



dr. Denis
Mukwege
Foundation



THE
RIGHT
LIVELIHOOD
AWARD



FÉDÉRATION
LUTHÉRIENNE
MONDIALE

Alternative report to the periodic report of the Democratic Republic of Congo on the Committee on the Elimination of Discrimination against Women

« The voice of survivors of sexual violence in conflict »

10 June 2019

Main contact for the joint report:

María Cristina Rendón, Fédération Luthérienne Mondiale
+41 22 791 6270 | mariacristina.rendon@lutheranworld.org

This report is presented by the following 5 organizations:

Mouvement des Survivant.e.s de Viols et Violences Sexuelles en RDC

Contact: Tatiana Mukanire, survivant.esrdc@gmail.com
www.facebook.com/MouvementdesSurvivantesenRDC

Dr Denis Mukwege Foundation

Contact: Apolline Pierson, apierson@mukwegefoundation.org
www.mukwegefoundation.org

Panzi Foundation

Contact: Christine Amisi, c-amisi@fondationpanzirdc.org
www.fondationpanzirdc.org

The Right Livelihood Award Foundation

Contact: Fabiana Leibl, fabiana@rightlivelihood.org
www.rightlivelihoodaward.org

Fédération Luthérienne Mondiale

María Cristina Rendón, LWF, mariacristina.rendon@lutheranworld.org
www.lutheranworld.org

"Rape is as serious as killing someone. It's worse than killing: being raped is dying while breathing. It kills you inside." ¹

The organizations behind this report:

The **Mouvement des Survivant.e.s de Viols et Violences Sexuelles en RDC** is a group of thousands of Congolese survivors of conflict-related sexual violence. Created in 2017, the Movement brings together survivors who, together, speak out on their own behalf in the fight against violence. After several decades of war, the DRC has hundreds of thousands of victims of rape and violence. The Movement's objective is to bring all survivors to break the silence and fight this scourge to achieve its vision of a Democratic Republic of Congo free of rape and sexual violence against Congolese women, where their rights are respected and protected.

The **Mukwege Foundation** is an international human rights organization established in 2016 with a mandate to eradicate sexual violence in conflict. The Foundation works to ensure access to integrated and quality care, recognition of survivors of sexual violence around the world, and reparation for all victims.

The **Panzi Foundation** was created in June 2008 by Dr Denis Mukwege to complement the work of the Panzi Hospital by helping to provide holistic support to survivors of sexual violence and other women with specific gynecological pathologies.

The purpose of the **Right Livelihood Award Foundation** is to honour and support individuals and associations who have demonstrated courage and boldness by providing visionary and exemplary solutions to the most pressing challenges. The Foundation seeks to ensure both a spokesperson and protection role for its Laureates, as well as providing them with long-term support. The Right Livelihood Award Foundation's protection programs include, among other things, regular threat monitoring and advocacy for the protection of the threatened Laureate at the United Nations and institutions in Geneva.

The **Fédération Luthérienne Mondiale** (FLM), founded in 1947, brings together 148 Lutheran churches around the world. The LWF maintains its presence in the DRC through its country programme, which supports people affected by armed conflict. The FLM has contributed to improving the livelihoods and nutritional status of children, boosting food security, protecting the environment and providing psycho-social support to female survivors of violence. In Geneva, the FLM, through its ECOSOC status, allows communities and local partners to make their voices heard and defend their rights.

¹ All quotes are from Kivu survivors, met by Apolline Pierson, and cited in her master's thesis "Listening to Victims' Voices when Awarding Reparations to Survivors of Conflict-Related Sexual Violence in Eastern DRC" for IHEID (2018).

Introduction

This report summarizes the concerns of five organizations: Mouvement des Survivants.e.s de Viols et Violences Sexuelles en RDC (hereinafter referred to as Mouvement), the Dr Denis Mukwege Foundation (hereinafter referred to as Mukwege Foundation), the Panzi Foundation (hereinafter referred to as Panzi), the Fédération Luthérienne Mondiale (hereinafter referred to as FLM) and the Right Livelihood Award Foundation (hereinafter referred to as RLAF), regarding the DRC's failure to implement some of the recommendations made by the CEDAW Committee in 2013 with regard to sexual violence, and particularly in the fields of: (I) the fight against impunity and access to reparations, (II) the protection of victims of sexual violence and children from rape, (III) the prevention of such violence.

The five organizations also make recommendations (IV) to the DRC in this document, which can be found towards the end of this report. **The significance of this report is putting the voices of survivors of rape and sexual violence in times of conflict at the heart of the analysis and recommendations made to the DRC.**

I. Access to justice

(1) Combating impunity for crimes of sexual violence

1. In 2013, the Committee recommended that the Congolese State:

- *Make the fight against impunity a priority*
- *Strengthen the judicial system and facilitate access to justice for all women affected by sexual violence, including those in remote areas*
- *Ensure the protection of victims and witnesses*

2. Since the DRC adopted 2 new laws on sexual violence in 2006 (006/018 and 006/019), its legal arsenal against crimes of sexual violence has met the requirements of international law. However, we denounce the fact that its application remains uneven and non-exhaustive and indicates a lack of willingness on the part of the authorities to seriously combat this violence.

3. Rape and sexual violence continue to be widespread in the DRC, particularly in North and South Kivu, Tanganyika, Ituri and Kasai provinces. These abuses are committed by all parties to the conflict: government forces, militias, armed groups, and a growing number of civilians involved in the conflict. We do not see a decrease in sexual violence. Panzi Hospital in Bukavu treats between 1300 and 1900 women per year, and this figure has not decreased in recent years. On the contrary, since 2016, the hospital has seen an increase in the number of victims of sexual violence.²

² <https://www.vooafrique.com/a/dr-mukwege-denonce-le-refus-du-gouvernement-congolais-de-participer-a-la-conference-de-sdonateurs-a-geneve/4314607.html>

4. Several recent mass rapes confirm this violence in eastern Congo. Between February and September 2018, unidentified armed men attacked the following villages: 8 February – Kabikokole³ in Mwenga territory (63 people raped, including 1 man); 15-19 April - Wameli, Keba, Kamungini and Kigulube in Shabunda territory (75 women and girls raped); 25-26 September - Kabukiki, Tukumbi, Lwigi, Klaga in Shabunda territory (9 women and 3 girls raped); 8-11 September - Watulondo, Kamskini, Nkampungemba in Shabunda territory (50 women raped). In all these villages, the attackers vandalized health centres, stole medicines and money, looted houses, and also kidnapped and assaulted dozens of women and girls, some under the age of 10. In the case of Kabikokole, the Panzi team treated victims on the spot by sending the team from its mobile clinic to provide holistic support to survivors of sexual violence and other traumatized people. In Kigulube, the victims received first aid treatment from MSF-Spain, and the Panzi team and BCMUDH provided follow-up support. These examples show the lack of security for women and girls in the DRC.

5. Impunity prevails for the majority of cases of sexual violence in a context of a lack of investigation by the State. In 2018, members of the FARDC (Congolese armed forces) and the national police were responsible for 29% of conflict-related rapes⁴. For the mass rapes mentioned above, the attacks were indeed carried out systematically and organized with the involvement and presence of group leaders giving instructions, and in some cases, actively participating in rape, ill-treatment and looting.

6. In December 2017, 66 people, including 2 women, 49 girls and 15 boys, were abducted in the Kasai Oriental province. Some hostages have been released, but many are still being held as sex slaves⁵. However, despite CEDAW's obligations under Article 6, the preceding government refuted these assertions, with the former Minister of Human Rights stating on Radio France Internationale that there are no "women kidnapped as sexual hostages"⁶.

7. When FARDC members are prosecuted, most of the cases resulting in convictions involve junior officers or soldiers who are released after a few days. **High-ranking officers are almost never convicted as leaders, or do not serve their sentences.** However, we welcome the Kavumu trial, which convicted Mr. Batumike and several members of his militia for the rapes they had committed against dozens of minors. Yet, despite Mr. Batumike's conviction, we regret that he was still able to run on the list of national candidates for the December 2018 elections because of his high-profile knowledge. We also regret that the victims have still not had access to the reparations granted by the Court.

8. State security forces and militias are not the only ones to commit sexual violence. **Impunity also exists for crimes committed by non-state actors, such as rape of civilians in neighborhoods, within families, etc.** Some of these perpetrators are also released after their sentences because of the corruption that plagues judicial

³ <http://www.laprunellerdc.info/2018/03/14/mwenga-un-mois-apres-le-viol-de-plus-de-50-femmes-a-kabikokole-la-population-vit-dans-la-peur/>

⁴ United Nations. *Report of the Secretary General on Conflict-Related Sexual Violence* (2019). S/2019/280.

⁵ <http://www.depeche.cd/rdc-otages-esclaves-au-kasai-la-monusco-tente-de-sexpliquer/> at 3.6.2019.

⁶ <http://www.rfi.fr/emission/20180731-rdc-mushobekwa-pas-femmes-sequestrees-otages-sexuels-kasai> at 3.6.2019.

institutions (the DRC ranks 165th out of 180 in Transparency International's corruption ranking).³⁷

9. Reporting remains a challenge for victims of sexual violence. On the one hand, many victims do not know their torturer(s), which prevents them from filing a complaint even if they wanted to go to court. On the other hand, the burden of proof still falls on victims who have to meet very complex criteria. The costs associated with the complaint are also a barrier: it is the victim who must pay for the evidence or for the printing of the defense report⁸. As there are few competent courts, victims also have to pay for their transportation, and often have to stay away from their communities throughout the trial, which can last several months. This situation increases the risk of being stigmatized upon return to the community.

10. Above all, the victims of sexual violence live in fear and, for the majority, do not know how to break the silence and confront their perpetrator(s). This is due to the context of denigration and stigmatization experienced by all victims, who are blamed by society for the horror they have experienced. The widespread occurrence of rape in society, reinforced by the absence of a large-scale public awareness campaign and impunity, does not allow survivors to be supported and heard, and contributes to their isolation and poverty. Many victims are afraid of reprisals, and therefore will not file a complaint. In order to not to be rejected by their families and friends, many victims do not speak out.

11. During trials, victims run the risk of being confronted with a new trauma when they have to describe their story several times, with different people (police, judges) who are not trained on the issue of sexual violence and in gathering testimony from survivors. In the DRC, researchers have shown that judges often have attitudes aimed at blaming victims⁴⁹. Victims are afraid to go to the police and be victims of further sexual violence attacks. In 2017, the United Nations report on sexual violence in times of conflict found that rape by the Congolese National Police increased by 109% in one year⁵¹⁰. The under-representation of women in the security and justice sectors does not change attitudes, and explains the justified fear of victims of turning to the police and the justice system. However, we welcome the efforts of national and international civil society in providing training to judicial actors on the investigation of crimes of sexual violence.

12. The customary justice system remains rooted in society, despite the prohibition in the 2006 law, which has not been accompanied by awareness-raising or transitional measures. Since it is difficult, costly and dangerous to travel to a court (especially in areas such as South Kivu, the size of Ireland), and the results of official courts being inconclusive, many victims prefer to turn to the local customary system, which will allow them to obtain some semblance of justice, as well as compensation in the form of livestock for example. However, as the director of the Panzi Legal Clinic notes, customary justice is based on the law of the richest

⁷ <https://www.transparency.org/country/COG> at 3.06.2019.

⁸ Sahla Aroussi, « Women, peace and security in the DRC: Time to rethink wartime sexual violence as gender-based violence? », *Politics & Gender* 13, no. 3 (2016).

⁹ Laura Davis and Priscilla Hayner, *Difficult Peace, Limited Justice: Ten Years of Peacemaking in the DRC*, (New York: International Center for Transitional Justice, 2009).

¹⁰ United Nations, S/2018/250.

man: "I rape a girl, I give a cow to her family, so I can rape as many girls as I have cows". This form of justice reinforces the aggressors' sense of impunity and has no impact on attitudes.

(2) Access to reparations for victims of sexual violence

13. In 2013, the Committee recommended that the Congolese State provide compensation to the victims of the violence.

14. *"I feel like a nobody, as if I no longer have a place in society. I feel humiliated. I became a subject of mockery. If I have my state diploma, then I can return proudly to my community. Then I won't care about the mockery."*⁶¹¹»

15. Sexual violence not only has devastating consequences for people themselves; it destroys family ties, spreads disease, traumatizes society. In the Congolese context, victims must live with the double penalty of having been raped and being ostracized by their community. Reparations aim to acknowledge the harm done to victims of crime through several forms: material compensation, official recognition, ceremony, collective measures (such as building a school), apologies, access to health care, political action to ensure non-repetition, etc. **Reparations are therefore essential for victims of sexual violence, so that their experiences can be acknowledged and they can be reintegrated into society.**

16. However, while the right to reparations is recognized in Congolese law (articles 258 and 259 of the Civil Code¹²), **the establishment of reparations programs is almost non-existent**. This obligation must apply even if the aggressor has not been identified, arrested, charged or convicted¹³, and even if the aggressor does not have the means to pay such reparations. In this case, the State must take over. To date, the government has been ordered to pay reparations in at least 8 cases of crimes committed by state agents; to date, the victims have not received any reparations. In the only case where the state granted reparations (mass rape to Songo Mboyo in 2013), it was the lawyer who kept the money after creating cases of false victims.

17. Even when victims succeed in convicting their executioner(s), and reparations are ordered by the court, **the procedure for obtaining them is so complicated, time-consuming and costly that victims almost never manage to receive them**¹⁴. A team of researchers from Columbia University conducted a study on access to reparations for victims of sexual violence in the DRC by analysing decisions rendered by mobile courts. Of the 24 cases studied, none of the victims obtained reparations¹⁵.

¹¹ Survivor consulted in Bukavu, in 2018.

¹² Code civil, Article 258 : « Tout fait quelconque de l'homme, qui cause à autrui un dommage, oblige celui par la faute duquel il est arrivé à le réparer ». Code civil, Article 259 : « Chacun est responsable du dommage qu'il a causé, non seulement par son fait, mais encore par sa négligence ou par son imprudence ».

¹³ Le cadre normatif auquel il est fait référence est le suivant : *United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, adopted in December 2005 by the UNGA.

¹⁴ Sharanjeet Parmar and Guy Mushiata. *Judgment Denied The Failure to Fulfill Court-Ordered Reparations for Victims of Serious Crimes in the Democratic Republic of the Congo* (New York: ICTJ, 2012).

¹⁵ Randi Aho et al., *Barriers to Justice: Implementing Reparations for Sexual Violence in the DRC* (New York: School of International and Public Affairs, Columbia, 2013).

18. In 2011, a panel of experts convened by the United Nations High Commissioner for Human Rights, recommended the establishment of a national reparations fund, including an administrative fund for survivors who cannot access legal proceedings¹⁶. But this proposal has never been successful despite extensive advocacy work by civil society. In addition, when reparations are granted, **it is essential to hear from survivors, who know their needs better than anyone else**¹⁷.

II. Rehabilitation for victims of sexual violence

19. In 2013, the Committee recommended that the Congolese State ensure that victims can benefit from a comprehensive package of medical treatment, mental health care and psychological support and that women victims have free access to forensic procedures.

20. « *Some bandits arrived at my house during the night. They asked for the dowry goods that had been given to me for my engaged daughter. One pointed his gun at my ear and the other put his knife in my mouth, the third tied my hands behind my back. They then packed everything they found in the house. One of them said they had to shoot me, so I said I had money and gave 300 USD to save my life. They also took 5 litres of wheat, 5 litres of curdled milk, 1 bag of beans, 6 new loincloths and all the clothes that me and my husband owned. It was just before they left that they abused me. Rape didn't seem to be the original motive.*¹⁸ »

21. Sexual violence in the DRC is often accompanied by torture and other forms of violence. The consequences of these abuses on people are very important, both physically and psychologically. The psychological consequences range from suicide attempts to anxiety, fear of men, depression, isolation. Victims are often affected by sexually transmitted diseases, and must live with the consequences for their fragile health. Their genitalia have sometimes been destroyed, resulting in infertility, fistula, prolapse, and very painful periods. However, we must welcome the significant decline in the rate of HIV/AIDS in recent years.

22. Access to healthcare is not widespread in the DRC, due to the lack of geographical distribution of medical centres, but also to health costs, contrary to the DRC's obligations as described in Article 12 of CEDAW. Some medical centres expect victims to pay for their full treatment, which reinforces their poverty. Few women have access to services that provide both medical and psychological support free of charge, especially in rural areas (contrary to article 14 of CEDAW). The Panzi Foundation's work makes it possible to save human lives, and helping to restore the dignity of the people it helps. In addition to commending Panzi's work in this report,

¹⁶ United Nations High Commissioner for Human Rights, *Report of the Panel on Remedies and Reparations for Victims of Sexual Violence in the Democratic Republic of Congo to the High Commissioner for Human Rights*, United Nations High Commissioner for Human Rights, 2011.

¹⁷ Pramila Patten, the Special Representative on Sexual Violence in Conflict to the United Nations Secretary-General says that one of her priorities is to have a victim-centred approach to avoid repeating the same mistakes.

¹⁸ Survivor consulted in Bulenga in 2018.

the State has a responsibility to help finance such programmes throughout the country.

23. In addition, during attacks in which rapes are committed, family members are killed and material damage is intentionally perpetrated. According to the report of the United Nations Secretary-General, in 2017, **40% of reported cases of rape were accompanied by looting and robbery**¹⁹.

24. Women are most often in charge of difficult and domestic tasks that benefit the whole family (fetching wood from the forest or water, carrying heavy loads on their heads). They prefer to invest their money into the family (for example, for children's school fees)²⁰. **When a woman is sexually abused and her physical abilities are affected, the economic impact on the family and community is very significant.**

25. Some victims will stop their activities. The mothers of the raped children in Kavumu stopped going to the fields for fear of leaving their children alone. Other victims complain of the disproportionate legal costs of prosecuting their torturer(s), which now leave them in a high situation of poverty. Some were abandoned by their husbands, sometimes in the care of several children and without a source of income. **Access to income-generating activities, whether in the form of reparation or government programmes to support victims, must be a priority.** Today, very few women who have been victims of rape have access to economic reintegration activities. The stigma they suffer from, which has not been a government priority to date, keeps them in poverty and may also lead them into prostitution and other forms of exploitation in order to survive.

III. Prevention of conflict-related sexual violence

(1) Implementation of the 2006 National Strategy: Zero Tolerance

26. In 2013, the Committee recommended that the Congolese State ensure the effective implementation of the zero-tolerance policy.

27 "Congo is a traumatized country. It is not only the woman who have been raped, who are traumatized. Children are sometimes forced to rape their mothers, fathers their daughters. Other children are witnesses to the rape, as was the case with my little brother. It is necessary to work with the entire community to deal with the trauma.²¹»

28. Under pressure from the international community, the former president of the DRC put in place sporadic measures, such as the creation of a telephone line for victims, and the appointment of a representative against sexual violence, based in Kinshasa. However, most of these measures are simple political announcements and have had very little impact on victims and their lives, and have not proven to reduce the number of cases or contribute to the prosecution of more perpetrators.

¹⁹ UN, S/2018/250.

²⁰ Davis, Laura, Paola Fabbri, and Alphonse Ilot Muthaka. *Gender Country Profile 2014: Democratic Republic of Congo*. Stockholm: Swedish Embassy, 2014.

²¹ Survivor consulted in Kavumu in 2018.

Above all, these measures seem to be a front and do not contribute to the concrete implementation of the 2006 national strategy and to the promotion of real gender equality in the DRC. Most awareness campaigns are organized by NGOs, such as the Panzi Foundation, which are unable to cover all regions due to insecurity and insufficient financial resources. As noted in the government's report, Dr. Mukwege was awarded the Nobel Peace Prize in 2018 as part of these campaigns against sexual violence in the DRC. However, it should be noted that these campaigns are undertaken by a private institution and cannot claim to cover the entire territory. The State has organized some minor campaigns that have had limited visibility and impact due to lack of adequate resources (paragraph 61 of the Government's report). In order to respect its commitments to CEDAW, and in particular Article 5 thereof, the State must launch large-scale awareness-raising campaigns against prejudices and stereotypes that contribute to fuelling sexual violence with appropriate means to reach the entire Congolese territory.

29. The unreliability of statistics on sexual violence and prosecution at the collection and compilation levels reinforces the inability to effectively measure progress in addressing crimes of sexual violence in the country. **So far, the Congolese State has not exhaustively identified survivors of sexual violence - or children born of rape - demonstrating the failure to acknowledge the extent of the problem.** Without reliable statistics, the reality of sexual violence is denied, and the national strategy cannot be considered as implemented.

30. The persistence of sexual violence, and the strategic and wide use of rape demonstrates that the DRC is not developing concrete actions to promote gender equality. Rape is socially constructed violence: it is sexist societal discourse that promotes, legitimizes and justifies it. The prevalence of sexual violence in the DRC is explained by gender inequalities in society, which create a favorable context for the idea that women's bodies are at the disposal of men and that masculinity consists in exercising the right to power over women. **As long as these gender stereotypes and discourses are not challenged, sexual violence will be trivialized and normalized. It is therefore urgent that the State consider the fight against sexual violence as a fundamental aspect of its obligation to achieve gender equality.**

31. The government must put in place concrete prevention programmes in schools, and across institutions at all levels, so that gender inequalities, and therefore sexual violence, are no longer tolerated. These programmes must include women's rights, but also discussions on masculinities, to break away from the toxic model of masculinity that encapsulates many men into a system of violence, as well as rejecting their wives if they have been raped.

32. Finally, the persistent stigmatization of survivors does not allow them to participate concretely in discussions about reconciliation and peace efforts. However, **their experiences should be at the heart of these discussions, as recommended at the end of the review of the 2013 reports, to build new ways of working based on equality and zero tolerance for sexual violence.**

(2) Special attention to sexual violence committed by armed elements

33. In 2013, the Committee recommended that the Congolese State prevent acts of gender-based violence, in particular sexual violence, committed by State and non-State actors in conflict-affected areas.

34. We believe that sexual violence in the DRC can be considered a weapon of war for several reasons. First, the aggressors are members of the FARDC and mainly non-state armed groups, the latter being responsible in 2018 for 71% of conflict-related rapes⁹²². Rape is committed in a systematic and strategic way, for example when groups rape all women in the same village, attacking children from 4 months old to women aged 84 years old²³. In addition, violence is committed in public, to humiliate the community; group rapes are perpetrated, sometimes by forcing family members to watch or rape themselves. Finally, 72% of the women interviewed in one study said they had been tortured during the rape; 12% of them had objects forcibly inserted into their vagina²⁴, which clearly shows that these acts of violence have nothing to do with a so-called "sexual need", but with relationships of destruction and control.

35. Since the 2003 armistice, rape by civilians has increased¹⁰²⁵, while sexual violence directly linked to the conflict has decreased. **The persistence of rape, perpetrated by men with access to weapons, i.e. former soldiers or militiamen, shows that sexual violence committed by civilians is also linked to the unstable situation in the country and the conflict that preceded it.** Abusers have often been members of rebel groups, or forcibly recruited as children, and have therefore internalized violent and dehumanizing behaviour towards women. Some joined the FARDC as part of the demilitarization, demobilization and reintegration programme, but without an analysis of their past and possible human rights violations they may have already committed, and without equality training²⁶.

36. Panzi Hospital analyzed the evolution of rape cases and Médecins du Monde, a partner of the hospital, identified two trends²⁷. On the one hand, **a growing proportion of rapes of minors and children.** In 2008, victims under the age of 10 accounted for 3% of cases; in 2017, they accounted for 6%. In addition, between 2008 and 2018, minors (<18 years old) accounted for almost a quarter of the cases received in Panzi (24.05%). On the other hand, the aggressors are increasingly civilians.

37. In 2013, 42% of rape cases were committed by civilians, including 27.5% marital rape (27.5%) and rape by strangers (14.5%). The rest had been committed by armed groups. In 2018, the trend reversed: according to the victims, 60.57% of the aggressors were civilians and 39.43% were armed men. More than half of the

²² United Nations. *Report of the Secretary General on Conflict-Related Sexual Violence* (2019). S/2019/280.

²³ Pratt, Marion, Leah Werchick, *Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo*, USAID/DCHA Assessment Report, 2004.

²⁴ Denis Mukengere Mukwege and Cathy Nangini, "Rape with Extreme Violence: The New Pathology in South Kivu, Democratic Republic of Congo," *PLoS Med* 6, no. 12 (2009).

²⁵ Bartels, Susan. *Now, the World is Without Me: An Investigation of Sexual Violence in Eastern Democratic of Congo*. Harvard Humanitarian Initiative and Oxfam America, 2010.

²⁶ Maria Eriksson Baaz and Judith Verweijen, "Between Integration and Disintegration: The Erratic Trajectory of the Congolese Army" (New York: Social Science Research Council, 2013).

²⁷ <https://www.medecinsdumonde.be/cp-aux-c%C3%B4t%C3%A9s-du-docteur-mukwege-m%C3%A9decins-du-monde-s%E2%80%99engage-aupr%C3%A8s-des-victimes-de-violences>

victims treated at Panzi hospital were raped by unknown civilians, who could be former soldiers or members of demobilized armed groups.

38. These figures demonstrate the trivialization of sexual violence in South Kivu; victims and perpetrators can be anyone, regardless of their age or origin.

A 2014 study showed that Congolese men have attitudes or beliefs that support or promote rape²⁸: 75% of them think that a woman who is not dressed 'properly' deserves to be raped, and 27% think that a woman can like when a man forces her to have sex.

²⁸ H. Slegh, G. Barker and R. Levtov, *Gender Relations, Sexual Violence and the Effects of Conflict on Women and Men in North Kivu, Eastern Democratic Republic of Congo: Results from the International Men and Gender Equality Survey (IMAGES)* (Washington D.C. and Capetown: Promundo US and Sonke Gender Justice, 2014).

IV. Recommendations to the Government of the DRC

- 1) Integrate the Survivors' Movement in the implementation, 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 rape of women throughout the DRC. This involves systematically inviting survivors to consultations, analysis meetings and events on these two strategies, and preparing annual progress reports taking into account the survivors' analyses.
- 2) Ensure free and accessible effective legal aid for victims of sexual violence in all regions of the DRC, including remote rural areas.
- 3) In collaboration with civil society organizations that are experts in the field, establish training programs for judges, police officers and all health professionals in contact with victims, in order to support them in their efforts and collect evidence with respect.
- 4) Ensure that perpetrators of crimes of sexual violence committed in the past or more recently, including within the security forces, and regardless of their rank, are prosecuted, convicted and serve their sentences, including abroad.
- 5) Recognize the status of victim or survivor, including for groups of victims in cases of mass rape, and provide victims with access to transitional justice mechanisms, including reparations.
- 6) Establish a national reparation fund managed and funded by the State, fully functional by 2022. The design and implementation of the fund must be done in close collaboration with survivors to ensure that it meets their needs.
- 7) Create a state-funded support programme for victims, for access to justice (legal and financial support), access to free care (generalization of the holistic model in all health institutions in the country, including remote rural areas), access to income-generating activities in the form of reparation, or in the form of government programmes to support victims. This programme must be independently evaluated by the end of the presidential term in order to improve and strengthen it.
- 8) Provide special assistance to children born from rape, including free schooling and medical care, and ensure their integration into society through specific awareness-raising programmes on this issue.
- 9) Strengthen the system for collecting and compiling statistical data on rape and sexual violence, as well as on cases reported to the police and judicial authorities (number of complaints, investigations and prosecutions completed, reparations granted, sanctions, convictions, etc.).
- 10) Establish a national women survivors' day in 2019 to raise awareness of sexual violence among the entire population, and to publicly recognize survivors. Consult with survivors to choose the most appropriate symbolic day.
- 11) Combat the trivialization of sexual violence by setting up concrete prevention programmes in schools, across institutions at all levels, so that gender inequalities, and therefore sexual violence, are no longer tolerated. These programmes must include women's rights, but also discussions on masculinities, to break away from the toxic model of masculinity that

encapsulates many men into a system of violence, as well as rejecting their wives if they have been raped.

- 12) Raise awareness among religious leaders to establish a policy of zero tolerance for sexual violence, to free speech and to ensure respect and support for survivors.
- 13) Take all necessary measures as a matter of urgency to ensure that the population of the east of the country in particular and of the whole country in general is kept safe. These provisions must include: the disarmament of all militias and the acceleration of the reform and consolidation of the FARDC and the Congolese National Police so that they respect human rights.
- 14) The DRC accepts all the recommendations relating to the fight against sexual violence and the care of survivors received during the Universal Periodic Review on 7 May 2019, and takes the necessary measures for their implementation. In particular, we can note the following recommendations:
 - a. Combat all forms of violence against women (Spain, United Kingdom, United States, Republic of Congo, Sweden, Honduras, Italy, Netherlands, South Korea);
 - b. Combat impunity and protect victims of sexual violence (Slovenia, Brazil, Austria, Norway, France, Ireland, Philippines);
 - c. Facilitate access to transitional justice mechanisms, and particularly reparations (Switzerland, Ukraine, Fiji) by establishing a national compensation fund (Belgium, Canada);
 - d. Improve support for victims of sexual violence (Indonesia, Mexico).