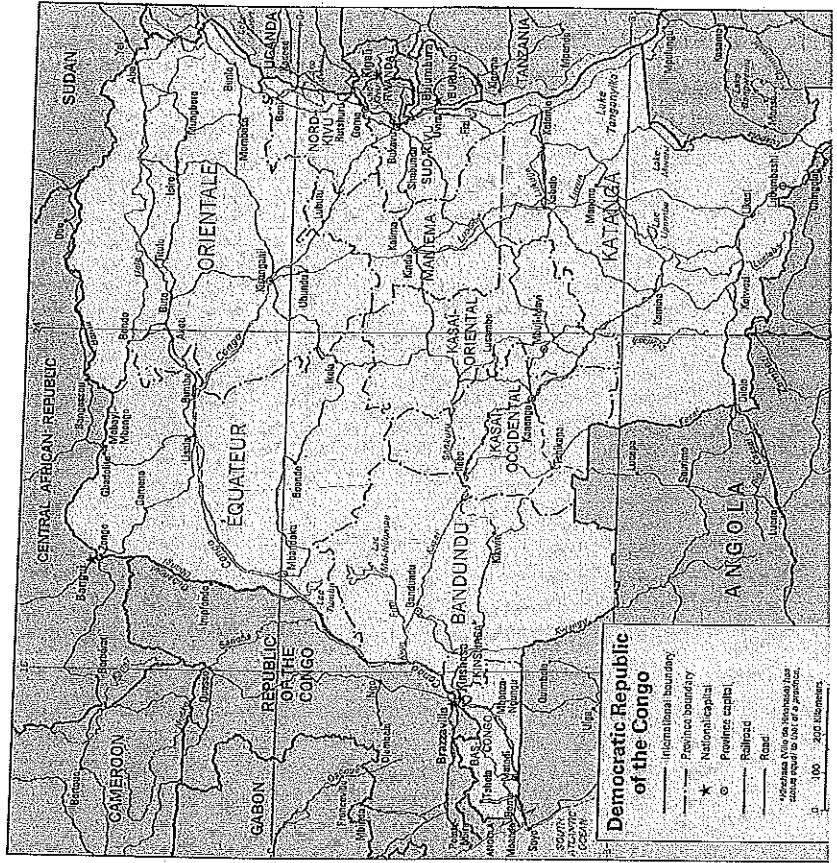


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6 CONGO'S ENVIRONMENTAL CATCH-22

Theodore Trefon



The Democratic Republic of the Congo (DRC) is a country of contrast and diversity. Dense tropical forest covers roughly half of the territory, and savannah covers the other half. Ecologically and culturally, the lush green mountains in the eastern part of the country are worlds away from the narrow Atlantic coast in the western part and the southern copper belt area. There are also striking imbalances with respect to population density and demographic distribution. The daily lives of rural people are much different from those of the city dwellers of Kinshasa, Lubumbashi, Kisangani, and Goma because of disproportionate access to infrastructure, administration, basic services, and entertainment. Although the traditional versus modern cleavage is becoming increasingly obscure, it still influences how people live in the present and perceive their future. The gap between political, economic, and military elites and ordinary citizens is vast, although their destinies are entwined.

Once named Zaire, Congo is located in the heart of central Africa, and with its 905,355 square miles of land, Congo is the size of the United States east of the Mississippi. Congo borders eight countries—more than any other African nation—and straddles the Equator. Its population is estimated at 70 million inhabitants composed of up to 350 ethnic groups. Ethnicity is a powerful force on the political landscape. The rural-urban population ratio is approximately 65:35, but as with the number of people, no one really knows for sure because the last census dates to 1984. Urban growth in Congo is taking place in the absence of urban planning and has negative social and environmental impacts. Urban populations devastate the forest hinterlands in the inexorable search for housing space, agricultural land, fuelwood, and building materials.

A Country That Fascinates and Disturbs

For most Americans, Congo conjures up images of Joseph Conrad's *Heart of Darkness*, the Ali-Foreman Rumble in the Jungle, a flamboyant dictator in a leopard-skin cap, and more recently, Hillary Clinton's condemnation of rape in the Kivus. U.S.-Congo relations are, however, far deeper and punctuated by a series of events that are part of American culture and history. American Ambassador Henry Shelton Sanford helped King Leopold II appropriate the Congo at the Berlin Conference that partitioned Africa in 1885.¹ Henry Morton Stanley, the Welsh-born American reporter, was King Leopold's agent in the Congo. Mark Twain was a pioneering activist who condemned Congo Free State atrocities in the damning book *King Leopold's Soliloquy*.² During World War II, the United States and the Belgian government in exile worked hand in hand in the effort against the Axis alliance. The uranium that was used for the Manhattan Project to make the atomic bombs that devastated Hiroshima and Nagasaki hailed from Shinkolobwe in Congo's mineral-rich Katanga Province. Joseph Désiré Mobutu was a pure American creation, put in place during the heydays

of Cold War paranoia.³ The U.S. government, informed by Ambassador William Swing, was decisively supportive of Joseph Kabila when his father was assassinated in 2001. Swing headed the United Nations peacekeeping mission in Congo after retiring from the U.S. Department of State. Congolese remember him with fondness for his mastery of Lingala and his vintage Cadillac. The rich and famous of America have expressed concern too. Billionaire media tycoon Ted Turner gives money for wildlife protection. Film star Ben Affleck set up the Eastern Congo Initiative and talks about it on Capitol Hill. Cindy McCain, the wife of Republican Senator John McCain, has been an outspoken activist to protect women in the DRC.

The DRC is a country of paradox that fascinates and disturbs. It is a rich country whose people live in poverty. Is the Congo too rich to fail? Is it too big to manage? For some, it is perpetually on the verge of collapse. For others, a long-overdue rendezvous with prosperity is just around the corner. Despite the country's potential to be "the Brazil of Africa," a history of corruption and poor leadership has led to state failure, which has in turn sabotaged good governance of the natural resource sectors. International partners have been actively involved in preparing Congo's economic future since 2001. The World Bank's position—endorsed by other major protagonists, such as the United States, the European Commission, and Belgium—is that stability in post-conflict DRC will largely be contingent on improved management of the country's outstanding renewable and nonrenewable natural resources.⁴

However, a vicious circle is firmly in place. Poor natural resource management handicaps efforts to rebuild the state, and because the state is weak, it cannot regain authority over its natural capital. This vicious circle also contributes to the endurance of the DRC's security vacuum. This situation justifies the catch-22 title of this chapter, which uses a political economy framework to analyze the relations between governance and natural resource management.

The political economy framework is useful here because improved governance will not take place in a poverty-reduction vacuum. Governance and state-building initiatives need to be embedded in improved natural resource management. This may appear as a chicken-and-egg debate because some could argue that governance needs to be improved before private-sector investment and economic development can take place. Others contend that economic growth first will facilitate social awareness, stronger political institutions, and civic responsibility. Without trying to resolve this debate, policy makers should carefully track trends in the agriculture, forestry, mining, hydroelectric, and oil sectors and make policy links between these sectors. For example, it is impossible to have a sound forestry policy without improving agriculture or energy provision. Given Congo's abundant natural resources, all governance-strengthening strategies have to be pegged to these sectors.

Development Indicators and the Informal Economy

According to the United Nations' latest Human Development Report, Congo's Human Development Index ranks 186 of 187 countries surveyed, nearly rock bottom.⁵ The World Bank's *Doing Business 2013* report indicates that Congo's score was worse than the year before: 181 of 185.⁶ Congo today is one of the worst places in the world to be a woman. Another World Bank report deplors that "critical institutional reforms are lagging, and elements of political culture and general capacity issues create a downside risk for the economy."⁷ Other barometers tell tragically similar stories. In the diamond-rich city of Mbuji-Mayi (approximately 2 million inhabitants), the number of people connected to public water plummeted between 2002 and 2012, going from 18,000 to 3,000. Nationwide, less than 9 percent of the people have access to electricity. Food security is another problem. The DRC is unable to meet its citizens' nutritional requirements. Most Congolese are vulnerable to food availability, its affordability, and stability of access. Despite fascinating anecdotes of the legendary Congolese *joie de vivre*, this is real poverty. The narrowing of the gap between very rich and dirt poor, which is visible in other African countries, does not seem to be taking place in Congo, aside from sparse evidence in the large cities.

Most economic activity in DRC takes place outside the official economy. Informal economic activities (such as charcoal production, bushmeat hunting, and artisanal mining) have negative effects on the environment. These activities are unrecorded and, to varying degrees, illegal or illegitimate because they circumvent administrative controls and taxation. They include small-scale street vending, large-scale trading and manufacturing, cross-border smuggling, and schemes intended to avoid payment of taxes on legal production. Bargaining, embezzling, smuggling, hustling, pilfering, featherbedding, and collusion also characterize the informal economy.⁸ These activities enable people to survive but not to develop.

The magnitude of the informal economy far exceeds official recorded economic activity. A convincing indicator of the imbalance between the formal economy and the informal is the national budget, which amounted to less than \$8 billion for 2013, a slight increase over the 2012 budget. Eight billion dollars is insignificant given the country's size, resources, and population. This proves how little the central government really controls. Internal revenues (mainly from customs duties and corporate taxation) come to nearly \$5 billion. Contributions from international donors are \$3 billion. For reasons of comparison, the annual operating budget of Boston University is \$1.6 billion.

Contemporary History

The origins of the crisis in Congo's political economy take root in the patrimonial system put in place by King Leopold II. The Congo was his personal property from 1885 until 1908 when it became a Belgian colony. Colonial rule

and educated. The trinity of missionary endeavors, commercial enterprise, and an intrusive administration structured the colonial vision.

Independence was poorly planned, and a crisis overlapped with the post colonial transition in Congo. Joseph Mobutu came to power in a coup in 1965 in the wake of this crisis, which included the secession of Katanga. Mobutu proved to be a ruthless dictator who also exploited the Congo as if it were his personal property. Because of Cold War politics, the West supported him unconditionally. Mobutu outlived his strategic usefulness when the Soviet Union disintegrated and was forced to accept democratic transition in the early 1990s. The Mobutu dictatorship coincided with Laurent-Désiré Kabila's capture of power.

One million Tutsis and moderate Hutus were massacred in Rwanda in 1994, and then 1.2 million refugees poured into the Kivus, including 100,000 Interahamwe (Hutu militias from Rwanda and Burundi).⁹ Mass movements of refugees and internally displaced persons had significantly negative effects on the environment in terms of food production, energy, water management, sanitation, and waste management. In late 1996, Banyamulenge (members of the Tutsi community indigenous to South Kivu), supported by Rwanda, started a rebellion. This facilitated the creation of the Alliance of Democratic Forces for the Liberation of Congo in 1996. In May 1997, Laurent-Désiré Kabila captured Kinshasa and proclaimed himself the country's new leader. This liberation war was supported by Rwanda and Uganda, but Kabila broke ties with these allies in May 1998 and organized new power networks based on his ethnic group, the Baluba. This led to the formation of the pro-Tutsi Rally for Congolese Democracy. Kabila terminated debt repayment, putting the country off track in terms of its international financial commitments. The circumstances of Laurent-Désiré Kabila's assassination in January 2001 are not clear, but it is likely that Angola was involved because of Kabila's support of National Union for the Total Independence of Angola rebel forces.

Joseph Kabila was appointed president after the assassination of Laurent-Désiré Kabila and was elected president in 2006. Upon assuming the presidency, he broke with his predecessor's economic policies and rapidly sought the support of Belgium, France, the United States, and the Bretton Woods institutions. Many Congolese, especially those in the diaspora, believe that Laurent-Désiré Kabila was not Joseph Kabila's biological father but his stepfather. Opponents and many diaspora Congolese refer to Joseph Kabila as Hyppolite Kanambe. They say he is a native Rwandan with a fake Congolese identity, a former taxi driver in Tanzania, and Paul Kagame's "Trojan Horse." Is this rumor or fact? The truth or falsehood of these beliefs is less important than the perceptions that people have of their "Father of the Nation."

Elections

Holding presidential and legislative elections in 2006 was a major political accomplishment that followed other important peace-building efforts. Kabila

Bemba (42 percent).¹⁰ Under the aegis of international partners who invested heavily in legitimizing Joseph Kabila, the security and political context improved slightly. This led the way to a series of ambitious institutional reforms. The new institutional framework is widely believed to be theoretically sound, but implementation remains a major challenge. Voting created false hopes. Electoral promises have not been transformed into concrete results, which helps explain why fewer people registered to vote in the 2011 elections compared with 2006.¹¹ People expect very little from the state; they expect much more from other social groups, such as the church, women's groups, and the diaspora.

The electoral process that was initiated in 2006 legitimized poor leadership. President Kabila used his first five-year term of elected office to consolidate power. His position as incumbent, plus the money generated by selling off state assets at bargain prices, enabled him to dominate the campaign landscape.¹² Candidate Kabila had disproportionate access to government media, and he used state planes, jeeps, and helicopters while on the campaign trail. The security forces under his control systematically obstructed opposition candidates from campaigning, notably veteran political opposition leader Étienne Tshisekedi.¹³

Presidential and legislative elections took place again in November 2011. They were immediately followed by claims of manipulation, fraud, and human rights violations. Congolese and international observers found proof of numerous irregularities in the electoral process. The country remains divided between those who believe Kabila's reelection to be legitimate and those who do not. Tshisekedi refused the results, proclaiming that he was "the people's choice." Officially, Kabila won with 49 percent of the votes. Nevertheless, the truth will never be known because the ballots and reports on the results were lost or destroyed. Chaos in the electoral process led to a loss of local and international credibility and significant social frustration. President Kabila consequently remains in a position of marginalization and vulnerability. A year after the elections, the government had made minor progress in addressing some macroeconomic priorities but had failed to bring peace to the country or improve social conditions for ordinary people.

Political Culture and Identity

State crisis is anchored in a shattered social, political, and cultural landscape. Cultural factors determine where individuals fit in the complex web of social networks and hierarchies. Cultural factors also have direct and indirect impacts on how political systems evolve. The cultural context helps account for poor governance and lethargic human development. Culture is not necessarily the dominant explanation, but it is a factor that contributes to the challenges inherent in inducing political and institutional change. Although the cultural environment is always evolving, there are some historically embedded patterns. Some

the multiple ramifications of solidarity networks. Others are clearly negative and detrimental to democratic governance, including the absence of transparency, extreme secrecy, disinformation, and propaganda.

The DRC is a diverse society but one with a strong sense of national identity. It is multiethnic, multilingual, and multidominational. About 80 percent of Congolese are Christian, half of whom are Roman Catholic. From an anthropological perspective, Congo is the thing and its opposite. The sentiment of being Congolese is vibrant, although people complain about government and leadership. Mobutu's "authenticity" discourses and wars of aggression contributed to the emergence of a Congolese sense of belonging. Music, sports, fashion, and religion contribute to the consolidation of a transesthetic national conscience. This emotion has been translated into words by a French political geographer: "The map of Congo is stamped in peoples' minds."¹⁴

Territory

State crisis and the problems related to Congo's large, diverse, and fragmented territory are intimately interconnected. Improved land-use planning, territorial integration, and state building are interdependent preconditions for development. The rehabilitation of the country's woefully dilapidated infrastructure is a major priority. Although the concept of statehood is necessarily contingent on people who adhere to the sentiment of belonging, it is equally dependent on a coherent, unifying transportation network that provides mobility for traders, civil servants, political authorities, security forces, and ordinary people. This, however, is wishful thinking for the time being. Dugout canoes and bicycles are the principal means of transportation in much of rural Congo in the twenty-first century.

Without a unifying road-rail-river network, there can be no state building, development, or security. Without transportation, there can be no public administration and no sentiment of national unity. But ecological constraints bedevil infrastructure rehabilitation and development. Dense, humid forest and swampland cover the vast central basin, limiting the movement of goods and people. This sparsely populated equatorial enclave of approximately 1 million square kilometers, inhabited by slash-and-burn farmers and indigenous peoples, deprives the country of a geographic and political centrality. The forest underbelly separates the country more than it unites it, explaining the emergence of extraverter dynamics. The eastern provinces, for example, are more connected to Rwanda, Burundi, Tanzania, and Uganda than they are to other areas of the DRC. At the complete opposite end of the territory, Kinshasa and the Atlantic coast are distant concepts.

Congo's international partners have been involved in the transportation challenge for years, supporting numerous projects and programs. The European Commission's *Programme d'appui à la réhabilitation*, the World Bank and United Kingdom's Pro-Routes Project, and China's roads-for-minerals barter deal are

inefficiency, and mismanagement, funding remains insufficient. The amounts required to rehabilitate and develop road infrastructure alone (exclusive of rail and port infrastructure) would absorb more than half the national budget. "To rebuild the country . . . the DRC needs to spend \$5.3 billion a year over the next decade. . . . Of this total, as much as \$1.1 billion a year needs to be devoted to maintenance alone."¹⁵

Decentralization is another important element in the complicated mosaic of land-use planning and natural resource management. Although the 2005 constitution called for a territorial reorganization from 11 to 26 provinces, the process is on hold. Decentralization is a complicated political process that requires the commitment and involvement of the central government and the provincial authorities. It cannot take place in a democratic vacuum. Congo does not have the means or the political will to decentralize. From the Kinshasa perspective, decentralization is antithetical to President Kabila's efforts to consolidate power. At the provincial level, administrative staff, infrastructure, and material resources are insufficient to deal with the responsibilities of decentralization. In addition to these political and institutional challenges, resolving the financial technicalities of decentralization has proven particularly difficult for the Congolese government. Discussions are at a stalemate over tax collection and revenue distribution.

Natural Resources: Assets, Management, and Predation

Congo is a land of plenty with the resources the world craves. These include mineral and forest resources, agricultural land, oil, and hydroelectric potential. Congolese authorities, with the support of international partners, have been trying to reform the management of these sectors for the past decade, subscribing to the discourse that "environmental management should become an instrument in the post-war recovery toolbox."¹⁶ But the results have been poor. Conflicts over resources, corruption, and mismanagement persist. Patrimonialism is the term most often used to account for this situation. Patrimonialism refers to the way individuals and groups—national and foreign—appropriate resources for private interests to the detriment of the common good.

Forests of Wealth and Mystery

The Congo Basin is home to the world's second-largest contiguous tropical rainforest after the Amazon. Sustainable management of Congo's outstanding forest biodiversity is consequently a priority for local populations and a challenge for the international community. Congo matters to the United States because of Congo's tropical forests, which are vital in the fight against global climate change. Forest conservation can also help alleviate poverty, contribute to macro-economic development, and protect biodiversity. Congo's forests could well be

through new medicines. These forests are geostrategic because they affect relations with Congo's neighbors and regional partners. Congolese authorities could gain considerable international recognition by appropriating the fight to save their forests, just as the authorities stand to lose credibility by not doing enough. The U.S. government has devoted funding and diplomacy to the struggle to save the forests of the Congo Basin. This work should be pursued, but it needs to be governed by the principle that improved forest management is more of a political, social, and cultural problem than a technical challenge.

Congo has been described as a "geological scandal" because of its amazing mineral wealth. It is unequivocally a "biodiversity scandal" too. Its complex patchwork of ecosystems, based on an intricate balance between forest and water, is home to 47 percent of Africa's dense, humid tropical forest. Congo has 1.3 million hectares of dense tropical forests, mangroves, and savannahs. Snow caps the Rwenzori Mountains in eastern Congo. These forest mosaics are full of life, wealth, and mystery. Congo has 1,000 types of birds, 500 types of mammals, 100 types of primates, and endemic species such as the "make love not peace" bonobo and the elegant okapi, which resembles a cross between a zebra and a giraffe.

The country's rural populations depend on forests for food, traditional medicines, building materials, and fuelwood. Forests are culturally important for initiation rituals, ancestor worship, and burial. Approximately 35 million Congolese depend on these resources for their daily needs. Nevertheless, they do not always engage in environmentally sustainable practices. Forests, rivers, and even national parks are exploited as sources of quickly earned cash.

Deforestation rates in Congo are relatively low for the time being, at around 0.3 percent nationally, although with high regional variability.¹⁷ The deforestation rates are constant with a strong cumulative effect. Agriculture is the primary driver of deforestation; urbanization and charcoal production are lesser causes. American, European, and international institutions recognize the significance of the Congo Basin forest in the struggle to deal with global climate change. The U.S. Central African Regional Program for the Environment is a major player. Congo is a key regional actor, strongly committed to the Congo Basin Forest Partnership (CBFP). The CBFP is a voluntary multistakeholder initiative contributing to the implementation of an inter-governmental plan that brings together the 10 member states of the Central African Forests Commission (COMIFAC), donors, international organizations, nongovernmental organizations (NGOs), scientific institutions, and representatives from the private sector. The CBFP works in close relationship with COMIFAC, the regional body in charge of forests and environmental policy, with the objective to promote conservation and sustainable management of the Congo Basin's forest ecosystems. The government has ceded part of its sovereignty over forest management. Funding, program design, and important decisions emanate more from international experts than from Con-

The World Bank took an active role in the preparation of a new forestry code in 2002, believing the forestry sector could help kick-start the economy. The code lays the foundation for sustainable, socially and environmentally responsible management. Today, however, industrial logging provides less than 1 percent of official state revenues, so there is tremendous potential for growth in the sector. Although there are about 60 companies registered with the Department of Forest Resources in the Environment Ministry, only around 20 are operational. This discrepancy can be accounted for by the numerous macroeconomic constraints on the sector. Freight and transport costs are exorbitant because of poor road, port, and rail infrastructure. Operating costs are high, and insecurity is a disincentive to investors that makes economies of scale unattainable. The tax system is arbitrary and unpredictable, and loggers complain that they have to replace the state with respect to provision of social services and development of infrastructure. As in other sectors, investment security is a constant worry.

Worldwide, and Congo is no exception, a large percentage of timber harvesting for both local use and commercial export is carried out by illegal loggers. This is a serious environmental and security threat. "Illegal logging is linked to armed conflicts and exploitation and can indirectly contribute to the occurrence of other crimes such as trade in endangered species, corruption, money laundering and organized crime."¹⁸ As a response to this growing problem, President George W. Bush signed the President's Initiative Against Illegal Logging.¹⁹ The European Commission set up Forest Law Enforcement, Governance, and Trade. These initiatives provide a number of measures to exclude illegal timber from U.S. and European markets, improve the supply of legal timber, and increase the demand for sustainably harvested wood products. They work with other control mechanisms, such as the Forest Stewardship Council. These initiatives are laudable, but they are threatened by other large importers, such as China, that are neither inclined nor bound to respect the principles of these initiatives.

Congo cannot boast of many real, post-conflict, state-building success stories. Nature conservation, however, is an emerging exception. International environmental NGOs, such as the World Wildlife Fund, Conservation International, the World Conservation Society, the Bonobo Conservation Initiative, and the Dian Fossey Gorilla Fund International, in close partnership with the Congolese Institute for Nature Conservation, are actively involved in developing and maintaining a network of protected areas. Their achievements in terms of conservation, stakeholder partnerships, generation of funding, and promotion of the forest heritage of the DRC are significant. The Congolese government has pledged to allocate up to 15 percent of national territory as protected areas. As peace and security come to Congo, so will ecotourism, another potential growth sector. Popular awareness of the value of the forest is a positive trend. The way Kinshasa's residents decry trucks carrying timber through the city for export is an indicator. They know that it takes just one hour for a man with a chainsaw to cut

Payment for environmental services, sometimes called payment for ecosystem services, is one of Congo's potentially most profitable growth sectors. The complicated name denotes a rather simple concept. If the international community wants countries such as Congo, Brazil, Bolivia, and Indonesia to save their forests, then the international community will have to pay. Global climate change results from many factors, including deforestation. Experts say deforestation contributes to around 20 percent of all global climate change.²⁰ Congo has the forest resources the world needs to mitigate global warming; therefore, high-level international bodies, such as the Intergovernmental Panel on Climate Change, are actively involved in securing compensation funding. In 2008, the United Kingdom and Norwegian governments put up £100 million for the newly created Congo Basin Forest Fund. The Programme Policy Board of the United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD), for example, approved US\$4.7 million for the DRC in March 2010. If Congo agrees to transform logging concessions (which contribute to state revenues in the form of logging surface taxes and taxes on the amount of timber exported to the world market) into conservation concessions, there is going to be a cost. The strategy is that Congo's international partners would help assume the costs of forest conservation.

UN-REDD is one of the compensation mechanisms being tested in the DRC today. Congo was the first country in the Congo Basin to benefit from UN-REDD financing through the World Bank's Forest Carbon Partnership Facility. Concretely, pilot studies and projects are underway to diminish the drivers of deforestation and forest degradation by compensating the stakeholders that rely on forests for their livelihoods. Some of these pilot studies, which are defined in Congo's "REDD Readiness Plan," focus on improved agricultural strategies, design and distribution of improved cooking stoves, plantation forests, and land-use planning.

Blue Gold

The DRC has a vast network of rivers and lakes that provide sustenance, transportation, and irrigation for farmland. Congo's rivers and forests are vital regulators of rainfall cycles that in turn influence climate patterns. Half of Africa's water resources are in the DRC. Images of the majestic Congo River, which is 2,900 miles long, immediately come to mind. This is the mighty power source for the Inga Dam complex, which has more potential than China's Three Gorges Dam.²¹ The Inga Dam complex could light up all of Africa. But Inga is hobbled. The two existing dams operate at low output because of lack of maintenance (a political and economic choice) and heavy silting (an ecological problem). Donors and investors (including Westinghouse and General Electric) have plans

“discussions are ongoing.” Without the commitment of high-energy-consumption industries, the prospects of moving ahead are remote.²² The production capacity of Inga and dams on other rivers is woefully behind demand. Only nine percent of Congolese have access to electricity. This is a direct cause of deforestation, especially around Congo’s rapidly expanding urban areas, which are another environmental threat. Because people have no electricity for cooking, they rely on charcoal. Without electricity, there is no refrigeration, which is another challenge for food availability in tropical climates.

Agriculture and Food Security

Congo is endowed with abundant arable land. There is plenty of rain and sunshine. The country’s agricultural potential is significant, but people are hungry. The average Congolese’s dietary energy supply is approximately 1,600 kilocalories per day,²³ which is far below the 2,500 kilocalories per day recommended by the Food and Agriculture Organization of the United Nations. About 40 percent of children are malnourished, and 20 percent of children suffer from severely retarded growth. Cassava, plantains, corn, rice, beans, and groundnuts are Congo’s principal crops. Food production is carried out mainly by small-scale farmers engaged in slash-and-burn subsistence agriculture, which explains why agriculture is the main driver of deforestation. As use of inputs such as fertilizers and improved seeds is rare and fertility is low over much of the territory, productivity is poor. Intercropping of several food crops is supplemented by fruit growing and small-animal production. Many international NGOs and government agencies are involved in helping rural populations intensify their farming techniques and marketing strategies.

Commercial agriculture and the livestock sector collapsed in the 1970s following a series of nationalizations. Congo was a major exporter of industrial palm oil during the colonial period, for example, but palm oil production today has become an artisanal activity. Subsistence food production declined in the 1990s to below population growth levels because of war, population displacement, migration into the small-scale informal mining sector, and transportation problems. The gap between population growth (around three percent annually) and growth in food production (around two percent annually) led to an increase in imports and ongoing food insecurity for most households. Urban and peri-urban gardening plays a vital role for survival of the urban poor, but poor waste management is a source of vegetable contamination. The government passed a new agricultural code in 2011 aimed at modernizing the sector. At the same time, however, the Ministry of Finance reduced import taxes on imported foodstuffs.²⁴ This type of incoherence reveals the government’s lack of development vision. Nonetheless, the agricultural code was also motivated to avoid the potential threats of land grabbing. This is not a major problem in the DRC today, but

important trend to monitor. China’s Zhongxing Telecommunication Equipment and India’s Siva Group have secured purchases of agricultural land and have plans to exploit it for palm oil.²⁵

Mineral Resources and Mining

Mining in Congo is a multifaceted activity that has ramifications for the macro-financial situation of the country, social issues, security concerns, and the environment. Congo is the world’s largest producer of cobalt ore and a major producer of copper and industrial diamonds. The country has cadmium, cassiterite, gold, silver, tantalum, tin, zinc, and uranium. These are some of the country’s 1,100 mineral substances.²⁶ Metals such as coltan—which is used in cell phones, laptop computers, and iPads—are mined illegally in the eastern provinces and continue to fund conflict. Congo’s subsoil is inextricably linked to the “global greed for gadgets.”²⁷

Numerous paradoxes typify the mineral sector. One striking example is that vast underground reserves are underexploited because of insufficient investment in infrastructure and extraction. Popular voice translates this into a commonly heard expression: “Our bed should be of gold and diamonds, but we are just sleeping on straw mats.” Another tragic inconsistency is that mineral wealth benefits a small cluster of political and military elites but hardly contributes to national development. Mining is carried out by formal industrial actors and artisanal, small-scale, informal diggers working with sifters, picks, and shovels. Between 1.8 million and two million people who earn around a dollar a day are involved in informal mining. Given the nature of family structures, this means that up to 12 million people depend on artisanal digging.²⁸

The United Nations Environment Programme identified landscape degradation, water and air pollution, and radioactive contamination as environmental problems emerging from large-scale industrial mining. Mercury contamination (mercury is used in gold mining), human health hazards, forest and biodiversity degradation, and human rights abuses (such as child labor) are some of the negative consequences of small-scale mining.²⁹ Prostitution is another common social problem in the small-scale mining business. The DRC simply does not have the means to carry out adequate social and environmental impact assessments, especially in the informal mining sector.

There is a direct link between state crisis in Congo and the collapse of Gécamines (the major state-owned mining company). During the colonial period and into the early 1980s, Gécamines (along with its sister mining companies such as Milba, Sominki, and Okimo) produced a significant percentage of Congo’s wealth. Katangese used to refer to Gécamines as their mother and father. In addition to work and salaries, it provided them with housing, health care, education, and food from company stores. Its collapse in the late 1980s turned the

mainly for diamonds, replaced the revenues earned from copper and cobalt whose extraction, processing, transportation, and commercialization required a functioning state apparatus and industrial support system. Artisanal mining is more conducive to the kind of patrimonial control desired by the mafia-type networks that thrive in Congo. These networks control access to mining sites, the workforce, production, and commercialization.³⁰

Laurent-Désiré Kabila needed to constitute a war chest as he marched to power in 1997. He did so by signing dubious mining contracts with foreign investors, some more or less respectable, others clearly rogue. Zimbabwean investors were well represented in the new deals. For example, Billy Rautenbach, a white Zimbabwean businessman with close ties to President Mugabe, was appointed boss of Gécamines in November 1998. Ten years ago, a Belgian expert commented that the mining sector, which was once completely dominated by the monolithic colonial state system, became highly globalized during the Laurent-Désiré Kabila presidency.³¹ Since he made this observation, the sector has globalized increasingly rapidly as international partners from multiple countries have become involved.

The lack of transparency in the concession award process, in addition to the disproportional benefits attributed to investors compared with the Congolese state and Congolese workers, inspired the World Bank to help design Congo's new mining law, just as it did for forestry. The undertaking was politically sensitive because mining is a high-stakes business controlled by politically well-connected clans that operate according to their own nontransparent rules. The mining code, signed into law in 2002, aimed at improving governance and thus increasing stimulus for international investment. It was accompanied by the drafting of a series of bylaws and the setting up of some specialized committees and departments within the Ministry of Mining.³² Environmental protection is one of its clearly stated objectives.³³ The code mirrors World Bank policy, which is based on the idea that economic growth can be achieved by attracting and facilitating foreign investors. The strategy met with only limited success because by 2008 the mining sector had generated only \$92 million.³⁴

Another initiative to improve mining governance was the mining review that was launched in 2007. It was motivated by the need to clarify the concessions signed by Laurent-Désiré Kabila. Sixty-one mining licenses were reviewed, 43 contracts were approved, and 17 contracts were rejected in 2009. China, Lundin, First Quantum Minerals, and Katanga Mining Ltd. were major players. Freeport McMoRan invested approximately \$700 million, but its contract was canceled because of what was considered to be excessive benefits (a compensation deal was eventually struck). This is clearly not the kind of message Congo should be sending to multinationals who claim to respect the principles of due diligence. Israeli businessman Dan Gertler is a big player and close Kabila ally. Chinese, North Korean, Pakistani, Indian, and Lebanese traders are involved in uranium trading of ore exploited by artisanal diggers (whose urine samples

Hezbollah groups are associated with uranium exports to Iran. The U.S. Department of the Treasury has sanctioned a Lebanese businessman active in Congo who is allegedly a Hezbollah financier.³⁵

Well-respected international NGOs—such as Global Witness, Enough, and the Eastern Congo Initiative—have lobbied strongly to make the government and the general public aware of the link between conflict minerals and violence in the Kivus. The United States signed into law the Dodd-Frank Act, which requires American companies to prove that the minerals they are buying from various supply chains are not fueling violence and bloodshed in Congo. Advocates say Dodd-Frank will help end violence in the region by depriving militia of the profits they earn from conflict minerals. Skeptics criticize the act, claiming it will drive out investors, which will threaten the livelihoods of miners and their families. This makes up-to-date information and monitoring of the actors involved in artisanal mining, trade, commodity chains, transport, and protection a prerequisite for meaningful policy design for the Kivus.³⁶ Like many other reform initiatives in Congo, setting up normative frameworks is one thing, but implementation and enforcement are another.³⁷

A serious concern for the U.S. government relates to access to mineral substances and the problem of “disruptive fluctuations.”³⁸ This is probably a relatively minor risk in Congo, however, because throughout the country's troubled past, the supply of minerals has not been significantly disrupted. Corruption and political influences in the mining sector can lead to illegitimate nationalization (Mobutu nationalized the copper and cobalt giant in the 1960s) and contract manipulation (Canada's First Quantum saw a major mining contract nullified in 2009). In some cases, artisanal diggers have replaced industrial extraction, testifying to the resiliency of markets and producers. Fifteen years ago, most experts thought that Congo's large-scale copper industry would never recover. Chinese investment rapidly changed that false impression. These examples tend to reveal the shifting redistribution of profits more than strategies to disrupt markets.

Although Congo does indeed have strategic minerals, these substances can be found elsewhere. Production of coltan in Congo appears to be far less than often indicated. Some media sources and NGOs refer to 70 percent of world reserves, but credible geological sources place it at between 15 percent and 20 percent. A far greater danger is Congo's minerals—such as uranium—getting into the wrong hands, such as Iran or the Lebanese Hezbollah. The United States and regulatory agencies such as the International Atomic Energy Agency appear unable to control the mafia-type trade networks involved in extracting uranium from cobalt ore.

Black Gold

Congo has oil too. Oil is the number one tax earner for the state and the third most important export earner after cobalt and copper but ahead of diamonds.³⁹

is currently the DRC's only oil producer and operates in Bas-Congo near Muanda and off the Atlantic coast. Other companies have been awarded oil blocks but are not pumping. Shady deals have been reported about obscure British Virgin Islands companies Caprikat Ltd. and Foxwhelp Ltd. being awarded blocks in 2010 by presidential decree.⁴¹

In addition to the oil fields in Bas-Congo and offshore, there are known reserves in the east along the border with Uganda and around Lake Tanganyika. There is speculation that the central basin may also have important reserves (Texaco and Exxon were already exploring the central basin in the 1970s), but exploration has been inconclusive. As the United States pursues its policy of reducing imports from the Middle East, favoring African sources, Congo's central basin could prove profitable.

Can oil help Congo develop? There is potential for new sources of revenues for the government, and there is the possibility of using oil to improve electricity availability, which would have the positive spin-off of reducing deforestation. However, experts tend to think that oil will not help.⁴² The challenges and disadvantages outweigh the benefits. The country does not have an official oil policy or a regulatory framework.⁴³ The governance deficit described for the other natural resource sectors applies here too. There are absolutely no safeguards or mediating strategies to ensure that new revenues would benefit ordinary people.

At the geopolitical level, oil politics could embitter the already difficult relations Congo has with Uganda and Angola. Because Congolese politics is based in part on the economic weight of the provinces (notably that of Katanga and Bas-Congo), new oil revenues could disrupt the balance of power between provinces and political clans. Oil reserves in the east overlap with the conflict-torn Kivus. Conflict oil could well become the new conflict mineral with all of the accompanying social and environmental problems. On the environmental front, oil would certainly be a calamity. The government's handling of oil exploration rights in the emblematic Virunga National Park has been very poor, and the government seems to be ready to sacrifice rare mountain gorillas for oil money.

Obstacles to Natural Resource Management

Poor governance is the main obstacle to natural resource management in Congo. State institutions are unable to take sovereign control over resources and territory. Elites—in the spirit of patrimonial politics—are disinclined to govern resources democratically because they derive benefits from the status quo of cleverly designed disorder. This explains why no realistic environmental master plan exists. Predation by neighbors exacerbates these challenges.

Fragile Administrations

The weakness of public administrations is part of the environmental catch-22.⁴⁴ Natural resource management requires managers. But Congo does not have a qualified, dynamic, honest, hard-working cadre of civil servants who are decently paid, respected by service users, and motivated to take charge of the natural resource sectors for sustainable development. The Congolese public administration is ambiguous and arbitrary. Administrative procedures are conditioned by the mood, availability, and personal expectations and needs of civil servants who thrive on the ambiguity of their work environment. Depending on the context, they may adopt a formal discourse (strictly adhering to rules and regulations) just as they may opt for an informal approach (inventing or "interpreting" rules). This is not surprising considering that mid-level civil servants earn salaries of less than \$100 a month. From a strictly formal perspective, the administration is based on legal instruments that define state-society relations and specify rights and responsibilities. In practice, "negotiation" is the word that best characterizes transactions between service users and service providers.

Bribery and deal making are commonplace in public and private business transactions despite legislation. Corruption and predation go hand in hand and represent one of the commonalities in Congolese history from Leopold II to Joseph Kabila. Underpaid primary school teachers force their pupils to buy snacks from their wives according to the same logic that Kabila's close advisors levy heavy commissions before signing major-commercial deals with foreign partners for mining concessions, oil exploration rights, or arms sales. Honor is important on the social and cultural landscape, but many Congolese say honor is not enough to feed the family. This helps explain corrupt practices at all levels of society and government.

Parliament has likewise proven ineffective in contributing to improved natural resource management. In a strong presidential system such as that of Congo, where power is controlled by the top, Members of Parliament (MPs) do not have much weight in influencing policy. The executive branch of government is still vulnerable and is in the phase of consolidating power; therefore, it is not strong enough to share power with other agencies such as the judiciary, the Parliament, and civil society. Parliament is not a meaningful political force because the president has curtailed its powers. Although the Parliament is awarded operating funds from the national budget and money for investigations is theoretically available, accessing it requires political approval. When the Parliament has tried to carry out oversight activities, it has met strong political resistance, including physically intimidating MPs and withholding of their salaries.⁴⁵ The large majority of the MPs elected in 2011 are not experienced in the business of parliamentary procedures. They lack professionalism and staff and can barely provide for their own operational needs. There is also a serious deficit in communication

site of the DRC Parliament is dead is a telling indicator of this communication problem. This situation of parliamentary powerlessness is a handicap to sustainable environmental management.

Environmental Civil Society

Environmental civil society is slowly developing in Congo. A few environmental NGOs exist and carry out important awareness, watchdog, and conservation work.⁴⁶ A good example of this type of work is the pressure that NGOs have put on foreign oil companies that are exploring for oil in the Virunga National Park.⁴⁷ But civil society in Congo, in general, and environmental civil society, in particular, remain fragile and powerless. Civil society does not have the necessary popular support, financial means, or professionalism to play the role of a vibrant political force that is able to combat vested interests that operate to the detriment of the environment. There are no outstanding Congolese environmental civil society champions.

Congolese civil society is still largely dominated by the government because, first, there is strong pressure from the government and, second, there is considerable overlap between government elites who double as civil society activists. Congo remains one of those countries with "governmental nongovernmental organizations." Another problem is the relative artificialness of Congolese civil society. It is boosted financially, conceptually, and ideologically by international NGOs. This support makes it difficult to establish how embedded the NGOs really are in local communities and how these communities appropriate their message and work.

Sovereignty and Dependency

The role of international support for Congolese environmental management needs to be applauded and encouraged. Post-conflict countries rarely have the means or political will to prioritize the natural resource sectors given other pressing priorities. In Congo's case, foreign advice (ranging from large institutions, such as the World Bank, to a small Belgian NGO) has been crucial in creating links between poverty reduction, macroeconomic development, and good governance, on the one hand, and natural resource management, on the other hand.

The reverse side, however, is that international partners undermine appropriation and state building by acting on behalf of or replacing the state. This perpetuates dependency and exonerates the relevant Congolese technical, administrative, and political authorities from their responsibilities. Congolese sovereignty is consequently weakened. To whom do these resources belong? Local communities, provincial governments, the national government, and Congo's

competing stakes over the resources. The environmental risk here relates to the paradox whereby Congo has tremendous resources but lacks the capacity to manage them. Capacity-building initiatives exist but are insufficient.

Land-Use Planning

Congo suffers from a conceptual deficit with respect to land-use planning. There is no national map that clearly attributes activities to space. The most flagrant confusion is the overlap of mining and logging concessions with protected areas. Congo has a land law and an environment law, but these legal instruments are too theoretical and too new to produce improved management. There is an absence of strategic links because it is impossible to design a viable agriculture policy without considering forestry priorities or conservation issues. Forestry and energy policies are intimately related. Mining and food production are largely incompatible. Although an inter-sector approach is necessary, striking a balance between stakeholders, vested interests, and policy makers remains an overwhelming challenge.

Part of the problem relates to the juxtaposition of two contradictory land tenure frameworks.⁴⁸ According to the government, land belongs to the state. The 1966 Bakajika land law enabled the state to claim ownership of land and award agricultural, forest, and mining concessions. The other logic is the one maintained by the people, particularly rural communities. They consider themselves to be the real landowners based on ancestral rights. The people perceive themselves as the guardians of the land and its resources, guaranteeing the continuity between their ancestors and future generations. The potential for conflict throughout the country results from this hybrid system, which is also a disincentive for investors. The ambiguity that surrounds procedures exacerbates this situation. Because there is no clearly defined set of rules, whoever has the slightest form of power or authority exploits it to maximize gain or personal advantage.

The Resource Curse

The obstacles to natural resource management described above clearly fall into the poor governance category. But Congo is also a victim. It is victim to the predation of its neighbors and suffers from what is known as the resource curse. This refers to the paradox that countries with an abundance of natural resources tend to have less economic growth and worse development outcomes than countries with fewer natural resources. Although scarcity of natural resources can breed conflict, in Congo abundant resources have led to and perpetuate conflict and contribute to underdevelopment.

Congo's geostrategic position in the heart of central Africa is more of a liability than an asset. Its adherence to regional groupings has not paid diplomatic or

are poor. This handicaps Congo's development, jeopardizes its security, and undermines environmental management. The pillaging of Congo's natural resources is a reality documented by a United Nations group of experts.⁵⁰ Disputes over oil revenues and offshore oil exploitation blocks continue to embitter relations between Kinshasa and Angola and between Kinshasa and Uganda. There were also disputes over diamond fields in the south in Congo's Bandundu Province and Lunda Norte in Angola. On the eastern front, things could not be worse. Rwanda, the "mosquito," unabashedly plunders the "elephant's" gold, diamonds, coltan, and other minerals. Paul Kagame's support of rebel groups in the Kivus is a well-known secret. Congolese timber and minerals are illegally exported to Uganda. Credible sources reveal that Ugandan President Museveni armed rival ethnic groups in the northeast Congo. His strategy was deliberately to perpetuate a situation of conflict to facilitate the illegal export of Congo's natural wealth.⁵¹ The South Sudanese military has joined Uganda in slaughtering elephants in Congo's Garamba National Park and exporting ivory mainly to China.⁵²

Congo Matters

Although they have crippling social and economic implications for the Congolese people, paternalism, predation, and poor natural resource management have relatively limited effect on vital American interests. This conclusion does not aim to make strategic or operational recommendations. However, it does seek to draw attention to certain crucial policy considerations. American policy makers should be sensitive, most notably to the diplomatic and security aspects of U.S. foreign policy. Congo may be rock bottom today, but this nation will emerge. Therefore, there is an urgent need for policy makers to monitor closely the nature of change and opportunities.

Crisis in the Great Lakes region is an ongoing social tragedy that is unacceptable in the twenty-first century. Crisis in Congo should be seen as a diplomatic embarrassment to Washington, the self-proclaimed champion of human rights and rule of law. U.S. Secretaries of State Madeleine Albright and then Hillary Clinton have articulated forceful critiques of the human rights conditions in eastern Congo and notably the horrible trauma experienced by women, in part because rape is a deliberately orchestrated political strategy. In the second half of 2012, U.S. Assistant Secretary of State for African Affairs Johnnie Carson shuttled back and forth between Washington and the Great Lakes region, attempting to mediate between Kinshasa, Kigala, and the M23 rebellion. He was also outspoken in his criticism of the DRC government's inability to deal with the root causes of the rebellion.

There has also been U.S. military involvement in the region. The United States participated in the reform of the DRC security sector by training a light infantry battalion through the Special Operations Command component of the

U.S. Department of State implemented the training. The Kinshasa government sent this battalion to Goma to fight the M23 rebels, but it proved ineffective. The United States sent special forces to root out Kony and fight the Lord's Resistance Army, but again with little to show in terms of results.

Trade diplomacy does not count much in U.S.-DRC relations. Oil is the main U.S. import from the DRC, and pharmaceuticals and poultry are the top-ranking American exports. India and China are rapidly replacing Europe and the United States as Congo's key trade partners. Already a very minor trading partner for the United States, Congo lost trade advantages in 2010 because President Barack Obama stripped the DRC of its status as a beneficiary of the African Growth and Opportunity Act.

American aid delivery systems to the DRC, like those of other like-minded partners, are also poor. The assessment of a former deputy administrator of the U.S. Agency for International Development is damning: "We are pretty sure the \$1.6 billion in aid the United States has provided Democratic Republic of Congo since 1960 has failed to produce lasting positive development results, mainly because of the political context of corruption, incapacity, and conflict."⁵³

These very poor results testify to the challenges facing the DRC and its partners. The poor results are also related to some weaknesses in U.S. capabilities. Most importantly, the United States has little capacity to influence the direction of Congolese affairs. The globalized Congo of today is not the bipolar Zaire of Mobutu Sese Seko. Because Congo has the natural resources the world needs, Congolese authorities do not have to acquiesce to Western opinions about good governance. The engagement of newer partners with no-strings-attached business agendas, such as China, South Africa, Brazil, and South Korea, further diminishes Western leverage over Kabila and his entourage. The kinds of diplomatic pressures that were effective in the past are increasingly difficult to implement today as Congo's contribution to the global market is shifting.

Other challenges to U.S. diplomatic capacities relate to Congo's inadequate expertise. There is a lack of human resources with in-depth country understanding, cultural sensitivity, and relevant language skills. Celebrities and well-intentioned NGOs without sufficient policy expertise increasingly influence U.S. government official policy. One side effect of this is viewing Congo through a Rwanda lens. Washington appears to confuse Congo with the Kivus. Similarly, Africa is often imagined as a country, not a continent of multiple realities with divergent risks and opportunities.

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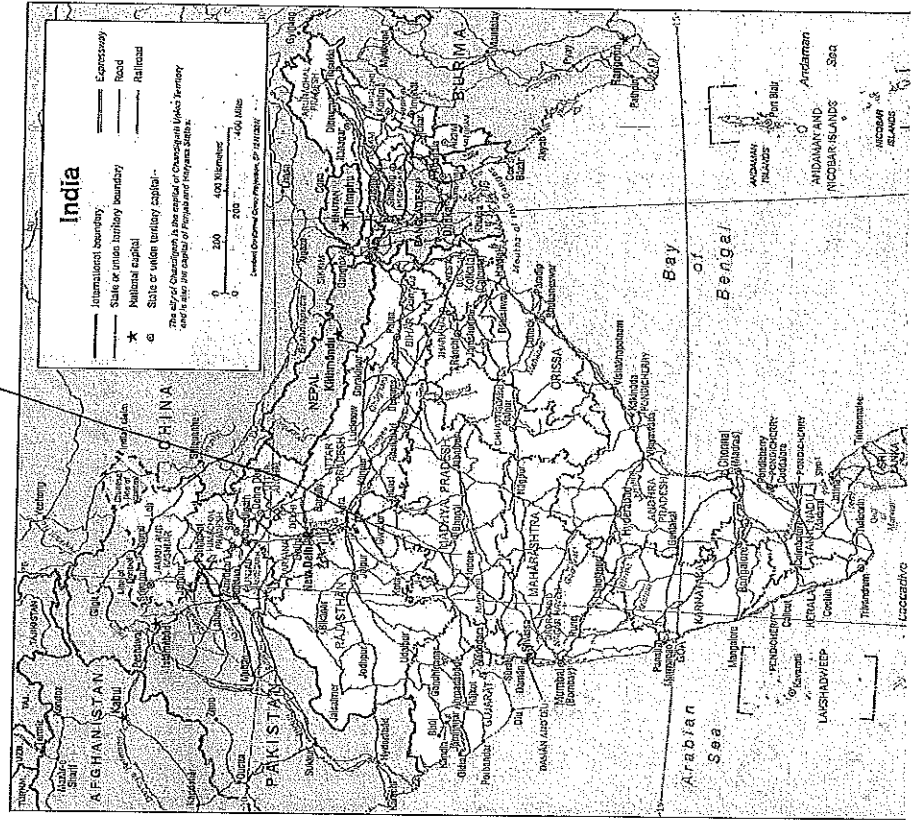
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7 MODERN INDIA

Rich Verma



IN PURSUIT OF PROSPERITY

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of Natural Resource Scarcity

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