

**BRIEFING BY THE SECRETARY GENERAL TO THE  
CENTRAL ORGAN (ON THURSDAY, 8<sup>TH</sup> APRIL, 1999)  
ON HIS WORKING VISIT TO THE DEMOCRATIC  
REPUBLIC OF CONGO (DRC) FROM  
31<sup>ST</sup> MARCH TO 2<sup>ND</sup> APRIL 1999**

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**TO THE CENTRAL ORGAN ON HIS WORKING VISIT**  
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At the invitation of President Laurent Desire Kabila of the Democratic Republic of Congo, I undertook an official working visit to the Democratic Republic of Congo from 31<sup>st</sup> March to 2<sup>nd</sup> April 1999.

The visit provided me with an opportunity to consult with President Kabila and senior officials of the Democratic Republic of Congo and to review the situation prevailing in that country, particularly the efforts made by the Government to resolve the differences and contradictions between it and those who are opposed to it.

During my discussions with President Kabila, I was again reminded that the DRC is confronted with external aggression which has resulted in the occupation of the eastern part of the country by foreign forces. According to the President, that occupation and the implied violation of the Charter of the OAU regrettably has not been condemned by the OAU. This weak response by the OAU to the violation of the principles which the Organization considers to be

sacrosanct, has discredited the OAU in the eyes of the Congolese people according to him. Additionally, the President was of the view that it would be difficult for Africans who have witnessed this violation to support OAU's efforts.

Continuing, the President informed me that as part of the initiative taken by the Government to promote national reconciliation within the DRC, there are plans to convene a National Debate that will be open to all Congolese, including those who are within the country, those on voluntary exile and those who have taken up arms with the support of foreign forces to oppose the legitimate government of the DRC.

President Kabila informed me that the objective of the proposed National Debate would be to enable those who do not agree with the government of the DRC, to discuss the situation in the country and to express their views on how to take the country forward in the process of reconciliation and the reconstruction of the DRC. In this regard, he assured me that the Agenda for the debate has been prepared by the government, but will be the subject of further consultations with all the concerned parties and will focus on the following issues:

- the mode or process of acceding to power in the DRC;

- consideration of the Draft Constitution prepared by "non-partisan Experts" with the participation and inputs from officials of the Ministry of Justice. Already, copies of the Draft Constitution have been distributed widely to NGOs, civil society groups, political parties, clergy and moral authorities, in order to obtain their reaction and inputs before the finalization of the document
- plans for the full democratization of the country which process was curtailed by the externally imposed war;
- discussion and formulation of laws on the establishment of national political parties.

According to the President, a major objective of the National Debate will be to cleanse the minds of all Congolese, which he claimed have been poisoned by external forces and their ill-motivated accusations which attempt to link the DRC Government with dictatorship and wrongly associate it with those who committed genocide in the region. President Kabila asserted that his government is determined to do away once and for all with the wrong concepts of dictatorship which have prevailed in the last 35 years of the history of the DRC.

I was also informed that the proposed National Debate is in fulfillment of the pledge by the government of the DRC, to fully democratize the country and end the ambitions of outsiders who have made Congolese people victims of their selfish ambitions.

In order to preempt those who would rather use insecurity in the DRC as a pretext for not participating in the debate, the President informed me that his government was prepared to convene the debate outside the DRC. In any case, he would want the OAU to be closely associated with the National Debate.

Turning to the on-going Lusaka Process aimed at achieving a Ceasefire in the fighting in the DRC, President Kabila regretted that so far, that process has produced <sup>NOT (YET) SIGNIFICANT</sup> ~~very little~~ results. However, that unfortunate situation has strengthened the resolve of the government of the DRC, to ensure that it does not give an excuse to people who would want to use the impasse in Lusaka as a façade for blocking the government's plans for dialogue within the country.

The President also referred to the demands by a section of the opposition for the convening of a Round Table instead of the proposed National Debate. According to him, the government of the DRC is of the view that a Round Table as demanded by the opposition, would only serve to undermine the legitimacy of the government of the DRC and its institutions. Moreover, he was

convinced that such a Round Table would serve as a forum for a small clique acting on the advice of outsiders to share <sup>power</sup> ~~the national~~ ~~cake~~ of the DRC. Such an approach according to the President, is inconsistent with the actions of the Congolese people who chased away the old leadership in the Congo. The government of the DRC is therefore determined to ensure that the supreme will of the people must prevail in the country. #

President Kabila was emphatic in his view that the people of the DRC do not want a Round Table. They want a broad-based National Debate and this desire has been evidenced in the views being expressed by many ordinary Congolese on the streets, in the media and in different fora.

President Kabila appealed to the OAU to help the Congolese people and their government to succeed with the National Debate as a means of resolving the contradictions in the country. He stressed the fact that after the removal of the former corrupt and dictatorial government by the people of the DRC, the last thing that the people want is for Congolese people to take up arms again to fight each other which is what the rebellion is forcing on the country. He requested the OAU to make all those who still have doubts about the sincerity of the Congolese government that the people of Congo and their leaders are determined to resolve the problems in the DRC through dialogue.

President Kabila also informed me that the DRC government has requested La Francophonie to help it with the organisation of the National Debate. He recalled that Dr Boutros Boutros Ghali, the Secretary General of La Francophonie, had previously sent a delegation to the DRC. According to <sup>President Kabila:</sup> ~~him~~, the government has also approached Saint e Gidio in Rome and the Mission has agreed to convene the National Debate there in Rome. The Italian government has also undertaken to consult with the European Union to facilitate the convening of the Conference in Rome. France has also offered to help.

Given this strong interest within the International Community, President Kabila stressed the need for the OAU to be fully involved by sponsoring the historical political event relating to the DRC. He also requested that the Secretary General of the OAU should endeavour to personally attend and to open the National Debate, given his ~~great~~ <sup>great</sup> moral authority within the African Continent. According to the President, by sponsoring the National Debate, the image of the OAU would be greatly enhanced in the eyes of the Congolese people and would also prove the falsehood of those who speak about the Organisation in euphemistic terms and those who continue to express doubts about the Organisation's capacity to resolve conflicts in Africa.

Within the context of his initiative, the President requested me to meet with the National Organizing Committee, in order to obtain more detailed information on the proposed National Debate.

In my response, I assured President Kabila that the OAU has followed very closely and has been fully involved in efforts to resolve the problems in the DRC. I reiterated the fact that even though there are many problems in Africa, the current crisis in the DRC continues to pose a particular challenge for the Organisation because of the principles which are under threat as a result of the conflict in the DRC. I recalled for purposes of historical accuracy, the fact that right from the inception of the crisis in the DRC, the OAU had emphasized the core principles which are at stake in that crisis. These include the following position which was taken by the Central Organ of the OAU :

- respect for the unity, territorial integrity and sovereignty of the DRC;
- opposition to external intervention in the DRC and support for the legitimate government of President Kabila;
- condemnation of the recourse to armed rebellion to settle political disputes and differences .



I also informed the President of the close contact that I have maintained throughout the crisis with President Chiluba of Zambia and other Regional leaders as well as the UN, the EU, in an effort to facilitate an early resolution of the conflict. As I stressed to the President, the OAU recognises the importance of the DRC and its stability for the peace, security and stability of the Great Lakes Region and beyond. It was within this context that I assured the President that the principles that were adumbrated by the Central  
 X Organ are ~~so~~ important and <sup>indeed</sup> sacrosanct to the OAU. These principles have to be respected and defended.

I also made the point that our failure to succeed in bringing peace to the DRC thus far, has not been for lack of trying. In spite of all the frustrations of dealing with the crisis in that country, the OAU  
 X remains ready to help <sup>in whatever way possible</sup> ~~even further~~. In this regard, I informed the President that I was encouraged by his earlier announcement that he was willing to meet with the rebels first inside Kinshasa, and when that was rejected, to meet with them elsewhere. I assured him that this was an important decision that was very much appreciated within the OAU.

I appealed to the President to continue to take the people of the Congo into confidence whenever important decisions are being made in the country. In this regard, I also appealed to him to ensure

that the Congolese people are fully involved in the on-going efforts which are ~~supposed~~<sup>intended</sup> to determine their future destiny. I agreed with the President that there is no substitute for dialogue and that the only guarantee to peace in the DRC is a full involvement of the people of that country who alone are sovereign.

On the proposed National Debate, I informed the President that the initiative is a sound one and is consistent with the decisions of the OAU, SADC and other Regional Summits which had always stressed the need for dialogue in order to broaden the political space in the DRC. I urged the President to ensure that the National Debate is well prepared and that he should continue to show flexibility by allowing all the political forces in the country to participate in the Debate. I also informed him that I consider the proposed Agenda for the National Debate to be quite comprehensive. However, I made the point that the doors should not be closed and that other ideas and proposals should be entertained in order to ensure greater transparency which should be visible throughout the planning stages.

On the venue for the proposed Debate, I told the President that from a political, psychological and moral standpoint, the OAU would prefer the convening of the debate within Africa. I underscored the point that if for reasons which are understandable the debate cannot take place in Kinshasa, it should be possible to find one out of 53 African countries where the National Debate can take place. At the

very least, the Opening Session should take place in an African country. However, I assured the President that the OAU will not make this a precondition for its support. The OAU position is to help and not to create more complications and obstacles, therefore, whatever is the final choice of the Congolese people decided in a transparent manner, will be respected by the OAU.

On the issue of sponsorship of the National Debate by the OAU, I also assured the President that I did not envisage any problems for the Central Organ to support the idea, once there is clarity on the preparations and consultations that are being made for the Debate.

Regarding the idea of involving La Francophonie, the EU and the UN as well as other interested stakeholders, I assured the President that such an involvement would be within the spirit of transparency. However, I made the point that Observers at the National Debate should not attempt to take the place of the Congolese people and pretend that they know better what is best for them. I stressed the need therefore, to define the parameters for the involvement of outsiders and that this should be agreed upon before the commencement of the Debate.

On the Lusaka Process, I stressed the point that the OAU is of the view that while the initiative on the National Debate is important, the process which is to lead to a Ceasefire in the DRC is crucial. This

position is informed by the fact that unless the war is brought to an end in the DRC, not much will be realized on the political and economic fronts. I drew the President's attention to the fact that President Chiluba had informed me that he, President Kabila, had agreed to the participation of the rebels at the Technical Working Group Meetings in Lusaka, aimed at achieving a Ceasefire in the current fighting in the DRC. I welcomed this development. I stressed that parallel to the preparations for the National Debate, the efforts to end the war should be intensified because the two processes are not mutually exclusive but in <sup>more</sup>~~many~~ ways than one, mutually reinforcing.

In his response, President Kabila assured me that he had accepted to facilitate President Chiluba's task by agreeing to allow the participation of the rebels in the meetings of the Technical Working Groups on the implementation of the Ceasefire Agreement in Lusaka.

It remains my view that this development is healthy for the success of the proposed National Debate. I also welcomed the decision of the Congolese Government to allow the visit of the UN Human Rights Rapporteur to the country and requested him, at an appropriate time, to receive the International Panel of Eminent Personalities Investigating the Genocide in ~~the DRC~~<sup>RWANDA</sup>. To this request, the President gave a positive response.

Apart from my meeting with the President, I met with the Committee Organizing the National Debate. My intention was to obtain further clarity from the Committee on the format and criteria for participation in the proposed Debate. I also wanted to know whether inputs were expected from the political groups and whether any group will be disqualified, if so, on what grounds. Other issues that I sought clarity relate to the objectives of the debate, the anticipated outcome and the status of the decisions that will be taken during the debate.

The Vice President of the Organizing Committee informed me that the initiative to convene a National Debate on the future of the DRC, was taken by President Kabila as part of his efforts to further democratise the country and to obtain the inputs of his compatriots through a process of dialogue and consultations.

So far, since the President's announcement of 16<sup>th</sup> March 1999, the Preparatory Committee was established by a Decree promulgated by the government to operationalise the Debate. In that Decree, the Government of the DRC appealed for dialogue and consultations between the people of the DRC through the Mechanism of the National Debate. That framework envisages the promotion of three key principles :

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- the legitimacy of power in the DRC which seeks to ensure that all Congolese should dialogue and agree on the legitimacy of the government of the DRC. Against the background of 35 years of dictatorship, the government of the DRC is determined to give the people of the DRC an opportunity to determine their own destiny and to have a say in how they are governed;
- consideration of the Draft Constitution. This will enable all Congolese to discuss the Draft Constitution proposed by the government and to make their inputs. In the final stage of this exercise, the Draft Constitution will be put to the people through a Referendum, in order for them to confirm their acceptability of the Constitution;
- consideration of Decree No. 194 issued by the government on the number of political parties that should be allowed to operate in the DRC. This is intended to reverse the trend since the Independence of Congo, whereby the country has never really had genuine and credible parties except that which was established by Mr Lumumba but which was not allowed to function. The Debate will also seek to reduce the proliferation of political parties in the DRC which at one point numbered about 400. Such a mushrooming of political parties



based on selfish and individual interests rather than the supreme national interests, cannot be allowed to prevail in the DRC.

With respect to participation in the National Debate, I was informed by the Committee that the Decree had established the following criteria for participation :

- Government participants;
- Judiciary;
- Institutional Reform Commission;
- Diverse Groups and various shades of opinion;
- Congolese in the diaspora;
- Special Interest Groups;

The Committee was of the view that interested individuals should identify with any of the above-mentioned groups even though no political party is mentioned in the Decree, it is envisaged that no one will be excluded and apart from the limitation of numbers, all Congolese are invited to the Debate. An appeal was made to the OAU to weigh in on those who are sponsoring the rebellion in the eastern part of the country to allow the rebels to attend and actively participate in the National Debate.

The OAU was requested to assist morally, financially and materially in the organization of the Debate.

During my visit to the DRC, I also met with Representatives of the African Group and some Western Ambassadors resident in Kinshasa.

It was my intention to meet with all the members of the African Group. But due to short notification, this was not possible. I did however meet the Ambassador of Togo, (the Dean of the African Group), together with the Ambassadors of Algeria, Zambia and Zimbabwe and the Charge d'Affaires of Kenya and Tanzania. Their main concern was on the need to ensure transparency and all-inclusive preparations for the National Debate in order to ensure its credibility.

During my meeting with the Ambassadors of Canada, United States, United Kingdom, Germany, Italy, France and the Resident Representative of the UNDP, I was informed of the support of the International Community for the National Debate. However, the need to involve the internal opposition, the rebels and the civil society was repeatedly emphasized. According to this Group, the democratic process started by President Kabila was stopped in its track by the war in the DRC. It was supposed to lead to Elections. Since this was not possible, it is envisaged that the National Debate

will help the government to pick up the pieces and link internal dialogue with the Lusaka Process.

It is also the view of the Group that the National Debate could have a positive outcome provided it is supported by the OAU, the UN and the International Community at large.

The point was made that so far, the government had not been able to clearly show the impartiality and transparency of the process. The need to appoint an impartial Chairman for the Debate was considered to be critical for the credibility of the process. It was also felt that the Organizing Committee should be expanded to ensure the all-inclusiveness of the process. Additionally, the point was made that for the Debate to succeed, the opposition and the rebellion have to be prepared to accept relatively less than they have expected. Equally, the government of the DRC has to be ready to have its powers relatively reduced. Presently, the impression is that all sides want to have dialogue on their own terms.

Given such a situation, the point was made that a strong message needed to be sent particularly to the opposition, that the International Community will not accept a situation where they will exercise a veto over the process. However, it was also emphasized that this should be done once the President ensures that the playing

field is leveled for everyone. The need for all-inclusive dialogue, which is within the reach of all Congolese should be encouraged.

I was informed by this Group about the points of divergence between the government and the opposition relating to the period of transition. Whereas the opposition wants a longer transitional period during which time a Transitional Government of National Unity will be established under a power sharing arrangement on the one hand, the civil society and the DRC government want a shorter transition, culminating in elections for a new dispensation on the other hand.

In my response, I welcomed the support of the International Community for the process of dialogue in the DRC. I encouraged the Representatives to impress upon their governments the need to support that process in concrete financial, logistics and other material terms.

### **COMMENTS AND CONCLUSION**

My visit to the DRC and especially my meeting with President Kabila, afforded us an opportunity to review the situation in the DRC. In particular, I was able to express the commitment of the OAU to continue to encourage and facilitate dialogue between the people of the DRC in all respects.

The decision by the government of the DRC to initiate a process of National Debate on the future of the country, needs and merits the support of the OAU. However, a lot more requires to be done to prepare for the Debate. In particular, there is a strong need for the broadest consultation to be undertaken in order to build a national consensus for dialogue. Such consultations should also assist in determining such issues as the Agenda and Format of the Debate, criteria for participation and rules governing its conduct. There is also need for broad-based participation and more clarity on the objectives and anticipated outcome of the Debate.

As is evidenced from this Briefing, the proposed National Debate and the Lusaka Process aimed at achieving a Ceasefire in the current fighting are complementary and both processes should be encouraged. The Lusaka Process is critical for the attainment of peace in the DRC. The National Debate is important within the context of broadening the political space and allowing the Congolese to dialogue on their future. I believe therefore that the Central Organ should express its support for the two processes.