

The Democratic Republic of the Congo

The Democratic Republic of the Congo is located in Central Africa and has an area of 2,344,858 km². It is bordered by the Central African Republic, South Sudan, Uganda, Rwanda, Burundi, Tanzania, Zambia, Angola and the Republic of Congo. The country has a rich supply of economic resources, mostly in the form of mineral wealth. These resources include cobalt, copper, niobium, tantalum, petroleum, industrial and gem diamonds, gold, silver, zinc, manganese, tin, uranium, coal, hydropower and timber¹. However rather than leading to economic wealth these natural resources have been one of the causes of many years of devastating conflict. The population of the Democratic Republic of the Congo is approximately 71,712,867 million. There is a total female population of 36,044,459 million. There is a high rate of infant mortality at 78.43 deaths per 1,000 births; this is the thirteenth highest rate globally. This can be attributed to a number of factors including poor medical infrastructure and as a result of implications of the conflict which has taken place over the last number of decades. In addition there is also a high maternal mortality rate of 670 deaths per 100,000 live births; this is the sixteenth highest rate of maternal mortality in the world². This is caused by numerous factors most notably due to medical repercussions of sexual abuse. Eastern regions of the country how an even more disturbing figure, according to a recent UNICEF report maternal mortality rate can be as high as 2,000 per 100,000 live births in some part of that region.³ This figure can be explained by the fact that this is the region where women are living in the midst of the conflict and at the most risk of experience sexual violence. Furthermore 28.2% of children under the age of five are underweight.⁴

Background to the Conflict

In the aftermath of the 1994 genocide in Rwanda many displaced Hutu refugees fled to Congolese refugee camps. The ruling Tutsi government of Rwanda began supplying arms to Congolese Tutsis in an attempt to flush out the Hutus and prevent an anticipated Hutu invasion of Rwanda. In 1996 Congolese rebel group led by Kabila joined forces with Rwanda and Uganda in an attempt to combat Hutu

¹ Information on economic resources found at: <https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html>

² Statistical information found at: http://www.indexmundi.com/democratic_republic_of_the_congo/

³ Unicef: The Impact of Conflict on Women and Girls in West and Central Africa and the UNICEF Response. (2005)

⁴ Statistical information found at: http://www.indexmundi.com/democratic_republic_of_the_congo/

militia and take control of the Eastern part of the country. In 1997 Kabila Seized control of the country; the fighting and violence which surrounds his ascent to power has become known as the First Congo War. In 1998 the Second Congo War erupted when a joint force of Rwandan, Ugandan and Burundian troops invaded the Democratic Republic of the Congo in response to Kabila ordering all Rwandan and Ugandan soldiers out of the country. This was the beginning of the Second Congo War. The Congolese troops were supported by Namibian, Angolan and Zimbabwean soldiers. Due to the involvement of so many African countries and the mass devastation caused by the fighting the Second Congo War became known as Africa's World War⁵. It is estimated that 5.2 million people lost their lives⁶ during the fighting including 3 million civilians⁷. A further three million people were displaced from their homes. This made the war the single most devastating conflict since World War II. The war officially ended in 2003 with the signing of a peace agreement and formation of a transitional government however the conflict is still on-going. Fighting was and indeed continues to be fuelled by various groups of militia trying to gain control over the country's military wealth and access to important infrastructure. According to Amnesty International major human rights violations, including war crimes and crimes against humanity continue to be committed in the conflict zones in the East of the country. These violations are committed by both government representatives and the various armed groups that are operating in the region, such as the Lord's Resistance Army and the Forces Democratiques de Liberation du Rwanda. Some of the most serious violations include unlawful killings, the abduction and use of children, abductions, pillaging and sexual violence⁸.

HIV/AIDS

It is important to note that in countries that have been ravaged by conflict such as the Democratic Republic of the Congo do not often have accurate figures for HIV/AIDS prevalence. However it is also clear that there is a strong link between conflict and the spread of the virus. In 2001 the secretary general of the UN stated: "Armed conflicts ... increasingly serve as vectors for the HIV/AIDS pandemic, which follows closely on the heels of armed troops and in the corridors of conflict".

⁵ Sourced from BBC Country Profile found at: <http://www.bbc.co.uk/news/world-africa-13283212>

⁶ Havard Humanitarian Initiative 'Now the World is Without me' an Investigation of Sexual Violence in Eastern Democratic Republic Congo. (2010)

⁷ Unicef: The Impact of Conflict on Women and Girls in West and Central Africa and the UNICEF Response. (2005)

⁸ Unicef: The Impact of Conflict on Women and Girls in West and Central Africa and the UNICEF Response. (2005)

A population's vulnerability to HIV/AIDS is increased as troops mobilize and move from one area to another, in the case of the Democratic Republic of the Congo this includes international soldiers from countries such as Burundi and Zimbabwe. In addition the disease can spread as high numbers of internally displaced people congregate in refugee camps. In the pre-conflict period there is often deterioration in the economy, this leads to a marked weakening of the health services. Furthermore as the conflict progresses the economy worsens leading to incredible poverty, women are often forced to engage in survival sex i.e. exchanging sexual favours for services, necessary goods or protection. These factors can greatly increase a population susceptibility to contracting the HIV/AIDS virus. Where rape is used as a weapon of war, such as in the Democratic Republic of the Congo, women are at an even greater risk of becoming HIV positive as UNAIDS estimates that combatants are three to four times more likely to be infected with the virus than the local population.

According to a 2005 UNICEF report up to 20% of people in the Democratic Republic of the Congo may be infected with HIV/AIDS. In 2000 the prevalence rate was estimated at 4.9% and that 200,000 children under the age of fifteen were infected but these figures have most probably risen in the last twelve years. It has been estimated that in 2005 1.3 million people were infected including one half of all hospital patients. It was also estimated that by 2010 60% of those aged between 15 and 39 would have contracted HIV. Infection happens most frequently between the ages of 10 to 14 according to the National AIDS Control Program. In the same report the National AIDS Control program stated that the infection rate for 15-40 year olds was up to 19 times higher than that of other countries⁹. It is probable that due to the on-going occurrence of sexual abuse since 2005 that these figures have increased.

Female Genital Mutilation

Female genital mutilation is the extremely harmful practice of cutting the female reproductive organs for cultural reasons. There are no medical benefits associated with Female Genital Mutilation however there are several serious harmful after effects. These range from discomfort or pain when passing urine or engaging in

⁹ Unicef: The Impact of Conflict on Women and Girls in West and Central Africa and the UNICEF Response. (2005)

sexual intercourse to difficulty in childbirth. Female Genital Mutilation is often carried out by traditional leaders with no medical experience in unsanitary conditions and this can mean that women contract serious infections when they are subjected to the practice. The cultural reasons for the practice revolve around the reasoning that it makes a girl more pure and less promiscuous¹⁰. The most reliable source of information on the prevalence and type of female genital mutilation practiced in a country can be found in the Democratic Health Survey or the Multiple Indicator Cluster Surveys. However due to the conflict in the Democratic Republic of the Congo there has not yet been a DHS or a MICS. Instead much of the evidence is anecdotal. It is estimated that the prevalence (percentage of the population between 15 and 49 who have undergone female genital mutilation) is less than 5%. According to the World Organisation against Torture "the practice of female genital mutilation does not seem to be very widespread, but different ethnic groups in the north of the country continue to practise it". However it is not made clear which ethnic groups they are referring to. In addition it is also unclear what type of mutilation is carried out and who performs the procedure¹¹. The Immigration and Refugee Board of Canada states that though there is no law in the Democratic Republic of the Congo that explicitly makes female genital mutilation illegal however the part of the penal code that refers to intentional bodily harm can be used to address the issue. This however is not sufficient to act as a safe guard against the practice¹².

Trafficking, Forced Prostitution and forced Labour

The Democratic Republic of the Congo is a major source and destination country for trafficking. The majority of men, women and children who are trafficked are used for forced labor or are sexually exploited. The highest proportion of trafficking in the Democratic Republic of the Congo is internal. While most of the trafficking takes place in the Eastern part of the country and is perpetrated by the numerous armed groups and government forces that are outside the control of the government there is also trafficking occurring in all eleven of the country's provinces. In North Kivu,

¹⁰ WHO Factsheet. Sourced on: <http://www.who.int/mediacentre/factsheets/fs241/en/>

¹¹ UNICEF: COORDINATED STRATEGY TO ABANDON FEMALE GENITAL MUTILATION/CUTTING IN ONE GENERATION: A Human Rights-Based Approach to Programming. (2007)

¹² Immigration and Refugee Board of Canada: Democratic Republic of Congo: The practice of female genital mutilation (FGM), particularly whether a woman can be forced to undergo FGM against her and her parents' will; the consequences of refusing to undergo FGM; the possibility of filing a complaint; the availability of state protection (2006). Found at: <http://www.unhcr.org/refworld/country,,IRBC,,COD,,45f1471929,0.html>

South Kivu, and Katanga Provinces children are often abducted by armed groups such as FDLR and are forced to work in mines¹³.

Congolese women and girls are often forced into prostitution by loosely organized groups, armed gangs and brothel operations. They are generally detained in tents, hut based brothels or informal camps which tend to be found in the areas around mines. There have also been reports of women being trafficked into the Democratic Republic of the Congo and forced into prostitution. Notably Chinese women have been brought to Kinshasa where they work in Chinese massage parlors. Often these women are forced into prostitution. In 2011 Congolese police identified that there were 11 trafficked Chinese girls working in a karaoke bar in Kinshasa where they were expected to work as prostitutes. Many women from around the country are lured to countries such as Angola, South Africa and European countries. Upon arrival they are generally exploited by being forced into prostitution, domestic slavery or slavery in the agricultural sector¹⁴.

Indigenous and foreign military groups including the FDLR, PARECO, LRA, APCLS and various local militia known as mai-mai regularly abduct men women and children. These abductees are used to bolster their ranks and are used to work as laborers, porters, domestics, combatants, and sex slaves. The United States Department of State noted in its 2011 'Trafficking in Persons Report' that between January and September 2010 the LRA violently abducted 279 civilians, including 184 children, in or near Oriental Province. Many of these people were later smuggled to other African countries such as the Central African Republic and Southern Sudan. Likewise men, women and children from The Sudan and The Central African Republic were taken to the Democratic Republic of Congo where they were forced into labour or sexual slavery. Furthermore it had been reported that elements of the FARDC have pressed hundreds of men women and children into forced labour. Many of these people were recruited from the vulnerable group of internally displaced people. They were forced to carry ammunition and supplies. They were often sent to fetch water or fire wood. In some cases they were coerced into domestic servitude and to work in the mines. Where they resisted it has been reported that their lives were threatened and in some cases they were murdered. Due to the

¹³ United States Department of State, 2011 Trafficking in Persons Report - Congo, Democratic Republic of the, 27 June 2011, available at: <http://www.unhcr.org/refworld/docid/4e12ee8837.html>

¹⁴ United States Department of State, 2011 Trafficking in Persons Report - Congo, Democratic Republic of the, 27 June 2011, available at: <http://www.unhcr.org/refworld/docid/4e12ee8837.html>

unstable nature of the country the government is lacking the financial ability and the personnel to effectively tackle the problem of trafficking within the country¹⁵.

Sexual Abuse

Sexual abuse is disturbingly common in the Democratic Republic of the Congo, particularly in the Eastern provinces where the conflict continues. It is common to hear the Democratic Republic of the Congo being referred to as the rape capital of the world¹⁶. According to an Amnesty International Report there were 15,000 reported cases of Rape in 2009.¹⁷ The actual figure is probably much higher than this as many women are not in a position to report the fact that they have been raped to the authorities. This is supported by the finding of an American Study which concluded that there could be as many as 400,000 women were raped in one twelve month period between 2006 and 2007. The study published in the American Journal of Public health found that up to 67 women per 1,000 had been raped at least once in the North Kivu province¹⁸. As said by Thomas VanRooyen "rape in the DRC... has emerged as one of the great human crises of our time"¹⁹.

In the Democratic Republic of the Congo rape is used as a weapon. In general it is perpetrated by members of the many armed groups who continue to fight and hide out in the region. In some cases the rapes are carried out by soldiers in the national army and by members of the police force. The various groups responsible for these rapes wish to impose their authority on the communities through terror and humiliation. In this way they hope to retain control of the area and advance their own political agendas. In other cases the rapes are carried out to punish the women in question, or indeed the community as a whole, for helping or sheltering their enemies²⁰. According to a report by the Institute for War and Peace Reporting some fighters believe that engaging in intercourse before a battle will give them strength, in order to gain this 'strength' some combatants resort to rape. One man told them that if his wife was raped 'to save the Congo' he would not intervene. The same report suggests that some men rape because they feel in need of a woman and they have been separated from their wives for long periods of time. There is some

¹⁵ United States Department of State, 2011 Trafficking in Persons Report - Congo, Democratic Republic of the, 27 June 2011, available at: <http://www.unhcr.org/refworld/docid/4e12ee8837.html>

¹⁶ Found at: <http://news.bbc.co.uk/2/hi/8650112.stm>

¹⁷ Amnesty International: Congo Submission to the UN Universal Periodic Review Sixth session of the UPR Working Group of the Human Rights Council November-December 2009 (2009)

¹⁸ Found at: <http://www.bbc.co.uk/news/world-africa-13367277>

¹⁹ Found at: <http://www.bbc.co.uk/news/world-africa-13367277>

²⁰ Amnesty International: MASS RAPES IN WALIKALE STILL A NEED FOR PROTECTION AND JUSTICE IN EASTERN CONGO. (2011)

evidence that some rapists felt that they were expected to rape by their superiors. They state that they were threatened that food rations would be withheld or even reduced by their commanders if they did not rape. This is most likely to be the case in respect to child soldiers when commanders wish to brutalise them and prepare them for battle²¹. A soldier who was interviewed by the BBC told the reporter that his motives for committing rape revolved around his anger with the authorities. He believed that by raping a woman he was effectively able to demonstrate this anger.

"Soldiers or rebels usually rape because we stay in isolated places and we don't get our pay - even if it can come, it doesn't come on time."²²

Whatever the reasons why specific soldiers engage in raping civilian women it is clear that in the Democratic Republic of the Congo rape is being used as a military weapon. Lisa F. Jackson has been quoted in an Institute for War and Peace report as saying 'rape is cheaper than bullets and it has a more lasting effect'²³. However it is important to note that there are a growing number of rapes by civilians being reported. In 2004 13 % of reported rates were committed by civilians however by 2009 this figure had risen to 40%. Experts believe that this is due to the fact that rape has become normalised in Congolese culture. Furthermore civilian men are aware that those within the armed forces and various militias act with almost total impunity²⁴.

Women in the Democratic Republic of the Congo are living in constant fear of rape. Due to the fighting many women have been left as the main bread winners in their homes. This means they must work in the fields which surround their villages. Often it is necessary for the women to work in isolation or with only the company of their children. This means that they are at risk of rape from the many militias who hide in the bush. Women have been attacked while at work or on their way to or from the fields. In 2008 Amnesty International interviewed women who had been raped in such circumstances. Georgette was 18 years of age when she was raped in October 2007 as she prepared cassava flour in the fields with her young baby on her back. She says:

²¹ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

²² Found at: <http://news.bbc.co.uk/2/hi/africa/8677637.stm>

²³ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

²⁴ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

Three mayi-mayi soldiers approached me, with guns. They hit me and I started to scream. Then they tied me up, took some cloth and stuffed it into my mouth so nobody could hear my cries. The three of them then raped me.²⁵

Marie was thirteen years old when she was making her way home when she was abducted by a Mayi-Mayi soldier and brought to his camp. There he raped her. Once he had finished he fell asleep. Marie spent the night crouching on the floor. The next morning he set her free. Her mother brought her to the hospital the next day where the nurses wrote a letter to the commander of the camp. When the soldier had been identified by Marie he was whipped as punishment. The fear of rape and abduction greatly influences the ways in which women experience their everyday lives.²⁶

Women cannot even find safety in their own homes. According to the Harvard Humanitarian Initiative more than half of rapes take place in a woman's own home.²⁷ It is common for men to break into the huts where women live and rape them or force them to engage in other sexual activity. Often these rapes will take place in the presence of the woman's children or other family members. Vénantie is a 56 year old widow who was interviewed by Amnesty International after her rape in 2007. She states:

"I was at home when a young FARDC soldier came to the house. He pushed me into the bedroom and started to hit me. He strangled me so that I could not cry out, then he raped me. When the rape was over, the soldier was so drunk that he stayed on the bed and didn't move. I got up and started to scream. My neighbours went to the military camp to report the attack. The commander came to my house with three soldiers, and took the man away. I was told later that he was whipped as punishment, but the soldier is still at the camp and I see him regularly. When I see him, he tries to joke with me. He frightens me. I feel very anxious and depressed"²⁸

Another woman named Miriam told Amnesty International that she had a similar experience. One night she was woken at about one by a soldier who demanded to be let in so his troops could get water. When she refused to open the door the soldier forced his way in. Miriam says he:

²⁵ Amnesty International: CHILDREN NORTH KIVU, DEMOCRATIC REPUBLIC OF THE CONGO. (2008)

²⁶ Amnesty International: CHILDREN NORTH KIVU, DEMOCRATIC REPUBLIC OF THE CONGO. (2008)

²⁷ Amnesty International: CHILDREN NORTH KIVU, DEMOCRATIC REPUBLIC OF THE CONGO. (2008)

²⁸ Amnesty International: CHILDREN NORTH KIVU, DEMOCRATIC REPUBLIC OF THE CONGO. (2008)

“was a mayi-mayi, dressed in military fatigues. I shouted out but he hit me very hard with his fist. My nose started to bleed. He threw me on the bed and hit me again. Then he raped me.”²⁹

While these women experienced their rape as isolated individuals within a community sometimes an entire village will experience a spate of organised rapes. The devastation that these mass rapes can inflict upon a community can be seen in Anita’s experience. When Anita was interviewed by Amnesty International she said:

They looted the houses and all the villagers fled. Two soldiers caught me and took me to an area beyond the village where they raped me. Once they had finished, they half-strangled me but then left. Other girls were also raped. After the rape, we all fled to Goma. We had to walk for two days and nights through the forest. I am living at the health centre here in Goma – other girls are in host families. Our village is abandoned now.³⁰

Between the 30th of July 2010 and the 2nd of August 2010 more than 303 people were raped in 13 villages in the Walikale area. The women were attacked by groups of 2-6 men. The men took turns raping the woman while she was held down by their comrades. In addition 946 houses were looted and over 160 people were abducted. The Walikale attacks were carried out systematically. Several of the villages were besieged so that escape was made impossible. Almost all of the attacks took place after dark and women were raped in front of their children³¹. More recently in June 2011 170 women were raped in villages near Fizi. In addition to raping the women the group of approximately 150 men also looted health centres and stole livestock thus making it harder for the village to recover from the attacks³².

All women in the Democratic Republic of the Congo are vulnerable to rape regardless of age. Victims range from infants to grandmothers in their eighties. In some cases it is desirable for men to rape younger victims. There is a belief that having sex with a virgin can cure sexually transmitted diseases such as HIV/AIDS thus men attempt to engage in sexual relations with very young children. This most often results in the child developing the sexually transmitted disease³³. It is common for women to be abducted and raped repeatedly over a period of time. Often they are also expected to carry out domestic duties for their captors. Many women are

²⁹ Amnesty International: CHILDREN NORTH KIVU, DEMOCRATIC REPUBLIC OF THE CONGO. (2008)

³⁰ Amnesty International: CHILDREN NORTH KIVU, DEMOCRATIC REPUBLIC OF THE CONGO. (2008)

³¹ Amnesty International: MASS RAPES IN WALIKALE STILL A NEED FOR PROTECTION AND JUSTICE IN EASTERN CONGO. (2011)

³² Found at: <http://www.bbc.co.uk/news/world-africa-13910875>

³³ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

raped by multiple rapists. Often a group of men will hold the woman down and take turns raping her. Furthermore many of the victims of rape have foreign objects such as sticks or even guns inserted in their vaginal passage³⁴. Some women suffer severe vaginal mutilation from the way they were treated during the rape.

Consequences of Sexual Abuse

There many long term and short term consequence for the women that suffer sexual abuse. These consequences can be physical, psychological, social and economic and they can affect the life of a woman years after the abuse has occurred. The physical repercussions of rape can often require long-term or specialist treatment. Women might experience one or more of the following problems: uterine prolapse, internal bleeding, vesico-vaginal fistulas, recto-vaginal fistulas and other injuries to the reproductive system. The treatment for these health issues combined with the reconstructive surgery can take time and is very costly. As the Democratic Republic of the Congo has been blighted by conflict for over a decade the health infrastructure simply does not exist to treat even a proportion of the women who are suffering from the after effects of rape. Similarly there are many obstacles to women gaining access to the necessary immediate medical attention in the crucial first 72 hours after their rape. It is extremely important for a woman to take a Post Exposure Prophylaxis (PEP) within 72 hours of the rape in order to protect against HIV/AIDS. It is also imperative that woman has access to the emergency pill within the same 72 hour period or she risks becoming pregnant with her rapist's baby. Unfortunately due to the poor road infrastructure it is often impossible for women to make their way to their nearest clinic. In cases where systematic rape has occurred the militia often loot local health clinics, thus even the most basic health care is unavailable. Where medical help is available many women decide not to seek help because they are afraid of the social stigma which is associated with having been raped³⁵.

Survivors of rape often have to endure severe social discrimination. In many cases women are abandoned by their husbands and are left as the sole providers for their children. A woman interviewed in a recent BBC report named Clementine tells how she was offered two choices, one was to be raped and the second was to take her

³⁴ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

³⁵ Amnesty International: MASS RAPES IN WALIKALE STILL A NEED FOR PROTECTION AND JUSTICE IN EASTERN CONGO. (2011)

attacker as her husband. If Clementine took the second choice the soldiers would murder her husband. She chose to be raped as she:

"didn't want my children growing up saying the one that made our father die is our mother."³⁶

However after the attack Clementine's husband abandoned her leaving her to look after and provide for their children alone. Clementine says:

"After they raped me, my husband hated me. He said I was dirty. I often ask myself: 'Surely, I gave up my dignity for him, how come he can abandon me this way?'"³⁷

Clementine is not on the only woman who has been abandoned. Many women faced the same fate. Kavugho was travelling to a marketplace when the truck she was travelling on was ambushed by soldiers. She was stabbed in the neck before being brought back to the soldier's camp. There she was repeatedly raped over a four day period before being released and being told to return home 'to die' however when she did return home she was rejected by her husband and her family. Her husband told her:

"He would never share anything with me ever again. He called me the wife of a soldier, rebels, criminals"³⁸

Kavugho was forced to leave her home. She now lives on the streets with her eight children, including her youngest daughter who was conceived as a result of the rape, who she provides for by begging for hand-outs. Since her rape in 2003 Kavugho has been diagnosed with HIV. Many men reject their wives because they are fearful of the social stigma attached to sexual relations outside of marriage. Others fear that their wives may have contracted HIV. In addition Jocelyn Kelly from the Harvard Humanitarian initiative says that men who have survived these attacks on their families can be extremely traumatised³⁹. When they look at their wives they remember that they could do nothing to protect them and this leaves them feeling powerless and depressed. It is worth noting that in some communities the idea of rape has become so normalised that taboos have been broken and women are able to find the support they need within their own community⁴⁰.

³⁶ Found at: <http://news.bbc.co.uk/2/hi/africa/8677637.stm>

³⁷ Found at: <http://news.bbc.co.uk/2/hi/africa/8677637.stm>

³⁸ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

³⁹ Found at: <http://news.bbc.co.uk/2/hi/africa/8677637.stm>

⁴⁰ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

In addition to the feelings of abandonment women can experience a wide range of psychological after affects as a result of the sexual abuse which they have experienced. Some women may become depressed in the immediate aftermath of the crime. If this depression is left untreated it may become a permanent disabling factor in a woman's life. Furthermore women can suffer from any one or a combination of the following: shock, rage, feelings of terror, shame, nightmares, memory loss, loss of self-esteem and a feeling of self-blame. All of these issues can seriously impact a woman's ability to engage in her everyday life⁴¹. Due to the economy of the Democratic Republic of the Congo there are few therapeutic services for women who are suffering from the psychological impact of rape. There are a number of NGOs working in the region that have set up psychological support centres. This, however, is not sufficient to cope with the needs of the population.

Women who have been raped may suffer severe economic implications. In the Democratic Republic of the Congo women are often the main breadwinners. If they are made unable to work due to physical discomfort or the psychological effects of rape they and their families may become destitute. In addition if it is believed that the woman may have contracted HIV people within some communities may decide that they do not wish to engage in trade with that woman or her family due to the huge social stigma attached to HIV .Where incidents of mass rape have occurred the economic situation of the victims and indeed the entire community can be greatly compromised. Often the attacks happen in conjunction with major looting which can leave communities without the most basic of supplies. In the wake of the 2010 Wakille attacks the 13 villages which had been raided were left in a position of economic uncertainty. Homes and businesses had been looted and destroyed. People were left without even the most basic of cooking utensils and most people were left with only the clothes they were wearing at the time of the attack. When Amnesty International prepared a report several months after the attacks most people in the area were still lacking essential work tools and cooking utensils. Due to these economic constraints parents may not be able to afford to send their children to school and this will result in long term economic stagnation⁴².

Sexual abuse and the justice system

⁴¹ Amnesty International: MASS RAPES IN WALIKALE STILL A NEED FOR PROTECTION AND JUSTICE IN EASTERN CONGO. (2011)

⁴² Amnesty International: MASS RAPES IN WALIKALE STILL A NEED FOR PROTECTION AND JUSTICE IN EASTERN CONGO. (2011)

It is extremely hard for women in the Democratic Republic of the Congo to seek justice after they have been sexually abused. This is due to a number of factors. Firstly women may fear to report the abuse due to the social stigma which is attached to sexual abuse. Secondly the presence of so many armed groups in the country makes it exceedingly difficult to successfully track down specific perpetrators. When an individual soldier is accused he is often disciplined by his superiors within his specific group rather than by civil law, this means that women do not get the justice which they should. Thirdly economic issues play their part in stopping women from seeking effective remedy. Women who live in rural areas may not be able to afford to make their way to their nearest police station; this is further exacerbated by the poor road infrastructure in the country. Furthermore according to Christine Mpinda who works with the NGO Dynamic Women Jurists an average trial costs between \$500 and \$1000⁴³. This is an expense far beyond the price range of many women.

Though the vast majority of rapists go unpunished there have been some improvements in the laws regarding sexual abuse in the Democratic Republic of the Congo. The law concerning rape was updated in 2006 and now includes forced prostitution, forced pregnancy, HIV transmission, sexual mutilation, forced marriage, sexual slavery and sexual harassment. In addition those accused of rape are now able to be arrested without the consent of their unit commanders. When women appear in court they are now supplied with the option of appearing in the court room or in a private room. Victims have the right to medical and psychological care. Rapes now have to be reported within a period of two days and must be confirmed by a medical professional⁴⁴. This raises issues for women living in remote areas with poor transport infrastructure as they may be two days away from medical care. Furthermore the fact that the Democratic Republic of the Congo is a weak state means that it cannot adequately provide the minimum level of care which is required for victims, it certainly cannot provide both medical and psychological assistance to each individual victim. The law, however, remains weak. Judges rarely impose maximum sentences on those who have been convicted. The idea that sexual abuse is not a serious crime persists and undermines law.

⁴³ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

⁴⁴ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

A further obstacle to women seeking redress is the way in which the crime of rape has become normalised in Congolese society. This normalisation can be easily seen from the increase in the number of reported rapes committed by civilians. In some situations sexual abuse has become such a common event that communities have worked out a system in which the perpetrator pays a settlement to the victim and their families. These settlements tend to be organised by tribal leaders and stand in direct opposition to both civil and military law. According to Stephen Carter head of APPG the settlements rarely represent the best interests of the woman. Some men have been known to set aside a number of goats before they rape the woman in preparation for the settlement⁴⁵.

The state of conflict that exists makes it even more difficult for women to adequately engage with the justice system. The army pursues its own aims; these aims rarely coincide with the wellbeing of civilians. Furthermore the army stands as a direct obstacle to justice as they interfere in particular cases in order to protect soldiers. This involves bribing and threatening the police force and magistrates. As magistrates at a local level are very poorly paid they are likely to yield to such coercion⁴⁶. Furthermore the confusion created by the numerous armed groups in a concentrated area means that often assistance is not granted in a timely fashion to communities which are in need of it. This can clearly be seen from the wakille attacks. Though there was a UN base within miles of the attacks it was several weeks before they learnt that they had occurred⁴⁷.

⁴⁵ Institute For war and peace reporting: Sexual Violence in the Democratic Republic of the Congo. (2008)

⁴⁶ Amnesty International: Congo Submission to the UN Universal Periodic Review Sixth session of the UPR Working Group of the Human Rights Council November-December 2009 (2009)

⁴⁷ Amnesty International: MASS RAPES IN WALIKALE STILL A NEED FOR PROTECTION AND JUSTICE IN EASTERN CONGO. (2011)