

FOIA Marker

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National Security Council - African Affairs

Swayne, Mark

Stack:	Row:	Sect.:	Shelf:	Pos.:
V	16	9	7	1

FRC ID:	Location or Hollinger ID:
35914	1000003483

Folder Title:

Great Lakes [Folder 2] [1] - [5]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Handwritten Note	[Notes]	2	N.D.	P1/b1; P5;
002	Memorandum	Great Lakes...	6	N.D.	P1/b1; P5;
003	Memorandum	[Memorandum]	2	N.D.	P1/b1; P5;
004	Memorandum	Analysis of Available Options...	3	12/15/2004	P1/b1; P5;
005	Memorandum	Information Memorandum - To: Steve Hadley - From: Jendayi Frazer, et al.	7	N.D.	P1/b1; P5;
006	Report	[Report]	2	N.D.	P1/b1;
006a	Cable	[Cable]	2	12/10/2004	P1/b1;

COLLECTION TITLE:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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006b	Cable	[Cable]	2	12/07/2004	P1/b1;
007	Memorandum	Defense Department...	5	12/14/2004	P1/b1; P5;
008	Summary of Conclusions	Summary of Conclusions	2	12/22/2004	P1/b1; P3/b3; P5;
009	Summary of Conclusions	Summary of Conclusions...	5	12/22/2004	P1/b1; P5;
010	Report	[Report]	8	01/06/2005	P1/b1;
011	Report	[Report]	1	01/10/2005	P1/b1;
012	Map	[Map]	1	08/2004	P1/b1;

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013	Summary of Conclusions	Summary of Conclusions...	5	12/22/2004	P1/b1; P5;
014	Memorandum	...the Great Lakes	7	N.D.	P1/b1; P5;
015	Summary of Conclusions	Summary of Conclusions	1	02/02/2005	P1/b1;
017	Email	[Email] - To: Cindy Courville, et al.	6	02/24/2005	P1/b1;
018	Memorandum	Eastern Congo Contact Group Meeting	4	02/25/2005	P1/b1; P5;
020	Discussion Paper	Options Paper	2	02/25/2005	P5;
021	Memorandum	Operational Plan	1	02/25/2005	P5;

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022	Report	[Report]	2	10/01/2005	P1/b1;
023	Briefing	Great Lakes Interagency Working Group	2	10/24/2005	P1/b1; P5;
024	Memorandum	Measures...	2	09/30/2005	P1/b1;
025	Memorandum	[Memorandum]	2	N.D.	P1/b1;
027	Letter	[Letter] - To: Mihnea Ioan Motoc - From: Antoinrtte Batumubwira, et al.	2	10/21/2005	P1/b1;
028	Handwritten Note	Ross Mountain	2	10/27/2005	P1/b1; P5;
030	Memorandum	Measures...	2	09/30/2005	P1/b1;

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031	Draft	[Chart]	3	N.D.	P1/b1; P5;
032	Memorandum	Information Memo - From: Jendayi Frazer	1	N.D.	P1/b1; P5;
032a	Cable	[Cable]	3	09/26/2005	P1/b1;
032b	Cable	[Cable]	3	09/27/2005	P1/b1;
034	Memorandum	Contact Group Meeting	7	05/20/2005	P1/b1; P5;
035	Handwritten Note	Agreement	2	05/10/2005	P1/b1; P5;
036	Handwritten Note	Rwanda Phone Call	2	05/26/2005	P1/b1; P5;

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037	Report	Africa	2	N.D.	P1/b1;
038	Handwritten Note	FDLR	4	03/17/2005	P1/b1; P5;
039	Report	[Report]	2	04/04/2005	P1/b1;
040	Handwritten Note	Introduction	1	N.D.	P1/b1; P5;
041	Memorandum	Checklist...	2	03/24/2005	P1/b1; P5;
043	Report	[Report]	4	04/07/2005	P5;

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Great Lakes [Folder 2] [1]

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OA Num.:

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2019-0082-F

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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	[Report]	2	N.D.	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:

FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Cable	[Cable]	2	12/10/2004	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:

FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Cable	[Cable]	2	12/07/2004	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:

FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Defense Department...	5	12/14/2004	P1/b1; P5;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:

FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)	(b)(3) STATUTE(S)
Summary of Conclusions	Summary of Conclusions	2	12/22/2004	P1/b1; P3/b3; P5;	10 USC 424 50 USC 3507

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:**FOIA IDs and Segments:**

2019-0082-F

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

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Records Not Subject to FOIA

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Summary of Conclusions	Summary of Conclusions...	5	12/22/2004	P1/b1; P5;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	[Report]	8	01/06/2005	P1/b1;

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COLLECTION:
National Security Council - African Affairs

SERIES:
Swayne, Mark

FOLDER TITLE:
Great Lakes [Folder 2] [1]

FRC ID:
35914

OA Num.:
NSC 1677

NARA Num.:

FOIA IDs and Segments:
2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	[Report]	1	01/10/2005	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Map	[Map]	1	08/2004	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Summary of Conclusions	Summary of Conclusions...	5	12/22/2004	P1/b1; P5;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	...the Great Lakes	7	N.D.	P1/b1; P5;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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2019-0082-F

RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Summary of Conclusions	Summary of Conclusions	1	02/02/2005	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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2019-0082-F

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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TAGS: PREL, MOPS, PINS, BY, RW, UG, CG,

SUBJECT: GREAT LAKES TRIPARTITE AGREE TO JUMP-START PEACE

1. Summary: After escalating tensions in November and December threatened another round of fighting in the Great Lakes, ministers from Uganda, Rwanda, and the Democratic Republic of Congo attending an emergency meeting of the Tripartite Joint Commission in Washington, agreed to take a series of actions including: 1) revitalize the tripartite sub-commissions on security and diplomacy; 2) establish emergency procedures to deal with future crises; 3) with US assistance, establish a "fusion cell" for sharing and acting on intelligence, and 4) to consider an options paper (prepared by the United States) on how to strengthen efforts against armed groups in the eastern DRC. In comments to the assembled ministers, U.S. National Security Advisor Stephen Hadley described MONUC's recently enhanced strength as a good tool to encourage voluntary disarmament and deter cross-border activity, while "hard-core" elements are increasingly isolated. End Summary.

2. A Ministerial level meeting of the Tripartite Joint Commission was held in Washington D.C. on February 2, organized by the United States as facilitator of the tripartite process and at the request of Uganda in response to escalating tensions and some fighting between rival forces in the eastern DRC in late 2004. The meeting was co-chaired by

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AF Assistant Secretary Constance Newman and NSC Senior Director Cindy Courville. It included ministerial delegations from the DRC, Rwanda, Uganda, and observers from the Republic of Burundi, the UN Peacekeeping Mission in the Congo (MONUC), the African Union (AU), and the European Union (EU).

3. Discussion focused on the revitalization of the Tripartite and specifically jump-starting the work of the sub-commissions on security and diplomacy, the use of other mechanisms such as the Joint Verification Mechanism/Joint Verification Teams (JVM/JVT) to resolve crises, new mechanisms for sharing and acting on intelligence, and the central problem of how to deal with the presence of the Ex-FAR Interahamwe and other armed militias in the eastern DRC. Burundi's Minister of Defense Vincent Niyungeko made a plea for Burundi's admission as a full member of a "quadrupartite" process based on the threat Burundi faces from the FNL and other militant groups operating from DRC territory, but the Commission agreed only to consult further on the matter.

4. Summary of Conclusions. At the conclusion of the meeting, the parties unanimously agreed to the following actions:

- Operationalize the sub-commissions on Security and Defense Matters and Diplomatic Affairs; to immediately organize meetings and be fully functional by the end of February 2005.

- Through the sub-commission on Security and Defense Matters, establish an interim emergency action plan defining a strategy to react quickly to an emergency, including specific points of contact to be made among the parties to the Tripartite Commission, the United States, the United Nations, the African Union, Burundi and others as appropriate, in the event of a crisis. Particular attention should be paid to developing means to communicate immediately in private channels rather than through the media.

- The U.S. as facilitator will send representatives to the DRC, Rwanda, and Uganda in February to collaborate and assist in the establishment of a mechanism whereby information may be shared among the parties and acted upon to prevent future crises.

- The facilitator will prepare a paper for Commission consideration that will outline potential options for additional actions (details in Septel) to support the goals of the process and to strengthen the infrastructure of cooperation. Options could include further actions by the DRC government and MONUC, bilateral donors, and the African Union and its member states. The options will encompass both political and prosecutorial options as well as military/security steps. Once considered by the three governments concerned, the options should be discussed

with the observers, and with other interested states and potential donors.

--The Commission will consult further with respect to Burundi's relationship with the process.

OPENING STATEMENTS

5. Assistant Secretary of African Affairs Connie Newman opened the meeting by noting the long way the Commission had come over the past year and how close they had been in October to creating the mechanisms, through the sub-commissions for security and diplomacy, for taking their cooperation a step further. Newman spelled out some expectations by the international community for how to measure success in the region. For the DRC, success results from a truly functioning transitional government with the ability to project its authority across its territory with a fully integrated national army, leading to a freely elected government. For Rwanda, the Assistant Secretary said it is essential to use the tripartite process to address the security threat posed by forces present in the eastern Congo - the FDLR or Ex-FAR/Interahamwe. She thanked Uganda for its urgency in calling the meeting and thereby strengthening the tripartite process.

6. NSC Africa Director Cindy Courville reiterated support for the groups accomplishments to date and said the meeting would focus on specific actions to "operationalize instruments we have," including the Tripartite mechanism the JVM/JVT, and how the international community can support efforts to address problems, including consideration of the role of MONUC and the AU.

COMMENTS BY THE PARTIES AND OBSERVERS

Comments by the Democratic Republic of Congo

7. The DRC delegation focused on the need to establish rules of the road for the tripartite mechanism, and went on to outline its own plan to work with MONUC to stabilize the Kivus, disarm and neutralize the ex-FAR/Interahamwe. DRC Presidential Advisor Andre Kapanga suggested the group adopt "a set of principles to govern how we will deal with each other," to include: 1) abstaining from making threats, especially in the media; 2) use the tripartite mechanism when there is disagreement; 3) develop modes of operation for sub-commissions on diplomatic affairs and security, including a greater role for the facilitator in establishing a clearing house for intelligence sharing.

8. DRC National Security Advisor, Professor Samba Kaputo outlined a phased plan to introduce four new integrated FARDC brigades into North and South Kivu starting in March. The FARDC brigades will work in close coordination with MONUC forces to increase the pressure on

militias to voluntarily disarm, resettle, and repatriate to their homes. Extremists will become increasingly isolated and then be forcibly disarmed by the FARDC in the final phase.

Comments by Rwanda

9. If in principle the Rwandans were supportive of DRC and the international community's long-term efforts to address the instability in the eastern Congo, they were categorically dismissive of mechanisms for communication, monitoring and verification if those mechanisms are incapable of taking action now against the ex-FAR, a problem they maintain presents a clear and present danger to the region.

10. Rwandan Foreign Minister Charles Murigande placed the onus for action on the DRC government, noting the DRC "does not need a mandate to deal with negative forces within its boundaries." Murigande later described the "ideal solution" as a "joint-operation between Rwanda and DRC" while long-term capacity is built up over time by MONUC, the AU, and through the training of the DRC army. Presidential Advisor Richard Sezibera later tried to disaggregate the "Congo option", (which he called an ongoing "good plan" which should be a part of any solution), from the issue at hand of operationalizing the Tripartite Agreement.

11. Responding to MONUC Political Director Ambassador Charles Gomis's charge that the failure of the JVM/JVT was one of the political will of the parties, Sezibera said JVT's are unable to operate in South Kivu where anti-Rwandan feelings are high because "MONUC is uncomfortable providing security there. MONUC must be more active."

Comments by Uganda

12. Ugandan Minister of Defense Amama Mbabazi called for a reexamination of why the tripartite mechanism did not work during the November/December crisis. He questioned the need to develop further means of carrying through the commitments already agreed-to by the parties. He said of the Tripartite, "the mechanism was created. It was critical to use it and we failed."

13. Mbabazi referred to Article Seven of the Tripartite Agreement as the foundation for a coordinated response to security problems in the east. "We committed to neutralize the negative forces," and mandated the sub-commissions to implement the agreement. "What has not yet happened is operationalizing those instruments."

14. With regard to international support to address the situation in eastern DRC, Mbabazi said the critical question was one of resources. Given MONUC's current plan, without regard to whether its mandate could be enhanced (which could not be accomplished overnight), Mbabazi asked, "What is within our power to do which can bring about a change

in the situation?" Clearly, the answer is activating the Tripartite Agreement, including the proposal presented by the USG to assist the establishment of a fusion cell under the sub-commission on security. In sum, the options available to the IC (i.e. MONUC, AU, bilateral donor arrangements) should not be looked at in isolation but as part of a comprehensive effort to address the long-term capacity challenge in the Congo.

Comments by Burundi

15. Burundian Minister of Defense Vincent Niyungeko said Burundi belonged as a full-fledged member to what should be a "quadripartite" process and could be part of the solution to regional stability. Niyungeko said Burundi faces current threats both from FNL rebels using DRC as a base and who cooperate with other militant groups to attack Burundi. Burundi also feels the destabilizing presence from the FDLR, which uses northern Burundi as an incursion route to Rwanda. He appealed to participants not to forget ONUB's role in cooperating and coordinating on border security with MONUC. ONUB and MONUC are important, but have limited ability to address the problem. Burundi is in favor of an AU mechanism on the basis that "African countries can find a better solution."

Comments by MONUC

16. Ambassador Charles Gomis, MONUC Director of Political Affairs, pointed to a lack of political will among the parties as the chief deficiency of existing mechanisms. There is no apparent reason the tripartite mechanism and the JVM should not work. Under the JVM agreement, all reports are to be signed by all JVT members and submitted to the chairman of the JVC. Reports should contain findings and recommendations for action. No such report has ever been produced because of a lack of cooperation and absence of the willingness to work together. Both DRC and Rwanda have at one time or another blocked reports.

17. Gomis described MONUC's plan to deploy 75 percent of its forces, mostly from fresh troops authorized under UNSCR 1565, to Ituri and North and South Kivu provinces, with operational headquarters to be established in Kisangani, Bukavu, and Goma. Remaining troops will be used for western DRC, concentrated in Kinshasa to provide security for the transitional government.

18. There is both a political and military component to the MONUC plan. MONUC will apply political pressure on the FDLR to disarm and ask for participation from both DRC and Rwanda in an open and transparent DDRRR process. Militarily, MONUC will establish a "secure presence" in the east and over time weaken the FDLR's power over the population, a claim that drew some dismay from the Rwandan delegation. The FARDC then gradually begins the forcible disarmament

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phase described above, Gomis said. MONUC is also authorized to provide logistics and other support to the FARDC in the east.

Comments by the African Union and European Union

19. African Union Commissioner for Public Affairs Julia Dolly Joiner made clear the AU commitment to raising a force to address the security crisis in the eastern DRC as expressed at the Libreville Summit in January. Beyond that, Joiner acknowledged that training and moving such a force would be a substantial challenge for the AU, commenting that "Sudan has been an uphill struggle getting the money together."

20. In its current role of Chairman of the EU Presidency, Luxembourg DCM Paul Schmidt described EU efforts to establish a security advisory committee on security sector reform (SSR) in the DRC. Schmidt said the EU focus recognizes the importance of the DRC army to the success of the transition.

Comments by National Security Advisor Stephen Hadley

21. National Security Advisor Stephen Hadley, in comments addressed to the Tripartite Commission, said the MONUC expansion could be a vehicle to encourage voluntary disarmament and to deter attacks on Rwanda. With progress on voluntary disarmament, a clearer picture of the threat could emerge. There is a clear need to operationalize the tripartite structures. The proposal for the creation of an intelligence fusion cell would also enhance the "infrastructure of cooperation." Training of DRC integrated forces present a long-term solution for the DRC to have the wherewithal to police its own territory. To that end, the U.S. may be able to offer officer training in coordination with the efforts of the European Union members.

22. Hadley stressed the importance of keeping the diplomacy on track and the rhetoric down. Everyone expects there to be a "hard core" that will not voluntarily disarm. We should be looking at all options - including MONUC and the AU - as pieces of the solution. In the meantime, we should activate the tripartite mechanism to do "what we can do while we prepare for what we must do" to deal with the hard-core elements. The international community is ready to assist but it is up to the parties to activate the tools they already have at their disposal.

U.S. ACTION

23. The U.S. is drafting a plan, detailed in Septel, for consideration by the Tripartite Commission for strengthening efforts against armed militias in the eastern Congo. The plan will build on

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current actions and deployments by MONUC and the DRC to disarm and isolate negative forces, and present options for: 1) an enhanced MONUC/DRC activity within the current MONUC mandate, 2) the possibility of an AU mission to forcibly disarm militias, or 3) an enhanced mandate for MONUC to forcibly disarm militias.

BILATERAL MEETINGS

24. All delegations except for the DRC held bilateral meetings with A/S Newman. The following readouts were available.

Bilateral with Rwanda

25. National Security Advisor Ndahiro underscored Rwanda's position that MONUC's mandate should be adjusted to include forcible disarmament of negative forces as the focus. Ndahiro and Ambassador Sezibera said Rwanda is relying on the U.S. and the international community to deal with the ex-FAR/Interahamwe problem in a more robust manner. They also stressed the need for more training from the U.S. from military-to-military training through ACOTA as well as other possible opportunities such as safe skies and airport security, currently provided to East African countries under EACTI.

Bilateral with Burundi

26. Burundi's MOD summarized progress towards the transition in Burundi, including the consolidation of the peace process through the integration of the CNDD-FDD and other former rebel groups in to a new national army and police forces, disarmament demobilization and reintegration (DDR) of several thousand former combatants and child soldiers, and the anticipated elections which begin February 28 with a constitutional referendum. A/S Newman stressed the importance of following through with the timetable for elections and having a specific plan to implement them. Delays have caused skepticism that transitional leaders are not serious about holding elections. Once free and transparent elections do occur, it will lift some U.S. restrictions on assistance programs, including military training (IMET).

27. COMMENT: This is the sixth meeting of the tripartite group and thus far the participants have remained the same senior officials throughout this one-year process. It has the full backing of the AU, EU, and MONUC and we are encouraged that the Rwandans, Congolese, and Ugandans are, for now, committed to working through the tripartite mechanism to address their respective security concerns. As we told our EU colleagues during a briefing on February 7, our goal is to see the tripartite process disappear. We hope that there will be sufficient confidence and mutual support among the parties, as well as

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implementation of agreements signed by the parties to make the tripartite unnecessary. END COMMENT.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Eastern Congo Contact Group Meeting	4	02/25/2005	P1/b1; P5;

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Summary of Conclusions

Meeting of the Tripartite Commission February 2, 2005 Washington, D.C.

During the February 2 meeting, the Commission, comprised of ministers representing the governments of the Democratic Republic of Congo, Rwanda, and Uganda, considered a number of critical issues relating to the work of the Commission and its subsidiary bodies.

In broad terms, the discussion centered around a shared concern that the Commission and the tripartite process required additional efforts and organization to achieve its goals within the timeframe agreed in October, 2004 in Kigali.

The Commission agreed unanimously to take the following actions:

- Operationalize the Sub-commissions on security and diplomacy; to immediately organize meetings and be fully functional by the end of February, 2005.
- Through the sub-commission on defense and security, establish an interim emergency action plan defining a strategy to react quickly to an emergency, including specific points of contact to be made among the parties to the Tripartite Commission, the United States, the United Nations, the African Union, Burundi and others as appropriate, in the event of a crisis. Particular attention should be paid to developing means to communicate immediately in private channels rather than through the media.
- The United States as facilitator of the process will send representatives to the capitals of the DRC, Rwanda, and Uganda in February to collaborate and assist in the establishment of a mechanism whereby information may be shared among the Tripartite parties and acted upon to prevent crises before they occur.
- The facilitator will prepare for Commission consideration an outline of potential options for additional actions to support the goals of the process and to strengthen the infrastructure of cooperation. Options could include further actions by the DRC government and MONUC, bilateral donors, and the African Union and its member states. The options will encompass political and prosecutorial options as well as military/security steps. Once considered by the three governments concerned, the options should be discussed with the observers, and with other interested states and potential donors.
- The Commission will consult further with respect to Burundi's relationship with the process.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Discussion Paper	Options Paper	2	02/25/2005	P5;

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RESTRICTION CODES

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Briefing	Great Lakes Interagency Working Group	2	10/24/2005	P1/b1; P5;

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National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

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UNCLASSIFIED

**GREAT LAKES CONTACT GROUP MEETINGS WITH
FDLR, DRC, RWANDA, UGANDA, BURUNDI**

CONTEXT

The September 30 deadline for FDLR disarmament is rapidly approaching. Members of the Great Lakes Contact Group (US, UK, France, EU, MONUC) and Sant Egidio will meet with the FDLR to urge them to disarm before the deadline and they will meet with DRC, Rwanda, Uganda and Burundi to urge them to fulfill commitments made through the Tripartite Joint Commission. The overarching point to the FDLR, DRC, Rwanda, Uganda and Burundi from all parties should be that the train is leaving the station. There are three common points:

1. This is a last/last ditch effort to communicate to the FDLR the seriousness of the disarmament timeline. This stance is the product of repeated attempts at voluntary DDR, which have yielded unsatisfactory results to date.
2. All actors (FDLR, DRC, Rwanda) should understand that any international support for them hinges on their execution of negotiated agreements. Failure by the FDLR to act upon these agreements to date has eroded this support. In contrast, voluntary disarmament before the deadline is a very attractive alternative that the FDLR should seize.
3. The international community and the region have adopted a unified position.

More specific talking points are below:

DRC, SANT EGIDIO, MONUC TALKING POINTS TO FDLR

- DRC/SANT EGIDIO/MONUC (as appropriate) has exhausted available means for achieving meaningful disarmament of the FDLR through voluntary methods.
- Despite MONUC's efforts to create attractive DDR conditions, the FDLR continues to prey on the Congolese population, exploit natural resources and create an insecure environment in DRC. Hence they have become a serious threat to peace and security in the Great Lakes region.
- We urge the FDLR to end its exile in the DRC and return to Rwanda within the framework laid out by the Government of Rwanda for all returnees. We urge the FDLR to do this by following the procedure developed by MONUC to facilitate disarmament, demobilization and repatriation. We urge all FDLR combatants that wish to disarm and return to Rwanda to do so at the earliest possible opportunity in an effort to meet the September 30 deadline established

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by the countries of the region. After that deadline, you can expect consequences to be imposed for non-compliance with your commitment to return voluntarily. [MONUC should enumerate the existing DDR incentives and briefly describe the process for voluntary demobilizers.]

- Rwanda has agreed to the following: (1) repatriation of FDLR members; (2) non-prosecution of FDLR returnees under the age of 25; (3) establishment of a *comite de suivi* (monitoring group) comprised of members of the international community that will report on the progress of FDLR returnees to Rwanda.

US & CONTACT GROUP MEMBERS TO DRC, RWANDA, UGANDA, BURUNDI

- Ending the threat militias and other negative elements pose to the security of the countries in the Great Lakes Region is as serious a concern to us as it is to you. We are as anxious as you to see stability in the region.
- The P3 (US, UK, France) plus the EU and United Nations have brought political and military pressure to bear on militia groups internationally. This represents a major investment in peace and security in the Great Lakes Region. But this can only work in partnership with you, the countries of the region.
- DRC, Rwanda, Uganda and Burundi must actively execute the agreements they made to end the wars in the DRC and honor their commitments made through the Tripartite Joint Commission in order to consolidate this international investment in peace and end all militia threats.
- Among the obligations that must be implemented is the agreement by DRC, Rwanda, Uganda and Burundi (1) to curtail arms flow across their borders and (2) to end support for all militia leaders and other negative elements. Adherence to these commitments is crucial for the credibility of each partner and for the ultimate success of the process.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Measures...	2	09/30/2005	P1/b1;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	[Memorandum]	2	N.D.	P1/b1;

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PRESS RELEASE
FINAL

OCTOBER 21, 2005
KAMPALA, UGANDA

The Tripartite Plus Joint Commission members from the Republic of Burundi, Democratic Republic of the Congo (DRC), the Republic of Rwanda, and the Republic of Uganda, held its twelfth meeting in Kampala, Uganda, October 20-21, with the facilitation by the Government of the United States:

- noted that the deadline for voluntary disarmament of armed groups has expired;
- recognized that armed groups continue to carry out armed attacks against civilians in eastern DRC and neighboring countries;
- reaffirmed legal, political and military measures to be taken against negative forces operating in the Great Lakes Region, including but not limited to FDLR, the ex-FAR and Interahamwe, PRA, ADF/NALU, MRC, FLEC, LRA, and FNL/Palipehutu;
- decided on additional measures including pursuing legal prosecution,

extradition and trial of leaders of negative forces; visa and travel ban; fundraising and financial restrictions; ban political activities; and consideration of designation of negative forces as terrorist groups; -- agreed to seek to strengthen MONUC operations through the United Nations process; -- agreed to disarmament, using all necessary means, of all armed groups and militias in eastern DRC.

The four Commission members condemn the brutal and senseless murder of defenseless civilians in Buba, South Kivu, DRC. The Commission also noted the past constructive efforts of Sant'Egidio in promoting the return of some FDLR members to Rwanda.

The Commission demands FDLR, the ex-FAR and Interahamwe, PRA, ADF/NALU, MRC, FLEC, LRA, FNL/Palipehutu and all other militia forces to cease hostile operations and to disarm, demobilize and repatriate.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mihnea Ioan Motoc - From: Antoinrte Batumubwira, et al.	2	10/21/2005	P1/b1;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Handwritten Note	Ross Mountain	2	10/27/2005	P1/b1; P5;

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Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

**Report on the Criteria and Methodology
for Determining the Eligibility of Candidate Countries for
Millennium Challenge Account Assistance in FY 2006**

Summary

This report to Congress is provided in accordance with Section 608(b) of the Millennium Challenge Act of 2003, 22 U.S.C.A. 7701, 7707(b) (the "Act").

The Act authorizes the provision of Millennium Challenge Account ("MCA") assistance to countries that enter into compacts with the United States to support policies and programs that advance the prospects of such countries achieving lasting economic growth and poverty reduction. The Act requires the Millennium Challenge Corporation ("MCC") to take a number of steps in determining the countries that, based on their demonstrated commitment to just and democratic governance, economic freedom and investing in their people, will be eligible for MCA assistance during Fiscal Year 2006. These steps include the submission of reports to the congressional committees specified in the Act and the publication of Notices in the Federal Register that identify:

1. The countries that are "candidate countries" for MCA assistance during Fiscal Year 2006 based on their per-capita income levels and their eligibility to receive assistance under U.S. law and countries that would be candidate countries but for legal prohibitions on assistance (Section 608(a) of the Act);
2. The criteria and methodology that the Board of Directors of MCC (the "Board") will use to measure and evaluate the relative policy performance of the candidate countries consistent with the requirements of Section 607 of the Act in order to select "eligible countries" from among the "candidate countries" (Section 608(b) of the Act); and
3. The list of countries determined by the Board to be "eligible countries" for Fiscal Year 2006, including which of the eligible countries the Board will seek to enter into MCA compacts (Section 608(d) of the Act).

This report sets out the criteria and methodology to be applied in determining eligibility for FY06 MCA assistance.

Changes to the Criteria and Methodology for FY 2006

MCC has received constructive input on the indicators since the announcement of FY 05's selection criteria and methodology. That input has been taken into account in creating the criteria and methodology for the selection of eligible countries for FY06.

MCC has decided to make one change in the policy indicators for the FY06 selection process. In the FY05 Report, we signaled our intention to consider additional measures of government policies to encourage entrepreneurship and private sector ownership. For FY06, MCC will substitute an additional indicator from the World Bank Group's *Doing Business* report, *Cost of Starting a Business*, for a current indicator in this category, *Country Credit Rating*.

MCC believes there are potentially significant gains from adopting this additional measure of the entrepreneurial environment. The proposed indicator meets all of our criteria for an indicator, including a strong empirical relationship to growth. Moreover, we believe there are potentially significant gains in terms of country reforms from adopting another indicator from the *Doing Business* report because the indicators in it tend to be highly actionable. For example, we are currently using the *Days to Start a Business* indicator and have seen significant improvements in the median score for low income countries: from 62 days in 2002 to 45 days in 2005. According to the World Bank Group, 80% of the business start-up reforms that they have observed are directly attributable to the incentive effect of the MCA.

The strength of this new indicator is that countries can easily identify areas that require improvement and make quick administrative changes that produce immediate improvements. Governments can lower the cost of business start-up by creating single access points, making registration electronic, introducing temporary business licenses, eliminating statutory time limits and mandatory use of notaries and judges, standardizing paperwork, and eliminating non-essential fees, transfer taxes, stamp duties, as well as payments to property registries, notaries, public agencies and lawyers. In some cases a country can dramatically improve its score by simply reducing or eliminating notary fees that frequently are commensurate with the average citizen's annual income.

We are substituting *Cost of Starting a Business* for *Country Credit Rating*, a current indicator which we see as problematic. First, all of our indicators should be policy-linked and measure policies that a government can change. The existing literature on the determinants of country credit rating suggests that this metric is influenced not only by domestic policies (e.g., inflation, reserve holdings, current account deficits, export growth, debt-GDP ratios, corruption, rule of law, and default risk) but also by many exogenous factors (e.g., initial income, international interest rates, growth rates in industrialized nations, commodity price fluctuations, export composition). It is therefore not clear how quickly and to what degree domestic policy changes will affect this variable. In addition, this indicator appears to have more of an income bias than other indicators MCC is using.

Potential Future Changes Under Consideration:

In addition to the change identified above, there are several potential future changes to the indicators that we will explore for the FY07 process. We are signaling these potential changes in order to solicit comments from the public and to provide countries an opportunity to evaluate their performance in these areas in advance of any such future changes in the selection process.

We hope that by highlighting our intention to look for better and more comprehensive indicators we will stimulate interest in improving the available data. In assessing new indicators, we will favor those that: (1) are developed by an independent third party, (2) utilize objective and high-quality data, (3) are analytically rigorous and publicly available, (4) have broad country-coverage and are comparable across countries, (5) have a clear theoretical or empirical link to economic growth and poverty reduction, (6) are policy-linked, i.e. measure factors that governments can influence within a two to three year horizon, and (7) have broad consistency in results from year to year.

A summary of the results of research undertaken throughout the past year and the identification of potential future changes to the selection criteria and methodology follows:

Encouraging Economic Freedom:

Trade Policy: In the FY05 Report, MCC signaled exploration of a more comprehensive measure of trade barriers. MCC has not identified a more comprehensive measure with good country coverage and which is publicly available and we will continue to research these issues for a possible change in FY07.

Natural Resources Management: MCC has launched a public process led by MCC Board Member Christine Todd Whitman in search of a natural resource management indicator. MCC has sought broad input from the academic community, public and private sector practitioners, and researchers at think tanks and NGOs. We have consulted with environmental experts from across the country, who have provided extremely valuable guidance to MCC, and have published a public “request for ideas” for an indicator or index. We have enlisted the help of six experts to individually rate proposals and submit independent evaluations to MCC, and will discuss with the Board later this year whether we have succeeded in identifying a potential indicator for FY07. In the interim, MCC will provide the Board with quantitative and qualitative supplemental information in the natural resource management area.

(Note: In FY05, we signaled MCC’s intention to consider a reduction in the threshold on the *Inflation* indicator from 15% to 10% in FY06. However, we have not found credible evidence to support a further reduction, and MCC will continue to apply the 15% threshold.)

Investing in People:

Women’s and Children’s Health: In FY05, MCC signaled an interest in finding additional ways to measure investments in people, particularly with respect to women and children, in accordance with the legislation. In particular, we singled out *Skilled Attendants at Birth* (SBA) (a proxy for maternal mortality which measures births attended by medically-trained midwives, nurses or doctors) for potential use in FY06. After extensively reviewing the data, the methodology, and the literature on skilled birth attendants, we cannot adopt this indicator for inclusion as an indicator in the FY06 selection process due to poor data quality and lack of adequate country coverage. We remain interested in identifying measures of government policies that support women’s and children’s health, however, and will look for improvements in country coverage, frequency, definitional consistency, and data quality in the SBA indicator. MCC will continue to explore additional and better ways to measure investments in people, particularly with respect to women and children, for use in the selection criteria in future years.

Criteria and Methodology

The Board will select eligible countries based on their overall performance in relation to their peers in three broad policy categories: Ruling Justly, Encouraging Economic Freedom, and Investing in People. Section 607 of the Act requires that the Board’s determination of eligibility be based “to the maximum extent possible, upon objective and quantifiable indicators of a country’s demonstrated commitment” to the criteria set out in the Act. For FY 06, there will be two groups of candidate countries – low-income countries and lower-middle income countries. Low-income candidate countries refer to those countries that have a per capita income equal to or less than \$1575 and are not ineligible to receive United States economic assistance under part I of the Foreign Assistance Act of 1961 by reason of the application of any provision of the Foreign Assistance Act or any other provision of law. Lower-middle income candidate countries

are those that have a per capita income between \$1,575 - \$3,255 and are not ineligible to receive United States economic assistance.

The Board will make use of sixteen indicators to assess policy performance of individual countries (specific definitions of the indicators and their sources are set out in Annex A). These indicators are grouped for purposes of the assessment methodology under the three policy categories as follows:

Ruling Justly:	Encouraging Economic Freedom:	Investing in People:
1. Civil Liberties 2. Political Rights 3. Voice and Accountability 4. Government Effectiveness 5. Rule of Law 6. Control of Corruption	1. Cost of Starting a Business 2. 1-year Consumer Price Inflation 3. Fiscal Policy 4. Trade Policy 5. Regulatory Quality 6. Days to Start a Business	1. Public Expenditures on Health as Percent of GDP 2. Immunization Rates: DPT3 and Measles 3. Public Primary Education Spending as Percent of GDP 4. Girls Primary Education Completion Rate

In making its determination of eligibility with respect to a particular candidate country, the Board will consider whether a country performs above the median in relation to its peers on at least half of the indicators in each of the three policy categories and above the median on the corruption indicator. One exception to this methodology is that the median is not used for the *Inflation* indicator. Instead, to pass the *Inflation* indicator a country's inflation rate needs to be under a fixed ceiling of 15%. The indicator methodology will be the predominant basis for determining which countries will be eligible for MCA assistance. In addition, the Board may exercise discretion in evaluating and translating the indicators into a final list of eligible countries. In this respect, the Board may also consider whether any adjustments should be made for data gaps, lags, trends, or other weaknesses in particular indicators. Likewise, the Board may deem a country ineligible if it performs substantially below the median on any indicator and has not taken appropriate measures to address this shortcoming.

Where necessary, the Board may also take into account other quantitative and qualitative information to determine whether a country performed satisfactorily in relation to its peers in a given category. As provided in the Act, the CEO's report to Congress setting out the list of eligible countries and identifying which of those countries the MCC will seek to enter into Compact negotiations with will include a justification for such eligibility determinations and selections for Compact negotiation.

There are elements of the criteria set out in the Act for which there is either limited quantitative information (e.g., rights of people with disabilities) or no well-developed performance indicator (e.g., sustainable management of natural resources). Until such data and/or indicators are developed, the Board may rely on supplemental data and qualitative information to assess policy performance. For example, the State Department Human Rights report contains qualitative information to make an assessment on a variety of criteria outlined by Congress, such as the rights of people with disabilities, the treatment of women and children, worker rights, and human rights. Similarly, as additional information in the area of corruption, the Board may consider how a country scores on Transparency International's Corruption Perceptions Index as well as on the defined indicator.

The Board's assessment of a country's commitment to economic policies that promote the sustainable management of natural resources may make use of quantitative and qualitative

information such as access to sanitation, deforestation, conservation of land and marine resources, land tenure institutions, and protection of threatened and endangered species. MCC has launched a public process to identify a suitable potential indicator.

Relationship to Legislative Criteria

Within each policy category, the Act sets out a number of specific selection criteria. As indicated above, a set of objective and quantifiable policy indicators is being used to establish eligibility for MCA assistance and measure the relative performance by candidate countries against these criteria. The Board's approach to determining eligibility ensures that performance against each of these criteria is assessed by at least one of the sixteen objective indicators. Most are addressed by multiple indicators. The specific indicators used to measure each of the criteria set out in the Act are as follows:

Section 607(b)(1): Just and democratic governance, including a demonstrated commitment to--

- (A) promote political pluralism, equality, and the rule of law;*
Indicators – Political Rights, Civil Liberties, Voice and Accountability and Rule of Law
- (B) respect human and civil rights, including the rights of people with disabilities;*
Indicators – Political Rights and Civil Liberties.
- (C) protect private property rights;*
Indicators – Civil Liberties, Regulatory Quality and Rule of Law.
- (D) encourage transparency and accountability of government; and*
Indicators – Political Rights, Civil Liberties, Voice and Accountability, and Government Effectiveness.
- (E) combat corruption;*
Indicators – Civil Liberties and Control of Corruption.

Where necessary the Board will also draw on supplemental data and qualitative information, including the State Department's Human Rights Report and Transparency International Corruption Perception's Index.

Section 607(b)(2): Economic freedom, including a demonstrated commitment to economic policies that--

- (A) encourage citizens and firms to participate in global trade and international capital markets;*
Indicators – Fiscal Policy, Inflation, Trade Policy, and Regulatory Quality.
- (B) promote private sector growth and the sustainable management of natural resources;*

Indicators – Inflation, Days to Start a Business, Cost of Starting a Business, Fiscal Policy, and Regulatory Quality

(C) strengthen market forces in the economy; and

Indicators – Fiscal Policy, Inflation, and Regulatory Quality.

(D) respect worker rights, including the right to form labor unions;

Indicators – Civil Liberties.

Where necessary the Board will also draw on supplemental data and qualitative information including the State Department's Human Rights Report, access to sanitation, deforestation, conservation of land and marine resources, land tenure institutions, and protection of threatened and endangered species.

Section 607(b)(3): Investments in the people of such country, particularly women and children, including programs that--

(A) promote broad-based primary education; and

Indicators – Girls' Primary Education Completion Rate and Public Spending on Primary Education.

(B) strengthen and build capacity to provide quality public health and reduce child mortality.

Indicators – Immunization and Public Spending on Health.

Annex A: Indicator Definitions

The following 16 indicators will be used to measure candidate countries' adherence to the criteria found in Section 607(b) of the Act. The indicators are intended to assess the degree to which the political and economic conditions in a country serve to promote broad-based sustainable economic growth and thus provide a sound environment for the use of MCA funds. The indicators are not goals in themselves; rather, they measure policies that are necessary conditions for a country to achieve broad-based sustainable economic growth. The indicators were selected based on their relationship to growth and poverty reduction, the number of countries they cover, their transparency and availability, and their relative soundness and objectivity. Where possible, the indicators rely on indices of performance developed by independent sources.

Ruling Justly:

- 1) *Civil Liberties*: A panel of independent experts rates countries on: freedom of expression, association and organizational rights, rule of law and human rights, and personal autonomy and economic rights. Source: *Freedom House*.
- 2) *Political Rights*: A panel of independent experts rates countries on: the prevalence of free and fair elections of officials with real power; the ability of citizens to form political parties that may compete fairly in elections; freedom from domination by the military, foreign powers, totalitarian parties, religious hierarchies and economic oligarchies; and the political rights of minority groups. Source: *Freedom House*.
- 3) *Voice and Accountability*: An index of surveys that rates countries on: ability of institutions to protect civil liberties, the extent to which citizens of a country are able to participate in the selection of governments, and the independence of the media. Source: *World Bank Institute*.
- 4) *Government Effectiveness*: An index of surveys that rates countries on: the quality of public service provision, civil services' competency and independence from political pressures, and the government's ability to plan and implement sound policies. Source: *World Bank Institute*.
- 5) *Rule of Law*: An index of surveys that rates countries on: the extent to which the public has confidence in and abides by rules of society; incidence of violent and non-violent crime; effectiveness and predictability of the judiciary; and the enforceability of contracts. Source: *World Bank Institute*.
- 6) *Control of Corruption*: An index of surveys that rates countries on: the frequency of "additional payments to get things done," the effects of corruption on the business environment, "grand corruption" in the political arena and the tendency of elites to engage in "state capture." Source: *World Bank Institute*.

Encouraging Economic Freedom:

- 1) *Cost of Starting a Business:* The Private Sector Advisory Service of the World Bank Group works with local lawyers and other professionals to examine specific regulations that impact business investment. One of their studies measures the cost of starting a new business as a percentage of per capita income. Source: *World Bank Group*.
- 2) *Inflation:* The most recent 12 month change in consumer prices as reported in the IMF's International Financial Statistics or in another public forum by the relevant national monetary authorities. Source: *Multiple*.
- 3) *Fiscal Policy:* The overall budget deficit divided by GDP, averaged over a three-year period. The data for this measure is being provided directly by the recipient government and will be cross checked with other sources and made publicly available to try to ensure consistency across countries. Source: *National Governments and IMF WEO*.
- 4) *Days to Start a Business:* The Private Sector Advisory Service of the World Bank Group works with local lawyers and other professionals to examine specific regulations that impact business investment. One of their studies measures how many days it takes to open a new business. Source: *World Bank Group*.
- 5) *Trade Policy:* A measure of a country's openness to international trade based on average tariff rates and non-tariff barriers to trade. Source: *The Heritage Foundation's Index of Economic Freedom*.
- 6) *Regulatory Quality Rating:* An index of surveys that rates countries on: the burden of regulations on business, price controls, the government's role in the economy, foreign investment regulation and many other areas. Source: *World Bank Institute*.

Investing in People:

- 1) *Public Expenditure on Health:* Total expenditures by government at all levels on health divided by GDP. Source: *National Governments*.
- 2) *Immunization:* The average of DPT3 and measles immunization rates for the most recent year available. Source: *The World Health Organization WHO*.
- 3) *Total Public Expenditure on Primary Education:* Total expenditures by government at all levels of primary education divided by GDP. Source: *National Governments*.
- 4) *Girls' Primary Completion Rate:* The number of female students completing primary education divided by the population in the relevant age cohort. Source: *World Bank and UNESCO*.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Measures...	2	09/30/2005	P1/b1;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:

FOIA IDs and Segments:

2019-0082-F

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Draft	[Chart]	3	N.D.	P1/b1; P5;

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Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Information Memo - From: Jendayi Frazer	1	N.D.	P1/b1; P5;

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COLLECTION:

National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

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2019-0082-F

RESTRICTION CODES

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32a

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Cable	[Cable]	3	09/26/2005	P1/b1;

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SERIES:

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2019-0082-F

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Cable	[Cable]	3	09/27/2005	P1/b1;

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National Security Council - African Affairs

SERIES:

Swayne, Mark

FOLDER TITLE:

Great Lakes [Folder 2] [1]

FRC ID:

35914

OA Num.:

NSC 1677

NARA Num.:**FOIA IDs and Segments:**

2019-0082-F

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

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Swayne, Mark J.

From: Shortley, Timothy (AFR/EA) [tshortley@usaid.gov]
Sent: Wednesday, September 28, 2005 9:55 AM
To: Seidenstricker, Madeline Q (AF/C); Gaffney, Jane C (AF/C); Newton, Anthony C (AF/C); Leader, Joyce E (AF/C); Swayne, Mark J.; Yamamoto, Donald Y (AF/FO); Courville, Cindy L.
Subject: (IRIN NEWS) Rwandan rebels disarm, prepare to return

FYI., This is in the press reports today.

Rwandan rebels disarm, prepare to return

CONGO, DEMOCRATIC REPUBLIC OF, RWANDA

Insecurity

26 September 2005

The leader of a splinter group of Rwandan Hutu rebels operating in the volatile eastern Democratic Republic of Congo (DRC) has said his fighters are disarming and preparing to return home.

Seraphin Bizimungu said members of his breakaway faction of the Democratic Forces for the Liberation of Rwanda (FDLR), had turned in their weapons and begun educational courses to ready themselves for re-integration into Rwandan society.

"Today we have opened a pilot assembly camp to begin the process of a peaceful return of refugees and ex-fighters," he told reporters at Luvungi, some 60 kilometers (35 miles) south of Bukavu, capital of the DRC's South Kivu province.

Bizimungu, who split from the FDLR after accusing the group's leadership of failing to abide by a March agreement to disarm and return to Rwanda, said about 50 fighters and their families were now enrolled in the re-training scheme.

Officials at a ceremony here declined to say how many fighters Bizimungu -- also known as "General Amani" -- has under his control although his faction is thought to number at least several hundred.

The 10-day course will include classes in conflict resolution and reconciliation intended to ease the participants' re-entry into Rwanda, which is still coming to terms with its 1994 genocide, Bizimungu said.

After the training, the ex-fighters will go through a United Nations transit camp in Kamanyola near Luvungi before returning home, a UN official said.

Bizimungu added that the speed of the repatriation would depend on the

governments of Rwanda and DRC as well as the international community.

Rwandan officials say many members of the FDLR, which has been hiding in dense forests of the eastern DRC for the past 11 years, were active participants in the genocide during which some 800,000 people, mainly minority Tutsis were slaughtered by Hutu extremists.

Kigali reacted suspiciously to the FDLR's March 31 announcement in Rome that it would abandon its weapons and return home, saying that any fighters suspected of involvement in the genocide would have to stand trial.

The main FDLR leadership has since demanded security guarantees for the fulfillment of the pledge, leading to delays and frustration from some, notably those in Bizimungu's faction, who say they are ready to return home.

The international community and governments in Africa's Great Lakes region have blamed the FDLR for continued instability in the restive eastern DRC with Kigali accusing it of continuing to mount attacks in Rwanda.

In late August, officials from Rwanda, the DRC and Uganda gave the FLDR a one-month to disarm and begin returning home in line with the March declaration or face "serious consequences."

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Timothy R. Shortley
Office of East African Affairs, Africa Bureau
United States Agency for International Development
Tel: 202-712-1008
Fax: 202-216-3029

PROJET D'APPUI AU PROCESSUS ELECTORAL EN RDC

Funding Status

Budget Forecast: 299,035,696
in cash: 299,035,696
in kind: 0

Donors		Pledges			Commitments						Funds received				
		Amount	Currency	in USD	Date	LC	USD	% of total budget	% of total cash com.	Cumulative %budget	Date	USD	% of total budget	% of total cash rec.	Cumulative %budget
Belgium	trust fund	10,000,000	EUR	13,071,896	22/11/04	5,000,000	6,535,948	2.19%	4.32%	2.19%	28/12/04	6,535,948	2.19%	7.23%	2.19%
Canada	cost sharing	6,500,000	CAD	4,256,861	31/03/05	6,500,000	4,256,861	1.42%	2.81%	3.61%	13/04/05	2,479,338	0.83%	2.74%	3.01%
European Union	trust fund	80,000,000	EUR	104,575,162	18/12/04	80,000,000	104,575,162	34.97%	69.11%	38.58%	14/02/05	52,287,581	17.49%	57.87%	20.50%
Italy	-	500,000	EUR	660,502		0	0	0.00%	0.00%	38.58%		0	0.00%	0.00%	20.50%
Norway	cost sharing	5,000,000	NOK	850,000	24/11/04	5,000,000	850,000	0.28%	0.56%	38.86%	10/12/04	412,141	0.14%	0.46%	20.64%
The Netherlands	cost sharing	8,888,888	USD	8,888,888	18/11/04	8,888,888	8,888,888	2.97%	5.87%	41.84%	28/12/04	8,888,888	2.97%	9.84%	23.61%
United Kingdom	cost sharing	5,000,000	GBP	9,578,544	15/03/05	5,000,000	9,578,544	3.20%	6.33%	45.04%	04/04/05	9,578,544	3.20%	10.60%	26.81%
Sweden	trust fund	9,500,000	SEK	1,437,216	09/12/04	9,500,000	1,413,690	0.47%	0.93%	45.51%	17/12/04	1,413,690	0.47%	1.56%	27.29%
Japan	cost sharing	7,566,900	USD	7,566,900	14/03/05	7,566,900	7,566,900	2.53%	5.00%	48.04%	04/04/05	7,566,900	2.53%	8.37%	29.82%
UNDP	-	1,191,500	USD	1,191,500	24/09/04	1,191,500	1,191,500	0.40%	0.79%	48.44%	24/09/04	1,191,500	0.40%	1.32%	30.22%
Germany	cost sharing	6,000,000	USD	7,761,966	20/05/05	5,000,000	6,468,305	2.16%	4.27%	50.60%		0	0.00%	0.00%	30.22%

TOTAL		159,839,435		151,325,799		90,354,530	
% of total budget req.		53%		50.60%		30.22%	

UNDP	TTF	Additional funds for the support of women's participation in the elections		175,000
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DIRECT SUPPORT TO THE IEC

Government of DRC & bilateral assistance

		Pledges			Commitments						Funds received				
		Amount	Currency	in USD	Date	LC	USD	% of total budget	% of total cash com.	Cumulative %budget	Date	USD	% of total budget	% of total cash rec.	Cumulative %budget
Gouvernement		20,000,000	USD	20,000,000	13/04/05							2,000,000			
France		6,000,000	EUR	7,926,024			7,926,024					3,963,012			
USAID		10,000,000	USD	10,000,000											
USAID		624,091	USD	624,091			624,091					624,091			
				38,550,115			8,550,115					6,587,103			

GRAND TOTAL		198,389,550		159,875,913		97,116,633	
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Contact Group Meeting	7	05/20/2005	P1/b1; P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Handwritten Note	Agreement	2	05/10/2005	P1/b1; P5;

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35914

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2019-0082-F

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Handwritten Note	Rwanda Phone Call	2	05/26/2005	P1/b1; P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	Africa	2	N.D.	P1/b1;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Report	[Report]	2	04/04/2005	P1/b1;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Handwritten Note	Introduction	1	N.D.	P1/b1; P5;

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Memorandum	Checklist...	2	03/24/2005	P1/b1; P5;

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Situation Report:

Democratic Republic of Congo, April 2005

Background

In August 1999, the *Lusaka Peace Agreement* was signed by six African nations (DRC, Zimbabwe, Angola, Namibia, Uganda, Rwanda) and all major rebel forces operating in the DRC. Widely viewed as a significant milestone for the conflict-ridden nation and a foundation for future peace agreements, Lusaka called for an immediate ceasefire, the withdrawal of foreign forces, a national dialogue of all signatory Congolese parties (*Inter-Congolese Dialogue*), and the disarming of all armed groups in the DRC, including the ex-FAR and Interahamwe. The accord also called on the U.N. to deploy “an appropriate force” to assure implementation of the agreement.

Though a major step forward for stability in the region, the Lusaka Peace Agreement remained mostly symbolic, and little tangible progress was achieved until Rwandan-installed Laurent Kabila was assassinated. He was replaced by his son Joseph Kabila, who instigated real changes in the DRC by fostering connections with the West, allowing the deployment of the MONUC force and moving ahead with the Inter-Congolese Dialogue. Despite these positive steps, violence surged through North and South Kivu in proportion to the Mai Mai’s growing hostility against Rwanda (and by proxy against RCD-Goma and the Congolese Banyamulenge). Serious conflict also continued in the “separate war” in the Ituri District of eastern DRC. In relative isolation from other armed struggles in the DRC, the Ituri conflict is rooted in competition by armed groups for the vast natural resources of the region. Ugandan support for various actors, sometimes in financing two competing groups at once, has only exacerbated the violence, which is perhaps most apparent and vicious between the Hema and Lendu ethnic groups.

By July 2002, tensions between Rwanda and the DRC—and by extension RCD-G and the Mai Mai militias—were high, but under international pressure a second peace deal was brokered: the *Pretoria Peace Agreement*. The deal stipulated that Rwanda would officially withdraw its estimated 20,000 troops from the DRC in exchange for the DRC disarming and repatriating all Rwandan Hutu rebels on its territory. Soon after, Uganda also pledged to withdraw its troops from the DRC in the *Luanda Accord* of September 2002. The final act in the series of peace deals occurred in December 2002, when all major parties involved in the conflict signed the *All-Inclusive and Global Agreement* (also known as the *Sun City Accord*). This agreement laid the groundwork for the establishment of a transitional government in Kinshasa that would incorporate all major rebel groups into the government. Joseph Kabila was to remain president, and four representative vice presidents were to be installed: Jean-Pierre Bemba of MLC, Azarias Ruberwa of RCD-G, Arthur Z’ahidi Ngoma of the ‘unarmed political opposition,’ and Abdoulaye Yerodia of Laurent Kabila’s former government. Other political and armed groups were pacified with ministerial and parliamentary positions. The transitional government was inaugurated on June 30, 2003. According to the agreement, a new government will be determined by national elections slated for June 2005.

Current Political Issues (From Rick Ehrenreich, "The Congo Crisis—A Primer," and additional sources)

The overall political goal for MONUC is to hold "credible elections followed by a stable and sustainable peace.

- **Preparing for elections.** Elections are scheduled for June 2005, although delay is likely. Experts on the ground maintain that holding elections in June is logistically impossible. Political instability continues, and the World Bank-approved elections budget has currently received pledges for \$165 million of \$285 million requested, with only \$10 million disbursed (IRC, March 28, 2005).
- **Integrating the former Congolese Armed Forces (FAC) with former rebel forces and local militias to make the new Armed Forces of the DRC (FARDC) into a national force.** This process also involves the Disarmament, Demobilization and Re-integration (DDR) of large numbers of child soldiers and other Congolese whose services will not be required or who do not meet the requirements of a slimmed down unified army. The World Bank-administered Multi-donor Demobilization and Reintegration Program (MDRP) plays a central role in the DDR process. These efforts are complicated by tension and competition between current FARDC and yet-to-be demobilized soldiers, and even after integration there is no guarantee that such units will not split apart.
- **Repatriating Foreign Fighters.** This involves the Disarmament, Demobilization, Repatriation, Resettlement and Reintegration (DDRRR) of ex-FAR/Interahamwe/FDLR Rwandan Hutu rebels as well as Ugandan and Burundian fighters present in Congo.

March 31, 2005. In a statement brokered by the Sant'Egidio religious community, the FDLR forces condemned the genocide of 1994 and the current situation in the Great Lakes, and have voiced a desire to stop their armed struggle against Rwanda, disarm and demobilize through the DDRRR program.

- **Consolidating Kinshasa Government control of Congolese Territory.**

Recent and Ongoing Violence in Eastern DRC

Violence has festered or worsened in several areas in recent months. Major incidents include:

- **Fighting in Bukavu February 2004, May-June 2004.** Two RCD-Goma dissident commanders—both ethnic Tutsis—took up arms against FARDC commanders appointed by Kinshasa. Their actions triggered anti-Tutsi violence in Bukavu and heightened ethnic tension within integrated FARDC units. They

captured Bukavu, but withdrew after several days. The area quickly came under the control of pro-Kinshasa FARDC units, and RCD-Goma and Tutsi influence in Bukavu has largely ended, though the economic presence of the Banyamulenge remains strong. Overall, South Kivu remains an instable and lawless province.

- **Anti-Tutsi violence: Gatumba Massacre, August 2004.** This attack on a refugee camp in Burundi near the Congo border killed 160 Congolese Tutsis [Banyamulenge] and caused RCD-Goma Tutsi leaders temporarily to suspend their participation in the Kinshasa government. Burundi rebels of the FNL rebel group played the central role, though involvement of a Congolese Mai Mai militia and FDLR Rwandan Hutu rebels is widely suspected.
- **Fighting in North Kivu, November-December 2004.** A public Rwandan threat to launch a surgical strike against Rwandan Hutu rebels in North Kivu was followed by numerous reports of Rwanda Defense Forces (RDF) intervention, eventually confirmed by MONUC. Anti-Tutsi tensions increased throughout North and South Kivu, and pro-Kinshasa FARDC units moving into North Kivu clashed with ex-RCD-Goma FARDC units. The situation has quieted since Christmas.
- **Increasing violence in Ituri.** Though a French-led European Union military operation appeared to put a lid on growing violence in and immediately around Bunia in mid-2003, and MONUC devoted resources to establishing an Ituri Brigade to maintain order, since the end of 2004, violence and internal population displacements have increased in Djugu territory. Nearly 100,000 IDPs in this territory are currently receiving assistance following this violence. In late February 2005, FNI elements murdered nine MONUC peacekeepers near Lake Albert. In early March, the government arrested several Ituri warlords, including some who had been named FARDC Generals in January.
- **Clashes between MONUC and militias.** MONUC has begun to enforce the April 1st deadline for voluntary disarmament of the maximum of 15,000 militia members operating in Ituri District. More than half have voluntarily given up arms, and MONUC has begun the forceful disarmament of the remainder. Clashes in Ituri in early April have killed several dozen militia members, following similar clashes against the FNI in early March that resulted in at least 50 dead.

To facilitate the peace process, several international initiatives have taken root in recent months:

- **Joint Verification Mechanism (JVM).** The foreign ministers of DRC and Rwanda, assisted by UN/MONUC, in September 2004 signed an agreement for a JVM, which allows the parties to address jointly cross-border issues of mutual concern, including the issue of ex-FAR/Interahamwe Rwandan Hutu rebels in DRC. The JVM comprises the Joint Verification Commission (JVC), which serves as a policy-making and review body, and Joint Verification Teams (JVT's)

of technical experts from the parties, MONUC and the African Union. In late 2003, Uganda and the DRC established a bi-lateral information sharing mechanism.

- **Tripartite Process.** The US brokered Tripartite concept began in March 2004 with consultations between US diplomats and Presidents Kabila and Kagame to encourage implementation of pre-existing agreements. In October 2004, DRC, Rwanda and Uganda signed an accord designed to strengthen regional relations by promoting confidence building measures and implementing existing peace agreements, including the disarmament and repatriation of foreign armed groups (i.e. ex-FAR/Interahamwe Rwandan Hutu rebels).
- **Great Lakes Conference.** On November 19-20, 2004, the first summit of the heads of state and government of International Conference on Peace, Security, Democracy and Development in the Great Lakes Region was held in Dar Es Salaam, Tanzania. Eleven regional leaders agreed on a set of principles on a range of political and social issues. A follow-up meeting is to adopt a plan of action in late 2005.

Current Humanitarian Situation

It is estimated that in Eastern Congo, about 1,000 persons are dying each day from direct or indirect effects of violence (OCHA).

***Ituri District.** It is estimated that at least 60,000 persons have been killed and 600,000 displaced by violence since 1999; some have been displaced as many as 6 times. Support from MONUC under a strengthened Chapter VII mandate in 2004 has aided in providing security for humanitarian efforts, but has not been a systematic guarantee of security for humanitarian actors. In 2005, a chronic lack of security and other issues have been blamed for a worsening humanitarian situation.*

- **Overpopulation and systemic strain.** Approximately 100,000 new IDPs in Ituri are being assisted in 2005, resulting in overpopulated and squalid camps. A mass return of refugees from Uganda, who may perceive increased security under MONUC, has likewise strained the assistance system (MONUC).
- **Lack of humanitarian mobility.** The lack of mobility for humanitarian aid organizations working in Eastern Congo as a result of chronic insecurity has hampered access to sites and has resulted in a jump in preventable deaths in IDP camps and other humanitarian projects. It is estimated that at some larger sites, such as Tch  , 10-20 persons are dying each day from disease (OCHA).
- **Disease and outbreak of epidemics.** A cholera outbreak in Ituri Province in late March/early April is affecting at least three IDP sites, where access is limited by poor roads and insecurity. These camps, Kafe, Tch   and Tchomia, have a combined population of 50,000 persons. The number of cholera cases at Kafe

from March 27-31 increased from 2 to 100, with 3 cholera-related deaths (UNICEF). There is further worry about the possibility for an epidemic among those hiding from violence in the forests of Ituri and therefore inaccessible to relief efforts (OCHA). Their numbers and the overall health situation are unknown.

The Kivus. In North and South Kivu, as in Ituri, chronic insecurity due to clashes between Rwandese and Congolese supported forces has led to thousands killed and several hundred thousand displaced, with 150,000 displaced in the Lubero area alone in December and January.

- **Targeting of civilians and internal displacement.** The humanitarian situation in North Kivu deteriorated in the end of 2004, with more than 150,000 displaced in the Kanyabayonga/Kayna crisis alone. The cause of crises in North Kivu over recent months has been an escalation of conflicts between armed groups, characterized by pillaging, rape and murder of civilians by military forces, leading to mass movement of populations to host communities or to isolated forest areas.

Epicenters of displacement in North Kivu include Kanyabayonga, Kayna, Kirumba, and north as far as Lubero, where up to 150,000 were estimated to have fled from their villages during the end of November/start of December due to conflict between ex-ANC and FARDC (Kinshasa) military; Nyabiondo town was systematically looted by ex-ANC following an advance of their position against Mai Mai forces, leading to 100% displacement of the population of the town and surrounding localities (estimated at 26,000 people); and Mangerudjipa, west of Butembo, which was totally deserted following Mai Mai movement into the town, which has been subsequently retaken by FARDC forces (UNICEF). The population of Walikale town (15,000), an important mineral trading center, is regularly displaced into the forest (OCHA).

- **Displacement, Epidemics and Natural Disasters in South Kivu.** South Kivu also experienced a number of acute emergencies in recent months, including flooding in Uvira, displacements in Walungu and Minova due to conflict, and an outbreak of cholera throughout the province (UNICEF). There are currently approximately 58,000 IDPs in Walungu area or displaced from it. There are ongoing displacements in Katanga, especially in the Mitwaba Territory, due to conflicts between Mai Mai and FARDC elements or direct attacks on the local population by the Mai Mai (OCHA).

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