

## CONGO,Between Conflicts and Human rights

\* Under terms of the general act of the Berlin conference, Leopold pledged to suppress the east African slave trade, promote humanitarian policies guarantee free trade within the colony, impose no import duties for twenty years, and encourage philanthropic and scientific enterprises .With these rosy attitudes we can figure out an impressive motivation for well-colonizing. What happened when the Belgium's stepped Congo? What was their strategy? was it the" Belgium colonization" for the native - African affairs? or it was the" Belgium colonization on the native -African souls"?

Contrary to his pledge ,beginning in the mid- 1880s Leopold issued a series of decrees that eventually violated these conditions ,as reducing the rights of the Congolese in their land to native villages and farms (1).further he decreed that merchants limit their commercial operation in rubber to bartering with the natives, also Leopold established the (force publique) FP to campaign against the Arab trade in the upper Congo ,protect his economic interests ,and suppress uprisings within CFS ,which were common(2) .The FPs officer corps comprised only whites-Belgians regular soldiers and mercenaries from other countries .On arriving in the CFS ,other officers recruited men from Zanzibar and west Africa, and eventually from Congo itself. In addition, Leopold had been actually encouraging the slave trade among Arabs in the upper Congo return for salves to fill the ranks of the FP. During the 1980s, the FPs primary role was to exploit the natives as corves laborers to promote the rubber trade. Leopold had been slowly monopolizing a considerable amount of the ivory and rubber trade by imposing export duties on the resources traded by other merchants within the CFS.(3)

From 1885 to 1908,it is estimated that the Congolese native population decreased as a primary statistics by 10 million people .Historian Adam Hochschild identifies a number of causes for this loss under Leopold reign -murder, starvation ,exhaustion and exposure, disease and plummeting birth rates (4). So What is now called the democratic republic of Congo has clearly never recovered ,Leopold and his agents turned "Congo free state" into massive labor camp ,made a fortune for themselves from the harvest of its wild rubber.

---

- 1) Delathuy, A. M. De Kongo Staat van Leopold II: Het Verloren Paradijs. Standaard Uitgeverij n.v., Antwerpen, 1989.
- 2) Ewans, Martin. European Atrocity, African Catastrophe: Leopold II, the Congo Free State and its Aftermath. RoutledgeCurzon, New York, 2002
- 3) Larned, J. N. The Congo. History for Ready Reference: From the Best Historians, Biographers, and Specialists, Volume VII– Recent History (1901-1910) A to Z. The C. A. Nichols Co.. Springfield, Mass., 1910.
- 4) Hochschild, Adam. King Leopold's Ghost : A Story of Greed, Terror, and Heroism in Colonial Africa. Houghton Mifflin Company, Boston and New York, 1998

Due to the “legalized robbery enforced by violence” as the king reign was described at that time, has remained more or less, the template by which Congo’s rulers have governed ever since. Under this phrase the Congo’s soldiers have never moved away from the role allocated to them by Leopold as a force to coerce, torment and rape an unnamed civilian population, by this he unleashed new horrors on the African continent.

The huge rainforest of Congo teemed with wild rubber, and Leopold was pressing his agents for more of it. Tapping wild rubber was a difficult affair, so the king agents had to use brutal force to get the people of Congo to go into the forests and gather rubber for Leopold even if it cost burning the village without warning .Any Congolese man who resisted the order, saw his wife kidnapped and put in chains to force him to go and gather rubber or sometimes the wife was killed in revenge.

As more villages resisted the rubber order, Leopold agents command the force publique army to raid the rebellious villages and kill people. To make sure that the soldiers did not waste the bullets in hunting animals ,their officers demanded to see the chopped right hand of every person they killed!(1)

Referring to Edmund Dene Morel (a clerk of a Liverpool shipping line used by Leopold ) :” I discovered on my several journeys to the Belgians port of Antwerp in the 1890s that, while rubber and ivory were shipped from Congo to Antwerp, only guns and soldiers were going from Antwerp to Congo “.

Unfortunally ,there is no doubt that Congo’s history with the white king was black death to serve for his kingdom the expensive rubber by paying their blood .By this what Leopold claimed at Berlin conference was almost the birth of need to humanity for ensuring their rights in choosing their national fate ,freedom and eradication all kinds of slavery and exploiting .

After the independence from Belgium in 1960, democratic republic of Congo tried to improve its people life socially and economically as a rising up from the dusty period of colonization. A brief civil war, followed by a transitional government, gave way in 1965 to Mobutu to the presidency of the country, supported by the United States. Mobutu's rule for a period extended to 32 years where corruption was unbridled. After leaving in 1997, another leader designated powered by America, Laurent Kabil, who lost favor quickly with the United States to find himself amid civil war in 1998,

---

1) BBC reporting documentary (WHITE KING,RED RUBBER.BLACK DEATH)-YOUTUBE.

did not come to an end only a few months, which said to be in the topping list of most dangerous domestic disputes since World War II.

And the roots of this conflict was beyond the congos border, which is Rwanda that was under the incidents of genocide in 1994,in a way its fragments have reached the Congo, where the refugees tried to be in a safe haven ,but in vain the criminal mass murder track them down. In fact Laurent Kabila was a supporter for Rwanda massacre of the Tutsi tribe citizen. unfortunately he embraced the genocide chiefs and integrated them with his army and fighters, with non-stoppable concern and intervention in the Rwanda affair ,in order to attempt the government dislodge that was leading by Tutsi .On Rwanda part, it refused to interfere in the internal ethnic problems which result a huge displacement for the citizen toward DRC .After that and during the congos civil war Rwanda follow those refugees and send them back to Congo, claiming that they found in Kabila an ally.

Even if it seemed for us that the causes of the civil war are complex, the catalyst key was the raising up of US support for mubut and his final departure. Because the Congo is rich in minerals ,this enticed-in the absence of Americas strongman mubutu-rival groups emerged largely along ethnic lines, and taking accumulate their share of wealth.Altogather,more than 30 rebel group fought each other ,while the federal government is betting on winning the war loyalties. (1)

The war lasted almost five years, until their allies reached the agreement in April 2003 after Kabila insistence. After that, the transitional government of 2003 pledged with many of the heads of rebel forces, to administrate and reconstruct the country with a view to hold a free election in 2005.

Even during the civil war, Rwanda and Uganda has been working to ignite ethnic conflicts in the northern eastern province of Ituri, where 50 000 people were killed since 1999, inaddition for robbing its natural sources and fought each other through proxy war.

In that time UN staff didn't exceeded 10 observers in the region and it was hard to oversee and control 4.2 million people, but at the end ,French troops entered as a peacekeeper in that zone.

And it's obviously to realize that the observers will not find it difficult to figure it out >why Rwanda and Uganda involved in the internal conflict of the Congo??, the answer here is simply obvious, Rwanda is a poor country, Uganda is not that rich .on the other hand, the republic of Congo is rich with its resources and the large areas that were on the road of development.

---

1)www.history.com/DRC

Not only the African neighborhood was interested in Congo, giant economic European companies got large portions in the Congo. And most of the foreign trade was with European countries. In addition there are historical ties .

So more than 80 years ,the republic of Congo as we know has been a colony of Belgium ,and was the subject of constant attention from France ,since there were series of French colonies spreading in the black continent ,the fact that promoted France to provide peace keeping forces in Ituri province.

According to USA, the hidden player in the issue, also intervened in Congo since before independence from Belgium, and it has a financial interests in the republic due to huge sources, of mineral wealth, esp. in (columbite tantalite), known as coltan .This product also concern Japan & several European countries that depend on coltan in the manufacturing process. When the metal is purified it becomes tantalum, heat resistant powder can handle the pressure of high voltage, and used in the computer, cell phone, nuclear reactor and a variety of other product that rely on electric power.

This important metal also makes from this Congo attractive market for foreign power, in addition to what is stored underneath the bloody land from gold, diamonds and copper.

The republic was in front of two scenes, the several rival groups which fought in non humanitarian bloody war against each other, they should sit and work to achieve common goals, the second peacekeeping efforts that may composed the tension between those allies even if it's hard try. And peace will not be able to country, before solving the main root causes of the economic problems, and the people benefits from their own land wealth, which are exposed to looting from other countries, while they are suffering from hunger and poverty and military conflicts.

Congo become nightmare doesn't end, it's one of the bloodiest conflicts ,since world war two, left more than 5 million people and it seems incomprehensible that the largest country in sub-Saharan Africa to become one of the richest nations on paper only!.

They filled with copper, diamonds, gold and land vest fertile agricultural and hydro electrical power enough to light the whole continent, but it's now one of the poorest and most miserable countries on earth ,unfortunately there are no promising solutions at hand, (1)(2)

---

1)[www.cia.gov./library/the world factbook](http://www.cia.gov./library/the world factbook)

2)An introduction to Africa politics,3<sup>rd</sup> edition by Alex Thomson

or even in sight. And it's strange to imagine too how one of the poorest and smallest countries in Africa-Rwanda can guide events in the giant Congo!

And it's important to mention before analyzing the mass crimes against humanity during this period, that the Congolese soldiers army often don't get their salaries because of corruption- thus they didn't exist so much when rebels entered the village, and rarely were they found in the militias areas.

The journey of mass violation against human rights in this land starts from the epidemic of rape esp. in eastern Congo. which was attacked by dozens of armed groups, and those who jog to there, mostly to get a piece of wealth of the Congo metal, but the battle real fields was the WOMENS BODY, here they suffered hundreds of thousands of women out there due to systematic attack, this made the united nations calls Congo "The capital of rape in the world".

"Some cannot be forgotten, such as Anna mburano an 80 year old women, and she had been gang-raped by several years, until she screamed on the rapist who are above saying – o my grandchildren leave me!"

In Congo, it became common to say that rape is a weapon of war. A study has done in April 2010 by the initiative of the Harvard Humanitarian get (an increase of seventeen times in the rapes by civilians between 2004 and 2008. Study included more than 4,000 women, in the same years, who sought treatment at Pansy Hospital in Bukavu, the capital of South Kivu. Susan Bartels faculty member and researcher in this study said: "We believe that this trend of increasing the perpetrators of rape of civilians suggests that there was an acceptance of sexual violence by Congolese society"

She added, "We also expect that it was probably weak rehabilitation programs and reintegration of combatants may also play a role," she said, adding that "the men who left the rebel groups are still committing crimes that were taking place while they were armed militants."

A similar change is apparently being farther north. In Goma, capital of North Kivu, which includes dozens of humanitarian organizations, and where told that the number of women who have been raped by the military has declined, according to the laws defenders of human rights working in partnership with the hospital recovering Africa. But here, too, the number of rapes by civilians has escalated.

"Before this rape, was a gun used in the war," says Mireille Kahato, a program director in the legal department run by the American Bar Association. "Today, things calmed down, but the mentality has not changed among the people, especially the soldiers."

Jocelyn Kelly, who is also from the Harvard Humanitarian Initiative remember that one of the reasons for the high incidence of rape by civilians may be the collapse of social structures. "If abused older man for young girls and was involved in inappropriate behavior, leaders would tell that this is unacceptable".

But we cannot deny that the Congo's laws are strict against sexual violence, but observers say it is rarely enforced. As she says Ms. Kahato "it's difficult to prosecute the Rapist of such acts because they can buy or bribe police or the judge, there is no guarantee of justice."

The American Bar Association, which partially funded by the U.S. State Department has declared that, more than 200 cases sent to the courts. Says Kahato that there were only 30 sentenced so far, 28 of them found guilty. The culprit was sentenced to 20 years in prison.

Maria Eriksson Baaz, which interviewed 226 soldiers in eastern Congo and the capital Kinshasa in favor of the Nordic Institute, said that the soldiers themselves insist that the implementation of harsh punishment only can reduce the crime. But Kabila says the violence in the long term, which has passed through eastern Congo, will simply go its effects. "You cannot stop the violence in one generation," but it will take at least a few generations to eliminate its effects ".

The United Nations Organization Mission department has documented in the Democratic Republic of Congo, in 2009, 848 newly recruited children (including 52 girls). There were 77 % of such recruitment in North Kivu province, and 10 % in South Kivu province, and 7 % in the province of Katanga, and 4 % in the Eastern Province, and 1 % in each of the Maniema and eastern Kasai.

It's hard to determine certain trends or patterns of killing and maiming of children during the reporting period. However, 23 cases of murder and 12 cases of distortion were documented. 9 cases were attributed killed to the Democratic Forces for the Liberation of Rwanda, and six cases to the armed forces, and two to each of the national police and the Congolese national resistance coalition, and one case to the National Resistance Front in Ituri. And they couldn't determine also the identity of the group in the three cases. It was reported that the armed forces and the Democratic Forces for the Liberation of Rwanda committed four cases of mutilation, and committed the case by the National Police and three cases by unknown gunmen.

According to the sexual violence against children widespread phenomenon although progress has been a slight decrease compared with the previous reporting period. In the Eastern Province

and the Kivu region, attributed 447 cases out of 3602 cases have been reported committed against children to the security forces and armed groups, and alleged that the armed forces committed 38 cases, and that the National Police committed 30 cases, and that several groups of Mai-Mai and the Democratic Forces for the Liberation of Rwanda and the national resistance forces in Ituri and the FNI (FNI) and the Lord's Resistance Army and unidentified persons wearing military uniforms committed 379 cases.

In December / December 2008, a new wave of kidnapping and killing of children in the Upper Uele region Eastern Province to the Lord's Resistance Army. The attacks continued this group against civilians, including killings, abductions, looting, which caused the displacement of large numbers of the population in 2009. During the reporting period, 130 children (77 boys and 53 boys) were disappeared. Most were kidnapped for the purpose of recruiting, and it was reported that 14 children had been subjected to sexual violence. (1)(2)

In this issue Dr. Julian harness the head of field operations for UNICEF in Congo declared about this department attempt in case of armed children by the separation of more than 8,000 children from militias, and addressing these problems to provide comprehensive support for the reintegration program for 5,500. Children of former child soldiers who have already returned to there, but at the same time he said in his speech that "Unfortunately, it is currently impossible to know the number of children exposed to accurately re-enlistment when they are separated from armed groups." & he added "As long as there are armed groups here, there are risks infecting children diseases and recruitment and this would need to reach a political peaceful and diplomatic solution of what is happening here".(3)

\*According to Amnesty International reports, and in case of human rights activists, lawyers, and reporters, often they were attacked or killed due to their career activities, most of the time this was done by governmental agents.

And it's mentioned that one of the human rights defender has been raped by a general security during her work visit to an arresting office in May 2008, also in June of the same year Serj Maheshi, reporter in Okapi station that's sponsored by UN, was killed in Bokavu under mysterious circumstances.

---

1) [WWW.AMENSTY.ORG](http://WWW.AMENSTY.ORG) AMENSTY ANNUAL REPORT ON CONGO.

2) [WWW.UNICEF.ORG](http://WWW.UNICEF.ORG)

3) UN -REPORT BY GENERAL SECRT-ISSUED IN 13 OF APRIL 2010.

And if we want to illustrate to the juridical justice in these cases, we can simply say that civil jurisdiction was absence in its role in the most of areas, and it was lacking for human and financial resources, and most of the civilian were sentenced in front of the military tribunals despite of the unconstitutional bases. In addition to absence of protection for the victims to straight in front of the courts, further more the criminals were running all the time from their verdicts and the political and military interference were so vivid often.

After the brief spotlight on Congo's conflicts, we can say that the priority in this issue is to implement the peace agreement, as a first step this would aid to stop the tension between the parties, and will provide a political dialogue in order to have the fundamental approach toward complete autonomy not only in the political affairs but also in economical resources of the country, after this policy that must be supported by international awareness, the people will start to raise up in a help of their government support procedure in whole sectors (agriculture, industrial...).

And this cannot be granted by the first dawn, it may takes years and generations, while the most important here is the well of Congolese to be independent to take off the bloody history and the crimes against humanity they committed by each other, and in front of the other regions, to move for a community where they can be in safe and fulfilled.

---

SALAM AL-ZAHRAN

3<sup>RD</sup> YEAR LAW & POLITICAL SCIENCE

BEIRUT ARAB UNIVERISTY

BEIRUT-LEBANON.