
Women in conflict: DRC Position Paper



19 year old Giselle speaks to ActionAid at the Kanyaruchinya camp, DRC, October 2012.
Photo: ActionAid

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Summary of recommendations

Based on ActionAid's analysis of the current situation, we urge all parties involved in the conflict, as well as regional actors and the international community to:

- Commit to cease fighting with immediate effect and engage in peace negotiations that will lay the foundations for lasting and sustainable peace
- Act in accordance with relevant legal instruments, including International Human Rights Law, International Humanitarian Law, International Refugee Law and relevant UN Security Council Resolutions to which the Democratic Republic of Congo (DRC) government and the governments of International Conference on the Great Lakes Region (ICGLR) countries are signatories
- Put in place measures to end, and to address the impact of, human rights violations, particularly sexual and gender based violence targeted at women and girls, and to demonstrate zero tolerance towards such violations
- Ensure access by humanitarian actors to conflict-affected populations (including host communities) in order to address their basic needs, particularly those of women and children
- Recognise that the current crisis creates an environment of increasing violence against women, and that within this context, women are often the primary responders to the needs of their families and communities
- Ensure the inclusion of affected populations, particularly the most vulnerable groups, in peace discussions/negotiations
- Recognise women's potential for building sustainable peace at local, national and regional levels and ensure peace discussions/negotiations at all levels create space for the voices of women, their networks and institutions, to be heard
- Establish a high level panel composed of the East African Community (EAC)/ East African Legislative Authority (EALA), African Union (AU)/United Nations (UN) to ensure meaningful political dialogue and a thorough independent analysis of the root causes of the conflict, which brings on board the views of all stakeholders and proposes a lasting solution
- Develop an inclusive road map and timeframe on the Governance plan of the DRC government that will be monitored and implemented by the EAC/EALA, AU/UN team of experts
- [By the governments of all countries in the Great Lakes Region] Demonstrate accountability and stronger political will in implementing the declarations of the August 2012 and November 2012 ICGLR Heads of States summits

Purpose of this paper

This ActionAid paper concerns the situation in the Democratic Republic of Congo (DRC) as of 28 November 2012, and articulates ActionAid's position on recent developments in North Kivu as well as the wider ongoing conflict in the country. On Friday 30 November 2012, the 14th Ordinary East Africa Heads of State Summit will be held in Nairobi, Kenya. Amongst other issues, the Summit will discuss the security situation in East Africa countries and the current crisis in DRC.

ActionAid calls on the governments present at the 14th Ordinary East Africa Heads of State Summit to take note of the recommendations made in this paper, and to demonstrate leadership in bringing about an end to the fighting and suffering in DRC without further delay, as well as in supporting the development of a robust roadmap for sustainable peace.

Background

Instability in DRC has a long history. Widespread violations of human rights have been observed over a number of decades, primarily during the 1997-2003 war, but also in the years since that conflict, during which period peace has proved fragile. To this day, the humanitarian crisis remains acute. The number of Internally Displaced People (IDP) continues to rise (an estimated 760,000 people have fled their homes in North and South Kivu in 2012 alone¹), overwhelming the capacity of local authorities. Women and girls are particularly targeted in ongoing rounds of fighting.

It is widely understood that the lack of sustainable progress towards stability and security in eastern Congo (and thereby the recurring violence) is a result of the flawed implementation of the elements contained in the 2009 peace accord that ended years of violent conflict in the DRC. This is supported by the International Crisis Group's analysis² and Oxfam reports on the lack of progress on stabilisation³. Furthermore, moving from crisis management to real conflict resolution in terms of undertaking governance reforms and engaging in real political dialogue is still an outstanding next step to achieve sustainable change in the DRC.

In April 2012 the Movement of March 23 (M23), an armed group formed from ex-soldiers from the National Congress for the Defence of the People (CNDP), began committing acts of violence in the eastern part of DRC – some believe in response to President Joseph Kabila's statement earlier in the year about ensuring that the former leader of the CNDP Bosco Ntaganda was put on trial as per international demands. The M23 contest that Kabila won the election, and have since called for his resignation⁴.

In November 2012, M23 began advancing towards Goma, provincial capital of North Kivu, eventually taking the town on Tuesday 20 November. They subsequently captured the town of Sake, approximately 25km west of Goma. The advance was accompanied by an upsurge in fighting and an increase in human rights violations including summary executions, sexual and gender based violence targeted at women and girls, and the recruitment of child soldiers⁵. As

¹ <http://www.oxfam.org/sites/www.oxfam.org/files/bp164-commodities-of-war-drc-protection-201112-en.pdf>

² <http://www.crisisgroup.org/en/regions/africa/central-africa/dr-congo/b091-eastern-congo-why-stabilisation-failed.aspx>

³ Oxfam (2012) "Why efforts to stabilise Congo are not working" <http://www.oxfamblogs.org/eastafrica/?p=4484>

⁴ http://www.rtbf.be/info/monde/detail_rdc-ebullition-apres-la-prise-de-goma-par-le-m23?id=7878478

⁵ http://www.un.org/apps/news/story.asp?NewsID=43564&Cr=&Cr1=#.ULX_Gldrj_M

of 28 November, M23 troops appear to be withdrawing from Goma, in accordance with the demands made by the Heads of States of the International Conference on the Great Lakes Region on 24 November⁶, albeit more than 24 hours later than the deadline originally specified.

The humanitarian needs of those affected by the recent round of fighting in North Kivu as of November 2012 are huge. The UN estimates that there are approximately 140,000 IDPs living in 12 camps and spontaneous settlements in and around Goma⁷. Basic needs for food, water, and shelter are key at this stage. Food security is increasingly being compromised by a combination of increasing food prices (partially as a result of taxes imposed by M23 at roadblocks) and limited agricultural productivity (a consequence of farmers being unable to access their land due to continued insecurity). One groundnut seller ActionAid spoke to in Goma reported that the price of 100kg bag of groundnuts had risen by 33% (from \$60 to \$80) since the recent upsurge in fighting. Similarly, a 25kg bag of rice has jumped from \$12 to \$35 in the past week.

Prior to the most recent round of fighting, communities ActionAid works with in and around the Kanyaruchinya IPD camp cited ongoing disruption of children's education as a key issue. The events of the last two weeks are likely to have exacerbated this further, with many families forced to flee IDP camps where at least basic educational facilities and activities were available.

Protection is also a critical concern, particularly given the background of widespread violations of human rights. The United Nations Mission in the Democratic Republic of the Congo's (MONUSCO) failure to protect civilian populations during the M23's march on Goma has been much criticised by the international community, forcing UN Secretary General Ban Ki-moon to state his determination to ensure that the UN presence in the DRC is adjusted "to respond to the evolving challenges."⁸

Whilst the most recent fighting between government forces and M23 has its roots in M23's grievances around the 2009 peace agreement, it is clear that other factors must be taken into account. Issues that must be seen as integral to the precipitation of the humanitarian crisis is the eroding authority of the state (currently significantly challenged by the M23 who in certain places in the eastern DRC have taken over administration and tax collection); lack of strong governance systems resulting in a lack of transparency and accountability; an inability to resolve issues that have led to external actor involvement (recent UN reports name Rwanda as a key player⁹); and the (mis)management of natural resources – the dominant source of economic interest in the region.

It appears clear that the solution to the ongoing escalation of violence and rising numbers of IDPs needs to be far more sophisticated than a simple military manoeuvre. At all levels – local, national, regional and international - we see failure to act on the various fronts – humanitarian, security, resource distribution, gendered response, regional political dialogue, etc - that all need to be tackled in order for a sustainable solution to be reached. Despite not being centre of the disagreement that has led to the violence, ultimately the most marginalised and vulnerable suffer greatest as a result.

⁶ https://icglr.org/IMG/pdf/Declaration-5th_extraordinary_summit24th-english.pdf

⁷ http://reliefweb.int/sites/reliefweb.int/files/resources/Full%20Report_1181.pdf

⁸ <http://www.jewelryne.ws/un-chief-welcomes-african-leaders-call-on-m23-rebels-to-stop-war-in-diamond-rich-dr-congo/>

⁹ <http://www.enoughproject.org/blogs/enough-101-united-nations-group-experts-report-eastern-congo>

Impact on women

The impact of DRC's wider conflict on women is well documented, with one senior UN official going as far as to label it "the rape capital of the world" in 2010.¹⁰

The recent conflict between M23 and the Armed Forces of the Democratic Republic of the Congo (FARDC) has seen an increase in human rights violations generally, but particularly in sexual and gender based violence targeting women and girls.¹¹ Caught in clashes between government forces and rebel groups including M23, women have been subject to beatings, intimidation and sexual and gender based violence (SGBV). Further to this, women cite specific protection issues, such as the inability to farm their land or go to the forest to collect firewood for fear of being attacked. Continuing stigma around survivors of sexual and gender-based violence means many women remain reluctant to speak out about rights violations, for fear of being ostracised by their families and wider communities. Health services and legal support for women survivors of SGBV are limited, and where they do exist, they are generally poor quality, leaving women without adequate measures to seek treatment and redress.

"What led us to flee towards the camp are the sexual violence against women the killings, the war and so many other problems due to the insecurity in our village of Rugari. My cousin who left the camp to fetch food back in Rugari was raped. She is 13 years old...It is really the women who go in the bush who are raped, but they don't dare to talk about it because they are afraid to be banished from the family."

Giselle, 19, Kanyaruchinya IDP camp (October 2012)

"We ran from Kanyaruchinya to Sake then back to [the IDP camp at] Mugunga with nothing, currently I don't know where my husband and two children could be."

Wamahoro, 32, an IDP who fled from Kanyaruchinya IDP camp following recent fighting (27 November 2012)

Aside from SGBV, ActionAid's experience of working in emergencies and conflict suggests that women suffer disproportionately during crises. In DRC, the livelihoods of women are severely challenged as they leave their land fleeing violence, and are often unable to engage in productive economic activities in host communities or IDP camps. Other impacts on women include family separation (with women having to leave one or more children behind as

they flee fighting), and an increased burden of care regarding looking after children in the absence of their husbands. In the fight for survival, women's particular material and psychological needs remain largely neglected.

ActionAid's October 2012 needs assessment also highlighted women's exclusion from decision making process as a key issue. Prior to Goma's fall to M23, the IDP management committee of the Kanyaruchinya IPD camp, for example, was comprised of 28 people, of whom only 7 were women (and only two of whom were active participants). Without women's active participation in the analysis of the causes of the fighting, and in the process of developing lasting solutions to the conflict, their needs are likely to remain unaddressed and their rights unrealised.

¹⁰ <http://news.bbc.co.uk/1/hi/8650112.stm>

¹¹ Anecdotal evidence gathered during ActionAid needs assessment in and around Kanyaruchinya, October 2012

Regional action

It is widely accepted that the DRC conflict is a result of wider regional dynamics, as opposed to a war isolated to internal politics within the country. The UN has released reports citing the involvement of numerous external actors, including governments of some neighbouring countries, in backing rebel groups fighting against the government of DRC. This cross-border dynamic was apparent on 27 November, when Rwandan rebels from the FDLR (a group formed mainly of Hutu rebels normally engaged in the conflict in DRC) initiated attacks on the Rwandan army in the Cyanzarwe sector of Rubavu district, on the Rwandan side of the border.

The regional nature of the conflict in DRC has seen numerous regional and international actors issue statements on the current crisis in North Kivu over the past week to ten days, often building upon previous agreements/statements in response to previous rounds of fighting. A number of multi-country, pan regional summits have also been held to discuss the conflict and generate possible solutions.

On Saturday 24 November, the 5th Summit of the Heads of State from the ICLGR took place in Kampala, Uganda, resulting in a twelve-point communique demanding an immediate end to violence and the withdrawal of M23 troops from Goma within 48 hours, amongst other asks. However, the challenge remains to translate these demands into concrete action, particularly given that it is unclear as to where the accountability for doing so lies. Additionally, whilst the Heads of States call for the DRC government to engage in discussions with M23 leaders on their grievances, the call for political dialogue is somewhat overshadowed by a disproportionate emphasis on military solutions to the current crisis. A proposed solution to the issue of protection of civilian populations – the deployment of MONUSCO forces in neutral zones between Goma and areas occupied by M23 – also seems woefully inadequate in light of MONUSCO's failure to prevent the M23 march on Goma and their inability to protect serious human rights violations from being committed during that advance. A final, significant oversight appears to be the complete omission of detail on how the voices of affected people will be included in any peace discussions/negotiations – something that is essential if peace is to be sustainable and those affected by the conflict are able to realise their rights.

Another important meeting at which the DRC crisis will be discussed is the forthcoming 14th Ordinary East Africa Heads of State Summit, scheduled for Friday 30 November 2012 in Nairobi, Kenya. ActionAid urges the governments participating in this meeting to heed the policy recommendations made in this paper.

ActionAid position

National and local level

At the local level in the areas affected by fighting, there is a serious failure to respond to the realities as they emerge. The number of people affected rises with every new influx of IDPs and there remains an insufficient response to the particular needs of women, young girls and children.

The national level response to the violence needs to be seen in the light of what is believed to be a failure of the State to provide true progress towards stability, reconciliation, and a

sustained secure situation for the people of the affected areas by lack of implementation of the Goma Agreement of March 2009. The unfolding humanitarian crisis and continued sustained insecurity and violence is severely impacting the ability of those affected – particularly women and girls - to realise their rights. The inadequacy of the government of the DRC to establish sufficient rule of law and respect for state authority has seemingly played a primary role and this should be further analysed to establish the road ahead.

The narrow military focus of the response by the government as a part of the ICLGR (July and August) must be seen as largely inadequate. This will not enable actors involved to tackle the root causes of the conflict, nor does it build a base for a sustained solution. Rather this further jeopardises the lives of the communities as it diverts attention from where more appropriate actions need to be taken and should be supported.

Regional/international level

Given the complexity of the situation and the suggested implication of the governments of neighbouring countries, the regional community in the Great Lakes Region must ensure that any solutions put forward reflect a neutral agenda aimed solely at ending the fighting and restoring peace and security.

With no further delay however, it is recommended that the frame for discussion take a more international shape which can create the necessary legitimacy and ensure that the content of discussions ending the conflict must go beyond an immediate military response.

That the AU has, of 2 November 2012, designated a special representative (Mr Diarra – former AU Special Representative for Somalia)¹² is a significant measure. This responds to many NGOs calls for such an envoy.¹³ The importance of lifting the dialogue beyond the immediate implicated stakeholders is shown in the AU's recognition of the more complex background to the crisis resting on the lack of implementation of the Goma Agreement of March 2009 and multiple stakeholders.¹⁴ The proof will be in the ability to include analysis of structural causes of the conflicts in the dialogue and establishing an inclusively elaborated roadmap for governance that should emerge from this designation and dialogue.

The UN can at a first glance be seen to have failed on an operational level in fulfilling the mandate of the MONUSCO force as it lost Goma to the rebellion forces M23 and failed to keep the peace or stability in the North Kivu region. However, on a political level the recent 20 November statement by the UN Secretary General (UNSG) gives the necessary strong political support for the road ahead. It also gives a clear indication that the UNSG could go further in calling for a stronger mandate for MONUSCO. The time lapse since the UNSG statement to the ICLGR in August which recognised these complexities and this UNSC resolution (late November) is regrettable. However, it is imperative that the AU designate now capitalises on this momentum.

¹²<http://www.peaceau.org/uploads/psc-340-com-drc-2-nov.pdf>

¹³EurAc, Eastern Congo Initiative, Enough!, Humanity United, Open Society Foundations Brief

¹⁴<http://www.chimpreports.com/index.php/feed/news/news-as-it-happens-around-the-east-african-region/6103-congo-rebels-showdown-expected-at-un-as-au-endorses-neutral-force.txt>

ActionAid recommendations

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Conclusion

ActionAid condemns the violence and atrocities being perpetrated against innocent civilians – particularly women and girls - in the DRC. Urgent action is needed to stabilize the situation, provide security and safety with a particular emphasis on the sexual and gender based violence that has been characteristic of this conflict and has severe physical and psychological effects on women and young girls. Access must be ensured for humanitarian actors and all violations of human rights must be stopped immediately.

In addition, the government of the DRC, along with governments from the Great Lakes Region, the East Africa Community and the wider international community, must set the right path for a long term sustainable solution that takes into consideration the complexity of the situation. Only a comprehensive approach beyond immediate military response will allow for a situation of security and stability which will enable civilians to fully realise their rights.

Glossary

AU (African Union): International organization founded to promote cooperation among the independent nations of Africa

EAC (East African Community): the regional intergovernmental organisation of the Republics of Burundi, Kenya, Rwanda, the United Republic of Tanzania, and the Republic of Uganda, with its headquarters in Arusha, Tanzania

EALA (East African Legislative Authority): the independent, legislative arm of the EAC (East African Community)

FARDC (Armed Forces of the Democratic Republic of Congo): national army of the DRC

FDLR (Democratic Forces for the Liberation of Rwanda): an armed group formed mainly of Hutu militia, present in North and South Kivu, DRC

ICGLR (International Conference on the Great Lakes Region): a group comprising 11 countries, established with the aim of implementing the Pact on Security, Stability and Development (PACT), signed in December 2006 by Heads of States from Angola, Burundi, Central Africa Republic, Democratic Republic of Congo, Kenya, Rwanda, Republic of Congo, Sudan, Uganda, Tanzania and Zambia

M23 (Movement of March 23): an armed group comprising ex-soldiers from the National Congress for the Defence of the People (CNDP), formed in April 2012

MONUSCO: United Nations Mission in the Democratic Republic of Congo

SGBV: Sexual and gender-based violence

ActionAid is a global movement of people working together to achieve greater human rights for all and defeat poverty. We believe people in poverty have the power within them to create change for themselves, their families and communities. ActionAid is a catalyst for that change.

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