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Congolese Unity Has Its Price

Rebel Leaders Accused of War Crimes Escape Arrest or Get Army Positions

By David Lewis

KILOLIWE, Congo — In his base high in Congo's eastern hills, dissident general Laurent Nkunda dances, sings war songs with his heavily armed men and talks politics.

"How will he not listen while we are here? How will he manage the territories that we control if he doesn't listen to us?" the rebel general asks of whoever wins the presidential runoff Oct. 29 in the Democratic Republic of Congo.

"We are waiting to be integrated into the army. He will be forced to listen to us if he wants the reunification of the country," he said in a field in North Kivu province filled with his own cows.

Nkunda mounted a rebellion against Congo's attempted transition to democracy after a 1998-2003 war and is accused of war crimes. These days, he is eager to stress he will not threaten the elections process in the areas he controls.

But many see him and his men as testimony to the failures of Congo's postwar transition.

"Frankly, justice has been a complete failure during the transition," said Anneke Van Woudenberg, Congo expert for New York-based Human Rights Watch.

"We haven't see people who should be held accountable arrested and brought to trial."

This month, Congo's army confirmed that Peter Karim and Matthieu Ngudjolo, leaders of two Ituri militia groups that are also accused of war crimes, were among its newly appointed colonels.

In the southern province of Katanga, where a silent war has displaced tens of thousands in the last two years, another militia leader known simply as Gedeon has also been made an army officer. Gedeon's men are accused of rape and pillaging countless villages.

"I think what we are seeing is that these groups sense that now is the time to get as much as you can," Van Woudenberg said.

"All of them want to get positions. And in Congo with guns and military strength you can bargain your way into positions."

Aid workers say Congo's simmering conflicts kill more than 1,000 people every day, mostly from war-related hunger and disease. About 4 million have died since the war began in 1998.

An international arrest warrant was issued for Nkunda after his men were accused of committing war crimes during the seizure of the town of Bukavu in 2004.

His men are also accused of continuing to recruit children as fighters, but Nkunda denies this.

"The day I have the time to answer these charges, I will, because I'm not scared of doing so. . . . We work with ability and efficiency. A child soldier can be neither able nor efficient," he said.

During the interview, his men were training in the bush, watching music videos on their mobile phones or standing guard in the lush green grass.

Nkunda remains at large because Congo's army is in chaos and poorly paid, its soldiers fleeing from clashes.

The army is also divided. As a defender of Rwandan language-speaking Congolese, who are a minority and say they are targeted, Nkunda enjoys the support of local politicians and military units.

With this support, his forces number several thousand.

A U.N. peacekeeping mission trying to help the government restore central authority has been able to do little.

When asked why, U.N. spokesmen in Kinshasa often tell frustrated Congolese their mission doesn't know where Nkunda is.

Peacekeepers in the east, who patrol nearby and can correctly pinpoint his position at a dairy farm, blame politics.

"We can take on the militia in Ituri but Nkunda is just too sensitive an arrest for us to make," said one U.N. official.

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