U.S. policymakers must understand the extent of U.S. involvement in the conflict and what must be done to ensure that the desires of Western powers do not trump the need for peace and justice in Congo's communities.



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Introduction to FDLR and CNDP

The Democratic Forces for the Liberation of Rwanda (FDLR) (the Rwandan rebel group) and the National Council for the Defense of the People (CNDP) (the pro-Rwanda rebel group led by the renegade Congolese general Laurent Nkunda) present two of the main challenges to peace in the Democratic Republic of the Congo (DRC). Both groups are reluctant to peacefully lay down their weapons as requested by their respective governments.

CNDP was founded on July 26, 2006 by breaking away from the National Synergy for Peace and Concorde (Synergie Nationale pour la Paix et la Concorde) founded on December 18, 2003 in Bukavu, the North Kivu capital city. CNDP claims to protect the minority Tutsi community against the Hutu FDLR, fighting for their rights in addition to being an anti-government opposition movement. The group is based in the territories of Masisi and Rutshuru in the North-Kivu province.

Conversely, the FDLR is a Rwandan Hutu movement composed of former Rwandan soldiers under President Juvenale Habyarimana. They are accused of genocide in Rwanda in 1994. They are based in the North and South Kivu provinces of the Congo and are waiting to go back to Rwanda.

Both groups are responsible for serious crimes against the Congolese people including killing, rape, looting, illegal mining, etc. They all should have surrendered a long time ago, but why haven't they done so? This question is rarely asked when it comes to CNDP but always asked when it comes to FDLR. As long as the Rwandan connection to these two groups continues to be ignored (as in the case of the Rwanda-CNDP relationship), or mismanaged (as in the case of the Rwanda-FDLR relationship), peace in the Congo will be delayed.

Map of D.R. Congo



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FDLR Should Surrender Now

Recently, two important meetings took place regarding the FDLR. On May 28, 2008, in Kisangani in the DRC, there was a meeting focused on disarming and possibly repatriating the Rwandan Hutu rebel group (FDLR) that operates in eastern DRC. In attendance were representatives of the Rally for Unity and Democracy (RUD), the break-away FDLR faction. The RUD is open to disarmament and relocation inside the Congo away from the Rwandan border as long as the Congolese government is committed to not repatriating them by force, but accepting those who willingly want to return.

Also, on June 5, 2008, the Joint Monitoring Group (JMG) which was created out of the 2007 Nairobi Accord between Rwanda and Congo met for the fourth time in Gisenyi, Rwanda. The JMG is made of representatives of the Congolese and Rwandan governments, and assisted by representatives of the United Nations (UN), European Union (EU), the United States of America, African Union (AU), South Africa and the Great Lakes International Conference. The JMG was created on December 16, 2007 to ensure that the decisions of the Nairobi Communiqué are applied by both the Rwandan and the Congolese governments. The Communiqué stipulates that both Rwanda and Congo should work together to disarm the FDLR to achieve peace in Congo, Rwanda and the Great Lakes Region (Wildenberg 2008). As always, the focus of the meeting was the FDLR, the threat it represents, and what the Congolese government has to do for them to return to Rwanda.

So far this year, the United Nations peacekeeping program “Demobilization, Disarmament, Repatriation, Resettlement, and Reintegration” (DDRRR), has repatriated 524 foreign combatants and their families to Rwanda, Burundi, and Uganda, according to Radio Okapi’s broadcast on June 5th, 2008. While this is a start, it is still not sufficient. In a recent policy paper, the Enough Project argues that this number would increase if the \$600 incentive for those FDLR who willingly return to Rwanda was enhanced (Feely and Thomas-Jensen 2008). According to AFJN analysis, the number would increase even more if this incentive was accompanied by the Rwandan government’s political will to put in place a mechanism for inter-Rwandan dialogue, justice, and reconciliation.

The Congolese government’s agreement to relocate the Rwandan Hutu militants inside Congo without demanding that the Rwandan government provides the necessary political space for the FDLR to return to their own country is adding insult to injury for the Congolese people, particularly those of North and South Kivu who have been enduring the atrocities perpetrated by the FDLR. Additionally, the relocation approach is in many ways a trap created by those who are benefiting from the war and want to keep it going.



The Congolese people have to be aware of the fact that no matter where the FDLR will be relocated on the Congolese territory, they represent a threat to its security and prosperity. In fact, the FDLR's presence on the Congolese territory was the pretext of the invasion in 1996 by Uganda, Rwanda and Burundi. Attached to this pretext was the real reason: to open the door to Congolese resources for their Western allies. For 11 years now, Rwanda, Uganda, the U.S. and European corporations have made money on Congolese wealth, often to the detriment of the people. Many of these nations such as the United States are simultaneously involved in peace negotiations between Congo and Rwanda. Who are they representing at the negotiation table and whose interests are they defending?

President Paul Kagame and his Western supporters know for sure that current policies toward the FDLR will one day lead to a military attack by the latter to try to take back the power they lost to Kagame in 1994. Such an attack represents an incentive for superpowers interested in Congolese resources to amplify Rwanda-Congo tensions so that they can not only sell weapons, but also keep their current lucrative natural resources market gained through Rwanda. Declining any relocation of the FDLR in the Congo is the only way to politically settle that matter and let the Rwandan government and its allies know that they only have two choices: enhance the DDRRR, accompanied by Hutu inclusion in Rwandan government and inter-Rwandan dialogue, or relocate the FDLR in another country other than the DRC.

Historical Difficulties of Creating Peace in Rwanda

There will never be a durable peace in Rwanda under an exclusive government. Its history is an eloquent testimony to this fact. After migrating and taking roots in the heart of Africa around the 1300s, the Tutsi continuously ruled Rwanda until 1959 when King Kigeri V and tens of thousands of Tutsis were forced into exile in Uganda, Burundi and D.R.Congo. This mass displacement occurred after inter-ethnic violence which brought to power the first Hutu president, Gregoire Kayibanda in 1961. He was overthrown in a military coup by the second Rwandan Hutu president, Juvenal Habyarimana in 1973. Like their predecessors, both governed Rwanda with a tribal exclusive approach, one of the reasons why Paul Kagame with his Tutsi Rwandan Patriotic Front (RPF) waged the war against Habyarimana's government in 1990, which unfortunately ended in one of the worst mass killings in the 20th century (Vasile 2006/07).

Rwanda's ritual of tribal discrimination in government and civil wars has in many ways been a blessing to Western nations. Such discrimination bolsters weapons sales, political influence, and economic opportunities in Rwanda and its neighboring countries in



the Great Lakes Region. For example, today the United States trains and equips the Rwandan army and does army officer training on a small scale in the Congo with a plan to increase this program. In exchange for providing military aid to Rwanda, Kagame lends troops to the war in Iraq and supports the U.S. position on Israel. While the conflict in Africa's Great Lakes Region is a benefit to superpowers, it is a curse to the people of these nations. The hundreds of thousands of Rwandans who died in 1994 are, by some accounts and people's opinion, just numbers used by superpowers to position and advance themselves to better secure their interests instead of preventing further recurrence of armed conflict. This is why a superpower such as the U.S., an ally of the current Tutsi regime in Rwanda, refuses to ask hard questions and act in the interest of Rwanda and Congo's present and future generations.

No Lasting Peace Without Accountability

The international community's failure to tackle the Rwanda issue continues to delay the return of the FDLR to their country. In turn, this disrupts peace and recovery from the disastrous wars in the Congo that have claimed about 6 million lives since 1996 and in Rwanda where the 1994 genocide claimed about 800,000 Tutsi lives (without counting the Hutu and Twa who were massacred in retaliation by the RPF). The international community and the Rwandan government have to understand that a genocide-centered politics alone will never help Rwandans embrace the healing and reconciliation needed for a lasting peace. Protecting the Rwandan government from facing its own sins, whether it is tribalism rooted in its government or the killing of Hutu in Rwanda and Congo, prevents the country from moving forward (Human Rights Watch 2008). There will never be lasting peace without justice.

FDLR: The Problem in Brief

It is imperative that the international community combines its current strategy of demobilization and repatriation with a strong focus on a full implementation of a political inclusivity by the Rwanda government whereby members of the Hutu tribe have a say in the government. Unfortunately, President Paul Kagame still opposes opening the political scene to the Hutu he portrays as genocidaires. While some Hutus fit his description, others are discredited through the skillful method of "guilt by association" which in this case consists of associating every Hutu with the crime of genocide. As a result, the return of the FDLR to Rwanda is delayed and Rwanda continues to be a country at risk of war.



Ultimately, there must be an inter-Rwandan dialogue to bring all Rwandans together for reconciliation and justice after the 1990-1994 devastating war. Such a program is an inescapable road to peace and prosperity for all Rwandans and would translate into peace in eastern Congo. While relocating the FDLR inside Congo is detrimental to the Congolese people, foreign nations see it as a means of perpetuating the region's instability. Rwanda's Western allies and supporters continue to take advantage of the opportunity to access Congo's natural resources and Rwanda continues to sell its fear of an FDLR invasion to the international community (Snow and Barouski 2006).



Why has the CNDP not Surrendered?

The question at hand is when, how and what will it take to get the National Council for the Defense of the People (CNDP), led by Laurent Nkunda, to surrender? One of CNDP's missions is to fight the FDLR on behalf of the Rwandan government; therefore, the answer to this question is to be found in the context of the ongoing Rwanda-Congo conflict.

In interpreting the Nairobi Accord between Rwanda and Congo, it is clear that its goal is to pacify Rwanda instead of Congo. The document has no mandate for the Rwandan government to act but rather outlines what Rwanda needs for peace and what the Congolese government must do to meet the needs of its enemy. The Accord misses key elements such as the demand that all Rwandan troops in the ranks of Nkunda's rebel group return to their country of origin. It assumes that there has never been any movement of troops from Rwanda to the Congo to help Nkunda. Clearly, the document is meant to make the Congolese government settle for less by extending the invitation to all Nkunda's men to join the national army without any provision to repatriate foreign CNDP members fighting in his ranks. UN Resolution 1804 (2008), in its fourth paragraph, asks "...the Governments of the Democratic Republic of the Congo and the Republic of Rwanda to intensify their cooperation to implement their commitments under the Nairobi communiqué, in particular with a view to creating the conditions conducive to the repatriation of demobilized combatants." (United Nations 2008) Unfortunately, this statement does not explicitly include foreign fighters in Nkunda's militia.

Congolese President Calls Attention to CNDP

In December 2007, Congolese president Joseph Kabila decided to disarm CNDP by force. CNDP was losing the battle until Nkunda's protectors stepped in. Just like the invasion by Rwanda, Burundi and Uganda in 1996, CNDP received military support in the form of personnel from the government of Rwanda. It is clear that Nkunda could not have defeated a Congolese force of 25,000 without the help of its allies.

In less than a week after Congo's initial military action, CNDP was at the door of Goma, the North Kivu capital, and Nkunda was ordered to stop because he had already achieved his goal. By his victory against the Congolese army, CNDP created favorable ground for Rwanda and its allies to get what they want at the negotiation table with the Congolese government. The strategy is simple. The more territory Nkunda controls, the more leverage he has at the negotiation table and the more influence his Western supporters will have in the Congo-Rwanda conflict.



Results of the Congolese Government's Military Action

President Joseph Kabila's December 2007 military action made a difference, and it was a reminder to the international community that CNDP must be a focus if peace is the goal in eastern Congo. As a consequence of the battle, the Goma Peace Agreement was signed on January 23rd, 2008 and President Kabila was able to contain those who want to see the war continue. This was an excellent strategic way to block the plan of those invested in keeping Congo in chaos.

There continues to be skepticism about the role of Western nations in the peace process in Congo. The least trusted by the Congolese people are the United States of America and the United Kingdom because they are believed to have provided military might to the invaders of Congo in 1996 and continue to do so for CNDP through their military initiatives in Rwanda (Madsen 2001). Also, we witness an endless waste of money and time in the largest UN peace mission in the world, MONUC, which has failed to tackle the issue as it should because of an inadequate mandate. As is always the case with the United Nations, certain actors who seek to maximize their personal gains trump those who seek true peace and justice. This is why the international community has not pressed hard enough in asking for an end to the Rwandan ties to CNDP to allow Nkunda to surrender to the Congolese government.

Who Should Protect the Congolese Tutsi Community?

While we recognize the threat that the FDLR presents to the Congolese Tutsi community in the east, we must first enforce the obligation of the CNDP to put down its arms and accept the Congolese government's offer to integrate into the national army. This compromise would help restore the state's authority and the capacity to protect all the Congolese without exception. Therefore, Nkunda will no longer carry the responsibility to protect the Congolese Tutsi community. It is important to remember that the Congolese government has a mandate to protect them the same way it protects the rest of Congolese people.

As for when the Congolese Tutsi community should come back from their refuge in Rwanda, it is an open question that can be applied to all Congolese refugees worldwide. Congolese refugees should return to Congo when they feel it is appropriate and safe.

CNDP: The Problem in Brief

Any action against Nkunda is strategically calculated and purposeful because of the lucrative activities that exist between Nkunda and some of the nations involved in the



peace negotiations. The territory controlled by Nkunda is rich in natural resources – resources which are illegally sold to foreign multinationals through Rwanda, Burundi and Uganda.

Therefore, powerful members of the international community who have been supporters of Rwanda since the invasion of the Congo in 1996 have no interest in stopping Nkunda's atrocities against the Congolese people. Instead, they work to ensure that any threat to Rwanda is addressed immediately and without hesitation. For example, the U.S. Ambassador to the Congo, Mr. William Garvelin, announced in June 2008 a US\$5 million reward from the U.S. government for anyone who can provide information that will lead to the capture of 13 FDLR members accused of genocide in Rwanda in 1994. These individuals are still running free, killing, looting and raping Congolese women, and are wanted by the International Criminal Court (ICC) for the genocide in Rwanda. When are we going to see the same commitment to the Congolese cause against the pro-Rwanda CNDP leader Laurent Nkunda, who, since September 2005, has had an international warrant issued by the Congolese government for his war crimes? The global plan is that a stable, but fearful Rwanda – fearful of return of the FDLR – and an unstable Congo will continue to allow those benefiting from the conflict to sell arms to whoever needs them, build up their political influence in the region, and simultaneously make money buying minerals from the many rebel operations in the eastern Congo, among them CNDP.



III. Advocacy

Africa Faith and Justice Network (AFJN), in our mission to advocate for just and fair U.S. policies toward Africa, stands in solidarity with the Congolese people and condemns the lack of action on the part of the international community and particularly the lack of political will of the United States to stop Rwanda from interfering in the internal affairs of the Democratic Republic of the Congo. We are also sympathetic to the difficulties that the people of Rwanda continue to face, particularly the Hutu and the Twa who endure the tyranny of President Paul Kagame. The United States must hold Kagame's government accountable and denounce any action that perpetuates conflict in Eastern D.R. Congo or discord between Hutu, Tutsi, and Twa.

Recommendations to U.S. Policymakers

1. The U.S. Government should revise its policies toward Rwanda if it desires to promote security, freedom, and democracy in the Great Lakes Region.
2. The U.S. should unconditionally stop all military training programs and cease all military equipment sales and transfers to the Rwandan army because the Rwandan Government provides military equipment, training, and soldiers to the CNDP .
3. The U.S. should urge the Rwandan Government to implement a democratic process and provide political space for opposition parties, including members of the FDLR. This initiative provides an incentive for the FDLR to return to Rwanda peacefully.
4. The U.S. should urge the Rwandan Government to unconditionally end its support of the CNDP in order to allow the Congolese Government to extend state authority in CNDP-occupied territories. This should include ensuring that the Rwandan Government, in collaboration with the UN High Commissioner on Refugees (UNHCR), prevents the CNDP's ongoing military recruitment of Congolese refugees currently living in Rwanda. A registration of all Congolese citizens in the camps has to be completed and a mechanism to monitor refugee movements should be implemented. Similarly, the U.S. should demand that the Congolese Government finalize a plan to bring all the refugees back to Congo when it is safe for them to do so.
5. The protection of the Congolese Tutsi population must be ensured, but it must be ensured through the state army, not militias.
6. The U.S. should urge the Rwandan Government to stop illegally exporting Congolese raw mineral ores. Passing and implementing the "Conflict Coltan and Cassiterite



Act of 2008,” introduced on May 22, 2008, by Senator Sam Brownback and Senator Dick Durban is one important measure the US can take to participate in dismantling the financial network of many of the militias operating in the Congo.

7. The U.S. must urge the Rwandan Government to host an inter-Rwandan dialogue.
8. The U.S. should sponsor a Truth and Reconciliation Commission for Rwanda and the Democratic Republic of the Congo.
9. The U.S. should work with DRC president Joseph Kabila and his government, particularly the Interior Minister and Defense Minister, to ensure that the Congolese Army is not supporting the FDLR.
10. The U.S. must support Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement (DDRRR) programs.
11. The U.S. should fully support MONUC. Despite their recent scandals, the mission as a whole has been and continues to be key to security in the Congo. Any withdrawal of MONUC soldiers or cut in funding that restricts MONUC’s activities would undermine the relative stability the mission has achieved so far. In February, President George Bush cut federal funding for UN peacekeeping missions. At the same time, the Canadian Government, because of its NATO obligations in Afghanistan and Iraq, refused to reinforce MONUC. This makes US support even more critical.
12. The U.S. should, in conjunction with multilateral efforts by the international community, continue its training of the DRC army (FARDC) in matters of military ethic, civilian defense, and human rights in order to reduce if not end crimes by FARDC against innocent Congolese people.

Action for U.S. Citizens: Letter to Members of the U.S. Congress

AFJN urges you to call, write, and meet with your Representative and Senators in Congress about the Congo crisis. Policymakers will not act unless motivated to do so by their constituents. President Franklin Roosevelt famously said, while meeting with a group of advocates, “I agree with everything you said. Now go out and make me do it.”

We encourage you to visit www.afjn.org for more information about the conflict in DRC and what you can do to help stop the injustice. Or, take action today by using the form letter on the next page to write to your members of Congress. Keep in mind, mail often takes several weeks to reach the member’s office, while emails are read and received on a daily basis. Don’t forget to follow up your letter with a phone call or a visit!



Dear Congressman/woman [Congressperson's Name],

I would respectfully like to call your attention to the urgent crisis in Africa's Great Lakes Region involving the Democratic Republic of the Congo (DRC) and Rwanda. Since the invasion of the DRC by Rwanda in 1996, a minimum of 6 million innocent Congolese people have died. As of today, over a million people are internally displaced and the renewed outburst of violence continues to add to that number, worsening an already catastrophic humanitarian crisis.

Currently, the Rwandan Government is accusing the Congolese Government of supporting the Democratic Liberation Forces of Rwanda (FDLR), a rebel group with members accused of committing genocide against Tutsi in Rwanda during 1994. On the other hand, the Congolese Government accuses the Rwandan Government of actively supporting the National Congress for the Defense of the People (CNDP), led by renegade general Laurent Nkunda. Both sides have committed human rights violations, war crimes, and crimes against humanity including rape on a catastrophic scale, extrajudicial executions, ethnic cleansing, looting, the recruitment of child soldiers, and causing massive internal displacement of innocent civilians from their localities. UN and Human Rights Watch reports detail some of these crimes, while a recent statement by the UN Mission in Congo (MONUC) recounts a grave act of ethnic cleansing by the CNDP against innocent Congolese Hutu civilians.

The United States of America continues to play an important role in the ongoing peace process. While the Congolese Government clearly needs to take steps to improve the situation, I am particularly concerned about U.S. policy toward Rwanda. The U.S. favors the Rwandan Government's position in the Congo-Rwanda peace negotiations. This policy will not bring peace, justice, freedom, or lasting prosperity in Rwanda or the Congo. Only a neutral policy towards the Rwanda-Congo crisis will help both nations peacefully resolve their differences. The current policy perpetuates the existing tensions between Tutsi, Hutu, and Twa. Colonialists pushed divisive policies on the Rwandan population, and they contributed to the violence that occurred in 1959 and set the stage for the 1990-1994 war that ended in genocide. Today, the country is an undemocratic dictatorship with ever-dwindling freedom and liberty. In 2008, Rwanda was classified as "Not Free" by Freedom House. In 2007, Reporters Without Borders ranked Rwanda 147th out of 169 countries in press freedom, with 169th being the lowest. Many policymakers overlook this because the current regime has fully cooperated with U.S. military and economic policies. Supporting democracy, reconciliation, ethnic inclusion, and freedom in Rwanda will provide a better norm for the Great Lakes region than unconditional support for Kagame's government.

Sincerely,
[Your Name]

*To send this message to your members online, visit our Congo campaign at
www.afjn.org or go to:*

http://salsa.democracyinaction.org/o/1552/t/1384/campaign.jsp?campaign_KEY=25338



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