



Interrupting the Silence

Addressing Congo's Sexual Violence Crisis within the Great Lakes Regional Peace Process

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March 20, 2014

Executive Summary

Sexual and gender-based violence, or SGBV, has been a defining feature of a complex armed conflict in the Democratic Republic of the Congo that has endured for decades that is rooted in economic, political, land, and ethnic competition. Amid fighting fueled by competition for natural resources and regional power dynamics, sexual and gender-based violence is a tool of war, committed often in tandem with other violations of person and place, including land grabs, illicit minerals trading, and forced displacement. SGBV is thus impossible to understand or address separately from the conflict as a whole. Likewise, sustainable peace cannot be secured without addressing Congo's sexual violence epidemic. The practice stems from—and entrenches—social norms that reduce women's status in society and regard rape as an unpunishable crime. It transcends overt armed conflict and is rooted in a range of social dynamics that persist in times of transition and peace.

Congo is currently embarking on a renewed regional peace process with a comprehensive, inclusive framework agreement, spurred in part by increased international attention, the recent defeat of the M23 rebel group, and peace declarations signed in Nairobi. Despite robust efforts to design a regional process to address a number of issues—including demobilization, security sector reform, and economic development—policymakers have struggled to integrate tools to combat SGBV into the peace process agenda. Reliable statistics on the crisis are nearly impossible to obtain, impunity for high-level orchestrators of sexual violence is pervasive, and extreme rhetoric has drowned out the complexities of the crimes' drivers and impacts.

Support for Congo's comprehensive peace process is critical to improving the security and rights of women and girls, with goals ranging from the cessation of armed violence and accountability for sexual violence to better economic opportunities for women. Policymakers and advocates must break down the intellectual silos that isolate the topics of conflict economics and security in Congo from SGBV and women's empowerment.

Stakeholders in the peace process must develop the entire gamut of peace building tools with gender inclusivity and Congo's SGBV crisis in mind. If they fail to do so,

sexual and gender-based violence will become a lasting vestige of Congo's armed conflict, undermining the development of a truly peaceful post-conflict society as it has in too many post-conflict societies, including Sierra Leone, South Africa, and Guatemala.

This policy paper sets Congo's sexual violence crisis within the context of the conflict, clarifying the links between sexual violence and the economic and political drivers of the war. It also aims to show how policymakers can integrate tools to end sexual violence into the peace process to end the use of sexual violence as a weapon of war and mitigate its destructive legacies as Congo embarks on its path to peace.

Recommendations

We offer the following recommendations to address and prevent sexual and gender-based violence in Congo within the renewed regional peace process:

- U.N. Special Envoy Mary Robinson should ensure that the Great Lakes Women's Platform that she launched in January has a direct link to the high-level dialogue among heads of state. Women should be included in the dialogues and given opportunities to make and influence decisions on the full range of issues, including security, justice, and regional economic development.
- The U.S. and the U.N. should assist Congolese authorities in establishing a mixed chamber within Congo's judiciary to prosecute war crimes and crimes against humanity, including sexual violence, with particular attention on protection for witnesses and victims of sexual violence.
- Congolese authorities, the U.N.'s Congo peacekeeping operation, MONUSCO, and International Criminal Court investigators and prosecutors investigating sexual violence crimes should focus on high-ranking perpetrators. Trial procedures should meet international standards of investigation, witness protection, and due process, and exclude capital punishment.
- Special Envoys Robinson and Feingold, in their discussions with Congo on security sector reform, should recommend targeted mechanisms for the protection of women and girls such as vetting and prosecuting officers known to commit or condone sexual violence and training law enforcement officials in conducting gender-sensitive, rights-based emergency responses.
- Robinson and Feingold, with U.N. Special Representative and MONUSCO chief Martin Kobler, should urge Congo to implement a disarmament, demobilization, and reintegration program that addresses the needs of

women and girls returning from combat and enslavement. It should include, for example, support networks for female ex-combatants with children born of rape during captivity and post-traumatic stress disorder treatment for combatants who observed or committed rape in order to prevent repeated sexual violence once they are reintegrated.

- Electronics companies, jewelry companies, and others that source minerals from Congo should provide economic opportunities for women such as microfinance and alternative livelihoods initiatives as they work to build a transparent, certified conflict-free minerals sector to stop the flow of funding to armed groups.

Sexual and gender-based violence in Congo

In her April 2010 address to the U.N. Security Council, U.N. Special Representative on Sexual Violence in Conflict Margot Wallström called the Democratic Republic of Congo “the rape capital of the world.”¹ Characterizations like this have catapulted Congo’s sexual violence crisis into the global spotlight. Yet four years later, the crisis persists, and misunderstandings about its roots remain. A vibrant activist movement has grown with leaders like Nobel Peace Prize nominee Dr. Denis Mukwege, who co-founded Panzi Hospital in Bukavu, eastern Congo. He and his colleagues have provided medical care to thousands of sexual and gender-based violence survivors and, despite threats, speak truth to power about the scale and severity of the problem.

Sexual and gender-based violence, or SGBV, refers to a broad universe of violent acts used in wartime or peace that are connected to sex, gender, or both. SGBV includes rape and certain forms of torture but also extends to sexual threats, exploitation, humiliation, domestic violence, and certain types of enslavement, incest, and involuntary prostitution. Statistics on SGBV often lack precision and accuracy. Low reporting rates and the difficulty of collecting physical evidence degrade the accuracy of statistics, particularly in Congo where census data is scarce and the lack of security and infrastructure hinders investigations. Investigators tend to use two types of data in addition to first-hand testimony: medical and legal case files and population studies. The latter is best for revealing trends, but it is difficult to measure in Congo where there are high rates of displacement and migration and where the last population census was conducted in 1984.² Case file data is scarce and anecdotal because of underreporting and confidentiality constraints. Sexual violence survivors often choose not to report crimes for fear of reprisal or stigmatization. Lack of infrastructure for receiving and preserving reports also prevents reporting. Further complicating the reliability of data is the “commercialization of rape” in Congo, a theory that suggests foreign donors’ focus on Congo’s rape crisis motivates local authorities to distort data or even pressure civilians to give false testimony in order to increase foreign aid.³ Although numerical data is one key aspect to understanding

and addressing SGBV, policymakers must remember that statistics lack context and are difficult to verify. Any figures published about sexual violence only reflect part of the story, and international responses must be based on an understanding of the problem that goes beyond statistics.

Despite the shortcomings of available statistics on SGBV in Congo, some numerical data and estimates that have emerged are noteworthy. A study published in 2011 in the *American Journal of Public Health* estimated that as of 2009 some 1.92 million Congolese women had been raped at some point in their lifetime, 462,293 had been raped in the previous year, and 3.58 million across all provinces had been victims of sexual violence perpetrated by their spouse or partner.⁴ The study did not address sexual violence directed at boys and men, and researchers did not survey women younger than 15 or older than 49, though 16 percent of sexual violence victims in a sexual violence hospital in South Kivu were beyond the 15 to 49 age range. The researchers acknowledged the likelihood of underreporting in the data used and noted that the survey also did not cover those who had left Congo, were internally displaced, or who had died because of the violence. These limitations underscore the likelihood, acknowledged by researchers, that their high figures for women who had experienced sexual violence are ultimately low estimates.⁵ In a more recent study, the Congolese Ministry of Gender and the U.N. Population Fund reported 15,654 cases of sexual violence in Bandundu, Bas Congo, Katanga, Kinshasa, North Kivu, Orientale, and South Kivu provinces in 2012, a 52 percent increase from 2011.⁶

More recent reports reveal that rebels and the Congolese army, Forces Armées de la République Démocratique du Congo, or FARDC, continue to use sexual violence as a weapon of war in Congo.⁷ The 2013 U.N. Group of Experts on the DRC, appointed by the U.N. Security Council to document abuses, recently reported rapes committed in 2013 by numerous armed groups, including the Front for Patriotic Resistance in Ituri, or FRPI, Forces démocratiques de libération du Rwanda, or FDLR, and M23.⁸ The Group of Experts found that 15 women were raped during attacks on Walikale and Masisi communities in September and October of 2013 by Nduma Defence of Congo, or NDC, leader Sheka Ntabo Ntaberi, who is sanctioned by the U.N. Security Council. The Group has also documented crimes committed by Mai Mai Morgan, including rape and sexual enslavement.⁹ It recently found that during five days in November 2012, Morgan forces raped over 150 women in a gold mining area south of Mambasa.¹⁰ The Congolese army is also implicated in SGBV. The U.N. Group of Experts asserts, "FARDC soldiers raped dozens of women and girls during the course of their operations in 2013 against [the] Kata Katanga [rebels] in Mitwaba territory."¹¹

Evidence suggests rebel and army leaders in Congo may be criminally liable for war crimes and crimes against humanity involving sexual and gender-based violence under the doctrine of command responsibility. High-level officials responsible for these crimes are often the orchestrators, not the direct perpetrators, of the acts, but they are nonetheless liable for their role as intellectual authors of a plan to use sexual

violence as a weapon or their failure to prevent perpetration of crimes. For example, judges at the International Tribunal for Rwanda found that in April 1994, Jean-Paul Akayesu, mayor of the Taba commune, directly oversaw the systematic rape of Tutsi women during the Rwandan genocide, failing to prevent, repress or report the abuses.¹² In Congo, there is evidence that leaders of both rebel and government forces have ordered their troops to commit sexual violence as a deliberate means to gain territory and propagate fear among civilians. The 2013 U.N. Group of Experts findings suggest that rebel and state army commanders oversaw or orchestrated rape and sexual enslavement while in effective control over their subordinate troops with knowledge that they were committing rape in the context of civilian attacks, triggering their liability for war crimes and crimes against humanity. The International Criminal Court recently heard arguments by Chief Prosecutor Fatou Bensouda alleging that ex-M23 and Forces Patriotiques pour la libération du Congo, or FPLC, commander Bosco Ntaganda oversaw and ordered troops to rape civilians. Bensouda argued that the FPLC used rape to terrorize non-ethnic Hema civilians under Ntaganda's command, and in one instance Ntaganda ordered his bodyguards to rape three women in an apartment where he was staying.¹³ In Ituri province, the U.N. Group of Experts heard testimony from local leaders who reported that FARDC, under the command of Gen. Fall Sikabwe, committed three rapes in southern Irumu territory during operations against FRPI rebels.¹⁴

Rape and other forms of sexual violence can be strategic military tools because they manipulate group psychologies and weaken community networks by instilling fear, distrust, and shame at multiple levels of a community, sometimes with a single act. These crimes often traumatize and debilitate the victims as well as the relatives and community members made to commit or observe the acts. Crimes involving SGBV also undermine authority figures traditionally meant to protect women and children in the community.¹⁵ Furthermore, sexual violence both drives and stems from forced displacement: when soldiers and rebels rape civilians, civilians often flee out of fear of repeat attacks or stigmatization. Internally displaced persons and refugees are in turn disproportionately vulnerable to sexual violence in part because they live in IDP and refugee camps that lack security and rule of law.¹⁶

The Luvungi Attacks

A U.N. investigation found that in late July 2010, armed men stormed into the village of Luvungi in North Kivu province. They reportedly moved house to house, gang-raping civilians and looting property.¹⁷ The investigators reported that 387 civilians, including 300 women, 23 men, and 64 children, were raped over the course of four days.¹⁸ The perpetrators were combatants from FDLR and the Mai-Mai Sheka, along with residual ex-combatant elements under Lieutenant Colonel Emmanuel Nsengiyumva associated with the rebel group National Congress for the Defence of the People, or CNDP.¹⁹ Dozens of U.N. peacekeepers stationed nearby were unresponsive to the attack.²⁰ On visiting Luvungi after the attack, Assistant Secretary-General for U.N. peacekeeping in Congo Atul Khare said, “I felt personally guilty and guilty toward the people I met there.” He added, “They told me, ‘We’ve been raped, we’ve been brutalized, give us peace and security.’ Unfortunately, I said, that is something I cannot promise.”²¹

The truth about the impact of the Luvungi attack is disputed. Many of the accounts given by aid workers, journalists, survivors and medical groups are inconsistent with one another.²² In response to the initial U.N. investigation, the Congolese government issued arrest warrants related to the Luvungi attacks for high-level members of the Mai-Mai Sheka, including leader Sheka Ntabo Ntaberi and his then-chief of staff, Sidoke Kikunda Mayele, in 2010. Mayele was tried but died while awaiting judgment in Goma. Sheka’s indictment did not prevent him from seeking office in 2011. He currently remains at large and commands active rebel combatants. Members of civil society have demanded more thorough investigations and the arrest of additional perpetrators. These calls have gone unanswered, and since the M23’s brief takeover of Goma in November 2012, documents that were collected in preparation for litigation on the rapes committed in Luvungi have disappeared.

Integrating tools to address sexual and gender-based violence into the peace process

Policymakers must integrate tools to address Congo’s sexual violence crisis into the country’s renewed peace process. The signing of the Peace, Security, and Cooperation, or PSC, Framework, in February 2013, by the U.N., Congo, and 12 neighboring countries, prompted renewed regional and international commitment to brokering peace in the region. The defeat of the M23 rebel group in November 2013 and subsequent peace declarations signed between M23 leaders and the Congolese government fueled optimism. The appointment and work of Special Envoys Robinson and Feingold mark increased international commitment to the regional peace process, and recently Angola emerged to help lead a renewed regional peace process. Current priorities include halting support to armed groups, security sector reform, demobilizing combatants, establishing a clean minerals trade, regional economic cooperation, and accountability for perpetrators of gross human rights violations.

Angola and the special envoys must strengthen cooperation among heads of state and ensure that women have opportunities to participate in all aspects of the peace process, including high-level political negotiations, infrastructure development, civil society councils, accountability processes, and security sector reform. To this end, Robinson recently launched the Great Lakes Women's Platform, or GLWP, an encouraging initiative designed to promote women's participation in the peace process.²³ GLWP is jointly led by facilitators and donors including Robinson's office, the Congolese Women Fund, and the International Conference on the Great Lakes Region, or ICGLR. Its mandate is to support women's organizations and movements by providing grants and advocating for more donor contributions to women's groups in the region.²⁴ The ICGLR also issued a protocol on the prevention and suppression of sexual violence, laying out guidance and commitments for member states regarding the protection of individuals vulnerable to sexual violence and the punishment of sexual violence crimes.²⁵ In February, the ICGLR launched a regional training center in Kampala, Uganda, to better equip justice and law enforcement practitioners for responding to victims of SGBV and investigating and prosecuting related crimes.²⁶

Neutralizing armed groups, promoting disarmament, demobilization, and reintegration (DDR) programs, and reforming the security sector—key components of the regional peace process—can also help reduce SGBV if Congo and MONUSCO include targeted mechanisms to that end. Defections from various armed groups reached a high late last fall, in part due to the U.N. Force Intervention Brigade's assistance to the Congolese army to defeat M23. Over 2,500 combatants and commanders offered to disarm following M23's defeat.²⁷ Brookings analyst Megan Bradley says M23's defeat "must be capitalized on as an opportunity to redouble the fight against sexual violence in conflict."²⁸ Surrenders and defections chip away at the machinery that perpetuates mass rape, making space for medical services, data gathering, accountability, and prevention approaches like education initiatives. Despite a recent increase in defections, however, many armed groups remain active. Violence in some areas has recently erupted. Former M23 combatants may be remobilizing, and recent rebel attacks by Allied Democratic Forces, or ADF, and Mai Mai have renewed fears and displacements of local populations.²⁹

An effective disarmament, demobilization, and reintegration, or DDR, program must address the needs of male and female combatants and domestic servants, including women forced into sexual slavery by armed groups. Ex-combatants suffering from post-traumatic stress disorder, or PTSD, and trauma-related aggression must also have access to psycho-social treatment. PTSD and trauma frequently stem from exposure to and commission of sexual violence in combat. If SGBV is not addressed as part of the DDR process, perpetrators may repeat their behavior after demobilization. DDR programming must assist women and girls returning from serving in armed groups as combatants, servants, and sex slaves.

Security reform measures should ensure that police and army units are able to respond appropriately to sexual violence and gender-based crimes, including domestic violence and abuse perpetrated by individuals within the ranks of the security sector itself. Trainings and reform for police and military units should be gender-sensitive and work to correct norms within the security sector that entrench impunity related to sexual crimes or threaten women. Security, judicial, and health sectors should collaborate to ensure that responses to sexual violence are coordinated and include adequate reporting centers, witness protection, medical services, and evidence gathering when crimes occur.

Transforming eastern Congo's minerals sector into a formalized, conflict-free trade is a critical part of the peace process and the effort to combat sexual violence. Armed groups remain active in Congo in part due to the illicit trade of tin, tantalum, tungsten, and gold. While a global movement to break links between minerals and violence in the region has gained momentum, and armed groups are receiving less revenue from three of the four minerals, Congo's lucrative and largely unregulated gold supply chain continues to sustain several armed groups and criminal units of the army. Minerals and other resources fund and motivate armed groups to use rape, sexual torture, and enslavement to gain control over territory and trading routes. The U.N. Group of Experts recently found that the individuals controlling and benefitting from the illicit trade in gold and elephant ivory—particularly Mai Mai Morgan commanders—were also overseeing or perpetrating widespread rape and sexual enslavement.³⁰ It found that in 2013, Morgan shifted its attacks from poaching elephants in the Okapi Fauna Reserve to targeting gold mines. "In those attacks," the Group reports, "Morgan's men typically stole gold, pillaged food and other goods, raped women and girls, kidnapped people to carry looted goods and forced women into sexual slavery to be "wives" for militia members."³¹ National governance initiatives and industry investment will help regulate Congo's gold trade and curb sexual violence crimes perpetrated by Morgan and others involved in illicit gold trading networks.

Efforts by responsible investment advocacy organizations, regional governments, and multinational companies to build a conflict-free minerals trade in the Great Lakes region and end armed group control over mines and trade routes can empower women and combat SGBV. Improved minerals sector regulation and private investment has pushed some armed groups out of tin, tantalum, and tungsten mines, in some cases increasing stability and security in territories once controlled by rebels. As regional governments and industry leaders build a transparent, certified conflict-free minerals sector to stop the flow of funding to armed groups, they must also promote responsible investment practices by foreign investors. These practices should include alternative livelihood programs and microfinance initiatives designed to promote the status, opportunities, and protection of women in mining areas.³² In addition to regulation of the minerals sector, regional economic cooperation and

infrastructure development have emerged as a key priority in the peace process. Building roads, electrical grids, schools, and other infrastructure is central to empowering and protecting women and providing education for girls. Economic and educational opportunities will not only provide women and girls with the skills and heightened societal status they deserve but also strengthen their ability to assert their rights.

Ending armed conflict through a comprehensive regional peace process is necessary, but it is not by itself sufficient to guarantee the safety and well-being of women and girls in Congo. A sustainable, gender-sensitive implementation of the PSC Framework requires a long-term commitment by and to multiple sectors of society. Direct legacies of war and wartime SGBV can manifest in long-term effects like community fractures and distrust of political authority. SGBV creates psychological and physical trauma for victims and their families and exacerbates post-traumatic stress disorder or prolongs aggression for perpetrators. This type of violence becomes rooted and repeats particularly in contexts like eastern Congo, where gender inequality and patriarchal structures are common and widespread impunity has sent an implicit message that rape is a permissible act rather than a punishable crime.³³

Combating impunity for sexual and gender-based violence

Impunity for sexual violence as a war crime and a crime against humanity shrouds the conflict, allowing the crisis to continue unchecked in Congo. No high-level commanders have been convicted of sexual violence crimes committed in Congo, and international jurisprudence has been slow to develop.³⁴ Congo's largely feeble, corrupt justice sector and a lack of political will to target high-ranking FARDC commanders have stalled efforts to prosecute those who order and orchestrate mass sexual violence. High-ranking rebel M23 commanders have been indicted but remain at large in Rwanda and Uganda. The most robust responses to sexual violence have been largely reactionary, encompassing critical medical and psycho-social support to victims and survivors, and provided mainly by community-based and international organizations. These efforts are critical, but medical services alone do little to break down the structures of tolerance and impunity for perpetrators. Many doctors have been at the forefront of calling for accountability and have been instrumental in collecting data and testimony that could propel criminal cases. However, infrastructure and political will for trials are lacking. Congo's failure to prosecute high-level perpetrators has sent a message to military leaders, rebel commanders, and civilians that rape and other forms of sexual violence will largely be tolerated as a side effect of war.

Recent events in The Hague show gaps in international accountability for sexual violence crimes as well. On March 7, the International Criminal Court, or ICC, issued its first ruling on sexual violence crimes in the Prosecutor's case against Germain

Katanga, former commander in the FRPI. It found Katanga guilty of war crimes and crimes against humanity including murder and pillage in the eastern Congolese village of Bogoro and acquitted him on all charges of rape and sexual slavery. These acquittals reinforce a long-standing gap in international criminal justice and signal a hard truth that extends beyond what happened in Bogoro: the ICC is failing to adequately address sexual and gender-based crimes. In doing so, it entrenches impunity and notions that sexual violence is merely an opportunistic act, rather than a calculated tool of war. The court has an opportunity to correct this shortcoming in another upcoming Congo case. It recently concluded pretrial confirmation hearings for Bosco Ntanga, a former rebel M23 commander, for crimes committed in Ituri during 2002 and 2003. The Prosecutor has presented evidence that Ntanga should be tried for rape and sexual enslavement, leaving it to the judges to decide whether they will proceed with a second case involving sexual violence crimes.

Congolese authorities are also conducting national and local-level prosecutions involving sexual violence. Military tribunals in the east recently undertook criminal cases, charging some of its own low- and mid-ranking army officers with rape related to attacks on Minova, South Kivu, and Sake, North Kivu. Congolese authorities, along with civil society and international donors, have also established mobile courts designed to prosecute rape at the local level. Between 2008 and 2012, mobile courts adjudicated 900 rape cases in South Kivu alone.³⁵ While these national and local-level cases demonstrate a growing interest in acknowledging the prevalence of rape as a war crime in this conflict, they have also illuminated problems within Congo's judiciary that hinder efforts to achieve genuine accountability. Low standards of evidence, inadequate due process standards, and insufficient witness protection have undermined the safety of victims, the rights of the accused, and the ability of Congo's military justice system to adequately prosecute sexual violence crimes.

The development of a mixed chamber within Congo's judiciary would combat impunity and complement growing international, national, and local-level prosecutions of sexual violence. Local and international advocates and state officials have encouraged Congo to establish a mixed chamber to prosecute war crimes and crimes against humanity with the help of international funds and expertise. This initiative would allow Congo to signal its commitment to accountability in a domestic setting while at the same time ensuring international standards of investigation, due process, and witness protection. Prosecutors carrying out investigations and cases should take care in preparing balanced indictments that target the worst perpetrators from all sides of Congo's conflict. They should conduct thorough investigations into sexual violence with ethical, rights-based approaches, and they should pay particular attention to physical evidence. Victim testimony will be crucial to any prosecution, and lessons from other tribunals indicate that victims who testify have diverse and complex needs with regard to anonymity measures, relocation, and psycho-social support.³⁶

Local and global advocacy by a broad range of actors will be critical to improving accountability for sexual violence crimes. President Kabila announced plans to appoint a Special Representative on Sexual Violence and Child Recruitment last October, but he has not yet done so. Authorities are also considering implementing trainings to equip Congolese judges and prosecutors to properly litigate sexual violence and the war crime of natural resource pillage. National prosecutors have issued indictments against several high-ranking members of M23 and other rebel groups for crimes against humanity, but they have yet to target high-ranking FARDC commanders. These initiatives will survive only if advocates encourage them, as they have done with other components of the peace process. The Minova and Sake prosecutions, mobile courts, and sexual violence charges against ICC indictees like Ntganda and Katanga depended in part on global and targeted advocacy efforts demanding accountability for sexual violence. Although the outcome of cases is strictly limited to judges' decisions based on trial records, intervention by advocacy groups plays a critical role in shaping public opinion and policy, which have an effect on government and court practices. Advocacy groups have become a formal part of litigation in civil cases involving sexual violence in several countries, and advocates weigh in with amicus briefs or expert testimony on issues like trends in incidents of sexual violence and the diverse impacts of sexual violence crimes. Advocates can also influence the prosecutors and investigators who make choices to open certain cases, gather evidence, and pursue particular charges, like sexual violence. Pressure from advocates is crucial for encouraging investigators and prosecutors to prioritize accountability for sexual violence crimes.³⁷

Conclusion

There is new hope for peace in Congo with high-level international diplomatic efforts in support of regional peace talks, increased defections among armed groups, new criminal cases against alleged perpetrators of sexual violence war crimes, and increasing corporate engagement toward building a clean, transparent minerals trade. Threats to progress remain, however, with the persistence of rebel groups like the ADF and FDLR, signs of a possible M23 resurgence, ongoing abuse by members of the Congolese army, and the continued lucrative trade in conflict gold that benefits warlords. Congo's sexual violence epidemic entrenches impunity, vulnerability, displacement, and inequitable gender norms—afflictions that will taint Congo's future throughout cycles of extreme violence and relative calm. To build lasting peace, the goal of ending sexual violence must be addressed within the framework of Congo's regional peace process. As regional heads of state and international envoys work to build security, accountability, reintegration programs, and economic opportunities, they must integrate gendered perspectives, support for survivors, and tools to punish and prevent SGBV. Only then will they set Congo and the region on a path toward lasting and comprehensive peace.

Endnotes

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- ² U.S. Government Accountability Office, “The Democratic Republic of Congo: Information on the Rate of Sexual violence in war-torn eastern DRC and adjoining countries,” July 13, 2011, available at <http://www.gao.gov/products/GAO-11-702>; United Nations Office for Project Services, “Gathering data to improve lives in the DR Congo,” available at <http://www.unops.org/english/whatwedo/UNOPSinaction/Pages/DR-Congo-IDP-data.aspx> (last accessed March 2014).
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- ⁵ Ibid., pp. 1065-66.
- ⁶ Democratic Republic of the Congo, Ministry of Gender, the Family, and the Child, “Ampleur des violences sexuelles en RDC et actions de lutte contre le phénomène de 2011 à 2012,” Kinshasa, June 2013, p. 1, available at <https://www.unfpa.org/webdav/site/global/shared/documents/news/2013/Rapport%20DM%20SGBV%202011-2012.pdf>.
- ⁷ Portraying rape as a weapon is important but does not suffice to give attention to the problem. The use of sexual violence in warfare is complicated and not adequately understood. It is used with differing levels of premeditated strategy (and sometimes with none at all) to quickly intimidate and humiliate victims and observers. It does at times occur opportunistically, in a vacuum of accountability, state authority, or clear direction.
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- ⁹ Ibid., para. 65. See also U.N. Security Council, “Midterm report of the Group of Experts on the Democratic Republic of the Congo,” S/2013/433, paras. 73, 75, 76, July 19, 2013, available at http://www.un.org/ga/search/view_doc.asp?symbol=S/2014/42&referer=/english/&Lang=E.
- ¹⁰ U.N. Security Council, “Midterm report of the Group of Experts on the Democratic Republic of the Congo,” S/2013/433, para. 76.
- ¹¹ U.N. Security Council, “Final report of the Group of Experts on the Democratic Republic of the Congo,” S/2014/42, para. 56.
- ¹² *The Prosecutor v. Jean-Paul Akayesu (Trial Judgment)*, ICTR-96-4-T, International Criminal Tribunal for Rwanda (ICTR), September 2, 1998, available at <http://www.refworld.org/docid/40278fbb4.html>; *Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic (Trial Judgment)*, IT-96-23-T & IT-96-23/1-T, International Criminal Tribunal for the former Yugoslavia (ICTY), February 22, 2001, available at <http://www.refworld.org/docid/3ae6b7560.html>.
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- ¹⁸ U.N. Office of the High Commissioner for Human Rights, or OHCHR, and U.N. Organization Stabilization Mission in the Democratic Republic of the Congo, or MONUSCO, “Final Report of the Fact Finding Missions of the United Nations Joint Human Rights Office into the Mass Rapes and Other Human Rights Violations Committed by a Coalition of Armed Groups Along the Kibua-Mpofi Axis in Walikale Territory, North Kivu, From 30 July to 2 August 2010,” July 2011, pp. 4, 13, 21, available at http://www.ohchr.org/Documents/Countries/ZR/BCNUDHRapportViolsMassifsKibuaMpofi_en.pdf.
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³⁶ In doing so, they must take into account the weaknesses in the current system and reforms must be measured and nuanced. A mixed court would enable Congolese lawyers and judges to hold trials with the help of foreign experts. Congo could incorporate lessons from the successes and failures of similar mechanisms in the former Yugoslavia and Sierra Leone, contributing an improved model for accountability. In each of those places, the U.S. and the U.N. played a key role in shaping and supporting transitional justice options. They should in Congo as well.

³⁷ For example, genocide charges, which included sexual violence, against Guatemala's former president Efraín Ríos Montt likely never would have come to fruition without advocacy efforts around accountability for genocide and more targeted advocacy efforts to appoint Claudia Paz y Paz as Attorney General, who was instrumental to advancing the indictment against Ríos Montt and building the case against him. Evidence would likely never have been strong enough for Ríos Montt's conviction without advocacy efforts to support and protect the nearly 100 victims who took the witness stand, ten of which testified about sexual violence. Efraín Ríos Montt's conviction was annulled by Guatemala's constitutional court three days after the trial court handed down its judgment. However, the trial and initial conviction remain a major point of progress for victim communities, especially in light of the weeks of testimony they put forth. The annulment has been widely criticized as a setback for justice, a disgrace to Ríos Montt's victims, and even illegal. For more information on the trial and the current status of the several appeals that will impact its final outcome, see the Open Society Institute's trial monitoring project at: <http://www.riosmontt-trial.org/>.

Enough is a project of the Center for American Progress to end genocide and crimes against humanity. Founded in 2007, Enough focuses on the crises in Sudan, South Sudan, eastern Congo, and areas affected by the Lord's Resistance Army. Enough conducts intensive field research, develops practical policies to address these crises, and shares sensible tools to empower citizens and groups working for change. To learn more about Enough and what you can do to help, go to www.enoughproject.org.

