



THE
WEST
WING

Sanctions Stalemate

The EU's Response to Instability in the Eastern DRC

THE WEST WING 2023-2024, TRACK DAFxDIE:

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Preface

The West Wing is the official youth think tank of and for the Ministry of Foreign Affairs. As a youth think tank, we advise the ministry on various areas of Dutch foreign policy. Founded in 2015, The West Wing has grown tremendously in recent years. What began as a think tank for the Western Hemisphere Directorate, hence the name The West Wing, has now grown into a think tank for the entire Ministry of Foreign Affairs. We also now collaborate with other ministries and organisations. The West Wing consists of a carefully selected group of 50+ young professionals and students from various study backgrounds. Every year, a new group of members volunteer for a year to make the voice of the young generation heard in Dutch foreign policy.

This year's *DAFxDIE-EX-SU* track wrote an extensive advisory report on the European Union's sanctions policy with the aim to positively impact the ongoing conflict in the Eastern Democratic Republic of Congo.

The recommendations aim to answer the question on *'How should the Netherlands effectively contribute to reducing the violence in the Eastern DRC through employing and integrating the EU's sanction tools?'* formulated with input from the Directorate of Sub-Saharan Africa (DAF) & Directorate of European Integration External Sanction Unit (DIE-EX-SU) of the Ministry of Foreign Affairs.

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This report does not represent the views of the Ministry of Foreign Affairs nor the consulted experts for co-reading this report. This concerns an external advisory report.

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Note from Trackleader

It has been an esteemed privilege and a profound honour to have spearheaded this endeavour over the past year, owing to three distinct yet interwoven reasons, each deserving of my sincere gratitude.

First and foremost, I extend heartfelt appreciation to the Ministry of Foreign Affairs of the Netherlands, particularly its esteemed Directorates of Sub-Saharan Africa (DAF) and European Integration External Sanction Unit (DIE-EX-SU), for presenting us with this formidable challenge. The preceding year has borne witness to a multitude of developments, both anticipated and unforeseen, which have significantly elevated the relevance and urgency of our research pursuits. Against the backdrop of pivotal events such as the December 2023 elections in the Democratic Republic of Congo and the solemn commemoration of the 30th anniversary of the Rwandan Genocide, the imperative to underscore the gravity of the unfolding crisis became unmistakably clear. Moreover, as the situation in Goma continued to evolve and Memorandums of Understanding were forged between EU member states and Rwanda, the prescience of our endeavour was unequivocally validated. Thus, I express profound gratitude to all stakeholders involved for shepherding us through the proverbial desert, guiding us to an intellectual oasis, and affording my team and me the invaluable opportunity for scholarly growth and professional development.

Secondly, I extend unfeigned gratitude to all within the track. Enduring my verbose WhatsApp missives and enduring my discourse on integrated ontological pluralisms, the intricate nuances of a trans-immanent perspective on causality, and having to remember the 26 provinces of the DRC, indeed, is no small feat. Not to mention the walk-ins, and my boxing costume. It is through the collective dedication and collaborative spirit of each member that this policy advice has taken shape in its present form, and I fervently hope that each of us shall find our intellectual fingerprints imprinted upon its pages for years to come.

Lastly, I extend profound appreciation to all individuals we have crossed paths with throughout our journey. From the insightful interviews to the meticulous proofreading endeavours, our collective efforts would have been futile without the invaluable contributions of those actively engaged in the field. Thus, I extend my sincerest thanks to each and every individual involved, whose support and collaboration have been indispensable to the realisation of our pursuit.

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Abstract

The Democratic Republic of the Congo (DRC)

The Democratic Republic of Congo, scarred by prolonged conflict, remains a hotbed of tension fueled by historical grievances and deep-seated animosities. Particularly in the Eastern region, conflict is intricately intertwined with global dynamics, as international actors increasingly show their interest in the country. The critical raw materials in the Eastern Congo compound this as they play an important part in financing the numerous armed groups in the region and they form a vital part for industries focussing on the green energy evolution or electronics. In response to these challenges, the EU is actively ramping up its engagement with the DRC to safeguard its values and security interests. Leveraging its economic clout and regulatory influence, the EU sees sanctions as a key tool in its strategy to induce behavioural change among destabilising actors in the DRC. By aligning these sanctions with broader EU objectives, the EU aims to exert positive influence on the region's stability while advancing its strategic goals. This research suggests the formulation of a DRC strategy within the existing framework of the Great Lakes Strategy, the Common Foreign and Security Policy, and the Critical Raw Materials Act. This amounts to several operational and strategic recommendations that are proposed in this framework. Three additional overarching recommendations advocate for sanctions that go beyond mere symbolism, adapting sanctions objectives for practical effectiveness, and enhancing alignment with key partners like the US and regional actors to maximise the effectiveness of sanction packages targeting the conflict in Eastern DRC.

Keywords: *Democratic Republic of the Congo, conflict resolution, Great Lakes Region, EU-sanctions policy.*

Executive Summary

The Democratic Republic of the Congo (DRC) remains entrenched in a cycle of conflict and instability, particularly in its Eastern region, where various armed groups, resource exploitation, and historical grievances exacerbate tensions. To confront these challenges, our policy recommendations aim to provide a holistic approach, optimising the EU's sanctions regime but also by addressing diplomatic, humanitarian, developmental, economic, and communication strategies to foster peace, stability, and sustainable development in the DRC. To do so, different recommendations have been put forward to address the following research question: *How should the Netherlands effectively contribute to reducing the violence in the Eastern DRC through employing and integrating the EU's sanction tools?*

Operational Short Term Strategy

In the immediate time frame, our proposal advocates for the optimization of the European Union's sanctions policy through targeted amendments to its arms embargo, heightened emphasis on the identification and sanctioning of high-profile individuals, and a comprehensive examination extending to the interception of illicit financial transactions directed towards third-party nations. Furthermore, we propose specific individuals and entities to be sanctioned, underscoring the imperative for a more efficient delisting process, while also accentuating the strategic significance of the Netherlands positioning itself within the European Union framework.

Comprehensive Long Term Strategy

The comprehensive long-term strategy prioritises diplomatic, humanitarian, developmental, economic, and communication strategies. All aforementioned components should be integrated with due consideration to the concepts outlined concerning sanctions policy, while also incorporating the elements of the operational short-term strategy.

Diplomacy

A cornerstone of our approach is robust diplomatic engagement, recognizing the critical role of dialogue and mediation in resolving conflicts. Central to this is the appointment of an EU Special Representative (EUSR) for the Great Lakes Region, tasked with facilitating peace processes, promoting good governance, and upholding human rights. Similarly, the appointment of a Dutch Special Envoy underscores the Netherlands' commitment to regional stability and conflict resolution. Additionally, enhancing bilateral engagement within the Great Lakes Region and coordinating with regional actors such as the East African Community (EAC) and Southern African Development Community (SADC) are essential steps in fostering inclusive, collaborative efforts towards peace.

Humanitarian Aid

The humanitarian situation in the DRC is dire, with millions in urgent need of assistance. To address this, we advocate for a substantial increase in unearmarked humanitarian aid by the EU to the UNHCR program in the region. Furthermore, advocating for the rights of vulnerable minorities, such as the indigenous peoples, is imperative to ensure their protection and inclusion in society. By prioritising humanitarian aid and advocating for minority rights, we can alleviate suffering and promote social cohesion in conflict-affected areas.

Development Cooperation and Economic Investments

Stabilising the DRC requires sustained investment in development and economic growth. To this end, we recommend prioritising the DRC within the development cooperation agenda of both the Netherlands and the EU. This entails increasing funding in critical sectors such as human rights, peacebuilding, and economic development. Moreover, fostering sustainable economic investments in areas such as green and digital growth, private-sector development, and infrastructure is essential for long-term stability and prosperity. By promoting economic opportunities and addressing root causes of instability, we can create pathways towards sustainable development and peace.

Communication

Effective communication is essential for conveying the EU's commitment to peace, human rights, and development in the DRC. Investing in local-level communication channels and media outlets to combat misinformation and address perceptions of hypocrisy is crucial. Furthermore, advocating for consistency in policies, particularly regarding Rwanda's involvement in the conflict, is vital to enhance credibility and trust among the local population. By fostering transparent and coherent communication, we can build stronger partnerships and promote a shared understanding of the European and Dutch objectives in the region.

Conclusion

In conclusion, our policy recommendations offer a comprehensive and integrated approach to addressing the root causes of conflict and instability in the DRC. By prioritising diplomatic engagement, increasing humanitarian aid, promoting sustainable development, and improving communication strategies, we aim to contribute to lasting peace, stability, and prosperity in the region.

This endeavour holds significance for both the Democratic Republic of Congo and the European Union, particularly concerning their normative pursuits pertaining to human rights and democracy, environmental sustainability through the green transition, and the therefore needed strategic requirement for critical raw materials. Moreover, it encompasses global health considerations, given the DRC's pivotal role as custodian of the Earth's lungs, represented by its expansive rainforest, but also the reality of weak health systems and infectious disease risks. Additionally, the endeavour bears relevance for the stability of the Great Lakes region, wherein the DRC assumes a central role. Implementing these recommendations will require concerted efforts and collaboration among stakeholders at the national, regional, and international levels. Nonetheless, we remain optimistic that with collective action, positive change and progress can be achieved in the Democratic Republic of the Congo.

Recommendations

Recommendation 1: The EU should adjust its policy on arms embargo through...

... imposing a partial arms embargo on Rwanda consisting of a list of yet-to-be-compiled weaponry.

... urging third countries to implement a ban on weapons delivered to the FARDC and used by the FDLR and other non-state armed actors.

.... focusing more on enlisting high-level Rwandese military officials who actively incite conflict.

Recommendation 2: The EU should adjust its policy on targeted sanctions through..

... considering imposing targeted sanctions on rebel group CODECO and the Wazalendo group.

... conducting comprehensive research on the illicit financial flows of armed groups and importers involved in the smuggling and theft of conflict minerals.

.... duplicating existing OFAC sanctions with regard to the illegal import and export of conflict minerals and gold.

... urging the US to list EU-enlisted Ugandans.

Recommendation 3: The EU should increase sanction effectivity by enhancing the conditions of imposing sanctions through...

... continuing actively listing and delisting and engaging more with partners with more leverage in the DRC.

... adjusting its sanctions objectives for the sake of feasibility.

... reevaluating its sanctions communications strategy to effectively convey deterrence signalling.

Recommendation 4: The Netherlands should strategically position itself within the EU to enhance the efficiency of the EU's sanction policy in the DRC through...

... aligning itself closely with Member States that share similar concerns and priorities.

... supporting capacity building and monitoring initiatives aimed at enhancing the effectiveness of EU sanctions regimes and addressing the unintended consequences of sanctions.

Recommendation 5: Within the framework of the EU Great Lakes Strategy, the Netherlands should push for an integrated strategy aimed at addressing the root causes and effects of violence in the Eastern DRC specifically.

Recommendation 6: Diplomacy, being the first step and the foundation of international cooperation, should be used to foster the strategic goals of the EU, through diplomatic measures like...

... appointing an EU Special Representative (EUSR) in the Great Lakes region.

... appointing a Special Envoy for the Great Lakes Region within the Ministry of Foreign Affairs of the Netherlands.

... enhancing diplomatic bilateral engagement with the Great Lakes Region and adhering to a cohesive strategy.

... intensifying engagement with regional actors and supporting those communities diplomatically and/or financially.

Recommendation 7: Humanitarian aid should be a core element within the NL and EU's strategy for the DRC next to...

... advocating for minority rights of minority groups, the Banyarwanda and Banyamulenge.

Recommendation 8: Both the Netherlands and the EU should raise the importance of the DRC within their development and investment strategies, through...

... prioritising the DRC within the development cooperation agenda.

... increasing investments in/efforts toward Team Europe Initiatives and Joint Programming.

... increasing investment budgets and strengthening economic ties with the DRC.

Recommendation 9: Both the Netherlands and the EU should improve their communications strategy, through...

... increasing investments in local-level communication channels and media outlets combating fake news.

... addressing the perceived hypocrisy in the EU's approach with regard to Rwanda.

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Abbreviations & Acronyms

ADF	Allied Democratic Forces
ADF-IS	Allied Democratic Forces – Islamic State
AECA	Arms Export Control Act
APCLS	Alliance of Patriots for a Free and Sovereign Congo
AU	African Union
BRI	Belt and Road Initiative
B3W	Build Back Better World
CFSP	Common Foreign and Security Policy
CJEU	Court of Justice of the European Union
CNDP	National Congress for the Defence of the People
COAFR	Africa Working Party
CODECO	Cooperative for Development of the Congo
CMC	Collective of Movements for Change
CRM	Critical Raw Material(s)
DAF	Directorate of Sub-Saharan Africa
DIE-EX-SU	Directorate of European Integration External Sanction Unit
DDR	Disarmament, Demobilisation and Reintegration
DRC	Democratic Republic of Congo
EAC	East African Community
EACRF	East African Community Regional Force
EC	European Commission
EmbA	Embargo Act
EO	Executive Order
EPF	European Peace Facility
EU	European Union
EUSR	European Union Special Representative
FACA	Central African Armed Forces
FARDC	Armed Forces of the Democratic Republic of Congo

FDLR	The Democratic Forces for the Liberation of Rwanda
FDLR-FOCA	Democratic Forces for the Liberation of Rwanda - Forces Combattantes Abacunguzi
FDNB	Burundi National Defence Force
GLS	Great Lakes Strategy
HR	High Representative
ICJ	International Court of Justice
IEEPA	International Emergency Economic Powers Act
IDP	Internally Displaced Person
M23	March 23 Movement
MoU	Memorandum of Understanding
MONUSCO	United Nations Organization Stabilization Mission in the DRC
MPA	Popular Movement for Self-Defence
NDC	Nduma Defense of Congo
NDC-R	Nduma Defense of Congo—Renovated
NGO	Non-Governmental Organisation
NL	The Netherlands
OECD	The Organization for Economic Cooperation and Development
OFAC	Office of Foreign Assets Control
OFSI	The Office of Financial Sanctions Implementation
P-DDRCS	Disarmament, Demobilization, Community Recovery and Stabilization Programme
RELEX	Working Party of Foreign Relations Counsellors
RPF	Rwandan Patriotic Front
SADC	Southern African Development Community
SAMIDRC	SADC Mission in the Democratic Republic of Congo
SAMLA	The Sanctions and Anti-Money Laundering Act
SOE	State-Owned Enterprise
TEI	Team Europe Initiative
TEU	Treaty on the EU
TFEU	Treaty on the Functioning of the European Union

TSC	Targeted Sanctions Consortium
UAE	United Arab Emirates
UK	United Kingdom
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
UPDF	Uganda People's Defence Force
US	United States (of America)
USD	United States Dollar
VDP	Volunteers for the Defense of the Fatherland
WTO	World Trade Organization

1. Introduction

Over 6 million people in the Eastern provinces of the Democratic Republic of the Congo (DRC) are displaced, more than a quarter of the entire population requires urgent humanitarian assistance, and one million children are acutely malnourished.¹ This humanitarian crisis is the result of decades-long conflict in the DRC and deeply rooted in the state's tumultuous history, spanning colonial exploitation, the Rwandan genocide, and the Congo Wars. Recent escalations, notably the resurgence of the March 23 Movement (M23) in late 2021, pose further threats. The recent advancement of M23 to Goma - serving as a humanitarian hub in the eastern region - and the exit of UN peacekeeping mission MONUSCO at the end of 2024, could further deteriorate the security and humanitarian situation.²

The current conflict in the Eastern provinces of the DRC is the result of a complex interplay between global competition, inter-state animosity and local dynamics. Various rebel groups, militias, and self-defence factions have entrenched themselves in the region. Tensions between the DRC and Rwanda governments have led to proxy support, exacerbating instability. Further complicating and intensifying the conflict is the fact that the resource rich region has also attracted the attention of various regional

and extra-regional powers. Mediation and peace efforts have largely remained fruitless. Within the framework of its 2023 Great Lakes Strategy, the EU has proclaimed its commitment to contribute to security and stability in the region and to safeguard its values and interests. However, the complexity and volatility of the conflict, as well as the EU's limited influence and linkage to the region, complicates this ambition - yet a comprehensive and integrated approach is crucial.

Beyond humanitarian concerns and normative commitments, the DRC also holds strategic importance for the Netherlands and the EU. In fact, the DRC holds a key role in an array of NL and EU objectives linked to bolstering their strategic (geopolitical) position - especially in light of critical raw materials. High demand for critical minerals such as cobalt, copper, and lithium - materials vital in making green transitions possible - and increasing supply chain pressures are shoring up global competition.³ The DRC, home to a significant share of critical raw materials, holds paramount significance in this regard.⁴ For illustration, 63% of the world's supply of cobalt is mined in the DRC.⁵

Fundamental to achieving these normative and strategic objectives, is ensuring stability

1 "Democratic Republic of the Congo Situation," UNHCR, accessed 14 January 2024, <https://reporting.unhcr.org/operational/situations/democratic-republic-congo-situation#:~:text=Decades%20of%20clashes%20between%20armed,million%20people%20within%20the%20DRC.>

2 "PR: The Government of the Democratic Republic of the Congo and MONUSCO sign a disengagement plan for the withdrawal of the Mission," United Nations Peacekeeping, 22 November 2023, <https://peacekeeping.un.org/en/pr-government-of-democratic-republic-of-congo-and-monusco-sign-disengagement-plan-withdrawal-of>.

3 "Critical raw materials for strategic technologies and sectors in the EU," Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Publications Office of the European Union, 2020, https://op.europa.eu/en/search-results?p_p_id=eu_europa_publications_portlet_search_executor_SearchExecutorPortlet_INSTANCE_q8EzsBteHybf&p_p_lifecycle=1&p_p_state=normal&facet.author=GROW&facet.collection=EUPub&language=en&startRow=1&resultsPerPage=10&SEARCH_TYPE=ADVANCED.

4 "RMIS - Extra-EU Country Profiles," RMIS - Raw Materials Information System, accessed 2 March 2024, <https://rmis.jrc.ec.europa.eu/cp/CD>.

5 "RMIS - Extra-EU Country Profiles," RMIS - Raw Materials Information System, accessed 2 March 2024, <https://rmis.jrc.ec.europa.eu/cp/CD>.

and security. In order to do so, the EU has actively wielded its sanctions tool. Currently 59 individuals and nine entities are sanctioned by the EU for human rights violations or arms trafficking. However, the EU's current sanctions strategy, particularly in relation to its overarching engagement with the region, raises questions over effectiveness, coherence, and hypocrisy. Therefore, this policy advice seeks to formulate an answer to the question:

How should the Netherlands effectively contribute to reducing the violence in the Eastern DRC through employing and integrating the EU's sanction tools?

The data used in this report is retrieved from an extensive literature review, as well as statistics, empirical reports and expert interviews. It is important to note that the conflict in the eastern DRC as well as sanctions policy are both broad and highly complex topics. Considering restraints in time and accessibility, not all relevant sub-questions have been answered, and various interlinked topics and insights fall outside the immediate scope of this report. Therefore, further research and analysis is necessary to develop a broader understanding of the challenges at hand. Still, the research offers a valuable contribution to the policy debate on EU sanctions in the DRC and proposes practical and strategic recommendations for strengthening the Netherlands' and EU's approach.

Firstly, the report will delve into the historical context of the conflict in the DRC and the root causes of the current conflict in the eastern provinces. Secondly, a thorough analysis will be provided of the geopolitical context of the conflict, focussing on the significance of the DRC for the Netherlands and the EU and providing an in-depth stakeholder analysis. Afterwards, the respective sanctioning procedures relevant for this report will be outlined, followed by a (comparative) analysis of the currently imposed sanctions in the DRC. Subsequently,

the current sanctions will be critically evaluated. The report will be concluded with a set of recommendations, taking into account the policy framework of the EU and the Netherlands.

The report calls attention to how sanctions on themselves are insufficient to end the conflict and argues sanctions should serve more than a purely symbolic or signalling purpose.⁶ Nevertheless, when applied within critical parameters and, most importantly, incorporated into a broader strategy, they have the potential to contribute to the goals and objectives of the EU in the region. The report puts forth various recommendations to strengthen the EU's current approach towards sanctions and its engagement with the eastern DRC, with the aim of contributing effectively and adequately to security, stability, and the alleviation of human suffering.

6 Bruce Jentleson, *Sanctions: What Everyone Needs to Know*, (Oxford: Oxford University Press 2022).

2. The Democratic Republic of Congo: History & Internal Context

For an adequate understanding of the DRC's current conflict, and consequently the role of global actors therein, understanding its complex history is crucial. Therefore, this chapter aims to provide a concise overview of the history of the DRC from the colonial period up to the current state of play. Firstly, it will delve into the many critical phases of the DRC's colonial and post-colonial history. Afterwards an analysis of the current conflict, including its root causes, will be presented. Considering the evolving nature of the processes that influence stakeholders' perceptions, both the digital and narrative contexts will be examined. This examination will encompass the internal predicaments of the DRC as well as its global relations.

2.A Brief History of the Conflict

Present-day DRC owes much of its geopolitical configuration to Belgian colonisation, which amalgamated a vast expanse that was once ruled by distinct kingdoms, empires, and sultanates.⁷ This expansive region, historically rich in resources, has a deep-seated history of exploitation dating back to the slave trade era until the mid-19th century, mirroring global trends.

Under the rule of Leopold II and later the Belgian government, the exploitation of people and resources in the DRC reached staggering proportions, creating a grim chapter in the region's history. The quest for valuable resources like rubber, ivory, and gold fueled the colonial machine, leading to widespread human rights abuses and a devastating impact on the indigenous communities.

During the colonial era, the DRC became a focal point of international interest, attracting attention from businessmen and major powers like the United States (US). The rich uranium deposits in southern Congo amplified this interest as global powers sought to secure strategic resources. The uranium mined from the region played a crucial role in the development of atomic bombs; a fact that adds a complex layer to the exploitation narrative, linking the exploitation of the DRC's resources to global geopolitical dynamics. The convergence of economic interests, unchecked exploitation, and repressive colonial governance left an indelible mark on the DRC, shaping its trajectory and contributing to the enduring challenges faced by its people.

2.A.i Independence and Foreign Influence

The DRC's struggle for independence in the mid-20th century was pivotal, as the Congolese people sought freedom from colonial oppression – *inter alia* evident from the 1959 Leopoldville riots. Despite Congolese independence in 1960, external powers, including Belgium, the US, France, and the United Kingdom (UK), continued to meddle both politically and economically, complicating the path to autonomy beyond formal independence. The abrupt withdrawal of colonial powers created a power vacuum, leading to political instability and external interventions. Cold War dynamics and the Congo Crisis (1960–1965) further entangled the US, France, and the UK. In the DRC's affairs, supporting Congolese leaders aligned with their interests and opposing those who did not. The assassination of Prime Minister Patrice Lumumba in 1961 highlighted the extent of internal influence, contributing to a

⁷ Throughout its history, the country now known as the Democratic Republic of Congo has existed under various names. In 1971, Mobutu formally changed the name from Congo-Kinshasa (as it was known after its independence from Belgium in 1960) to Zaire. In 1997, Zaire became the Democratic Republic of Congo. The country is also commonly referred to as Congo-Kinshasa or, simply, the Congo. To avoid confusion, we will refer to the country as “the DRC” throughout its history.

series of political upheavals and ongoing challenges in the pursuit of genuine independence.

Understanding this historical continuum reveals that the DRC's present struggles are deeply rooted in its past. The legacy of exploitation, manipulation by external powers, and the enduring consequences of historical injustices, starting with the 1884-85 Berlin Conference, contribute to the intricate web of conflicts that continue to shape the destiny of the Congolese people.

2.A.ii Rwandan Genocide

Since 1996, the DRC has been stuck in a complex and devastating conflict that has exacted a toll of approximately six million lives. This is partially due to the aftermath of the Rwandan Genocide in 1994.⁸ When the Rwandan Patriotic Front (RPF) – under the leadership of future president Paul Kagame – forced an end to the genocide, nearly two million Hutu refugees fled across the Congolese border in fear of reprisals, settling mainly in refugee camps in the North Kivu and South Kivu provinces

Amidst the influx of refugees, a subset of Rwandans, including Hutu extremists, formed militias within the country. Ethnic tensions and interventions escalated as Tutsi militias, backed by the Kagame-led Rwandan government, confronted Hutu groups in the DRC with force. The RPF, collaborating with Congo-based Tutsi militias, launched an invasion of the DRC, at the time ruled by Mobutu Sese Seko. This marked the inception of the First Congo War (1996–1997), a regional conflict that witnessed a coalition led by Rwanda, with significant support from Uganda, Angola, and Burundi, against the Mobutu regime.

3.A.iii Congo Wars

The First Congo War resulted in thousands of casualties, including refugees, and non-combatant Congolese in the eastern provinces. The brutal methods employed,

particularly by Rwandan soldiers and Tutsi groups, marked a destructive chapter in the region's history. The coalition, led by Congolese rebel Laurent Kabila and supported by Rwanda, emerged victorious in 1997 when Mobutu fled Kinshasa, and Kabila assumed the presidency.

However, tension between Rwanda and Kabila arose, leading to the outbreak of the Second Congo War in 1998. Kabila's attempts to assert independence from Rwanda and remove ethnic Tutsis from his government strained relations. Eventually, he ordered the withdrawal of foreign troops and allowed Hutu armed groups to reorganise. Rwanda responded with a new invasion in 1998, setting off an immense regional conflict, involving countries such as Angola, Namibia, and Zimbabwe. Amidst the chaos, Laurent Kabila was assassinated in a 2001 coup attempt, and his son, Joseph Kabila, assumed power. The Second Congo War officially concluded in 2002, with a staggering death toll of approximately six million deaths and a humanitarian disaster affecting millions.

Between 2002 and 2003 several efforts towards lasting peace, stabilisation and transition were made, including the 2002 Pretoria Agreement providing a pathway to a transitional government, the establishment of truth and reconciliation commissions and the Inter-Congolese Dialogue (the Sun City Agreement). However, they proved insufficient to quell unrest and clashes in eastern DRC. Additionally, neither the international community nor the government of the DRC demonstrated the ability to adequately address governance and legitimacy issues, thereby enabling rebel movements to gain traction. Shortly after the 2002 Pretoria Agreement, Hutu extremists formed a new militia: the Democratic Forces for the Liberation of Rwanda (FDLR), agitating Rwanda and ensuring its continued interference in the region. The FDLR, however, is only one of the many militias that came to populate the eastern provinces of North and South Kivu.

⁸ In a mere 100 days, ethnic Hutu extremists perpetrated the massacre of an estimated 800,000 minority ethnic Tutsis and moderate Hutus in neighbouring Rwanda

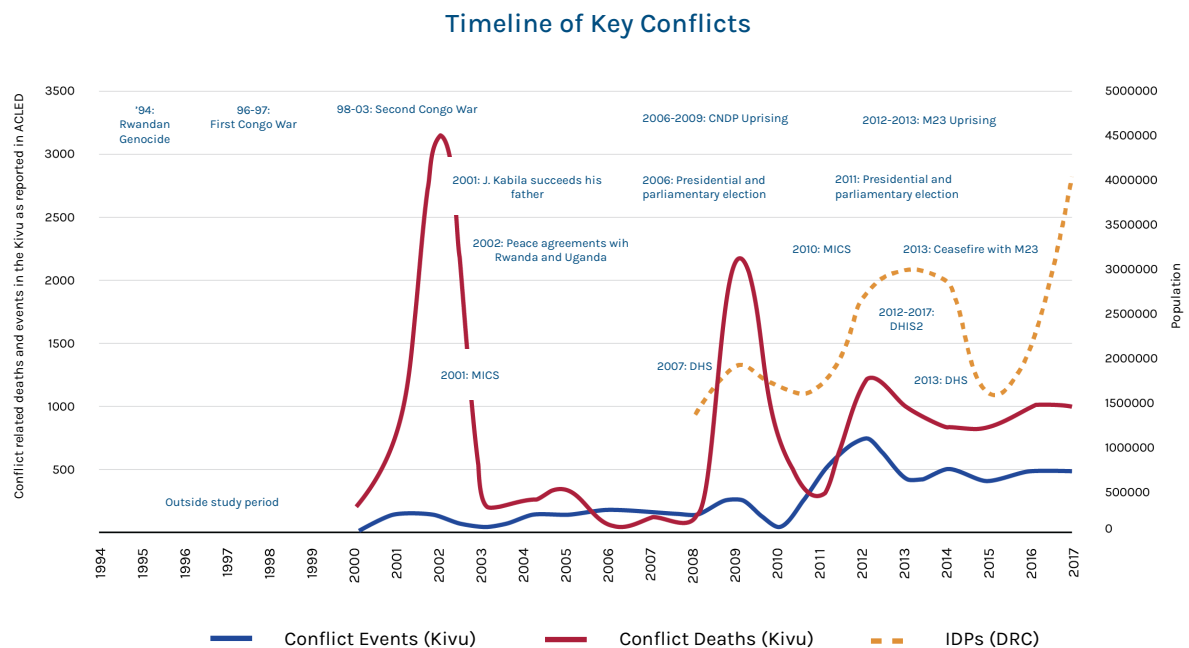


FIGURE 1: TIMELINE OF KEY CONFLICT EVENTS, INTENSITY OF VIOLENCE AND INTERNAL DISPLACEMENT IN DRC AND THE KIVU PROVINCES (1994–2017).

3.A.iv Continued Conflict in the Eastern DRC

The signing of the Goma Peace Agreement on March 23rd, 2009, resulted in a significant number of rebel soldiers from the National Congress for the Defence of the People (CNDP) being integrated into the Armed Forces of the Democratic Republic of the Congo (the FARDC), the DRC its government army.⁹ In 2012, however, rebels from the integrated CNDP – primarily composed of ethnic Tutsis sharing close ties with the Rwandese government – mutinied in what would become the March 23 uprising. These mutineers subsequently formed a new armed militia group called M23, further complicating the region's struggles.¹⁰ The UN Security Council (UNSC) authorised its first ever offensive brigade under the United Nations Organization Stabilization Mission in the DRC (MONUSCO) to counter M23, further damaging the relationship between Kigali and Kinshasa.

In 2021, M23 arose from a period of dormancy and continued its campaign of widespread violence, including executions, gender-based sexual violence and the recruitment of children. M23's *raison d'être* is complex; the group claims to rebel in response to failing governance in the DRC, but is also caught up in fighting over mineral resources as well as defending the Tutsi community – objectives that have gained support from Rwanda and, supposedly, Uganda.¹¹

2.B Current Conflict

The DRC's eastern provinces continue to simmer with tension. The volatile mix of historical grievances, resource competition, and animosity erupts periodically, the latest stand-out ignition point being the resurgence of M23. Their attacks in North Kivu province rekindled inter-state animosities: the Congolese government, led by President Tshisekedi, accused Rwanda of

9 Shola Lawal, "A Guide to the Decades-long Conflict in DR Congo," Al Jazeera, 21 February 2024, www.aljazeera.com/news/2024/2/21/a-guide-to-the-decades-long-conflict-in-dr-congo.

10 Ibid.

11 IPIS, "Why M23 Is Not Your Average Rebel Group - IPIS," IPIS, 18 March 2024, ipisresearch.be/weekly-briefing/why-m23-is-not-your-average-rebel-group.

actively supporting M23, echoing historical tensions from the 1994 Rwandan genocide and its spillover into the DRC. Rwanda vehemently denies these claims, pointing fingers at the Congolese government's alleged collaboration with the FDLR. This blame game, steeped in distrust and historical wounds, aggravates the conflict.¹²

A flicker of hope emerged in July 2022 with the East African Community (EAC)-brokered ceasefire. M23 agreed to withdraw and disarm under the supervision of the EAC's Regional Force (EACRF). However, fighting erupted again in September 2023, shattering hopes for a peaceful resolution. Moreover, the December 2023 elections were characterised by Tshisekedi spouting war rhetoric and marred by accusations of irregularities and concerns about potential violence, further destabilising the situation.¹³ Opposition leaders as well as a number of highly influential Congolese churches challenged the election results, raising fears of post-election unrest and adding another layer of tension.¹⁴ This political instability provides fertile ground for exploitation by armed groups and other external actors.

M23 is not alone. The Allied Democratic Forces (ADF), notorious for brutal attacks on civilians, continues its reign of terror in the north. Armed groups like FDLR, Wazalendo and the Cooperate for the Development of Congo (CODECO) have also made recent advancements in the Eastern DRC. Moreover, various 'Mai Mai' groups have emerged or reformed; community-based organisations originally formed as self-defence, some dating back to the immediate aftermath of the Rwandan genocide.¹⁵ Currently, dozens of

other armed groups, fueled predominately by ethnic tensions and resource control disputes, operate across the region, compounding the humanitarian crisis. Consequently, the continually worsening humanitarian and security situation – and the political vacuum it is both born from and upholds – creates a vicious cycle in which more and more armed actors are drawn into.

2.B.i Root Causes and factors of the Conflict

A clear overview of the conflict's structural and dynamic factors is crucial to adequately understand it. Moreover, the adoption of a comprehensive lens—in which a narrow focus on only certain elements is prevented—is vital in formulating appropriate and effective measures.

With regards to structural factors, the conflict in the eastern DRC is most often explained through **ethnic rivalry and inter-communal tensions**. This focus on ethnicity is not surprising as many armed groups are formulated along ethnic lines. Important to understand in this regard is the interconnectedness with another key factor: the **lingering effects of colonialism**. During the colonial period, ethno-social differences have been manipulated, exploited or even constructed; certain groups were positioned at the margins of society while others were given high degrees of political power. These ethnic lines were further crystallised during political upheaval in the post-colonial period (particularly during the Congo Wars) and have greatly contributed to **inequality and marginalisation** within Congolese society. Consequently, aside from the instrumentalisation of ethnic differences by

¹² The role of each actor and their intertwined relationships in the regional conflict are further discussed in Chapter 3.

¹³ Shola Lawal, "Could DR Congo's Tshisekedi Declare War on Rwanda if Re-elected?" AlJazeera, 21 December 2023, <https://www.aljazeera.com/features/2023/12/21/analysis-could-tshisekedi-declare-war-on-rwanda-if-re-elected>

¹⁴ AfricaNews, "DR Congo Election: Catholic, Protestant Churches Demand Inquiry Before Acceptance of Results," Africanews, 5 January 2024, www.africanews.com/2024/01/05/dr-congo-catholic-protestant-churches-demand-inquiry-before-acceptance-of-results.

¹⁵ Ibid.

national and local leaders, social inequalities serve as a constant source of tension and mobilisation.¹⁶

Another deep-seated factor in the DRC's current predicament is **weak state control, legitimacy and authority** over the security situation. Since the colonial period, when the Congo Basin was primarily regarded as a lucrative region of free trade, governance in the east of the DRC has remained relatively weak.¹⁷ Issues of governance intensified as conflict in the region flared up and intensified. Institutions are malfunctioning, disarmament and demobilisation are inadequate, and good governance practices are undermined by corruption, patronage and kleptocracy. This weak government control leaves room for armed groups to take on de-facto government functions in the political and security sector, contributing to the proliferation and normalisation of militia (self-defence) activity.

More dynamic factors, often highly intertwined, are also important to take into account. Firstly, a continual yet variable factor in the conflict is **external interference and exploitation**. Ever since the Berlin Conference of 1884-1885, during which the Congo Basin was at the top of the agenda, foreign interest in the DRC and its resources has been high. External interference and exploitation, predominantly in the form of mining today, has heightened social tensions and spurred militia activity. The involvement of the UN has been widely regarded as another example of foreign interference exacerbating violence by the population.¹⁸ The presence of **conflict minerals** has shored up the geopolitical significance of the DRC. On the local level, the minerals – as well as access to land – provide economic opportunities and a means of survival, but

also lead to disputes and exacerbate existing inter-communal tensions.

Another highly dynamic factor in the conflict concerns **regional dynamics**. Since 1994, interstate tensions, predominantly between the governments of DRC and Rwanda, **refugee flows** and cross-border (illicit trade) networks have built up instability in the Great Lakes region. They have also contributed to the disruption of orthodox trade routes. Regional tensions played, and continue to play, a key role in the continuation of conflict, only growing as more powers join the web of alliances and the stakes increase.

2.C Resources in Relation to the Regional Conflict in Eastern DRC

The proliferation of mining operations from the early 2000s onwards introduced new dimensions to the conflict, the DRC's wealth in metals and rare earth minerals attracting global interest and leading to increased involvement from various local actors. In fact, mining plays a significant role in financing armed groups in eastern Congo, consequently perpetuating the conflict in the region. While the underlying causes of the conflict are complex and multifaceted, the abundant presence of valuable minerals such as columbite-tantalite (coltan), cassiterite, gold, and wolframite in the Kivu regions serves as a financial lifeline for rebel factions, allowing them to sustain their operations. When extracted and processed, these minerals yield tantalum, tin, gold, and tungsten, crucial elements in nearly all modern electronic devices (both for consumer and military purposes) further fuelling the conflict.¹⁹

16 Kasper Hofmann, "How DRC's Colonial Legacy Forged a Nexus Between Ethnicity, Territory and Conflict." The Conversation, 1 February 2021, theconversation.com/how-drcs-colonial-legacy-forged-a-nexus-between-ethnicity-territory-and-conflict-153469.

17 General Act of the Berlin Conference on West Africa, 26 February 1885, loveman.sdsu.edu/docs/1885GeneralActBerlinConference.pdf.

18 This discontent with the UN and, relatedly, with the West, will be further expanded on in Chapter 3.

19 Ruben de Koning, "CONTROLLING CONFLICT RESOURCES IN THE DEMOCRATIC REPUBLIC OF THE CONGO," SIPRI Policy Brief, July 2010, www.sipri.org/sites/default/files/files/misc/SIPRIPB1007.pdf.

Besides being a financial impetus for armed violence in the region, the extraction of these minerals bears significant damage to the environment and people involved. Illegal forestry and excavation processes are affecting environmental biodiversity, contributing to deforestation and disrupting important ecosystems.²⁰ The chemicals used and produced in the mining process assemble into different toxins, among them radioactive ones, that pollute adjacent water bodies and are harmful to aquatic life, animals and humans alike.²¹

The competition among armed groups for control of these minerals has been a major factor in the persistence and escalation of violence in eastern DRC. The abundance of mines provides economic opportunities to both non-state and state armed actors: by controlling part of the mineral production and trade (also through taxation), they can accumulate wealth and finance their armed presence, facilitating their control over economically important zones.²²

M23's resurgence since 2021, during which they captured large parts of North and South Kivu, is inherently tied to economic and business interests. M23 and other groups' actions are supposedly closely supported and coordinated by Rwanda and Uganda. These countries, besides claiming to have legitimate security interests in Congo, also harbour huge financial interests there, contributing to their rivalry with Kinshasa.²³

The vast expanse of ungoverned space stretching from the DRC to Uganda, Rwanda, and Burundi provides an ideal geography for illicit trading. UN reports show that while most of the DRC's trafficked coltan winds up in Rwanda, a significant amount is also diverted to Uganda and Burundi. The evidence suggests that the DRC's eastern neighbours—especially regional rivals Uganda and Rwanda—want exclusive access to mining operations in the Kivus.²⁴ This, in turn, contributes to proxy violence.

The DRC thus attributes a significant responsibility for the violence surrounding mining sites to its neighbours and has been most vocal about its rivalry with Rwanda, claiming it loses almost \$1 billion a year in minerals that are illegally smuggled into Rwanda. Kinshasa has incessantly called for international sanctions on the Kigali government. Rwanda last year exported close to \$1 billion in gold, tin, tantalum, and tungsten, even though the country has few mineral deposits of its own.²⁵

M23's main objective, according to the DRC its Finance Minister, Nicolas Kazadi, is to take Congolese minerals and syphon them over the border. Kazadi, frequently underlines his frustration with the persisting absence of sanctions against Rwanda or discussions about them, even though claims of Rwandan meddling in the conflict have been accepted and repeated by the African Union (AU), EU, US, and UN.²⁶ Worse for Kinshasa, the EU and Kigali signed a Memorandum of Understanding in February

20 Oluwale Ojewale, "What Coltan Mining in the DRC Costs People and the Environment," The Conversation, 29 May 2022, theconversation.com/what-coltan-mining-in-the-drc-costs-people-and-the-environment-183159.

21 Ibid.

22 "Armed Conflict, Insecurity, and Mining in Eastern DRC: Reflections on the Nexus Between Natural Resources and Armed Conflict - Democratic Republic of the Congo," ReliefWeb, 7 June 2023, reliefweb.int/report/democratic-republic-congo/armed-conflict-insecurity-and-mining-eastern-drc-reflections-nexus-between-natural-resources-and-armed-conflict.

23 "Rwanda and the DRC at Risk of War as New M23 Rebellion Emerges: An Explainer - Democratic Republic of the Congo," ReliefWeb, 26 July 2022, reliefweb.int/report/democratic-republic-congo/rwanda-and-drc-risk-war-new-m23-rebellion-emerges-explainer.

24 Ibid.

25 "DRC Says Rwandan Mineral Smuggling Costs It Almost \$1bn a Year," Financial Times, 21 March 2023, www.ft.com/content/ecf89818-949b-4de7-9e8a-89f119c23a69.

26 Ibid.

2024, underlining their ‘close cooperation’ on sustainable raw materials value chains and envisioning future funding for infrastructure to support those value chains.²⁷ The agreement is an awkward example of the EU’s incoherent strategy and (un)strategic communication surrounding the DRC’s conflict and the union’s need for access to rare earth resources. It has evoked strong criticism in the Dutch parliament.²⁸ Yet, the need for a coherent and strategic approach has significantly grown with the increased involvement of major powers, particularly China, and growing fears of strategic dependencies.

In recent years, control over mining operations, especially cobalt, uranium, and copper, has shifted from U.S. companies to Chinese. China currently processes up to 80% of the world’s cobalt refining capacity, a significant share of which is extracted from DRC soil.²⁹ Awareness of these volatile dependencies has grown in recent years and was given further impetus by the war in Ukraine and the EU’s dependence on Russian resources.³⁰

In February 2022, the International Court of Justice (ICJ) ordered Uganda to pay \$325 million to the DRC for its role in the conflicts there between 1998 and 2003, which include the looting of gold, diamonds, and timber. Rwanda has also been mentioned repeatedly in UN reports for profiting from minerals smuggled from the DRC to fund rebel groups and bolster its own exports.³¹

However, despite its critique of foreign powers, Kinshasa itself has also failed to demilitarise mines in the region that are under government control. Soldiers and commanders from the FARDC have been known to profit from the unsupervised control over mines in the eastern DRC.³² Political will to address this phenomenon is low. Considering the government wants to keep a large army to control its vast territory, it appears to accept that factions of its armed forces prey on local resource-based economies. Fearing that army commanders will drop out of the army integration process, it declines to hold its military to account.³³

2.D Social Media and Dis- and Misinformation

Important to take into account when examining the conflict in the eastern DRC – and particularly in light of EU engagement with the region – is the digital and narrative context. Awareness and information concerning the conflict has surged on digital platforms in recent years. Yet a consequence of this surge is the increased politicisation of information and the spread of dis- and misinformation. This mix of politicised (dis)information and anti-western sentiment has caused a shift in popular sentiment towards other global actors such as Russia.

2.D.i The Role of Social Media

Over the past few years, online platforms are increasingly utilised to start popular movements in the face of conflict. For

27 “EU and Rwanda sign a Memorandum of Understanding on Sustainable Raw Materials Value Chains”, European Commission, 19 February 2024, ec.europa.eu/commission/presscorner/detail/en/ip_24_822.

28 Kamervragen Zonder Antwoord Nr. 2024Z02852, 2 February 2024, zoek.officielebekendmakingen.nl/kv-tk-2024Z02852.html

29 “China Expected to Increase Control Over Global Lithium and Cobalt Supply - IER.” IER, 22 March 2023, www.instituteforenergyresearch.org/international-issues/china-expected-to-increase-control-over-global-lithium-and-cobalt-supply/
#:~:text=China's%20cobalt%20refining%20reached%20140%2C000,of%20the%20world's%20refining%20capacity.

30 As illustrated by e.g. the EU’s “Critical Raw Materials Act.” Available via: single-market-economy.ec.europa.eu/sectors/raw-materials/areas-specific-interest/critical-raw-materials/critical-raw-materials-act_en.

31 “Rwanda and the DRC at Risk of War as New M23 Rebellion Emerges: An Explainer - Democratic Republic of the Congo.” ReliefWeb 2022.

32 “CONTROLLING CONFLICT RESOURCES IN THE DEMOCRATIC REPUBLIC OF THE CONGO.” SIPRI 2010.

33 Ibid.

example, hashtags including #FreeSudan and #FreeCongo are gaining traction on social media, often in the context of solidarity and common struggle.³⁴ In videos and messages circulating online, the violence in the eastern DRC is referred to as a silent genocide and linked to the country's status as a worldwide producer, or rather, extraction source, of raw materials. This has led to the creation of the #cobaltgenocide social media campaigns.³⁵ The fact that cobalt is not found in large quantities in the conflict-affected provinces of the DRC is not relevant; what matters is the popular idea that foreign powers are inflicting suffering on their country for natural resources. In addition, various influential Congolese have launched a campaign to increase global awareness of the violence by posting pictures or videos of themselves with one hand over the mouth and the other one against the temple. A known example of this silent protest took place during the African Cup of Nations in February 2024 when the Congolese national football team performed the gesture.

As social media usage grows in drawing attention to events in the eastern DRC, a corollary is the politicisation of (dis)information. Various images depicting politicians, diplomats, and military personnel from Western countries stationed in the (eastern) DRC have been frequently misconstrued to allege that their nations are either neglecting the violence in the region or actively backing it through the provision of arms and training to groups like M23.³⁶ For instance, in October 2022, a picture of ex-EU Special Representative to the Great Lakes

Region and Dutch diplomat Roeland van de Geer speaking to Laurent Mukiunda, leader of the CNDP, circulated online. Various Congolese users claimed it was proof that Western countries support Rwanda and M23 in their conflict against the DRC. In reality, the picture was taken in 2008 during a meeting Van de Geer attended in his capacity as special representative of the UN to convince Mukiunda to respect the peace treaty signed between the belligerent parties in Goma in 2008.³⁷

A month later, in November 2022, pictures of American soldiers training their Rwandese counterparts circulated various social media platforms which Congolese users interpreted as proof that the US is proactively assisting Rwanda and associated rebel groups in eastern Congolese territory. More generally, the soldiers were referred to as 'whites', referring to Western countries as a whole and therefore including European countries. A fact-check by a Congolese journalist quickly revealed that these pictures were in reality taken in 2016 within Rwandese territory during US military training sessions for the Rwandese army.³⁸ It seems likely that the latter would also be problematic in the eyes of Congolese critics, but there is a nuance between supporting irredentist rebels and bilateral military training within recognized national territory that is lost in this circulation of misinformation on social media. This fits into the wider context of mistrust on the part of the Congolese population towards traditional media, both national and foreign.³⁹ This mistrust especially exists regarding Western media,

34 #FreeCongo is part of a bigger campaign set up by Congolese activists aiming to 'help end corruption, impunity, discrimination, and mismanagement in all its forms'; <https://freedrcngo.org/>.

35 Jamila Mieschke, 'Naast 'Free Palestine' prijkt #FreeCongo en #FreeSudan', NRC Handelsblad, 24 November 2023, <https://www.nrc.nl/nieuws/2023/11/24/naast-free-palestine-prijkt-freecongo-en-freesudan-a4182204>. Social media accounts aiming to put the DRC higher on the political agenda include: <https://www.instagram.com/freecongodrc/>, <https://www.instagram.com/freecongo.now/>, <https://www.instagram.com/genocost/>, <https://www.instagram.com/voiceofcongo/>

36 Kristof Titeca, "Russian Influence, anti-Western Sentiments, and African Agency: The Struggle for Influence in the Democratic Republic of Congo," Strategic Review for Southern Africa 45, no. 1 (2023), DOI:10.35293/srsa.v45i1.4617.

37 Joyce Zalbit, "Non, Ces Images Ne Montrent Pas Des Multinationales Occidentales Soutenant Le M23," DE FACTO, 3 June 2021, defacto-observatoire.fr/Medias/Factuel/Fact-checks/Non-ces-images-ne-montrent-pas-des-multinationales-occidentales-soutenant-le-M23.

38 Rodriguez Katsuva, "Ces photos de 2016 ne montrent pas des <blancs> soutenant l'armée rwandaise en DRC", CongoCheck, 1 November 2022, <https://perma.cc/65C3-J4UE>.

39 Based on an interview with a Congolese researcher in the context of this policy advice.

such as francophone news agencies which are regarded as attempting to defend French interests instead of contributing to a sustainable solution to the conflict. Mistrust also exists towards national political leaders who have been associated with corruption.⁴⁰

exploitation and the shrinking of civic space.⁴¹

Russia is one of the key players in spreading disinformation in Africa, targeting approximately 22 countries and also

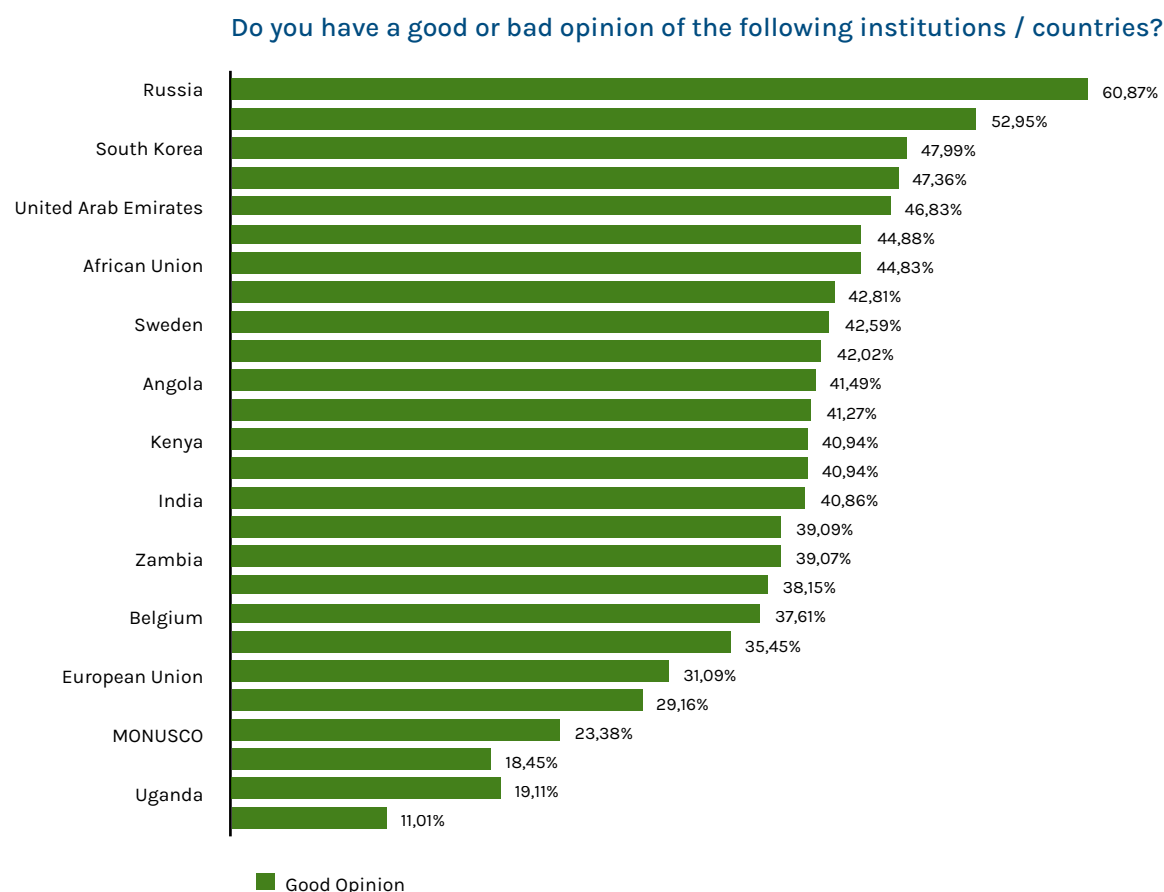


FIGURE 2

2.D.ii Disinformation and Interference

Research into disinformation across the African continent has concluded that, in the DRC, it is predominantly Russian and domestic actors which are actively pursuing disinformation campaigns. These campaigns have contributed, either directly or indirectly, to (the proliferation or intensification of) violence, corruption,

sponsoring continent-wide campaigns - in the DRC as well. Through these campaigns, influencers and digital avatars are employed to circulate messages and videos consistent with the Russian state narrative - often scapegoating western actors and human rights organisations. Moreover, these messages are further amplified by media outlets owned by the Russian state, which in some instances are assisted by Russian

⁴⁰ Ibid.

⁴¹ "Mapping a surge of disinformation in Africa", Africa Center for Strategic Studies, 13 March 2024, <https://africacenter.org/spotlight/mapping-a-surge-of-disinformation-in-africa/>.

embassies.⁴² Russian disinformation campaigns in Africa are regularly seen as aiming to decrease Western influence.⁴³ Whether effective or not, Congolese popular sentiments towards Russia are significantly more positive in contrast to Western countries. A 2023 poll conducted by the Congolese Research Group showed that Russia is deemed 'good' or 'very good' by the majority (61%) of the Congolese population. In comparison, only 29% to 42% saw western governments in the same terms. This is a remarkable shift since 2016, when the numbers were reversed.⁴⁴

Even though a significant share of attention has been on Russian disinformation campaigns, it is important to mention that the largest share of disinformation in the DRC seems to originate from domestic actors, often actively recruited by politicians.⁴⁵ A popular target of disinformation campaigns in the DRC has been MONUSCO; messages inciting anti-UN sentiments have likely contributed to protests in 2022 where five peacekeepers died. Disinformation also peaked in the run-up to the 2023 elections, adding further doubts regarding its legitimacy. Partly due to these disinformation campaigns, but also to the increasing critiques regarding western indifference and even collaboration with certain actors, western governments face a delicate balancing act. Where actors like Russia and China are growing in popularity, actors like the EU seem to lose influence and legitimacy.⁴⁶ Narratives are increasingly surfacing in which the EU's desire for resources and its leniency vis-a-vis Rwanda are driving the conflict.

⁴² Ibid.

⁴³ Luke Harding and Jason Burke, "Leaked documents reveal Russian effort to exert influence in Africa," The Guardian, 11 June 2019, <https://www.theguardian.com/world/2019/jun/11/leaked-documents-reveal-russian-effort-to-exert-influence-in-africa>.

⁴⁴ "Majority of Congolese reject East African Community Regional Force" Groupe d'étude sur le Congo, Groupe d'étude sur le Congo, 2 February 2023, <https://www.congoresearchgroup.org/wp-content/uploads/2023/02/version-anglaise-sondage-gec-ebuteli-deuxieme-note-thematique-force-regionale.pdf>

⁴⁵ Ibid.

⁴⁶ Robert Bociaga, "China Sends Military Drones to DRC Amid Fears of Regional War," The Diplomat, 25 March 2023, thediplomat.com/2023/03/china-sends-military-drones-to-drc-amid-fears-of-regional-war.

3. The DRC as Submerged Within the Geopolitical Context

This chapter offers an extensive overview of the geopolitical context of the conflict in the eastern DRC, exploring the various dimensions shaping the EU's engagement in the conflict and its broader strategic imperatives. The chapter starts off with an analysis of why the DRC should be higher on the agenda for both the EU and the Netherlands, emphasising its pivotal role in regional stability, economic development in the region, and the EU's global aspirations. It delves into the strategic importance of the DRC's critical raw materials, highlighting the significance of both sustainable resource management and supply chain security for the EU's economic interests. Moreover, the chapter examines the normative interests driving the EU's involvement in the DRC, including efforts to promote human rights, democracy, and peace. It underscores the imperative for the EU and the Netherlands to actively engage with the DRC to address underlying challenges and foster long-term stability in the region. The chapter continues by providing a detailed stakeholder analysis, mapping out the diverse array of actors involved in the DRC's conflict, ranging from intra-state armed groups to regional and extra-regional players. It elucidates their respective interests, interactions, and impacts on the conflict dynamics.

3.A Importance of the DRC for the EU and NL

Since the early 2000s, the EU has become significantly involved in the DRC. As the third biggest economy in the world and with its global influence, the EU is becoming an increasingly important player in sanctioning strategies.⁴⁷ The EU's sanctions tool is being reflected in the DRC as one of the few means the EU has to influence behavioural change of

destabilising actors and, consequently, to actively contribute to normative and strategic EU goals. In line with the efforts of various member states, including the Netherlands, it assumes an increasingly important role in terms of development cooperation, economic investments, and security.⁴⁸ As already touched upon earlier, the DRC holds a prominent – in some aspects crucial – position within a number of highly intertwined EU objectives, ranging from geopolitical interests to economic matters.

3.A.i Regional Stability

The DRC, bordering nine countries, plays a key role in the regional stability of central Africa and the Great Lakes Region. With the EU and NL's commitment to an integrated approach to the Great Lakes region, addressing the conflict and instability in the DRC is vital.⁴⁹ Within its 2023 Great Lakes Strategy (GLS), the EU has prioritised the '[promotion of] peace, democracy and sustainable development in the Great Lakes region by contributing to the transformation of the main root causes of insecurity and instability'. Given that the conflict in the eastern DRC stands as the primary obstacle to achieving this goal, resulting not only in human, environmental, and economic distress within the region but also exerting adverse impacts on the states themselves, the EU's proactive involvement with the region holds significant importance. After all, GLS states that 'the security, stability and prosperity of the countries of the Great Lakes region remain a strategic priority for the EU'.

47 Bruce Jentleson, *Sanctions: What Everyone Needs to Know*, (Oxford: Oxford University Press 2022).

48 Valerie Arnould and Koen Vlassenroot, "EU Policies in the Democratic Republic of Congo: Try and Fail?," *Security in Transition* 2016, p. 1-22.

49 "A renewed EU Great Lakes Strategy: Supporting the transformation of the root causes of instability into shared opportunities," Council of the European Union, 20 February 2023, <https://data.consilium.europa.eu/doc/document/ST-6631-2023-INIT/en/pdf>.

3.A.ii EU Position Within the Global Geopolitical Playing Field

Great (upcoming) powers are increasing their presence in foreign contexts. China's Belt and Road Initiative (BRI) is arguably one of the most notable of these efforts estimated to encompass 892 billion dollars in investments in infrastructure, energy, and minerals.⁵⁰ The US launched a similar infrastructure plan to strengthen their relative position. At the 2002 G7 summit in Cornwall, Biden announced the 'Build Back Better World' (B3W), a BRI-like counter-strategy.⁵¹ The EU is also looking at ways to strengthen and diversify its global partnerships in order to bolster its geopolitical position. The 2021 Global Gateway Initiative is one of the latest enterprises through which the EU aims to realise this ambition, while at the same time serving an array of other interests. The African continent holds paramount significance within the framework of Global Gateway, particularly in the overarching aim of bolstering the strategic position of the European position. This is notably illustrated by the Africa-Europe Investment package, which earmarks €150 billion for investments aimed at fostering sustainable transition and development across Africa.⁵² The DRC, with its strategic position in terms of sustainable

energy and biodiversity, holds a key role not only in these investments but in the global political playing field in general. While the EU is a great investment partner of the DRC, various non-like minded players like China and Russia are increasingly strengthening their ties with the state - particularly in the economic and military domains. With increasing foreign interest and presence in the DRC, it is of crucial importance for the EU and NL to strengthen their relations with the state and to position themselves as an attractive partner.

3.A.iii Resources

The demand for critical raw materials is expected to increase 500% by 2050.⁵³ CRMs like lithium will rise in demand by fifty times, graphite by fifteen times, cobalt fifty times, dysprosium twelve times, neodymium four times, and nickel four times. The demand for lithium, cobalt, and graphite will skyrocket due to their importance in three main sectors: renewables, e-mobility, and defence & space.⁵⁴ The demand for these CRMs are increasing for *inter alia* the US, EU, China and the United Arab Emirates (UAE), especially in light of their transition to sustainable energy sources.⁵⁵ Naturally, global competition over these resources will become fierce in the coming years. Political

50 "China Belt and Road Initiative (BRI) Investment Report 2021," Green Finance & Development Center, FISF Fudan University, Shanghai, January 2022, https://greenfdc.org/wp-content/uploads/2022/02/Nedopil-2022_BRI-Investment-Report-2021.pdf; "Topic: The Belt and Road Initiative (BRI)," Statista, February 29, 2024, <https://www.statista.com/topics/10273/the-belt-and-road-initiative-bri/#topicOverview>.

51 Yew Lun Tian, "China willing to work with U.S. on Build Back Better World initiative," Reuters 28 February 2022, <https://www.reuters.com/world/china/china-willing-work-with-us-build-back-better-world-initiative-2022-02-28/>.

52 "International Partnerships: Global Gateway in Sub-Saharan Africa," European Commission, accessed 2 March 2024, https://international-partnerships.ec.europa.eu/policies/global-gateway/initiatives-region/initiatives-sub-saharan-africa_en?prefLang=fr.

53 "RMIS - Extra-EU Country Profiles," RMIS - Raw Materials Information System, accessed 2 March 2024, <https://rmis.jrc.ec.europa.eu/cp/CD>.

54 Ibid.

55 The US aims to cut greenhouse pollution and achieve a net-zero emissions economy by 2050. The same goes for China; Xi Jinping announced in the 75th Party congress that China will attempt to be carbon neutral by 2060. This development has massive implications for the demand of certain raw materials.

journalist Robert Kaplan even stated that “to understand the events of the next fifty years, one must first understand environmental scarcity or diminishing natural resources.”⁵⁶

As discussed before, the DRC is in possession of a significant share of critical raw materials. For example, 63% of the world’s supply of cobalt is mined in the DRC.⁵⁷ At the moment, the EU is dependent on imports from ‘quasi-monopolistic third country suppliers’ and is heavily vulnerable for supply chain disruptions.⁵⁸ As such, the EU actively seeks opportunities to mitigate these strategic dependencies by diversifying and securing its imports. For example, the REPowerEU plan focuses on securing cobalt, lithium and other rare-earth metals required to make the Green Deal possible.⁵⁹ The DRC, whose resources are currently predominantly refined and shipped to the EU by third countries, offers such an opportunity. (Strengthened) partnership with the DRC could contribute to the EU’s environmental ambitions and help reshape its strategic supply chain. Strengthened engagement between the EU and DRC in resources is also relevant in light of the EU’s commitment to ‘human-rights based and environmentally sound resource management’, a terrain in which progress must still be made in the DRC.⁶⁰

3.A.iv Trade

The total export value of the DRC lies around \$30 billion, mostly consisting of raw materials (\$16,3 billion of refined copper, \$5,99 billion of cobalt and \$1,55 billion of copper ore). Approximately \$21,8 billion goes to Asia, whereof \$15,6 billion is destined for China. It is remarkable that only \$3 billion goes to Europe and \$260 million to the US. It is clear that Europe and the US are no crucial export destinations for the DRC. Moreover, in 2022, the DRC was only ranked 103 in the NL’s export partners.⁶¹ However, the EU has committed to ‘engage more actively’ with the DRC’s (and other regional states’) private sector in the coming years. Active engagement is believed to be key not only in terms of formalising the economy and creating (sustainable) local economic opportunities but also for the integration of the DRC’s economy into global value-chains, which both the DRC and the EU can benefit from. In fact, with its unparalleled wealth in natural resources, abundance of arable land, expanding export markets and focus on infrastructural investment, it has significant potential for economic growth. As such, it could become an interesting trade partner and a vital pin in regional economic engagement in central Africa and the Great Lakes region.⁶²

56 Robert D. Kaplan, “The Coming Anarchy,” The Atlantic, 20 March 2013, <http://pscourses.ucsd.edu/poli120n/Kaplan1994.pdf>.

57 Marjolein De Ridder et al, “Coltan, Congo & Conflict,” The Hague Centre for Strategic Studies, March 13 2020, https://hcsc.nl/wp-content/uploads/2013/06/HCSS_21_05_13_Coltan_Congo_Conflict_web.pdf.

58 “Regulation of the European Parliament and of the Council establishing a framework for ensuring a secure and sustainable supply of critical raw materials”, European Commission, 16 March 2023, https://eur-lex.europa.eu/resource.html?uri=cellar:903d35cc-c4a2-11ed-a05c-01aa75ed71a1.0001.02/DOC_1&format=PDF; “Raw materials strategy for large transitions,” Rijksoverheid, 9 December 2022, <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/12/09/raw-materials-strategy-for-large-transitions>.

59 “REPowerEU,” European Commission, accessed March 2024, https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/repowereu-affordable-secure-and-sustainable-energy-europe_nl; “Critical Raw Materials: ensuring secure and sustainable supply chains for EU’s green deal and digital future”, European Commission 16 March 2024, https://ec.europa.eu/commission/presscorner/detail/en/IP_23_1661.

60 “A renewed EU Great Lakes Strategy: Supporting the transformation of the root causes of instability into shared opportunities - Council Conclusions (20 February 2023),” Council of the European Union, 20 February 2023, <https://data.consilium.europa.eu/doc/document/ST-6631-2023-INIT/en/pdf>.

61 “Zakendoen in Democratische Republiek Congo,” RVO Nederland, accessed 2 March 2024, <https://www.rvo.nl/onderwerpen/landen-en-gebieden/dr-congo#handel-nederland---dr-congo>.

62 “DRC Economy: the Giant Awakes”, United Nations Africa Renewal, November 2016, <https://www.un.org/africarenewal/magazine/august-2016/drc-economy-giant-awakens>.

3.A.v Human Rights and Peace

The EU has long, and intentionally, positioned itself as a normative power, treating values like human rights, peace and democracy as long-term strategic interests and regarding the promotion of these values as an essential element of its foreign policy. In 2020, the DRC ranked 164th of 174 countries on the 2020 Human Capital Index; over the last few decades it has faced – and continues to face – significant rates of gender-based violence (GBV) and inequality, extreme levels of poverty and recurring humanitarian crises.⁶³ Promoting values like human rights and peace within this context is, therefore, a matter of maintaining the EU's credibility as a normative power. Building up its credibility is not only of vital importance in a context of increased geopolitical competition, but also within the DRC where anti-western narratives and dissatisfaction with western governments' roles in the conflict is growing.

3.A.vi Democracy and Justice

Within the EU-AU partnership, the promotion and protection of common values including 'respect for democratic principles, good governance and the rule of law' are central elements, understood to strengthen objectives beneficial to both parties including security, human development and a more stable business climate.⁶⁴ Within the DRC, these values continue to be under pressure. EU/NL engagement with the DRC in promoting democracy and good governance impacts the EU's credibility as a dependable partner. Moreover, the EU prides itself on its commitment to justice and the rules-based international order, as well as its fight against impunity. Within the framework of the Great Lakes Strategy, and particularly in relation to the DRC, this commitment is outlined as a key normative interest.⁶⁵

3.A.vii Environmental Interests

As outlined in the Great Lakes Strategy, a focus area of EU-Great Lakes engagement is the promotion of a clean and sustainable ecological environment. "The protection and management of transboundary forests and ecosystems, wildlife and plant species, sustainable management of water resources, climate neutral energy production and distribution, eco-tourism and sustainable and deforestation-free agricultural value chains" are all highlighted as key areas of EU support to the region, in line with its commitment to the Paris Agreement.⁶⁶ Environmental degradation is further understood to have a negative impact on other EU interests such as natural resources, (food) security and poverty. Moreover, since the Congo Basin and the region's forests are a vital carbon sink, considering its rainforest is the second largest on Earth, the promotion of a clean, healthy and sustainable environment in the DRC is not just of EU but global importance.

3.B Stakeholder Analysis

The stakeholder analysis of the DRC conflict is structured into three main sections, each addressing different levels of actors involved in the conflict. Firstly, the analysis delves into the perceptions and position of the local population of the DRC. Secondly, it will look into the key intra-state armed actors involved in the conflict in the DRC. These armed actors include the rebel groups and militias which are deemed most important in both the perpetuation of the conflict and the severity of the conflict with regards to human rights violations and civilian deaths. Therefore, the armed actors included in this part of the analysis are CODECO, ADF-IS, M23, and FDLR. The second part of the analysis shifts towards the regional dynamics, particularly the involvement of

63 "HCI Data 2020", The World Bank, 23 September 2020, <https://datacatalog.worldbank.org/search/dataset/0038030/Human-Capital-Index>.

64 "6th European Union - African Union Summit: A Joint Vision for 2030," European Union, 18 February 2022, https://www.consilium.europa.eu/media/54412/final_declaration-en.pdf (accessed 2 March 2024).

65 "A Renewed Great Lakes Strategy 2023," Council of the European Union 2023.

66 Ibid.

states in Central and Southern Africa in relation to the DRC conflict. This involves examining the roles and interests of neighbouring countries like Rwanda, Uganda, and Burundi as well as regional bodies such as the EAC and the Southern African Development Community (SADC). Finally, the third part of the analysis considers external stakeholders, such as the US, the EU, and other global powers in the DRC conflict and their impact on its dynamics. This section also provides a more in-depth analysis of the various EU Member States that have a striking role in the conflict.

3.B.i Local Population and Humanitarian Context

Before delving deeper into the political playingfield of the conflict in the eastern DRC, the focus will firstly be on those bearing the brunt of the violence and those having the greatest stakes in the conflict: the local population. The population of the DRC, especially in the provinces of North Kivu, South Kivu, Ituri and Tanganyika, has suffered under militia violence, human rights abuses, and gender-based violence for decades. The United Nations High Commissioner for Refugees (UNHCR) has called the situation in the eastern provinces ‘one of the most complex humanitarian crises in the world’.⁶⁷ Since the reemergence of M23, insecurity has reached new heights. Over 25 million people require humanitarian assistance, most urgently in the east, and approximately 6,5 million people are internally displaced. Moreover, epidemics including cholera and measles are increasing and climate shocks such as heavy rains and flooding have further worsened living conditions. The humanitarian community

has appealed for 2,6 billion USD to formulate an adequate response.⁶⁸

The people most acutely affected by the humanitarian crises are Congolese women and children, who are exposed to grave forms of abuse and exploitation. In the period 2021–2022, when the conflict in the DRC re-escalated, gender-based violence increased by 91%.⁶⁹ Moreover, over one million children are ‘acutely malnourished’.⁷⁰ Other groups disproportionately targeted by violence include ethnic minorities, such as the Banyamulenge and the Banyarwanda. Banyamulenge and Banyarwanda are ethnic minority groups in the South Kivu and North Kivu provinces respectively, mostly seen as affiliated to the Tutsi and – as such – widely regarded as ‘foreigners’ or ‘outsiders’ in the DRC. Various local militias and Mai-Mai, as well as Congolese security services, have targeted these groups. Violence has further increased due to hate speech and conspiracy theories specifically targeting ‘out-groups’.⁷¹

Currently, over 1 million people have fled to Goma, the largest city in North Kivu, which has served as a humanitarian hub in the region. However, due to the amount of refugees, the internally displaced person (IDP) camps are overcrowded and dealing with shortages of food, clean water, healthcare and sanitation. Moreover, the recent advancement of M23 towards Goma and the exit of MONUSCO at the end of the year could further deteriorate the humanitarian situation – which is already underfunded.⁷²

Given the diversity and size of the (eastern) DRC’s population, along with its varying perspectives and positions within the

67 “Democratic Republic of the Congo Situation,” UNHCR Global Focus, accessed March 2024, reporting.unhcr.org/operational/situations/democratic-republic-congo-situation.

68 “Democratic Republic of the Congo”, OCHA, accessed May 2024, <https://www.unocha.org/democratic-republic-congo>

69 “Ensuring Women’s Protection Amid Rising Conflict in Eastern DRC - Refugees International,” Refugees International, 5 April 2024, www.refugeesinternational.org/reports-briefs/ensuring-womens-protection-amid-rising-conflict-in-eastern-drc/#:~:text=From%202021%20to%202022%2C%20there,%2C%20South%20Kivu%2C%20and%20Ituri.

70 “Democratic Republic of the Congo,” OCHA, 30 April 2024, www.unocha.org/democratic-republic-congo.

71 Felix Mukwiza Ndahinda, “Anti-Tutsi Hate Speech Refuels Conflict in Eastern DR Congo,” Clingendael Spectator, 24 August 2022, spectator.clingendael.org/en/publication/anti-tutsi-hate-speech-refuels-conflict-eastern-dr-congo.

72 Refugees International 2024.

conflict, it is impossible to consider it as a unitary actor in the following stakeholder analyses. However, some nuances and considerations related to popular sentiment will be included. Nonetheless, it is the local population within the conflict-affected regions whose stakes are greatest and most urgent; as such, it is their interests that should be prioritised in formulating a response to alleviating the security and humanitarian situation.

3.B.ii Intra-State Armed Actors

This section delves into the primary armed entities operating within the east of the DRC. These entities are classified into three distinct categories: state forces, rebel groups, and militias. State forces encompass military units such as the FARDC, RDF, Uganda People's Defence Force (UPDF), Burundi National Defence Force (FDNB), and the Central African Armed Forces (FACA). Rebel groups consist of factions like M23, FDLR, and ADF, the latter of which has become allied with the Islamic State (IS). Militias, distinct from both state forces and rebel groups, represent localised armed groups often organised along ethnic, tribal, or community lines. They include entities like CODECO, Collective of Movements for Change (CMC) and various factions within the Mai Mai movement. Unlike rebel groups, militias may not necessarily seek to overthrow the (local) government but often operate autonomously, defending perceived community interests or engaging in localised power struggles.

Though estimates vary, according to a survey conducted in 2023 by the government's disarmament and reintegration program (P-DDRCS), more than 150 armed groups are

actively operating in eastern DRC.⁷³ However, to gain a deeper understanding of the conflict's complexities, it is also essential to delve into the relationship between Rwanda and the DRC, as well as their interactions with other state actors embroiled in the conflict, which will be highlighted further below.

As can be seen in **Figure 3**, the two most important intra-state actors that perpetuate the conflict are M23 and the FDLR. This is because of their close-knit relationship to state actors Rwanda and the DRC respectively.⁷⁴

The UN group of experts on the DRC highlights the complex but close relationship between M23 and the RDF, despite Rwanda's official denial of involvement. Evidence, including aerial footage and testimonies from various sources, suggests direct interventions and troop reinforcements by the RDF in territories where M23 operates within the DRC.⁷⁵ Former M23 combatants and intelligence sources reveal RDF soldiers from multiple battalions being deployed alongside M23 forces since early October 2023. This came just before the October offensive of M23 north of Goma.⁷⁶ The RDF's support extends beyond mere deployment, as reports indicate collaboration with M23 through combat support and reconnaissance teams, including former combatants from the FDLR. Despite RDF casualties, resulting from clashes and bombings, the RDF continues to provide assistance, including medical evacuations from the DRC to Rwanda. This ongoing support underscores the depth of the relationship between M23 and the RDF, undermining Rwanda's official stance of non-involvement. Moreover, the

73 DW, "DR Congo conflict pulls in more players to tackle rebels", 20 February 2024, <https://www.dw.com/en/dr-congo-conflict-pulls-in-more-players-to-tackle-rebels/a-68304390>

74 Morgane le Cam, "Confidential UN Report Provides 'solid Evidence' of Rwanda's Involvement in the East DRC," *Le Monde*, 5 August 2022, www.lemonde.fr/en/international/article/2022/08/05/confidential-un-report-provides-solid-evidence-of-rwanda-s-involvement-in-the-east-drc_5992599_4.html.

75 "Report by the Group of Experts on the Democratic Republic of the Congo," United Nations 2023, <https://documents.un.org/doc/undoc/gen/n23/364/37/pdf/n2336437.pdf?token=1BxWwZ1GqXdX9tA38J&fe=true>.

76 "Democratic Republic of Congo Rocked by New M23 Rebel Offensive," *Le Monde*, 22 December 2023, www.lemonde.fr/en/international/article/2023/10/26/democratic-republic-of-congo-rocked-by-new-m23-rebel-offensive_6206156_4.html.

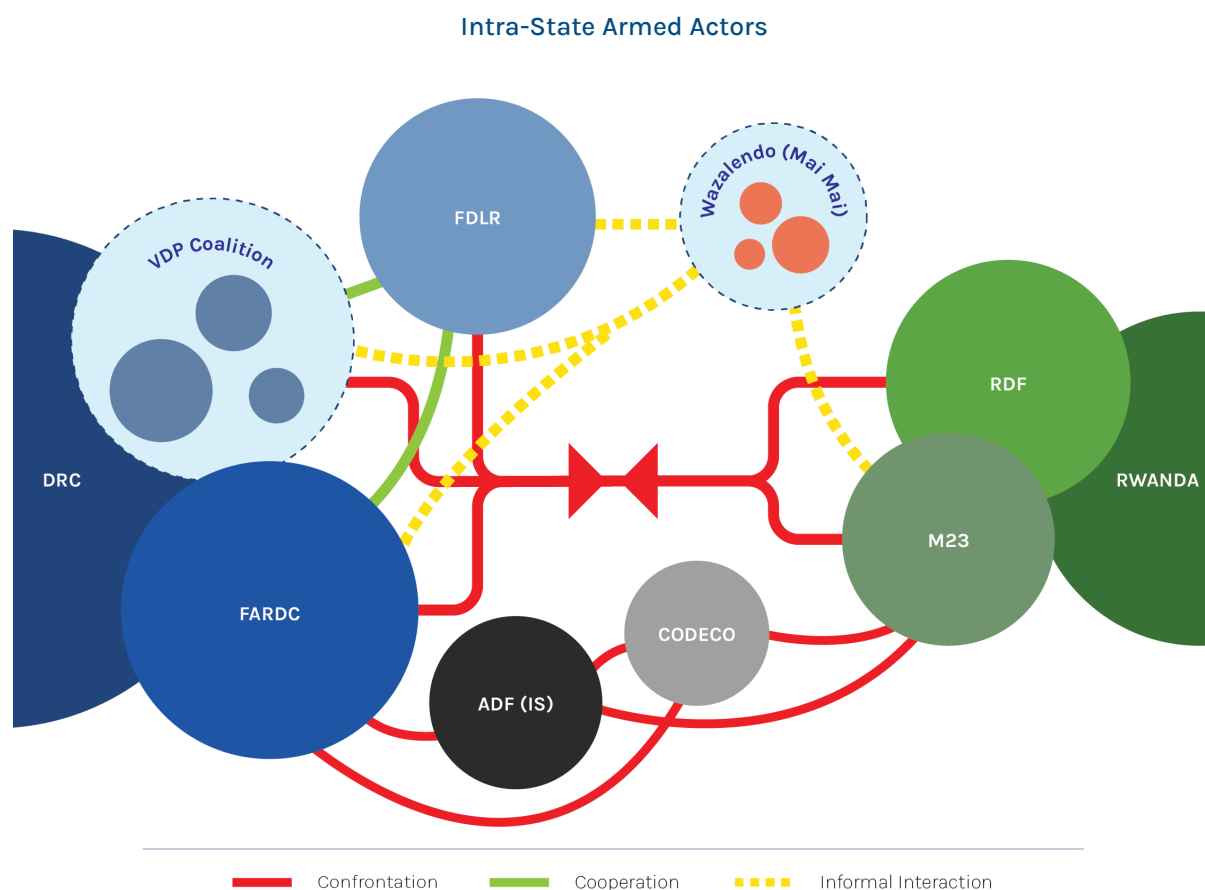


FIGURE 3: ARMED GROUPS ACTIVE IN THE DRC AND THEIR UNDERLYING RELATIONS

recovery of advanced weaponry, such as 120 mm guided mortar shells equipped with precision strike capabilities made by Israel's Elbit Systems, in areas with documented RDF and M23 presence further emphasises the intricate nature of their collaboration.⁷⁷ The introduction of such weaponry into the conflict raises concerns about the potential escalation of violence and destabilisation in the region. Overall, the evidence presented highlights the intertwined relationship between the M23 rebel group and the RDF/Rwanda, despite official disavowals. Regardless of the question of direct support, the perception of an alliance between M23 and Rwanda further aggravates Congolese actors – whether militias or rebel groups.

The relationship between Rwanda and M23 is important to the perpetuation of the conflict as Rwanda allows the movement of illegally mined CRMs from the DRC. These are channelled through Rwanda and Uganda, in part to, the UAE.⁷⁸ In July 2023, the governments of UAE and DRC signed a new deal worth 1.9 billion dollars to develop at least 4 mines in North-Kivu, giving them exclusive rights for the next 25 years.⁷⁹ While some smaller Mai-Mai militias control the mines and fight with each other over control of the mines, the bigger and more powerful armed groups, like M23, facilitate the transport of the CRMs.⁸⁰ Consequently, M23 holds a robust yet nuanced position: it is not directly responsible for the exploitation of

77 "Report by the Group of Experts on the Democratic Republic of the Congo," United Nations 2023.

78 "In Congo, Peace Means a Halt to 'Brutal, Illegal Mining,'" United States Institute of Peace, 7 March 2024, www.usip.org/publications/2024/03/congo-peace-means-halt-brutal-illegal-mining.

79 "UAE Signs Deal to Develop Mines in Eastern DR Congo," Al Jazeera, 18 July 2023, www.aljazeera.com/news/2023/7/18/uae-signs-deal-to-develop-mines-in-eastern-dr-congo.

80 United States Institute of Peace 2024.

the mines, but the extraction of the materials is impossible without their help. M23 has been able to do this by de facto controlling important infrastructure in eastern Congo, like artery roads and crosspoints, made possible through their superior man-power and arsenal. This superior arsenal has largely been empowered due to the support of the Rwandan government, thereby circumventing international arms embargoes.⁸¹ Thus, the continuous support of the Rwandan government is one of the core reasons for the dominance of M23 in eastern Congo.

The other preeminent intra-state actor is the FDLR. Ever since the Summer of 2023, fighting between M23 and the FARDC, supported by the FDLR, has increased. In late September 2023, General Peter Nkuba Cirimwami (Governor ad interim and North Kivu Operations Commander) organised a meeting in Goma, attended by various armed group leaders including the FDLR, under the guise of the P-DDRCS framework. However, according to the UN Group of Experts Report, the meeting was primarily focused on developing a joint strategy between the FARDC, Wazalendo, and the FDLR to combat M23 and RDF forces, rather than suggested disarmament efforts.⁸² The Wazalendo anti-M23 coalition consists partially of the APCLS, NDC-R (Renovated Nduma Defense of Congo), CMC, and the Popular Movement for Self-Defence (MPA). This strategy involved creating the government-sponsored Volunteers for the Defense of the Fatherland (VDP), a proxy force led by various militia leaders, to fight alongside the FARDC. VDP

forces launched offensive operations against M23 positions, with coordination from the North Kivu Governor's office. The FARDC provided support to the VDP, including arms and logistics, in violation of the UN arms embargo and sanctions regime. The use of VDP as a proxy force was reportedly endorsed by high-ranking military officials to secure a military victory before the presidential elections in December.⁸³

Militias such as CODECO and CMC play a significant role in the conflict, particularly in resource-rich areas where they exploit mines and other natural resources.⁸⁴ The resources, as aforementioned, are channelled out of the region, fueling the conflict economy and contributing to its perpetuation.⁸⁵ They mainly finance themselves through illicit trade of goods and natural resources such as gold.⁸⁶ While militias may have minimal direct impact on prolonging the conflict, their actions have a devastating impact on civilians. They frequently violate human rights, commit massacres, and engage in gang rape, causing immense suffering and instability in affected communities.⁸⁷ They also have occasionally attacked peacekeepers in the DRC. Despite this limited role, the severe impacts of militias on civilians make them crucial actors in the ongoing strife and sow seeds of intergenerational conflicts. Some also conduct taxation of people who fall under their territorial control.⁸⁸ Additionally, the ADF, which has now aligned with ISIL, poses a significant threat to the entire region. Unlike other militias, the ADF operates as a terrorist group, conducting attacks beyond the immediate conflict zone,

81 "UN Security Council Sanctions Rebels in DR Congo as Violence Escalates." Al Jazeera, 21 February 2024, www.aljazeera.com/news/2024/2/21/un-security-council-sanctions-rebels-in-dr-congo-as-violence-escalates.

82 Report by the Group of Experts on the Democratic Republic of the Congo - S/2023/990

83 "Report by the Group of Experts on the Democratic Republic of the Congo," United Nations 2023.

84 "Midterm report of the Group of Experts on the Democratic Republic of the Congo," United Nations Security Council, 30 December 2023, <https://reliefweb.int/report/democratic-republic-congo/midterm-report-group-experts-democratic-republic-congo-s2023990-enarruzh>.

85 Ibid.

86 "Tackling Illicit Financial Flows for Sustainable Development in Africa," UNCTAD 2020, https://unctad.org/system/files/official-document/aldcafrica2020_en.pdf.

87 Ibid.

88 "Report by the Group of Experts on the Democratic Republic of the Congo," United Nations 2023.

spilling primarily over into Uganda.⁸⁹ While the ADF does not have active positive linkages to other involved actors, both regional and external actors are united in their efforts to combat this dangerous group and mitigate its destructive influence on the conflict and the broader region.

Overall, rebel groups such as M23 and FDLR often direct their efforts towards challenging opposing state actors and pursuing broader political goals which go beyond the security of their factions. While their initial goals pursued security, due to specific ethnic or political grievances, their activities frequently extend to challenging governmental authority, seeking territorial control, and advancing ideological or secessionist agendas.⁹⁰ Some of the small militias, such as CODECO, were formed during the Simba Rebellion or later during the Congo Wars to protect people, land and resources, often due to weak state presence. The militias' activities, just like the rebel groups, exacerbate intercommunal tensions and hinder peace efforts in the region. It is important to note that after the state actors influence on the conflict, it is M23 and FDLR that de facto lead the fractions. It is mainly the militias that have a high impact on civilian lives. However, it is the existence of rebel groups M23 and FDLR which are prolonging the conflict.

3.B.iii Regional Analysis

The following regional stakeholder analysis prioritises the actors in the Great Lakes Region and the African continent at large. **Figure 4** presents a visualisation of these key regional actors in the eastern DRC conflict. As shown, it pertains primarily to the various African governments as well as regional institutions like SADC. Following this visualisation is an analysis of their relations to each other and their impact on the conflict.

Relations between Rwanda and the DRC have been tense since the end of the Rwandan genocide as explained in Chapter 2. Tensions further intensified during the Congo Wars. The conflictual relationship between the two governments continues to be a source of conflict in the eastern DRC region, particularly due their (accused) proxy-support of rebel groups. According to Kagame, unrest in the eastern DRC region poses a direct security-risk for Rwanda. He continuously highlights Tshisekedi's apparent inability to control the security situation as a legitimization of Rwandan involvement, simultaneously positioning Rwanda as a regional stability provider. Rwanda's political stability and military clout – far outweighing the DRC's – adds substantiation to this ambition, which is further illustrated by its peace efforts in Cabo Delgado, Mozambique. In turn, Tshisekedi argues that this argument is merely a smoke-screen for Rwanda's interest in the DRC's natural resources. In public statements, Tshisekedi often targets Kagame directly with inflammatory rhetoric, comparing him to Hitler and alleging expansionist aims.⁹¹ In anticipation of the DRC's national elections, Tshisekedi even threatened with all-out war, stating that he had "enough of invasions and M23 rebels backed by Kigali" and that "if you re-elect me and Rwanda persists [...] I will request parliament and Congress to authorise a declaration of war. We will march on Kigali. Tell Kagame those days of playing games with Congolese leaders are over."⁹²

Uganda also plays a significant role in regional (in)stability and is actively revitalising its relations with both the DRC and Rwanda. Even though Rwanda and Uganda enjoyed good bilateral relations in the immediate period after the Rwandan genocide, their relations quickly worsened during the Congo Wars and the period afterwards. However, in 2019, the two

⁸⁹ Interview.

⁹⁰ Kate Hairsine, "DR Congo Conflict Pulls in More Players to Tackle Rebels," DW, 21 February 2024, www.dw.com/en/dr-congo-conflict-pulls-in-more-players-to-tackle-rebels/a-68304390.

⁹¹ "Could DR Congo's Tshisekedi Declare War on Rwanda if Re-elected?" Al Jazeera, 21 December 2023, www.aljazeera.com/features/2023/12/21/analysis-could-tshisekedi-declare-war-on-rwanda-if-re-elected.

⁹² Ibid.

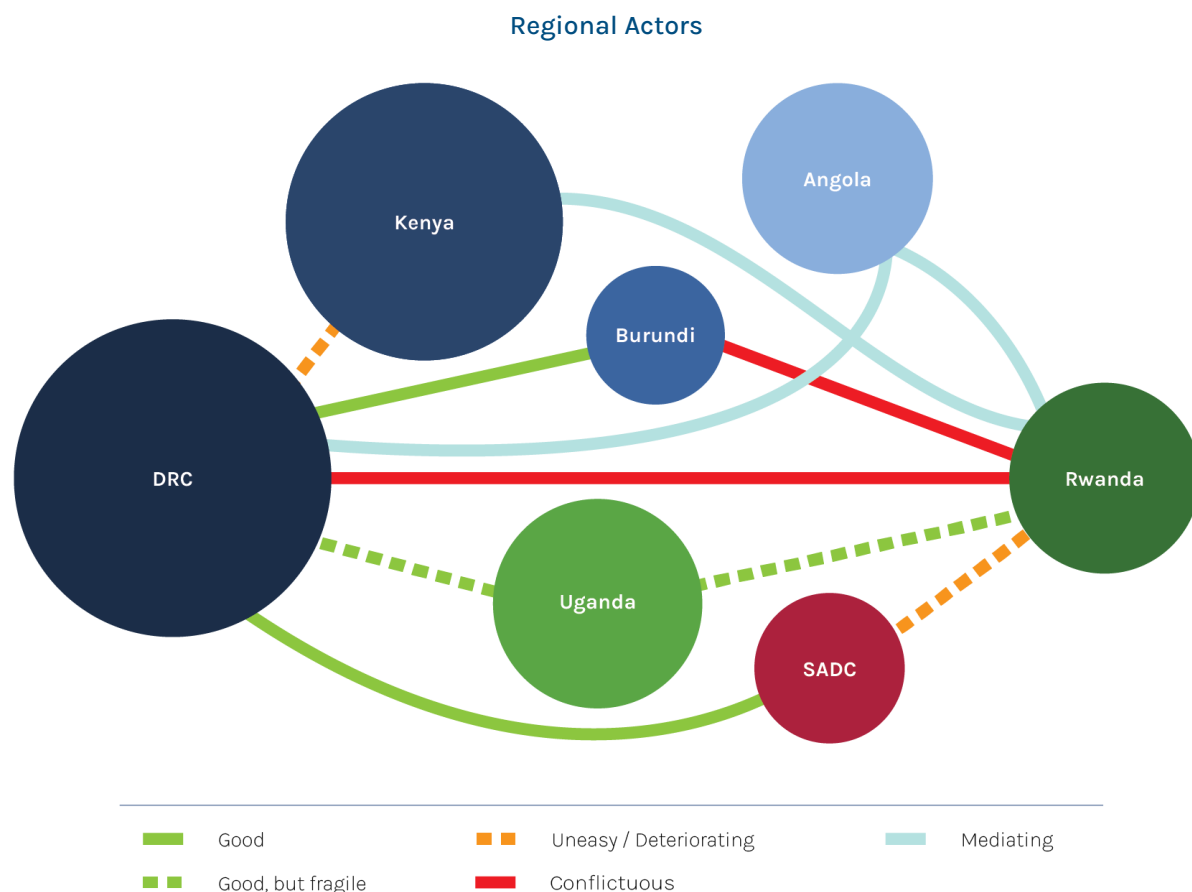


FIGURE 4: REGIONAL (STATE) ACTORS INVOLVED IN THE EASTERN DRC CONFLICT

governments signed a Memorandum of Understanding (MoU) aimed at normalising relations - following an earlier MoU on migration. The MoU was welcomed by the international community, United Nations Secretary General (UNSG) Guterres stating that the UN “encourages the parties to implement the agreement in good faith, with a view to restoring friendly relations and cooperation between the two neighbouring States, in the interest of peace, stability and sustainable development in the region”.⁹³ Similarly, Uganda has strengthened its relationship with the DRC - a relation also historically tumultuous. Tshisekedi recently welcomed Ugandan contractors into the region to build infrastructure and also allowed Ugandan troops to join the fight with rebel groups in the eastern region. At the

same time, Uganda is one of the main processing hubs of illegally mined gold from the eastern DRC and, like Rwanda, has significant financial stakes in the eastern DRC - predominantly through conflict-plagued mines and illicit timber-trade. In this sense, Uganda can be regarded as both an aggravator of conflict and source of balance between the DRC and Rwanda. While the bilateral relationship between the Ugandan and DRC governments is, despite everything, cautiously improving, a clear gap is noticeable between the official DRC stance and popular sentiments. Uganda is often regarded by DRC citizens as an ally of Rwanda in its perceived support of proxy militias and, as such, popularly perceived with suspicion.⁹⁴

93 “Secretary-General Welcomes Rwanda-Uganda Memorandum of Understanding, Urging Neighbours to Restore Friendly Ties Cooperation for Regional Stability,” United Nations, 23 August 2019, press.un.org/en/2019/sgsm19708.doc.htm.

94 Based on an interview with a Congolese researcher for the purposes of this policy advice.

Another regional actor deserving further attention is Burundi, which is often directly caught up in violent conflict. According to the UN, over 1000 Burundi troops belonging to the FDNB, but wearing FARDC uniforms, were present in the eastern DRC region at the end of 2023. Although the Burundi government denied involvement in the eastern DRC outside of official EAC peace efforts, multiple sources have noted confrontations between FDNB and M23 forces.⁹⁵ Furthermore, the DRC and Burundi governments have signed multiple Bilateral Defence Agreements throughout 2023, intensifying their joint military operations against militias in both DRC and Burundi territory. Outside of these agreements, Burundi has also taken up an active role in the EAC's peace and mediation efforts. Important to note as well is that, among the DRC's population, sentiments of allyship exist between the DRC and Burundi. Both countries are perceived as victims of Rwandan violence and, consequently, natural allies.⁹⁶ To add to the regional turmoil, relations between Rwanda and Burundi have recently deteriorated after Burundian president Évariste Ndayishimiye accused Rwanda of supporting the RED-Tabara rebel group, a group based in the eastern DRC and aiming to destabilise the Burundi government through repeated attacks. Burundi even closed its border with Rwanda in January of this year and suspended diplomatic ties.⁹⁷

Several African states have taken up a mediator role in the eastern DRC conflict and the inter-state tensions between the DRC and Rwanda. In April 2022, the EAC launched the

Nairobi process to restore peace and security in the Eastern DRC region. In November of the same year, the EACRF was deployed in North Kivu to "support political process, protection of civilians and enforce peace agreements".⁹⁸ However, due to growing dissatisfaction with the operation's progress, the EACRF exited from the region in December of 2023. Still, East African states – most prominently Kenya – continued their diplomatic mediation efforts, assuming increasingly vocal and proactive roles. However, Tshisekedi's relations with Kenyan President William Ruto deteriorated after Kenya hosted a political-military meeting with DRC opposition figures in Nairobi, straining diplomatic ties between the two governments.⁹⁹ Moreover, even though Kenya is increasingly positioning itself as 'the continent's climate change champion', it is, like Uganda, actively involved in illicit timber trade in the eastern-DRC region.¹⁰⁰

With the physical exit of East African forces from DRC soil, the Congolese government has turned to another regional entity: the SADC. In December of 2023, SADC launched its second AU-backed military mission in the eastern DRC (SAMIDRC), consisting of 5000 troops from Malawi, South Africa and Tanzania. However, the Rwandan government has voiced concern over the SADC mission and the "abandonment of political initiatives by the Government of the Democratic Republic of Congo", referring to the Nairobi process, in which Rwanda assumed a key position. Lastly, Angola has also initiated a mediation process, specifically between Rwanda and the DRC –

95 "Midterm report of the Group of Experts on the Democratic Republic of the Congo," United Nations Security Council 2023.

96 Based on an interview with a Congolese researcher for the purposes of this policy advice.

97 Patrick Hajayandi, "Burundi-Rwanda Rivalry: RED-Tabara Rebel Attacks Add to Regional Tensions." The Conversation, 14 April 2024, theconversation.com/burundi-rwanda-rivalry-red-tabara-rebel-attacks-add-to-regional-tensions-225801

98 "EAC REGIONAL FORCE," EAC, accessed March 2024, www.eac.int/eac-regional-force.

99 Barrack Oduor, "Ruto Congratulates DRC's President for Re-election | Kenyan Foreign Policy," Kenyan Foreign Policy | From Nairobi to the World, 1 Jan. 2024, kenyanforeignpolicy.com/ruto-congratulates-drcs-president-for-re-election.

100 Musinguzi Blanshe, "Kenya talks big on climate change while illegal timber from ancient trees flows in daily from the DRC," The Africa Report, 8 April 2024, <https://www.theafricareport.com/342055/kenya-talks-big-on-climate-while-illegal-timber-from-ancient-trees-flows-in-daily-from-the-drc/#:~:text=Official%20statistics%20The%20Africa%20Report,January%202020%20and%20December%202022>.

mirroring a continent-wide ambition of Angola to become an assertive peace-maker.

3.B.iv Global Analysis

In this analysis, the focus is on non-African actors who either play an (in)direct part in the conflict or take up a relevant position in relation to the EU-DRC relationship. It further takes into account the role of MONUSCO and the perceptions of the local population. Additionally, an in-depth analysis is provided of the EU in which member states' relation to the DRC and to each other is outlined.

Before examining government-specific positions in the eastern DRC, it is essential to consider MONUSCO, the United Nations' peacekeeping mission in the DRC, set to exit at the end of 2024. Established in 2010, MONUSCO aims to stabilise and consolidate peace, protect civilians, promote human rights, and support the political process and institution-building. Despite these goals, the UN has largely failed to meet local and international expectations.

In fact, the peace operation has received widespread critique from the local population in the eastern DRC. Throughout its mandate, MONUSCO has had significant credibility issues, mostly due to its difficulties protecting the eastern DRC's civilian population. The anger towards MONUSCO has led to repeated protests. Even though MONUSCO is predominantly made up of non-western troops, it is widely seen as an extension of the West given protests against MONUSCO have often been linked to or extended anti-western sentiments. These growing anti-western sentiments are predominantly born from western governments' perceived failure to use their

influence over Rwanda to restrain its negative impact in the eastern DRC, or even their direct support of Rwanda. Though several western governments have denounced Rwanda's support for M23, little concrete action has taken place. On the other hand, Western governments are also popularly viewed as being responsible for, or at least contributing to, the looting of the country. The West's position as a major consumer of raw materials and its viewed complicity in the exploitative practices related to this market are seen as a continuation of the historical exploitation and colonisation of the country.¹⁰¹ In February of this year, and fueled by the advance of M23, various demonstrations took place in the DRC against the West. Protesters burned flags of Belgium and the US while demonstrating outside various Western embassies, aiming to put pressure on the governments to take effective action against (Rwandan supported) armed groups in the eastern DRC.¹⁰² In response, the US and the UK even urged its citizens to 'keep a low profile', warning that foreign nationals could be targeted.¹⁰³

The perceived indifference from western governments towards the DRC, or more so to Rwanda, can be partly explained at the hand of the Rwandan Genocide. Outside of the tremendous impact this event had on people in Central Africa, for many western countries it became a dark chapter in their histories. The only high-level official of an Organization for Economic Cooperation and Development (OECD) country to visit Rwanda during the genocide was minister Pronk, who reported back about the humanitarian needs. The Dutch government spearheaded the aid provided to the newly established Rwandan government of Kagame which continues to

101 Makumeno & Chibelushi 2024; United States Department of State 2024; United States Embassy in Georgia 2022.

102 The targeting of the French broadcaster Canal+ was the direct result of the understanding that it refused to broadcast anti-war protests by Congolese during the Africa Cup of Nations; "Anti-Western demonstration in DR Congo as fighting escalates in east," Africa News, 15 February 2024, <https://www.africanews.com/2024/02/15/anti-western-demonstrations-in-dr-congo-as-fighting-escalates-in-east/>

103 Makunemo & Chibelushi 2024.

enjoy support internationally.¹⁰⁴ Belgium's involvement in the Rwandan genocide, however, saw initial ignorance and inadequate response, leading to abandoning the country.¹⁰⁵ Sent peacekeepers were ill-equipped and positioned poorly. When Belgium withdrew, it effectively left Rwanda to its fate. Prime Minister Verhofstadt apologised in 2000 for Belgium's inaction. The inaction also came from France who is held partially responsible for the genocide.¹⁰⁶ In the subsequent years, Bill Clinton offered multiple apologies for the US' failure to act during the genocide. He expressed regret, stating that earlier intervention could have potentially saved a significant portion of the lives lost.¹⁰⁷ Other actors such as Canada and the UN also experienced the genocide as a major policy failure. The positions of western governments during the Rwandan Genocide likely still effects factors into the support for Kagame's regime.

Regarding the official relationship between the US and the DRC, Washington places high importance on their bilateral relationship. However, US restrictions on imports from conflict-affected states and bans on importing "conflict minerals" limit their

trade relationship.¹⁰⁸ US foreign policy in the DRC is largely shaped by its general concern regarding a Russian-Chinese alliance aiming to undermine Western ambitions and interests in the African continent.¹⁰⁹ This is exacerbated by the sale of mines previously owned by American firms to Chinese counterparts during the Obama and Trump administrations.¹¹⁰ Furthermore, these resources are processed mostly in China from where they are exported. Chinese dominance in the supply chain of these resources holds a significant role in boosting China's comparative advantage in the energy and technology arenas. Furthermore, President Biden labelled it as a hindrance to US clean energy aspirations.¹¹¹ In addition, the US is cautious about the effects of Russian disinformation campaigns in African countries, including the DRC.¹¹² Furthermore, whereas Russia and China are known for delivering military material to African countries in abundance with the aim of securing authoritarian regimes' survival or securing their own interests, the US delivers significantly less arms to African countries.¹¹³ Subsequently, the US is mainly associated with the unpopular arms embargo imposed on the DRC from 2008 to 2022,

104 Pyt Douma, "The Netherlands and Rwanda: A Case Study on Dutch Foreign Policies and Interventions in the Contemporary Conflict History of Rwanda," CPRP 2000, www.clingendael.org/sites/default/files/pdfs/20000600_cru_paper_douma.pdf.

105 "Belgium's Role in Rwandan Genocide," Le Monde Diplomatique, 11 June 2021, mondediplo.com/2021/06/11rwanda.

106 Leah Cogan, "France's Role in the 1994 Rwandan Genocide – Human Rights Pulse," Human Rights Pulse, 4 June 2021, www.humanrightspulse.com/mastercontentblog/frances-role-in-the-1994-rwandan-genocide.

107 Helen C. Epstein, "America's Secret Role in the Rwandan Genocide," The Guardian, 5 January 2018, www.theguardian.com/news/2017/sep/12/americas-secret-role-in-the-rwandan-genocide.

108 "FACT SHEET," SEG, 22 August 2012, www.sec.gov/opa/Article/2012-2012-163htm---related-materials.html.

109 "The Dragon and the Bear in Africa: Stress-Testing Chinese-Russian Relations - Foreign Policy Research Institute," Foreign Policy Research Institute, November 2023, www.fpri.org/article/2023/11/the-dragon-and-the-bear-in-africa-stress-testing-chinese-russian-relations.

110 Eric Lipton and Dionne Searcey, "How the U.S. lost ground against China in the Contest of Clean Energy," New York Times, 7 December 2021, <https://www.nytimes.com/2021/11/21/world/us-china-energy.html>.

111 "Remarks by President Biden on the Bipartisan Infrastructure Law," The White House, 18 November 2021, www.whitehouse.gov/briefing-room/speeches-remarks/2021/11/17/remarks-by-president-biden-on-the-bipartisan-infrastructure-law-2.

112 "The Kremlin's Efforts to Spread Deadly Disinformation in Africa - United States Department of State," United States Department of State, 12 February 2024, www.state.gov/the-kremlins-efforts-to-spread-deadly-disinformation-in-africa-2; "How the Kremlin spreads disinformation in Africa," United States Embassy in Georgia, 6 July 2022, <https://ge.usembassy.gov/how-the-kremlin-spreads-disinformation-in-africa/>.

113 "United States provides additional US 6 million for conventional weapons destruction in the Democratic Republic of the Congo," US Embassy in the DRC, 22 October 2020, <https://cd.usembassy.gov/united-states-provides-additional-us-6-million-for-conventional-weapons-destruction-in-the-democratic-republic-of-the-congo/>. From 2010 to 2021, both countries each sold more than US \$2 billion worth of military material to Sub-Saharan African countries, whereas the US sold a quarter that number.

during which Kinshasa had to obtain permission from a UN sanctions committee for all arms purchases.

While the UK officially condemns the ongoing conflict in the eastern DRC, it has not directly accused Rwanda of backing M23 because of amicable British-Rwandan ties. Critics say the British government was reluctant to criticise Rwanda due to the asylum deal signed in April 2022, and which officially passed parliament in April 2024 – strengthening Rwanda’s strategic position.¹¹⁴ Nonetheless, within the UNSC, the representative of the UK, expressed deep concern about the worsening violence in the eastern DRC and condemned M23's continued advance. He called on external actors to end their support for violent armed groups in the DRC, including M23.¹¹⁵

The Chinese relationship with the DRC is heavily influenced by economic factors as well as weapon deliveries. Beijing controls the majority of cobalt, uranium and copper mines in the DRC (70% in 2020) and therefore functions as a critical node in the supply chain of these natural resources to Western countries.¹¹⁶ For example, the DRC cobalt industry is now mainly dominated by Chinese state owned enterprises (SOEs). 90%

of the cobalt, that is being used for lithium batteries, is extracted by Chinese SOEs.¹¹⁷ On multiple occasions, accusations of human rights abuses in the eastern DRC have surfaced, such as unlawful seizures of communities’ lands and child labour.¹¹⁸ Moreover, it is important to highlight the Chinese willingness to make long-term investments in artisanal mining sites in conflict areas. According to Sanne van der Lugt, this has been done on invitation by the DRC.¹¹⁹ Beijing also delivers Chinese drones and weaponry to the Congolese government to fight rebels such as M23 within its territory. In addition, it has sold arms to Uganda for military operations against ADF rebels in DRC territory. These purchases helped secure business deals resulting in the control of many Congolese mines by Chinese firms.¹²⁰

Russian foreign influence in the DRC has grown significantly over the past decade. The Africa Center for Strategic Studies found that the DRC has been subject to Russian attempts to spread disinformation, undermine civil society, provide political support to rulers or presidential candidates and give military training to their armed forces.¹²¹ Research from independent Russian journalists in 2019

114 Henry Ridgwell, “Western Donors Pressed to Sanction Rwanda as DRC Violence Escalates,” Voice of America, 17 March 2023, www.voanews.com/a/western-donors-pressed-to-sanction-rwanda-as-drc-violence-escalates-/7010244.html.

115 “Escalating Violence in Democratic Republic of Congo Exacerbating Humanitarian Crisis, Special Representative Warns Security Council, Urging Durable Political Solution - Democratic Republic of the Congo,” ReliefWeb, 21 February 2024, reliefweb.int/report/democratic-republic-congo/escalating-violence-democratic-republic-congo-exacerbating-humanitarian-crisis-special-representative-warns-security-council-urging-durable-political-solution.

116 Diana Kinch, “Chinese dominance of DRC mining sector increases economic dependence: Mines Chamber,” S&P Global, 1 December 2020, <https://www.spglobal.com/commodityinsights/en/market-insights/latest-news/metals/120120-chinese-dominance-of-drc-mining-sector-increases-economic-dependence-mines-chamber>.

117 Stacey Links et al., “Chinese Approaches to Overseas Responsible Business: Insights From the DRC Cobalt Industry,” Leiden Asia Center, October 2021, <https://leidenasiacentre.nl/wp-content/uploads/2021/10/Chinese-Approaches-to-Overseas-Responsible-Business.pdf>.

118 “Profits and Loss: Mining and Human Rights in Katanga, Democratic Republic of the Congo,” Amnesty, 19 June 2023, <https://www.amnesty.nl/actueel/profits-and-loss-mining-and-human-rights-in-katanga-democratic-republic-of-the-congo>; “Powering Change or Business as usual? Forced Evictions at Industrial Cobalt and Copper Mines in the Democratic Republic of the Congo,” Amnesty, 11 September 2023, <https://www.amnesty.org/en/documents/afr62/7010/2023/en/>.

119 Sanne van der Lugt, “Six Persistent Myths About China-Africa Relations,” Clingendael Spectator, accessed March 2024, <https://spectator.clingendael.org/nl/publicatie/six-persistent-myths-about-china-africa-relations>.

120 “Conflict in the Democratic Republic of Congo | Global Conflict Tracker,” Global Conflict Tracker, accessed March 2024, www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo.

121 “Tracking Russian Interference to Derail Democracy in Africa,” Africa Center for Strategic Studies, 3 October 2023, africacenter.org/spotlight/russia-interference-undermine-democracy-africa.

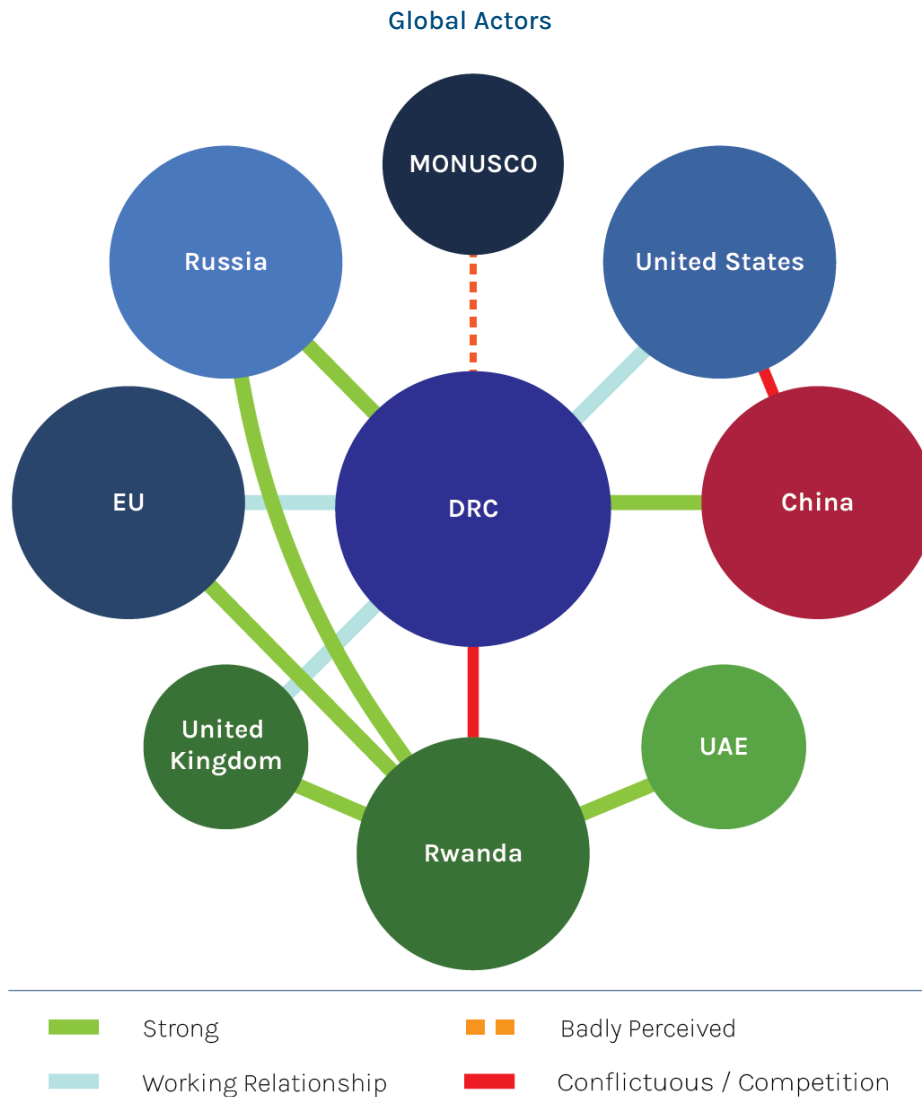


FIGURE 5: GLOBAL (STATE) ACTORS AND THEIR RELATION TO THE DRC

argued the DRC and Rwanda host Russian political strategists and the latter also utilises Wagner mercenaries.¹²² In addition, Russia has played an active role in the suppression of opposition groups in the aforementioned countries as well as Uganda.¹²³ Generally, Russia offers political and media advisers to assist local leaders during elections, together with long-term military assistance and training. In return,

Russia is granted concessions in mining for gold and other precious minerals, oil and gas contracts, as well as railway and road-building deals.¹²⁴ On the 5th of March 2024, Russia approved a draft military cooperation agreement with the DRC for the organisation of joint drills and exercises, participation in and monitoring drills, visits by warships and warplanes, training of the military and other formats of cooperation.¹²⁵

122 "How Russia interfered in elections in twenty countries", Proekt, 11 April 2019, <https://www.proekt.media/en/article-en/russia-african-elections/>.

123 "Mapping Disinformation in Africa," Africa Center for Strategic Studies, 8 December 2023, africacenter.org/spotlight/mapping-disinformation-in-africa.

124 Luke Harding, "Pragmatism and Ideology Drive Kremlin's Interest in Africa," The Guardian, 11 June 2019, www.theguardian.com/world/2019/jun/11/pragmatism-and-ideology-drive-kremlins-interest-in-africa.

125 "Russian Government Approves Draft Agreement on Military Cooperation With DRC." TASS, 5 March 2024, tass.com/defense/1755957.

The UAE plays an important role in the global redistribution of Congolese gold that has been smuggled by rebel groups in the eastern DRC to either Rwanda or Uganda.¹²⁶ The UAE is the biggest export partner of both countries and the majority of their exports to Abu Dhabi concern gold. Because of the illicit means employed to acquire the gold, considering neither country has sufficient domestic gold production, which is exported abroad and lack of sufficient government supervision over gold trade, the official numbers of trade do not equate. This situation has lasted for years, even before the M23 rebellion that took up arms again in 2021. For instance, the 2019 UN Group of Experts Report on the DRC reported that the official Rwandese numbers of 2018 gold export to the UAE amounted to 2,163 kg, whereas Emirati official numbers declared 12,539 kg of gold imports from Rwanda, which implies potential export under-invoicing and/or smuggling.¹²⁷ Therefore, the UAE has a direct interest in the presence of rebel groups engaging in illicit activities in the eastern DRC.

3.B.v EU Analysis

3.B.v.a EU External DRC Policies

In October 2023, the EU signed three MoU's with Zambia and the DRC to develop critical raw materials value chains and boost

transport connectivity. Bilateral MoU's were also signed with Zambia and the DRC concerning "partnership on critical and raw material value chains" and a multilateral MoU with the US, the DRC, Zambia, Angola, the African Development Bank and the Africa Finance Corporation to support the development of the "Lobito Corridor". This transport corridor aims to connect the southern part of the DRC and the north-western part of Zambia to regional and global trade markets via the Port of Lobito in Angola. All three MoU's were signed as part of the EU's Global Gateway strategy, aiming to strengthen global partnerships and sustainable socioeconomic development in Zambia and the DRC, whilst simultaneously benefitting the EU in terms of its green energy transition.¹²⁸

Even though clear attempts are made at strengthening the EU-DRC partnership, critics highlight the contradiction in the EU's actions regarding the conflict in the DRC and its engagement with Rwanda.¹²⁹ On one hand, the High Representative (HR) Josep Borrell issued a statement on 27 February 2024 where it condemned Rwanda's support for rebel groups like M23 operating in the DRC, citing concerns about escalating violence and human rights abuses.¹³⁰ On the other hand, two weeks before Borrell's condemnation, the EU signed a MoU with Rwanda aiming to

126 David Lewis, "Gold worth millions smuggled out of Africa," Reuters, 24 April 2019, <https://www.reuters.com/investigates/special-report/gold-africa-smuggling/>; "Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo," United Nations Security Council 16 October 2002, <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/DRC%20S%202002%201146.pdf>.

127 "Final report of the Group of Experts on the Democratic Republic of the Congo," United Nations Security Council, 7 June 2019, <https://documents.un.org/doc/undoc/gen/n19/136/10/pdf/n1913610.pdf?token=7J0k9IJV1FkTLpCB4y&fe=true>; "All That Glitters: The Struggle Over Congolese Gold," Congo Research Group, 15 May 2023, www.congoresearchgroup.org/en/2023/05/15/all-that-glitters-the-struggle-over-congolese-gold; Ann Garrison, "Rwanda Exports 2,163 Kg of Gold, UAE Imports 12,539 Kg of It," Black Agenda Report, 13 November 2019, www.blackagendareport.com/rwanda-exports-2163-kg-gold-uae-imports-12539-kg-it; UNCTAD 2020.

128 "Global Gateway: EU signs strategic partnerships on critical raw materials value chains with DRC and Zambia and advances cooperation with US and other key partners to develop the 'Lobito Corridor,'" European Commission, 26 October 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5303.

129 M. Apelblat, "EU condemns Rwanda's support to rebel group in DRC, signs agreement on raw materials," Brussels Times, 8 March 2024, <https://www.brusselstimes.com/956676/eu-condemns-rwandas-support-to-rebel-group-in-drc-signs-agreement-on-raw-materials>.

130 "Democratic Republic of the Congo: Statement by High Representative / Vice-President Josep Borrell At the EP debate on the situation in the Eastern Provinces," EEAS, 27 February 2024, https://www.eeas.europa.eu/eeas/democratic-republic-congo-statement-high-representative-vice-president-josep-borrell-ep-debate_en.

foster cooperation in the raw materials sector.¹³¹

The MoU seeks to establish close cooperation between Rwanda and the EU to ensure the proper functioning and sustainability of value chains, signifying the EU's intention to collaborate closely with Rwanda on raw materials mentioned in the CRM Act. However, the Congolese government has accused Rwanda of intentionally exploiting the DRC's mineral resources, and consequently allegations of the EU's complicity in this exploitation arise. Despite these allegations and the condemnation of Rwanda's involvement in the DRC conflict, the EU defends its decision to sign the MoU by emphasising its commitment to promoting sustainable and responsible development of raw material supply chains. The EU argues that the MoU with Rwanda aligns with the Great Lakes Strategy and aims to enhance traceability, transparency, and the fight against illegal mineral trafficking. Nonetheless, it partially appears to contradict the Great Lakes Strategy as it indirectly contributes to the deteriorating regional stability.

3.B.v.b Internal EU Relations DRC

A few Member States have accused Rwanda directly of supporting M23 in North Kivu. The

German Foreign Ministry's director for sub-Saharan Africa, Christoph Retzlaff, tweeted that Rwanda should "immediately cease" its support for M23 and quickly contribute to a solution to the crisis.¹³² Similarly, the French authorities released a statement that France "condemns the continuation of M23 offensives with the support of Rwanda, and the presence of Rwandan forces on Congolese territory," and called on Rwanda to cease all support for M23.¹³³ The Belgian Foreign Affairs Minister as well has expressed deep concerns about the escalating violence in North Kivu and specifically called on Rwanda to end its support of M23.¹³⁴ Slovenia too called for an immediate cessation of hostilities.¹³⁵ The representative of Slovenia in the UNSC stressed that M23 must immediately cease hostilities and withdraw from occupied territories, and that all States must cease support to armed groups.¹³⁶

The Maltese representative in the UNSC underlined the need to cease all support to M23 and expressed that Malta has repeatedly supported initiatives towards de-escalation.¹³⁷ While on the one hand Malta seems to take a clear stance against the violence, the Member State has also signed multiple MoU's with Rwanda.¹³⁸

Poland presents a similar pattern. Initially, the Polish representative in the UNSC

131 "EU and Rwanda sign an Memorandum of Understanding on Sustainable Raw Materials Value Chains," European Commission, 19 February 2024, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_822.

132 "Germany, France add pressure on Rwanda over alleged support for M23-rebels," Africa News, 21 December 2022, <https://www.africanews.com/2022/12/21/germany-france-add-pressure-on-rwanda-over-alleged-support-for-m23-rebels/>

133 "France 'Very Concerned' about intensified DRC, M23 Fighting," VoA, 20 February 2024, <https://www.voafrika.com/a/france-very-concerned-about-intensified-drc-m23-fighting/7495025.html>

134 "Belgium expresses deep concern over escalating violence in North Kivu, DRC," The Rwandan, 9 February 2024, <https://www.therwandan.com/belgium-expresses-deep-concern-over-escalating-violence-in-north-kivu-drc/>

135 "The Conflict in Eastern DRC: All hostilities must cease," Slovenia UNSC 27 March 2024, <https://buildingtrust.si/the-conflict-in-eastern-drc-all-hostilities-must-cess/>

136 Ibid.

137 "Escalating Violence in Democratic Republic of Congo, Exacerbating Humanitarian Crisis, Special Representative Warns Security Council, Urging Durable Political Solution," UNSC, 21 February 2024, <https://reliefweb.int/report/democratic-republic-congo/escalating-violence-democratic-republic-congo-exacerbating-humanitarian-crisis-special-representative-warns-security-council-urging-durable-political-solution>.

138 "Minister Biruta holds bilateral meeting with his counterpart of Malta," MINAFETT, 11 May 2023, <https://www.minafett.gov.rw/updates/news-details/minister-biruta-holds-bilateral-meeting-with-his-counterpart-of-malta>.

expressed support for the DRC and condemned Rwanda for its support for rebels fighting in North Kivu.¹³⁹ However, during a recent visit to Rwanda, Polish President Duda stated that “if Rwanda is ever in danger, we will also support it”.¹⁴⁰ The DRC Foreign Minister has criticised Poland over its support for Rwanda and called Poland’s actions “two-faced” and argued that the recent visit is proof that Poland has allied itself with Rwanda despite previously supporting the DRC at the UNSC.

Various Member States have signed MoU’s with Rwanda without expressing a clear position towards the conflict or the stabilisation thereof. Spain, Greece, Hungary, Finland and Latvia signed a MoU with Rwanda.¹⁴¹ Portugal and the Czech Republic did not sign a MoU with Rwanda but do display “significant economic ties” with the country.¹⁴²

There are close ties between Belgium and the DRC and both countries have agreed on a way

forward in their relationship and addressed the importance of renewed, close cooperation.¹⁴³ It also appears Belgium is the most strongly opposed to EU financing for the Rwandan army in Mozambique, considering the ongoing conflict in eastern DRC.¹⁴⁴ Furthermore, Italy indicated that there is a “long-standing friendship” between Italy and the DRC and the cooperation between the two countries is very strong.¹⁴⁵ As for the Netherlands, it is positioned rather neutral towards the political struggles between the DRC and Rwanda. Overall, it favours a regional approach, very much in line with the EU’s Great Lakes Strategy, in which a balance is struck between political interests and development cooperation.¹⁴⁶ Member States such as Belgium, Sweden, Germany and France, states that are relatively proactive when it comes to EU engagement with the DRC, seem to have similar priorities. Together with these member states, the Netherlands participates in two Team Europe

139 Agata Pyaka, “Polish president criticised by DR Congo over cooperation with Rwanda,” Notes from Poland, 15 February 2024, <https://notesfrompoland.com/2024/02/15/polish-president-criticised-by-dr-congo-over-cooperation-with-rwanda>.

140 Ibid.

141 “Rwanda and Spain sign MOU to consolidate bilateral cooperation,” IGIHE, 17 December 2020, <https://en.igihe.com/news/article/rwanda-spain-sign-mou-to-consolidate-bilateral-cooperation>; “Why Greece mulls Rwanda as gateway for strengthened cooperation with Africa,” IGIHE, 6 November 2021, <https://en.igihe.com/news/article/why-greece-mulls-rwanda-as-gateway-for-strengthened-cooperation-with-africa>; Minister Vicent Biruta in working visit to Hungary for a two-day working visit,” MINAFFET, 12 February 2020, <https://www.minaffet.gov.rw/updates/news-details/ministerbirutainworkingvisittohungaryforatwo-dayworkingvisit>; Collins Mwai, “Rwanda, Finland look to stronger economic operation,” New Times, 10 December 2020, <https://www.newtimes.co.rw/article/182382/News/rwanda-finland-look-to-stronger-economic-cooperation>; “Latvia and Rwanda undertake to promote economic cooperation and sign memorandum of understanding for the establishment of political consultations,” Ministry of Foreign Affairs of the Republic of Latvia, 2 June 2023, <https://www.mfa.gov.lv/en/article/latvia-and-rwanda-undertake-promote-economic-cooperation-and-sign-memorandum-understanding-establishment-political-consultations>.

142 “Rwanda and Portugal vow to boost bilateral cooperation,” APA News, 12 February 2024, <https://apanews.net/rwanda-and-portugal-vow-to-boost-bilateral-cooperation/>; “Rwanda, the Czech Republic’s promising partner in Africa, condemned the aggression against Ukraine,” Ministry of Foreign Affairs of the Czech Republic, 8 March 2022, https://mzv.gov.cz/jnp/en/issues_and_press/archive/events_and_issues/x2022/rwanda_the_czech_republic_s_promising.html.

143 Barbara Moens, “In Congo, Belgian King tries to move past the past,” Politico, 8 June 2022, <https://www.politico.eu/article/democratic-republic-congo-belgium-king-tries-to-move-past-the-past-colonialism/>.

144 “Spotlight: Mozambique. EU split over further funding for Rwandan troops in Cabo Delgado,” Africa Intelligence, 16 April 2024, <https://www.africaintelligence.com/southern-africa-and-islands/2024/04/16/eu-split-over-further-funding-for-rwandan-troops-in-cabo-delgado.110216064-eve>.

145 “President Meloni’s press statement with the President of the Republic of the Congo,” Italian Government (Presidency of the Council of Ministers), 13 October 2023, <https://www.governo.it/en/articolo/president-meloni-s-press-statement-president-republic-congo/23944>.

146 This is according to personal correspondence with Dutch policy officers

Initiatives (TEI) within the DRC; the 'Peace and Security' and 'Green Alliance' TEI's. Moreover, these five member states have also made efforts to progress a Joint Programming strategy.¹⁴⁷ Beyond development cooperation, there are no significant indications of bilateral cooperation or strong economic ties between other EU Member States and the DRC.

When it comes to the adoption of sanctions in the DRC, up until this point, there have been little internal political struggles.¹⁴⁸ Generally speaking, most Member States are in favour of sanctions. In this regard, it is recognized that sanctions form an important means of exerting diplomatic pressure and reflect a strong symbolic value. While sanctions are commonly acknowledged as a viable method, challenges persist in their implementation and adoption. As sanction policy is part of the EU's Common and Foreign Security Policy (CFSP), adoption requires unanimity. This renders sanctions prone to fluctuating political internal relations within the Union.

Both contemporary political situations and historical ties are relevant factors when identifying hurdles before adopting sanctions within the EU. Specifically, some Member States may be less inclined to allow for the imposition of sanctions when they have certain interests, for instance in terms of trade, resources, or cooperation on matters such as migration, in a certain country or region. Furthermore, historical ties between a Member State and a third country could stimulate the Member State to take a less harsh stance on sanctions compared to other Member States.¹⁴⁹ Therefore, with respect to EU political internal relations, considering the specific bilateral relations between Member States and the third party is incredibly important. It should, however, be noted that generally

speaking, the Netherlands is one of the main drivers behind adopting sanction regimes.¹⁵⁰

While there appears to be a consensus within the EU regarding DRC sanctions, it is important to consider that certain interests, such as the availability of resources in the region, or shifts in political dynamics, could potentially hinder the continued adoption of these relatively 'less controversial' sanctions regimes in the future.

147 "Democratic Republic of the Congo," Team Europe Initiative and Joint Programming Tracker, 21 August 2023, https://capacity4dev.europa.eu/resources/team-europe-tracker/partner-countries/democratic-republic-congo/tei_en.

148 This is according to personal correspondence with Dutch policy officers.

149 This is according to personal correspondence with Dutch policy officers.

150 This is according to personal correspondence with Dutch policy officers.

4. Sanction Procedures

This chapter aims to provide a general overview of the sanction procedure within the United Nations, the European Union, the US and the UK.¹⁵¹ This chapter commences with a brief overview of the UN sanction procedure, as UN sanctions are binding for the EU, US and UK. Secondly, the sanction procedure at EU level will be considered. In that regard, it sets out the adoption of sanctions on the EU level, their implementation and enforcement. Thirdly, the chapter provides a brief overview of the respective sanction adoption procedures of the US and UK. The following chapter shall move on to discuss and evaluate the current sanction regimes in place.

4.A UN Sanction Procedure

The UNSC may adopt restrictive measures under chapter VII of the UN Charter. Restrictive measures, pursuant to Article 41 of the UN Charter, can take several forms. The measures range from comprehensive economic and trade sanctions to more targeted measures, *inter alia*, arms embargoes. Every UN Member State is obliged to implement the sanctions as imposed by the UNSC, although the UN has limited ability to ensure compliance.

4.B EU Sanctions Procedure

4.B.i Sanctions under the CFSP

To enact sanctions, all 27 Member States must unanimously vote in favour within the Council of the European Union, the Foreign Affairs Council, in consultation with the EU's High Representative for Foreign Affairs (HR). This Council comprises the Council president, the president of the European Commission, and pertinent ministers from all EU member states. Specifically tasked

with sanction adoption, the Foreign Affairs Council is the operational body responsible for these decisions and is made up of ministers of foreign affairs of all the Member States.

Sanctions, also referred to as “restrictive measures” in EU law, are imposed under the framework of the CFSP. Generally speaking, sanctions are adopted by the EU to bring about a change in policy or behaviour by the country, entity or individual targeted.¹⁵² In addition, sanctions entail an important signalling function, as they are a means through which the EU can express its concern and disapproval of for instance human rights violations. A second signalling function includes the fact that actions or policies sanctioned by the EU indicate to third actors that such actions the EU finds unacceptable, preventing such third actors from undertaking similar actions. When imposing sanctions, consideration of the general objectives of the CFSP, which are defined in Article 21 of the Treaty on the EU (TEU), is paramount. At all times, sanctions must be in accordance with the objectives as laid down in this article. This concerns, *inter alia*, democracy, the rule of law, human rights and respect for the UN Charter and international law. Furthermore, Article 21 TEU determines that the EU should strive for common policies and actions, with a high degree of cooperation in all fields of international relations.

EU Regulations adopting restrictive measures do not mention specific goals or benchmarks as to when the sanction objective is “achieved”, but do cite in the Recitals why the sanction is being adopted. In general, restrictive measures are imposed to bring about a behavioural change in order to realise CFSP objectives.¹⁵³ The EU Sanction

¹⁵¹ This selection is based on the request for this policy advice. Additionally, as the UNSC imposes binding sanctions for both the EU and the Netherlands, a brief note on this actor is provided.

¹⁵² See paragraph 4 in “Sanctions Guidelines – update,” Council of the European Union, 4 May 2018, <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>.

¹⁵³ “Sancties,” Ministerie van Buitenlandse Zaken, accessed 4 March 2024, <https://ecer.minbuza.nl/ecer/dossiers/buitenlands-en-veiligheidsbeleid/sancties.html>.

Guidelines stress the importance of a clear and consistent goal of restrictive measures. In this light, it is recommended to include both the overall strategy and the specific goal in the introductory remarks of the relevant legal instrument.

4.B.ii Adopting Sanctions

EU sanctions generally take three forms: (i) autonomous EU sanctions, (ii) sanctions that are imposed by the UNSC and (iii) a mixed regime of UN-EU sanctions, where the EU imposes additional restrictive measures. Entities targeted by sanctions range from individuals to economic sectors and countries. With respect to the nature of the sanctions imposed, the EU typically uses a variety of measures, inter alia, trade restrictions, asset freezes, travel bans, and arms embargoes. All of these measures should be imposed in accordance with European law and international law (such as the UN Charter, WTO agreements and the General Agreement on Tariffs and Trade).¹⁵⁴

4.B.iii Procedural Aspects

In essence, the HR and the Council of the European Union are the two main instrumental entities responsible for the imposition of EU sanctions. The HR, together with the Member States, enjoys the right of initiative when it comes to initiating a sanction adoption procedure. The Council consequently has the authority to decide upon the actual imposition of sanctions under Article 29 TEU.¹⁵⁵ The process therefore typically commences with a proposal made by the HR with all Member States. Subsequently, the preparation begins in the Council's preparatory bodies. This first concerns the relevant Council working party that is concerned with the region to which the sanctions are targeted. For the DRC, this concerns the Africa Working Party (COAFR). Furthermore, after a proposal has been made, the Working Party of Foreign Relations

Counsellors (RELEX) reviews the proposal. RELEX deals with the financial, legal and economic issues concerning the imposition of sanctions.

In this regard, the weight that is given to possible legal concerns with respect to the sanctions will depend on the specific political context. In some situations, the Council might still want to go ahead with the adoption of sanctions, despite legal concerns. In the context of the DRC, and the less controversial nature of the sanctions in play, more emphasis is placed on legal considerations.¹⁵⁶ Depending on the situation, the Political and Security Committee could also take part in the preparatory phase. Finally, the Committee of Permanent Representatives (Coreper II), being the last preparatory body of the Foreign Affairs Council, gives approval to the outcome negotiated in RELEX. After adoption by the Foreign Affairs Council (which formally occurs when the decision is published in the Official Journal of the European Union), the Council of the EU informs the European Parliament.

4.B.iv Negotiations in the Preparatory Bodies of the Council

All sanctions regimes are adopted unanimously. As a result, each Member State has a large influence over the sanctions regime during the negotiations that take place in the preparatory bodies of the Council. Member States can block certain measures or the advent of a new sanctions regime due to political or economic interests. In order to reach a compromise between Member States, national interests are reflected in the negotiated outcome of the legal texts and listings.

These negotiations are often centred around whether or not to adopt humanitarian exception clauses in the proposed measure.¹⁵⁷ In the UN Sanctions regime, Resolution 2664

¹⁵⁴ "Sanctions Guidelines – update," Council of the European Union, 4 May 2018, <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>.

¹⁵⁵ Ibid.

¹⁵⁶ This is according to personal correspondence with a Dutch policy officer.

¹⁵⁷ This is according to personal correspondence with a Dutch policy officer.

(2022) provides a humanitarian exception clause that explicitly excludes humanitarian action from UN financial sanctions.¹⁵⁸ A recent change in EU policy has led to an adoption of this Resolution on EU level and, after including the 2664 exception in EU-UN mixed regimes, introduced humanitarian exceptions into EU autonomous sanction regimes.¹⁵⁹ As such, since February 2024, humanitarian exceptions can be imposed in EU autonomous sanctions. These exceptions are negotiated in the preparatory bodies of the Council on a case-by-case basis, evaluating the benefits and risks of humanitarian exceptions for each specific regime.¹⁶⁰

4.B.v Legal Form of the Measures

Before moving on to discuss the implementation of sanctions, it is important to first consider the legal form of these measures. This is because the precise legal form of sanctions has consequences for their implementation, for instance in terms of applicability. Asset freezes and/or other types of economic sanctions in areas in which the EU possesses exclusive or shared competence are laid down in Council Regulations, and therefore enjoy direct effect, meaning that they do not have to be incorporated into national legislation.¹⁶¹ Sanctions, or amendments and extensions thereof, may also be laid down in Council Decisions. In the Netherlands EU sanctions are, as far as necessary, transposed into



FIGURE 6: THE PROCESS OF ADOPTING AN EU SANCTION

¹⁵⁸ Elizabeth Rushing, "Unlocking Aid: The EU'S 2023 Shift in Sanctions Policy To Safeguard Humanitarian Efforts", Humanitarian Law & Policy Blog, 25 March 2024, https://blogs.icrc.org/law-and-policy/2024/01/23/unblocking-aid-eu-2023-sanctions-policy-humanitarian-efforts/#_ftnref7.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ "Dutch Government Policy On International Sanctions", Ministerie van Algemene Zaken, 18 September 2023, <https://www.government.nl/topics/international-sanctions/policy-international-sanctions>.

national legislation under the Sanctions Act 1977.¹⁶²

4.B.v.a Implementation

As noted above, the primary responsibility for the implementation of EU sanctions lies with the Member States. This, in turn, could potentially cause differentiation in sanction applicability throughout the EU, which is why the Commission monitors implementation as will be further described below. The Commission supports Member States in the process of sanction implementation and has provided guidelines on the implementation and evaluation of sanctions (Guidelines on the Implementation and Evaluation of Restrictive Measures in the Framework of the EU Common Foreign and Security Policy).¹⁶³ These guidelines address several general issues related to the implementation of sanctions and present common definitions that may be used in the legal instruments implemented by the Member States. Moreover, the Council has developed EU Best Practices for the Effective Implementation of EU Restrictive Measures where it provides non-exhaustive recommendations of a general nature for an effective implementation of sanctions in accordance with EU law and national legislation.¹⁶⁴

4.B.v.b Enforcement

With regards to the enforcement of sanctions, the Commission has a monitoring role, and it is the duty of the designated competent authorities of the Member States to assess potential breaches of the legislation and initiate appropriate measures.¹⁶⁵ Although it depends on the nature of the

sanction measure as described above, the EU institutions generally play a minor role in the enforcement of sanctions. Still, when a Member State fails to comply with EU law, the Commission can start an action for infringement under Article 258 of the Treaty on the Functioning of the European Union (TFEU).

It is imperative to acknowledge however that the imposition of sanctions at the national level presents inherent challenges. Notably, not all Member States possess commensurate levels of technological infrastructure and human capital necessary for the effective enforcement of such measures.¹⁶⁶ Initiatives have spurred harmonisation of sanction enforcement. The decentralised implementation of EU sanctions results in disparate levels of enforcement across various EU nations.

On Tuesday, 12th December 2023, the European Parliament and Council arrived at a provisional consensus regarding a proposal aimed at standardising criminal offences and corresponding penalties pertaining to breaches of EU sanctions.¹⁶⁷ This initiative seeks to facilitate the investigation and prosecution of violations while ensuring uniformity in sanctions enforcement among Member States. The initiative intends to establish a foundational framework for penalties, encompassing mandates such as a minimum five-year imprisonment for specific offences, alongside augmented regulations concerning asset freezing and confiscation. While commendable as a preliminary measure, such initiatives should be further streamlined and reinforced in the foreseeable future to enhance their

¹⁶² Restrictive measures originating from an EU Regulation do not need to be transposed into Dutch law. However, Dutch legislation needs to be amended when an arms embargo is imposed. For Dutch Sanction legislation, see: Sanctiewet 1977, available via: <https://wetten.overheid.nl/BWBR0003296>.

¹⁶³ "Sanctions Guidelines - update," Council of the European Union, 4 May 2018, <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>.

¹⁶⁴ Ibid.

¹⁶⁵ "European Union Sanctions", EEAS, accessed 1 March 2024, https://www.eeas.europa.eu/eeas/european-union-sanctions_en#:~:text=Implementation%20and%20enforcement%20of%20EU,and%20to%20take%20adequate%20steps.

¹⁶⁶ This is according to personal correspondence with a Dutch policy officer.

¹⁶⁷ "Commission welcomes political agreement on new rules criminalising the violation of EU sanctions," European Commission, 12 December 2023. https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6535.

effectiveness. A problem related to the effectiveness of sanctions lies with sanction circumvention. Sanctioned persons or entities may attempt to circumvent restrictions by using complex financial networks or redirecting trade flows through third country channels.

4.B.v.c Review

In order to ensure compliance with the law and ensure that sanctions still contribute to achieving the goals ascribed to them, sanctions are reviewed regularly by the Council. The occurrence of this review differs per category of sanction, but EU autonomous sanctions are usually applicable for a period of 12 months. Persons that are targeted by the sanctions may start a direct action before the Court of Justice of the European Union (CJEU) under Article 263 TFEU, which in turn will consider the legality of the sanction in light of *inter alia* fundamental rights and general principles of EU law.

4.C US Sanction Procedure

Broadly speaking, the success of European sanctions largely depends on their alignment with The Office of Foreign Assets Control (OFAC) its sanctions. Higher success rates for such multilateral sanctions could result from the decline of alternative trade partners, political legitimacy and diminishing possible safe havens.¹⁶⁸ OFAC, an agency within the US Department of Treasury, is in charge of the US its sanction policy. OFAC is responsible, amongst other things, for implementing and enforcing both economic and trade sanctions.¹⁶⁹ Before moving on to discuss the current OFAC sanctions in place in the next chapter, this paragraph provides a brief note on the sanction procedure in the US.

4.C.i Adopting Sanctions

There are two routes for adopting OFAC sanctions, namely (i) the US Congress' ability

to determine the US' foreign commerce policy, and (ii) the US president's power to issue executive orders (through declaring a national emergency). When it comes to the former, Congress has passed laws for specific sanctions as well as broader framework laws that delegate sanction powers to the US president. The former is most frequently used by Congress and often contains specified expiration dates or alternatively (at times ambiguous) conditions for termination.

Moreover, Congress also set up various sanction authorities. These authorities either authorise the president or oblige the president to measures in specified circumstances. Notable examples include the International Emergency Economic Powers Act (IEEPA), which authorises the President to declare national emergencies and subsequently introduce sanctions, and the Arms Export Control Act (AECA), which is responsible for regulating export controls and arms trade. Although this allows the US President to respond swiftly to international emergencies through declaring national emergencies, obvious limitations exist with respect to, for instance, open debate within the legislative branch.

Under the IEEPA, the US President has frequently made use of its powers to impose sanctions. With such executive orders, the US President lists the relevant entities and responsible authorities for executing sanctions.¹⁷⁰

4.C.ii Implementation & Enforcement

In developing and implementing sanctions, there are three US departments that are primarily responsible. This concerns the Treasury Department, the Commerce Department and the State Department. The Treasury Department, which includes OFAC, is the main executor of OFAC sanctions. Over

¹⁶⁸ Lisa L. Martin, *Coercive Cooperation: Explaining Multilateral Economic Sanctions*, (Princeton, NJ: Princeton University Press 1992).

¹⁶⁹ "Home," Office of Foreign Assets Control | U.S. Department of the Treasury, accessed February 2024, <https://ofac.treasury.gov/>.

¹⁷⁰ Richard Nephew, "Implementation of sanctions" in *Economic Sanctions in International Law and Practice*, ed. Masahiko Asada (London: Routledge, 2019).

the years, they have also become more active in the development of sanctions. The Commerce Department mainly oversees sanctions that relate to US export control and the State department focuses on sanctions design, enforcement and diplomacy more generally. Finally, OFAC is primarily responsible for administering and enforcing economic sanctions against both countries and individuals. In doing so, OFAC publishes lists (such as the Special Designated Nationals List) and provides guidelines for sanctions' compliance programmes.

individual or entity the right to challenge this decision in court.

4.D UK Sanction Procedure

The UK government can impose sanctions unilaterally and implement sanctions imposed by the UN. The Sanctions and Anti-Money Laundering Act 2018 (SAML A) provides the legislative framework for UK sanctions post-Brexit.¹⁷¹ UK sanctions are imposed by the relevant Ministers and government agencies to achieve a foreign policy or national security objective and are enforced by government departments. The sanctions can take different forms, the main types of sanctions imposed are trade and financial sanctions. Once sanctions are decided upon, they are implemented through regulations that specify the restrictions or measures to be applied. Failure to comply with sanctions can result in penalties, including fines or criminal prosecution.¹⁷² Primary sanctions offences are punishable upon conviction on indictment by a fine and/or imprisonment for up to 10 years. The Office of Financial Sanctions Implementation (OFSI) maintains the Consolidated Lists of all individuals and entities.¹⁷³ SAML A gives designated individuals and entities the right to request the government to revoke their designation. If the relevant Minister decides not to vary or revoke a designation following a request to do so, SAML A gives the

171 "UK Sanctions," Foreign & Commonwealth Office and Foreign, Commonwealth & Development Office, 28 August 2019. <https://www.gov.uk/guidance/uk-sanctions>.

172 "UK sanctions regime," The Law Society, 7 May 2024. <https://www.lawsociety.org.uk/topics/anti-money-laundering/sanctions-guide>.

173 "The UK Sanctions List" Foreign, Commonwealth & Development Office, 6 July 2020. <https://www.gov.uk/government/publications/the-uk-sanctions-list>.

5. Sanctions Related to the DRC

As a consequence of the ongoing violence in the DRC over the last decades, both supranational- and national actors have imposed sanctions on entities and individuals that violated international law and human rights. This chapter aims to provide an overview of the different imposed sanctions by various actors and to systematically clarify the difference between the geopolitical interests, legislative procedures and imposed sanctions based on the data provided in the resolutions. The data used for the descriptive analyses is retrieved from official public sources and collected in an excel database, administered and checked by different track members. The data on EU sanctions comes from UNSC Resolutions, EC Council Regulations, EU Council Decisions, EU Council Implementing Regulations and EU Council Implementing Decisions. The data on US/OFAC sanctions comes from the US Department of the Treasury, specifically, the DRCONGO program of the Office of Foreign Assets Control. Based on the gathered data, different descriptive- and comparative figures and tables have been plotted. All claims are supported by data analyses and literature.

5.A European Union Sanctions

As has been elaborated on in Chapter IV, the EU typically adopts the sanctions as formulated by the UNSC. This is also the case for the sanctions that are imposed on the DRC. Four UNSC resolutions and three EU Council decisions dictate the European operative sanctions in the DRC. Of these sanctions, 59 are targeted towards individuals, while nine aim to restrict entities. **Figure 7** shows the current sanctioned persons and entities by year of designation.¹⁷⁴

Currently Sanctioned Individuals and Entities by Year of Designation

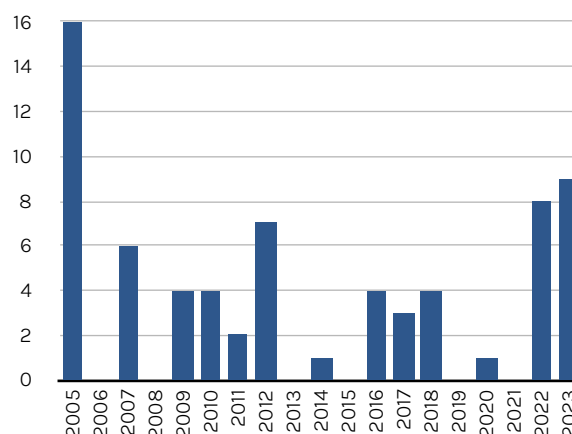


FIGURE 7: THE CURRENT EU-SANCTIONED INDIVIDUALS AND ENTITIES IN THE DRC BY YEAR OF DESIGNATION

5.A.i Economic Sanctions

In the turbulent years of the early 1990s, the DRC found itself in the grip of political upheaval.¹⁷⁵ In 1993, amidst escalating tensions, the EU took action by imposing an arms embargo on the DRC. This move was a response to President Mobutu's obstinate refusal to transfer power, exacerbating the already delicate situation in the country. 1993 was fraught with challenges for the DRC, coinciding with the onset of the First Brazzaville–Congolesse Civil War. Against this backdrop of violence and political instability, the EU's arms embargo sought to stem the flow of weapons that fueled the escalating conflict within the country.

However the initial embargo lacked the specificity and effectiveness needed to address the evolving dynamics of the conflict. Recognising the need for a more comprehensive approach, in 2003, a detailed arms embargo was enforced, targeting not only the supply of arms to the DRC's national army but also to its police forces. This embargo targeted the supply of arms to both

¹⁷⁴ "EU Sanctions Map: Democratic Republic of the Congo," EU Sanctions Map, (Last update 2 May 2024), adopted by EU and UN. <https://www.sanctionsmap.eu/#/main>.

¹⁷⁵ "EU Sanctions Map: Democratic Republic of the Congo," EU Sanctions Map, (Last update 12 December 2023), adopted by EU and UN.

the national army and police forces. It aimed to curtail the proliferation of weapons that fueled violence and instability in the region. The arm embargo was integrated within broader peacebuilding efforts in the 2002–2003 period, far-reaching measures aiming to transform the political climate in the DRC and attempts at instituting a transitional government. These measures were agreed upon in The Pretoria Agreement (2002) and the Sun City Agreement (2003) which was a culmination of an extensive dialogue between key Congolese security and political actors.¹⁷⁶ However, the measures proved ineffective.

The current arms embargo traces its origins back to 2003. It prohibits the export of arms-related materials – including weapons, ammunition, military vehicles, paramilitary equipment, and spare parts – to any non-governmental entities and individuals operating within the DRC's borders. Additionally, the embargo extends to services associated with arms trafficking and financial support facilitating arms access, underscoring a concerted effort to stem the flow of weapons and resources perpetuating conflict in the DRC.¹⁷⁷

5.A.ii Financial Sanctions Individuals

All assets of the currently sanctioned 59 persons and nine entities are frozen. It is prohibited to make any funds or assets, directly or indirectly, available to them. An obvious limitation to such asset freezes is that these financial sanctions are merely effective when listed individuals participate in the European (or American) international financial system.¹⁷⁸ The transactions within the financial system are facilitated by banks and their transaction messaging systems like

SWIFT, CHIPS, TARGET2 and non-European/American alternatives. Banks, however, are only able to render imposed sanctions effective when listed individuals make use of the operationalised transaction system. It is rather easy to integrate enlisted individuals in the transaction monitoring filter of financial institutions, but the multi-layer multinational companies involved in import deals to the DRC are difficult to track.¹⁷⁹

An additional type of direct, financial sanction concerns the prohibition to satisfy claims. It is prohibited to satisfy claims made by the persons listed in Council Regulation (EC) No 1183/2005 in connection with any contract or transaction the performance of which has been affected by the measures imposed by the same regulation. Lastly, sanctioned individuals can be restricted from admission to all EU member states. Member States shall enforce travel restrictions on persons listed in Annex I and II of Council Decision 2010/788/CFSP.¹⁸⁰ When looking at the 59 sanctioned individuals, it becomes clear that all listed persons are male with a Congolese, Rwandan, Ugandan, Belgian or Tanzanian nationality. Over half of the listed persons are Congolese, almost a quarter Rwandese, 1/8th unknown and 1/8th consists of Ugandans, Tanzanians and Belgians. The distribution of nationalities can be found in **Figure 8**.

Considering the EU objectives of preventing conflict and promoting peace, European sanctions are often targeted at individuals affiliated with military groups. Currently, these individuals belong to the FARDC, FDLR, M23, ADF, CODECO, NDC and other groups with less than two listings. **Figure 9** shows the distribution of employers and military groups amongst the listed individuals.

176 "Global and Inclusive Agreement on the Transition In the Democratic Republic of the Congo (Pretoria Agreement)," United Nations, December 16 2002, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_021216_Global%20and%20Inclusive%20Agreement%20on%20Transition%20in%20DRC.pdf https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_030402_SunCityAgreement.pdf

177 EU sanctions Map 12 December 2023.

178 Interview by DAF x DIE Track. "Rebel Groups in the DRC." The West Wing. February 6, 2024.

179 "Red Flags on Dutch Financial System, Report Warns Links to Corruption, Violence - the Sentry." The Sentry, December 15 2020. <https://thesentry.org/2020/12/15/5091/red-flags-dutch-financial-system-report-warns-links-corruption-violence/>.

180 Annex I and II of Council Decision 2010/788/CFSP.

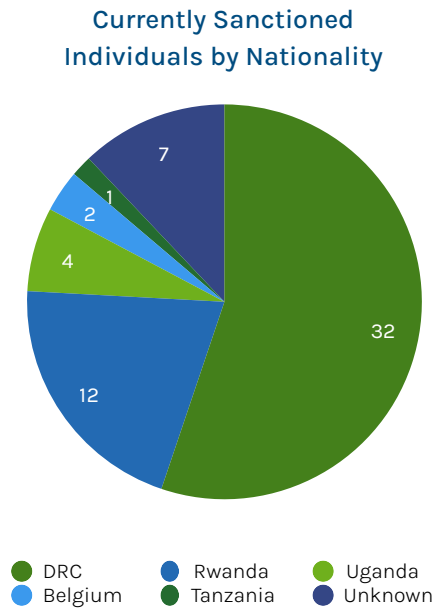


FIGURE 8

Notable here is that individuals of the Rwandan army, the Rwandan Defence Force (RDF), are not currently listed, while the FARDC forms one of the biggest sanctioned groups.

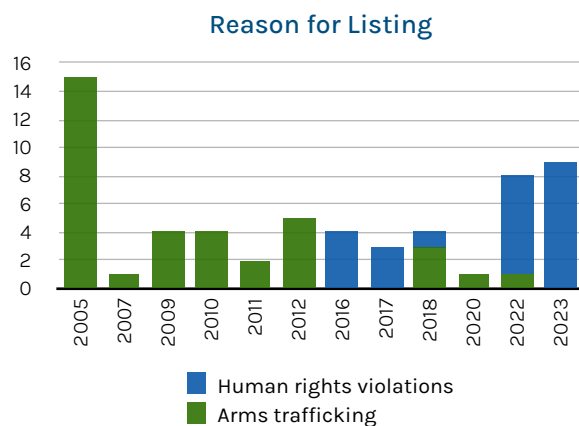


FIGURE 10: THE CURRENTLY EU-SANCTIONED INDIVIDUALS IN THE DRC BY REASON FOR LISTING.

With respect to the arms embargo, it is interesting to see how the reason for listing individuals has shifted over the years. In the applicable restrictive measure resolutions, individuals are primarily listed for two reasons: (i) arms trafficking and (ii) human rights violations. Figure 10 in this regard

Employer or Military Group of Sanctioned Individuals

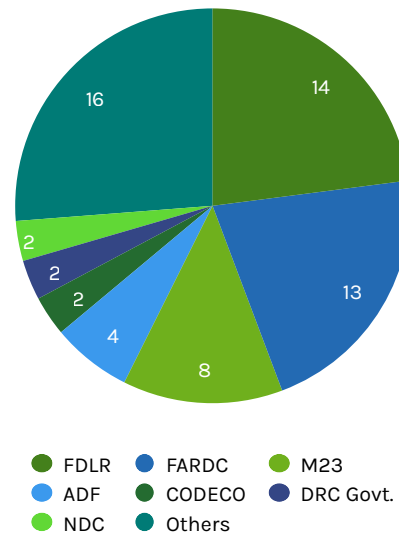


FIGURE 9: CURRENTLY EU-SANCTIONED INDIVIDUALS IN THE DRC BY EMPLOYER / MILITARY GROUP

shows the development of the reasons for listing from 2005 till 2023.

After composing a timeline, based on the nationality of the listed individuals as seen in Figure 11, some noticeable insights emerge. A relatively large number of Rwandan individuals were sanctioned before 2011 and Belgians only appear on the list from 2017 onwards.

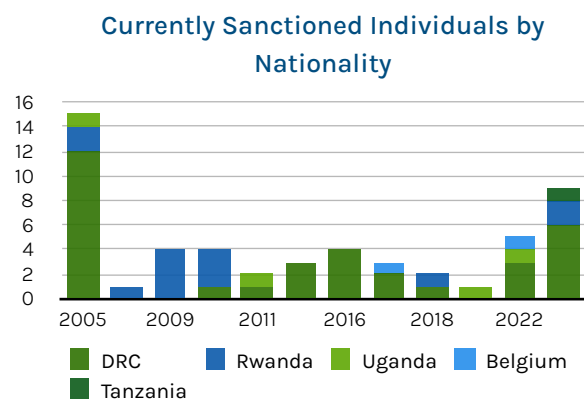


FIGURE 11: CURRENTLY EU-SANCTIONED INDIVIDUALS IN THE DRC BY NATIONALITY, OVER TIME.

However, it can be complicated to distil a clear pattern from this data. On several occasions, the DRC accused the EU of being biased and of solely acting in its own interest with regard to raw minerals.¹⁸¹ Despite these accusations, the UNSC recently decided to add six individuals to its sanctions list, who had already been sanctioned by the EU.¹⁸² This is remarkable, as the EU generally follows the UN, rather than the other way around. These include one FDLR-FOCA Rwandese lieutenant, one Tanzanian lieutenant general of the ADF, one Congolese military leader of Twirwaneho (a South-Kivu based rebel group), one Ugandan senior leader of ADF and head of propaganda, one Congolese leader of the CNPSC until 2023 and current leader of the Mai-Mai Yakutumba, and one Congolese major and military spokesperson of M23. There are three Congolese added to the list, of which one is linked to M23, one Rwandan, one Tanzanian and one Ugandan.

The years the sanctions went into effect are not merely accidental and clear patterns emerge when looking at the history of the conflict as outlined in Chapter 2. In 2012 and 2022, conflict broke out again in the DRC, with sanctions aimed at reducing the negative effects of these conflicts. In 2015, political tensions and widespread protests were extremely prevalent in the DRC, particularly in the capital city of Kinshasa. These protests were fueled by concerns over President Joseph Kabila's attempts to extend his rule beyond the constitutional limits.¹⁸³ Furthermore, Kabila's second term was set to end in 2016, according to the constitution. However, efforts to organise presidential elections were repeatedly delayed, leading to growing frustrations and discontent among opposition groups and the general

population. In response to the protests and opposition activities, the government launched a crackdown on dissent, arresting opposition leaders and activists. Security forces were deployed to suppress demonstrations, leading to reports of human rights abuses and excessive use of force. This all occurred while the conflict in the Eastern DRC continued and while the DRC was facing another Ebola outbreak.¹⁸⁴

As previously mentioned, **Figure 10** illustrates the different reasons for listings. The two reasons were arms trafficking and human rights violations. As aforementioned, from 2016 a shift occurred and new listings became almost solely based on human rights violations. If we look beyond the reason for listing and nationality, the main commonality appears to be that most targeted sanctions were enforced on military personnel, as can be seen in **Figure 12**. Besides the sanctioning of military figures, we find that the EU has sanctioned three Congolese government officials. Evariste Boshab Mabub Ma Bileng was the Vice Prime Minister and Minister of Interior Security as well as the Senator of Kasai, Bihona-Hayi is a former government minister and Alexandre Kande Mupomba was the Governor of Kasai Central. It is unknown if Bihona-Hayi and Alexandre Kande Mupomba still hold political functions.

181 Christophe Châtelot, "DRC Foreign Minister: 'The European Union Is Complicit in the Plundering of Our Resources and the Aggression of Rwanda,'" *Le Monde*.Fr, February 29 2024, https://www.lemonde.fr/en/le-monde-africa/article/2024/02/29/drc-the-european-union-is-complicit-in-the-plundering-of-our-resources-and-the-aggression-of-rwanda_6570043_124.html.

182 "Security Council 1533 Sanctions Committee Adds Six Entries to Its Sanctions List | Meetings Coverage and Press Releases," February 20 2024, <https://press.un.org/en/2024/sc15597.doc.htm>.

183 Human Rights Watch, "DR Congo: Deadly Crackdown on Protests," January 24 2015, <https://www.hrw.org/news/2015/01/24/dr-congo-deadly-crackdown-protests>

184 Franck Katembo Sikakulya et al., "Ebola in the Eastern Democratic Republic of Congo: One Health Approach to Infectious Disease Control," *One Health* 9 (June 2020).

Occupation of Currently Sanctioned Individuals

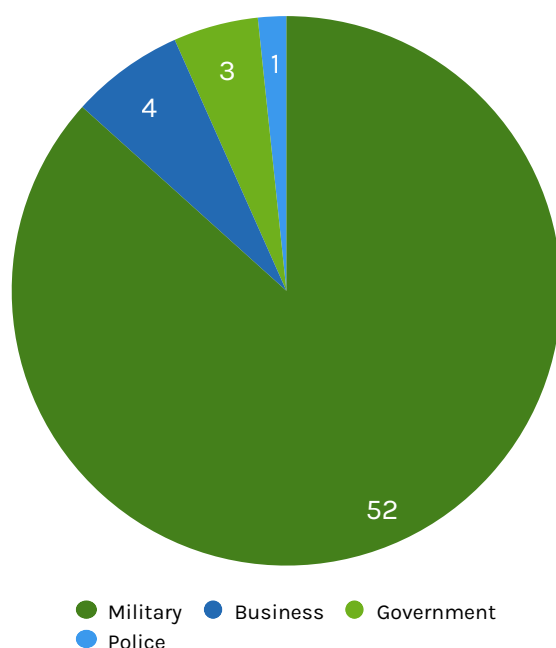


FIGURE 12: OCCUPATION OF CURRENTLY EU-SANCTIONED INDIVIDUALS

Political Titles	Military Ranks	Rebel Group Ranks
President	General	Rebel Leader
Interim President	Lieutenant General	Senior Leader
Vice-President	Major General	
Chief of Staff	Brigadier General	
Executive Secretary	Colonel	
Spokesperson	Lieutenant Colonel	
	Commander In Chief	
	Commander	
	Deputy Commander	
	Deputy Regional Commander	
	Sector Commander	
	Subsector Commander	
	Captain	
	Defense Officer	

TABLE 1: TITLES AND RANKS ACROSS THE CURRENTLY EU-SANCTIONED INDIVIDUALS IN THE DRC

Table 1 shows the different titles and ranks found across the currently sanctioned persons. The political titles are often used within the political wings of the rebel groups. Some rebel groups use military ranks for their hierarchical chain of command, whereas other rebel groups employ different ranking systems. There is variability in the usage of ranks within military groups as well as in the perception of those roles by both the UN and the EU. This versatility creates uncertainty about the influence and power of individuals as 24 different ranks or titles can be discerned for only 59 people.

We should also consider the ranks of designated persons on the EU-only sample. To evaluate different roles within different organisations, we use the ranks within the Land Forces of the DRC, because they are most common within the military groups. The ranks and corresponding levels are shown in **Figure 13**. Every rank beneath Level 1 is also considered Level 1 for the purposes of this research.

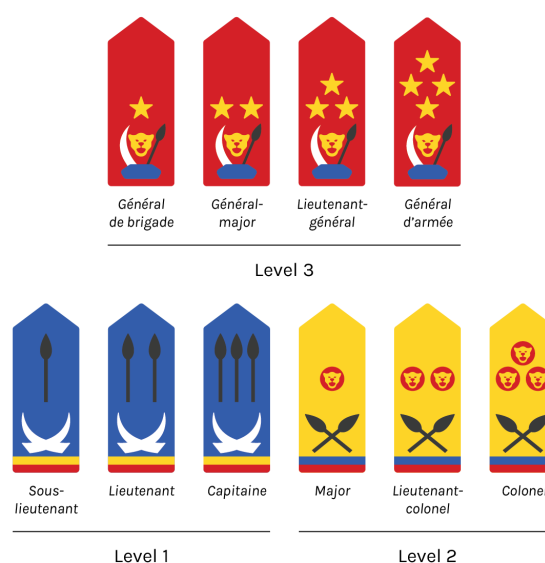


FIGURE 13: RANKS WITHIN THE LAND FORCES OF THE DRC

Figure 14 shows no significant difference between the four countries with respect to the military rank of the designated persons. Hence, it cannot be directly concluded that the EU targets higher placed personnel within one particular country and less influential personnel in another.

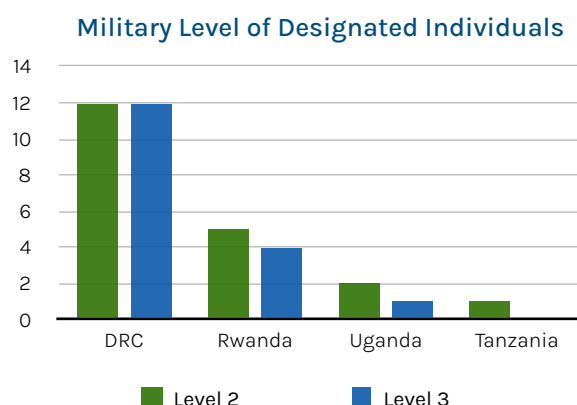


FIGURE 14: THE LEVEL OF RANKS OF DESIGNATED INDIVIDUALS FOR EACH COUNTRY. LEVEL ONE RANKS ARE NOT FOUND WITHIN THE GROUP OF DESIGNATED INDIVIDUALS OF WHOM THE NATIONALITY IS KNOWN.

5.A.iii Financial Sanctions Entities

All nine sanctioned entities have in common that the sanctions were imposed on them for arms trafficking, promoting violence and being actively involved in conflict. Seven entities originate from the DRC (one entity also had roots in Rwanda) and two entities originate from Uganda.

In 2005, the NGO Tout Pour La Paix et Le Développement was listed for providing assistance to a rebel group by supplying trucks to transport arms and groups to North Kivu and Goma.¹⁸⁵ In 2007, five companies were listed. Two Ugandan gold exporters, two Congolese airlines and one Congolese gold trading house. One of the Congolese airlines, Compagnie Aérienne des Grand Lacs, is owned by Douglas Mpamo (sanctioned in 2005). The company has been used to transport ammunition and arms.¹⁸⁶ With respect to the two Ugandan gold exporters, both of them bought gold through a regular commercial relationship with traders in the DRC tightly linked to active militias. The sanctions prohibit the assistance of non-governmental actors in acquiring military equipment. It is notable that after 2007 no additional businesses were listed, but only significant rebel groups like the FDLR, M23 and ADF. Despite the proven role of rebel groups in the conflictive eastern provinces of the DRC, no more rebel groups were sanctioned after 2014.

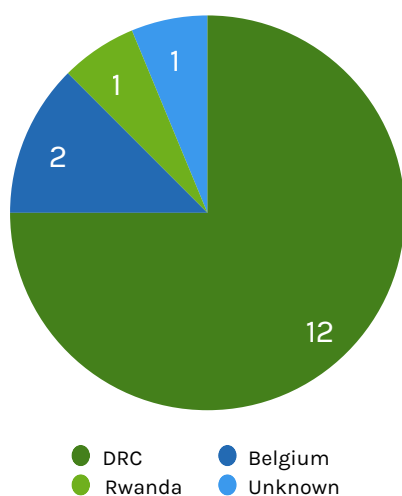
Name	Year of designation	Country	Type	Reason
Tous Pour la Paix et le développement	2005	DRC	NGO	Arms trafficking
Uganda Commercial Impex Ltd	2007	Uganda	Gold exporter	Arms trafficking
Machanga Ltd	2007	Uganda	Gold exporter	Arms trafficking
Butembo Airlines AL	2007	DRC	Privately owned airline	Arms trafficking
Congomet Trading House	2007	DRC	Gold trading house	Arms trafficking
Compagnie Aérienne des Grands Lacs	2007	DRC, Rwanda	Aircraft company	Arms trafficking
Forces Démocratiques de Libération du Rwanda (FDLR)	2012	DRC	Armed group	Arms trafficking
Mouvement du 23-Mars (M23)	2012	DRC	Armed group	Arms trafficking
Allies Democratic Forces (ADF)	2014	DRC	Armed group	Arms trafficking

TABLE 2: SANCTIONED ENTITIES SORTED BY COUNTRY AND CORE ACTIVITIES

¹⁸⁵ "Tous Pour La Paix Et Le Développement (NGO)." United Nations Security Council Sanctions Committees. Accessed March 14, 2024.. [www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/tous-pour-la-paix-et-le-developpement-\(ngo\)](https://www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/tous-pour-la-paix-et-le-developpement-(ngo)).

¹⁸⁶ Compagnie Aérienne des Grands Lacs (CAGL); Great Lakes Business Company (GLBC), "Narrative Summary of Reasons for Listing," United Nations Security Council Sanctions Committee, October 29 2014, <https://www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/compagnie-aerienne-des-grands-lacs-%28cagl%29%3B-great-lakes>.

Currently Sanctioned
Individuals by Nationality - EU-
only Sample



Employer or Military Group of
Sanctioned Individuals - EU-
only Sample

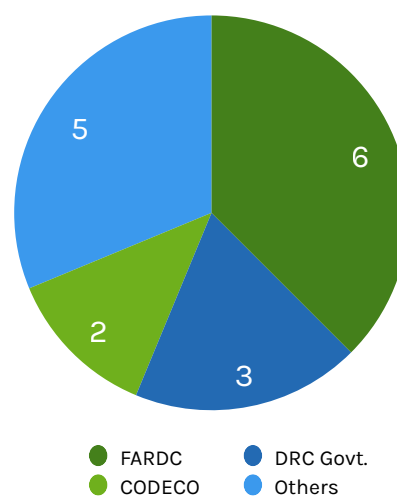


FIGURE 15

5.B Comparative Analysis EU and UN Sanctions

As explained in chapter IV, the EU generally directly adopts sanctions that have been imposed by the UNSC. However, the EU sometimes also imposes, autonomously, additional sanctions. Currently, out of the 68 sanctioned persons and entities listed by the EU, 53 have also been listed by the UN. This paragraph examines the sixteen persons and entities that have only been sanctioned by the EU (and hence not the UN) in order to arrive at an explanation regarding the difference between the EU and the UN. This paragraph also considers the initiating function of the EU and the UN, and how this has evolved over time.

Currently, there is an overlap of 77% between the targeted sanctions of the EU and the UN. However, 23% of the targeted sanctions by the EU, which are all individuals, have not been sanctioned by the UN. For the purposes of this paragraph, we shall refer to this group as the 'EU-only sample'. Of these sixteen individuals, four have been designated in 2016, three in 2017, four in 2022 and five in 2023. This could be indicative of a diverging

sanction strategy since 2016 up until today. **Figure 15** shows some characteristics of the sanctioned individuals.

The EU-only sample is significantly different from the list of EU sanctions in the DRC. The EU-only sample percentually includes more nationals from the DRC and less from Rwanda, which implies a different view on accountability and is in line with the recently signed Memorandum of Understanding between the EU and Rwanda.¹⁸⁷ This also reappears in the employers and military groups being mostly FARDC and the DRC Government. In comparison to the UN, the EU thus imposes relatively more sanctions on DRC nationals and DRC state organisations instead of other key players in the region.

Figure 16 considers the levels of ranks within the EU-only sample. The EU targets almost only persons with a level two or three rank. It is remarkable that not solely level three personnel are targeted, as they are more likely to possess over (significant) funds.

¹⁸⁷ "EU and Rwanda sign a Memorandum of Understanding on Sustainable Raw Materials Value Chains," European Commission, 19 February 2024, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_822.

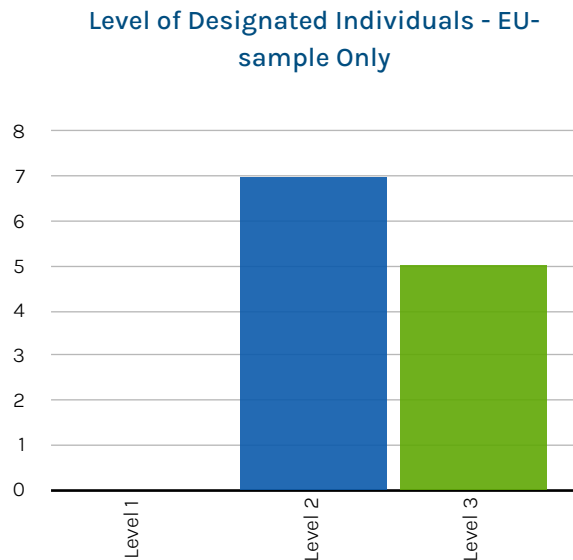


FIGURE 16: EU-ONLY SAMPLE

We now consider the complete set of EU sanctions and compare it to the UN sanctions. We make a distinction between sanctions that are only imposed by the EU, namely the EU-only sample, and sanctions that were imposed by the UN and the EU. The latter are separated into two categories. The first category includes the sanctions that were first imposed by the UN and automatically replicated by the EU. These are the sanctions imposed under UN initiative. The second category includes the sanctions imposed by the EU and which got, not automatically, replicated in a later phase by the UN. These are the sanctions imposed under EU initiative. **Figure 17** shows the three categories by the year they were imposed by the player who took the initiative.

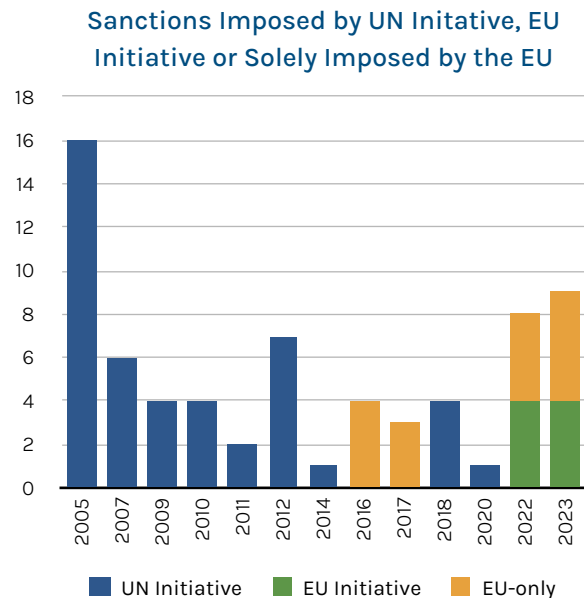


FIGURE 17

Figure 17 clearly shows a change in taking initiative when imposing sanctions. The pattern changes in 2016. Before 2016, the EU did only adopt sanctions which were imposed by the initiative of the UN. However, since 2016, 24 of the 29 targeted sanctions have been initiated by the EU, indicating a far more dominant role of the EU in the last eight years. This also implies that the DRC conflict is relatively of more concern to the EU, which could be explained by the strategic partnership with Rwanda and the European Critical Raw Materials Act.

5.C United States / OFAC Sanctions

In October 2006, the US President Bush initiated the DRC sanctions program through Executive Order (E.O.) 13413, pursuant to presidential national emergency powers under US law.¹⁸⁸ Similar to the EU sanctions, OFAC imposed several economic sanctions. There are export restrictions on all military items, including dual-use goods (goods which can be operationalised for both military and civilian purposes).¹⁸⁹

¹⁸⁸ Homepage of the Office of Foreign Assets Control, accessed March 18 2024, <https://ofac.treasury.gov/>.

¹⁸⁹ "Democratic Republic of the Congo - U.S. Export Controls," International Trade Administration, March 14 2024, <https://www.trade.gov/country-commercial-guides/democratic-republic-congo-us-export-controls>.

5.C.i Financial Sanctions

The OFAC sanctions with regards to the US are part of the DRCONGO program and consists of twenty entities and 54 designated individuals. This program has some overlap but also differences to the EU program. The EU only imposes sanctions on neighbouring countries who directly take part in the conflict. However, the US also imposes financial sanctions on individuals from the UAE, Seychelles, Tajikistan, Kenya and Russia, as shown in **Figure 18**.

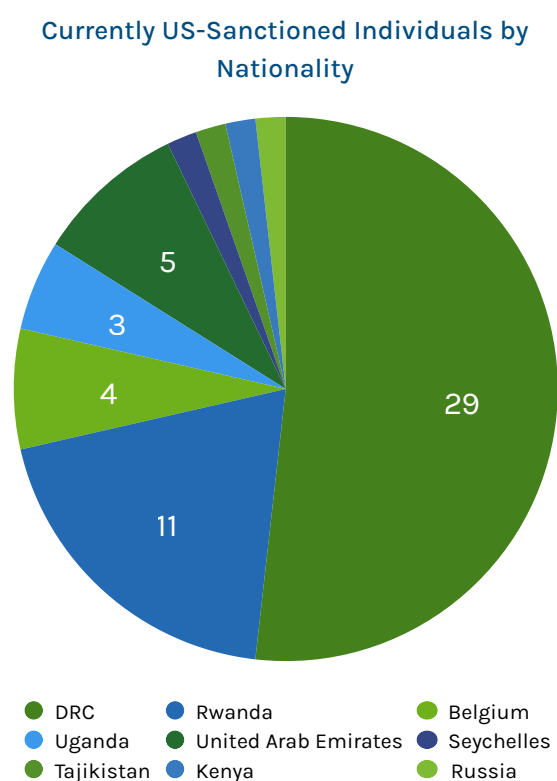


FIGURE 18

The individuals and entities from those countries are all businessmen or businesses within the mineral sector. This implies a broader US focus that to a greater extent than the EU, concentrates on the mineral business and the mining of critical raw materials.

The majority of the specially designated individuals are political or military leaders of armed groups operating in the DRC. Many of them were responsible for targeting women,

children, and civilians through the commission of acts of violence including killing, maiming, torture, rape, other sexual violence, abduction, forced displacement, attacks on schools, hospitals, religious sites, or locations where civilians were seeking refuge. It also includes the use or recruitment of children by armed groups, the obstruction of the delivery or distribution of, or access to, humanitarian assistance, attacks against United Nations missions, international security presences, and other peacekeeping operations.

Similar to EU sanctions, it is strictly prohibited to support sanctioned individuals and entities materially, financial, logistical, or technological. It is noteworthy that OFAC explicitly mentions “through the illicit trade in natural resources of the DRC”. This amplifies the broader US focus on natural resources and the mining of minerals within their sanctions regime, as opposed to the EU.

An interesting feature to both economic and financial OFAC sanctions is the dollar dominance in trade and national reserves. This makes OFAC sanctions more effective than EU sanctions. The euro currently holds the position of a global reserve currency, ranking only second to the US dollar. The most frequently cited metric for assessing reserve currencies is the share in foreign exchange holdings. For the euro, this share stands at 21%, whereas the US dollar’s share stands at roughly 60%.¹⁹⁰ Interestingly, this decline is not due to reduced trade within the eurozone but rather the ascendancy of China. Despite the euro’s strong performance in extra-euro area trade, China’s rise has impacted its overall share. The Chinese renminbi (yuan) has been steadily increasing its presence, rising from 4% in 2019 to 7% in 2022.¹⁹¹ Notably, China’s government actively promotes the renminbi as a reserve currency, evident in initiatives like the Belt and Road Initiative and recent energy contracts with Saudi Arabia.¹⁹²

¹⁹⁰ Christine Lagarde, “The International Role of the Euro.”

¹⁹¹ “The Paradox of a Stronger Global Role for the Euro | Clingendael,” n.d.

¹⁹² Cash, “China, Saudi Arabia Sign Currency Swap Agreements.”

As described under the EU financial sanctions, hereinabove, in other countries, such as Zimbabwe, there is a search for non-European/American alternative payment systems. There are alternatives, but the renminbi replacing the dollar or the euro is far from reality. Still, these developments do undermine the effectiveness of EU and OFAC sanctions. Because of the dollar dominance and the fact that most international trade prices are set in dollars, most countries comply with OFAC sanctions. Other countries voluntarily comply with OFAC sanctions considering simple cost-benefit analysis. This makes OFAC sanctions, compared to EU financial targeted sanctions, relatively powerful. For example, most banks in the Netherlands pursue a stricter sanctions policy than the EU prescribes and comply with OFAC sanctions, as no international bank wants to risk losing its dollar licence.¹⁹³

OFAC sanctions also have extraterritorial reach, which means that they also have the jurisdiction to penalise US persons and entities that reside abroad if they are in violation of OFAC regulations.¹⁹⁴ This extraterritorial reach also indicates that OFAC can have the authority to compel non-US entities to comply with OFAC regulations in certain circumstances.

5.D Comparative Analysis EU and OFAC Sanctions

Sanctions imposed by the European Union and OFAC share similarities. The economic sanctions are fairly similar. In the EU- and OFAC policy, an arms embargo is in force and for OFAC specifically, there are also trade restrictions on illegally obtained national resources.

With regards to the financial sanctions, these consist of targeted sanctions on designated individuals and entities.

Non-UN Sanctions by the US and EU

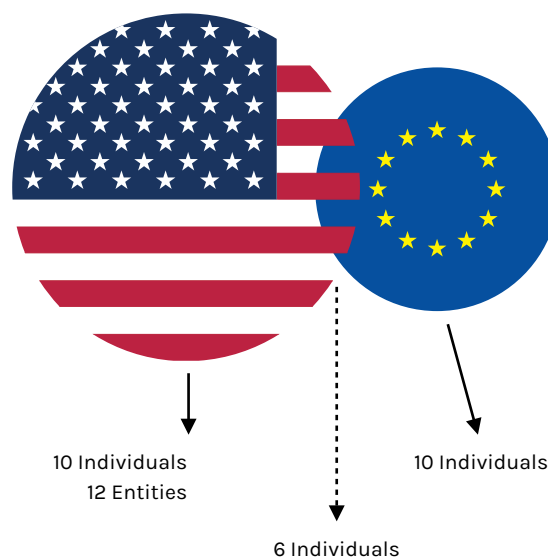


FIGURE 19

As for the EU, most financial sanctions imposed by the US are also imposed by the UN. To compare the agendas of the EU and the US, we only consider the sanctions imposed by both actors which were not dictated by the UN. As discussed before, the EU-only sample consists of 16 individuals. Six of those can also be found on the OFAC sanctions list. Furthermore, the US imposed sanctions on 10 other individuals and 12 other entities as can be seen in Figure 19.

Figure 20 compares the ten persons only sanctioned by the US and the ten persons only sanctioned by the EU. Although there are some differences in nationalities, most individuals on both lists are from the DRC and include few Rwandese nationals. There is a difference in the line of work of the individuals. The EU targets mainly individuals within the military, while the US targets politicians, businessmen and military.

Although there are some differences between the sanctioned individuals, further divergence can be identified when looking at the sanctioned entities. The EU does not impose sanctions on entities other than

¹⁹³ Anonymised source at a major Dutch bank.

¹⁹⁴ "11 | Office of Foreign Assets Control."

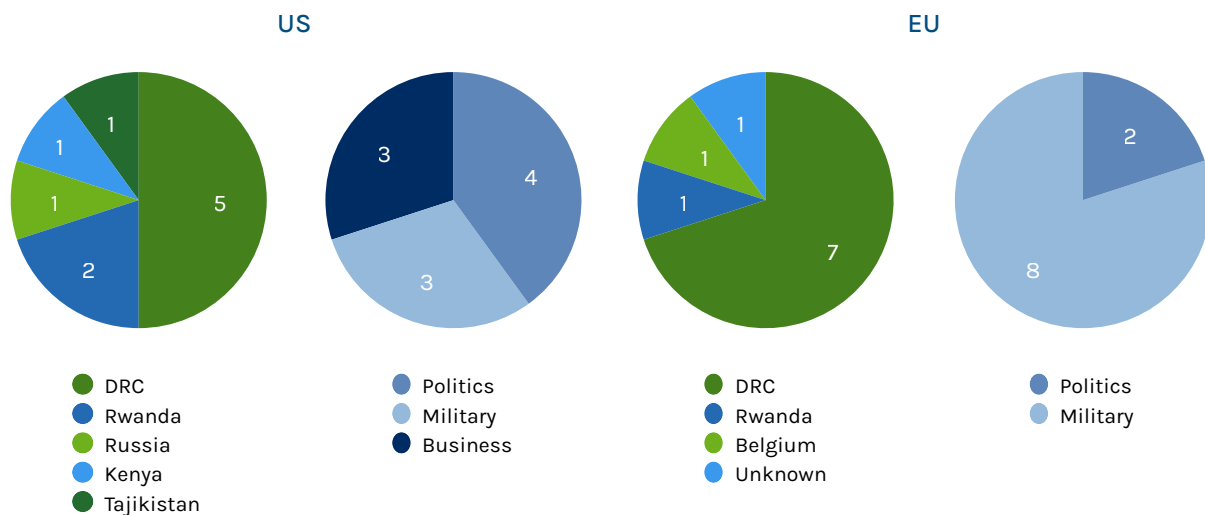


FIGURE 20: DESIGNATED INDIVIDUALS ONLY SANCTIONED BY THE US AND EU RESPECTIVELY. BOTH SAMPLES INCLUDE TEN INDIVIDUALS. THE FIRST TWO CONSIDER NATIONALITY, WHILE THE OTHER TWO CONSIDER LINE OF WORK.

those already implemented by the UN. The US, on the other hand, does impose sanctions on entities when it comes to their independently imposed sanctions, as can be seen in **Figure 19**.

Figure 21 shows the country of origin of these entities. These countries, namely Belgium, the UAE and Seychelles are mostly on the list due to the entities (residing in these countries) their involvement in extracting or smuggling critical raw materials. This strategy of the US, takes a more holistic approach and does not only centre its attention to the conflict, but also to the subsequent effects and impacts of mining, smuggling and manufacturing products from inequitably obtained minerals. In this way, the US tries to tackle one of the main driving and sustaining forces of the conflict.

5.E Other Sanction Regimes

In light of the financial nature of sanctions, one could argue they can only force behavioural changes when high levels of trade between the sanctioning and the sanctioned entities exist. The EU and the US lack a significant and interdependent trade relationship with the DRC. If we were to look at other trade relationships of the DRC and their role within the geopolitical context, how do other international organisations and countries apply their sanction regime to the DRC?

Entities Only Sanctioned by the US

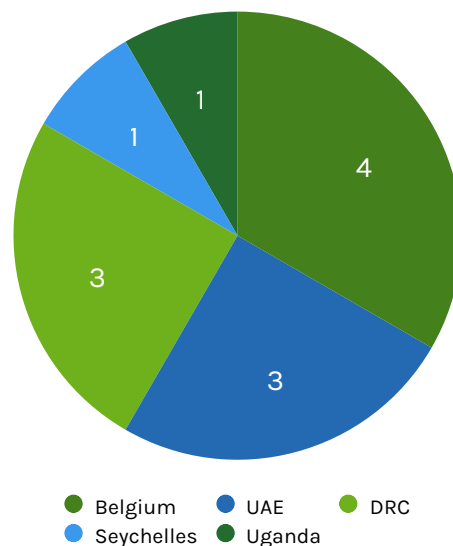


FIGURE 21

5.E.i The African Union

The AU is an intergovernmental and supranational political body consisting of 55 African countries. They possess a coordinating and uniting role within the continent and aim to promote international cooperation and independence between and for all member states. While the AU has embraced provisions that mandate sanctions in reaction to unconstitutional power transfers in member states, there are no current sanctions in place for the DRC. Given the fact that AU sanctions are often implemented in reaction to illegitimate

power transfers, and the DRC still technically holds elections, it follows logically that the DRC would not be a likely target of AU sanctions.

5.E.ii China

China is by far the most significant trade partner for the DRC, considering they import 15,6 billion US dollars worth of goods from the DRC, accounting for roughly 50% of the total export value. Considering this powerful trade position and their permanent seat in the UNSC, China has the opportunity to potentially be extremely influential in mitigating regional conflict and violence in the DRC. However, active measures from China to intervene through sanctions have been close to nothing. China has repeatedly abstained from voting on UNSC resolutions that concern either implementing sanctions or renewing existing sanctioning measures. The reasons provided for these abstentions vary. In the case of the renewal of sanctions in the DRC in 2022, Zhang Jun argued that while voicing concern for the continuing conflict, the detrimental effect of sanctions to the development of Congolese security capacity proved more worrisome¹⁹⁵. While this may have been a legitimate concern of China, it also follows logically from their strictly non-intervening foreign policy.

5.E.iii The United Kingdom

The UK applied EU sanctions during its EU membership until the end of the Brexit transition period, which ended on the 31st of December 2020. Close consultation and cooperation between the UK and the EU results from the pre-Brexit agreed upon Political Declaration, which states that “while pursuing independent sanctions policies driven by their respective foreign policies, the Parties recognise sanctions as a multilateral foreign policy tool and the

benefits of close consultation and cooperation”.¹⁹⁶ Although there is no possibility for formal alignment of the UK with EU sanctions, the Foreign Secretary, Dominic Raab, announced that the UK-only sanctions regime would collaborate with allies, including the US, Canada, Australia, and the EU. The UK can act and adapt more quickly without the risk of institutional blockage in the EU but has lost efficiency in imposing sanctions.

On February 21, 2024, the Commonwealth and Development Office updated the UK Sanctions List. Six new individuals have been added to the Consolidated List of the DRC and are subject to an asset freeze. The UNSC added the same six individuals one day before. This shows the effectiveness and swiftness of the UK sanctions tool compared to the EU’s. Lastly, it is noteworthy that one of the newly added individuals holds Rwandan nationality. This observation indicates that their position vis-a-vis Rwandan nationals appears unchanged despite the recently signed migration agreement.¹⁹⁷

5.F Comparative Analysis EU and Regional Sanctions

The difference in the effectiveness of sanction adoption in relation to the US and the UN is that other regional sanctions could originate from entities with stronger ties to the region. In that light, the AU and China, in particular, have a strong potential to effectuate policy change through sanction measures. However, these two actors have thus far, and are likely to continue to be, remained hesitant to adopt restrictive measures with respect to the DRC. Furthermore, although the UK has a more straightforward decision-making process than the EU, the limited trade relationship

195 “Security Council Renews Democratic Republic of Congo Sanctions Regimes, Adopting Resolution 2641 (2022)” United Nations Meeting Coverage and Press Releases, June 30 2022, <https://press.un.org/en/2022/sc14955.doc.htm>

196 “Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom,” UK Government, 19 October 2019, <https://www.gov.uk/government/publications/new-withdrawal-agreement-and-political-declaration>

197 Philbert Girinema, Andrew Macaskill and Michael Holden, “UK interior minister signs new Rwanda treaty to resurrect asylum plan”, Reuters, 6 December 2023, <https://www.reuters.com/world/uks-cleverly-sign-new-asylum-treaty-with-rwanda-2023-12-05/>.

between the country and the DRC renders sanctions as means to effectuate policy change less effective than its European counterpart. Lastly, as noted, the Swiss sanctions seem to be generally guided by EU and UN sanctions, without a direct visible clear and distinguishable strategy from its own sanction actor.

6. Evaluation of Sanctions

In order to understand whether or not the sanctions regimes imposed on the individuals and entities involved in the conflict in the DRC have been effective, it is important to evaluate and reevaluate the implemented sanctions. There are two main rationales to continuously evaluate sanctions. Firstly, to discover flaws and unintended implications of the imposed sanctions. Secondly, and of the most importance to this policy advice, to alter the sanctions strategy when the key objectives are not being achieved. However, the evaluation of sanctions is in most cases not a straightforward process and is approached differently within the academic and governmental debate. This chapter aims to set out the different evaluation methodologies and theories that can be applied to sanctions. One of the arguably most robust approaches to sanction evaluation, the Targeted Sanctions Consortium initiative, will serve as the main framework of evaluation as over 80 percent of the OFAC and EU sanctions are in correspondence with the UN sanctions.

6.A Methodology: The Effectiveness Debate

6.A.i Literature Review

An essential focus within research on the evaluation of sanctions concerns the intricate connection between the economic and political impacts of sanctions. In 1967, Johan Galtung, a renowned expert on sanctions, argued that restrictive measures are defined as:

‘[...] actions initiated by one or more international actors (the "senders") against one or more others (the "receivers") with either or both of two purposes: to punish the receivers by depriving them of some value

and/or to make the receivers comply with certain norms the senders deem important.’¹⁹⁸

This definition captures the traditional view that economic sanctions are deemed successful when they are able to inflict harm on the financial resources of the receiver to foster the desired change.

Another one of the more early works done on sanction evaluation was written in 1972 by Canadian professor Margaret Doxey.¹⁹⁹ She describes an effective sanction as ‘one which succeeds in producing the desired behavioural response from the individual or group to which it is communicated’.²⁰⁰ Doxey continues by stating that the factors that must be explored to assess sanctions and their effectiveness are communication, commitment, competence and value (or deprivation and gain). In establishing these factors, this work asks interesting questions such as: Is there a shared understanding of the norms upon which the sanction rests? What authority does the sanctioning organisation possess and does it in turn also have the necessary competences to detect offences and to apply and enforce sanctions in the first place? And which value do we prescribe to the outcome of sanctioning, both to non-conforming conduct and to the felt impact of the sanction?

The discussion about the effectiveness of sanctions has since progressed, but these same questions remain relevant. Within this debate, there seem to be different interpretations of norms, purposes and values that underscore the use of sanctions. This brings about contradicting findings. On the one hand, several studies showed decreased respect for human rights by governments of countries targeted with economic sanctions and high levels of

198 Johan Galtung, “On the Effects of International Economic Sanctions, With Examples from the Case of Rhodesia,” *World Politics* 19, no. 3 (1967): 378–416.

199 Margaret Doxey, “International Sanctions: A Framework for Analysis with Special Reference to the UN and Southern Africa,” *International Organization* 26, no. 3 (Summer 1972): 527–550.

200 Doxey 1972, p. 529.

unintended consequences of sanctions, such as increased criminality and regimes becoming more authoritarian.²⁰¹ On the other hand, there are findings which suggest that sanctions in a multilateral context, sanctions coupled with ‘technological, economic and political reciprocity, and sanctions imposed between allies of democratic nations can yield policy change or help to stabilise the armed conflict.²⁰²

For example, under the Taylor’s regime in Liberia in 1992 an arms embargo was in force against all parties to the conflict. In the second round of sanctions, this was expanded to diamond export, a travel ban and diplomatic measures. Later, a timber export ban was added and also financial assets, belonging to the Taylor regime supporters, were frozen. When Johnson Sirleaf was elected, the arms embargo, diamonds- and timber export ban were lifted, while keeping sanctions against insurgent individuals and groups. The Liberia sanctions were regarded as effective. Another example was the arms embargo, asset freezes, travel ban and the export ban on diamonds against Cote d’Ivoire. When Ouattara became president, these sanctions were lifted for the new government and stayed in place against Gbagbo supporters.²⁰³ Another thoughtful event was when the M23 created floods of displaced people in 2012. During that time Western donors got together and announced that they were planning to cut aid.²⁰⁴ Very quickly after this announcement, many M23 fighters withdrew to Rwanda and Uganda. The above described examples with

reciprocity elements are important to take in consideration.

The perceived effectiveness of sanctions is ultimately highly context-sensitive. Not only the type of conflict or the region in which the sanctions are being implemented play a significant role in the success rate of sanctions, but also the type of sanction and the combination between sanctions and a perceived military threat will most likely influence the outcome of sanction implementation.²⁰⁵ On top of the importance of acknowledging context-sensitivity when discussing sanction evaluation, it also becomes apparent that scholars and policy-makers wield different definitions and expectations when it comes to the effectiveness of sanctions. This creates a troubling ambiguity which complicates the overall assessment of these measures. A last important note on sanction evaluation is that, taking the definition of an effective sanction from Doxey, a desired behavioural response is highly complex to monitor, especially in the case of a turbulent conflict in which a wide range of different measures are in place. Even if a desired change in behaviour can be witnessed, to which measure to attribute this success is a convoluted process.

6.A.ii Targeted Sanctions Consortium

One research project that has attempted to make sanction evaluation concrete is the Targeted Sanctions Consortium. The Targeted Sanctions Consortium (TSC) is a scholarly initiative which joined forces with

201 Dursun Peksen, “Better or Worse? The Effect of Economic Sanctions on Human Rights,” *Journal of Peace Research*, vol. 46, no. 1 (2009): 59–77; David Cortright, and George A. Lopez, “Sanctions Decade,” In *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action*, ed. Thomas J. Biersteker, Sue E. Eckert, and Marcos Tourinho (Cambridge: Cambridge University Press, 2016), 205–207.

202 Lisa L. Martin, *Coercive Cooperation: Explaining Multilateral Economic Sanction* (Princeton, NJ: Princeton University Press, 1992); Mehta, Rupal N. “Manipulating State Behaviour: How to Use Sanctions and Rewards to Get What You Want.” *International Affairs Blog*, July 11 2019, <https://medium.com/international-affairs-blog/manipulating-state-behaviour-how-to-use-sanctions-and-rewards-to-get-what-you-want-7cadaef3b0fd>; Susan H. Allen, “Political Institutions and Constrained Response to Economic Sanctions,” *Foreign Policy Analysis* 4, no. 3 (2008): 255–274; Bruce W. Jentleson. *Sanctions: What Everyone Needs to Know* (Oxford University Press, 2022), 1–288.

203 Ibid.

204 Nichols and Charbonneau, “Rwanda Warns Against Cutting Aid Over Congo Rebels.”

205 Nichols and Charbonneau, “Rwanda Warns Against Cutting Aid Over Congo Rebels.”; Doa Ali, “How to Kill an Entire Country: The Legacy of the Sanctions against Iraq,” *Transnational Institute*, July 26, 2023, <https://www.tni.org/en/article/how-to-kill-an-entire-country>; Morgan, T. Clifton and Valerie L. Schwebach, “Fools Suffer Gladly: The Use of Economic Sanctions in International Crises,” *International Studies Quarterly*. 41, no. 1 (March 1997): 27–50.

over 50 different experts on sanctions to establish a methodology to assess the effectiveness of sanctions.²⁰⁶ The findings of this research were summarised and made accessible through the UN Sanctions App, which provides information on all the UN sanctions imposed since 1991.²⁰⁷ This tool provides an adequate starting point to understand the effectiveness of UN sanctions imposed on the individuals and entities involved in the conflict in the DRC. This analysis recognises four different clusters of sanctions called sanction episodes stretching from 2003 up until the currently imposed sanctions. This methodology adheres to a five-step procedure to analyse the effectiveness of sanctions. It defines the purpose, type of sanction, existing evasion strategies, the relationship of the sanction to other policy instruments and other positive effects associated with effective targeted sanctions.

Firstly, the purpose of the sanction must be stipulated. The sanctions are analysed through three different potential purposes: i) to *coerce* a change in the target's behaviour, ii) to *constraint* a target from engaging in a proscribed activity and iii) to *signal* and stigmatise the target or others about the violation of an international norm. This multifaceted perspective presents a departure from the conventional understanding of sanctions, which predominantly underscores coercion as their primary and frequently exclusive objective. In particular, it endeavours to transcend the paradigm commonly referred to as the "naïve theory of sanctions," positing that heightened economic constraints imposed through sanctions would invariably exert significant leverage on political authorities to alter policy direction (i.e., the greater the economic hardship, the higher the probability of political concessions).

Secondly, it is imperative to indicate which type of targeted sanctions is used. The UN Sanctions App recognises individual

sanctions, diplomatic sanctions, arms embargoes, commodity sanctions, sectoral sanctions, and financial sector sanctions. Examples of various measures include asset freezes, travel bans, restrictions on diplomatic activity, arms suspensions, trade limitations on specific products, and economic sector restrictions like investment bans and oil embargoes.

The third step in the UN Sanctions App procedure is knowing the present evasion and coping strategies by the sanctioned individuals. Understanding evasion strategies by sanctioned individuals is paramount in evaluating the effectiveness of sanctions policies. These strategies offer insights into the adaptability and resilience of the targeted entities, shedding light on their ability to circumvent imposed restrictions. By comprehending these evasion tactics, policymakers can anticipate potential loopholes and adjust enforcement measures accordingly, ensuring the sanctions remain impactful and achieve their intended goals. Moreover, such understanding aids in crafting more robust and comprehensive sanctions frameworks that mitigate evasion risks, bolstering the overall efficacy of the sanctions regime. Examples of evasion strategies include diversified revenue streams that bypass the intended UN/EU/OFAC income possibilities. While sanctions often regulate formal trade routes or bank accounts, individuals can make use of informal routes such as front companies or disguise vessels to prolong their illicit activities.

The fourth step adheres to understanding other policy instruments in place that align with the objectives of sanctions. In assessing sanctions, it is essential to delineate their relationship with other policy instruments, including tribunals, peacekeeping organisations, and parallel sanction regimes. These instruments often complement one another, collectively forming a multifaceted

206 Thomas Biersteker et al., "The effectiveness of United Nations targeted sanctions: findings from the Targeted Sanctions Consortium (TSC)" The Graduate Institute Geneva (2013).

207 "UN Sanctions App," UN Sanctions App, accessed May 15, 2024, <https://unsanctionsapp.com/>.

approach to address complex geopolitical challenges.

Lastly, the TSC adheres to certain success factors which are associated with effective sanctioning across the three main purposes of *coercion*, *constraint*, and *signalling*. These characteristics differ and might even be contradictory towards one another as the prerequisites associated with coercive sanctions might have different characteristics than signalling sanctions for example. Understanding the context-specificity and different factors that might influence the success of targeted sanctions is an important step in assessing the effectiveness.

6.B Sanctions in the DRC: Different Levels of Effectiveness

6.B.i UN Sanctions in the DRC

The UN has implemented sanctions in the DRC on four separate occasions. In the case of the DRC, the TSC found that the UN sanction episodes had different degrees of effectiveness. They deemed the first and fourth episode to be ultimately ineffective, while being more positive about the outcomes of episode three, considered mixed in its outcome, and episode two, estimated as ultimately effective.²⁰⁸

Looking at episode one, in **Table 3**, which entails the UN arms embargo that was imposed on foreign militias active in the east of the DRC and non-signatories of the Pretoria Agreement implemented in 2003, a few valuable insights can be found.²⁰⁹ Firstly, the potential scope of impact of the arms embargo was considered medium, considering that the arms embargo can have some impact on the general population, but will most likely not have severe effects on people's livelihood and the overall economy. Second of all, looking at the different purposes of sanctions, the TSC argues that this sanction episode was largely ineffective, both in the case of constraint and coercion. This conclusion seems plausible, given the fact that no significant policy outcome or change was brought about by the sanctions, which is a necessary condition for both coercion and constraint to be considered effective. The only positive policy shift that was brought about by the sanction episode was the fact that stigmatisation of the target was done successfully, resulting in some awareness raised in targets, though this was ultimately not sufficient in bringing about positive and sustainable change in the DRC.

Episode two is the only sanctions regime imposed by the UN to be deemed as successful. It saw the arms embargo that was ineffective in the first episode extended to

Effectiveness of Sanctions Episodes

	Overall	Constraint	Coercion	Signalling
Ep 1. 2003-2005	Ineffective	Ineffective	Ineffective	Mixed
Ep 2. 2005-2008	Effective	Effective	Mixed	Effective
Ep. 3 2008-2010	Mixed	Ineffective	Effective	Ineffective
Ep. 4 2010-present	Ineffective	Ineffective	Mixed	Ineffective

TABLE 3

208 "Democratic Republic of Congo," UN Sanctions App, accessed March 2024, <https://unsanctionsapp.com/cases/democratic-republic-of-congo>.

209 "Global and Inclusive Agreement on the Transition In the Democratic Republic of the Congo (Pretoria Agreement)," United Nations, December 16 2002, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_021216_Global%20and%20Inclusive%20Agreement%20on%20Transition%20in%20DRC.pdf

the whole country with an exception for government forces in order to assist the MONUSCO mission and contribute to its goal of Disarmament, Demobilisation and Reintegration (DDR). Moreover, this episode sanctioned high-ranked individuals of militant groups by imposing travel bans and asset freezes in order to foster free elections in 2006 and coerce belligerent groups outside the Pretoria Agreement to participate in the elections and DDR. This episode aimed to constrain the hostilities by armed groups and signal those involved to support the transitional government. These clearly defined goals were partially met. A few parameters such as the outright scope of the sanctions episode, the clearly defined time limit of one year and the involvement of expert panels from the start were amongst the main reasons for its success as compared to episode one, which saw the Sanctions Committee and Group of Experts created eight months after the sanctions were imposed.

With regards to the UN sanctions, studies show that the UN sanctions are more successful in signalling than effectuating actual policy change, partly because UN enforcement mechanisms are structurally under-resourced.²¹⁰

6.C Analysis

6.C.i EU Sanctions in the DRC

The EU's key objectives are to safeguard European values and its fundamental security interests. By imposing sanctions, the EU aims to prevent or mitigate the conflicts and to preserve peace in the DRC and the Great Lakes Region. Additionally, the EU's sanctions also seek to support and

consolidate democracy in the DRC and to promote human rights. When measuring the EU sanctions objectives with the tragic reality of the ongoing conflict, the reality is that the EU sanctions, combined with UN- and OFAC sanctions, are not successful in preserving peace in the DRC. Nonetheless, this doesn't mean that the sanctions fully failed as a mitigating factor. There is a degree of success.

In that light, the arms embargo imposed by the EU could be said to be partially effective. As described in chapter V, the full arms embargo to Mobutu's Zaïre became more detailed in 2003 and allowed military means to be delivered to the central government. This full arms embargo was rather clear and the flow of military equipment to the conflict zone was limited. The new embargo facilitated a new stream of military equipment to the DRC. The main arms suppliers to the national government were China, Egypt, France, South Africa, Ukraine and the US.²¹¹ The military equipment delivered to the central government are seen in combat by sanctioned non-state actors. There is proof that the FDLR received weapons from the FARDC in order to effectively fight M23.²¹² Also there is proof, as described in chapter III, that M23 has access to advanced weaponry, such as 120 mm guided mortar shells equipped with precision strike capabilities. It is certain that M23 is being supplied by the Rwandese government with these advanced weapons.²¹³

Additionally, there is a sophisticated network of arms trafficking and rebel groups are able to continuously arm themselves. There were even weapons from North-Korea that were found in the DRC and also being used by the police of the central government.²¹⁴ This is

210 Anne Miers and T. Clifton Morgan, "Multilateral Sanctions and Foreign Policy Success: Can Too Many Cooks Spoil the Broth?," *International Interactions* 28, no. 2 (2002), pp. 117-136

211 "DR Congo: Arms Supplies Fuelling Unlawful Killings and Rape," Amnesty International, June 23 2021, <https://www.amnesty.org/en/latest/press-release/2012/06/dr-congo-arms-supplies-fuelling-unlawful-killings-and-rape/>.

212 Matia Mulumba, "DRC Army Supplying Arms to FDLR: HRW Report," *The Great Lakes Eye*, October 20 2022. https://thegreatlakeseye.com/post?s=DRC--army--supplying--arms--to--FDLR%3A--HRW--Report_784.

213 "Rwandan Arms, Fighters Still Sustaining M23 Rebel Forces in Congo," CBC, July 23 2013, <https://www.cbc.ca/news/world/rwandan-arms-fighters-still-sustaining-m23-rebel-forces-in-congo-1.1339383>.

214 "North Korea Supplied DRC Troops With Arms - UN Report." *Africa News*, May 13 2016, <https://www.africanews.com/2016/05/13/north-korea-supplied-drc-troops-with-arms-un-report/>.

illustrative of how difficult it is, under a partial arms embargo, to prevent non-state actors from arming themselves.

The financial targeted sanctions however, remain limited in effect. Most listed individuals did not make use of European financial institutions. Financial institutions can hardly comply with freezing assets, because there aren't many. In that light, most sanctioned individuals have limited ties with the EU, which renders their potential effect to effectuate behavioural change limited. However, of course, sanctions do play an important signalling role. Contradictory, the signalling effect is not always received well in the minds and hearts of the Congolese people. Just as the EU sanctions, UN sanctions generally entail a more signalling function than a real policy change potential. As considered above, the under-resourcing of the UN limits the organisation in this regard. Generally, all sanctions adopted by the UN have also been adopted by the EU, with the latter also having autonomously listed some individuals.

6.C.ii OFAC Sanctions in the DRC

Moving on to consider the sanctions as imposed by the OFAC, several things can be noted. First of all, regarding the sanction adoption procedure, OFAC sanctions can be imposed fairly quickly and effectively. Simultaneously, as demonstrated in the previous chapter, this does entail negative consequences for the transparency and the democratic decision-making process. Arguably, as there is less democratic debate in the adoption of these sanctions, the quality of sanctions imposed could be said to be potentially hampered. Furthermore, this would also render sanctions more likely to disproportionately infringe on for instance fundamental rights of sanctioned entities or persons in the long-run. Albeit it is harder to adopt sanctions in the EU, the consensus-making does ensure a debate surrounding their adoption.

When it comes to the effectiveness of the sanctions imposed, it can first be noted that the OFAC sanctions clearly take a more holistic approach than those imposed by the

EU and the UN. In that light, also subsequent effects of for instance mining are addressed. Furthermore, it was noted that most countries comply with OFAC sanctions. However, it should be kept in mind that this is largely because of the dollar dominance and the US's power in the international trade system that follows as a result. Therefore, it remains questionable as to what extent best practices can be drawn from this, since the euro has a vastly different position in the international monetary system than the dollar. What is proven interesting is that OFAC sanctions have an extraterritorial reach, allowing the OFAC to compel non-US entities to comply with OFAC regulations in certain circumstances. At the same time, albeit the OFAC has many powers at its disposal to enforce their sanctions worldwide, the limited trade relationship between the DRC and the US may make it harder for OFAC sanctions to actually trigger desired policy change.

6.D. Conclusion

The analysis shows that there are several prerequisites and characteristics that can help improve a positive outcome of targeted sanctions. In evaluating sanctions in the DRC, it is imperative to consider the distinct characteristics associated with effective coercion, constraint, and signalling. Effective coercion requires narrowly defined goals with direct political impacts on the target, accompanied by legal tribunals and regional sanctions, applied to the entire country. Conversely, effective constraint necessitates a focus on terrorist groups or armed militias, with specific parties identified as targets, along with commodity and diplomatic sanctions, regime asset freezes, and a robust Security Council infrastructure. Finally, effective signalling entails supporting democracy, specific identification of targets and regime supporters, commodity sanctions, secondary sanctions on neighbouring countries involved in the conflict, and the involvement of a panel of experts interacting with relevant actors. By incorporating these characteristics into the evaluation framework, policymakers can

better assess the impact and efficacy of sanctions in the DRC, ensuring a comprehensive and nuanced approach to addressing complex geopolitical challenges in the region.

It is important to note that the framework notes a few unintended consequences associated with the sanctions episodes, whether they have been effective or not. As for the first episode, next to the ineffectiveness of the imposed sanctions, the TSC argued for a decline in the credibility and legitimacy of the UNSC and, subsequently, the rise of new militias. The strengthening of authoritarian rule, the strengthening of political factions and a diversion of resources has been noted as the main unintended consequences for the second episode. This shows that even if the previously determined goal is reached, it fosters other, unexpected consequences. A similar situation occurs with the third and fourth sanctions episode as a spike in corruption, criminality and authoritarianism is seen. Such examples underscore the multi-faceted and onerous character of imposing sanctions and the difficulty of determining whether a sanction can be called “effective” or not. Keeping unintended consequences in mind is paramount when imposing sanctions and policymakers should be aware of such possible detrimental effects if they are to impose realistic, effective and actionable measures. It should be noted that deeming a sanction effective or ineffective might not be a preferred way of evaluating sanctions.

7. Recommendations Sanction Regime regarding the conflict in Eastern DRC

Chapter 7 addresses the recommendations that derive from the previous chapters, emphasising the insufficiency of sanctions alone in resolving the persistent violence in the DRC. It should be noted that sanctions are one of many tools for conflict intervention. Though sanctions can wield considerable economic influence to prompt behavioural change, their current application in the DRC highlights the need for a comprehensive strategy for the formulation, implementation, and evaluation of sanctions by the EU. Furthermore, though the Netherlands has recently come out with its own GLS which correctly states that stabilisation in the region starts with the resolution of the conflict in Eastern DRC, it lacks a substantive strategy for contributing to conflict resolution.

For this reason, our main recommendation advocates for the creation of a DRC strategy that exists within the existing boundaries of the GLS and the CRM Act. This Chapter is subdivided accordingly in two sections: operational recommendations (short-term and concrete) and recommendations for a comprehensive DRC strategy (long-term and broad). This division allows for an easier adoption of the recommendations and for a clearer overview between concrete and broad recommendations. Moreover, this division is necessary considering the importance of the sanction toolkit within the EU, as it has been established as one of its chief instruments for conflict resolution.

Before setting out specific recommendations, it is important to highlight three overarching recommendations that conclude the findings of the previous chapters. While these recommendations could enhance the EU sanction toolkit, their implementation requires more robust and system-changing actions. Due to their ambitious nature, they should be considered in conjunction with this chapter:

1. Sanctions should serve more than purely symbolic or signalling purposes.
2. Consequently, the EU should adjust its sanctions' objectives for the sake of their effectiveness.
3. The EU collectively needs to proactively align with like-minded partners, like the US, UK and the UN, on existing and future sanction packages concerning the conflict in the Eastern DRC to optimise their effectiveness.

Analysing the interview data reveals a prevalent theme: to stop imposing signalling sanctions without clear benchmarks for defining their "effectiveness." Furthermore, EU sanctions aim to bolster democracy, human rights, and adherence to international law. For example, Chapter 5 reveals a shift towards targeting human rights violators as the rationale for imposing sanctions, signifying a prioritisation of human rights. Nonetheless, their broad objectives pose challenges in measuring effectiveness. This should not imply that EU sanctions should be less ambitious, but rather that their objectives should be more clear for practicality and feasibility.

7.A Operational Recommendations

Recommendation 1: The EU should adjust its policy on arms embargo through...

... imposing a partial arms embargo on Rwanda consisting of a list of yet-to-be-compiled weaponry.

... urging third countries to implement a ban on weapons delivered to the FARDC and used by the FDLR and other non-state armed actors, like the Wazalendo group.

The EU's arms embargo in the DRC faces challenges. Despite the weapons embargo of episode two being more successful than in the first episode, high-end military

equipment is still flowing into the conflict.²¹⁵ While the embargo targets deliveries beyond the DRC's national government, evidence suggests weapons are being transferred to rebel groups such as the FDLR.²¹⁶ Key suppliers include China, Egypt, France, South Africa, Ukraine and the US. Additionally, M23 rebels reportedly receive support from Rwanda, acquiring advanced weaponry such as guided mortar shells and anti-drone capabilities.²¹⁷ To address this, a partial embargo on Rwanda and stricter controls on third-party deliveries to the DRC armed forces are proposed.

.... focusing more on enlisting high-level Rwandese military officials who actively incite conflict, like OFAC sanctioned individuals such as; Rwandese Brigadier General Andrew Nyamvumba and FDLR linked Sebastian Umimbabazi.

A halt in the addition of Rwandese nationals to the EU sanctions list is revealed, despite mounting evidence of Rwanda's negative role in the conflict.²¹⁸ This trend underscores the need for a stronger stance against Rwandese individuals implicated in abuses in order for sanctions to enhance impact and signal resolve against violators. Furthermore, level 2 and level 3 military are evenly sanctioned for both Congolese and Rwandan military.²¹⁹ The EU must focus more on imposing sanctions against higher ranked military, such as the Rwandese Brigadier General Andrew Nyamvumba and FDLR linked Sebastian Umimbabazi, aligning with the US' approach in the OFAC DRC program.²²⁰ And, based on the UN research on the effectiveness, described in chapter six, the episode wherein individuals with higher

ranks were sanctioned, seemed more effective.

Recommendation 2: The EU should adjust its policy on targeted sanctions through..

... considering imposing targeted sanctions on rebel group CODECO and the Wazalendo group.

The Eastern DRC is fraught with conflict involving key non-state actors like M23, FDLR, and ADF, all of which were sanctioned by the EU collectively in 2012. No new rebel groups have been sanctioned since 2014.²²¹ However, the significant role of CODECO in perpetuating the conflict is highlighted, with a military commander added to the sanctions list in 2022.²²² While some individuals from the Wazalendo group are sanctioned, high-ranking officials largely escape scrutiny despite their likely involvement in illegal mining of natural resources. Hence, prioritising targeted sanctions against such actors, in line with the recommendations made by the UN Group of Experts, is essential for conflict resolution.²²³

... conducting comprehensive research on the illicit financial flows of armed groups and UAE-based importers involved in the smuggling and theft of conflict minerals, to effectively disrupt the financial networks sustaining conflict in the DRC.

The EU's approach should delve deeper into addressing the root causes of the conflict, including disrupting financial flows to rebel groups from third-party entities and suppressing illegal resource exploitation, such as gold mining, which sustains groups like CODECO and Wazalendo.²²⁴ The EU did not impose any sanctions on UAE-based

215 As argued on the basis of Chapter 6.

216 As argued on the basis of Chapter 3.

217 As argued on the basis of Chapter 3.

218 See Chapter 5, figure 11.

219 See Chapter 5, figure 14.

220 Retrieved from the database of Chapter 5.

221 See Chapter 5, Table 2.

222 As argued on the basis of Chapter 3.

223 As argued on the basis of Chapter 3.

224 As argued on the basis of Chapter 3.

persons or entities involved in illegally obtained minerals.²²⁵ More research is needed on UAE entities influencing the conflict, with a clear stance necessary to discourage companies from purchasing conflict minerals to avoid sanctions.

.... duplicating existing OFAC sanctions with regard to the illegal import and export of conflict minerals and gold on UAE-based entities, such as: Premier Gold Refinery LLC, PGR Gold Trading LLC, Agor DMCC and Seychelles-linked AGR International Limited.

The 2019 UN Group of Experts Report on the DRC revealed discrepancies in gold trade figures between Rwanda and the UAE, hinting at possible smuggling or under-invoicing.²²⁶ While the US has imposed sanctions on UAE-based entities for their involvement in illegal gold trade, the EU has yet to follow suit.²²⁷ Coordinating with OFAC sanctions, which tend to sanction relatively more companies involved in illicit activities, would strengthen the EU's efforts in combating illegal activities in the gold trade.²²⁸ For example, the EU sanctioned Alain Francois Goetz, a Belgian businessman widely involved in illegal gold trade, but not his business imperium, including UAE-based companies.²²⁹ The US, on the other hand, did sanction this business imperium, including his UAE-based Agor DMCC; Seychelles-based holding company AGR International; PGR Gold Trading LLC; and UAE-based gold refinery Premier Gold Refinery LLC.²³⁰

... urging the US to list the EU-enlisted Ugandans James Nyakuni and transfer the

GLOMAG and SDGT enlisted individuals Seka Baluku, and Meddie Nkalubo.

Uganda, bordering North Kivu, is a hotspot for illicit gold trade.²³¹ Despite the focus on the DRC and Rwanda, Uganda's role is recognized, though there are discrepancies in OFAC sanctions. The EU has enlisted Ugandans – James Nyakuni, Seka Baluku and Meddie Nkalubo – but the US has yet failed to do so.²³² Hence, urging the US to adjust its sanctions program to align with the EU's sanctions program and monitoring Ugandan entities involved in the gold trade is essential.

Recommendation 3: The EU should increase sanction effectivity by enhancing the conditions of imposing sanctions through...

... continuing actively listing and delisting and engaging more with partners with more leverage in the DRC.

Since 2022, the EU has taken the lead in initiating sanctions independently rather than adopting UN sanctions, enhancing its role as a sanctions player.²³³ This approach not only strengthens the EU's signalling effect but also allows it to actively seek partners, particularly neighbouring African countries, where multilateral sanctions are proven more effective.²³⁴ Additionally, closer engagement with China, given its economic leverage in the DRC, presents an opportunity for the EU to collaborate on stabilising the business environment.²³⁵ By strategically initiating sanctions akin to the role of OFAC in US foreign policy, the EU aligns with its common foreign and security policy,

225 As argued on the basis of Chapter 5.

226 As argued on the basis of Chapter 3.

227 As argued on the basis of Chapter 5.

228 See Chapter 5, figure 19, 20, and 21.

229 Retrieved from the database of Chapter 5.

230 Retrieved from the database of Chapter 5.

231 As argued on the basis of Chapter 5.

232 Retrieved from the database of Chapter 5.

233 Retrieved from the data in Chapter 5.

234 As argued on the basis of Chapter 6.

235 As argued on the basis of Chapter 5.

contributing to a more cohesive and strategic approach in addressing conflicts.²³⁶

Furthermore, a Congolese individual – Kalev Mutondo – was subject to EU-OFAC sanctions because of his involvement in human rights violations. While he was delisted by the EU, he still appears on the OFAC sanctions list.²³⁷ It is important to align listings and delisting consistently with the US in order to maintain trust and incentivize behavioural change among sanctioned individuals.

... adjusting its sanctions objectives for the sake of feasibility.

EU sanctions aim to enhance democracy, the rule of law, human rights, and adherence to international norms, but their broad formulation makes measuring effectiveness challenging.²³⁸ In recent years, there has been a shift towards primarily targeting human rights violators, highlighting the clear objective of improving human rights.²³⁹ However, to enhance feasibility, EU sanctions objectives should be more specific while maintaining ambition.²⁴⁰ This ensures a more focused approach that is easier to evaluate and achieve.

... reevaluating its sanctions communications strategy to effectively convey deterrence signaling.

The current sanctions strategy fails to effectively deter targeted individuals or condemn human rights violations, lacking credibility and commitment both to those targeted and the general public.²⁴¹ To maximise the performative function of sanctions, the EU must recalibrate its communications to convey a clear commitment to conflict stabilisation and

human rights in the eastern DRC, engaging the local population to gain support.

Recommendation 4: The Netherlands should strategically position itself within the EU to enhance the efficiency of the EU's sanction policy in the DRC through...

... aligning itself closely with Member States that share similar concerns and priorities: Sweden, France, Belgium, and Germany.

By prioritising cooperation with like-minded Member States, the Netherlands can enhance its influence within the EU and advance a cohesive and impactful approach to sanctions policy in addressing the conflict in the DRC. Member States that take a proactive stance towards EU engagement in the DRC and seem to have similar priorities are Sweden, France, Belgium, and Germany.²⁴² Close collaboration with these Member States in the preparatory bodies of the Council can amplify the Dutch influence to reach a consensus for imposing sanctions in the DRC.²⁴³

... supporting capacity building and monitoring initiatives aimed at enhancing the effectiveness of EU sanctions regimes and addressing the unintended consequences of sanctions.

To address unintended consequences such as sanction circumvention and illicit trade, the Netherlands should adopt a comprehensive approach, enhancing due diligence and transparency in the financial sector.²⁴⁴ This involves collaboration among Dutch banks, financial institutions, and regulatory authorities to scrutinise transactions involving the DRC or Rwanda, thus bolstering EU actions' effectiveness while curbing corruption and illicit flows.²⁴⁵

236 As argued on the basis of Chapter 4.

237 Retrieved from the database of Chapter 5.

238 As argued on the basis of Chapter 4.

239 Retrieved from the data in Chapter 5.

240 As argued on the basis of Chapter 6.

241 As argued on the basis of Chapter 3.

242 As argued on the basis of Chapter 3.

243 As argued on the basis of Chapter 4.

244 As argued on the basis of Chapter 5.

245 As argued on the basis of Chapter 6.

7.B Recommendations for a Comprehensive Strategy

Recommendation 5: Within the framework of the EU Great Lakes Strategy, the Netherlands should push for a an integrated strategy aimed at addressing the root causes and effects of violence in the Eastern DRC specifically.

At the moment, sanctions are too often used in a vacuum, detached from a broader strategy or without adequate coordination with other tools. As such, a comprehensive strategy should be formulated to address the root causes of the conflict. This strategy should not simply address the effects of the conflict, but also consider key areas of strategic importance for the Netherlands and the EU (CRM, health, climate, normative interests, migration). As evaluated in chapter 6, a successful sanctions strategy should include tools and practices like reciprocity, diplomacy, investments, development cooperation, humanitarian aid, and support for accountable governance – complimentary with existing EU frameworks, in particular the Great Lakes Strategy. Essentially, it should encompass a detailed plan of action aimed specifically at addressing the factors that sustain violence and insecurity in the Eastern-DRC. Key within this strategy is communication, transparency, and cooperation to ensure broad support and visibility. Moreover, building on the Netherlands' 2023-2032 Africa Strategy, engagement and cooperation should be based on equality.²⁴⁶ The following recommendations do not focus on sanctions in particular, but on crucial elements of a comprehensive strategy in which sanctions policy should be embedded as well.

Recommendation 6: Diplomacy, being the first step and the foundation of international cooperation, should be used to foster the strategic goals of the EU, through diplomatic measures like...

... appointing an EU Special Representative (EUSR) in the Great Lakes region.

The appointment under consideration is deemed imperative due to the critical role the region plays in realising the strategic objectives of the European Union. Moreover, it is important to earmark adequate budgetary allocations to ensure the efficient fulfilment of the appointee's duties, which primarily involve fostering dialogue among stakeholders and reaffirming the EU's steadfast dedication to actively participate in peace initiatives within the region. The mandate of the EUSR should be distinctly oriented towards fostering peace and security, facilitating mediation processes, promoting good governance, upholding the rule of law, and safeguarding human rights.

... appointing a Dutch Special Envoy for the Great Lakes Region within the Ministry of Foreign Affairs of the Kingdom of the Netherlands.

For the same reasons as stated above, the necessity for a special representative within the Dutch Ministry of Foreign Affairs is evident.

... enhancing diplomatic bilateral engagement with the Great Lakes Region and adhering to a cohesive strategy.

Despite considerable bilateral engagement within the Great Lakes Region, including support provided through the European Peace Facility (EPF) and the signing of MoUs with various stakeholders, a coherent strategy appears to be lacking in the EU's foreign policy approach. There are evident inconsistencies, such as financing both the DRC and Rwanda via the EPF, despite Rwanda's reported support for the M23 rebel

²⁴⁶ "The Africa Strategy of the Netherlands 2023-2032", Ministerie van Buitenlandse Zaken, 30 June 2023, accessed May 2024, <https://www.rijksoverheid.nl/documenten/publicaties/2023/08/23/the-africa-strategy-of-the-netherlands-2023-2032>

group. The same development is reflected in the EU sanctions policy. In spite of recent denunciations by France, there has been no condition placed on military aid to Rwanda through the EPF.²⁴⁷ The first recommendation could enable the implementation of conditionality to military aid. Moreover, the signing of MoUs on CRMs with both the DRC and Rwanda, a nation historically not rich in CRMs, diverges from the normative interests of the EU and indicates a deficiency in a unified strategy.

... Intensifying engagement with regional actors, such as the EAC, SADC, and the AU and supporting those communities diplomatically and/or financially.

Engaging with recognized regional actors serves to mitigate anti-Western sentiments and fosters avenues for bilateral cooperation. Collaborating with the EAC and probably to a greater extent the SADC, whose significance in troop deployment has grown recently, presents an opportunity to address the void that will emerge following the withdrawal of MONUSCO. This form of regional cooperation would directly contribute to the multilaterality of sanctions and therefore its proven effectiveness.

Recommendation 7: Humanitarian aid should be a core element within the NL and EU's strategy for the DRC next to...

... advocating for minority rights of minority groups, the Banyarwanda and Banyamulenge.

The key issue perpetuating the crisis is the insecurity of the different peoples in the Eastern regions of the DRC. The different groups of people are not able to fully participate in society, some face economic, political and social barriers.²⁴⁸ Others are actively violently targeted and have become

the victim of power and identity politics. The EU should focus its humanitarian strategy on addressing the insecurities of the minorities.

Recommendation 8: Both the Netherlands and the EU should raise the importance of the DRC within their development and investment strategies, through...

... prioritising the DRC within the development cooperation agenda.

The Netherlands and the EU already make significant contributions to the development agenda in the DRC. The Netherlands has allocated a 29,05 million euro budget in 2024 and the EU devoted 424 million grants to the partnership with the DRC in the period 2021-2024.²⁴⁹ However, due to the significance of the DRC's internal crisis and its global importance, an increase in development budgets is crucial. Development cooperation addresses the root causes of instability and recurring violence, but also contributes to (regional) development more broadly - consequently accommodating stabilisation and security. Therefore, the Netherlands should advocate for increased funding in critical sectors such as human rights, peacebuilding, conflict prevention, (reproductive) health, food security, water, rural development and civil society. Importantly, it should locate and facilitate local-level peacebuilding and conflict resolution initiatives, grassroots dialogue processes and conflict mitigation.

... increasing investments in/efforts toward Team Europe Initiatives and Joint Programming in the DRC to ensure coordinated efforts in critical areas of development policy.

The Netherlands should make use of their close cooperation with like-minded Member States in the Team Europe Initiatives to

247 "Rwanda must halt 'support' for M23 rebels, withdraw groups from DR Congo, says Macron," France24, 30 April 2024, <https://www.france24.com/en/europe/20240430-macron-urges-rwanda-to-halt-support-for-m23-rebels-withdraw-troops-from-dr-congo>.

248 "Democratic Republic of the Congo," Minority Rights Group, accessed May 2024, <https://minorityrights.org/country/democratic-republic-of-the-congo/>.

249 "The Democratic Republic of the Congo", NL Ontwikkelingssamenwerking, accessed May 2024, <https://www.nlontwikkelingssamenwerking.nl/nl/#/countries/cd?tab=summary&countries=CD>; "Democratic Republic of the Congo," European Commission, accessed May 2024, https://international-partnerships.ec.europa.eu/countries/democratic-republic-congo_en.

expand coordinated action and promote more robust and integrated development policies. To this effect, it should locate areas for Joint Programming and introduce additional areas for TEI's with partners such as Germany, Sweden, Belgium and France.

... increasing investment budgets and strengthening economic ties with the DRC, while avoiding an extractive investment model.

Increased economic investment in the DRC not only contributes to (regional) economic development, and consequently the facilitation of a more secure and stable environment, but could also benefit the Netherlands and the EU in a number of strategic objectives such as the energy transition and enhanced engagement. The Netherlands should push for an increase in investments in increasingly important sectors such as green and digital growth, biodiversity and forest management; it should invest in private-sector development in order to stimulate safe and sustainable working conditions and improve the business climate; and it should expand infrastructural and resource investments in the DRC as part of Global Gateway. Furthermore, these investments could be used to incentivise compliance with international norms and human rights. Importantly, to avoid an increase in backlash these investments should be combined with a focus on job creation and value-addition.

Recommendation 9: Both the Netherlands and the EU should improve their communications strategy, through...

... increasing investments in local-level communication channels and media outlets combating fake news.

Anti-western sentiment and mistrust of western countries' engagement with the DRC (and particularly Rwanda) is increasing.²⁵⁰ At the moment, they seem unable to effectively communicate their condonement of human rights violations and their commitment to a

decrease in violence. Inadequate communication has led to accusations of hypocrisy and indifference, harming the EU's credibility as a normative power. The Netherlands and the EU should invest more in communication channels aimed at properly informing the population in the DRC about their policies. Countries worldwide have already adopted this practice for use in various regions, but it remains uncommon in the DRC - with the notable exception of Russia. Since March 2024, France has also begun using social media to promote its diplomacy in the DRC. Not only should the Netherlands and the EU adopt this form of diplomacy, but it should also be utilised to effectively communicate the causes and reasons behind sanctions, and its policy more broadly, to the society or the country affected. Simultaneously, these social media channels can be used to combat misinformation. In addition to the use of social media, local initiatives for accurate news provision should be supported. An example of such an initiative is the radio station Okapi, which presents itself as an 'anti-fake news' medium and broadcasts in multiple local languages alongside the commonly spoken French. Okapi is already supported by MONUSCO and Swiss NGO Fondation Hironnelle, but could expand its activities with Dutch or European support.²⁵¹ Another option is to support new initiatives by consulting local journalists.

... addressing the perceived hypocrisy in the EU's approach with regard to Rwanda.

It is important to mention that implementing a strengthened communication strategy alone is not sufficient. A Dutch or European investment in communication channels can only positively influence the ideas of the local population about Western countries and their actions in the region if this practice is adopted in conjunction with a broader strategy that acknowledges the role of Rwanda in the conflict and attaches consequences to it. A major factor in the

²⁵⁰ As discussed in Chapter 2 and 3.

²⁵¹ "Radio Okapi - Democratic Republic of Congo", Hironnelle, accessed May 2024, <https://www.hironnelle.org/en/democratic-republic-of-congo-okapi>.

Congolese population's distrust of Western countries stems from their perceived Western support for Rwanda at the expense of the DRC.²⁵² As depicted in chapter 5, the EU relative to the UN enlists more DRC nationals. This substantiates the perceived hypocrisy. Therefore, in order to enhance the effectiveness of the EU's policy in the DRC, the Netherlands should advocate strongly for a more coherent approach to address conflict and promote development in the Great Lakes region. This entails urging the EU to ensure that trade agreements, such as the one involving Rwandan raw materials, do not contradict the EU's condemnation of Rwandan involvement in the DRC conflict. Moreover, the Netherlands and EU should not shy away from public condemnation of Rwandan involvement in the conflict and use its means of strategic communication to get this message across to the local population. Emphasising the importance of consistency in EU policies can enhance the EU's credibility in the region and – as a result – positively influence the effectiveness of its strategy.

²⁵² As discussed in Chapter 2 and 3.

Bibliography

Chapter 1

- “Democratic Republic of the Congo Situation,” UNHCR, accessed 14 January 2024, <https://reporting.unhcr.org/operational/situations/democratic-republic-congo-situation#:~:text=Decades%20of%20clashes%20between%20armed,million%20people%20within%20the%20DRC>.
- “PR: The Government of the Democratic Republic of the Congo and MONUSCO sign a disengagement plan for the withdrawal of the Mission,” United Nations Peacekeeping, 22 November 2023, <https://peacekeeping.un.org/en/pr-government-of-democratic-republic-of-congo-and-monusco-sign-disengagement-plan-withdrawal-of>.
- “Critical raw materials for strategic technologies and sectors in the EU,” Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs, Publications Office of the European Union, 2020, https://op.europa.eu/en/search-results?_p_id=eu_europa_publications_portlet_search_executor_SearchExecutorPortlet_INSTANCE_q8EzsBteHybf&p_p_lifecycle=1&p_p_state=normal&facet.author=GROW&facet.collection=EUPub&language=en&startRow=1&resultPerPage=10&SEARCH_TYPE=ADVANCED.
- “RMIS - Extra-EU Country Profiles,” RMIS - Raw Materials Information System, accessed 2 March 2024, <https://rmis.jrc.ec.europa.eu/cp/CD>.
- Bruce Jentleson, *Sanctions: What Everyone Needs to Know*, (Oxford: Oxford University Press 2022).

Chapter 2

- Shola Lawal, “A Guide to the Decades-long Conflict in DR Congo,” Al Jazeera, 21 February 2024, www.aljazeera.com/news/2024/2/21/a-guide-to-the-decades-long-conflict-in-dr-congo.
- IPIS, “Why M23 Is Not Your Average Rebel Group - IPIS,” IPIS, 18 March 2024, ipisresearch.be/weekly-briefing/why-m23-is-not-your-average-rebel-group.
- Chiara Altare et al, “Health services for women, children and adolescents in conflict affected settings: experience from North and South Kivu, Democratic Republic of Congo,” *Conflict and Health* 14, no. 31 (2020), doi:10.1186/s13031-020-00265-1.
- AfricaNews, “DR Congo Election: Catholic, Protestant Churches Demand Inquiry Before Acceptance of Results,” Africanews, 5 January 2024, www.africanews.com/2024/01/05/dr-congo-catholic-protestant-churches-demand-inquiry-before-acceptance-of-results.
- Kasper Hofmann, “How DRC’s Colonial Legacy Forged a Nexus Between Ethnicity, Territory and Conflict.” *The Conversation*, 1 February 2021, theconversation.com/how-drcs-colonial-legacy-forged-a-nexus-between-ethnicity-territory-and-conflict-153469.
- General Act of the Berlin Conference on West Africa, 26 February 1885, loveman.sdsu.edu/docs/1885GeneralActBerlinConference.pdf.
- Ruben de Koning, “CONTROLLING CONFLICT RESOURCES IN THE DEMOCRATIC REPUBLIC OF THE CONGO,” SIPRI Policy Brief, July 2010, www.sipri.org/sites/default/files/files/misc/SIPRIPB1007.pdf.
- Oluwale Ojewale, “What Coltan Mining in the DRC Costs People and the Environment,” *The Conversation*, 29 May 2022, theconversation.com/what-coltan-mining-in-the-drc-costs-people-and-the-environment-183159.
- “Armed Conflict, Insecurity, and Mining in Eastern DRC: Reflections on the Nexus Between Natural Resources and Armed Conflict - Democratic Republic of the Congo,” ReliefWeb, 7 June 2023, reliefweb.int/report/democratic-republic-congo/armed-conflict-insecurity-and-mining-eastern-drc-reflections-nexus-between-natural-resources-and-armed-conflict.
- “Rwanda and the DRC at Risk of War as New M23 Rebellion Emerges: An Explainer - Democratic Republic of the Congo,” ReliefWeb, 26 July 2022, reliefweb.int/report/democratic-republic-congo/rwanda-and-drc-risk-war-new-m23-rebellion-emerges-explainer.
- “DRC Says Rwandan Mineral Smuggling Costs It Almost \$1bn a Year,” *Financial Times*, 21 March 2023, www.ft.com/content/ecf89818-949b-4de7-9e8a-89f119c23a69.
- “EU and Rwanda sign a Memorandum of Understanding on Sustainable Raw Materials Value Chains”, European Commission, 19 February 2024, ec.europa.eu/commission/presscorner/detail/en/ip_24_822.
- Kamervragen Zonder Antwoord Nr. 2024Z02852, 2 February 2024, zoek.officielebekendmakingen.nl/kv-tk-2024Z02852.html.
- “China Expected to Increase Control Over Global Lithium and Cobalt Supply - IER,” IER, 22 March 2023, www.instituteeforenergyresearch.org/international-issues/china-expected-to-increase-control-over-global-lithium-and-cobalt-supply/#:~:text=China's%20cobalt%20refining%20reached%2014,0%20C000,of%20the%20world's%20refining%20capacity.
- “Critical Raw Materials Act.” Available via: single-market-economy.ec.europa.eu/sectors/raw-materials/areas-specific-interest/critical-raw-materials/critical-raw-materials-act_en.

- “Rwanda and the DRC at Risk of War as New M23 Rebellion Emerges: An Explainer – Democratic Republic of the Congo.” ReliefWeb 2022.
- “CONTROLLING CONFLICT RESOURCES IN THE DEMOCRATIC REPUBLIC OF THE CONGO.” SIPRI 2010.
- <https://freedrcngo.org/>.
- Jamila Mieschke, ‘Naast ‘Free Palestine’ prijkt #FreeCongo en #FreeSudan’, NRC Handelsblad, 24 November 2023, <https://www.nrc.nl/nieuws/2023/11/24/naast-free-palestine-prijkt-freecongo-en-freesudan-a4182204>.
- Social media accounts aiming to put the DRC higher on the political agenda include: <https://www.instagram.com/freecongodrc/>, <https://www.instagram.com/freecongo.now/>, <https://www.instagram.com/genocost/>, <https://www.instagram.com/voiceofcongo/>
- Kristof Titeca, “Russian Influence, anti-Western Sentiments, and African Agency: The Struggle for Influence in the Democratic Republic of Congo,” *Strategic Review for Southern Africa* 45, no. 1 (2023), DOI: [10.35293/srsa.v45i1.4617](https://doi.org/10.35293/srsa.v45i1.4617).
- Joyce Zalbit, “Non, Ces Images Ne Montrent Pas Des Multinationales Occidentales Soutenant Le M23,” DE FACTO, 3 June 2021, defacto-observatoire.fr/Medias/Factuel/Fact-checks/Non-ces-images-ne-montrent-pas-des-multinationales-occidentales-soutenant-le-M23.
- Rodriguez Katsuva, “Ces photos de 2016 ne montrent pas des <blancs> soutenant l’armée rwandaise en DRC”, CongoCheck, 1 November 2022, <https://perma.cc/65C3-J4UE>.
- “Mapping a surge of disinformation in Africa”, Africa Center for Strategic Studies, 13 March 2024, <https://africacenter.org/spotlight/mapping-a-surge-of-disinformation-in-africa/>.
- Luke Harding and Jason Burke, “Leaked documents reveal Russian effort to exert influence in Africa,” The Guardian, 11 June 2019, <https://www.theguardian.com/world/2019/jun/11/leaked-documents-reveal-russian-effort-to-exert-influence-in-africa>.
- “Majority of Congolese reject East African Community Regional Force” Groupe d’étude sur le Congo, Groupe d’étude sur le Congo, 2 February 2023, <https://www.congoresearchgroup.org/wp-content/uploads/2023/02/version-anglaise-sondage-gec-ebuteli-deuxieme-note-thematique-force-regionale.pdf>
- Robert Bociaga, “China Sends Military Drones to DRC Amid Fears of Regional War,” The Diplomat, 25 March 2023, thediplomat.com/2023/03/china-sends-military-drones-to-drc-amid-fears-of-regional-war.
- Shola Lawal, “Could DR Congo’s Tshisekedi Declare War on Rwanda if Re-elected?” AlJazeera, 21 December 2023, <https://www.aljazeera.com/features/2023/12/21/analysis-could-tshisekedi-declare-war-on-rwanda-if-re-elected>

Chapter 3

- Bruce Jentleson, *Sanctions: What Everyone Needs to Know*, (Oxford: Oxford University Press 2022).
- Valerie Arnould and Koen Vlassenroot, “EU Policies in the Democratic Republic of Congo: Try and Fail?,” *Security in Transition* 2016, p. 1-22.
- “A renewed EU Great Lakes Strategy: Supporting the transformation of the root causes of instability into shared opportunities,” Council of the European Union, 20 February 2023, <https://data.consilium.europa.eu/doc/document/ST-6631-2023-INIT/en/pdf>.
- “China Belt and Road Initiative (BRI) Investment Report 2021,” Green Finance & Development Center, FISF Fudan University, Shanghai, January 2022, https://greenfdc.org/wp-content/uploads/2022/02/Nedopil-2022_BRI-Investment-Report-2021.pdf.
- Yew Lun Tian, “China willing to work with U.S. on Build Back Better World initiative,” Reuters 28 February 2022, <https://www.reuters.com/world/china/china-willing-work-with-us-build-back-better-world-initiative-2022-02-28/>.
- “Topic: The Belt and Road Initiative (BRI),” Statista, February 29, 2024, <https://www.statista.com/topics/10273/the-belt-and-road-initiative-bri/#topicOverview>.
- “International Partnerships: Global Gateway in Sub-Saharan Africa,” European Commission, accessed 2 March 2024, https://international-partnerships.ec.europa.eu/policies/global-gateway/initiatives-region/initiatives-sub-saharan-africa_en?prefLang=fr.
- “RMIS – Extra-EU Country Profiles,” RMIS – Raw Materials Information System, accessed 2 March 2024, <https://rmis.jrc.ec.europa.eu/cp/CD>.
- Robert D. Kaplan, “The Coming Anarchy,” *The Atlantic*, 20 March 2013, <http://pscourses.ucsd.edu/poli120n/Kaplan1994.pdf>.
- Marjolein De Ridder et al, “Coltan, Congo & Conflict,” The Hague Centre for Strategic Studies, March 13 2020, https://hcss.nl/wp-content/uploads/2013/06/HCSS_21_05_13_Coltan_Congo_Conflict_web.pdf.
- “Regulation of the European Parliament and of the Council establishing a framework for ensuring a secure and sustainable supply of critical raw materials”, European Commission, 16 March 2023, https://eur-lex.europa.eu/resource.html?uri=cellar:903d35cc-c4a2-11ed-a05c-01aa75ed71a1.0001.02/DOC_1&format=PDF.
- “Raw materials strategy for large transitions,” Rijksoverheid, 9 December 2022, <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/12/09/raw-materials-strategy-for-large-transitions>.

- “REPowerEU,” European Commission, accessed March 2024, https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/repowereu-affordable-secure-and-sustainable-energy-europe_nl.
- “Critical Raw Materials: ensuring secure and sustainable supply chains for EU’s green deal and digital future”, European Commission 16 March 2024, https://ec.europa.eu/commission/presscorner/detail/en/IP_23_1661.
- “A renewed EU Great Lakes Strategy: Supporting the transformation of the root causes of instability into shared opportunities – Council Conclusions (20 February 2023),” Council of the European Union, 20 February 2023, <https://data.consilium.europa.eu/doc/document/ST-6631-2023-INIT/en/pdf>.
- “Zakendoen in Democratische Republiek Congo,” RVO Nederland, accessed 2 March 2024, <https://www.rvo.nl/onderwerpen/landen-en-gebieden/dr-congo#handel-nederland---dr-congo>.
- “DRC Economy: the Giant Awakes”, United Nations Africa Renewal, November 2016, <https://www.un.org/africarenewal/magazine/august-2016/drc-economy-giant-awakens>.
- “HCI Data 2020”, The World Bank, 23 September 2020, <https://datacatalog.worldbank.org/search/dataset/0038030/Human-Capital-Index>.
- “6th European Union – African Union Summit: A Joint Vision for 2030,” European Union, 18 February 2022, https://www.consilium.europa.eu/media/54412/final_declaration-en.pdf (accessed 2 March 2024).
- “Democratic Republic of the Congo Situation,” UNHCR Global Focus, accessed March 2024, reporting.unhcr.org/operational/situations/democratic-republic-congo-situation.
- “Democratic Republic of the Congo”, OCHA, accessed May 2024, <https://www.unocha.org/democratic-republic-congo>
- “Ensuring Women’s Protection Amid Rising Conflict in Eastern DRC – Refugees International,” Refugees International, 5 April 2024, www.refugeesinternational.org/reports-briefs/ensuring-womens-protection-amid-rising-conflict-in-eastern-drc/#:~:text=From%202021%20to%202022%2C%20there,%2C%20South%20Kivu%2C%20and%20Ituri.
- “Democratic Republic of the Congo,” OCHA, 30 April 2024, www.unocha.org/democratic-republic-congo.
- Felix Mukwiza Ndahinda, “Anti-Tutsi Hate Speech Refuels Conflict in Eastern DR Congo,” Clingendael Spectator, 24 August 2022, spectator.clingendael.org/en/publication/anti-tutsi-hate-speech-refuels-conflict-eastern-dr-congo.
- “Democratic Republic of the Congo – DRC at a Glance – Situation as of 31 October 2023 – Democratic Republic of the Congo,” ReliefWeb, 8 November 2023, reliefweb.int/map/democratic-republic-congo/democratic-republic-congo-drc-glance-situation-31-october-2023.
- Morgane le Cam, “Confidential UN Report Provides ‘solid Evidence’ of Rwanda’s Involvement in the East DRC,” Le Monde, 5 August 2022, www.lemonde.fr/en/international/article/2022/08/05/confidential-un-report-provides-solid-evidence-of-rwanda-s-involvement-in-the-east-drc_5992599_4.html.
- “Report by the Group of Experts on the Democratic Republic of the Congo,” United Nations 2023, <https://documents.un.org/doc/undoc/gen/n23/364/37/pdf/n2336437.pdf?token=1BxWwZ1GqXdX9tA38J&fe=true>.
- “Democratic Republic of Congo Rocked by New M23 Rebel Offensive.” Le Monde, 22 December 2023, www.lemonde.fr/en/international/article/2023/10/26/democratic-republic-of-congo-rocked-by-new-m23-rebel-offensive_6206156_4.html.
- “In Congo, Peace Means a Halt to ‘Brutal, Illegal Mining.’” United States Institute of Peace, 7 March 2024, www.usip.org/publications/2024/03/congo-peace-means-halt-brutal-illegal-mining.
- “UAE Signs Deal to Develop Mines in Eastern DR Congo,” Al Jazeera, 18 July 2023, www.aljazeera.com/news/2023/7/18/uae-signs-deal-to-develop-mines-in-eastern-dr-congo.
- “UN Security Council Sanctions Rebels in DR Congo as Violence Escalates.” Al Jazeera, 21 February 2024, www.aljazeera.com/news/2024/2/21/un-security-council-sanctions-rebels-in-dr-congo-as-violence-escalates.
- Report by the Group of Experts on the Democratic Republic of the Congo – S/2023/990
- “Midterm report of the Group of Experts on the Democratic Republic of the Congo,” United Nations Security Council, 30 December 2023, <https://reliefweb.int/report/democratic-republic-congo/midterm-report-group-experts-democratic-republic-congo-s2023990-enarruzh>.
- “Tackling Illicit Financial Flows for Sustainable Development in Africa,” UNCTAD 2020, https://unctad.org/system/files/official-document/aldcafrica2020_en.pdf.
- Kate Hairsine. “DR Congo Conflict Pulls in More Players to Tackle Rebels.” DW, 21 February 2024, www.dw.com/en/dr-congo-conflict-pulls-in-more-players-to-tackle-rebels/a-68304390.
- “Could DR Congo’s Tshisekedi Declare War on Rwanda if Re-elected?” Al Jazeera, 21 December 2023, www.aljazeera.com/features/2023/12/21/analysis-could-tshisekedi-declare-war-on-rwanda-if-re-elected
- “Secretary-General Welcomes Rwanda-Uganda Memorandum of Understanding, Urging Neighbours to Restore Friendly Ties Cooperation for Regional Stability,” United Nations, 23 August 2019, press.un.org/en/2019/sgsm19708.doc.htm.
- Patrick Hajayandi, “Burundi-Rwanda Rivalry: RED-Tabara Rebel Attacks Add to Regional Tensions.” The Conversation, 14 April 2024,, theconversation.com/burundi-rwanda-rivalry-red-tabara-rebel-attacks-add-to-regional-tensions-225801.

- "EAC REGIONAL FORCE," EAC, accessed March 2024, www.eac.int/eac-regional-force.
- Barrack Oduor, "Ruto Congratulates DRC's President for Re-election | Kenyan Foreign Policy," Kenyan Foreign Policy | From Nairobi to the World, 1 Jan. 2024, kenyanforeignpolicy.com/ruto-congratulates-drcs-president-for-re-election.
- Musinguzi Blanshe, "Kenya talks big on climate change while illegal timber from ancient trees flows in daily from the DRC," The Africa Report, 8 April 2024, <https://www.theafricareport.com/342055/kenya-talks-big-on-climate-while-illegal-timber-from-ancient-trees-flows-in-daily-from-the-drc/#:~:text=Official%20statistics%20The%20Africa%20Report,January%202020%20and%20December%202022>.
- "Anti-Western demonstration in DR Congo as fighting escalates in east," Africa News, 15 February 2024, <https://www.africanews.com/2024/02/15/anti-western-demonstrations-in-dr-congo-as-fighting-escalates-in-east/>.
- Pyt Douma, "The Netherlands and Rwanda: A Case Study on Dutch Foreign Policies and Interventions in the Contemporary Conflict History of Rwanda," CPRP 2000, www.clingendael.org/sites/default/files/pdfs/20000600_cru_paper_douma.pdf.
- "Belgium's Role in Rwandan Genocide." Le Monde Diplomatique, 11 June 2021, mondediplo.com/2021/06/11rwanda.
- Leah Cogan, "France's Role in the 1994 Rwandan Genocide — Human Rights Pulse," Human Rights Pulse, 4 June 2021, www.humanrightspulse.com/mastercontentblog/frances-role-in-the-1994-rwandan-genocide.
- Helen C. Epstein, "America's Secret Role in the Rwandan Genocide," The Guardian, 5 January 2018, www.theguardian.com/news/2017/sep/12/americas-secret-role-in-the-rwandan-genocide.
- "The Dragon and the Bear in Africa: Stress-Testing Chinese-Russian Relations - Foreign Policy Research Institute." Foreign Policy Research Institute, November 2023, www.fpri.org/article/2023/11/the-dragon-and-the-bear-in-africa-stress-testing-chinese-russian-relations.
- Eric Lipton and Dionne Searcey, "How the U.S. lost ground against China in the Contest of Clean Energy," New York Times, 7 December 2021, <https://www.nytimes.com/2021/11/21/world/us-china-energy.html>.
- "Remarks by President Biden on the Bipartisan Infrastructure Law," The White House, 18 November 2021, www.whitehouse.gov/briefing-room/speeches-remarks/2021/11/17/remarks-by-president-biden-on-the-bipartisan-infrastructure-law-2.
- "The Kremlin's Efforts to Spread Deadly Disinformation in Africa - United States Department of State," United States Department of State, 12 February 2024, www.state.gov/the-kremlins-efforts-to-spread-deadly-disinformation-in-africa-2.
- "How the Kremlin spreads disinformation in Africa," United States Embassy in Georgia, 6 July 2022, <https://ge.usembassy.gov/how-the-kremlin-spreads-disinformation-in-africa/>.
- "United States provides additional US 6 million for conventional weapons destruction in the Democratic Republic of the Congo," US Embassy in the DRC, 22 October 2020, <https://cd.usembassy.gov/united-states-provides-additional-us-6-million-for-conventional-weapons-destruction-in-the-democratic-republic-of-the-congo/>.
- Henry Ridgwell, "Western Donors Pressed to Sanction Rwanda as DRC Violence Escalates," Voice of America, 17 March 2023, www.voanews.com/a/western-donors-pressed-to-sanction-rwanda-as-drc-violence-escalates-/7010244.html.
- "Escalating Violence in Democratic Republic of Congo Exacerbating Humanitarian Crisis, Special Representative Warns Security Council, Urging Durable Political Solution - Democratic Republic of the Congo." ReliefWeb, 21 February 2024, reliefweb.int/report/democratic-republic-congo/escalating-violence-democratic-republic-congo-exacerbating-humanitarian-crisis-special-representative-warns-security-council-urging-durable-political-solution.
- Diana Kinch, "Chinese dominance of DRC mining sector increases economic dependence: Mines Chamber," S&P Global, 1 December 2020, <https://www.spglobal.com/commodityinsights/en/market-insights/latest-news/metals/120120-chinese-dominance-of-drc-mining-sector-increases-economic-dependence-mines-chamber>.
- Stacey Links et al., "Chinese Approaches to Overseas Responsible Business: Insights From the DRC Cobalt Industry," Leiden Asia Center, October 2021, <https://leidenasiacentre.nl/wp-content/uploads/2021/10/Chinese-Approaches-to-Overseas-Responsible-Business.pdf>.
- "Profits and Loss: Mining and Human Rights in Katanga, Democratic Republic of the Congo," Amnesty, 19 June 2023, <https://www.amnesty.nl/actueel/profits-and-loss-mining-and-human-rights-in-katanga-democratic-republic-of-the-congo>.
- "Powering Change or Business as usual? Forced Evictions at Industrial Cobalt and Copper Mines in the Democratic Republic of the Congo," Amnesty, 11 September 2023, <https://www.amnesty.org/en/documents/afr62/7010/2023/en/>.
- Sanne van der Lugt, "Six Persistent Myths About China-Africa Relations," Clingendael Spectator, accessed March 2024, <https://spectator.clingendael.org/nl/publicatie/six-persistent-myths-about-china-africa-relations>.
- "Conflict in the Democratic Republic of Congo | Global Conflict Tracker." Global Conflict Tracker, accessed March 2024, www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo.

- "Tracking Russian Interference to Derail Democracy in Africa," Africa Center for Strategic Studies, 3 October 2023, africacenter.org/spotlight/russia-interference-undermine-democracy-africa.
- "How Russia interfered in elections in twenty countries", Proekt, 11 April 2019, <https://www.proekt.media/en/article-en/russia-african-elections/>.
- "Mapping Disinformation in Africa," Africa Center for Strategic Studies, 8 December 2023, africacenter.org/spotlight/mapping-disinformation-in-africa.
- Luke Harding, "Pragmatism and Ideology Drive Kremlin's Interest in Africa," The Guardian, 11 June 2019, www.theguardian.com/world/2019/jun/11/pragmatism-and-ideology-drive-kremlins-interest-in-africa.
- "Russian Government Approves Draft Agreement on Military Cooperation With DRC." TASS, 5 March 2024, tass.com/defense/1755957.
- David Lewis, "Gold worth millions smuggled out of Africa," Reuters, 24 April 2019, <https://www.reuters.com/investigates/special-report/gold-africa-smuggling/>.
- Final report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of the Congo, "United Nations Security Council 16 October 2002, <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/DRC%20S%202002%201146.pdf>.
- "Final report of the Group of Experts on the Democratic Republic of the Congo," United Nations Security Council, 7 June 2019, <https://documents.un.org/doc/undoc/gen/n19/136/10/pdf/n1913610.pdf?token=7J0k9IJV1FkTLpCB4y&fe=true>.
- "All That Glitters: The Struggle Over Congolese Gold," Congo Research Group, 15 May 2023, www.congoresearchgroup.org/en/2023/05/15/all-that-glitters-the-struggle-over-congolese-gold.
- Ann Garrison, "Rwanda Exports 2,163 Kg of Gold, UAE Imports 12,539 Kg of It," Black Agenda Report, 13 November 2019, www.blackagendareport.com/rwanda-exports-2163-kg-gold-uae-imports-12539-kg-it.
- "Global Gateway: EU signs strategic partnerships on critical raw materials value chains with DRC and Zambia and advances cooperation with US and other key partners to develop the 'Lobito Corridor,'" European Commission, 26 October 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5303.
- M. Apelblat, "EU condemns Rwanda's support to rebel group in DRC, signs agreement on raw materials," Brussels Times, 8 March 2024, <https://www.brusselstimes.com/956676/eu-condemns-rwandas-support-to-rebel-group-in-drc-signs-agreement-on-raw-materials>.
- "Democratic Republic of the Congo: Statement by High Representative / Vice-President Josep Borrell At the EP debate on the situation in the Eastern Provinces," EEAS, 27 February 2024, https://www.eeas.europa.eu/eeas/democratic-republic-congo-statement-high-representative-vice-president-josep-borrell-ep-debate_en.
- "EU and Rwanda sign an Memorandum of Understanding on Sustainable Raw Materials Value Chains," European Commission, 19 February 2024, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_822.
- "Germany, France add pressure on Rwanda over alleged support for M23-rebels," Africa News, 21 December 2022, <https://www.africanews.com/2022/12/21/germany-france-add-pressure-on-rwanda-over-alleged-support-for-m23-rebels/>.
- "France 'Very Concerned' about intensified DRC, M23 Fighting," VoA, 20 February 2024, <https://www.voaafrica.com/a/france-very-concerned-about-intensified-drc-m23-fighting/7495025.html>.
- "Belgium expresses deep concern over escalating violence in North Kivu, DRC," The Rwandan, 9 February 2024, <https://www.therwandan.com/belgium-expresses-deep-concern-over-escalating-violence-in-north-kivu-drc/>.
- "The Conflict in Eastern DRC: All hostilities must cease," Slovenia UNSC 27 March 2024, <https://buildingtrust.si/the-conflict-in-eastern-drc-all-hostilities-must-cease/>.
- "Escalating Violence in Democratic Republic of Congo, Exacerbating Humanitarian Crisis, Special Representative Warns Security Council, Urging Durable Political Solution," UNSC, 21 February 2024, <https://reliefweb.int/report/democratic-republic-congo/escalating-violence-democratic-republic-congo-exacerbating-humanitarian-crisis-special-representative-warns-security-council-urging-durable-political-solution>.
- "Minister Biruta holds bilateral meeting with his counterpart of Malta," MINAFETT, 11 May 2023, <https://www.minaffet.gov.rw/updates/news-details/minister-biruta-holds-bilateral-meeting-with-his-counterpart-of-malta>.
- Agata Pyka, "Polish president criticised by DR Congo over cooperation with Rwanda," Notes from Poland, 15 February 2024, <https://notesfrompoland.com/2024/02/15/polish-president-criticised-by-dr-congo-over-cooperation-with-rwanda>.
- "Rwanda and Spain sign MOU to consolidate bilateral cooperation," IGIHE, 17 December 2020, <https://en.igihe.com/news/article/rwanda-spain-sign-mou-to-consolidate-bilateral-cooperation>.
- "Why Greece mulls Rwanda as gateway for strengthened cooperation with Africa," IGIHE, 6 November 2021, <https://en.igihe.com/news/article/why-greece-mulls-rwanda-as-gateway-for-strengthened-cooperation-with-africa>.
- Minister Vicent Biruta in working visit to Hungary for a two-day working visit," MINAFETT, 12 February 2020, <https://www.minaffet.gov.rw/updates/news-details/ministerbirutainworkingvisittohungaryforatwo-dayworkingvisit>.

- Collins Mwai, "Rwanda, Finland look to stronger economic operation," New Times, 10 December 2020, <https://www.newtimes.co.rw/article/182382/News/rwanda-finland-look-to-stronger-economic-cooperation>.
- "Latvia and Rwanda undertake to promote economic cooperation and sign memorandum of understanding for the establishment of political consultations," Ministry of Foreign Affairs of the Republic of Latvia, 2 June 2023, <https://www.mfa.gov.lv/en/article/latvia-and-rwanda-undertake-promote-economic-cooperation-and-sign-memorandum-understanding-establishment-political-consultations>.
- "Rwanda and Portugal vow to boost bilateral cooperation," APA News, 12 February 2024, <https://apanews.net/rwanda-and-portugal-vow-to-boost-bilateral-cooperation/>.
- "Rwanda, the Czech Republic's promising partner in Africa, condemned the aggression against Ukraine," Ministry of Foreign Affairs of the Czech Republic, 8 March 2022, https://mzv.gov.cz/jnp/en/issues_and_press/archive/events_and_issues/x2022/rwanda_the_czech_republic_s_promising.html.
- Barbara Moens, "In Congo, Belgian King tries to move past the past," Politico, 8 June 2022, <https://www.politico.eu/article/democratic-republic-congo-belgium-king-tries-to-move-past-the-past-colonialism/>.
- "Spotlight: Mozambique. EU split over further funding for Rwandan troops in Cabo Delgado," Africa Intelligence, 16 April 2024, <https://www.africaintelligence.com/southern-africa-and-islands/2024/04/16/eu-split-over-further-funding-for-rwandan-troops-in-cabo-delgado,110216064-eve>.
- "President Meloni's press statement with the President of the Republic of the Congo," Italian Government (Presidency of the Council of Ministers), 13 October 2023, <https://www.governo.it/en/articolo/president-meloni-s-press-statement-president-republic-congo/23944>.
- "Democratic Republic of the Congo," Team Europe Initiative and Joint Programming Tracker, 21 August 2023, https://capacity.dev.europa.eu/resources/team-europe-tracker/partner-countries/democratic-republic-congo/tei_en.

Chapter 4

- "Sanctions Guidelines – update," Council of the European Union, 4 May 2018, <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>.
- "Sancties," Ministerie van Buitenlandse Zaken, accessed 4 March 2024, <https://ecer.minbuza.nl/ecer/dossiers/buitenlands-en-veiligheidsbeleid/sancties.html>.
- "Sanctions Guidelines – update," Council of the European Union, 4 May 2018, <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>.
- Elizabeth Rushing, "Unblocking Aid: The EU'S 2023 Shift in Sanctions Policy To Safeguard Humanitarian Efforts", Humanitarian Law & Policy Blog, 25 March 2024. https://blogs.icrc.org/law-and-policy/2024/01/23/unblocking-aid-eu-2023-sanctions-policy-humanitarian-efforts/#_ftnref7.
- "Dutch Government Policy On International Sanctions", Ministerie van Algemene Zaken, 18 September 2023, <https://www.government.nl/topics/international-sanctions/policy-international-sanctions>.
- Sanctiewet 1977, available via: <https://wetten.overheid.nl/BWBR0003296>.
- "Sanctions Guidelines – update," Council of the European Union, 4 May 2018, <https://data.consilium.europa.eu/doc/document/ST-5664-2018-INIT/en/pdf>.
- "European Union Sanctions", EEAS, accessed 1 March 2024, https://www.eeas.europa.eu/eeas/european-union-sanctions_en#:~:text=Implementation%20and%20enforcement%20of%20EU,and%20to%20take%20adequate%20steps.
- "Commission welcomes political agreement on new rules criminalising the violation of EU sanctions," European Commission, 12 December 2023. https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6535.
- Lisa L. Martin, Coercive Cooperation: Explaining Multilateral Economic Sanctions, (Princeton, NJ: Princeton University Press 1992).
- "Home," Office of Foreign Assets Control | U.S. Department of the Treasury, accessed February 2024, <https://ofac.treasury.gov/>.
- Richard Nephew, "Implementation of sanctions" in Economic Sanctions in International Law and Practice, ed. Masahiko Asada (London: Routledge, 2019).
- "UK Sanctions," Foreign & Commonwealth Office and Foreign, Commonwealth & Development Office, 28 August 2019. <https://www.gov.uk/guidance/uk-sanctions>.
- "UK sanctions regime," The Law Society, 7 May 2024. <https://www.lawsociety.org.uk/topics/anti-money-laundering/sanctions-guide>.
- "The UK Sanctions List" Foreign, Commonwealth & Development Office, 6 July 2020. <https://www.gov.uk/government/publications/the-uk-sanctions-list>.

Chapter 5

- "EU Sanctions Map: Democratic Republic of the Congo," EU Sanctions Map, (Last update 2 May 2024), adopted by EU and UN. <https://www.sanctionsmap.eu/#/main>.

- “EU Sanctions Map: Democratic Republic of the Congo.” EU Sanctions Map, (Last update 12 December 2023), adopted by EU and UN.
- “Global and Inclusive Agreement on the Transition In the Democratic Republic of the Congo (Pretoria Agreement),” United Nations, December 16 2002, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_021216_Global%20and%20Inclusive%20Agreement%20on%20Transition%20in%20DRC.pdf https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_030402_SunCityAgreement.pdf
- “Red Flags on Dutch Financial System, Report Warns Links to Corruption, Violence – the Sentry.” The Sentry, December 15 2020. <https://thesentry.org/2020/12/15/5091/red-flags-dutch-financial-system-report-warns-links-corruption-violence/>.
- Annex I and II of Council Decision 2010/788/CFSP.
- Christophe Châtelot, “DRC Foreign Minister: ‘The European Union Is Complicit in the Plundering of Our Resources and the Aggression of Rwanda,’” Le Monde.Fr, February 29 2024, https://www.lemonde.fr/en/le-monde-africa/article/2024/02/29/drc-the-european-union-is-complicit-in-the-plundering-of-our-resources-and-the-aggression-of-rwanda_6570043_124.html.
- “Security Council 1533 Sanctions Committee Adds Six Entries to Its Sanctions List | Meetings Coverage and Press Releases,” February 20 2024, <https://press.un.org/en/2024/sc15597.doc.htm>.
- Human Rights Watch, “DR Congo: Deadly Crackdown on Protests,” January 24 2015, <https://www.hrw.org/news/2015/01/24/dr-congo-deadly-crackdown-protests>
- Franck Katembo Sikakulya et al., “Ebola in the Eastern Democratic Republic of Congo: One Health Approach to Infectious Disease Control,” One Health 9 (June 2020).
- “Tous Pour La Paix Et Le Développement (NGO).” United Nations Security Council Sanctions Committees. Accessed March 14, 2024.. [www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/tous-pour-la-paix-et-le-developpement-\(ngo\)](http://www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/tous-pour-la-paix-et-le-developpement-(ngo)).
- Compagnie Aérienne des Grands Lacs (CAGL); Great Lakes Business Company (GLBC), “Narrative Summary of Reasons for Listing,” United Nations Security Council Sanctions Committee, October 29 2014, <https://www.un.org/securitycouncil/sanctions/1533/materials/summaries/entity/compagnie-aerienne-des-grands-lacs-%28cagl%29%3B-great-lakes>.
- “EU and Rwanda sign a Memorandum of Understanding on Sustainable Raw Materials Value Chains,” European Commission, 19 February 2024, https://ec.europa.eu/commission/presscorner/detail/en/ip_24_822.
- Homepage of the Office of Foreign Assets Control, accessed March 18 2024, <https://ofac.treasury.gov/>.
- “Democratic Republic of the Congo – U.S. Export Controls,” International Trade Administration, March 14 2024, <https://www.trade.gov/country-commercial-guides/democratic-republic-congo-us-export-controls>.
- “Democratic Republic of the Congo Sanctions – United States Department of State,” United States Department of State, March 18 2022, <https://www.state.gov/democratic-republic-of-the-congo-sanctions/>.
- “The Paradox of a Stronger Global Role for the Euro | Clingendael,” Clingendael, n.d., <https://www.clingendael.org/publication/paradox-stronger-global-role-euro>.
- Christine Lagarde, “The International Role of the Euro,” The International Role of the Euro, 2023, <https://www.ecb.europa.eu/pub/pdf/ire/ecb.ire202306-d334007ede.en.pdf>.
- Joe Cash, “China, Saudi Arabia Sign Currency Swap Agreements,” Reuters, November 20, 2023, <https://www.reuters.com/markets/currencies/china-saudi-arabia-central-banks-sign-local-currency-swap-agreement-2023-11-20/>.
- “11 | Office of Foreign Assets Control,” Office of Foreign Assets Control | U.S. Department of the Treasury, n.d., <https://ofac.treasury.gov/faqs/11>.
- “Political Declaration setting out the framework for the future relationship between the European Union and the United Kingdom,” UK Government, 19 October 2019, <https://www.gov.uk/government/publications/new-withdrawal-agreement-and-political-declaration>.
- Philbert Girinema, Andrew Macaskill and Michael Holden, “UK interior minister signs new Rwanda treaty to resurrect asylum plan,” Reuters, 6 December 2023, <https://www.reuters.com/world/uks-cleverly-sign-new-asylum-treaty-with-rwanda-2023-12-05/>.
- Thomas Biersteker et al., “The effectiveness of United Nations targeted sanctions: findings from the Targeted Sanctions Consortium (TSC)” The Graduate Institute Geneva (2013).
- “UN Sanctions App,” UN Sanctions App, accessed May 15, 2024, <https://unsanctionsapp.com/>.
- “Security Council Renews Democratic Republic of Congo Sanctions Regimes, Adopting Resolution 2641 (2022)” United Nations Meeting Coverage and Press Releases, June 30 2022, <https://press.un.org/en/2022/sc14955.doc.htm>

Chapter 6

- Johan Galtung, “On the Effects of International Economic Sanctions, With Examples from the Case of Rhodesia.” *World Politics* 19, no. 3 (1967): 378–416.
- Margaret Doxey, “International Sanctions: A Framework for Analysis with Special Reference to the UN and Southern Africa,” *International Organization* 26, no. 3 (Summer 1972): 527–550.

- Dursun Peksen, "Better or Worse? The Effect of Economic Sanctions on Human Rights," *Journal of Peace Research*, vol. 46, no. 1 (2009): 59–77.
- David Cortright, and George A. Lopez, "Sanctions Decade," In *Targeted Sanctions: The Impacts and Effectiveness of United Nations Action*, ed. Thomas J. Biersteker, Sue E. Eckert, and Marcos Tourinho (Cambridge: Cambridge University Press, 2016), 205–207.
- Lisa L. Martin, *Coercive Cooperation: Explaining Multilateral Economic Sanction* (Princeton, NJ: Princeton University Press, 1992).
- Mehta, Rupal N. "Manipulating State Behaviour: How to Use Sanctions and Rewards to Get What You Want." *International Affairs Blog*, July 11 2019, <https://medium.com/international-affairs-blog/manipulating-state-behaviour-how-to-use-sanctions-and-rewards-to-get-what-you-want-7cadaef3b0fd>.
- Susan H. Allen, "Political Institutions and Constrained Response to Economic Sanctions," *Foreign Policy Analysis* 4, no. 3 (2008): 255–274.
- Bruce W. Jentleson. *Sanctions: What Everyone Needs to Know* (Oxford University Press, 2022), 1–288.
- Doa Ali, "How to Kill an Entire Country: The Legacy of the Sanctions against Iraq," *Transnational Institute*, July 26, 2023, <https://www.tni.org/en/article/how-to-kill-an-entire-country>.
- Michelle Nichols and Louis Charbonneau, "Rwanda Warns Against Cutting Aid Over Congo Rebels," Reuters, October 18, 2018, <https://www.reuters.com/article/idUSBRE89H1IX/>.
- Morgan, T. Clifton and Valerie L. Schwebach, "Fools Suffer Gladly: The Use of Economic Sanctions in International Crises." *International Studies Quarterly*. 41, no. 1 (March 1997): 27–50.
- "Democratic Republic of Congo," UN Sanctions App, accessed March 2024, <https://unsanctionsapp.com/cases/democratic-republic-of-congo>.
- "Global and Inclusive Agreement on the Transition In the Democratic Republic of the Congo (Pretoria Agreement)," United Nations, December 16 2002, https://peacemaker.un.org/sites/peacemaker.un.org/files/CD_021216_Global%20and%20Inclusive%20Agreement%20on%20Transition%20in%20DRC.pdf
- Anne Miers and T. Clifton Morgan, "Multilateral Sanctions and Foreign Policy Success: Can Too Many Cooks Spoil the Broth?," *International Interactions* 28, no. 2 (2002), pp. 117–136.
- "DR Congo: Arms Supplies Fuelling Unlawful Killings and Rape," Amnesty International, June 23 2021, <https://www.amnesty.org/en/latest/press-release/2012/06/dr-congo-arms-supplies-fuelling-unlawful-killings-and-rape/>.
- Matia Mulumba, "DRC Army Supplying Arms to FDLR: HRW Report," The Great Lakes Eye, October 20 2022. https://thegreatlakeseye.com/post?s=DRC--army--supplying--arms--to--FDLR%3A--HRW--Report_784.
- "Rwandan Arms, Fighters Still Sustaining M23 Rebel Forces in Congo," CBC, July 23 2013, <https://www.cbc.ca/news/world/rwandan-arms-fighters-still-sustaining-m23-rebel-forces-in-congo-1.1339383>.
- "Rwandan Arms, Fighters Still Sustaining M23 Rebel Forces in Congo," CBC, July 23 2013, <https://www.cbc.ca/news/world/rwandan-arms-fighters-still-sustaining-m23-rebel-forces-in-congo-1.1339383>.
- "North Korea Supplied DRC Troops With Arms - UN Report." Africa News, May 13 2016, <https://www.africanews.com/2016/05/13/north-korea-supplied-drc-troops-with-arms-un-report/>.

Chapter 7

- "Financier of Islamic State paid money to rebel group in eastern Congo - report," Reuters, 15 November 2018, <https://www.reuters.com/article/idUSKCN1NK1ZF/>.
- "Gold Mine Attack in Eastern DRC Kills at Least 12 People," Associated Press/Voice of America, 16 February 2024. <https://www.voaafrica.com/a/gold-mine-attack-in-drc-kills-at-least-12-people/7489946.html>.
- "Armed Groups, Territorial Control, Land Disputes, and Gold Exploitation in Djugu, Ituri, Democratic Republic of Congo," LandLinks, 26 October 2023, <https://www.land-links.org/document/armed-groups-territorial-control-land-disputes-and-gold-exploitation-in-djugu-ituri-democratic-republic-of-congo/>.
- "Letter dated 15 December 2023 from the Group of Experts on the Democratic Republic of the Congo addressed to the President of the Security Council." United Nations Security Council, 30 December 2023. <https://documents.un.org/doc/undoc/gen/n23/364/37/pdf/n2336437.pdf?token=P7idSWcetbgZlH1F7B&fe=true>.
- "Treasury Sanctions Alain Goetz and a Network of Companies Involved in the Illicit Gold Trade," US Home Treasury, 26 April, 2024. <https://home.treasury.gov/news/press-releases/jy0664>.
- "Democratic Republic of the Congo: Council Delists Two Individuals Following General Court Ruling," Council of the European Union, 19 June 2023. <https://www.consilium.europa.eu/en/press/press-releases/2023/06/19/democratic-republic-of-the-congo-council-delists-two-individuals-following-general-court-ruling/>.
- Gary Clyde Hufbauer, Jeffrey J. Schott, and Kimberly Ann Elliott, *Economic Sanctions Reconsidered*, 3rd ed. (Washington, DC: Peterson Institute for International Economics 2007), p. 159.
- "Global Gateway: EU signs strategic partnerships on critical raw materials value chains with DRC and Zambia and advances cooperation with US and other key partners to develop the 'Lobito Corridor,'" European Commission, 26 October 2023, https://ec.europa.eu/commission/presscorner/detail/en/ip_23_5303.

- “Rwanda must halt ‘support’ for M23 rebels, withdraw groups from DR Congo, says Macron,” France24, 30 April 2024, <https://www.france24.com/en/europe/20240430-macron-urges-rwanda-to-halt-support-for-m23-rebels-withdraw-troops-from-dr-congo>.
- “The Africa Strategy of the Netherlands 2023-2032”, Ministerie van Buitenlandse Zaken, 30 June 2023, accessed May 2024, <https://www.rijksoverheid.nl/documenten/publicaties/2023/08/23/the-africa-strategy-of-the-netherlands-2023-2032>
- “Democratic Republic of the Congo,” European Commission, accessed April 2024, https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/democratic-republic-congo_en#how-are-we-helping.
- “République Démocratique du Congo Plan de Réponse Humanitaire”, FTS OCHA, accessed May 2024, <https://fts.unocha.org/plans/1113/summary>
- “Contributions Tracking,” OCHA, accessed May 2024, <https://oct.unocha.org/index.aspx>
- “Democratic Republic of the Congo Situation: Funding Update,” UNCHR, 15 December 2023, <https://reporting.unhcr.org/drc-situation-funding-2023>.
- “Democratic Republic of the Congo,” European Commission, accessed April 2024, https://civil-protection-humanitarian-aid.ec.europa.eu/where/africa/democratic-republic-congo_en#how-are-we-helping.
- “Earmarked funding to multilateral organisations: how is it used and what constitutes good practice?” OECD, October 2020, <https://www.oecd.org/dac/financing-sustainable-development/development-finance-topics/Multilateral-development-finance-brief-2020.pdf>.
- “Funding Trends,” OHCHR, accessed May 2024, <https://www.ohchr.org/en/about-us/funding-and-budget/funding-trends>
- “Democratic Republic of the Congo,” Minority Rights Group, accessed May 2024, <https://minorityrights.org/country/democratic-republic-of-the-congo/>.
- “The Democratic Republic of the Congo”, NL Ontwikkelingssamenwerking, accessed May 2024, <https://www.nlontwikkelingssamenwerking.nl/nl/#/countries/cd?tab=summary&countries=CD>;
- “Democratic Republic of the Congo,” European Commission, accessed May 2024, https://international-partnerships.ec.europa.eu/countries/democratic-republic-congo_en.
- “Radio Okapi - Democratic Republic of Congo”, Hinrondelle, accessed May 2024, <https://www.hinrondelle.org/en/democratic-republic-of-congo-okapi>.

Interviews

(anonymised)

- A Congolese Researcher
- Dutch policy officers
- A Dutch policy officer
- Luvy M. Rocha Rappaccioli Chief Program Manager Dialogue Advisory Group, interviewed by Track DAF x DIE The West Wing, Online, January 30th 2024.
- Dutch Policy Officer, interviewed by Track DAF x DIE The West Wing, Online, January 31th 2024.
- Steven Spittaels Team Leader European Institute of Peace, interviewed by Track DAF x DIE The West Wing, Online, February 6th 2024.
- Dutch Policy Officer, interviewed by Track DAF x DIE The West Wing, Online, February 14th 2024.
- Alphonse Muambi Expert African Affairs & Geopolitics, interviewed by Track DAF x DIE The West Wing, February 20th 2024.
- Dutch Policy Officer, interviewed by Track DAF x DIE The West Wing, Online, February 28th 2024.
- Lidewyde Berckmoes Associate professor African Studies Centre Leiden, interviewed by Track DAF x DIE The West Wing, Online, April 12th 2024.
- Alliance Mango Kubota, , interviewed by Track DAF x DIE The West Wing, Online, April 12th 2024.
- Dirk-Jan Koch Director & secretary of the Advisory Council of International Affairs of the Netherlands, interviewed by Track DAF x DIE The West Wing, Online, April 17th 2024.
- Jaroslaw Kantorowicz assistant professor Leiden University, interviewed by Track DAF x DIE The West Wing, Online, May 6th 2024
- Elena Kantorowicz-Reznichenkoi professor Erasmus University, interviewed by Track DAF x DIE The West Wing, Online, May 6th 2024

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