



# Women's Testimonies from the *Women's Court*

**Bukavu, 15 October 2010**



**North Kivu**

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**THE MILITARISATION OF CENTRAL AFRICA AND WOMEN'S DIGNITY**

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## **Introduction**

We have not stopped repeating that this century is not going smoothly for Central Africans because of the many violations of human rights that are taking place against innocent civilians without means of defence. In these dirty affairs, women, children, and old people are the most vulnerable.

Women are, at all times and in all cases, at the core of peace and development. It is then obvious that during this court we should call the attention of both the participants and those following us remotely to militarisation, which is a means of war and human rights violations.

## **Militarisation in Central Africa**

African people and especially those in Central Africa are known for being peaceful, and content with their natural resources.

However, some people, attracted by greed, grasping and stingy, sign agreements without thinking of the consequences; agreements that lead to the extermination of their fellow men, in order to increase their capacity to dominate others.

This is what has been happening between developed and developing countries, and also with unpatriotic politicians. And here, we must understand why, because we are accelerating the exploitation of minerals, and other natural resources.

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In the North Kivu province, we have witnessed a succession of armed movements, all of which, in practice, share the same ideologies: separation, regionalism, and the search for power and land. These armed groups have led to the despoliation of the fields of indigenous people, and the occupation of the National Park and World Heritage Site, the Virunga National Park, which has become the farms, fields, and headquarters of the belligerents.

The leaders of these movements have, by using their own systems, distributed firearms to their militias, first defining them as popular self-defence groups and then as armed groups. Through this system, they get to occupy important positions in political, administrative, military, and police spheres because they impose themselves on legally established power. And this is how they get the opportunity to carry out atrocities against innocent civilian populations.

How can we hope for peace in North Kivu, when no proper operation aimed at recovering the anarchically distributed weapons has ever been envisaged? Those who gave out the weapons and those who received them are there, and collaborate closely.

Sometimes huge displacements are provoked by military activities and when a return is organised, no disarmament or security measures have been taken on the ground. Therefore, people leave one refugee camp, only to go to another located throughout the six territories.

### **On Women's Dignity**

As we have just explained, women are the primary victims. Their human dignity, as mothers and sources of life, and their full development, is not taken into account. The atrocities carried out on women by foreign armed rebel groups are excruciating and unimaginable.

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Here, in the East, the perpetrators are even in the Congolese army, which is the result of the integration of all armed groups into the army, including those that have committed large scale violations.

This is what happened in Walikale from 30 July to 2 August 2010. There was pillaging, and over 303 people were systematically raped, of whom 235 were women, 13 men, 52 girls, and 3 boys. This is only one example. Let us note that these women had not received the kit PEP.<sup>1</sup> What humanity are we creating? What future is there for our children? What dignity is there for the women of Kivu, as we are demoralising, destroying, and exterminating them, and no one is talking about it?

Rape for us has become part of everyday life. Women no longer have any value; they have become humanity's target and shame.

As support for what we have just said, here are a few statistics from the six territories of the Province of North Kivu, and the town of Goma, for the 1<sup>st</sup> trimester of 2010.

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<sup>1</sup> The Post Exposure Prophylaxis kit is an emergency medical response used to protect individuals after a possible exposure to HIV.



Territory	Number of cases of rape 1 <sup>st</sup> trimester 2010
Beni	138
Goma and Nyiragongo	123
Lubero	421
Masisi	849
Rutshuru	849
Walikale	166

The number of violations is on the increase.

Not to dwell on what we have just said, we would like to share potential solutions:

#### THE DEMILITARISATION OF CENTRAL AFRICA

The European Union (EU) and the United Nations (UN) experts ought to follow the illegal arms trafficking into our country, the Democratic Republic of Congo.

To this end, civil society and human rights NGOs should be protected so that they may contribute.

The impunity which plagues our country must end, this is why transitional justice must be strengthened.

We ask the UN and the EU:

- To use their weight in order to promote the installation of mixed chambers in order to judge past crimes from 1993 to this day.
- To institute a political corridor and an inter-Rwandan dialogue to which the government, the opposition and the diaspora would be invited.
- To those who have chosen the Democratic Republic of the Congo as their country, they must stop believing that the army that wills itself national and Republican may continue to behave the way it does today, and it has to accept the military movement to other provinces.
- That the parallel administration within the Police and Public Administration stops immediately.
- In order not to return to clandestine migrations, and in order to put an end to conflicts over land, civil society, and customary chiefs (traditional) should be involved in the identification of Congolese refugees wanting to return to their lands.

To act otherwise would be another way of sparking bloody conflicts and will especially weaken the position of women.

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## Conclusion

To conclude, we encourage and thank all those both near and far who wish that women in the Democratic Republic of Congo in general, and in North Kivu in particular, recover their dignity and that they see their dream of Peace come true, Peace for the sustainable development of all, and Peace that is beneficial to everyone.

- The militarisation on which the wars and the atrocities carried out on women are based should be the focus of experts from the UN, and the EU, with the involvement of the international community, including civil society and human rights NGOs. Weapons distributed to civilians must be recovered, while those who gave them out must indicate how, where, and why they did so.
- Mining exploitation should be subject to certification, as is the case with other natural resources in the Congo.
- The armed militia groups must submit themselves to being transferred to other Provinces in the country. To this end, the real Congolese soldiers and the intruders should be identified so as not to have an army of mercenaries. The military should be stationed in barracks.
- For women to recover their dignity, it is important to punish the perpetrators, and offer real reparations to the victims.
- Finally, we insist in the identification of Congolese refugees with an active role of civil society and those traditionally invested with customary power, so that they may return to their place of origin.

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## South Kivu

*Stella Yanda*

*Initiatives ALPHA*

### ASSESSMENT OF SEXUAL VIOLENCE IN SOUTH KIVU

In our contribution to the activity which unites us in the beautiful surroundings of the Witness Guest House, on the sidelines of the World March for Women's activities that are in their third year running, we will present an assessment of the sexual violence in the province of South Kivu. This presentation does not cover the number of victims, but more the jurisdictional attention this problem is receiving.

In our presentation, we would like to distinguish between two types of violence endured by women in this part of the country: on the one hand, structural violence; on the other, circumstantial violence.

**Structural sexual violence** comprises customs and practices which do not respect women, and which refuse to recognize women's social, political, economic, and other rights at the same level as men. Amongst these practices, we can cite those that:

- Do not recognize women's right to inherit whether they are spouses, daughters, or sisters;
- Declare women legally incapable. For example, women cannot bring an action in front of a court, or sign contracts with third parties without the authorisation of their husbands;
- Do not take women's perspectives into account when it comes to managing family revenue;
- Do not recognize women's right to decide on maternity, and to have control over their bodies;
- Forbid women to speak in public;
- Relate to conjugal and domestic violence.

Some of these practices are even supported by national legal instruments such as the family code, and the Congolese employment code before the modification brought about by law 002/2002 that changed the article that established married women's incapacity when it came to employment. In order to sign an employment contract, a married woman had to present her husband's authorisation.

**Circumstantial sexual violence** is linked to the repetitive armed violence that exists across the Democratic Republic of the Congo, especially in the east. During these wars, women have been targeted by all belligerents. Indeed, women have been brutalized in the name of revenge on a population for a failed campaign, or to punish it for resisting, or to celebrate a victory, or the conquest of a town or area. Women are treated like war trophies, material possessions that men wearing uniforms would ravish, whatever their background, whenever they took control of an area

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after having chased away the enemy. The slogan T.D.F., standing for “**Telephone, Dollars, and Woman**” is an example of this attitude. This slogan was used by Nkunda and Mutebuzi’s men during the siege of Bukavu, from 26 May to 9 June 2004. It is during this time that numerous cases of rape of women and young girls occurred in the town of Bukavu.

In South Kivu province especially, and in the east of the DRC in general, for unknown reasons, women have remained a target for belligerents, and their bodies have become a new battlefield. Rape has been used as a war tactic. Tens of thousands of women have been raped, forced into sexual slavery, and/or tortured. Some are pregnant as a result, and find themselves today with children born of rape. These women stand as proof of the cruelty and violence that have been inflicted upon women. According to medical information, 10% of rape victims were infected with the HIV/AIDS virus by their torturers.

This violence is also accompanied by cruelty the extent of which surprises many observers: for example, the introduction of solid objects such as pieces of food, the barrel of a gun and other objects in women’s genitalia after having raped them. The most telling example is that of Mwenga, where a commander of the army of the *Rassemblement Congolais pour la démocratie* buried alive 13 women.<sup>2</sup> In February 2010, again, during the hunt for the Rwandan Hutu rebels, five women were decapitated after having been raped, and their bodies mutilated, at Lushingu/Bisembe, in the 1<sup>st</sup> Bashimwenda grouping, in the *chefferie* of Basile. During this period, a young woman, pregnant, was disembowelled in the surroundings of the village of Kalugenge, in Balobola grouping, Basile *chefferie*, and the twins she was carrying were taken away and abandoned outdoors. We cannot forget the atrocious death of the wife of the *Mwami* of Lwindi *chefferie* in 1998. Her throat was cut. Her husband and various subjects present at the *Mwami* residence on that morning were subjected to the same fate. Afterwards, she was disembowelled, while being pregnant with twins. Some torturers did not hesitate to riddle the bloodied bodies of women they had raped with bullets. These cases happened in Fizi territory.

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Men were also raped, especially in zones under the control of Burundian rebels of the FDD (*Forces de défense de la démocratie*), the FNL (*Front national pour la libération*), and Rwandans from the FDLR (*Forces démocratiques pour la libération du Rwanda*).

Hundreds of women and young girls were made sexual slaves in Walungu territory where Kaniola attracted a lot of attention; and in territories of Shabunda, Fizi, Uvira, and Kalehe.

Between 1996 and 2003, the majority of perpetrators were armed men, from all armies; DRC army, the Burundian and Rwandan rebels and Mai Mai and CNDP. Today, however, the perpetrators are no longer entirely the same. Civilians have also started committing rape and violence against women and young girls. The reason is very simple: **IMPUNITY**. This violence is today committed against women and young girls in areas where they used to be safe: with their family, in school, in their neighbourhood, in church.

Several advocacy campaigns have been set up and conducted by members of civil society at the national and international levels. These campaigns aim to attract people’s attention to the multiple cases of human rights violations in the east of the DRC, and to invite the authorities to put an end to

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<sup>2</sup> In 1999, 13 women were buried alive after being tortured in the village of Mwenga.



sexual violence by applying the law and all international legal instruments for the protection of women.

These campaigns have had an impact. Inside the country, we have seen that women have had enough, and are saying 'no' to sexual violence. Of all the themes explored during the 8 March Women's Day celebrations, the national themes were centred on women's promotion and empowerment.

On the international front, we have noted the visits of several influential people to the east of the DRC, and especially to structures which have been set up to care for victims of sexual violence: the Panzi general reference hospital in Bukavu, and Heal Africa or DOCS in Goma. At the beginning of this month, we were visited, in South Kivu, by Ms Margot Wallström, UN Special Representative to the Secretary General for Sexual Violence in Conflict. The aim of her mission was to meet victims of sexual violence in order to have their opinion in relation to questions of justice and reparations. Let us also note that the UN Mapping report on atrocities committed between 1993 and 2003 has been released, and details the sexual violence which has been committed in this part of the country.

The decision to organise a third session of the World March for Women in eastern DRC is one of the strongest elements of this advocacy work, and expresses the solidarity of women around the world with Congolese women in particular, and with all women victims of gender-based violence, around the world.

This session unfolds the day after the arrest, in France, of an influential FDLR member, for crimes committed against women in the North and South Kivu provinces.<sup>3</sup> We would like to take this opportunity to request that the perpetrators of sexual violence be brought to justice, by all jurisdictions, internal as well as international, and that due consideration be brought to reparations for victims.

We could not end the presentation of our contribution to this women's court without asking for the world's support in re-establishing peace and security in this eastern part of the DRC. Because of the insecurity, many victims still remain very isolated, and cannot get access to medical care and other forms of support to facilitate their reinsertion into the community.

Long live the Women's Court!

Long live women's solidarity!

Long live the fight against **IMPUNITY!**

Long live the Worldwide Action of the World March for Women!



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<sup>3</sup> Callixte Mbarushimana, FDLR's Executive Secretary, was arrested in Paris in October 2010.

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## Province Orientale

***Claudine Bela Badeaza***

*Parlons SIDA*

Ladies and Gentlemen,

Distinguished guests,

We welcome your presence in this room, and we thank you sincerely for the interest you are showing in this activity complementing the World March for Women. We are speaking here to have the voice of the forgotten population of the Province Orientale heard.

For those who do not know it, the Province Orientale is one of the 11 provinces which make up the Democratic Republic of the Congo, spanning over 503,239 square kilometers, with a population of 14,193,695 inhabitants. It shares frontiers with Sudan and the Central African Republic at the North, and Uganda towards the east, and it shares internal frontiers with North Kivu, Maniema, Eastern Kasai, and the Equator. The Province Orientale comprises four districts: Bas-Uélé, Haut-Uélé, Ituri, and Tshopo.

70% of the territory of the Province Orientale is covered by national forests, with specific fauna and flora, notably the okapi and the white rhino. Its ground and underground are rich in gold, diamonds, coltan, cassiterite, iron, oil, red mercury and many types of wood, and its waters are rich with fish.

All of this wealth attracts envy, and in many cases wars that start elsewhere drag themselves out in the Province Orientale. We are all familiar with the consequences: sexual violence, displacement, massacres, and assassinations.

What is the current situation of conflicts in the Province Orientale?

Despite all the efforts taken to secure the region, violence is ongoing:

- In Haut-Uélé and Bas-Uélé, we come across the Mbororo and the Lord's Resistance Army (LRA); the Mbororo are Chadian, Sudanese, and Somali cattle-breeders, who came with their cattle to look for grass, and currently illegally occupy land to the detriment of the local populations. Their cattle destroy entire fields, and each time the locals react, the Mbororo kill, without being bothered by anyone. The LRA is still active, and conduct incursions into villages, killing, raping, and kidnapping women and young people in order to bring them into the forest.
- In Ituri, some negative forces and militia are reappearing.
- In Tshopo, the Mai Mai are present, as well as a probable FDLR incursion in Maiko park.

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*Ms NAKO, mutilated by the LRA at NGILIMA, December 2009*

The LRA presence has led to population displacements in several territories.

On 22 August 2010, we registered 248,834 displaced people, spread out as follows:

- Dungen Territory: 115,108 displaced people;
- Niangara Territory: 21,129 displaced people;
- Rungu Territory : 19,212 displaced people;
- Faradje Territory: 43,532 displaced people;
- Watsa Territory: 9,903 displaced people;
- Poko Territory: 10,500 displaced people;
- Ango Territory: 21,000 displaced people;
- Bambesa Territory: 8,450 displaced people.

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The displaced do not receive sufficient food or non-food support. They request free education for their children (at least 762). They ask that the DRC government, as well as the international community, use all their means in order that peace and security return to their respective environments, with a view to their potential return.

As for the sexual violence, the situation is not good, as shown by these statistics:

- In 2005 : 5,273 rape cases identified;
- In 2006 : 5,933 rape cases identified;
- In 2007 : 8,182 rape cases identified;
- In 2008 : 8,995 rape cases identified;

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- In 2009: 6,798 rape cases identified;
- Until 30 June 2010 : 2,106 rape cases identified.

Many international support partners have already shut down, and the victims are at a loss without holistic assistance. The victims are discouraged by the inaccessibility of urgent and suitable health care, the absence of justice, the impunity of perpetrators of sexual violence, and the absence of individual or collective reparations for victims of sexual violence. Because of these problems, victims remain silent, and do not report the crimes.

Faced with this dark situation, we think that the Province Orientale ought to figure amongst the priority provinces, in terms of humanitarian action, and ought to receive special attention from the International Criminal Court, in the light of all the crimes committed on its territory by the LRA, and other troublemakers, for example the Makombo massacre.<sup>4</sup> It is the only way to fight against impunity.

We therefore ask for the solidarity of all.



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<sup>4</sup> The presentation cited Human Rights Watch report “Trail of Death: LRA Atrocities in Eastern Congo”, 27 March 2010, available at <<http://www.hrw.org/node/89324>>.

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