

"THE VOICE OF SURVIVORS OF SEXUAL VIOLENCE IN TIMES OF CONFLICT"

JOINT REPORT - MOVEMENT OF SURVIVORS IN DRC, PANZI FOUNDATION,
MUKWEGE FOUNDATION, RIGHT LIVELIHOOD AWARD FOUNDATION



Sexual violence in the DRC: a weapon of war

Sexual violence perpetrated in the DRC must be considered a weapon of war for several reasons. First, **the aggressors are almost always either members of the FARDC (army) or non-state armed groups, the latter being responsible for 68% of the rapes linked to conflict in 2017.**

Second, rape is systematically and strategically committed. For example, groups often rape every woman in a single village, indiscriminately attacking 4-month-old girls to 84-year-old women. Finally, **violence is committed in public, which is intended to humiliate the community;** sometimes when rapes are perpetrated, family members are forced to watch, while on other occasions family members are forced to rape each other. One study found that 72% of women report being tortured while being rape.

Since the 2003 peace agreement, rapes committed by civilians have increased, while sexual violence directly related to the conflict has decreased. The persistence of rape however, perpetrated by men who are former military or militia (with access to weapons), shows that **sexual violence by civilians is also linked to the volatile situation within the country and the conflict that preceded it.**

"To rape is as serious as killing someone. It's worse than killing: to be raped is to die while breathing. It is to kill internally."

Survivor from Bukavu, 2018



Fight against impunity for crimes of sexual violence

In the DRC, rape and sexual violence persist, seemingly both widely and systematically. Panzi Hospital in Bukavu treats between 1300 and 1900 women each year. And notably, since 2016, this figure has increased each year.

At the same time, **for the majority of cases of sexual violence, impunity prevails. This is primarily related to the unwillingness of the Congolese government to eradicate such violence.** In 2017, the UN Report on Sexual Violence in Conflict found that rapes committed by the Congolese National Police increased by 109% in a single year.

Victims of sexual violence often live in fear, and for the most part, do not know how to break the silence and confront their perpetrators. This is due to the denigration and stigmatisation experienced by all victims, who are held responsible by society for the horror they have experienced. **The trivialisation of rape in society, reinforced by the lack of public awareness campaigns and persistent impunity, does not allow survivors to be supported or heard, and contributes to their isolation and poverty.**

Access to reparations for victims of sexual violence

While the right to reparations is recognised within Congolese law, the establishment of a reparations program has yet to occur. So far, the government has been ordered to pay reparations in at least 8 cases of crimes committed by state agents; yet to date, the victims have not received any compensation.

Rehabilitation for victims of sexual violence

Sexual violence in the DRC is often accompanied by torture and other forms of violence. The consequences of these abuses on the victims are very important, both physically and psychologically.

Access to healthcare is not widespread in the DRC, due to the lack of geographical distribution of medical centres, but also the cost of healthcare.

When a woman is sexually abused, and her physical abilities are affected, the economic impact on the family and the community is significant. Thus, **access to income-generating activities, whether in the form of reparations, or in the form of government-victim support programs, must be a priority.** The stigma they suffer is not a priority of the government, so they can quickly become trapped in poverty – a situation which can lead them to pursue prostitution and/or other forms of exploitation in order to survive.

UNIVERSAL PERIODIC REVIEW OF THE HUMAN RIGHTS COUNCIL: DEMOCRATIC REPUBLIC OF CONGO, 2019



Prevention of conflict-related sexual violence

Under pressure from the international community, the President of the DRC has put a number of measures in place, such as the creation of a hotline for victims, and the appointment of a Sexual Violence Representative in Kinshasa. In practice however, these measures have had very little impact on the lives of victims. These measures have not reduced the number of cases; they have not helped to increase the number of prosecutions; nor have they helped with the implementation of the 2006 National Strategy to Promote Gender Equality in the DRC. Up until now, the Congolese state has not sought to identify the total of survivors of sexual violence – nor children born of rape. As a result, **victims of rape continue to be regarded as a minority, or even non-existent.**

A 2014 study showed that Congolese men maintain certain attitudes or beliefs that support or promote rape: 75% think that a woman who is not 'properly dressed' deserves to be raped, and 27% think a woman can enjoy being forced to have sex (rape). Rape is a manifestation of socially constructed violence: sexist societal discourse promotes it, legitimises it, and justifies it. **As long as these sexist stereotypes and discourses are left unabated, sexual violence will continue to be trivialised and standardised.** It is therefore urgent that the State considers the fight against sexual violence as a fundamental aspect of its obligation to achieve gender equality.

The persistent stigmatisation of survivors does not allow them to participate meaningfully in discussions about reconciliation and peace efforts. However, **their experience should be at the heart of these discussions, in order to build new operations based on equality and zero tolerance for sexual violence.**

"The whole of Congo is a traumatised country. It is not only the woman who has suffered the rapes who is traumatised. Children are sometimes forced to rape their mom, dads their daughters. Other children are witnesses of the rape, it was the case of my little brother. You have to work with the entire community to deal with the trauma."

Survivor from Kavumu, 2018

Recommendations to the Government of the DRC

- **Involve the movement of survivors** in the application, evaluation, and strengthening of the National Strategy against Sexual Violence and the National Policy for Gender Equality, in order to put an end to massive and individual rapes of women throughout the DRC. This involves systematically inviting survivors into consultations, analysis meetings, and events on both strategies, and producing annual progress reports that take into account survivors' analyses.
- **Support the establishment of an effective and functional justice mechanism**, accessible in all regions, to end the impunity and discrimination of victims of crimes of rape and sexual violence.
- **Establish training programs for judges, police officers and all health professionals in contact with victims**, in order to accompany them in their efforts and collect evidence with respect.
- **Ensure that perpetrators of crimes of sexual violence are prosecuted and sentenced**. This should include crimes committed in the past, crimes committed by and within security forces, regardless of their rank, and including those abroad.
- **Recognise the status of victim or survivor**, including groups of victims in cases of mass rape, and provide victims with access to transitional justice mechanisms, including reparations.
- **Establish a nationally managed and funded state compensation fund**.
- **Create a support program for victims**, for access to justice (legal and financial support), access to care (implementation of the holistic model in all health institutions throughout the country), and access to income generating activities.
- **Establish a consolidated and disaggregated statistical data system** (including sex/gender and age) on rape and sexual violence which includes: cases reported to police and judicial authorities, total number of complaints, investigations and prosecutions completed, compensation awarded, sanctions, convictions, etc.
- **Initiate the opening and/or reopening of fair and equitable trials** for the benefit of all victims of rape and sexual violence.
- **Establish a National Day for Survivors** and consult with survivors in the selection of the day.
- **Put in place concrete prevention programs at all levels**, including in schools and in institutions, so that gender inequality, and thus sexual violence, is no longer tolerated. These programs should include not only discussions on women's rights, but also discussions about masculinities. This inclusion seeks to eliminate toxic masculinity, which not only traps many men in a system of violence but also promotes the rejection of women who have been raped.
- **Take action, immediately, on all the necessary measures so that those living in the Eastern part of the country in particular, but also in the country at large, are made safe**. These provisions should include: the disarmament of all militias and the acceleration of the reform and vetting of the FARDC and the Congolese National Police so that they all respect human rights.



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