

Combating Sexual Violence in the DRC

Towards a Comprehensive Approach?

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UN Photo by Marie Frechon

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Acronyms

| | |
|--------|---|
| CBO | Community-based organization |
| CNDP | Le Congrès National pour la Défense du Peuple |
| DDR | Disarmament, Demobilization and Reintegration |
| DRC | The Democratic Republic of Congo |
| FARDC | Forces Armées de la République Démocratique du Congo |
| FDLR | Forces Démocratiques de Libération du Rwanda |
| GBV | Gender-based violence |
| ICRC | International Committee of the Red Cross |
| MONUC | Mission de l'Organisation des Nations Unies en République Démocratique du Congo |
| NGO | Non-governmental organization |
| NORDEM | Norwegian Resource Bank for Democracy and Human Rights |
| PARECO | Patriotes Résistants du Congo |
| PNC | Police Nationale Congolaise |
| SGBV | Sexual and gender-based violence |
| S/RES/ | (UN) Security Council Resolution |
| SSR | Security Sector Reform |
| SV | Sexual violence |
| UNFPA | United Nations Population Fund |
| UNSC | United Nations Security Council |
| UNPOL | United Nations Police |

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Executive Summary

This report focuses on two United Nations Security Council Resolutions: S/RES/1325 (2000) on women, peace and security, and S/RES/1820 (2008) on sexual violence in war and conflict. Sexual violence has been a part of the warfare in the eastern Democratic Republic of Congo (DRC) for more than a decade. Much of the focus of the international community has therefore been on measures to address this issue. This report offers a critical discussion of current protection and prevention efforts within the *Comprehensive Strategy on Combating Sexual Violence* in the DRC framework. The empirical scope is narrowed down to the most affected region: North Kivu. The findings are based on two weeks of fieldwork in March 2009 and a review of key policy documents.

The report makes the following recommendations: First, **the establishment and support of a police academy** will improve coordination and support standardized police training in the DRC. Key in the shorter-term is to **support more UNPOL staff** beyond the provincial capital and establishing **specialized anti sexual violence units** at each police station. Second, **support to awareness campaigns and logistics to rebuild social network structures**. Preventive measures must actively involve local communities together with key stakeholders within the government, police and army. Lastly, **efforts must be made to develop a national action plan on S/RES/1325** instead of focusing solely on damage limitation of sexual violence in the DRC. S/RES/1325 deals with root causes in key areas such as the economic and social status of women and basic security equal to that of men, which in turn is positive for women as equal partners in productivity.

Introduction

Sexual violence has been endemic to warfare in the Democratic Republic of Congo (DRC) over the past decade. Much of the focus of the international community has therefore been on measures to address this issue. However, in spite of these efforts a number of challenges remain, especially when it comes to police reform and actively involving state actors and local populations in order to address the problem. The present report discusses the efforts of the international community to deal with the problem of sexual violence in warfare in light of UN Security Council Resolutions 1325 and 1820.

As noted in the empirical scope section below, the majority of perpetrators are civilians themselves. This report deals with the links between prevention and protection at the community response level as well as the level of SSR efforts and the national level towards the integration of S/RES/1325. The rationale is to use the final version of the *Comprehensive Strategy on Combating Sexual Violence in the DRC* (18 March 2009) from the office of the Senior Sexual Violence Advisor and Coordinator in MONUC, and the actions taken to prevent and protect civilians from sexual violence. Specifically, the focus on protection will concern the Police Nationale Congolese (PNC) within the framework of Security Sector Reform (SSR). The prevention section will focus on community (local) and government (national) responses to the high number of incidents of sexual violence over the past decade in the eastern DRC.

The report is structured as follows. First, a brief background section includes some elaboration on S/RES/1325 and 1820, followed by sections on the empirical scope, method and key actors in the process. Second, the findings from fieldwork studies will be presented through (a) police reform, (b) the re-building of social networks, (c) efforts to incorporate a national action plan on S/RES/1325 in the DRC. The concluding section presents the lessons learned from this study.

Background

United Nations Security Council Resolution 1325 on Women, Peace and Security was unanimously adopted on 31 October 2000. S/RES/1325 has received widespread attention from women's advocacy groups and has to some extent been internationally accepted on the political agenda for enhancing women's rights to participate and live in peace and security. A major goal of the resolution is to increase the number of women in decision-making positions nationally, regionally and internationally, to contribute in conflict resolution and peace processes. Also emphasized is the need to mainstream gender perspectives at all levels of UN based field-operations and to protect women and girls from sexual and gender-based violence (SGBV). Even though the resolution has been widely accepted and enjoys substantial economic support from donor countries, actual implementation has proven difficult. Much of the effort has taken place at the advocacy level, and only to a lesser extent at the practical or operational level. To take one example: the problem of increasing the number of women in decision-making levels is not limited to developing countries, but is an issue that penetrates the UN system itself and governments around the world. Women remain underrepresented in UN Missions: less than 2% of military personnel and less than 5% of police are women (Valasek, 2008:7).

As a follow-up to S/RES/1325 and the urgent need for more focus on sexual violence as a weapon of war, on 19 June 2008 the UNSC unanimously adopted S/RES/1820. The resolution states: "rape and other forms of sexual violence can constitute war crimes, crimes against humanity or a constitutive act with respect to genocide" and is aimed at ending sexual violence in conflict. Military discipline, responsibility and training are cited as central elements for accomplishing the goals of S/RES/1820. Resolution 1820 is closely linked to the goals of S/RES/1325 in that women's empowerment is assumed to be the key to halting the widespread sexual abuse of women during conflict and beyond.

Empirical scope and context

The Democratic Republic of Congo (DRC) has some of the world's greatest ecological potentials in agriculture, mining and transportation through the Congo River. However, it has experienced one of the darkest histories in colonial suppression, kleptocracy and warfare. The second war in the DRC (1998-2002) officially ended with the Sun

City/Lusaka Agreement of 19 April 2002. The following year, a transitional government consisting of various warring groups was installed. But the fighting continued in the Kivus, due, *inter alia*, to persistent competition between local groups over land, as well as overpopulation in parts of the Kivus, a collapsed state, and political leaders who have manipulated local sentiment to their own benefit. In addition, the conflict has been fuelled by the availability of arms and the presence of foreign rebels and refugees in the east.

This report focuses primarily on the North Kivu region in the eastern DRC, bordering Rwanda and Uganda, which remains the most conflict-affected area. The aim of this report is to discuss some of the difficulties and to suggest ways to better mitigate the high level of sexual violence in North Kivu. Sexual violence is a broad category that includes rape, sexual torture and mutilation, sexual slavery, enforced prostitution and sterilization, and forced pregnancy.¹ There exist no reliable data on the actual number of sexual violence incidents by armed forces against civilians, but sexual violence in the eastern DRC is often referred to as a ‘massive problem’ and with ‘alarming figures’. There are indications that the number is relatively high, probably also exceeding sexual violence incidents before the war.

In the absence of reliable statistics, it is important to get an idea of the conduct of warfare and conflict, in order to understand sexual violence not as an isolated effect of the conflict, but as an integral part of the warfare. The war since 1998 and the ongoing conflicts in the Great Lakes region on Congolese soil resemble the Thirty Years’ War in Europe (1618–48), according to Prunier (2009: 336–7). In Europe, looting was a basic element in army behaviour during this war. Instead of understanding the war in the Great Lakes in strictly military terms as perceived in the modern Western understanding, we need to recognize economic predation and trafficking as fundamental features of warfare. This in turn has many implications for the civilian population. Weapons are more often directed at civilian targets instead of enemy forces, and direct confrontations between the warring armed forces are relatively rare. Precisely this situation of decentralized violence by non-state actors makes the conflicts both exceedingly deadly and difficult to stop (*ibid*). Sexual violence, looting and torture become routine among the so-called combatants. The Congolese army, the FARDC, have also used militias for their own strategic purposes and are (after more than a decade of fighting) blended with various armed groups. The FARDC are poorly paid, ill-disciplined and further de-professionalized through intermixture with militia groups. The irregular, often village-based warfare that has become a way of life for

¹ International Criminal Court (ICC), *Elements of Crimes* (UN Doc. PNICC/2000/Add. 2, Article 8(2) (e) (xxii)-2 to (xxii)-6.

the armed forces is extremely difficult to defeat in the absence of a centralized strategy.

Civilian casualties in war are due in part by killings, but more often to the vicious circle of displacement, loss of livelihood, shelter and health care. Furthermore, incidents of sexual violence in the Kivus are relatively predictable, taking place for instance when women are out to fetch firewood or water, or when armed forces enter villages to pillage and loot, or when girls and women are held captive by armed groups (Solhjell, 2008). Attacks on villages make also men more exposed to sexual violence, as family members are forced into having intercourse with each other, or men are raped by other men as a demonstration of power and utter humiliation. As incidents of sexual violence vary in terms of context and perpetrators, so do the motivations. When women are held as sex slaves, there may be rules and procedures for sexual violence. For instance, ICC investigators against the leader Joseph Kony of the Lord's Resistance Army in the DRC found that when girls were held captive:

they were not randomly dispersed among commanders, [instead they] were maids in households, and then grew up in the ranks and given to commanders for sexual pleasure. [] What they were allowed to do, what they were forced to do, and by what age was perfected and written down, [] orchestrated, thought about and laid out in rules (Witteveen in Tosh & Chazan, 2008:10).

A population-based survey (Vinck et al. 2008:32) found that 16% of respondents in Ituri, North Kivu and South Kivu reported having been sexually violated since the outbreak of war in the Great Lakes region from 1994 and onwards. 12% of them had had experienced such violence several times, and as many as 23% of the respondents said they had witnessed sexual violence. In North Kivu, UNFPA statistics confirmed 400 reported cases of sexual violence each month in 2008, of a total of 4820 cases in the area during 2008.² Reported means that these were cases treated and registered by local health centres with which UNFPA collaborates directly or through partners. With the eruption of conflict during April, October and November 2008, cases of sexual violence increased. The most affected areas in North Kivu have been Rutshuru, Goma, Lubera and Masisi (see appendix 2.0). According to UNFPA statistics, the main perpetrators of sexual violence in the North Kivu are civilians (34%) and the Congolese army FARDC (31%). Congolese often maintain that the violence is a result of Rwandan *genocidaires* within the Congolese territory who have

² Statistics presented by Dr. Jerry Masudi, head of programme in North Kivu, UNFPA, at a cluster meeting on sexual and gender-based violence in Goma, 27 March 2009

used sexual violence as a weapon of genocide. The UNFPA figures, although they should be taken with caution, tell a different story: only 12% of the victims reported foreign militias as responsible for the crime. Here it should be pointed out that, according to the UNFPA, many of the civilian perpetrators are newly demilitarized soldiers, so the categories of perpetrators are in a sense overlapping.

Methodology

The data supporting the findings in this report are largely based on a two-week fieldwork in Goma and Sake in North Kivu and Kigali in Rwanda in March 2009 as well as previous fieldwork in the DRC on the issue of sexual violence in the eastern DRC. Information has been acquired from formal interviews, informal discussions and eye-witness accounts. All in all, more than 45 subjects were covered in the course of the fieldwork. These included interviews and discussions with key MONUC and other UN personnel including seconded Norwegians, NGOs, church networks, national police and internally displaced women have captured parts of the current work and problems related to limiting the widespread sexual violence in the eastern DRC. In MONUC, interviews included a group discussion with three UNPOL staff, personal interviews with the staff at the Senior Sexual Violence Advisor and Coordinator in Goma and interview with person functioning as gender focal point in Goma. During the fieldwork, daily discussions with the seconded Norwegians have been invaluable in understanding the position of the PNC. Furthermore, a group discussion with ten of the newly deployed stabilization police and a personal interview with one of the local police chiefs in Sake were conducted. Interviews and discussions with more than twenty NGO staff, including the church networks, were conducted in Goma and Sake in North Kivu, Kigali (Rwanda) and in Oslo in advance of the fieldwork. Five newly internally displaced women IDP women were interviewed.

For practical reasons, it was not possible to interview state officials, locally in Goma or on the national level in Kinshasa. However, their actions have been partly captured through official documents and interviews with focal points in the UN system. Additional data and background information have been gathered from desk-surveys of available reports and literature. Of particular relevance is the *Comprehensive Strategy on Combating Sexual Violence* in the DRC prepared by Nicola Dahrendorf and others at the UN Civil Affairs section of MONUC.

Mapping key actors: Who is working on what?

This question concerns the humanitarian circus in the DRC and the competition between different UN sectors, NGO and others over funding. Goma, the provincial capital of North Kivu, has been the scene of numerous NGOs seeking funding. Linked to this problem is the apparent lack of coordination ó a major obstacle to more long-term impacts within the field of S/RES/1325 and S/RES/1820. The Joint Initiative adopted in 2005 administrated and coordinated by UNFPA and the Ministry of Gender, Family and Children remains to some extent the UN's flagship in the DRC on combating sexual violence. The Joint Initiative has a heavy focus on psycho-social response to victims and to some extent empowerment of civil society and women. The central UNFPA in Kinshasa has local offices in Goma and Bukavu, and from there supports international and local NGOs to reach victims.

However, the initiative does not go far enough in reforming key sectors involving protection, the potential perpetrators within the security apparatus and the impunity of these crimes against civilians. The newly published *Comprehensive Strategy on Combating Sexual Violence in the DRC* (18 March 2009) has the aim of creating a common framework and platform for action and has been prepared through the office of the Senior Advisor and Coordinator of Sexual Violence together with other agencies and the DRC government. The four strategic components of this strategy are as follows:

1. combating impunity for cases of sexual violence
2. prevention and protection against sexual violence
3. security sector reform and sexual violence
4. multi-sectoral response for survivors of sexual violence.

For each of these interrelated strategic elements there is a concept note and a plan of action. The components are also divided in terms of various UN or EU sectors. For instance, it is suggested that level four be handled by UNFPA, which has worked within this field since 2005. In the present report, the focus will be on strategies two and three, since these are most relevant to S/RES/1325 and S/RES/1820. The action plan within the prevention and protection strategy is more detailed in terms of practical efforts compared to the SSR strategy. Yet, prevention and protection of civilians are closely linked, if not dependent, on a functioning security sector in the DRC. It should also be stressed that the community response should form part of the prevention as well as the protection aspect in order to reduce the prevalence of sexual violence.

I argue that a combination of a more professional police force that enjoys confidence among the communities *and* active involvement from

these societies against SV can create both the protection and prevention mechanisms to mitigate the high levels of SV. However, establishing a professional police force, as well as empowering women, will require state-led efforts at reforming today's situation. Hence, the report addresses two more specific areas of MONUC's mandate, namely:

[1] To develop the capacities of the Congolese national police and related law enforcement agencies in accordance with internationally recognized standards and norms on human rights, proportionate use of force and criminal justice, including **prevention, investigation and prosecution of cases of gender-based violence, by providing technical assistance, training and mentoring support** (Security Sector Reform and Sexual Violence: Concept Note, 2009: 2).

The protection and prevention plan of action incorporates much of the SSR efforts, while specifically advocating the need to ensure **the active involvement of respective communities** (Protection and Prevention of Sexual Violence: Concept Note, 2009:5).

Findings

The security sector: A remaining challenge

There is no agreement as to what Security Sector Reform consist of, such reforms should be context-specific to states in question. According to the OECD DAC Guidelines:

[SSR] includes all the actors, their roles, responsibilities and actions ó working together to manage and operate the system in a manner that is more consistent with democratic norms and sound principles of good governance, and thus contributes to a well-functioning security framework. (OECD DAC, 2005:20)

Ideally, the process of gender mainstreaming should impact on SSR at all levels, in order, for example, to identify various insecurity issues (armed robbery, murder, rape etc.) for members of both sexes, and of all ages. However, many SSR initiatives have shown that “gender” is a separate topic included perhaps more as a matter of political correctness rather than a mainstreamed concern. Pressure to build up the security sector quickly may also lead to insufficient inclusion of gender issues and other conditions necessary to ensure sustained reform. In this section, we begin by discussing the general picture of police and the results from SSR related initiatives in North Kivu, and then turn more specifically to the aspects of protecting civilians against sexual violence and some relevant procedures. The results would appear to indicate that protection and prosecution efforts have failed at every step.

The Congolese police

There is a clear need in the DRC to build a comprehensive and coordinated strategy in training, equipping and deploying police. *The Police National Congolaise* (PNC) and the *Forces Armées de la République Démocratique du Congo* (FARDC) are the two key security forces for (re-)establishing state control beyond the provincial capitals. In February 2008, MONUC started the “Stabilization plan for the East” where the PNC was a key component. The stabilization plan involving the PNC is narrower than a SSR program, but is a part of a broader strategy plan to restore state authority in the east. In all, 300 local police officers from Kinshasa were trained and sent or in the process of being deployed to key areas in North and South Kivu in

addition to Ituri. They receive logistical assistance by MONUC and are trained and monitored by UNPOL.

But since the stabilization plan, violence re-erupted in October 2008, and has remained latent up to this date. Furthermore, military operations by illegitimate actors such as FARDC, MONUC and the Rwandan and Ugandan armies have tended to destabilize rather than improve the situation in the east. To take one example, the operation Kimia II³ in North and South Kivu against FDLR-occupied areas through joint FARDC and MONUC collaboration was welcomed by many civilians, yet also received with concern.⁴ These concerns proved well founded: even before the operation, the FDLR attacked a village in Bunyakiri, and forced 30,000 people to flee the area (Radio France International, 2009). Thus, the eastern DRC is still in a war situation, with serious implication for possible SSR efforts of the PNC. There have been reports of killings of PNC where the FDLR has been present. As one of the seconded Norwegians stated: [i]t was inevitable, deploying uniformed representatives of one of the parties to the conflict in the middle of the war zone without weapons or any possibility to defend themselves.⁵ As long as the armed forces lack vetting mechanisms when integrated in the security forces (FARDC or PNC), protection will necessarily remain challenging.

As to preparation, the PNC received training in a vast number of areas such as human rights, gender-based violence (GBV) and the protection of civilians. The actual duration of this training was contested by those involved, and appeared to be somewhere between one to nine months. The police, in turn, had little equipment/resources to implement this as a part of their daily work. The infrastructure of a police force of 60 members we spoke to in Sake consisted of four motor-bikes, two cars and two tents (for men and women). On a monthly salary of USD 28 they had scant access to clean water, food and fuel, and no communications equipment except for their own private cell-phones. Since our fieldwork, they have received some communication equipment, but still lack fuel to charge the radio units. The local PNC have received neither salary nor instructions since November 2008, according to the NORDEM personnel seconded to MONUC in North Kivu. Furthermore, former CNDP, PARECO and Mayi-Mayi members have been integrated in the PNC. Thus, known war lords may be recruited to key positions in the PNC, as was the case with the police chief in Rutshuru. Vetting mechanisms are necessary for a possible SSR process, and are specified as one of the key priorities in the March 2009 MONUC strategy document. Having such mechanisms in

³ Kimia meaning 'silencing' in Swahili; the operation started in late May 2009.

⁴ 'DRCongo-UN joint operation against Rwandan rebels to start in 10 days' excerpt of report by DR Congo's UN-sponsored Radio Okapi website on 29 April 2009.

⁵ E-mail correspondence 5 May 2009.

place will serve to increase trust between the local population and the PNC and might also be beneficial to the development of human rights and protection of civilians within the PNC.

According to UNPOL staff (interviewed 27 March 2009) there is no viable administration of the PNC at the moment, no sufficient prisons for perpetrators and few judges – most of whom are corrupt. The institutional problems of the PNC are systemic and thus limit the results of training and deployment. The UNPOL staff expressed in particular the concern that despite daily reporting by MONUC to the government in Kinshasa, there have been few cases where state actors have taken an active stand to change the problems in the PNC. This further impinges on the state's ability to establish centralized authority in the various regions of the DRC. Reporting to Kinshasa also includes statistical data, but these are rarely sufficient or reported adequately by the local PNC, according to some of the UNPOL staff. In addition, despite training efforts, replicating European police standards is not easily achieved, due to the lack of infrastructure and logistics. This makes it unfeasible to enforce the kind of measures and conditions used in Europe, according to some UNPOL staff members.

The main obstacle to SSR in the DRC is perhaps overcoming the piecemeal approach used by Kinshasa instead of true structural reform of the security sector (International Crisis Group, 2009: 16). The EU security System Reform Mission to the DRC (EUSEC RDC) provides one of the few examples where international agencies have been able to reform the chain of command and the chain of the payment down to brigade level (ibid). Greater political will from Kinshasa and provincial governors will be necessary to sustain such reforms.

Protection and prosecution against sexual violence

From the fieldtrip in Sake (27 March, 2009) it appeared as if the PNC were exposed to various gender-training activities. For instance, the Christian NGO World Vision performing a two-day seminar on various gender subjects, apparently without having briefed MONUC. Furthermore, we noted that sexual violence is not necessarily perceived as a crime among poorly trained PNC personnel. This sends out a dangerous signal that can be detrimental to Congolese society. A necessity for enhanced coordination, sustainable reform and capacity-building is the establishment of a policy academy in the DRC. This should be a state-led effort with support and guidance from the international agencies, where UNPOL could play a key role. Furthermore, UNPOL is only present in Goma in the North Kivu region. Thus, strengthening the presence of UNPOL beyond the provincial capital can be beneficial.

When cases of sexual violence were reported, the local PNC claimed that they only had two days to complete the investigation and forward the case to the central police in Goma. We were informed by the NORDEM personnel that this was not exactly the case, but rather that a suspect was not allowed to be held for more than 48 hours without juridical prosecution. Several examples of such confusion have been evident when discussing findings with NORDEM and UNPOL personnel, making it even more visible that local police lack training and follow-up instructions.

The formal procedure for victims of sexual violence is to have a medical check, preferably by a doctor. But according to the local staff from PNC and the NGO Heal Africa, there were no doctors in the district to perform this job. A frustrated local police chief in Sake argued that in the current situation there could be no solution to the problem of sexual violence. In his view, this was mainly due to the lack of even minimal logistics facilities for communicating with Goma, and the limited time-frame allotted for each case. He went on to explain that most of the cases they received were reportedly committed by civilians and FARDC. There appeared to be a reluctance to report cases of crimes committed by civilians, as will be discussed further in the last section on implementing S/RES/1325. The local Heal Africa centre in Sake received primarily victims of SGBV, and personnel stated that in many cases victims chose not to report to the police.⁶ This was not only due to the limited trust among civilians regarding police capacities, but also because local chiefs intervene in cases reported to the police. Personnel argued that the general failure of the Congolese state actors to give priority to justice further discourages victims from turning to police and the judicial system for protection. Based upon our observations, the Heal Africa centre was a place where women and their children sought protection for various reasons. In other words, protection was offered by an NGO and not state actors, who proved to have limited ability to protect.

Future plans for the PNC is to establish so-called *cellules anti-violences sexuelles* or anti sexual violence units at each police station. MONUC's role is to assist in training of police personnel of the proposed units. However, it is still unclear when exactly these units will be established. As suggested in the *Comprehensive Strategy on Combating Sexual Violence*, such units should be set up in accordance with a specialised judicial body for sexual violence in order to function adequately.

⁶ Discussion with Heal Africa staff, 26 March 2009, Sake.

Social networks

This section will focus on the re-structuring of social networks and entry points for influencing attitudes. The *Comprehensive Strategy on Combating Sexual Violence* encourages the involvement of communities. For this to be achieved, social networks must be re-built, developed and sustained. These social networks can be defined as social structures among individuals joined by shared kinship, values and trade, etc. Social networks in the eastern DRC are often more closely linked to families and local churches, than between individuals and the state. International observers and the advocacy literature often speak of the breakdown of social networks for civilian Congolese (see e.g. Amnesty International, 2004 & International Alert, 2005). By this they mean that Congolese civilians represent targets and are often displaced, with great implications for the social networks that individuals formerly enjoyed. Such social networks represented security in key areas like protection against severe domestic violence and local justice against rape, while also providing economic benefits and livelihood. This does not entail a glorification of the situation before the war, when local warfare and sexual violence were part of people's lives. However, the situation after the war erupted caused massive changes to the minimal level of security for civilians.

The role of churches

The church networks are perhaps the sole stable and penetrating institution in North Kivu today, shared by militias, soldiers, government staff and civilians. Where militias have stayed for longer periods, they have developed villages and churches for their own use. Churches are also based in areas where there is little presence of international agencies, which makes them often more aware of the security situation both before and during destabilizing periods. The churches occupy a unique position in terms of presence and trust among people. Thus, church leaders can play a central role in influencing attitudes, as they have the confidence of the local people. Many displaced victims of sexual violence seek protection through the church, in rural areas and also if they are displaced and temporarily staying in Goma.

However, it is equally important to recognize the limitations of the churches. Some church leaders are known for perspectives not in line with countering the prevalence of SV and GBV in general. The main issue, perhaps, concerns the patriarchal perspectives that church leaders often represent. Attitudes such as glorifying female virginity while accepting men's sexually active behaviour outside marriage are prevalent. Furthermore, corruption is widespread also within church networks. This is systemic throughout the DRC created after decades of Mobutu dictatorship, and not limited to individuals (Dunn, 2003 &

Nzongola-Ntalaja, 2002). In several cases, donor aid to victims of sexual violence and sensitization programmes has never been put to life as the aid instead benefitted the local clergy and their families. Furthermore, the patriarchal attitudes of church leaders can in turn influence the attitudes of the local population. It is thus important to deal with attitudes that may prove destructive for dealing with sexual violence. The churches are a place where people may feel safe to share their emotional sufferings, but stronger links must be forged with other networks so that the churches do not have a monopoly on reaching out to civilians, and is a way to enable checks and balances on the local churches.

Re-building social structures and influencing attitudes through cultural ethics

For dealing with some of the root causes of sexual violence in the eastern DRC, one focal point is gender inequality within households. There are clear gender inequalities between Congolese men and women. In the eastern DRC, civilians are attacked on the basis of their role in the society: Men as the head of the household, women as livelihood providers and mothers, and children as the future generation of the country. One important issue in North Kivu is the problem of awareness and attitudes in terms of sexual violence. Changing attitudes among men can be an important preventive measure, according to many of the informants in this study. Important for the international involvement against sexual violence in the eastern DRC region is that the policies introduced should be more nuanced and context-sensitive. Awareness of men and women's roles and culturally constructed ideas of masculinity and femininity has not been adequately incorporated into protective and preventive policies, which might worsen the situation.

To build up the social structures for Congolese in North Kivu, part of the solution supported by among others the ICRC has been to have *maisons d'écoute* or 'listening houses' where victims of sexual violence can come together, talk, and have some of their basic needs met. For, in spite of its frequency, sexual violence remains a stigmatized subject and discussions are often limited to such separate 'houses'. It is important to protect victims against further stigmatization and attacks, but more open discussion concerning men and women's experiences from the war should also be encouraged. Establishing places where people from civil society, civilians, police, the army, community and state representative can meet is an important step in the process. This should enable awareness from different perspectives that can be beneficial on a daily basis.

For victims of sexual violence, most attention is directed to responsive actions within the field of socio-medical support and counselling. In Goma and Bukavu, there are centres that function as provisional homes for sexually abused girls and women and their children. In order to empower women, practical courses in sewing and literacy are given. However, these efforts mostly function as ‘band aid’ and do not focus on the root causes in terms of attitudes and gender roles. The shame and humiliation felt by victims persists, and it continues also for men who feel unable to protect their women against sexual violence. Despite more than a decade of massive sexual violence, there seems to be an unwillingness to own up to the problem, which is instead seen as a foreign problem that arrived with the Rwanda genocide. The ‘Congolese culture’ according to the GBV coordinator in IRC Sarah Mosely,⁷ is not particularly sensitive towards issues of sexual violence. This is predominant in the North Kivu region, where a ‘culture of silence’ limits acknowledgment. During this and previous fieldwork and discussions with local Congolese civilians in North Kivu, the issue of sexual violence was constantly explained as something that did not belong to the ‘Congolese culture’. One person even stated that ‘traditional warfare’ in the Congo separated women and children from combat targets and avoided atrocities of these civilians. According to this person and several others, the use of sexual violence as a weapon in war had been brought in with Rwandan influence.

Empowerment efforts through education in sewing, soap-making etc. along with literacy work are usually well-intentioned and practical towards direct benefits for women. However, increased workload can be a side effect for women who already have heavy work burdens (fetching water, nursing, agricultural harvest). Thus, gender focal point Clemence Bideri⁸ of the Norwegian Church Aid emphasized the empowerment of men, through sharing the household work with women. This could serve as an entry point for better equality at the household level. Bideri emphasized the need for measures should be taken in accordance with cultural traditions and raising awareness through the discussions on daily matters. For instance, the concept of ‘gender’ was generally not understood among the target groups. The initial phase in 2003 when the Norwegian Church Aid started the sensitization programme thus involved discussions and understanding of what ‘gender’ means to the local population. Many local men feared that this foreign concept would be forcibly imposed on their own traditions and culture. Thus it was important to explain gender as the traditional roles of women and men in society. The traditional under-

⁷ Personal interview with Sarah Mosely, programme coordinator of GBV in the International Rescue Committee (IRC) in the DRC. 7 April 2008, Bukavu.

⁸ Personal interview with Clemence Bideri, gender focal point and programme coordinator at the NCA, 20 March, Kigali.

standing of Congolese women saw them as persons near to God, as providers of life, according to the men in the sensitization programme. Among local societies, the women acted as advisors to men, and men took decisions in accordance with the women's guidance. As mothers, women have traditionally taken care of educating the children at home (Rehn & Johnson-Sirleaf, 2002). As educators, there used to be widespread respect for Congolese women among the population, as any woman was seen as one's mother or sister. When the war broke out, local societies were disrupted, a problem aggravated by the lack of social networks beyond one's own community. According to Bideri, since then there has been a breakdown of tradition, in particular for women to educate their children. Sensitization of gender issues among civilians and the security sector has thus been in focus, using the positive features of Congolese traditions to add value and understanding to the current situation.

Implementation of S/RES/1325: A crucial necessity for equality

S/RES/1325 and 1820 are key legal frameworks for *The Comprehensive Strategy on Combating Sexual Violence* in the DRC. In my perspective, S/RES/1325 should be viewed with a degree of pragmatism through the ideals of a society where men and women can enjoy the same sense of security and their views are more democratically represented. As such, it should be understood as a long-term goal of empowering for women. There is an urgent need to support and implement a holistic approach such as that outlined in S/RES/1325 in order to deal with the root causes of widespread sexual violence in the DRC.

The state and the political situation: From Kinshasa to North Kivu

The volatile and uncertain political context in the DRC is without doubt a major obstacle to changes. Many politicians and legislators either directly represent or are closely linked to armed oppositions that consist of perpetrators of sexual violence. This does not exactly spread confidence in making sure politicians are taking sexual violence seriously. In addition, the existence of 60 different ministries in the government impairs coordination of decisive protection and prevention actions in ways prescribed in the comprehensive approach.

This is not a problem limited to the Congolese government alone, as MONUC also has difficulties in integrating gender dimensions across programmes and training in areas like equal access to management and decision-making level for both men and women. Despite significant donor support to S/RES/1325, international action has generally

failed in empowering women to participate in reconciliation and security processes. During the Sun City Accords in 2002, the participation of women was relatively high, but since then and numerous peace agreements and security discourses later, female participation has been less visible or indeed absent in the DRC (Gya et al., 2009: 32).

Formerly, legal rights for women are now provided for through various national laws, the constitution and other instruments. For instance, the 2006 law against sexual violence, a necessary reform of the outdated 'rape law' brought changes to the legal status of women. Equally important is that the recognition for victims and the punishment for perpetrators should free victims of the feelings of guilt.⁹ However, awareness research in the Kivus has also shown that the law has not had much effect among civilians.¹⁰ Thus, national laws must be followed up by civil society in order to make a difference. In addition, few judicial procedures have been put into practice, and the protection of women is limited. The overall picture is that implementers of legal procedures such as the police and lawyers are few in number, poorly paid and poorly trained, in addition to the fact that they are overwhelmingly male. For instance, in South Kivu, there are only two female judges and six female police personnel in an area at the size of Rwanda and Burundi combined. The law has also had little deterrent effect, as the impunity continues.

One of the major obstacle is that sexual violence is dealt with as an isolated problem.¹¹ SSR, DDR and increasing the number of women in decision-making level are the three key areas to mitigate the high level of sexual violence in the eastern DRC. The initial problem with S/RES/1325 seems to have been that the general public and the Congolese government were not informed about the resolution. This has been an evident problem, with lack of competence and experience with S/RES/1325 among the Joint Initiative actors as well. For instance, the terms 'gender', 'SV', 'SGBV' and 'GBV' were used in a confusing and overlapping manner during cluster meetings, but were generally equated with women and girls and sexual violence. In order to deal with the lack of awareness, MONUC first trained the Ministry of Gender, secondly the responsible NGOs, and then thirdly local communities. However, it is difficult to measure the actual effects of this training. During the fieldwork, we were informed that strategic meetings on a Congolese action plan would start in May 2009 and is headed by MONUC, not the Congolese state. This in itself is prob-

⁹ Personal interview with Dr. Justin Kabanga, psychologist working at CELPA, 1 April 2008, Kinshasa.

¹⁰ Personal interview with Allyson Gardner, gender advisor at USAID, 31 March 2008, Kinshasa.

¹¹ Personal interview with Asseta Ouedhaogo, gender focal point MONUC, 27 March 2009, Goma.

lematic as it seems unlikely that (1) the action plan will be followed up by Kinshasa, as the government is unable uphold even a minimum level of state control in rural areas of the DRC and (2) the government will give priority to an action plan for women that is seen as imposed by foreign elements.

Furthermore, in Kinshasa as well as locally there are fears that foreign norms such as those of S/RES/1325 will be imposed. This should be understood historically, as previous foreign interventions and European and US involvement have arguably rarely benefitted the DRC. This resistance to foreign norms is evident also in the Norwegian Congolese network. During a group discussion between Congolese men and women at a conference in Oslo, I was able to observe some of the dynamics and disparities that existed in their understanding of the possible contribution of Congolese women to peace-building.¹² One of the men argued that the traditional political culture of the DRC has subordinated women as well as children in relation to men, and this he perceived as fully legitimate. He went on to argue that since the law in the DRC clearly states that married women should not have an income above 50% of the husband's average income, such practices were legitimated at the highest level of a nation, i.e. the state. His opinion was that the democratic and gender equal system in Europe was not something that could be implemented in the DRC, because it was simply not part of *their* culture. These views were met with hefty protests from the Congolese women in the ensuing group discussion. One of the women argued that though this *was* the tradition, it was not something that they *wanted* in their culture. She argued that they viewed these practices as discrimination and negative aspects of their culture that should be dealt with. Though the women agreed that simply replicating European efforts in gender equality was not an option, they stressed that greater effort should be devoted to using some of this thinking and implementing it in the Congolese context, so that it could *become* their culture.

Thus, the goals of S/RES/1325 should ideally be developed and implemented in the DRC context by the Congolese themselves. This, however, will depend on women's access to political decisions, which is discussed in the following section.

Increased equality and empowerment

Sexual violence is often rooted in unequal power relations and discrimination (e.g. Enloe, 2000). War situations have the effects of exaggerating such views. If Congolese women continue to be seen as a

¹² The conference was titled "Women wake up! Women and peace-building in the DR Congo" and was arranged by the Norwegian Church Aid in "Kirkens Hus" [the Church House], 29 February 2008. Several Congolese refugees currently living in Norway were present and active during the conference.

commodity and second-class citizens, it will be virtually impossible to more effectively prevent sexual violence, not only in North Kivu but in the DRC generally. Key areas concern greater equality in the economic and social status for women. Today, over 75% of the food production in the DRC is achieved through female labour, but most of their profits go back to their husbands (International Alert, 2005). A demographic survey from 2007 found that 64% of all Congolese women had experienced some form of spousal or partner abuse (EDS-RDC, 2007). Furthermore, around 45% of all women are illiterate, compared to 20% of the men. To take one example from the field, a civilian Congolese man explained that he had not bought a bicycle or an animal to transport goods because he already bought a wife for this purpose.¹³ Such findings in themselves support a 1325 plan of action.

The unequal status of women in the DRC is a concern that goes far beyond mere Western ideals of equality. Congolese women not only face severe challenges in redressing government entities, but the social stigma and their status in society are also barriers to seeking protection from sexual exploitation. For instance, when a woman is widowed in the DRC, she is not entitled to inheritance. The remaining option can thus be prostitution as livelihood.¹⁴ Congolese women also often lack the capacity to organize.¹⁵ This is linked to their social status and the barriers to economic means, education and access to government levels. Few have the status and network to play a leading role in government or civil society, thus resulting in the limited participation of women in peace processes and security matters. Congolese women in civil society groups could benefit from increased support and capacity building to empower them in areas such as advocacy skills and activities.

Women are frequently put in the category of the vulnerable and helpless, usually lumped together as ‘women and children’, with the focus traditionally on women as victims. Such labelling deprives women of their active role and their potential in conflict resolution. This is also a problem within the SV measures in the DRC. As Jennings (2008:32) points out, attention should be given to sexual health issues and counselling, but a discourse focused on women as ‘victims’ should definitely be discouraged. Furthermore, the separation of gender programmes undermines the SGBV programmes in reaching their multisectoral approach. Ideally, sexual violence should be dealt with comprehensively within the guidelines of S/RES/1325. Training peacekeepers in gender perspectives, cooperation with women groups,

¹³ A discussion under fieldwork 25 March 2009, Goma.

¹⁴ Personal interview with Asseta Ouedhaogo, Head of MONUC’s Gender Office, 27 March 2009, Goma.

¹⁵ Personal interview with Allyson Gardner, gender advisor at USAID, 31 March 2008, Kinshasa.

and providing gender experts in the mission all seem relevant when faced with sexual violence in war and conflict situations.

The first step is to inform the public about their rights. When we asked the local police why civilians chose not to report sexual violence committed by other civilians, many of them argued that the population were not informed about their rights. Instead, sexual violence by civilians was dealt with locally at the household level. When we spoke to newly displaced and sexually abused women in Goma, it became apparent that they were not aware of the central hospital or other forms of basic socio-medical support available to them. They had chosen not to report to the police, as they felt embarrassed. A necessity is thus to rebuild and link social networks structures and raise awareness through collaboration involving:

- the radio, in particular Radio Okapi (available to many rural Congolese)
- the churches
- the hospitals
- the schools
- the markets
- the government.

Conclusion

Today's MONUC state-building project in the DRC is a Sisyphean task, as member states have neither the will nor the resources necessary. Combatants, in turn, have little reason to support a unified DRC, as they stand to benefit more from separate, ungoverned partition. Nevertheless, there are good reasons for not withdrawing support, in order to protect civilians from widespread violence locally as well as to encourage regional efforts towards peace, development and reconciliation.

The Comprehensive Strategy on Combating Sexual Violence in the DRC is an important initial step in creating awareness of sexual violence as an equally important security threat as other, more conventional weapons in war. Efforts are necessary to integrate action against sexual violence within the spheres of SSR, DDR, justice reform and socio-medical aid. The PNC needs to be professionalized through a police academy *and* ensured payment and logistics by the Congolese government and by UNPOL. It is a sad fact that today members of the PNC even lack pen and paper to document crimes. In order to achieve professionalization, part of the solution is to support the presence of UNPOL staff beyond Goma as well as establishing specialized police units for sexual violence crimes.

The findings indicate that to give too much attention to the churches may be counter-productive. Instead, rebuilding social structures through popular meetings and greater dialogue among civilians, local chiefs, state actors and the armed forces can be beneficial.

Coordination of activities is crucial, but not in the sense of a national, centralized plan covering all the many security concerns. The keys appear to be coordination through pragmatic practices in dealing with different threats and contexts. The capacity to prevent sexual violence and protect civilians must be built up, nationally and locally. Merely formulating a national action plan on S/RES/1325 is not enough. Instead, there must be further support to awareness campaigns, getting local communities to take action and rebuild social structures. Equal access for men and women to government entities and to organize should be seen as a long-term goal that can gradually contribute to an action plan for implementing S/RES/1325.

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Appendix

Appendix 1.0 Map of the Democratic Republic of the Congo



Map No. 4007 Rev. 8 UNITED NATIONS
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Department of Peacekeeping Operations
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Map No. 4007, UN Cartographic Section.

Appendix 2.0 Map of the East-central Democratic Republic of Congo



Map No. 4061, UN Cartographic Section.