



**BACKGROUND INFORMATION ON  
PREVENTING SEXUAL VIOLENCE IN DRC BY ADDRESSING ITS MULTIPLE FACTORS  
ITEM 10 HIGH-LEVEL DIALOGUE ON THE LESSONS LEARNED AND THE CONTINUING CHALLENGES IN  
COMBATING SEXUAL VIOLENCE IN THE DEMOCRATIC REPUBLIC OF CONGO**

Femmes Africa Solidarité, World YWCA and WILPF would like to provide this background information to contribute with our strong experience on the matter to the High-level dialogue on the lessons learned and the continuing challenges in combating sexual violence in the DRC.

The spreading of sexual violence against women has been so strong that it has raised the concerns of various UN bodies, such as the CEDAW Committee and the HCHR, who convened a special panel of experts in 2010 to conduct a mission in the country with the objective of understanding the issue from the perspective of victims.

We would like to remind of the multiplicity of factors that surround sexual violence and to diversify the dialogue from a simplistic conflict-related approach. As the report of the United Nations High Commissioner for Human Rights on the human rights situation and the activities of her Office in the Democratic Republic of the Congo in 2012 (A/HRC/19/48) points out: “Apart from strengthening State responses to cases of sexual violence, the root causes must be addressed, notably women’s precarious and disadvantaged socio-economic position in Congolese society”, this is, gender inequality in state decision-making power, economic dependency, political underrepresentation, uncontrolled small arms flow, insecurity and impunity.

The multiple root causes of sexual violence and the interlinkages between “harmful attitudes, customs, practices, stereotypes and unequal power relations” among many other factors were further pointed out by the HRC in resolution A/HRC/23/25 on Accelerating efforts to eliminate all forms of violence against women: preventing and responding to rape and other forms of sexual violence.

The dangers of the conflict situation are exacerbated by pre-existing conditions of poverty and illiteracy amongst women and young women, as well as their economic dependence, insecurity, lack of access to community infrastructure and related services. Only by adopting a holistic approach will it be possible to effectively prevent sexual violence.

For instance, a socio-economic factor such as the lack of water pumps in villages compels women to walk long distances to bring water home and puts them at a great risk of being attacked.

Furthermore, small arms are today widely available not only to armed groups, but also to civilians as a consequence of the armed conflict. According to sexual violence survivors, perpetrators used the threat of weapons as a means to intimidate them.

Stigmatisation and negative stereotypes also play a central role. Sexual violence is today an “effective” tactic of war because of the stigmatisation of raped women. If rape were considered as other kinds of torture and rape survivors were respected by society as survivors of torture are, this tactic would not be as destructive for the community. As affirmed by the Panel of 2010, “Shifting the stigma from the victims to the perpetrators would have a great impact on the ability of victims to reclaim their dignity and rebuild their lives”.

An appropriate prevention policy will need to integrate and address all these negative factors at the same time, combat negative gender stereotypes, contribute to women’s participation and to their economic empowerment, reduce the uncontrolled flow of small arms, combat stigmatisation and end impunity.

In addition, survivors of conflict-related sexual violence also need access to psychosocial services, social support, legal redress and other economic initiatives to strengthen women’s agency and ability to take

charge of their lives. Finally there's an urgent need to strengthen preventive and early warning mechanisms to protect women's rights during conflict.

Women are often mentioned solely as victims and the important role that women and young women can play in ending impunity for crimes of sexual violence is often ignored. The participation of women and gender experts in conflict resolution, decision taking instances and in all policy elaborations reduces the levels of impunity, in particular for sexual violence, and facilitates access to justice. We welcome the new commission of Human Rights to be established by the Parliament in March 2014, in which civil society will play an important role. We wish for this process to be swift and to effectively monitor human rights violations.

In the context of the HRC high-level dialogue on challenges in combating sexual violence in the DRC, FAS, WILPF and World YWCA would like to express their concern that there were no recommendations specifically on UNSCR 1325, nor on young women's participation in the peace process in the previous UPR review. In conclusion, we would like to highlight the following UPR (I) and CEDAW (II) recommendations:

I.

- Effectively implement the 2006 law on sexual violence and the "zero tolerance policy"
- Ensure the effective investigation, including allegations of rape being used as a weapon of war, and prosecution of perpetrators of sexual violence, including FARDC soldiers, without exception and without regard to rank
- Strengthen efforts to combat impunity of all forms of violence against women

II.

- Prevent gender-based violence, in particular sexual violence, by State and non-State actors in conflict-affected areas; ensure the protection of civilians, including women, in cooperation with the MONUSCO; conduct gender-sensitive training and adopt codes of conduct for the police and the military, and provide training for psychologists and health professionals;
- Prioritize the fight against impunity for sexual violence in conflict-affected areas; promptly complete effective and independent investigations into the violations of women's rights by the Congolese army (FARDC) and other armed groups, and prosecute the perpetrators of such acts, including those who have command responsibility;
- Establish a human rights based vetting system that will ensure that no perpetrators of human rights violations, including human rights violations of women, will be maintained in the Army and the Police or be integrated in the army, especially during peace negotiations with armed groups;
- Ensure the effective implementation of the National Action Plan for the Implementation of Security Council Resolution 1325; establish a comprehensive national policy to provide adequate reparations to victims of sexual crimes;
- Ensure the effective regulation of the arms trade, control the circulation of illicit small arms; and consider ratifying the 2013 Arms Trade Treaty;
- Significantly enhance the inclusion and representation of women in peace negotiations and also ensure their representation in provincial security committees;
- Ensure effective implementation of Security Council Resolution 2098

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