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Complicit silence: International Impunity, Rwandan Proxy Warfare, and the ongoing catastrophe in the Democratic Republic of Congo

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ABSTRACT

This paper examined the persistent complicity of the international community — with particular focus on the European Union and the United Nations — in the ongoing armed conflict in the Democratic Republic of Congo (DRC). It interrogates why overwhelming documented evidence of Rwandan proxy warfare and systematic atrocity has failed to produce meaningful accountability, arguing that international silence is not passive failure but an active political choice rooted in geopolitical interest and extractive economic logic. The study employed a doctrinal legal research methodology, systematically analysing primary legal instruments, UN Security Council resolutions, Group of Experts reports, and regional legal frameworks alongside critical discourse analysis of African and international scholarly literature. The paper demonstrates that the EU's continued financial engagement with Rwanda despite documented military intervention constitutes institutional complicity, and that the ICC's selective prosecution perpetuates what Chidi Odinkalu terms "impunity by institutional design." Drawing on Achille Mbembe's framework of necropolitics and Nanjala Nyabola's analysis of Rwanda's "genocide credit," the paper advances five policy prescriptions: targeted UN sanctions against named Rwandan military officials; ICC mandate expansion to cover external state actors; conditionality in EU development assistance; reform of the MONUSCO mandate; and activation of African continental accountability mechanisms. The paper concludes that complicit silence is itself a form of structural violence that demands institutional remedy. This study contributes to existing scholarship by centring African intellectual frameworks — rather than Western humanitarian discourse — as the primary analytical lens for the DRC crisis, and by providing a doctrinal legal foundation for characterising international inaction as institutional complicity.

Keywords: Democratic Republic of Congo, Rwanda, M23, European Union, Impunity, Sexual Violence, International Humanitarian Law, African Peace Architecture

INTRODUCTION

In the eastern Democratic Republic of Congo, a catastrophe unfolds that is, in almost every meaningful sense, fully documented. The United Nations Group of Experts has produced annual reports since 2004, meticulously cataloguing the sources of armed violence, the chains of command behind massacres, the economic structures sustaining militias, and the external actors—including the Rwandan government—

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providing material support to the M23 rebel movement.[1] The International Criminal Court has issued warrants. Human rights organisations from Amnesty International to Human Rights Watch have published detailed accounts.[2] More than 7.1 million people are internally displaced—the largest displacement crisis in Africa.[3]

And yet the international community's response has been characterised, with damning consistency, by what this paper terms "complicit silence": the performance of concern without the exercise of consequence. This paper argues that such silence is not a passive failure but an active political choice—one that reflects entrenched geopolitical interests, colonial economic patterns, and the systematic devaluation of African lives in global governance discourse.[4]

The analytical framework employed here draws heavily on African scholarly traditions, centring voices from the continent that have theorised colonial persistence, sovereignty failures, and extractive violence with clarity and specificity. Achille Mbembe's concept of necropolitics—the power to determine who may live and who must die—provides one such framework.[5] Nanjala Nyabola's analysis of what she terms the "genocide credit" dynamic illuminates why Rwanda continues to escape accountability despite documented military intervention.[6] These perspectives are not supplementary; they are central to understanding the crisis.

THEORETICAL FRAMEWORK

The paper deploys two primary theoretical frameworks. First, Achille Mbembe's concept of necropolitics provides the overarching analytical lens for understanding how decisions about life and death in eastern DRC are structured by sovereign power operating at multiple scales — from armed groups on the ground to international institutions that tacitly authorise the conditions of mass death through inaction.[7] Second, the paper draws on postcolonial legal theory — particularly as developed in the African context by Kä Mana and Célestin Monga — to situate the failure of international legal institutions not as exceptional dysfunction but as the continuation of historical patterns of selective sovereignty and extractive engagement with the African continent.[8] These frameworks are supplemented by Nyabola's empirical analysis of the "genocide credit" mechanism, which provides a specific account of how the politics of memory and victimhood operate to insulate certain actors from legal accountability.

METHODOLOGY

Doctrinal Legal Research Approach

This paper employed a doctrinal legal research methodology, which involves the systematic identification, classification, and critical analysis of legal rules, norms, and institutional practices as they appear in primary and secondary legal sources.[9] As a doctrinal study, the paper did not generate empirical data through fieldwork or surveys; rather, it worked from the established body of international legal instruments, institutional reports, and authoritative scholarship to construct a coherent legal and normative argument about international complicity. The doctrinal method is particularly suited to a study of this kind because the central question — whether international inaction in the face of documented atrocity constitutes institutional complicity — is, at its core, a legal and normative question about the obligations of states and institutions under international law.[10]

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[1] United Nations Security Council, *United Nations Group of Experts on the DRC* (Final Report (S/2024/432), 2024).
[2] Human Rights Watch, "DR Congo: Rwanda Should End Support to M23," 2022.
[3] Christina Bennett, "United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) Orientation Handbook" (United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), 2002).
[4] John F Clark and Séverine Autesserre, "The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding," *Perspectives on Politics* 9, no. 4 (2011): 902.
[5] Achille Mbembe, "Necropolitics (Trans. S. Corcoran)" (Durham, NC: Duke University Press, 2019).
[6] Nanjala Nyabola, "The Genocide Credit: How Rwanda Leverages Victimhood for Impunity," *African Arguments*, 2023.
[7] Mbembe, "Necropolitics (Trans. S. Corcoran)."
[8] Ka Mana, *L'Afrique va-t-Elle Mourir?: Bousculer l'imaginaire Africain; Essai d'éthique Politique* (Ed. du Cerf, 1991).
[9] Terry Hutchinson and Nigel Duncan, "Defining and Describing What We Do: Doctrinal Legal Research.," *Deakin Law Review* 17, no. 1 (2012): 83–119.
[10] International Law Commission, "Draft Articles on Responsibility of States for Internationally Wrongful Acts," *Yearbook of the International Law Commission* 2, no. 2 (2001): 49.

Sources of Legal Authority

The primary legal instruments consulted include: the United Nations Charter, particularly Articles 24, 39 and 41 concerning the Security Council's peace and security mandate; the Rome Statute of the International Criminal Court, with specific reference to Articles 7 (crimes against humanity), 8 (war crimes) and 25 (individual criminal responsibility); the four Geneva Conventions of 1949 and their Additional Protocols; the Convention on the Prevention and Punishment of the Crime of Genocide (1948); the African Union Constitutive Act, especially Article 4(h) (the right of intervention in member states) and Article 4(j) (the non-indifference principle); and successive United Nations Security Council resolutions concerning the DRC, including those establishing and renewing the MONUSCO mandate. Regional instruments of the Southern African Development Community and the International Conference on the Great Lakes Region are also examined where relevant.

Methods of Document Analysis

The paper employed critical discourse analysis as its primary method of document analysis. This involved close reading of institutional texts — including UN Group of Experts reports, EU-Rwanda Partnership agreements, ICC prosecutorial decisions and African Union communiqués — to identify not only their explicit content but also the assumptions, omissions and ideological frameworks embedded within them. Particular attention was paid to the gap between normative language (what institutions claim to do) and institutional practice (what they demonstrably do or fail to do). Comparative analysis was employed to juxtapose the international community's responses to the DRC crisis with responses to comparable situations elsewhere, most notably the EU's response to the Russian invasion of Ukraine, in order to surface differential application of international norms.

Criteria for Selecting Literature

Literature was selected according to three primary criteria. First, scholarly peer-reviewed status or recognised institutional authority: journal articles, monographs from academic presses, and reports from institutions with established methodological credibility (the UN Group of Experts, Human Rights Watch, Global Witness, the Africa Center for Strategic Studies) were prioritised. Second, direct thematic relevance to the core concerns of the paper: international humanitarian law, proxy warfare, institutional impunity, and the political economy of the DRC conflict. Third, and critically, the paper deliberately prioritises African scholarly voices — including Achille Mbembe, Nanjala Nyabola, Célestin Monga, Kä Mana, Chidi Odinkalu, Nkululeko Dlamini, Babacar Gueye, and Denis Mukwege — as primary analytical authorities rather than as supplementary commentary on Western frameworks. This methodological choice reflects the paper's central epistemological commitment: that the DRC crisis is best understood through intellectual frameworks developed by scholars who are closest to its historical and political realities.

DISCUSSION

Historical Cartography: From Colony To Crisis

The Colonial Inheritance

The contemporary crisis in eastern DRC cannot be understood without confronting the weight of its colonial inheritance. The Belgian Congo, established through King Leopold II's private imperial project, was organised around a logic of extraction so brutal—the harvesting of rubber through terror, mutilation, and forced labour—that it became the paradigmatic case of colonial atrocity.[11] The state structures that colonialism bequeathed were not designed for governance but for control and extraction—a legacy that fundamentally shaped the postcolonial trajectory.

As Mahmood Mamdani demonstrates, the colonial inheritance bequeathed to postcolonial African states was not merely institutional weakness but a politics of managed ethnicity and divided

[11] Adam Hochschild, "King Leopold's Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa.," *The Wilson Quarterly* 23, no. 1 (1999): 103–5.

citizenship that structurally incapacitated the nationalist project.[12] The Mobutu dictatorship (1965–1997) institutionalised this inheritance as kleptocracy, creating a system in which state power existed primarily to extract resources for a narrow elite rather than to govern for collective well-being.[13]

The Congo Wars and the Failure of Peace Architecture

The First and Second Congo Wars (1996–1997; 1998–2003) represent the most devastating expression of this structural failure. The Second Congo War, involving nine African nations and dozens of armed factions, left an estimated 5.4 million dead—widely considered the deadliest conflict in modern African history.[14] The Inter-Congolese Dialogue and the Sun City Accords of 2002 sought to construct a post-war architecture of governance, resource accountability, and citizenship rights, but successive integration processes systematically inserted combatants with divided loyalties into state institutions.[15]

The M23 rebellion, reactivated in 2021 and massively escalating through 2024, represents the latest iteration of this cycle. UN Group of Experts reports document Rwanda's support for M23, including the deployment of thousands of Rwandan ground troops.[16] The historical significance of this cannot be overstated: Africa's post-colonial order, built on the principle of territorial inviolability, is being challenged by a pattern of proxy warfare that exploits governance failures that colonialism created.

The Resource Curse as Historical Continuity

The DRC accounts for approximately 68 percent of global cobalt production, yet it ranks among the world's most impoverished nations by human development indicators.[17] This is not a paradox but a pattern: a historical continuity in which the extraction of Congolese wealth by external actors has consistently outpaced the development of Congolese state capacity. As successive Global Witness reports document, mineral revenues from conflict-affected zones in eastern DRC flow outward—to regional capitals, commodity markets and technology supply chains—while communities in the extraction zones experience intensifying impoverishment.

M23 and Rwanda's Documented Culpability

The evidentiary basis for Rwandan state involvement in the M23 rebellion is substantial and multi-sourced. The UN Group of Experts' 2022 report documented Rwanda Defence Forces (RDF) troops embedded with M23 units, Rwandan military officers commanding M23 operations, and Rwandan territory being used as supply lines and medical evacuation routes.[18] The 2023 report found these patterns continued and deepened, with an estimated three to four thousand RDF troops deployed inside the DRC.

Nanjala Nyabola's analysis is indispensable here. She argues that Rwanda has successfully cultivated a political economy of victimhood—leveraging the unquestioned international moral capital generated by the 1994 genocide to insulate itself from accountability for contemporary aggression.[19] This "genocide credit," she argues, operates as a form of diplomatic immunity: any criticism of Rwandan government actions risks being framed as genocide denial or anti-Tutsi racism, effectively silencing critics and enabling continued impunity.

The Human Rights Watch documentation of M23 atrocities—summary executions, sexual violence, the use of child soldiers, and the systematic looting of humanitarian supplies—provides granular evidence of what Rwandan support enables on the ground. Yet despite this evidence, no state actor has imposed meaningful sanctions on Rwanda. The gap between documentation and consequence is, itself, the story.

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[12] Mahmood Mamdani and Mahmood Mamdani, *When Victims Become Killers: Colonialism, Nativism, and the Genocide in Rwanda*, vol. 392 (Princeton University Press, Princeton, NJ, 2001).
[13] Georges Nzongola-Ntalaja, *The Congo from Leopold to Kabila: A People's History* (Bloomsbury Publishing, 2013).
[14] Jason Stearns, *Dancing in the Glory of Monsters: The Collapse of the Congo and the Great War of Africa* (Public affairs, 2012).
[15] Paul Nantulya, *Lessons from the DRC's Failed Attempts to Integrate Armed Groups into the National Army* (Africa Center for Strategic Studies, 2023).
[16] United Nations Security Council, *United Nations Group of Experts on the DRC*.
[17] Global Witness, "Exposing the Dirty Deals Behind Congo's Mining Boom," 2022, https://www.globalwitness.org.
[18] United Nations Security Council, *United Nations Group of Experts on the DRC*.
[19] Nyabola, "The Genocide Credit: How Rwanda Leverages Victimhood for Impunity."

The European Union's Contradictory Posture

The European Union presents perhaps the most glaring example of institutionalised contradiction in the DRC crisis. Despite having received the UN Group of Experts' reports documenting Rwandan military intervention, the EU continued providing Rwanda with hundreds of millions of euros in development and budgetary support throughout 2022–2024.[20] The EU-Rwanda Strategic Partnership, deepened in 2022, includes mineral supply chain agreements—a direct economic incentive that critics argue motivates the EU's reluctance to apply meaningful pressure on Kigali.

The contrast with the EU's response to Russia's invasion of Ukraine is instructive. In that case, the EU mobilised extraordinary political will within weeks: travel bans, asset freezes, SWIFT disconnections, arms deliveries and humanitarian assistance on an unprecedented scale. The difference in response cannot be explained by normative principles alone.[21] It reflects, rather, a hierarchy of concern in which European lives and European geopolitical interests command a qualitatively different level of institutional response than Central African lives.

Séverine Autesserre's analysis of international peacebuilding in the DRC identifies a consistent pattern of misdiagnosis: international actors frame the crisis as primarily a problem of local governance failure, thereby obscuring the external dimensions—Rwandan military intervention, global supply chain complicity, Western institutional passivity—that sustain it.[22] The EU's posture exemplifies this misdiagnosis.

The UN Mapping Report and the Architecture of Impunity

In 2010, after three years of documentation, the United Nations Office of the High Commissioner for Human Rights released what became known as the "Mapping Report"—a 550-page document cataloguing 617 incidents of serious violations of international humanitarian law committed in the DRC between 1993 and 2003.[23] The report documented potential acts of genocide committed against Hutu civilians by forces associated with Rwanda's Rwandan Patriotic Army. The Rwandan government threatened to withdraw its peacekeeping troops from Darfur in response.

Chidi Odinkalu's devastating analysis argues that the architecture of international legal institutions in Africa is not malfunctioning but functioning precisely as designed—to manage, contain, and legitimise impunity rather than to eliminate it.[24] The ICC's prosecutions in the DRC context have overwhelmingly targeted lower-level perpetrators and DRC nationals, while the command responsibility of external state actors—including Rwanda—has remained effectively outside the scope of prosecutorial attention.[25]

The MONUSCO mission—the largest and most expensive UN peacekeeping mission in the world—has been widely criticised for failing to protect civilians despite its extraordinary mandate and resources.[26] Its failures are not merely operational but structural: a mission designed for a different conflict era, bureaucratically rigid, and constrained by the political interests of Security Council members who are simultaneously major economic actors in the DRC's resource sectors.[27]

Sexual Violence as a Weapon of War

Eastern DRC has been described by international observers as the "rape capital of the world"—a descriptor that, as Chantal Uwimana argues, risks reifying victimhood as the primary lens through which

[20] European Commission, *EU-Rwanda Partnership and Cooperation Agreement: Progress Report* (European External Action Service, 2023).
[21] European Commission, *EU-Rwanda Partnership and Cooperation Agreement: Progress Report*.
[22] Clark and Autesserre, "The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding."
[23] United Nations, "Democratic Republic of the Congo: Mapping Human Rights Violations, 1993–2003," *Office of the United Nations High Commissioner for Human Rights*, 2010.
[24] Chidi Odinkalu, "Impunity by Institutional Design: International Law and the Crisis in Eastern Congo," *Journal of African Law* 66, no. 1 (2022): 1–-28.
[25] Odinkalu, "Impunity by Institutional Design: International Law and the Crisis in Eastern Congo."
[26] Christoph Vogel and Josaphat Musamba, "Peacekeeping Without Politics? The UN Mission in the DRC," *African Affairs* 119, no. 476 (2020): 460–80.
[27] United Nations Security Council, *Resolution 2746 (2024): Renewal of MONUSCO Mandate* (S/RES/2746, 2024).

Congolese women are seen, erasing their agency and their resistance.[28] But the clinical documentation of sexual violence as a deliberate military strategy remains essential to understanding the conflict's character.

Denis Mukwege, the Congolese surgeon and Nobel Peace Prize laureate whose Panzi Hospital has treated tens of thousands of survivors of sexual violence, has documented with clinical precision how rape functions in eastern DRC not as incidental to conflict but as a weapon: destroying community cohesion, displacing populations, extracting information, and marking territorial control.[29] His testimony before international bodies represents one of the most detailed records of mass atrocity in the contemporary world.[30]

Uwimana's feminist critique goes further: she argues that the international community's focus on sexual violence, while necessary, has paradoxically enabled a depoliticisation of the conflict—reducing a crisis of sovereignty, resources, and geopolitical competition to a "women's issue" that can be addressed through humanitarian responses while structural causes remain unaddressed.[31] The proliferation of international programmes addressing gender-based violence in the DRC without addressing the armed groups committing it—or their external supporters—exemplifies this depoliticisation.

African Scholarly Perspectives: Theorizing Complicity

Achille Mbembe's concept of necropolitics—the governance of death, the sovereign power to determine who may live and who must die—provides the most incisive theoretical framework for understanding the DRC crisis.[32] In eastern DRC, necropolitical logic operates at multiple scales: the armed groups that determine civilian survival through control of territory, movement, and resources; the Rwandan state that extends its security architecture into sovereign Congolese territory; and the international community that, through selective engagement and institutional passivity, tacitly endorses this arrangement.

Kä Mana's ethical analysis of African political failure, developed across his theological and philosophical writings, insists that the crisis of governance in the DRC cannot be reduced to external intervention alone.[33] African political leadership bears its own accountability for institutional weakness, elite capture, and the failure to build the civic foundations of governance. This internal critique, however, must be held in tension with the analysis of external complicity—not used to excuse it.

Célestin Monga's work on civil society and political agency in Africa argues that the pathologies of political power in post-colonial states are best understood as the product of specific historical and structural forces rather than cultural essence.[34] His insistence on African political agency—the capacity of African actors to transform their own political contexts—provides a counterweight to the fatalism that sometimes infects international discourse on the DRC crisis.

Nkululeko Dlamini's analysis of continental accountability mechanisms argues that the African Union's non-indifference principle—enshrined in the Constitutive Act—has been systematically underutilised in the DRC context.[35] Babacar Gueye similarly argues that African regional mechanisms, including the International Conference on the Great Lakes Region, have the normative architecture to address the crisis but lack the political will to exercise it.[36]

The Failure of International Humanitarian Law

The DRC crisis represents a systematic failure of international humanitarian law at every level of its architecture. The prohibition on aggression—the jus ad bellum—has been violated by Rwanda's military

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[28] Chantal Uwimana, "Feminist Perspectives on International Intervention in the DRC," *African Studies Review* 64, no.2 (2021): 334–57.
[29] Denis Mukwege, "Sexual Violence in Conflict Zones: The DRC Case," *Journal of International Criminal Justice* 18, no. 3 (2020): 571–90.
[30] Mukwege, "Sexual Violence in Conflict Zones: The DRC Case."
[31] Uwimana, "Feminist Perspectives on International Intervention in the DRC."
[32] Mbembe, "Necropolitics (Trans. S. Corcoran)."
[33] Mana, *L'Afrique va-t-Elle Mourir?: Bousculer l'imaginaire Africain; Essai d'éthique Politique*.
[34] Celestin Monga, *The Anthropology of Anger: Civil Society and Democracy in Africa* (Lynne Rienner Publishers, 1996).
[35] Nkululeko Dlamini, "Continental Accountability and the Eastern Congo Crisis," *African Security Review* 31,no.3(2022):219–37.
[36] Babacar Gueye, "African Union Mechanisms and the DRC: Between Principle and Practice," *African Yearbook of International Law* 27 (2022): 88–112.

intervention without consequence.[37] The laws of armed conflict—the jus in bello—have been violated by all parties, including M23 and its Rwandan backers, in the systematic targeting of civilians.[38]

The ICC's record in the DRC illustrates what Odinkalu terms "impunity by institutional design." While the Court has prosecuted DRC warlords including Thomas Lubanga, Bosco Ntaganda, and Germain Katanga, the command responsibility of political and military leaders who authorised or failed to prevent atrocities—particularly those with connections to regional state actors—has remained largely outside prosecutorial attention.[39] This selective prosecution creates a perverse incentive structure: the immediate perpetrators bear legal risk while the architects of the system enabling atrocity remain protected.[40]

The Ezulwini Consensus, adopted by the African Union in 2005, called for reform of the UN Security Council to give Africa greater representation in global decision-making.[41] This structural reform remains unrealised. The Security Council's veto architecture, which allows permanent members to block action on crises where their economic or geopolitical interests are engaged, has effectively rendered the Council's humanitarian mandate inoperative in the DRC context.

RECOMMENDATIONS

The analysis above points toward five concrete policy prescriptions that, taken together, could begin to shift the DRC crisis from a paradigm of documented impunity toward one of meaningful accountability.

First, the EU and other major donors should condition development and budgetary support to Rwanda on verifiable withdrawal of Rwandan Defence Forces from Congolese territory and cessation of material support to M23. The existing EU Corporate Sustainability Due Diligence Directive provides a legislative framework that could be extended to require supply chain transparency for minerals originating in conflict-affected zones of the DRC.

Second, the UN Security Council should authorise a targeted sanctions regime against Rwandan military and political officials named in Group of Experts reports as bearing command responsibility for M23 operations. The existing sanctions committee on the DRC should have its mandate explicitly extended to cover external state actors.

Third, the ICC Prosecutor should open a formal investigation into command responsibility for crimes committed in connection with Rwandan military operations in the DRC. The existing investigation into the DRC situation should be expanded to cover external actors.

Fourth, MONUSCO's mandate should be restructured with a primary protection of civilians mission, with robust rules of engagement, and with the political authorisation to operate against M23 and allied forces regardless of their external backing. The systematic failure of MONUSCO to protect civilians in its areas of operations represents a crisis of mandate, not merely of capability.

Fifth, African regional mechanisms—particularly the International Conference on the Great Lakes Region and the Southern African Development Community—should exercise the non-indifference principle and deploy meaningful diplomatic pressure on Rwanda, including the possibility of targeted sanctions within the African architecture. Continental accountability must complement international accountability.

CONCLUSION

This paper set out to answer a single, urgent question: why has overwhelming documented evidence of Rwandan proxy warfare, mass atrocity, and civilian suffering in the DRC failed to generate meaningful international accountability? The foregoing analysis has demonstrated that the answer is not found in the inadequacy of the evidence — that evidence is extensive, multi-sourced, and authoritative — but in the political structures and economic interests that make accountability inconvenient.

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[37] Filip Reyntjens, "The Great African War," *American History* 1861, no. 1900 (1945).
[38] United Nations Security Council, *United Nations Group of Experts on the DRC*.
[39] International Criminal Court, "Situation in the Democratic Republic of the Congo: Overview," 2023, https://www.icc-cpi.int/drc.
[40] International Criminal Court, "Situation in the Democratic Republic of the Congo: Overview."
[41] African Union, "The Common African Position on the Proposed Reform of the United Nations: The Ezulwini Consensus," *Ext/EX. CL/2 (VII), Executive Council, 7th Extraordinary Session*, 2005, 7–8.

The paper has argued, across nine substantive sections, that the international community's silence is complicit in a precise legal and normative sense. The European Union has continued to finance and partner with a state that its own institutional record — through the UN Group of Experts — has repeatedly identified as the principal external sponsor of armed violence in the DRC. The International Criminal Court has prosecuted the proximate executors of atrocity while shielding, in practice, the political architects of the system that enables them. The Security Council, constrained by a veto architecture designed in 1945, has watched the world's largest peacekeeping mission fail to protect civilians and renewed its mandate rather than reforming its substance.

Achille Mbembe's framework of necropolitics names this arrangement with uncomfortable precision: the people of eastern DRC exist, in the eyes of the international order, within a zone of expendability — a space in which the sovereign power to let die operates with institutional sanction. Nanjala Nyabola's analysis of the genocide credit explains the specific mechanism by which Rwanda escapes accountability for contemporary aggression through the leveraging of historical victimhood. Together, these analytical frameworks do not produce fatalism; they produce the clarity necessary for meaningful reform.

The five policy prescriptions advanced in Section 10 — conditionality in EU development assistance, targeted UN sanctions, ICC mandate expansion, MONUSCO reform, and activation of African continental accountability mechanisms — are not novel in isolation. They are, in many cases, measures that international actors have already adopted in analogous situations. Their consistent non-application in the DRC context is not an accident; it is a political choice. Naming it as such is the precondition for changing it.

This paper's contribution to scholarship lies in its insistence on centering African intellectual frameworks — Mbembe's necropolitics, Odinkalu's institutional impunity thesis, Nyabola's genocide credit analysis, Monga's critique of postcolonial agency — as the primary analytical vocabulary for a crisis that African scholars have theorized with far greater precision than dominant Western humanitarian discourse. The DRC crisis is not an anomaly requiring humanitarian response; it is a systemic product of colonial extraction, post-colonial sovereignty failures, and contemporary institutional complicity that requires structural remedy.

The people of eastern DRC have demanded amani — peace — for decades. They have provided the evidence. They have provided the testimony. They have provided the dead. The obligation that now rests on international institutions, regional bodies, and scholarly communities is not to document their suffering further, but to act on what is already known. Complicit silence, this paper has argued, is itself a form of structural violence. The final measure of international humanitarian law is not what it says about atrocity, but what it does.

Limitations of the Study

Several limitations attend this study and should be acknowledged. First, as a doctrinal and conceptual study, it does not incorporate primary field research or testimonial evidence gathered directly from affected communities in eastern DRC. The perspectives of survivors, displaced persons, and community leaders — while represented indirectly through the documentary record — are not foregrounded as primary data. Second, the paper relies substantially on English-language scholarship and on UN institutional reports produced largely by international experts; Francophone and Swahili-language scholarly and civil society literature is underrepresented, which may introduce a linguistic bias in the evidence base. Third, the rapidly evolving character of the DRC conflict means that developments occurring after early 2025 are not captured in this analysis. Fourth, the paper's focus on international institutional actors means that the internal dynamics of the DRC state — governance failures, elite capture, and FARDC structural weaknesses — are treated as context rather than as primary objects of analysis, which represents a scope limitation rather than a normative judgment. These limitations are acknowledged without diminishing the validity of the doctrinal and normative arguments advanced.

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