



África em debate

Poderes e identidades



Army in African countries in conditions of armed conflicts (On the example of the Democratic Republic of Congo)

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The formation of statehood in Africa as well as the formation of the relations between its society and army has been unequal. A great influence on this process was made by the colonial past, when interests of African peoples were subordinated to the interests of the metropolises. The institutions of traditional chieftaincy and religious beliefs also have had a significant impact on the society. Numerous conflicts and discords come as a result of cultural difference between ethnic groups, their intransigence and hostility. Over the past two centuries the character of society has changed several times, which entailed transformation of the armed forces as well as their role in life of the entire population.

History

During the period of colonial conquest in the XVII-XIX centuries, metropolises' armed forces conscripted Africans as additional, minor forces, composed of mixed subdivisions in which until the second half of the XIX century officers and non-commissioned officers were European (Subbotin, 2002: 21-38). Due to the fact that Africans were conscripted by force up to the purchase of potential soldiers as slaves, army at that time was out of society and was a foreign body to it.

The structure of colonial societies developed with the growth of the colonial empires of England, France, Portugal and Germany. This new structure demanded more and more armed forces to maintain order in already developed territories and to provide more intensive development of internal areas. The borders of colonies, including internal administration, which later became the frontiers of independent States, were determined by their European colonial authorities' administrations and took into account, in most cases, purely geographical boundaries – rivers, lakes, mountains – fully or partially ignoring the ethnic composition and needs of the indigenous population. The balance of political forces in Europe defined the size of colonies and their location.

When accessing the role of the army in the life of African societies it is also necessary to take into consideration the role of the family. In the most African states up to this day family is a wide concept, rather close to the term “community” in our understanding. Meanwhile,

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in the late nineteenth century, from the paramilitary forces, consisting of Africans, largely not detached from the everyday life of their families, new divisions began to be prepared. This military force was able to fight not only in the African continent, but also in Europe (Potekhin, 1956: 7). This primarily refers to France, where “Senegalese shooters” took part in the Franco-Prussian war of 1870. Initially, Senegalese divisions were formed of natives from Senegal, who served as soldiers, and junior non-commissioned officers, but by the First and especially the Second world war these forces included representatives of almost all Nations inhabiting the tropical colonies of France in Africa (Fargettas, 2012: 384).

The process of forming divisions within the colonies was subjected to the principle of “displacement” i.e. for the Europeans it was obvious that not only combat application, but also a little bit serious training was impossible on the territory of the tribe or tribal groups, from which recruit came. For this purpose, in most cases recruits were transferred to another ethno-cultural region. For example, military training of Christians and animists (traditional beliefs) were often conducted on the territory of administrative units the Muslim population dominated. After finishing the service soldiers returned to the place of conscription, and, if they hadn't received grass-roots posts in the colonial administration, lived in their communities, receiving very small pensions on years in grade or old age, not standing out considerably in terms of welfare from the tribesmen. Reintegration to the community environment was swift and relatively painless.

Towards the end of the 1950s and early 1960s most countries of the continent gained formal independence, which led to the transformation of the society and armies, and of course, changed their interrelation. Armies of colonial authorities left the colonies almost without striking a blow. This all resulted in a vacuum of armed forces. Depending on the preceding policy of each individual colonial authority in deal of training of the military among the indigenous population there were available a very limited number of officers, a few more troops of the subsidiary character such as military doctors and military financiers, etc. The process of creation of new armed forces in the independent states was affected particularly in a strong way by the fact that most of them were headed by groups with tribal overtones. Within large tribal groups, even in countries with a relatively homogeneous ethnic composition, there were little groups up to several tens of thousands of people. These sub-tribal units formed the basis of colonial army that later defected to the side of the new independent government. The cause of this phenomenon is both ethnic (coexisting of “aggressive and not aggressive tribes,” cattlemen and farmers on the same territory) and socio-economic. For example, in the areas adjacent to the seas, large river systems, and historic trade routes, the standard of living and education, both westernized and traditional, was higher. For the tribes “from the provinces” service in the army was much more attractive financially, it gave the opportunity to obtain education at least up to the level of general literacy. “Having perched” in the army even as a common soldier or recruit actively promoted arrival of his tribesmen to his subdivision, considering the platoon or troop as prototype of his clan, although in a different form.

As a result, in dozens of States in the first years of independence there was a paradoxical situation: the army consisted of ethnic minorities, whose interests were different from the other groups exceeding them a hundred times in number.

This was the real cause of the majority of real or attempted revolutions which occurred so often in Africa in the 1960s-70s. Having come to power, apart from decorating their shoulder boards with new, often very big stars, officers worked hard to save their compatriots in the army. Due to the small number of tribes and, consequently, a limited mobilization base, it was difficult. Even a replacing of all officer positions with fellow tribesmen turned out to be impossible.

The solution was simple. Since a real threat of foreign aggression for most African countries did not exist, and the army was used mainly for suppression of disorders and rebellions of any kind, the basic number of divisions was deliberately made unfit for action. There was no interest in equipping the army with efficient technique.

In this regard, it is appropriate to recall the fragment from the conversation of the author with major General of the Congolese army Padiri Bulenda, that took place in Kinshasa in May 2012, while talking about a possible cooperation of our country with the DRC in the military-technical field. General explained clearly: *“Since the age of colonialism nothing has changed in this country. In terms of the military equipment supply do not try. Today you put it, and in three months it will stay idle and rusting on the roadside”* (Sidorova, 2013: 250).



In fact, even the rulers of some African countries are also afraid of the creation of a strong army in their countries, in order to avoid military coups. One of the former Russian observers, who worked in the Republic of Congo (Brazzaville) in 1982, brought this up as a typical example. Inspecting the tank unit, which consisted of nearly 50 modern tanks, he noticed that they didn't have what was needed in order to start those tanks. Modern tanks can be started either using a battery pack, a pneumatic unit or a hauling unit. All the batteries from the wagon lack electrolytes, within the pneumo-cylinders were some trussed holes, and the hauling units were missing. An officer from that tank regiment explained that the leadership of the country and its surroundings will prevent the appearance of some “extra” combat-ready units, able to commit a military coup. Such was the airborne battalion, which made this kind of attempt earlier.

It is commonly known that in the modern world various models of civil-military relations and political leadership of the armed forces have occurred, which are determined by peculiarities of historical development, by the mentality of the people and other circumstances. It should be noted that in multicultural African societies sometimes it's being tried to establish the structures of a civil society based on the “ethnic” principle. As is well known, this form of self-organization of the civil society was proposed as an alternative to the conflictogenic principle of the ethnic federalism (Filippov, 2001: 23-38). Tribal principle to a certain extent influenced the formation of a modern army.

Society and the army of the Democratic Republic of the Congo (DRC)

In order to better understand the genesis of the process of interaction between the army and civil society in Africa it is proposed to consider the example of the Democratic Republic of the Congo (it is worth mentioning that the country changed its name several times) (Istorija DRK, 2009: 744-746). The Congolese national army has experienced several stages in its formation, beginning with *Force Publique* in 1886 until the formation of the modern army branches – the National forces of the Democratic Republic of the Congo.

In 1886 the Belgian king Leopold II, who was the sole owner (until 1908) of a huge area of two million square kilometers named the Independent state of the Congo, established in its African colony the first military unit – *Force Publique*, where there were not only officers from Belgium, but also from Sweden, Denmark and other European countries. Later, immigrants from East African countries – Cameroon, Rwanda, Burundi – joined the *Force Publique*. By 1914 the army was about 17 thousand people from the Congolese, and the natives at that time “replaced” the white officers, who nevertheless continued to hold command positions. After obtaining the independence in 1960, the Congolese national army (ANC) was formed. The political and military situation in those times was extremely tense. Along with the separatist mood in several provinces of the country there has been a fragmentation of the political society. The persecution of the political leader Patrice Lumumba and his associates had begun.

The newly created army was unable to cope with the growing protests against the government. There was no unity in the army – it was hampered by the disagreements between some ethnic groups, as well as deep-rooted prejudices. Commanders often turned to magic and to the local witches “to become invincible against bullets” or “invisible” in the case of an enemy encirclement. They had made their soldiers believe in this (Wikha Tshibinda, 2010: 1-32). The results were disastrous: “*Convinced of their immortality, thousands of soldiers and civilians, who lost their common sense and their ability to defend properly, died on the battlefields*” (Lanotte, 2003: 36).

In 1965, as a result of a military coup in the Congo, Mobutu Sese Seko came to power, having ruled the country for 32 years. The state was renamed Zaire and the army was renamed the Armed forces of Zaire. During his reign nepotism and tribalism flourished. Mobutu chose for the command positions immigrants from the Provinces of Ecuador, where he was born, and he chose “Lingala” to be the language of the whole army. The last years of the Mobutu regime were characterized by the actual collapse of the security sector of the state. In a decade of continuous subregional and civil wars in the DRC, partially occupied by boundary states, the only regular army had ceased to exist by the middle of 1990s.

Laurent-Désiré Kabila has been called to liberate the country from the despotism of Mobutu. He spent most of his life in partisan detachments, but he had no management skills of a country or an army. And although he managed to overthrow the hated dictator in 1997, he couldn't stay in power. As a result of a conspiracy he was killed in 2001, therefore he did not realize the task of creating an efficient army. One of the reasons for the failed government was the conflict between the military and civil society which was not pleased with the dominance of immigrants from neighboring Rwanda in their country. In the ranks of the Congolese army there was a significant number of officers from the Rwandan army. The Belgian researcher Olivier Lanotte refers these eloquent facts (Vinokurov, 2005a: 109). For the first time the Banyamulenge who had helped Kabila come to power enjoyed a privileged position in the government and some party units. This is the chief of staff George Kabere, Minister of foreign Affairs B Karaha, General Secretary of ADSOKZ D. Buger (Vinokurov, 2005b: 109). However, the majority of the Congolese people did not support the pro-Rwandian movement of the President. In April 1998, Kabila convened a constitutional commission in order to organize a reform, but this did not solve many deadlock problems.

The army has a child's face

The military forces of state armies, faced with the need of recruiting new soldiers, began to recruit teenage children, not only boys but also girls. In some cases, young children were bought from poor families, but more often they were simply taken away from refugees, who were threatened with a gun. The refugee camps served the aim of refilling the army ranks, numbering tens of thousands, and sometimes up to 200 thousand displaced people, and sometimes even the neighborhoods of shacks from the outskirts of towns in Eastern DRC. The millions of refugees striving for more prosperous areas away from the genocide in Rwanda (1994), from the local conflicts in Burundi, Uganda and the Congo, left their villages and towns. Their only vital problem was daily survival.



Many lacked any hope of improving the situation. The sense of identity and belonging to any government, if there was any, disappeared and the tribal affiliation has become more and more vague.

Taken from such an environment children from the age of 4-5 years appear to be «clean sheet», identifying with the military unit, where there they are living and are taught military science, which is imposed on them. Unlike children of the same age from a refugee camp, they are dressed in a qualitative way compared to the clothing of the majority of local children's military uniform, they are not starving all the time as it happened during all the previous years of their short lives. The children, who found themselves among the militaries, got the nickname «Kadogo», that translated from Swahili means rookie. Having no life experience, «Kadogo» don't understand what death and injury are, how valuable their lives are, and moreover – other lives. More about this is described in the book of the Flemish writer David van Reybrouck (Reybrouck, 2010: 711), who is also a member of the armed forces of the DRC from the former child soldiers (Nzita Nzuami, 2010: 90).

To this day numerous armed groups operating in Central Africa use the work of teenagers. At the age of 8-9 years, child soldiers are involved in combat operations in the infantry, at 10-11 years, in armor and light field artillery (primarily as pitchers and loaders of 60-mm and 82-mm mortars). Often they are charged with carrying out mass executions of prisoners and civilians. Together with older soldiers, they participate on equal terms in the total plunder of the captured settlements, and on reaching puberty, in the mass rapes. According to stories of children, they were used as militants, escorts, porters, cooks, guardians and sexual slaves. They had to carry and bury the bodies of adults and children killed on the battlefield. From the group of girls numbering 421, the recruitment of which was documented, 32 % reported that they had become a victim of rape and sexual abuse. This is stated in the report of the UN Secretary General on the situation of children in the armed conflict from January 2014 (Security Council, 2014: 7).

Having a vague idea of good and evil due to immaturity, as well as traumatized psyches, child soldiers almost do not experience emotions. Often they are accustomed to drugs, used to lower the barrier of fear, remove pain from light wounds and increase endurance

during combat. Drugs are especially used by armed groups that have a Skktaite component, such as May-May, Army of the Lord, and many others. The total number of child soldiers who participated on this day in the ongoing hostilities in Central Africa can be minimally estimated at 300.4 million. In regions where military operations have ceased, attempts are being made to rehabilitate the children soldiers, returning them to normal life.

Security sector reform in the conflict period

The first attempts at regulation the security sector were undertaken in 2003 with the Days of Strategic Planning and Restructuring of the Armed Forces of the Democratic Republic of the Congo, within which a comprehensive plan was developed that focused on creating a triad: the armed forces in the field, response, and the strength of global defense (Mémorandum, 2003: 1). However, the legal regulation plan, which lagged behind the evolution of the internal political situation (the concept of semi-autonomous armed forces in the regions at the time of its approval was out of date and did not meet the centripetal tendencies in the development of the country), was never realized.

Real steps for the creation of the army were taken because of negotiations between the warring factions, held in Pretoria (South Africa) and at the conclusion of a Comprehensive Global ceasefire agreement in March 2003 (Accord Global, 2002: 1). Soon, the Congolese army received its present name, the Armed forces of the Democratic Republic of the Congo, which is reflected in the Transitional Constitution of 2003 (Berhezan, 2014: 3).

A new model of national armed forces of the DRC had no legal basis for a long time (there were only two articles of the Constitution). Only in August 2011 it defines the status of the armed forces of the DRC (law No. 11/12 “On organization and functioning of the armed forces of the DRC”), (Loi, 2011). The act consists of 159 articles. It says that the highest body of the armed forces of the DRC, that is the Supreme Defence Council, headed by the President of the country (Loi organique, 2012: 3). Central control of the armed forces of the DRC is in the Main headquarters, consisting of three structural units that control the army, navy and air force, the secret service and the legal framework – a military Tribunal.

According to the named law, national armed forces should safeguard the independence, territorial integrity, national security, sustainable development, as well as the protection of the population, including abroad, as well as develop their scientific and cultural potential. The leadership of military forces of DRC is obliged to manage human and material resources and monitor the dedicated budgets for these purposes (art. 47).

The armed forces, according to the law of the country, are apolitical, carry out humanitarian missions on peacekeeping and conflict resolution within the framework of the UN, African Union and bilateral and multilateral agreements with the Democratic Republic of the Congo (art. 55). In accordance with the law, it was expected a decrease in the number of the ranks of the army and police resulting from retirements, resignations, and demobilization, in accordance with the programs to increase the effectiveness of the army.

In December 2012, 144 non-governmental organizations (NGO's) of The Democratic Republic of the Congo, addressing the President of the country, have expressed their opinions on the further reform of the power bloc, focusing on creating «*apolitical professional army, which the Congolese people would be proud of*» (Ngangu Muponba, 2012: 5). Understand «apolitical army» as the army which will not take the side of one of the tribes in case of conflict.

Long-term and phased program of the reform of the armed forces of the DRC, aimed at 15 years, envisages the creation of a trained and equipped army by 2025, which will be

able not only to ensure in an independent way the security and territorial integrity of the country after the withdrawal of the UN peacekeeping Mission (MONUSCO), but also to actively participate in the international peacekeeping operations of the African Union and the UN. To achieve these goals, it is planned to implement a complex of measures to modernize the legislative and regulatory framework, to reform the organizational and command structure, to provide it with modern arms and military equipment, personnel training, improvement of the social conditions of the servicemen (optimizing the number of the armed forces, demobilization by age, etc.). The argumentation of the General of the Congolese army Malu Malu is important on this subject. He believes that *“first and foremost, to develop a strategic plan for the military reform, which is based on a clear program, to create an effective system of military tribunals, and to take action to ensure the safety of the civilian population of the Eastern regions”* are necessary to create an effective army (Malu-Malu, 2012: 3).



In connection with numerous remarks by NGOs who defend human rights, in the power structures of the DRC was raised the question of creating a military police to halt massive human rights violations committed by armed forces (discussed later). In view of the critical situation in the East of the country, where there are permanent hotbeds of tension, the country's leadership has embarked on a reorganization of the armed forces throughout the country. The process of transformation began with the North and South Kivu provinces, 30 regiments were formed (prior to this were the brigades or battalions) for 1,200 people, loaded with the equipment and the necessary transport. During the process of the reorganization of the army troops targeted sessions on civil liability, human rights, military tactics and military discipline, physical and sports training were conducted.

Organization of the army is a complex and expensive process. In the countries of the African continent management is even more complicated. In the Democratic Republic of the Congo, in addition to the above factors, there is a complex interplay of Congolese foreign numerous advisers and “experts” from Belgium, France and the United States, who are on a continuous basis in the Ministry of Defence and carefully monitor all military processes.

At present the Supreme Commander-in-Chief President is J. Kabila. He operates the advisory body, the Supreme Defence Council. The President administers the armed forces, through the Ministry of Defence and the General Staff of the armed forces. The Ministry of Defence is the supreme military authority, which determines and realises in practice general principles of construction of the armed forces and the development of the military industry. The General Staff of the armed forces is the supreme body of the operational management of the armed forces. Its functions include development of basic provisions of the military doctrine, the identification of areas of development, training and joint exercises of troops (forces), and operations across the armed forces during the war period. Organizational headquarters consist of five departments: operational and planning, combat

and operational training, military intelligence, administrative and tsha. The headquarters of the armed forces shall exercise direct management of the armed forces. They are chaired by the chiefs of staff. The territory of the Democratic Republic of the Congo is divided into 10 military districts, under the direction of commanders. Forces and resources allocated in the data merge by order of the Chief of the General Staff of the armed forces.

Problems on the way to reform

An important obstacle to the reform of the army is the problem of crimes committed by servicemen of the national armed forces. It is seen in the Congo in the context of human rights violations. This problem has not lost its relevance for a long time and is closely monitored by the UN, the International Criminal Court, a number of international NGOs, including “Human Rights Watch”, “Amnesty International”, “International Crisis Group” and others. DRC researcher Thierry Virkulon believes that *“the army reform in the Congo is dealt with from time to time, without having a certain system”* (Vircoulon, 2012: 109). One of the large Congolese law enforcement organizations, “Renadok”, stated that nothing changes in the legal sphere, except for official rhetoric, in particular, in the field of reforming the army and the national police. The question is raised about the need to revise the national defense and security policy with a view to creating an effective army and police capable of protecting civilians from emerging threats (Kalonji Mukendi, 2012: 5).

In the opinion of experts of these organizations, the Congolese armed forces pose a serious threat to the civilian population, which is often an object of intimidation and arbitrariness (Rapport de l'AMNESTY, 2012: 74). So, despite the tough statement of the head of the DRC on measures to curb sexual violence and corruption in the army, made in 2009, there have not yet been any significant changes. Measures on the part of the United Nations are also less effective, although the post of the UN Secretary-General's Special Representative on Sexual Violence in Armed Conflict was established because of conflicts. The Code of Honor containing a number of regulations for soldiers and officers (Code de conduit, 2009: 67) is not much useful. In 2011, UN human rights experts conducted a survey of more than 10,000 families in the province of North Kivu and concluded that servicemen ranked second among the criminal elements after the militants operating in the country. From January to June 2012, experts documented numerous violations of human rights by members of the Armed Forces of the DRC. Numerous crimes are committed by deserters from the ranks of the armed forces. Moreover, the illegal actions of Congolese soldiers spread not only to the conflict regions of the East of the DRC. A number of offenses were committed by them during the parliamentary and presidential elections in 2011. Among them – suppression of the opposition forces, journalists' arrests, charges and daily violations due to the so-called “duality” of the functions of the armed forces and the police. Planned actions by the authorities were conducted both in the capital and in all regions of the country. Similar phenomena are observed due to the fact that units of the Republican Guard or the military police often participate in the dispersal of unauthorized demonstrations, assisting the national police, which is unable to withstand large-scale speeches. Theoretically, the national police are called upon to deal with security problems within the country, and the army to ensure external security. However, their duties are “diluted” and do not coincide with the approved strategy under the relevant laws on the army and the police. Often, police units are led by army officers who transfer the model of the armed forces to the police. In addition, army officers created elite rapid response units within the staff structure of the police, which leads to contradictions between servicemen and policemen.

Another problem hampering the establishment of an effective system of interaction between civil society and the military is the involvement of the latter in the process of plundering natural resources. Low-income servicemen of the Armed Forces of the DR of Congo, who often have large families and are forced to look for money on the side, are one of the links in the contraband chain. In addition, some officers are not legally responsible. They benefit from the control over the territories where they are deployed, using the slave labor of ordinary soldiers for mining or the construction of expensive mansions. Another problem is the high corruption among the top management of the Ministry of Defence. Measures against it are practically not being undertaken. Instead of mobilizing the resources of the country to address security issues, senior officers only contribute to the prosperity of corruption, often appropriating the pay of ordinary soldiers. Theoretically, the monthly salary of servicemen in 2015 was \$ 90 for an officer, \$ 60 for a soldier, but these insignificant sums do not reach the lowest army level, settling in the pockets of the highest army leadership. As a result, the military is forced to embark on the path of robbery, forcing the local population to mass exodus in search of a quiet life. An NGO group from the Democratic Republic of the Congo believes that at present the army is disliked and even rejected by civil society. «The Congolese people will cooperate with the army at all times and under any circumstances if it finally becomes a real republican one» (Ngangu Muponba, 2012: 5).

Conclusion

Assessments of interaction between civil society and the army in Africa require knowledge of a number of the civilizational peculiarities of African States. It would be wrong to transfer the European model of the formation of African societies without taking into account their traditions, local beliefs and customs. Although the former metropolises, as in colonial times, trying to keep African countries in its sphere of influence in the “new African policy” by imposing Western standards of development.

Despite the fact that several African countries had democratic elections, having a legitimate head of state and the built vertical of power, the army represents a weak link in the power block of the country. The laws on the army and police, as well as long-term program of reforming of the power unit often exist only on paper.

In the administrative area there is the weakness of the command structure, no discipline and fortitude morale. And most importantly – there is a general idea that could unite the soldiers do not have enough qualified officers. Armed and law enforcement agencies are poorly structured and poorly equipped, undisciplined and little trained. Prevent inter-ethnic differences, and language barrier (for example, in the DRC there are more than 450 tribes speaking local dialects). Recruited from different regions of the country, soldiers sometimes do not understand each other and can't communicate. In this situation, the armed forces cannot guarantee the security and territorial integrity.

Many soldiers do not receive social and medical assistance to die from heart diseases and AIDS. Considering the plight, they often return to their field commanders and become fighters of illegal armed groups. Moreover, the soldiers are forced to plunder and ravage the local population, thereby provoking mass exoduses, as well as a humanitarian catastrophe. In many States of the African continent, the civilian population does not consider the army as a support and a reliable defender. Real change is needed in society, so that law enforcement agencies become worthy and functional.

Given the poor state of the Treasury, in particular in the DRC, the authorities lack the capacity to address issues of reform of the power block and, therefore, are financially

dependent on foreign partners. The palm holds the European Union, strongly proving the “indispensability”. But donor assistance does not resolve the issue. Finance “dissolve” in the vast country, and the situation in the army is not changing.

From the analysis of the studied problem it follows that forming strong and effective civil and military relations in the state depends on such factors as the strict observance by soldiers and officers of the all-civil and special military legislation and the understanding by the population of the need of a national army as an indispensable condition of stability and territorial integrity of the country. In the states with an unstable political system where there are only basic principles of democracy or in the so-called failed state this process goes at slow rates.

Another decade of continuous and consecutive efforts from the political power will be necessary for achievement of required result – that the army serves the country and that people aren't afraid of “the person with a gun».

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