

SEXUAL VIOLENCE IN THE DEMOCRATIC REPUBLIC OF THE CONGO:
RAPE AS A STRATEGY OF WAR

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Abstract

The use of rape as a weapon of war is as old as war itself. While war rape is not unique to any particular country, region, ethnic group, religion or time period, the level of sexual violence reported in the Congo during the past fifteen years is extreme. Despite the widespread use of rape in both Rwanda and the former Yugoslavia, sexual violence is more severe and widespread in the DRC in terms of the number of victims, the length of time these violations have occurred, and the level of brutality that accompanies the rapes. This paper argues that sexual violence is used as a systemic and strategic weapon because of its effectiveness in accomplishing economic and military goals, the Congo's hostile political environment, perpetrators' impunity, the large number of actors in the on-going conflict, and the many physical, psychological, and social consequences associated with rape.

Introduction

In war, rape accomplishes a number of objectives. It spreads fear, humiliates, terrorizes civilians for political purposes, obtains information, rewards soldiers, and can eliminate ethnic groups.¹ During the past two decades alone, women were raped in Rwanda, Liberia, the former Yugoslavia, Sierra Leone, Colombia, Sudan, Timor Leste, Uganda, and the Democratic Republic of the Congo (DRC).² War rape is not a new phenomenon, but war rape was “documented with increasing regularity in the 20th century”³ and statistics indicate it is increasingly prevalent, due in part to the fact that “the nature of warfare is changing, in ways that increasingly endanger women and girls.”⁴

While war rape is not unique to any particular country, region, ethnic group or religion, the level of sexual violence reported in the DRC is extreme. Statistics reveal a serious problem exists in the Congo. From 1998 to 2004, a coalition of members of the Congolese government, NGOs, and the UN, called the Joint Initiative on the Fight against Sexual Violence towards Women and Children, recorded over 40,000 reported cases of sexual violence.⁵ This number is only a small percentage of actual cases, however, since many women do not report rape because they fear abandonment by their families, rejection by their communities, and reprisals by their attackers.⁶ These factors in turn impact the gathering of accurate statistics.

No one has been able to quantify the scale of what human rights groups call the “war on women” in eastern Congo. Tens of thousands of rapes have been recorded by the UN in the eastern provinces of North and South Kivu over the past year, but as only a fraction

¹ Amnesty International USA, “Stop Violence against Women: Rape as a Tool of War: A Fact Sheet,” *Amnesty International USA* (2007), <http://www.amnestyusa.org/women/rapeinwartime.html> (accessed January 26, 2010).

² Jeanne Ward, “Broken Bodies-Broken Dreams: Violence against Women Exposed,” *OCHA/IRIN* (November 2005): 177-189.

³ Patricia Weitsman, “The Politics of Identity and Sexual Violence: A Review of Bosnia and Rwanda,” Paper prepared for the *Annual Meeting of the International Studies Association* (2007): 3.

⁴ Jeanne Ward, “Broken Bodies-Broken Dreams: Violence against Women Exposed,” *OCHA/IRIN* (November 2005): 177.

⁵ Watchlist on Children and Armed Conflict, “Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo,” *Watchlist on Children and Armed Conflict* (April 2006), http://www.watchlist.org/reports/files/dr_congo.report.20060426.php?p=11 (accessed January 17, 2010).

⁶ CARE International, “Tens of Thousands More Women and Girls at Risk of Rape and Attack in DRC, Warns CARE,” *CARE International* (November 6, 2008), <http://www.care-international.org/Tens-of-thousands-more-women-and-girls-at-risk-of-rape-and-attack-in-DRC-warns-CARE> (accessed May 20, 2009).

of the women assaulted make it to hospital there is little doubt that the total number of victims runs into hundreds of thousands in recent years.⁷

There are several common arguments against focusing too much on statistics. Some scholars believe that determining the exact number of people killed or raped in a conflict is irrelevant, some fear that the gathering of statistics may take precedence over the study of the causes and nature of the conflict, and others say it is extremely difficult to obtain exact numbers due to numerous obstacles.⁸ Despite these arguments, Catrien Bijleveld et al. argue that gathering accurate statistics is important:

Each victim is a human being who died or was violated and traumatized. By acknowledging their deaths, by making exact tallies, or as precise estimates as possible, by describing the facts and circumstances of their fates, they are at least to some extent retransformed into human beings who matter.⁹

Statistics are also important to societies emerging from conflict in order to assess the damage and determine what support survivors require. In cases of rape, for example, victims often need specialized care.¹⁰ Statistics are also important from a legal point of view. Knowing the “figures and patterns” of a crime can reveal whether attacks were widespread and/or systematic, or whether the crimes were part of a carefully orchestrated plan, rather than a spontaneous event. If the violence falls under the first category, perpetrators may be prosecuted for crimes against humanity, and if the crimes fall under the second category, the accused can be tried for genocide.¹¹

Despite the importance of gathering accurate data, statistics on the number of women impacted by sexual violence in conflicts around the world are difficult to collect. The chaos of conflict, the failure of humanitarian organizations to cooperate and coordinate, and the fear and shame surrounding sexual violence are factors contributing to the “great scarcity of data on the prevalence, circumstances,

⁷ Chris McGreal, “Hundreds of Thousands of Women Raped for Being on the Wrong Side,” *The Guardian* (November 12, 2007), <http://www.guardian.co.uk/world/2007/nov/12/congo.international> (accessed January 19, 2010). AND Watchlist on Children and Armed Conflict, “Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo,” *Watchlist on Children and Armed Conflict* (April 2006), http://www.watchlist.org/reports/files/dr_congo.report.20060426.php?p=11 (accessed January 17, 2010).

⁸ Catrien Bijleveld, Aafke Morssinkhof, and Alette Smeulers, “Counting the Countless: Rape Victimization During the Rwandan Genocide,” *International Criminal Justice Review* vol. 19, no. 2 (June 2009): 209.

⁹ Ibid.

¹⁰ Ibid., 210.

¹¹ Ibid., 210.

characteristics of perpetrators, and physical or mental health impacts” of sexual violence in conflict.¹² Even when faced with these obstacles, however, several national and international organizations collected statistics that highlight the severity, intensity, and prevalence of sexual violence in the DRC.

Working with Congolese human rights organizations, International Alert gathered statistics on the types of rape committed in this conflict through interviews with 492 survivors of sexual violence in different regions of the country. The organizations identified four main types of rape and concluded that “The rapes and sexual abuse were committed with unprecedented cruelty, the perpetrators having devised the most humiliating and degrading treatment they could inflict on their victims.”¹³ Individual rape was reported by 105 survivors (21.3%) and described as when a “single perpetrator rapes a single victim,” while 390 women (79%) reported they were raped by two or more attackers. A third form identified was family members forced to rape each other or to watch the attack on a family member, usually their mother or sister. The final category is rape where objects, such as sticks, bottles, bananas, pestles coated in chili pepper, and the butt of rifles are forcibly inserted into victims’ genitals; 61 women (12.4%) interviewed reported this.¹⁴ Many women (71.7%) reported that they were tortured during or after the rape (especially if they resisted) and described being “beaten, wounded with machetes, or [having] their genitals mutilated or burnt with drops of plastic melted by a flame.”¹⁵ These findings provide insight into the types of rape committed, while other organizations gathered data focusing specifically on the number of women and girls subjected to rape and other forms of sexual violence in the Congo.

¹² Birthe Steiner, Marie T. Benner, Egbert Sondorp, K. Peter Schmitz, Ursula Mesmer and Sandrine Rosenberger, “Sexual Violence in the Protracted Conflict of DRC: Programming for Rape Survivors in South Kivu,” *Conflict and Health* vol. 3 (2009): 3.

¹³ International Alert, “Women’s Bodies as a Battleground: Sexual Violence Against Women and Girls During the War in the Democratic Republic of Congo,” *Réseau des Femmes pour un Développement Associatif (RFDA), Réseau des Femmes pour la Défense des Droits et la Paix (RFDP), International Alert* (2004) : 33.

¹⁴ *Ibid.*, 33-34.

¹⁵ *Ibid.*, 34-35.

Malteser International runs a medical-social support program for rape survivors in South Kivu. From 2005-2007 the organization registered 20,517 female rape survivors.¹⁶ Since 2003, the International Rescue Committee has assisted more than 40,000 rape survivors in the country.¹⁷ The number of survivors who came to Panzi Hospital in Bukavu to report rape and/or mutilation increased from 290 in 1999 to 1,289 in 2003.¹⁸ According to data provided by local health centres, as of January 2007, an average of 40 women were raped daily in South Kivu; thirteen percent of these victims were younger than fourteen-years-old, three percent died as a result of the attack, and ten to twelve percent were infected with HIV/AIDS.¹⁹ From January to September 2008, more than 3,500 cases were reported to the Joint Initiative on Sexual Violence in North Kivu.²⁰ At one hospital in Bunia, more than 7,400 rape victims were treated between 2003 and 2007.²¹ According to Human Rights Watch, 16,000 rapes were reported in 2008 alone.²²

These numbers indicate a serious problem, but they do not fully describe the extent of sexual violence in the DRC. Many survivors of sexual violence do not report the attacks due to fear of reprisal or ostracism, shame, and continued insecurity caused by ongoing violent conflict in the region.²³ Elisabeth Roesch, Gender and Advocacy Advisor for CARE in the DRC underscores this problem, “We know rape is typically under-reported, and feel that this number doesn’t even come close to

¹⁶ Birthe Steiner, Marie T Benner, Egbert Sondorp, K Peter Schmitz, Ursula Mesmer and Sandrine Rosenberger, “Sexual Violence in the Protracted Conflict of DRC: Programming for Rape Survivors in South Kivu,” *Conflict and Health* vol. 3 (2009): 3.

¹⁷ Wairagala Wakabi, “Sexual Violence Increasing in Democratic Republic of Congo,” *The Lancet* vol. 371 no. 9606 (January 2008): 15.

¹⁸ Marion Pratt, Ph.D. and Leah Werchick, J.D. with Anaia Bewa, Marie-Louise Eagleton, Claudine Lumumba, Katherine Nichols, and Lina Piripiri, “Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo,” *USAID/DCHA Assessment Report* (March 18, 2004): 11.

¹⁹ Claudia Rodriguez, “Sexual Violence: Weapon of War, Impediment to Peace,” *Forced Migration* issue 27 (January 2007): 45-46.

²⁰ CARE International, “Tens of Thousands More Women and Girls at Risk of Rape and Attack in DRC, Warns CARE,” *CARE International* (November 6, 2008), <http://www.care-international.org/Tens-of-thousands-more-women-and-girls-at-risk-of-rape-and-attack-in-DRC-warns-CARE> (accessed May 20, 2009).

²¹ Wairagala Wakabi, “Sexual Violence Increasing in Democratic Republic of Congo,” *The Lancet* vol. 371 no. 9606 (January 2008): 15.

²² Human Rights Watch, “Stopping Rape as a Weapon of War in Congo,” *Human Rights Watch* (September 18, 2009), <http://www.hrw.org/en/news/2009/09/18/stopping-rape-weapon-war-congo> (accessed January 5, 2010).

²³ CARE International, “Tens of Thousands More Women and Girls at Risk of Rape and Attack in DRC, Warns CARE,” *CARE International* (November 6, 2008), <http://www.care-international.org/Tens-of-thousands-more-women-and-girls-at-risk-of-rape-and-attack-in-DRC-warns-CARE> (accessed May 20, 2009).

reflecting the actual number of cases – the actual number is unimaginable.”²⁴ This sentiment was corroborated in a 2004 report from USAID:

It can be estimated, however, that based on the statistics presented by the two referral hospitals, a minimum tens of thousands of rapes and/or mutilations have taken place since 1996, and untold thousands more back to 1994.²⁵

This paper therefore argues that the number of women and girls raped in the Congo over the past fifteen years is greater than the number of sexual violence survivors in most recent conflicts. It is important to stress, however, that this research focuses on the reasons why rape is used as such an effective and systemic weapon in the Congo rather than attempting to determine the exact number of women affected by sexual violence.

Methodology and Approach

Feminist theories assume that gender is socially constructed and recognize the institutionalization of unequal power relations in society.²⁶ This paper adopts a feminist approach in examining sexual violence in the Congo, an issue that has so far received insufficient attention in the literature. Feminism is a useful tool for this analysis because historically, women’s experiences have often been excluded and devalued under traditional systems of knowledge, especially when compared to the experiences of men:

By developing alternative conceptual frameworks for analyzing the circumstances of women’s lives, feminist theory attempts to illuminate women’s social position(s) and construct strategies for social, political, and personal change....If we use feminist theories as a framework through which to view sexual assault, we inherently examine the concepts of power, patriarchy and gender. Sexual violence is violence, not sex, and it is a public problem, not a private matter.²⁷

It is also becoming increasingly clear that “the feminist analysis of rape as an act of violence and power rather than a strictly sexual act” is becoming more widely accepted and underscores the impact

²⁴ Ibid.

²⁵ Marion Pratt, Ph.D. and Leah Werchick, J.D. with Anaia Bewa, Marie-Louise Eagleton, Claudine Lumumba, Katherine Nichols, and Lina Piripiri, “Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo,” *USAID/DCHA Assessment Report* (March 18, 2004): 11.

²⁶ Nora Bashir, Analysis of the Anti-Rape Movement, In “Feminist Theory and its Validity to Anti-Sexual Assault Work,” *Connections* vol. 4, no. 2 (Spring/Summer 2003): 10.

²⁷ Ibid.

and contributions feminism has made to better understanding the motivations and dynamics of sexual violence.²⁸

Historically, under international law, women's experiences during war, including rape and sexual violence, were viewed as less serious crimes than those experienced by men.²⁹ In recent years, however, feminists have worked to increase attention to the "serious nature of gender-based crimes" through their involvement with international institutions such as the ICTY and ICTR, as well as assisting with the development of the statute for the International Criminal Court (ICC).³⁰

Through their efforts they have made some significant advances in bringing to light the complex, diverse and unique aspects of women's lives previously ignored in international criminal and humanitarian law. Although there is still much to be done, feminist activists have demonstrated that the law and its influence are not fixed but dynamic and open to change.³¹

Since sexual violence in conflict is linked to many other issues, this paper examines this phenomenon within the context of three sub-disciplines within political science including politics of the developing world, human rights and international human rights law, and gender studies. Using a feminist approach, this paper examines the reasons why rape has been used with such severity, effectiveness, and prevalence in the DRC during the past fifteen years. Rather than interviewing sexual violence survivors from the DRC, which would be costly and time consuming, and possibly re-traumatize women who have lived through horrific abuses, this paper relies on statistical data and interviews with survivors and witnesses published in scholarly journals, reports from human rights groups, and newspaper articles.

This research is important for several reasons. Sexual violence in conflicts throughout history traditionally received little attention and as a result, there is a lack of understanding concerning why this weapon is used on such a large scale in so many conflicts. It was not until the use of sexual

²⁸ Ibid., 11.

²⁹ [Louise Chappell](#), "Women, Gender and International Institutions: Exploring New Opportunities at the International Criminal Court," *Policy and Society* vol. 22, no. 1 (January 2003): 3.

³⁰ Ibid.

³¹ Ibid.

violence during the war in the former Yugoslavia that this age-old practice became the subject of international debate, war crime tribunals, and attention in the media and in the scholarly literature. Second, in many ways, sexual violence in the DRC is worse than Rwanda and Bosnia in terms of the number of victims, the length of time these violations have occurred, and the level of brutality that accompanies the rapes. Despite this, the use of sexual violence during the conflict in the Congo, as well as the conflict itself, has received only a fraction of the attention and space in the scholarly literature compared to Rwanda and the former Yugoslavia. This research will therefore fill in some of the present gaps concerning the reasons for the use of such widespread and brutal sexual violence in the Congo, as well as possibly assist in better understanding why rape is used in other conflicts around the world. Third and possibly most importantly, greater understanding and discussion are clearly needed among both scholars and the international community concerning the use of sexual violence in conflict in order to better assist survivors, prosecute perpetrators, change traditional thinking, and ultimately reduce or even prevent these atrocities from occurring in the first place.

Finally, this research examines the reasons why rape is such a prevalent, severe, and effective weapon of war in the Congo. This paper argues that sexual violence is used as a systemic and strategic weapon in the DRC because of its effectiveness in accomplishing economic and military goals, the Congo's hostile political environment, perpetrators' impunity, the large number of actors in the ongoing conflict, and the many physical, psychological, and social consequences associated with rape that benefit perpetrators. Before examining the factors that contribute to the use of rape, however, it is useful to first briefly discuss the conflict and history of the DRC in order to better understand the events leading to the use of sexual violence.

Chapter One: The Congo's History of Violence and Exploitation

Since 1998, approximately five million people have died in the Congo due to fighting, poverty, and disease.³² It is important to note, however, that violence, bloodshed and exploitation marked Congo's history long before the recent conflicts, and it is within this context that rampant sexual violence is taking place.

Though the wars themselves began in 1996, the seeds of Congo's conflicts were sown in the late 19th century when European colonial powers arbitrarily divided Africa for their own benefit at the Berlin Conference of 1884-1885. The major powers of Europe demarcated the borders of African countries, including the Democratic Republic of the Congo, in ways that benefitted the colonizers "with no regard for existing tribal systems and linguistic groups." These newly drawn borders created problems when they separated families or created nations that forced people together who previously had no contact with one another.³³

Under the guise of a mission to Christianize and modernize the DRC, King Leopold of Belgium brutally exploited the country and its people in the late 1800s. He forced the civilian population to extract ivory and rubber, punishing anyone who could not meet his quotas with death or mutilation.³⁴

The DRC became independent on June 30, 1960. During the five years after independence, chaos and disorder were prevalent throughout the Congo.³⁵ Mobutu Sese Seko then seized power and gained control of the country through a military coup in November 1965.³⁶ Though at first the population supported Mobutu because they yearned for peace and order, his rule ultimately ended up

³² International Rescue Committee, "Crisis Watch: Special Report: Congo," *International Rescue Committee* (2007), <http://www.theirc.org/special-report/congo-forgotten-crisis.html> (accessed May 14, 2009).

³³ Jennifer J. Ziemke, "Countries and their Cultures: Democratic Republic of the Congo," <http://www.everyculture.com/Bo-Co/Democratic-Republic-of-the-Congo.html> (accessed February 19, 2010).

³⁴ Michael Deibert, "Congo: Between Hope and Despair," *World Policy Journal* vol. 25, no. 2 (Summer 2008): 63. AND Jennifer J. Ziemke, "Countries and their Cultures: Democratic Republic of the Congo," <http://www.everyculture.com/Bo-Co/Democratic-Republic-of-the-Congo.html> (accessed February 19, 2010). AND "Survey: Coping with Conflict," *The Economist* vol. 370, no.8358 (January 17, 2004): 8.

³⁵ Christopher W. Mullins and Dawn L. Rothe, "Gold, Diamonds and Blood: International State-Corporate Crime in the Democratic Republic of the Congo," *Contemporary Justice Review* vol. 11, no. 2 (June 2008): 89.

³⁶ Ibid. AND Michael Deibert, "Congo: Between Hope and Despair," *World Policy Journal* vol. 25, no. 2 (Summer 2008): 63.

being “one of the most corrupt in the region’s history.” He exploited his own country’s resources, committed extrajudicial executions, and massacred civilians.³⁷ Mobutu also abolished parliament and all political parties except for his own.³⁸ During his 32 years in power, Mobutu brutally oppressed and exploited the population, collapsed the economy causing extensive poverty throughout the country, and “got extremely wealthy at their expense” as the population struggled with inflation, unemployment, illiteracy, and rapidly increasing infant mortality rates.³⁹ The Congolese elected a new government in 1990, however, Mobutu and his inner circle continued to control mineral resources, tax revenues, and the banking system until 1997.⁴⁰

Throughout much of Mobutu’s reign, disagreements over land and struggles for power caused frequent clashes in eastern DRC.⁴¹ In 1994, these problems were exacerbated by the Rwandan genocide and the introduction of a regional dimension in the conflict.⁴² *In the aftermath of the Rwandan genocide, the Rwandan Patriotic Front (RPF), an armed group led by Tutsis, seized control from extremist Hutus. As a result, over one million refugees, including many high-ranking Interhamwe Hutu militia members who helped orchestrate the genocide, entered eastern Congo.*⁴³ With this influx, fresh rivalries were also introduced into the country:

Indigenous Congolese groups of all stripes organized themselves into Mai Mai forces, and many allied themselves with the defeated Rwandan Hutus...The interests of Paul Kagame's newly empowered Tutsi government in Rwanda converged with those of the

³⁷ [Christopher W. Mullins and Dawn L. Rothe, “Gold, Diamonds and Blood: International State-Corporate Crime in the Democratic Republic of the Congo,”](#) *Contemporary Justice Review* vol. 11, no. 2 (June 2008): 89.

³⁸ Jennifer J. Ziemke, “Countries and their Cultures: Democratic Republic of the Congo,” <http://www.everyculture.com/Bo-Co/Democratic-Republic-of-the-Congo.html> (accessed February 19, 2010).

³⁹ *Ibid.* AND Michael Deibert, “Congo: Between Hope and Despair,” *World Policy Journal* vol. 25, no. 2 (Summer 2008): 63.

⁴⁰ [Christopher W. Mullins and Dawn L. Rothe, “Gold, Diamonds and Blood: International State-Corporate Crime in the Democratic Republic of the Congo,”](#) *Contemporary Justice Review* vol. 11, no. 2 (June 2008): 90. AND Jennifer J. Ziemke, “Countries and their Cultures: Democratic Republic of the Congo,” <http://www.everyculture.com/Bo-Co/Democratic-Republic-of-the-Congo.html> (accessed February 19, 2010).

⁴¹ Severine [Autesserre, “The Trouble With Congo: How Local Disputes Fuel Regional Conflict,”](#) *Foreign Affairs* vol.87, no.3 (May/June 2008): 94.

⁴² *Ibid.*

⁴³ *Ibid.* AND Michael Deibert, “Congo: Between Hope and Despair,” *World Policy Journal* vol. 25, no. 2 (Summer 2008): 64.

Congolese Tutsis. Both sides originally intended merely to protect their kinsfolk, but they quickly started using their military might to seize land or capture political power.⁴⁴

*Many of these Hutu refugees eventually formed the Democratic Liberation Forces of Rwanda (FDLR) and set up camps in North and South Kivu, where they harassed local Congolese Tutsis and launched attacks across the border designed to destabilize Rwanda's new government.*⁴⁵ This security threat was the main reason Rwanda invaded the Congo in 1998, but despite their efforts, they could not “eliminate the genocidaires.”⁴⁶

The Congo's conflicts are quite complicated and involve a large number of national and regional actors. They can however, be divided into two main wars by time period. The first war began in 1996 with the overthrow of Mobutu and the subsequent reign of Laurent Kabila and lasted until 1997; the second war began in 1998 and officially ended in 2003 with the signing of a peace agreement.⁴⁷

*In late 1996, a number of Congolese rebel groups called the Alliance of Democratic Forces for the Liberation of Congo- Zaire (AFDL), led by Laurent Kabila and with extensive support from Rwanda and Uganda, marched across the country, killing Hutu refugees and Interhamwe on their way to the capital.*⁴⁸ The AFDL then set up a new government in May 1997, replacing overthrown Dictator Mobutu Sese Seko with Kabila.⁴⁹ Laurent Kabila was named the head of the DRC on May 16, 1997.⁵⁰

Due to serious disagreements between his government and former allies, Uganda and Rwanda, including allegations that he would not address their security concerns, Kabila ordered Rwandan

⁴⁴ Severine [Autesserre](#), “[The Trouble With Congo: How Local Disputes Fuel Regional Conflict](#),” *Foreign Affairs* vol.87, no.3 (May/June 2008): 94.

⁴⁵ Ibid. AND Michael Deibert, “Congo: Between Hope and Despair,” *World Policy Journal* vol. 25, no. 2 (Summer 2008): 64. AND [Denis M. Tull](#), “[Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War](#),” *International Peacekeeping* vol. 16, no. 2 (April 2009): 216.

⁴⁶ [Denis M. Tull](#), “[Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War](#),” *International Peacekeeping* vol. 16, no. 2 (April 2009): 216.

⁴⁷ Ibid.

⁴⁸ Michael Deibert, “Congo: Between Hope and Despair,” *World Policy Journal* vol. 25, no. 2 (Summer 2008): 64-65.

⁴⁹ Wairagala Wakabi, “Sexual Violence Increasing in Democratic Republic of Congo,” *The Lancet* vol. 371 no. 9606 (January 2008): 15.

⁵⁰ Jennifer J. Ziemke, “Countries and their Cultures: Democratic Republic of the Congo,” <http://www.everyculture.com/Bo-Co/Democratic-Republic-of-the-Congo.html> (accessed February 19, 2010).

soldiers and all other foreign troops out of the Congo in 1998.⁵¹ Rwanda and Uganda again supported Congolese rebel groups including the Movement for the Liberation of Congo (MLC) and the Rally for Congolese Democracy (RCD), comprised largely of Congolese Tutsis. Angola, Namibia, and Zimbabwe supported Kabila.⁵² This conflict divided the country into three main areas. The Front de Liberation du Congo (FLC), with the support of Uganda, controlled the north; the RCD, supported by Rwanda, controlled the east; and the Congolese government, with the support of several foreign powers, controlled the south and western areas of the country.⁵³

The involvement of neighbouring Rwanda and Uganda transformed the civil war into a regional crisis, pulling in troops from Angola, Chad, Namibia, Sudan, Uganda and Zimbabwe who, like so many plunderers before them, reaped the spoils of war, including massive pillage and rape of human and natural resources.⁵⁴

A ceasefire was signed in July 1999 between several African nations, the MLC, and the RCD.⁵⁵ The United Nations deployed a peacekeeping force, MONUC, to help “implement the ceasefire, to oversee the withdrawal of foreign armies and disarm Congolese and foreign rebels.”⁵⁶ In 2001, President Laurent Kabila was murdered and succeeded by his son, Joseph, who “adopted a more flexible attitude towards conflict resolution.”⁵⁷ In part due to this new approach, most of the troops from Rwanda and Uganda left the DRC by late 2002.⁵⁸ The Inter-Congolese Dialogue in December 2002 led to the formation of a transitional government comprised of Joseph Kabila as president, along with four vice-presidents, including the two rebel leaders of the MLC and the RCD.⁵⁹

⁵¹ Nadine NP Puechguirbal, “Women and War in the Democratic Republic of the Congo,” *Signs: Journal of Women in Culture and Society* vol. 28, no. 4 (July 2003): 1271. AND Denis M. Tull, “Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War,” *International Peacekeeping* vol. 16, no. 2 (April 2009): 216.

⁵² Denis M. Tull, “Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War,” *International Peacekeeping* vol. 16, no. 2 (April 2009): 216 AND Michael Deibert, “Congo: Between Hope and Despair,” *World Policy Journal* vol. 25, no. 2 (Summer 2008): 65.

⁵³ Nadine NP Puechguirbal, “Women and War in the Democratic Republic of the Congo,” *Signs: Journal of Women in Culture and Society* vol. 28, no. 4 (July 2003): 1271.

⁵⁴ International Alert, “Alert in the Democratic Republic of Congo,” *International Alert*. <http://www.international-alert.org/drc/index.php> (accessed May 14, 2009).

⁵⁵ “Timeline: Peace Deal Signed in DRC to End Years of Fighting,” *Reuters* (January 23, 2008). <http://www.reuters.com/article/idUSL2384461420080123> (accessed April 20, 2010).

⁵⁶ Denis M. Tull, “Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War,” *International Peacekeeping* vol. 16, no. 2 (April 2009): 216.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid.

After the ceasefire and peace agreement in 2002, a process of disarmament, demobilization, and reintegration began with the support of the international community. During this process, former rebel groups and armed forces were integrated into the new Congolese army called the Armed Forces of the Democratic Republic of Congo (FARDC). While some groups mixed smoothly, some battalions, especially those belonging to former Congolese Rally for Democracy-Goma, “refused to be integrated with other forces.”⁶⁰

As noted above, a war originally waged over security concerns in the wake of the Rwandan genocide soon evolved into a regional and national war that continues to be fought mainly for control of the Congo’s resources.⁶¹ Even though Rwanda officially withdrew from eastern DRC after the signing of the peace agreement in 2003, part of the Rwandan administration “continued to unofficially provide financial, logistical, and military support to Congolese fighters of Rwandan origin there.”⁶²

There are several additional factors that contribute to the continuation of violence. The 1998-2003 war destroyed much of the state’s infrastructure. The judicial system is extremely weak, there is very little rule of law in the east, and small arms are easily accessible throughout most of the country. There is also very little economic development in eastern DRC which means that “belonging to an armed group is one of few profitable occupations.”⁶³

In the 2006 presidential run-off election, Joseph Kabila beat Jean-Pierre Bemba, the leader of the MLC.⁶⁴ Despite the peace agreement, official end to the conflict in 2003, and national elections, dozens of small wars continue to flare up on a regular basis in eastern DRC involving irregular militias who target unarmed civilians.⁶⁵ Pillage and gang rape are common and spread fear through

⁶⁰ Dylan Hendrickson and Missak Kasongo, “Security Sector Reform in the Democratic Republic of the Congo: Strategic Issues,” *Center on International Cooperation*, issue no. 4, p. 4.

⁶¹ Severine [Autesserre](#), “[The Trouble With Congo: How Local Disputes Fuel Regional Conflict](#),” *Foreign Affairs* vol.87, no.3 (May/June 2008): 94.

⁶² *Ibid.*

⁶³ *Ibid.*

⁶⁴ [Denis M. Tull](#), “[Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War](#),” *International Peacekeeping* vol. 16, no. 2 (April 2009): 216.

⁶⁵ [Denis M. Tull](#), “[Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War](#),” *International Peacekeeping* vol. 16, no. 2 (April 2009): 217. AND “[Survey: Coping with Conflict](#),” *The Economist* vol.370, no.8358 (January 17, 2004): 8.

communities.⁶⁶ By late 2008, fighting in North Kivu, political unrest, and human rights violations throughout the country continued despite the signing of the Goma peace agreement in January 2008 between rebels loyal to renegade General Laurent Nkunda, the government and the Mai Mai.⁶⁷

According to Amnesty International, fighting persists in eastern DRC because the Congolese government, regional states, and the international community fail to address the root causes of the conflict. These factors include the continued presence of many Congolese and foreign armed groups, ethnic tensions, questions over land ownership and control of mineral and agricultural wealth, and impunity for those who commit human rights abuses and violate international humanitarian law.⁶⁸

Finally, over a decade of war and political and economic crisis “deeply and permanently weakened the authority of the State” and caused the “complete breakdown of the security forces.”⁶⁹ This collapse also created a situation where the State has virtually no administrative control over entire regions of the country.⁷⁰ The resulting insecurity left civilians unprotected and led to serious human rights violations.⁷¹ This lack of control and accountability are extremely important factors in explaining why the security forces and other armed groups continue to commit acts of severe sexual violence against civilians.

Chapter Two: Sexual Violence in the Literature

A Global Phenomenon

Severe sexual violence is not confined to the DRC. Women in countries throughout the developing world, such as Rwanda, Liberia, the former Yugoslavia, Sierra Leone, Colombia, Sudan,

⁶⁶ “[Survey: Coping with Conflict](#),” *The Economist* vol.370, no.8358 (January 17, 2004): 8.

⁶⁷ Denis M. Tull, “[Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War](#),” *International Peacekeeping* vol. 16, no. 2 (April 2009): 217. AND Human Rights Watch, “DR Congo: Humanitarian Crisis Deepens as Peace Process Falter,” *Human Rights Watch* (September 25, 2008), <http://www.hrw.org/en/news/2008/09/25/dr-congo-humanitarian-crisis-deepens-peace-process-falters> (accessed April 20, 2010). AND “Timeline: Peace Deal Signed in DRC to End Years of Fighting,” *Reuters* (January 23, 2008), <http://www.reuters.com/article/idUSL2384461420080123> (accessed April 20, 2010).

⁶⁸ Amnesty International, “Democratic Republic of Congo: North Kivu; No End to War on Women and Children,” *Amnesty International Publications* (September 29, 2008): 2-3.

⁶⁹ Dylan Hendrickson and Missak Kasongo, “Security Sector Reform in the Democratic Republic of the Congo: Strategic Issues,” *Center on International Cooperation*, issue paper no. 4, p. 5.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

the Central African Republic (CAR), Timor Leste, Uganda, Afghanistan, Burundi, Bangladesh, Cambodia, Chad, Peru, Chechnya, Somalia, Cyprus, Haiti, and the Democratic Republic of the Congo (DRC) have experienced rape as a weapon of war in conflicts throughout the 20th century.⁷²

During war, the use of sexual violence, such as rape and sexual slavery “to torture, injure, extract information, degrade, and punish women for deeds that are attributed to them or their family members” is common.⁷³ Women in Latin America have been tortured through sexual violence and methods that focus on sexuality and reproduction.⁷⁴ During Liberia’s fourteen-year civil war, approximately half of all women in Liberia were subjected to sexual and gender-based violence (SGBV).⁷⁵ When the UN Special Rapporteur on Violence against Women visited Darfur in 2004, women and girls reported rape, killings, and the burning of homes by government-backed militia and security forces.⁷⁶ Women and girls living in refugee camps are also raped, beaten, and abducted when they leave the camps in search of food, water, or firewood.⁷⁷

Thousands of women and girls in Sierra Leone also experienced systematic sexual violence during the armed conflict that raged throughout the country between 1991 and 2001.⁷⁸ Extremely brutal violence was commonplace and many children and adult victims of sexual violence died or suffered short- and long-term complications because of the attacks they experienced. The rebel forces of the Revolutionary United Front (RUF) were responsible for sexual abuse including “individual and gang

⁷² Jeanne Ward, “Broken Bodies-Broken Dreams: Violence against Women Exposed,” *OCHA/IRIN* (November 2005): 177-189. AND UNIFEM, “Facts and Figures on VAW,” http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php?page=7 (accessed January 20, 2010). AND “[Civilians in War Zones: Women and Children Worst.](#)” *The Economist* vol. 390 (February 21, 2009): 61. AND “Sexual Violence as a Weapon of War,” *The State of the World’s Children 1996 – UNICEF* <http://www.unicef.org/sowc96pk/sexviol.htm> (accessed February 10, 2010).

⁷³ Fariyal Ross-Sheriff and Mary E. Swigonski, “Women, War, and Peace Building,” *Affilia Journal of Women and Social Work* vol. 21, no. 2 (Summer 2006): 129-132.

⁷⁴ Nancy Caro Hollander, “The Gendering of Human Rights: Women and the Latin American Terrorist State,” *Feminist Studies* vol. 22, issue 1 (Spring 1996): 41-80.

⁷⁵ Ellen Johnson Sirleaf, “Liberia’s Gender-Based Violence National Action Plan,” *Forced Migration*, issue 27 (January 2007): 27.

⁷⁶ UNIFEM, “Facts and Figures on VAW,” http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php?page=7 (accessed January 20, 2010).

⁷⁷ *Ibid.*

⁷⁸ Louise Taylor, “Sierra Leone: ‘We’ll Kill You if You Cry.’ Sexual Violence in the Sierra Leone Conflict,” *Human Rights Watch* (January 15, 2003), <http://www.hrw.org/en/node/12376/section/4> (accessed February 14, 2010).

rape, and rape with objects such as weapons, firewood, umbrellas, and pestles.”⁷⁹ The main goal behind the rebels’ use of such brutal violence was to gain access to and control the country’s diamond mines.⁸⁰ This same desire for control and exploitation of resources also fuels the present violence in the DRC, a point that will be discussed in further detail below. The following excerpt deals specifically with Sierra Leone, however, there are similarities to the sexual violence committed in the Congo:

Rape in wartime is an act of violence that targets sexuality. Moreover, conflict-related sexual violence serves a military and political strategy. The humiliation, pain, and fear inflicted by the perpetrators serve to dominate and degrade not only the individual victim but also her community. Combatants who rape in war often explicitly link their acts of sexual violence to this broader social degradation.⁸¹

While rape is used as a weapon during times of war, sexual violence can also be a serious problem for many countries during times of peace. For example, even though South Africa is not presently involved in a war, the country suffers from one of the highest murder, rape, and HIV rates in the world.⁸² In 2003-2004, a little more than 55,000 rape cases, or 114 per 100,000, were reported to the police in South Africa.⁸³ As in many other countries, however, the number of reported cases is only a small fraction of the number of actual rape cases. In the case of South Africa, “an estimated eight out of every nine cases” are never reported due to factors including a lack of faith in the judicial system, the stigma associated with reporting sexual violence in a society that is still quite patriarchal, and the belief that victims are responsible for what has happened to them.⁸⁴ Stigma surrounding rape, a strong patriarchal culture, and a weak judicial system are also factors that make the prosecution of perpetrators of sexual violence in the Congo extremely challenging.

At Panzi Hospital in South Kivu, eastern DRC, women who are raped and mutilated by soldiers or armed groups “so violently their insides are left shredded” are treated for their injuries.⁸⁵ The

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Clare Kapp, “Rape on Trial in South Africa,” *The Lancet* vol. 367, issue 9512 (March 4, 2006): 718.

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Michela Wrong, “The Hierarchy of Horrors,” [New Statesman](#) vol. 136, issue 4864 (October 1, 2007): 22.

severity of the abuse meted out to women throughout the Congo has caused some journalists to question whether the “systematic use of the penis as a weapon of mass humiliation” was unique to the DRC specifically or Africa more generally. Certain United Nations officials, western novelists, poets, and artists espouse the notion that “Africa is a continent where things happen that would be unimaginable elsewhere.”⁸⁶

As noted above, however, violence against women, especially rape and other forms of sexual violence, have been commonplace in wars throughout the 20th century. The global nature of this phenomenon reinforces the fact that sexual violence is not confined to the Congo, or even Africa. As Michela Wrong states, “Mankind has proved capable of appalling behaviour regardless of location, culture and skin colour.”⁸⁷ This paper acknowledges that rampant sexual violence in war is not unique to the Congo, however, it focuses specifically on the DRC as a case study due to the widespread nature of sexual violence carried out for over a decade, as well as the severity of the attacks, as part of a systemic strategy to accomplish economic, political, and military objectives. The large number of women raped in the Congo, as well as the brutality associated with the attacks, makes it necessary to examine this phenomenon within the context of the DRC.

Lack of Adequate Attention in the Literature and the International Community

As Susan Brownmiller points out, rape in war is nothing new.⁸⁸ In recent history, mass rape was used in numerous conflicts, including the 20,000 Chinese women raped, sexually tortured, and

⁸⁶ Ibid.

⁸⁷ Ibid., 23.

⁸⁸ Susan [Brownmiller](#), “[Making Female Bodies the Battlefield](#),” *Newsweek* vol. 121 (January 4, 1993): 37.

murdered in Nanking in 1937 and the rape of 200,000 women in Bangladesh in 1971.⁸⁹ Rape was also widespread in both World Wars and more recently in Europe in Bosnia.⁹⁰

Julie Stone Peters and Andrea Wolper also discuss the recent history of women raped in war and the traditional treatment of this crime in international law.⁹¹ In addition to the previously noted rape of German women by the Russian army in World War II, the rape of Nanking, and sexual violence against Bosnian-Muslim women in the former Yugoslavia, rape was also used routinely in civil wars and military dictatorships in Haiti, Peru, and Liberia.⁹² Brownmiller also emphasizes an important point concerning the depictions of war rape and the attention these crimes traditionally received by the international community:

The plight of raped women as casualties of war is given credence only at the emotional moment when the side in danger of annihilation cries out for world attention. When the military histories are written, when the glorious battles for independence become legend, the stories are glossed over, discounted as exaggerations, deemed not serious enough for inclusion in scholarly works. And the women are left with their shame.⁹³

In other words, despite the use of rape throughout the centuries, most historical instances of sexual violence never received adequate attention or prosecution.⁹⁴ Rape was often viewed as an “inevitable by-product” of war and ignored in military histories, military tribunals, and international humanitarian law, even when rape and forced prostitution were mass and systemic.⁹⁵

Nancy Farwell discusses the evolution of the depictions of and responses to war rape. Once an issue that was denied, minimized, silenced, and considered an inevitable by-product of war, rape in

⁸⁹ Ibid. AND Ruth Seifert, “[The Second Front: The Logic of Sexual Violence in Wars](#),” *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 37. AND Julie Stone Peters and Andrea Wolper, “Gendered War Crimes: Reconceptualizing Rape in Time of War,” in *Women's Rights, Human Rights* by Rhonda Copelon (Routledge, 1995), 197-198.

⁹⁰ Michela Wrong, “The Hierarchy of Horrors,” *New Statesman* vol. 136, issue 4864 (October 1, 2007): 23.

⁹¹ Julie Stone Peters and Andrea Wolper, “Gendered War Crimes: Reconceptualizing Rape in Time of War,” in *Women's Rights, Human Rights* by Rhonda Copelon (Routledge, 1995), 197-198.

⁹² Ibid.

⁹³ Susan Brownmiller, “[Making Female Bodies the Battlefield](#),” *Newsweek* vol. 121 (January 4, 1993): 37.

⁹⁴ Nancy Farwell, “War Rape: New Conceptualizations and Responses,” *Affilia-Journal of Women and Social Work* vol. 19, no. 4 (Winter 2004): 390.

⁹⁵ Julie Stone Peters and Andrea Wolper, “Gendered War Crimes: Reconceptualizing Rape in Time of War,” in *Women's Rights, Human Rights* by Rhonda Copelon (Routledge, 1995), 197-198. AND Nancy Farwell, “War Rape: New Conceptualizations and Responses,” *Affilia-Journal of Women and Social Work* vol. 19, no. 4 (Winter 2004): 389.

conflict is now seen as an issue that must be addressed under international law and is viewed as a weapon of war designed to spread terror among civilians.⁹⁶ This change in the way war rape is viewed and depicted in the media and literature is due in part to international media, feminist activists, and scholars who are now highlighting this issue and raising public awareness. Other changes are the result of women who organized and responded locally, regionally, and internationally to war rape through attracting media attention, providing care to survivors, fund-raising, and advocacy and education campaigns.⁹⁷ Beyond this new understanding of rape as a weapon of conflict, however, rape is now seen as an actual strategy of war:

As a strategy, it is a sanctioned, systematic means of attaining specific political objectives. Achieved by using war rape as an instrument of terror, domination, political repression, torture, intimidation, and humiliation, these objectives have at their heart control, compliance of civilians, and even genocide. Political ends include inciting ethnic hatred to accomplish ethnic cleansing and genetic imperialism as well as to destroy an enemy's cohesion, spirit, and identity....Sexual violation of women erodes the fabric of a community in a way that few weapons can.⁹⁸

Many of these objectives and strategies are also present among combatants in the DRC and they will be discussed in greater detail below.

Sexual Violence in the Former Yugoslavia

Two of the most notorious cases of sexual violence in recent history took place in Rwanda and Bosnia in the mid-1990s. While it is not the purpose of this paper to describe the events of Rwanda and Bosnia in detail, a brief description of the events and use of sexual violence in these conflicts is important in order to draw comparisons to the DRC

Rape, sexual violence, and sexual slavery were used extensively in Bosnia during the 1990s.⁹⁹

The historical events leading up to the war in the former Yugoslavia are beyond the scope of this

⁹⁶ Nancy Farwell, "War Rape: New Conceptualizations and Responses," *Affilia-Journal of Women and Social Work* vol. 19, no. 4 (Winter 2004): 389-403.

⁹⁷ *Ibid.*, 390.

⁹⁸ *Ibid.*, 394, 396.

⁹⁹ Devorah West, "Radical Racial Ideals and Sexual Violence: Rwanda, Bosnia, and Nazi Germany," *Research Experience for Undergraduates Program* (Brown University, Santa Fe Institute, Summer 2005): 21. AND Inger Skjelsbaek, "[Victim and Survivor: Narrated Social Identities of Women Who Experienced Rape during the War in Bosnia-Herzegovina](#)," *Feminism & Psychology* vol. 16, no. 4 (November 2006): 373.

paper, however, certain elements of the conflict as they relate to sexual violence are important. After Joseph Tito's death in 1980, long-standing ethnic and religious tensions flared up again along with increased nationalistic sentiments.¹⁰⁰ Many Serbs believed they had been treated poorly during Tito's time in power and had suffered more than people in other regions through "economic and political discrimination at the hands of the Croats and the Slovenes."¹⁰¹ These ethnic and political rivalries, as well as strong nationalist sentiments prevalent in the country after Tito's death, set the stage for the resulting violent conflict.¹⁰²

By 1991, Serbia desired to create a Greater Serbia in order to unite all Serbians in one state that would include a large portion of the territory of Bosnia, while at the same time Croatia planned on creating a Croatian territory out of the remaining sections of Bosnia. This desire for territory led to a clash over Bosnia between these two powers.¹⁰³ In 1992, when Bosnia declared its independence from Yugoslavia, war erupted. Mass rape was used as a weapon in this conflict and the majority of rapes were committed by Serbian men against Muslim women.¹⁰⁴

Rape spread terror across the conquered territories... It often involved gang rapes that were performed in public places as a spectacle that would terrorize the local population and induce them to flee the region.... Women were also transported from rape camps to the front lines for the entertainment of soldiers. Women in the camps were raped frequently, with an alleged strategy by their captors to impregnate them in an effort to breed Serbian children.¹⁰⁵

Approximately 200,000 people died in the war, two million were displaced, and at least 60,000 women were raped.¹⁰⁶

Sexual Violence in Rwanda

¹⁰⁰ [Cindy S. Snyder](#), Wesley J. [Gabbard, J. Dean](#) May and Nihada [Zulcic](#), "[On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina](#)," *Affilia* vol. 21, no. 2 (Summer 2006): 184.

¹⁰¹ Devorah West, "Radical Racial Ideals and Sexual Violence: Rwanda, Bosnia, and Nazi Germany," *Research Experience for Undergraduates Program* (Brown University, Santa Fe Institute, Summer 2005): 23.

¹⁰² [Cindy S. Snyder](#), Wesley J. [Gabbard, J. Dean](#) May and Nihada [Zulcic](#), "[On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina](#)," *Affilia* vol. 21, no. 2 (Summer 2006): 184.

¹⁰³ *Ibid.*, 189.

¹⁰⁴ *Ibid.*, 189.

¹⁰⁵ *Ibid.*, 190.

¹⁰⁶ Patricia Weitsman, "The Politics of Identity and Sexual Violence: A Review of Bosnia and Rwanda," Paper prepared for the *Annual Meeting of the International Studies Association* (2007): 12. AND Ruth [Seifert](#), "[The Second Front: The Logic of Sexual Violence in Wars](#)," *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 35.

Catrien Bijleveld et al. discuss how rape was used deliberately in the Rwandan genocide to destroy “in whole or in part” the Tutsi community.¹⁰⁷ The authors estimate that a little more than 350,000 women, mostly Tutsi, were raped during the genocide through the application of a methodology which uses “conservative victimization estimates, disaggregating between victims who were killed and victims who survived.”¹⁰⁸

As noted above, the Rwandan genocide had severe repercussions for the Congo with the mass migration of Hutus and the subsequent similarities in sexual violence used in both Rwanda and the Congo. Neighbours killed their own neighbours with machetes and knives while the Hutu government publicly exhorted Hutus on the radio to attack Tutsi men, women, and children.¹⁰⁹ Mass rape was an important component of the genocide:

Frequently, rape was merely a prelude to death. Some of the women were penetrated with tools of all sorts—spears, gun barrels, bottles or the stamens of banana trees. Women’s sexual organs were mutilated with machetes, boiling water and acid...Assailants sometimes mutilated women in the course of a rape or before killing them. They cut off breasts, punctured the vagina with spears, arrows, or pointed sticks, or cut off or disfigured body parts that looked particularly ‘Tutsi,’ such as long fingers or thin noses. They also humiliated the women.¹¹⁰

In this way, the severity and specific forms of the sexual violence committed on a large scale in the Congo are extremely similar and in some ways an extension of the atrocities that took place during the Rwandan genocide.

Christopher Mullins examines the “nature and dynamics of sexual violence” during the 1994 Rwandan genocide through an analysis of testimonies given to the International Criminal Tribunal for Rwanda (ICTR).¹¹¹ He identifies three main forms of sexual violence during the genocide. First, opportunistic rapes were a product of the chaos of the genocide, they did not seem to be controlled or

¹⁰⁷ Catrien [Bijleveld](#), [Aafke Morssinkhof](#), and Alette [Smeulers](#), “[Counting the Countless: Rape Victimization During the Rwandan Genocide](#),” *International Criminal Justice Review* vol. 19, no. 2 (June 2009): 208.

¹⁰⁸ *Ibid.*, 208.

¹⁰⁹ Patricia Weitsman, “The Politics of Identity and Sexual Violence: A Review of Bosnia and Rwanda,” Paper prepared for the *Annual Meeting of the International Studies Association* (2007): 16.

¹¹⁰ *Ibid.*, 17-18, 20.

¹¹¹ Christopher W. Mullins, “‘We Are Going To Rape You And Taste Tutsi Women:’ Rape During the 1994 Rwandan Genocide,” *British Journal of Criminology* vol. 49, no. 6 (2009): 719.

organized, and were motivated by individual desire for sexual gratification or pre-existing ethnic tension. This was the least common of the three categories of rape. Second, sexual enslavement involved cases where women were abducted or detained, usually in the home of an Interhamwe, for the specific purpose of on-going rape and other forms of sexual violence. Finally, structured genocidal rapes were carried out as part of the genocide, were often ordered and/or encouraged by those in positions of authority, and were “accompanied by additional forms of violence, humiliation and mutilation.” These rapes were the most common of the cases analyzed by the author and were part of a larger plan to eliminate an entire group of people.¹¹²

It is important to note that all three forms of rape and sexual violence present in Rwanda are also seen in the DRC today. Years of conflict and chaos created an environment where both civilians and members of armed groups have the opportunity to commit rapes with little fear of punishment. Though the use of genocidal rape in the DRC is not as explicit as it was in Rwanda, the widespread use of sexual violence, along with the astonishing brutality, is almost identical to Rwanda.

The use of rape and other forms of sexual violence were widespread and brutal in both Rwanda and Bosnia. Despite this, the situation in present-day Congo is more extreme. It is important to stress that while this claim is not intended to negate the experiences of survivors of sexual violence in Rwanda and the former Yugoslavia, these two conflicts have received extensive media and scholarly attention, as well as the formation of international tribunals. On the other hand, the media attention and scholarly examination of sexual violence in the Congo is significantly less, despite the large number of victims, the brutal nature of the attacks, and the many years these abuses have occurred. The only recent conflict that may surpass the DRC in terms of number of victims is Rwanda, but the severity is the same and the attacks in the Congo are increasing in brutality with the passage of time. Further, sexual violence has been used systematically for fifteen years in the Congo; the length of time

¹¹² Ibid., 726-728.

concentrated attacks occurred in Rwanda was much less. This research therefore addresses an important gap in the literature.

Bosnia, Rwanda and the Use of Rape in War

Throughout history, sexual violence in times of war has not been perceived as violence on the same level as for instance torture or killings. This perception has excluded the possibility that sexual violence can have a strategic purpose in a conflict situation. The wars in Bosnia and Rwanda have challenged us to think differently.¹¹³

The events in Bosnia and Rwanda changed both international law and the way many in the international community viewed the use of sexual violence in war. Snyder et al. summarize the changes that occurred both in the literature and in international law after the events in Bosnia came to light:

The Bosnian conflict signaled the end of the invisibility of women who are raped in war. No longer could war rape be viewed as an unfortunate by-product of war. It was now clear that it was being used as an intentional strategy to achieve genocide.¹¹⁴

This realization and acknowledgment that rape was used as a systematic strategy during the war in Bosnia also ushered in a change in the long history of the international community's inability or unwillingness to prosecute and punish perpetrators of war rape.¹¹⁵

In 2001, for the first time in history, the United Nations war crimes tribunal for the former Yugoslavia (ICTY) ruled that war rape was a crime against humanity.¹¹⁶ The Foca case led to the conviction of three former Bosnian Serb soldiers for running rape camps in the town of Foca during the Bosnian war. The three defendants were found guilty of crimes against humanity on the charges of enslavement, rape, and torture.¹¹⁷ Their sentences ranged from twelve to 28 years in prison.¹¹⁸ Inger

¹¹³ Inger Skjelsbaek, "[Sexual Violence in Times of War: A New Challenge for Peace Operations?](#)" *International Peacekeeping* vol. 8, no. 2 (Summer 2001): 71.

¹¹⁴ Cindy S. Snyder, Wesley J. Gabbard, J. Dean May and Nihada Zulcic, "[On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina](#)," *Affilia* vol. 21, no. 2 (Summer 2006): 191.

¹¹⁵ *Ibid.*, 191.

¹¹⁶ Institute for War and Peace Reporting. "Analysis: Foca's Monumental Jurisprudence." *Institute for War and Peace Reporting* (November 11, 2005). <http://www.iwpr.net/report-news/analysis-focas-monumental-jurisprudence> (accessed April 20, 2010).

¹¹⁷ ICTY, "Sentencing Judgement in the Kunarac, Kovac and Vukovic (Foca) Case," *International Criminal Tribunal for the Former Yugoslavia* (The Hague, June 12, 2002), <http://www.icty.org/sid/8095> (accessed April 20, 2010).

¹¹⁸ *Ibid.*

Skjelsbaek argues that the level of domestic and international attention to sexual violence in the Bosnian war “led to a degree of openness about a phenomenon that has historically been hidden and ridden with shame.”¹¹⁹ In this way, the events in Bosnia were the catalyst for increased international attention, prosecutions for crimes of sexual violence carried out during war, and changes to international law.

Finally, Bosnia ignited widespread concern and questions involving the use of sexual violence for two reasons. First, camps were set up in Bosnia for the express purpose of sexually abusing women, a strategy that indicated a clear intensification in violence against women.¹²⁰ Second, by the 1990s, the status of women, especially in North America, had changed compared to previous conflicts. Women now held influential positions in academia, politics, and the media, enabling them to bring public attention to sexual violence and question long held assumptions on this issue.¹²¹ The following section discusses the traditional beliefs and theories surrounding the use of sexual violence in the literature and how these theories have evolved in recent years.

Theoretical Explanations

Using the case study of the former Yugoslavia, Snyder et al. critically examine the literature involving mass rape during times of war in order to identify and better understand the specific factors that encourage and facilitate its use. The authors conclude that women’s experiences of war rape are often determined by a combination of several factors including age, race, class, religion, ethnicity, and nationality.¹²²

¹¹⁹ Inger Skjelsbaek, “Victim and Survivor: Narrated Social Identities of Women Who Experienced Rape during the War in Bosnia-Herzegovina,” *Feminism & Psychology* vol. 16, no. 4 (November 2006): 373.

¹²⁰ Ruth Seifert, “The Second Front: The Logic of Sexual Violence in Wars,” *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 35.

¹²¹ Ibid. AND Cindy S. Snyder, Wesley J. Gabbard, J. Dean May and Nihada Zulcic, “On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina,” *Affilia* vol. 21, no. 2 (Summer 2006): 186.

¹²² Cindy S. Snyder, Wesley J. Gabbard, J. Dean May and Nihada Zulcic, “On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina,” *Affilia* vol. 21, no. 2 (Summer 2006): 184.

Ruth Seifert discusses the way the “gender-specific atrocities” committed in Bosnia and Herzegovina received international attention, leading to an examination and questioning of the long-held beliefs surrounding sexual violence.¹²³ Traditional explanations of sexual violence in both war and peace are based on the beliefs that men commit rape for sexual gratification and that sexual violence is a “regrettable side effect” or natural by-product of war.¹²⁴ These arguments have been challenged in recent years. Rape in war occurs even when there are willing women, such as prostitutes, available.¹²⁵ It is also widely accepted that rape has more to do with power and the desire to humiliate and dominate victims rather than motivated solely by a desire for sex.¹²⁶

Biology-based theories assume that rape is “natural” for men because they possess “genetically wired instincts for sexual aggression that spew forth in the chaotic environment of combat.”¹²⁷ In other words, rape is explained by men’s need for sexual release combined with the chaos and stress they experience during combat situations.¹²⁸ Traditional depictions of war often view rape as a way to reward or motivate troops.¹²⁹ Sexual violence was viewed as a natural by-product of war that while regrettable, was rarely taken seriously nor was steps taken to prevent it.¹³⁰ Few scholars today adhere to a strictly biological explanation for war rape but also take into account social and cultural factors when attempting to understand the motivations for sexual violence in war.¹³¹ Further, a biological explanation does not explain why there are many men who do not rape during times of war.¹³²

¹²³ Ruth Seifert, “[The Second Front: The Logic of Sexual Violence in Wars](#),” *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 35.

¹²⁴ *Ibid.*, 35-36.

¹²⁵ *Ibid.*, 35-36.

¹²⁶ Ruth Seifert, “[The Second Front: The Logic of Sexual Violence in Wars](#),” *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 35-36. AND Chloe Angyal, “Sex and Power, From North Carolina to Congo,” *The Huffington Post* (March 11, 2010), http://www.huffingtonpost.com/chloe-angyal/sex-and-power-from-north_b_495296.html (accessed April 20, 2010).

¹²⁷ Cindy S. Snyder, Wesley J. Gabbard, J. Dean May and Nihada Zulcic, “[On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina](#),” *Affilia* vol. 21, no. 2 (Summer 2006): 184.

¹²⁸ Christopher Mullins, “[He Would Kill Me With His Penis: Genocidal Rape in Rwanda as a State Crime](#),” *Critical Criminology* vol. 17, no. 1 (March 2009): 16.

¹²⁹ Cindy S. Snyder, Wesley J. Gabbard, J. Dean May and Nihada Zulcic, “[On the Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina](#),” *Affilia* vol. 21, no. 2 (Summer 2006): 184.

¹³⁰ *Ibid.*, 185.

¹³¹ *Ibid.*, 185.

¹³² *Ibid.*, 185.

Using the cases of Bosnia and Herzegovina, Rwanda, and Sierra Leone, Megan Gerecke categorizes four common theories of sexual violence drawn from the existing literature. In the first theory, sexual violence in war is caused by male desire and increased opportunities, due to an increase in men's access to women, impunity for perpetrators of sexual violence, and social breakdown. The second explanation is based on gender inequalities and distorted gender norms. Also, since women in many societies are often seen to represent the honour of their communities, rape is used as a strategic weapon of war to bring shame to the enemy's family and entire society. A final explanation argues that certain aspects of the organization and structure of militaries and armed groups makes it more likely members will commit rape and other acts of sexual violence.¹³³ All of these explanations could also be applied to the Democratic Republic of the Congo. Numerous armed groups and militias, the army, and increasingly civilians, are utilizing rape and sexual violence as a strategic weapon of war. The lack of discipline and accountability in these groups, perpetrators' impunity, social breakdown due to years of war, gender inequality, and the role of ethnicity are all present in the Congo.

Other scholars discuss theories behind war rape in general and Bosnia in particular. Bulent Diken and Carsten Bagge Laustse argue that events in Bosnia were more complex than the traditional depiction in most studies of war rape that portray the "woman as victim" or the "soldiers as aggressor." For example, some victims in Bosnia were forced to rape family members or watch while a family member was raped, while on the other hand some perpetrators were forced to rape as part of a "rite of initiation" that made the men "true Serbs."¹³⁴ Some Serbian soldiers who refused to rape were castrated or killed.¹³⁵ These complexities blurred the line between aggressor and victim. By forcing individuals to violate social norms through committing acts of rape or incest, they were forced to choose sides. Through sharing a crime such as gang rape, all the men involved shared this "brotherhood of guilt"

¹³³ Megan Gerecke, "Explaining Sexual Violence in Conflict Situations: Preliminary Findings from Bosnia and Herzegovina, Rwanda and Sierra Leone," *Paper presented at the annual meeting of the ISA's 50th Annual Convention "Exploring the Past, Anticipating the Future,"* (New York, February 15, 2009).

¹³⁴ Bulent Diken and Carsten Bagge Laustsen, "Becoming Object: Rape as a Weapon of War," *Body & Society* vol. 11, no. 1 (March 2005): 112, 125.

¹³⁵ *Ibid.*, 112.

causing them to remain with the group. This dynamic helps to explain the frequent use of gang rape.¹³⁶ Forcing unwilling soldiers to use knives, rather than machine guns, is another element that made attacks against friends and neighbours extremely personal and clearly showed that in the right circumstances “a knife can be a high-tech weapon.”¹³⁷ Though this research dealt with the use of rape in Bosnia, this study may also help explain the dynamics among armed groups who use rape as a weapon in the DRC. The use of gang rape in the Congo may be so common due to this “brotherhood of guilt” and accompanying loyalty and group solidarity.

Soldiers' Voices

It is important to note that the majority of recent scholarly sources examining atrocities in the DRC do not include testimony from soldiers or members of armed groups.¹³⁸ Most scholarly sources and human rights groups interview survivors of sexual violence, aid workers, doctors, government officials, and members of the international community because they are easier and safer to interview. Findings are then based on these interviews, leaving a significant gap in our understanding of the motivations for sexual violence in conflict, as well as the steps necessary to eradicate it.

By demonizing them, you make them incomprehensible... Instead of saying these men are demons and how can they do these terrible things, we say, these are men, and why are they doing things that should never happen?¹³⁹

According to Jocelyn Kelly, “[t]o truly understand a conflict, it is necessary to ask questions not only of those who experience violence, but also of those who perpetrate it.”¹⁴⁰ Before the problem of sexual violence can be solved, it is necessary to first understand why it is occurring in the first place, and in order to understand rape within the DRC it is imperative that researchers understand the men

¹³⁶ Ibid., 120.

¹³⁷ Ibid., 125-126.

¹³⁸ [Maria Eriksson](#) Baaz and Maria Stern, “[Making Sense of Violence: Voices of Soldiers in the Congo \(DRC\)](#),” *The Journal of Modern African Studies* vol. 46, no. 1 (March 2008): 57.

¹³⁹ Alvin Powell, “Harvard Researchers Probe the Roots of ‘Crimes against Humanity,’” *Harvard News Office*, <http://www.news.harvard.edu/hwm/congo/stories/research.html> (accessed May 3, 2010).

¹⁴⁰ Jocelyn Kelly, “Rape in Congo: Speaking to Soldiers,” *change.org* (February 11, 2009), http://humanrights.change.org/blog?guest_blogger_id=143 (accessed May 3, 2010).

who fight the on-going wars. If men are the source of the problem of sexual violence, then they must also be the key to solving it.¹⁴¹

The level of ongoing violence in eastern DRC, however, makes it extremely difficult for researchers and human rights workers to gain access to areas controlled by armed groups. Very few researchers go to remote villages to talk to soldiers or militias due to the danger and difficulty in gaining access to combatants willing to speak with outsiders, logistical problems, security concerns, and precarious travel conditions.¹⁴² Even if they could get face to face interviews with combatants, most will not personally admit to committing acts of sexual violence. Consequently, this absence of soldiers' voices makes it more difficult to understand the ongoing violence and it reinforces the stereotype that African men are by nature driven by violence and ethnic hatred.¹⁴³

Due in large part to the above issues, Maria Eriksson Baaz, Maria Stern, and Jocelyn Kelly are three of only a small number of researchers to focus specifically on the experiences of soldiers and their understanding of sexual violence through first-hand interviews. This lack of availability means that the following section will rely on only a small number of sources.

Baaz and Stern conducted interviews between October 2005 and November 2006 with soldiers from the Integrated Armed Forces, a group formed from surrendered militias and former government armed forces. Most of the soldiers who were interviewed joined the army after 1997 and most had recent experience, within one year, in conflict areas.¹⁴⁴

Jocelyn Kelly, research coordinator with the Harvard Humanitarian Initiative, has also spent a considerable amount of time in the Congo examining the effects of war, specifically sexual violence. In February 2009, she traveled to Katokota, a village in eastern DRC near the Rwandan border, to assist in the coordination of interviews with Mai Mai combatants. The interviews were conducted by

¹⁴¹ Alvin Powell, "Harvard Researchers Probe the Roots of 'Crimes against Humanity,'" *Harvard News Office*, <http://www.news.harvard.edu/hwm/congo/stories/research.html> (accessed May 3, 2010).

¹⁴² Ibid.

¹⁴³ Maria Eriksson Baaz and Maria Stern, "[Making Sense of Violence: Voices of Soldiers in the Congo \(DRC\)](#)," *The Journal of Modern African Studies* vol. 46, no. 1 (March 2008): 57.

¹⁴⁴ Ibid., 61.

Congolese social workers alongside researchers from the Harvard Humanitarian Initiative through a partnership with a local non-profit organization, the Centre d'Assistance Médico-Psychosociale (CAMPS).¹⁴⁵

Some of the findings from these interviews challenge some of the most popular narratives surrounding Congolese perpetrators of sexual violence. For example, the majority of soldiers viewed working behind a desk as the “ultimately desirable position” rather than fighting bravely on the front lines of battle to prove their courage and strength.¹⁴⁶ Most of the soldiers interviewed who were not forced or abducted, but rather chose to join the army, said they did so because of poverty and a desire to get an education, not out of a desire for violence.¹⁴⁷ Other men said they joined the Mai Mai due to intense feelings of rage and helplessness after witnessing horrific violence and experiencing the loss of family members.¹⁴⁸

When interviewed about incidents of rape, most soldiers said that rape was wrong or it was forbidden according to the rules of the military.¹⁴⁹ The explanations for sexual violence given by the soldiers did not indicate an intrinsic violent nature, hatred, revenge against the enemy, or the desire to protect a specific national, ethnic, or religious group. Instead, the main factors brought forward by the soldiers to explain these incidents of violence include suffering due to poverty, the “craziness of war” and drug use, and an ineffective security sector run by poor leadership who fail to provide their soldiers with basic necessities.¹⁵⁰ These responses indicate that an overhaul of the military structure is needed. Soldiers need to be paid a living wage and superiors should be held accountable for their

¹⁴⁵ Alvin Powell, “Harvard Researchers Probe the Roots of ‘Crimes against Humanity,’” *Harvard News Office*, <http://www.news.harvard.edu/hwm/congo/stories/research.html> (accessed May 3, 2010).

¹⁴⁶ Maria Eriksson Baaz and Maria Stern, “Making Sense of Violence: Voices of Soldiers in the Congo (DRC),” *The Journal of Modern African Studies* vol. 46, no. 1 (March 2008): 70.

¹⁴⁷ *Ibid.*, 71.

¹⁴⁸ Alvin Powell, “Harvard Researchers Probe the Roots of ‘Crimes against Humanity,’” *Harvard News Office*, <http://www.news.harvard.edu/hwm/congo/stories/research.html> (accessed May 3, 2010). AND Jocelyn Kelly, “Rape in Congo: Speaking to Soldiers,” *change.org* (February 11, 2009), http://humanrights.change.org/blog?guest_blogger_id=143 (accessed May 3, 2010).

¹⁴⁹ Maria Eriksson Baaz and Maria Stern, “Making Sense of Violence: Voices of Soldiers in the Congo (DRC),” *The Journal of Modern African Studies* vol. 46, no. 1 (March 2008): 73.

¹⁵⁰ *Ibid.*, 75-76.

actions. Many of those interviewed also stressed that the way to end violence committed by soldiers was through severe punishment for their crimes.¹⁵¹

The soldiers interviewed also differentiated between “normal” rapes driven by lust and “evil” rapes.¹⁵² According to the soldiers, “normal” rapes are driven by a man’s need to release sexual tension when they are away from women for any length of time. In this way, if a man goes without sex for a long time, eventually he will “take a woman by force.”¹⁵³ Under this theory, poverty is also a factor since men who do not have a lot of money can not pursue a woman the normal way, such as buying her food or a drink, and will have no other option but to rape.¹⁵⁴ On the other hand, “evil” rapes are described as resulting from the war and violence in which they live when “previously unthinkable behavior becomes conceivable.” This form of rape was considered “evil” because of the extreme level of brutality that accompanies the rape, including mutilations and/or murder, as well as the intentions behind the act to humiliate or destroy.¹⁵⁵ One of the soldiers interviewed was very clear in the distinction between the two types of rape:

...if it is only lust, then why do you sometimes kill her? Also if it is about lust, you will use the organ that you have. Why would you put a stick in her? We see that a lot...That is not about lust. It is not about the physical needs. That is from a need to destroy, to destroy the dignity, the human dignity of a person.¹⁵⁶

The first type of rape is driven by sexual need while the second is driven by this need to destroy. Though these two forms of rape are separate in theory, they seem to combine when the soldiers mention how rape, poverty, frustration, having power through weapons, and the chaos of war are “all connected.”¹⁵⁷

¹⁵¹ Ibid., 79.

¹⁵² [Maria Eriksson Baaz and Maria Stern, “Why Do Soldiers Rape? Masculinity, Violence, and Sexuality in the Armed Forces in the Congo \(DRC\),” *International Studies Quarterly* vol. 53, no. 2 \(June 2009\): 508-511.](#)

¹⁵³ Ibid., 509.

¹⁵⁴ Ibid., 509.

¹⁵⁵ Ibid., 510.

¹⁵⁶ Ibid., 511.

¹⁵⁷ Ibid., 511.

Finally, knowing whether or not sexual violence occurred in the Congo in similar ways before armed conflict is important, however, this is a very difficult question to answer since there was not a lot of research conducted on this area before the war.¹⁵⁸ While rape existed in the Congo before the fighting began, there is no evidence that “sexual violence was especially severe in the DRC before the war compared to other countries.”¹⁵⁹

While most rape cases before the war—as now—never reached the courts, rape was (according to these local NGOs) considered a serious crime in most parts of the country...and was punished...After the outbreak of the war, these traditional systems have disintegrated and been replaced by total impunity at all levels, surely also contributing to the normalization of sexual violence in the communities.¹⁶⁰

In other words, the drastic increase in the number of rapes is due in large part to the on-going conflict rather than merely an extension of sexual violence during peace.

Chapter Three: The Reasons Sexual Violence is Used as a Weapon in the DRC

The existing literature on sexual violence suggests that the use of rape in the DRC is more widespread and severe than in most other recent conflicts. Sexual violence is used as a systemic and strategic weapon due to its effectiveness in accomplishing economic and military goals, the Congo’s hostile political environment, perpetrators’ impunity, the large number of actors in the on-going conflict, and the many physical, psychological, and social consequences associated with rape.

Economic and Military Objectives

In the DRC, rape is used by the army and all armed groups because it is effective in accomplishing important economic and military objectives. Within this context, rape is used to ensure survival and/or economic prosperity. Rape spreads fear, causes people to flee their homes and enables

¹⁵⁸ Ibid., 502.

¹⁵⁹ Ibid., 503.

¹⁶⁰ Ibid., 503.

perpetrators to gain control of land and resources, such as diamonds, gold, coltan, timber, livestock or crops.¹⁶¹ In other words, sexual violence is an excellent tool to control and terrorize civilian populations, gain access to money, land, animals and food through pillage, rape, and looting, as well as gain control of mines and the resources within them.

Thousands of Congolese civilians have been tortured and killed during military operations to secure mineral-rich lands. Foreign forces have promoted interethnic conflicts and mass killings as a means to secure mining zones...The ambition of all these combatant forces to exploit eastern DRC's mineral and economic wealth has been the biggest single factor in the continuing violence.¹⁶² Eastern DRC, where the conflict is heaviest, contains large quantities of gold, diamonds, coltan, copper, cobalt, oil, timber, coffee, and palm oil. Parties to Congo's conflicts desire economic gain and control of these valuable minerals and resources.¹⁶³ These economic interests in turn fuel the violence committed by all groups in the region aimed at civilians.

The desire for control of natural resources is intricately linked to conflict over land.¹⁶⁴ Factions from different clans, tribes, and families throughout eastern Congo continually fight over land ownership due to both historical grievances and more recent tensions. For example, the Mai Mai, a local ethnic militia in northern Katanga, have fought amongst themselves and against the national army for control of mining sites in the region.¹⁶⁵ For all armed groups involved in the Congo's conflict, "access to resources means the ability to buy arms and reward troops, and thus to secure political power; political power, in turn, guarantees access to land and resources."¹⁶⁶ This link between

¹⁶¹ Sarah Gieseke, "Rape as a Tool of War in the Eastern Democratic Republic of the Congo," Julius Nyerere Human Rights Symposium on "Human Rights in Africa: An Ongoing Narrative of Struggle and Hope" for *The Center on Rights Development* (April 13, 2007):16-17. AND Marion Pratt, Ph.D. and Leah Werchick, J.D. with Anaia Bewa, Marie-Louise Eagleton, Claudine Lumumba, Katherine Nichols, and Lina Piripiri, "Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo," *USAID/DCHA Assessment Report* (March 18, 2004): 9. AND Nancy Farwell, "War Rape: New Conceptualizations and Responses," *Affilia-Journal of Women and Social Work* vol. 19, no. 4 (Winter 2004): 396.

¹⁶² Amnesty International, "Democratic Republic of Congo: 'Our Brothers Who Help Kill Us': Economic Exploitation and Human Rights Abuses in the East," *Amnesty International* (2003): 4.

¹⁶³ Ibid.

¹⁶⁴ Severine [Autesserre](#), "[The Trouble With Congo: How Local Disputes Fuel Regional Conflict](#)," *Foreign Affairs* vol.87, no.3 (May/June 2008): 96.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid., 97.

resources and power is the most important factor fueling the on-going cycle of violence and exploitation in the Congo.

Another factor closely linked to resource exploitation is the tendency of neighbouring countries to interfere in the Congo. After the overthrow of Mobutu, Rwanda supported Laurent Kabila because it hoped he would help root out the genocidaires hiding in Congo's forests. Instead of expelling the Hutus from his country, however, Kabila recruited them into his army. This caused Rwanda to invade again.¹⁶⁷ At this point the foreign armies "provided local militias and rebel groups with arms to do their fighting for them, and set about looting Congo's minerals."¹⁶⁸ In other words, a conflict that began over security concerns soon evolved into a fight to exploit the Congo's riches. Further, even though the two larger rebel groups signed a peace agreement with the Congolese government in 2003, dozens of smaller armed groups remain active, killing and pillaging civilians because that is the way they get food to eat and ultimately survive.¹⁶⁹

In the first years of the conflict in the DRC, soldiers from Rwanda and Uganda occupied a large part of northern and eastern DRC.¹⁷⁰ After these forces withdrew between 2002 and 2003, unregulated militia groups took their place and were strengthened through funding and support by the countries that had previously occupied the region.¹⁷¹ These militias then exploited much of the Congo's natural resources with the assistance of multinational corporations and Western nations that facilitated the sale of illegally obtained resources:

While there are ideological, ethical and political motivations that drove the occupation and its surrounding violence, the main drive – control of the mineral fields – is underwritten by scores of transnational corporations. These transnationals, undeterred by the wanton violence and gross violations of international law and human rights, enter the Congolese jungles to negotiate with warlords over access to the minerals.¹⁷²

¹⁶⁷ "[Survey: Coping with Conflict.](#)" *The Economist* vol.370, no.8358 (January 17, 2004): 8.

¹⁶⁸ *Ibid.*

¹⁶⁹ *Ibid.*

¹⁷⁰ Christopher W. Mullins and Dawn L. Rothe, "[Gold, Diamonds and Blood: International State-Corporate Crime in the Democratic Republic of the Congo.](#)" *Contemporary Justice Review* vol. 11, no. 2 (June 2008): 89.

¹⁷¹ *Ibid.*, 81.

¹⁷² *Ibid.*, 81.

Countries that have requested access into areas rich in minerals include India, China, Canada, Australia, Thailand, Pakistan, South Africa, and the United States.¹⁷³ While it is true that not all countries requesting mining permits harbour ill intentions towards the Congolese population, what is important is that many of these countries have little interest in peace in the Congo or possess an in-depth knowledge of the links between resource exploitation and the recent history of conflict in the country. The main concern of the majority of these petitioners is how much money they can make off the minerals they will extract.¹⁷⁴

The illegal exploitation and struggle to control the Congo's mineral riches is the most important reason that the country's conflict continues today.¹⁷⁵ The main reason this strategy is so effective is because all armed groups use rape and other forms of sexual violence to control and terrorize civilian populations in order to gain access to valuable resources, thereby accomplishing economic and military objectives. In this way, there is a tangible link between the ongoing sexual violence in the DRC and economic exploitation. Further, the desire for resources has fuelled the conflict and caused it to continue, ensuring the on-going presence of numerous armed groups throughout the region who are constantly fighting for control. In their attempts to accomplish these objectives, every armed group in the country uses rape and other forms of sexual violence, the most effective weapon at their disposal. This is a weapon that inspires fear which makes it easier to control civilians, as well as destroy the social fabric of any enemy who gets in the way of their objectives.

Political Environment

¹⁷³ Jim Freedman, "International Remedies for Resource-Based Conflict," *International Journal* vol. 62, no. 1 (Winter 2006): 108.

¹⁷⁴ *Ibid.*, 108.

¹⁷⁵ [Christopher W. Mullins and Dawn L. Rothe, "Gold, Diamonds and Blood: International State-Corporate Crime in the Democratic Republic of the Congo,"](#) *Contemporary Justice Review* vol. 11, no. 2 (June 2008): 81. AND Amnesty International, "Democratic Republic of Congo: 'Our Brothers Who Help Kill Us': Economic Exploitation and Human Rights Abuses in the East," *Amnesty International* (2003): 4. AND Aaron Ezekiel, "[The Application of International Criminal Law to Resource Exploitation: Ituri, Democratic Republic of the Congo,](#)" *Natural Resources Journal* vol. 47, no. 1 (Winter 2007): 225.

The Congo is surrounded by Angola, Burundi, the Central African Republic, Rwanda, Sudan, Tanzania, Uganda, and Zambia.¹⁷⁶ As noted above, many of the countries that surround the Congo are involved in exploiting the country's resources at the expense of the Congolese. Further, recent events in neighbouring nations, such as the Rwandan genocide, had serious effects on the Congo and are closely linked to the use of rape as a weapon of war. For example, during the Rwandan genocide, women and girls were raped and endured other forms of sexual violence by members of extremist Hutu militias, the Rwandan army, and even civilians:

Thousands of women were raped by one or several individuals, with objects such as sharpened sticks or rifle barrels, and subjected to sexual slavery. They were raped after being forced to watch the torture and murder of their families, as well as the ransacking of their houses. Many women were killed after being raped.¹⁷⁷

The brutality of the sexual violence during the Rwandan genocide is similar to the extreme levels of violence meted out towards women in the DRC since conflict began there in 1996. Notably, many of the perpetrators of mass atrocities in Rwanda during the genocide evaded justice by escaping into the forests of the Congo, and have since been accused of committing crimes of sexual violence against women and girls in the DRC, including exploiting and pillaging the local population, demanding supplies and money.¹⁷⁸ The Rwandan government fears that the Hutu rebels in the DRC still have "genocidal plans" and demand that the Congolese government or the United Nations address this problem.¹⁷⁹

The recent agreement between the DRC and Rwanda to coordinate efforts to weaken their common enemy, the Rwandan Hutu militia known as the Democratic Liberation Forces of Rwanda

¹⁷⁶ "Democratic Republic of the Congo," *CIA World Factbook* (December 22, 2009), <https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html> (accessed January 19, 2010).

¹⁷⁷ "Women's Bodies as a Battleground: Sexual Violence Against Women and Girls During the War in the Democratic Republic of Congo," *Réseau des Femmes pour un Développement Associatif (RFDA), Réseau des Femmes pour la Défense des Droits et la Paix (RFDP), International Alert* (2004): 28.

¹⁷⁸ Human Rights Watch, "Seeking Justice: The Prosecution of Sexual Violence in the Congo War," *Human Rights Watch* (2005): 52. AND Jeffrey Gettleman, "Rape Epidemic Raises Trauma of Congo War," *The New York Times* (October 7, 2007), http://www.nytimes.com/2007/10/07/world/africa/07congo.html?_r=1&hp&oref=slogin (accessed May 18, 2009). AND "Killers Next Door: Congo and Rwanda," *The Economist* vol. 371, no. 8373 (May 1, 2004): 48.

¹⁷⁹ "Killers Next Door: Congo and Rwanda," *The Economist* vol. 371, no. 8373 (May 1, 2004): 48.

(FDLR), has raised concerns that Rwanda's involvement is based on broader political and economic motives.¹⁸⁰ This is the third time Rwanda has involved itself militarily in the Congo over the past decade and there is concern that the new offensive may create more regional instability than it resolves:

Rwanda's two earlier invasions succeeded in disrupting the militia's operations but also helped spawn more than a decade of conflict that at one point drew in as many as eight African nations in a scramble for regional supremacy and a piece of Congo's vast mineral wealth.¹⁸¹

While these invasions had devastating consequences for the Congo, they provided economic benefit to Rwanda. For this reason, Rwanda's motivation for its recent involvement in the DRC is suspect. In October 2008, Rwandan officials said that the approximately 6,000 members of the Hutu militia were a "Congolese problem," and not an "immediate military threat" to Rwanda.¹⁸² If the FDLR was not a problem for Rwanda, why is it now willing to send thousands of troops into the Congo? It is possible that both Congo and Rwanda realized they were both suffering from the ongoing proxy war, cooperation would benefit both countries, and interests would be better served by a stable region without the presence of numerous armed groups. Others believe Rwanda is entering the DRC under the cloak of security in order to benefit economically and politically.¹⁸³

Rwanda is not the only neighbour responsible for interfering in the DRC. Beginning in 1998, Uganda occupied lands in northern DRC that contained rich deposits of gold.¹⁸⁴ Uganda used the chaos surrounding the on-going conflict to its advantage and "established patterns of illegal resource appropriations, especially in the areas of gold and diamonds."¹⁸⁵ Burundi also sent forces to South Kivu

¹⁸⁰ Stephanie McCrummen, "Rwanda's Move Into Congo Fuels Suspicion," *The Washington Post* (February 13, 2009), <http://www.washingtonpost.com/wpdyn/content/article/2009/02/12/AR2009021204082.html> (accessed January 23, 2010).

¹⁸¹ Ibid.

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ Christopher W. Mullins and Dawn L. Rothe, "[Gold, Diamonds and Blood: International State-Corporate Crime in the Democratic Republic of the Congo](#)," *Contemporary Justice Review* vol. 11, no. 2 (June 2008): 90.

¹⁸⁵ Ibid., 91.

“where they conducted military operations against Burundian armed opposition groups operating from that territory for many years.”¹⁸⁶

In part then, Congo’s conflicts are so difficult to resolve because of the close proximity of several countries that continue to interfere in the Congo and support rebel groups that compete for control of land and resources and commit crimes of sexual violence against civilians.

Perpetrators’ Impunity

The perpetrators of sexual violence in the Congo are rarely effectively punished. Their impunity is linked to many factors including the collapsed infrastructure and weak judicial system, the lack of resources and political will to prosecute perpetrators, the severity of the problem, the size of the country, and the structure of the military.

In July 2009, Human Rights Watch published a report that focused on the actions of members of the government army (FARDC) who commit acts of sexual violence against women and girls. The organization found that Congolese military courts rarely hold soldiers or officers responsible for acts of sexual violence and commanders often protect accused soldiers under their command. Also, the number of prosecutions of soldiers accused of sexual violence is extremely low, and most prosecutions focus on soldiers of low rank rather than high-ranking officers.¹⁸⁷ The highest-ranking officer convicted of rape is Lieutenant Colonel Ndayambaje Kipanga but “[n]o general has yet been convicted either for his own actions or for failing to control his own troops.”¹⁸⁸ This reinforces the tradition of military commanders being treated and perceived as untouchable, thereby allowing serious sexual abuse to continue unpunished.¹⁸⁹

¹⁸⁶ Watchlist on Children and Armed Conflict, “Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo,” *Watchlist on Children and Armed Conflict* (April 2006), http://www.watchlist.org/reports/files/dr_congo.report.20060426.php?p=6 (accessed January 19, 2010).

¹⁸⁷ “Human Rights Watch, “Soldiers Who Rape, Commanders Who Condone: Sexual Violence and Military Reform in the Democratic Republic of Congo,” *Human Rights Watch* (July 2009): 5-6.

¹⁸⁸ Human Rights Watch, “**Q & A: DR Congo – Dossier for Hillary Clinton’s Visit**,” *Human Rights Watch* (August 10, 2009), <http://www.hrw.org/en/news/2009/08/10/faq-drc-human-rights-watch-dossier-hillary-clinton-s-visit> (accessed September 11, 2009).

¹⁸⁹ “Human Rights Watch, “Soldiers Who Rape, Commanders Who Condone: Sexual Violence and Military Reform in the Democratic Republic of Congo,” *Human Rights Watch* (July 2009): 5-6.

Several high-ranking commanders have been implicated of serious human rights violations, yet rather than be held accountable for their actions they continue to retain their positions within the military. This failure to prosecute, punish, and remove from the armed forces those officers who have committed acts of violence against civilians is a serious impediment to ending perpetrators' impunity throughout the country. For example, former CNDP commander Bosco Ntaganda is "an accused war criminal with a gruesome record."¹⁹⁰ Despite being known as "The Terminator," indicted by the International Criminal Court, and accused of massacring civilians, Ntaganda continues to hold a senior rank in the Congolese military, which collaborates with the UN in military operations.¹⁹¹

The structure of the military and the armed groups is a factor often overlooked in the discussion on why sexual violence occurs with widespread impunity for perpetrators. The structure of the various armed groups involved in the conflict makes local peace building difficult. The Rwandan Hutu militias, dissident Tutsis, and Mai Mai rebels fight amongst themselves and often do not have a hierarchical unified command structure:

The factions are so subdivided that many brigade commanders do not control their own battalion commanders. Even the national army cannot rein in its soldiers; both officers and members of the rank and file regularly loot, rape, and commit other human rights violations or strike deals with the militias they are ostensibly fighting in order to gain access to resources.¹⁹²

This lack of cohesion in the national army and rebel groups makes it extremely difficult to address human rights abuses and hold perpetrators responsible.

Tom Nevin defines nominal sovereignty as a condition where a central, legal authority exists but does not operate in large parts of the country and there is uncertainty concerning who actually has authority in a given area.¹⁹³ The national government of the DRC could be said to have nominal

¹⁹⁰ Geoffrey York, "The Bleak Calculus of Congo's War Without End," *The Globe and Mail* (Friday, March 26, 2010), <http://www.theglobeandmail.com/news/world/the-bleak-calculus-of-congos-war-without-end/article1513795/> (accessed March 27, 2010).

¹⁹¹ Ibid.

¹⁹² Severine Autesserre, "The Trouble With Congo: How Local Disputes Fuel Regional Conflict," *Foreign Affairs* vol.87, no.3 (May/June 2008): 98.

¹⁹³ Tom Nevin, "The Business of Conflict, The Conflict of Business," *African Business* (July 2005): 21.

sovereignty. Years of conflict have created a situation of chaos, collapsed infrastructure, and a complete breakdown of authority. Though the conflict in the DRC officially ended in 2003 after the signing of a peace treaty and the withdrawal of foreign armed forces, the national government still does not have any real control over large parts of the Congo, including the military and armed groups.¹⁹⁴ This situation contributes to a lack of accountability, widespread impunity for perpetrators, the continuation of conflict, and a failure to adequately rebuild the desperately needed infrastructure in the country.

The rebuilding of the Congo's collapsed judicial system and the use of international law may curb perpetrators' impunity. The Congolese government restored a court in Bunia that later convicted ten people on rape charges.¹⁹⁵ The government also referred crimes involving sexual violence to the International Criminal Court (ICC) prosecutor for investigation.¹⁹⁶ Due to time and financial constraints, however, as well as the large number of crimes involving severe sexual violence, the ICC is only able to investigate and prosecute a small number of people who bear the greatest amount of responsibility. It will be up to the Congolese courts to prosecute the majority of these cases, a task that will be quite difficult due to numerous structural and procedural problems.¹⁹⁷

The Congolese government's, rights groups', and the international community's attention to abuses committed by the army has led to the prosecution and conviction of only a small number of cases. In 2008, the United Nations registered 7,703 new cases of sexual violence in North and South Kivu, but only 27 soldiers were convicted for committing acts of sexual violence.¹⁹⁸ The number of convictions for rape does not come close to the number of reported cases and thousands of alleged perpetrators never see the inside of a courtroom or a jail cell.

¹⁹⁴ Monika Thakur, "Elusive Peace in the DR Congo: Armed Groups and Militias in the Kivus and Ituri," *Paper presented at the annual meeting of the ISA's 49th Annual Convention "Bridging Multiple Divides"* (San Francisco March 26, 2008).

¹⁹⁵ Human Rights Watch, "Seeking Justice: The Prosecution of Sexual Violence in the Congo War," *Human Rights Watch* (2005): 2.

¹⁹⁶ *Ibid.*

¹⁹⁷ *Ibid.*

¹⁹⁸ "Human Rights Watch, "Soldiers Who Rape, Commanders Who Condone: Sexual Violence and Military Reform in the Democratic Republic of Congo," *Human Rights Watch* (July 2009): 6.

The Large Number of Armed Groups

The number of actors in the Congo's conflicts makes them extremely complex and difficult to resolve. There are so many actors fighting for control who use sexual violence as a weapon and it is difficult to identify them all and hold them accountable. The long-term presence of foreign and national militaries and armed groups in the Congo, as well as the many years of conflict, are factors contributing to sexual violence since almost every armed entity is responsible for raping women and girls.¹⁹⁹

According to evidence gathered by Human Rights Watch, the following groups are responsible for rapes and other acts of sexual violence: the former Congolese Rally for Democracy-Goma (RCD-Goma) supported by Rwanda, Mai Mai rebels, Burundian and Rwandan Hutu armed groups, the Congolese Rally for Democracy Kisangani Liberation Movement (RCD-ML), the Movement for the Liberation of Congo (MLC), the Union of Congolese Peoples (UPC), the Front for National Integration (FNI), the Congolese Armed Forces (FAC) comprised of members of the former government army, and the new national army known as the Armed Forces of the Democratic Republic of Congo (FARDC).²⁰⁰

RCD-Goma is a rebel group backed by Rwanda that made up a large part of the transitional government.²⁰¹ In June 2004, RCD-Goma forces under the control of renegade commanders Colonel Mutebutsi and General Laurent Nkunda, supported by officers of the Rwandan army, fought for control of Bukavu. During their attack on the city, fighters raped women and girls, some as young as three-years-old.²⁰²

¹⁹⁹ Amnesty International, "Democratic Republic of Congo: Mass Rape - Time for Remedies," *Amnesty International* (2004): 13.

²⁰⁰ Human Rights Watch, "Seeking Justice: The Prosecution of Sexual Violence in the Congo War," *Human Rights Watch* (2005): 1.

²⁰¹ *Ibid.*, 51.

²⁰² *Ibid.*, 10.

The Mai Mai is comprised of local Congolese fighters who oppose what they view as occupation by foreign powers.²⁰³ They operate throughout eastern DRC but do not have one central command structure as they work with constantly changing agendas and alliances.²⁰⁴ In the eastern province of Katanga alone, more than nineteen warlords command 5,000 to 8,000 Mai Mai combatants.²⁰⁵ Since 2002, different Mai Mai groups have fought amongst themselves and the Congolese national army in an effort to gain control of various mining sites.²⁰⁶ Mai Mai combatants rape women walking to their fields, and abduct women and keep them as sex slaves for months or years at a time, raping and beating them regularly.²⁰⁷

Former members of the Rwandan army, as well as individuals suspected of being involved in the 1994 Rwandan genocide, belong to the Democratic Liberation Forces of Rwanda (FDLR).²⁰⁸ John Holmes, UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, said Hutu militias involved in the Rwandan genocide are responsible for “the most vicious attacks” committed against women in the DRC.²⁰⁹ For example, Rwandan fighters based in the Kahuzi Biega forest in South Kivu attack and rape civilians. In late 2003, 35 percent of sexual violence cases registered at Panzi hospital came from an area right next to this forest.²¹⁰

Originally supported by Rwanda, the RCD-ML formed in 1999 when a faction of the RDC-Goma broke away to form their own group.²¹¹ During a clash with RCD-Goma forces in North Kivu,

²⁰³ Ibid., 51.

²⁰⁴ Watchlist on Children and Armed Conflict, “Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo,” *Watchlist on Children and Armed Conflict* (April 2006), http://www.watchlist.org/reports/files/dr_congo.report.20060426.php?p=6 (accessed January 19, 2010).

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ Human Rights Watch, “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” *Human Rights Watch* (2005): 16-17.

²⁰⁸ Ibid., 52.

²⁰⁹ Jeffrey Gettleman, “Rape Epidemic Raises Trauma of Congo War,” *The New York Times* (October 7, 2007), http://www.nytimes.com/2007/10/07/world/africa/07congo.html?_r=1&hp&oref=slogin (accessed May 18, 2009).

²¹⁰ Human Rights Watch, “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” *Human Rights Watch* (2005): 15.

²¹¹ Ibid., 51.

defeated members of the former RCD-ML committed twenty-two reported cases of sexual violence, many of them against children.²¹²

MLC forces supported by Uganda and the UPC, an armed group supported by Rwanda and Uganda, are also responsible for many cases of sexual violence. In December 2003, former MLC members who had recently been integrated into the FARDC gang-raped 120 women and girls, however, no one was arrested or prosecuted. In May 2003, members of the UPC raped 125 women and girls and looted villages during their attempts to regain control over Bunia and surrounding areas in Ituri.²¹³

The Congolese Armed Forces (FAC) is now integrated with the Armed Forces of the Democratic Republic of Congo (FARDC), and is comprised of forces from the former Kabila government along with several rebel groups that signed the Pretoria Agreement in 2002.²¹⁴ The FARDC soldiers are involved in serious violations of international humanitarian law including gang rapes, sexual violence causing severe injury or death, and the kidnapping of women and girls as sex slaves.²¹⁵ In January 2009, thousands of poorly trained and poorly paid Congolese soldiers were deployed to hunt Rwandan rebels in an operation backed by the United States and supported by the United Nations.²¹⁶ Instead of protecting civilians from rebel attacks, soldiers blamed separation from their wives, long deployments, and low pay for their attacks on women:

Although all sides in Congo's messy 15-year conflict have used rape as a weapon of war -- particularly the Rwandan rebels -- the spike since January is being widely blamed mostly on the army. The number of soldiers roaming these eastern hills has almost tripled to 60,000, and rapes have doubled or tripled in the areas they are deployed. Aid groups said the number of rapes so far this year is probably in the thousands.²¹⁷

²¹² Ibid., 14.

²¹³ Ibid., 19-20.

²¹⁴ Ibid., 51.

²¹⁵ "Human Rights Watch, "Soldiers Who Rape, Commanders Who Condone: Sexual Violence and Military Reform in the Democratic Republic of Congo," *Human Rights Watch* (July 2009): 4.

²¹⁶ Stephanie McCrummen, "Congo's Rape Epidemic Worsens During U.S.-Backed Military Operation," *The Washington Post* (August 10, 2009), <http://www.washingtonpost.com/wp-dyn/content/article/2009/08/10/AR2009081000492.html> (accessed January 23, 2010).

²¹⁷ Ibid.

New armed groups, such as Rastas, are also responsible for killing, raping, and abducting civilians since 2004. Reported incidents include attacks with clubs, pickaxes, and machetes, taking hostages and holding them for ransom, locking women and children in their homes and burning them alive, and raping women during military operations.²¹⁸

In 2004 and 2005, MONUC civilian and military personnel were found to have committed “severe and ongoing” sexual abuse and exploitation of girls in eastern DRC, including sex with underage girls, sex in exchange for food or protection, and rape.²¹⁹ These acts exacerbated an already serious problem of sexual violence throughout the region. The response of the United Nations to these abuses has been criticized as slow and inadequate with only a few cases disciplined internally or tried in the home countries of the accused.²²⁰

Almost all foreign and national armed groups and armies have used sexual violence as a weapon on a large scale, however, men in uniform are no longer the only ones using rape in this conflict. Many attacks are carried out by civilian men in areas where the rule of law no longer exists.²²¹ The long-term presence of so many foreign armies and national armed groups, as well as recent events in neighbouring countries, have completely militarized and destabilized the Congo and contributed to the extensive use of sexual violence in the region.

Finally, despite President Kabila’s supposed zero tolerance policy for sexual violence, fewer than a dozen soldiers were convicted of rape in the first half of 2009.²²² It is often very difficult for survivors to identify and hold perpetrators accountable since “deliberate confusion and blame of the

²¹⁸ Watchlist on Children and Armed Conflict, “Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo,” *Watchlist on Children and Armed Conflict* (April 2006), http://www.watchlist.org/reports/files/dr_congo.report.20060426.php?p=6 (accessed January 19, 2010).

²¹⁹ Watchlist on Children and Armed Conflict, “Struggling to Survive: Children in Armed Conflict in the Democratic Republic of the Congo,” *Watchlist on Children and Armed Conflict* (April 2006), http://www.watchlist.org/reports/files/dr_congo.report.20060426.php?p=6 (accessed January 19, 2010). AND Human Rights Watch, “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” *Human Rights Watch* (2005): 50.

²²⁰ Human Rights Watch, “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” *Human Rights Watch* (2005): 50.

²²¹ Chris McGreal, “Hundreds of Thousands of Women Raped for Being on the Wrong Side,” *The Guardian* (November 12, 2007), <http://www.guardian.co.uk/world/2007/nov/12/congo.international> (accessed January 19, 2010).

²²² Stephanie McCrummen, “Congo’s Rape Epidemic Worsens During U.S.-Backed Military Operation.”

other side is a tactic of several groups.”²²³ Further, the extreme sexual violence in the DRC causes numerous short- and long-term physical, psychological, and social effects so shameful and debilitating that many women do not come forward to report the attack. This reinforces armed groups’ impunity for crimes of sexual violence and allows these groups to control civilians more effectively.

Destructive Consequences

Sexual violation of women erodes the fabric of a community in a way that few weapons can. Rape's damage can be devastating because of the strong communal reaction to the violation and pain stamped on entire families. The harm inflicted in such cases on a woman by a rapist is an attack on her family and culture, as in many societies women are viewed as repositories of a community's cultural and spiritual values.²²⁴

Rape destroys a society unlike any other weapon. It tears apart families and communities “with the rupture of trust and the poison of shame.”²²⁵ When family members and neighbors are forced to watch their mother or daughter raped, there are serious psychological ramifications. Shame often causes the witnesses to reject and ostracize the survivors.²²⁶ According to Ambassador at Large for Global Women’s Issues Melanne Verveer, “Rape...destroys the fabric of societies from within and does so more efficiently than do guns or bombs.”²²⁷

One of the most visible and traumatic physical ramifications of rape in the Congo is also intricately linked to severe psychological and social consequences that contribute to the breakdown of families and entire communities. A large number of women and girls suffer from traumatic genital fistula, a hole or tear in the tissue connecting the vagina to the bladder and/or rectum.²²⁸ Though

²²³ Victoria Brittain, “Calvary of the Women of Eastern Democratic Republic of Congo (DRC),” *Review of African Political Economy* vol. 29 issue 93 (September 2002): 597.

²²⁴ “Sexual Violence as a Weapon of War,” *The State of the World’s Children 1996 – UNICEF* (1996), <http://www.unicef.org/sowc96pk/sexviol.htm> (accessed February 10, 2010).

²²⁵ Victoria Brittain, “Calvary of The Women of Eastern Democratic Republic of Congo (DRC),” *Review of African Political Economy* vol. 29 no. 93 (September 2002): 597.

²²⁶ Ibid. AND “Atrocities Beyond Words: Congo,” *The Economist* vol. 387, no. 8578 (May 3, 2008): 69.

²²⁷ Melanne Verveer, “Testimony Before the U.S. Senate Subcommittees on African Affairs, and Human Rights, Democracy, and Global Women's Issues,” (May 13, 2009), <http://www.state.gov/s/gwi/rls/rem/2009/123500.htm> (accessed May 18, 2009).

²²⁸ Ahuka Ona Longombe, Kasereka Masumbuko Claude, and Joseph Ruminjo, “Fistula and Traumatic Genital Injury from Sexual Violence in a Conflict Setting in Eastern Congo: Case Studies,” *Reproductive Health Matters* vol. 16, no. 31 (May 2008): 133.

fistulas can also be caused from traumatic labour and delivery during childbirth, the majority of cases of genital fistula in the Congo are the result of brutal sexual violence and/or mutilation, including gang rape, the forcible insertion of objects, and the shooting or stabbing of women inside their bodies.²²⁹ Longombe et al. examined 4,715 cases of women and girls who reported experiencing sexual violence between April 2003 and June 2006. Of these cases, 702 had genital fistula.²³⁰

While this is a medical problem requiring urgent and specialized care, fistulas create serious psychological and social problems for those who experience this type of injury. The number of women treated at Panzi Hospital in South Kivu, the main facility that provides services to the most damaging cases of sexual violence, is indicative of the severity of the attacks. Every year, almost 3,500 women who suffer from fistula and other extreme genital injuries as a result of sexual violence are treated at Panzi Hospital.²³¹ Many women live in remote areas, however, and are unable to reach the facilities that can treat them. Further, the number of women requiring care far exceeds the number of beds, medicine, or surgeons trained to perform this complicated procedure.²³² While surgeons are able to repair some women, many more suffer from injuries too extensive to be successfully treated. These women, along with those who never reach hospitals or clinics, are often ostracized and rejected by their families and communities due to the smell from the uncontrollable leaking of urine and feces.²³³

Another serious complication associated with fistulas is damage to women's reproductive organs. Many attacks are so violent and the internal damage so extensive that survivors are no longer able to have children. This creates an additional social consequence as women and girls who have been raped and/or are unable to have children are no longer seen as marriageable if they are single, or they

²²⁹ Ibid., 132-133.

²³⁰ Ibid., 133.

²³¹ Yakin Ertürk, "UN Expert on Violence against Women Expresses Serious Concerns Following Visit to Democratic Republic of Congo," *United Nations Press Release* (July 30, 2007), <http://www.unhcr.ch/hurricane/hurricane.nsf/0/B5D0053875B01B8CC1257328003A8FEE?opendocument> (accessed February 26, 2010).

²³² Ibid.

²³³ Ahuka Ona Longombe, Kasereka Masumbuko Claude, and Joseph Ruminjo, "Fistula and Traumatic Genital Injury from Sexual Violence in a Conflict Setting in Eastern Congo: Case Studies," *Reproductive Health Matters* vol. 16, no. 31 (May 2008): 132, 139.

are abandoned by their husbands if married. This further imperils women and reduces their chances for survival in a society that links a woman's value to her status as wife and mother.

In 2004, researchers from USAID/DCHA spent three weeks in eastern DRC meeting with national, regional, and local authorities, members of the UN, international and local NGOs, and representatives from groups affected by the violence to discuss the side-effects of rape. Interviewees mentioned effects including internal tearing and fistulas, infertility, and severe problems and complications with childbirth, menstruation, and the elimination of urine and feces. They also discussed other consequences of pervasive sexual violence including health problems from sexually transmitted infections and HIV/AIDS, as well as psychological trauma including fear, depression, and anxiety.²³⁴ In addition to the above consequences, researchers with International Alert, Réseau des Femmes pour un Développement Associatif (RFDA), and Réseau des Femmes pour la Défense des Droits et la Paix (RFDP) noted damages and complications to women's physical and reproductive health, including pain, miscarriages, vaginal tearing, unplanned pregnancies, prolapsed uterus, and heavy periods.²³⁵ Other psychological and physical consequences include shame, insomnia, nightmares, withdrawal, broken bones, burns, and severed limbs.²³⁶

Additional consequences of sexual violence include malnutrition and gaps in children's education.²³⁷ While physical and psychological effects are more obvious, women who fear being raped or attacked are often unable to work the fields, gather firewood or go to the market.²³⁸ This then creates a situation where many women and children live in poverty and suffer from malnutrition. Similarly,

²³⁴ Marion Pratt, Ph.D. and Leah Werchick, J.D. with Anaia Bewa, Marie-Louise Eagleton, Claudine Lumumba, Katherine Nichols, and Lina Piripiri, "Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo," *USAID/DCHA Assessment Report* (March 18, 2004): 8, 12-13.

²³⁵ International Alert, "Women's Bodies as a Battleground: Sexual Violence Against Women and Girls During the War in the Democratic Republic of Congo," *Réseau des Femmes pour un Développement Associatif (RFDA), Réseau des Femmes pour la Défense des Droits et la Paix (RFDP), International Alert* (2004): 39-41.

²³⁶ *Ibid.*, 42. AND Wairagala Wakabi, "Sexual Violence Increasing in Democratic Republic of Congo," *The Lancet* vol. 371 no. 9606 (January 2008): 15

²³⁷ Marion Pratt, Ph.D. and Leah Werchick, J.D. with Anaia Bewa, Marie-Louise Eagleton, Claudine Lumumba, Katherine Nichols, and Lina Piripiri, "Sexual Terrorism: Rape as a Weapon of War in Eastern Democratic Republic of Congo," *USAID/DCHA Assessment Report* (March 18, 2004): 12-13.

²³⁸ *Ibid.*

when women fear for their children's safety they often keep them home from school, thereby negatively affecting the chances of the next generation to emerge from the present cycle of poverty and violence.²³⁹

Rape is therefore an extremely effective weapon of war that allows perpetrators to accomplish economic and military objectives since sexual violence causes physical, psychological, sexual, emotional and social effects that last a lifetime; enables perpetrators to spread fear and shame; and destroys the families and communities of their enemies.

Inability of the International Community to Effectively Address Sexual Violence

Resource exploitation, the involvement of neighbouring countries, perpetrators' impunity, the complexity of the conflict, and debilitating consequences of rape are the most important factors contributing to the widespread use of severe sexual violence in the Congo. Closely linked to these factors is the inability or unwillingness of the international community to effectively address rampant war rape in the DRC. This lack of political will is not directly responsible for sexual violence in the country. It is one of the most crucial factors, however, that allows rape in this conflict to continue unabated.

Despite the thousands of women brutally raped and mutilated in the Congo over the past fifteen years, the response of the international community is still seen as "inconsistent, inadequate, and piecemeal in fashion."²⁴⁰ Even though many in power know that sexual violence against women and girls is used as a strategy to accomplish both economic and political ends, negotiations to determine the terms that will end the fighting do not include the weapon of rape, and there is little change in the situation for women both during conflict and "so-called peace."²⁴¹ In the words of international human rights activists Eve Ensler and Stephen Lewis:

²³⁹ Ibid.

²⁴⁰ Wairagala Wakabi, "Sexual Violence Increasing in Democratic Republic of Congo," *The Lancet* vol. 371 no. 9606 (January 2008): 15.

²⁴¹ Eve Ensler and Stephen Lewis, "The Never-Ending War," (December 12, 2008), http://www.huffingtonpost.com/eve-ensler-and-stephen-lewis/the-never-ending-war_b_150668.html (accessed May 18, 2009).

There are Security Council resolutions, dramatic visits by western Foreign Ministers, increasing news coverage, coalitions of UN agencies, statements by humanitarian NGO's, 17,000 peacekeepers on the ground, and yet the sexual violence never ceases.²⁴²

It is this tendency to talk more than act that sends the message that the international community is not fully politically and economically committed to addressing and resolving the root causes of sexual violence in the Congo. For example, despite the recent U.S. pledge of millions of dollars to reform the military and assist survivors of sexual violence in the Congo, their aid program to the country has traditionally been weak since “The efforts here for peace, and even for the alleviation of the massive rape crisis, has not been a major U.S. priority.”²⁴³

Weak and ineffective resolutions passed by the United Nations Security Council are another factor that reveals the lack of political will on behalf of the international community to seriously address global sexual violence and provide the necessary resources to underscore that commitment. UN Security Council Resolution 1325 on Women, Peace and Security (2000) requires all parties involved in armed conflict to “take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.”²⁴⁴ More effort and resources are needed, however, to fulfill this resolution. After years of receiving reports detailing numerous and severe acts of systematic sexual violence around the world, the United Nations Security Council then passed Resolution 1820 in June 2008 which clearly outlines specific obligations for individual countries and UN bodies to “prevent and punish sexual violence when it is used as a weapon of war.”²⁴⁵

Despite these resolutions and strong words from the Security Council, rape continues to be used as a weapon of war around the world and in some places worsened without the Council acting to

²⁴² Ibid.

²⁴³ Danny Schechter, “War in the Congo. An Ongoing Humanitarian Catastrophe,” *Global Research* (December 16, 2009), <http://www.globalresearch.ca/index.php?aid=16549&context=va> (accessed May 1, 2010).

²⁴⁴ Jeanne Ward and Mendy Marsh, “Sexual Violence against Women and Girls in War and its Aftermath: Realities, Responses, and Required Resources,” *Symposium on Sexual Violence in Conflict and Beyond* (2006).

²⁴⁵ Human Rights Watch, “Sexual Violence Soaring a Year after the Security Council Promised Prevention,” *Human Rights Watch* (June 19, 2009), <http://www.hrw.org/en/news/2009/06/19/un-end-rape-war> (accessed September 11, 2009).

stop it.²⁴⁶ According to Marianne Mollmann, women's rights advocate with Human Rights Watch, the Security Council does not back up their strong words on sexual violence with action that will truly help women in war zones, especially the DRC.²⁴⁷

Focusing on initiatives that do little in getting to the root of why sexual violence is effective and used in the first place is another shortcoming in the traditional response of the international community:

One important step to ending crimes of sexual violence by armed forces would be to reform the army and enable the military hierarchy to better discipline soldiers. Reluctant to become directly involved in such efforts, international leaders have focused on providing assistance to victims.²⁴⁸

Providing medical and psychological care to victims is important. Without structural and institutional changes, however, there will continue to be a steady stream of victims requiring the assistance of the international community. Further, even the medical assistance currently provided is grossly inadequate when compared to the number of women requiring help.²⁴⁹ Despite the efforts by individual agencies such as UNICEF, Doctors on Call for Service (DOCS), the International Rescue Committee (IRC), and Medicines Sans Frontieres, the response of the international community to the mass and systemic rape in eastern DRC has been “devastatingly slow.”²⁵⁰

There have been positive contributions from the international community including assistance in reforming and rebuilding the judiciary, investigations into sexual violence by the International Criminal Court (ICC), and increased human rights monitoring and documentation by MONUC.²⁵¹ The shortcomings of MONUC, however, further reinforce the failure of the international community in the Congo.

²⁴⁶ Ibid.

²⁴⁷ Ibid.

²⁴⁸ Human Rights Watch, “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” *Human Rights Watch* (2005): 48.

²⁴⁹ Ibid.

²⁵⁰ Ibid., 49.

²⁵¹ Ibid., 49-50.

The UN Organization Mission in the DRC (MONUC) was created in 1999 and is “one of the biggest and most expensive missions ever deployed by the UN.”²⁵² Some of the elements of MONUC’s mandate included facilitating the demobilization and repatriation of foreign combatants, security sector reform, and deterring violence and protecting civilians.²⁵³ For the most part, success in these areas was limited. The repatriation of foreign forces, such as the FDLR, was extremely slow and thousands of rebels are still in the DRC. Security sector reform was also a failure, but not solely because of MONUC. Much of the blame also rests on “the absence of Congolese and international will to commit to a long-term reform of the security sector.” MONUC also has a poor record in protecting civilians and preventing violence resulting at times in heavy civilian casualties.²⁵⁴ Despite its often lackluster performance, MONUC was constrained by an extremely challenging political environment, lack of resources, and a lack of political will on the part of the major powers to resolve the conflict.²⁵⁵

World leaders fight terrorism all the time, with summit meetings and sound bites and security initiatives. But they have studiously ignored one of the most common and brutal varieties of terrorism in the world today...It involves not W.M.D. but simply AK-47s, machetes and pointed sticks. It is mass rape...and it thrives in part because the world shrugs.²⁵⁶

This attitude of indifference and inaction on the part of the international community is one of the main reasons sexual violence continues unabated in the DRC. On the other hand, this paper acknowledges that galvanizing support for armed humanitarian intervention is often difficult and this step is not one that should be taken lightly:

Given the death, destruction, and disorder that are often inherent in war and its aftermath, humanitarian intervention should be reserved as an option only in situations of ongoing or imminent mass slaughter. Only the direst cases of large-scale slaughter can justify war's deliberate taking of life.²⁵⁷

²⁵² Denis M. Tull, “Peacekeeping in the Democratic Republic of Congo: Waging Peace and Fighting War,” *International Peacekeeping* vol. 16, no. 2 (April 2009): 215.

²⁵³ *Ibid.*, 219-221.

²⁵⁴ *Ibid.*, 219-221.

²⁵⁵ *Ibid.*, 226.

²⁵⁶ Nicholas D. Kristof, “The Weapon of Rape,” *The New York Times* (June 15, 2008), http://www.nytimes.com/2008/06/15/opinion/15kristof.html?_r=3&oref=slogin&oref=slogin (accessed May 20, 2009).

²⁵⁷ Kenneth Roth, “Setting the Standard: Justifying Humanitarian Intervention,” *Harvard International Review* vol. 26, no. 1 (Spring 2004), <http://hir.harvard.edu/index.php?page=article&id=1218> (accessed April 21, 2010).

The historical events and international law surrounding this issue is beyond the scope of this paper, however, the level of slaughter, torture, and sexual violence is so widespread in the DRC that the large peacekeeping presence in the country is justified and should be given all the resources it needs to fulfill its mandate. An effective humanitarian intervention, along with the initiatives discussed below, will require a level of political and economic commitment from the international community to address sexual violence that has so far been absent in this conflict.

Chapter Four: Strategies to Reduce the Prevalence of Sexual Violence in the DRC

This paper examines several important factors that have led to the widespread and severe use of rape as a systemic and strategic weapon of war in the DRC. These factors include the effectiveness of rape in accomplishing economic and military goals, including the exploitation of the country's vast mineral wealth; the Congo's hostile political environment; a culture of impunity for perpetrators of sexual violence that reaches to all levels of the military and armed groups; the large number of actors in the on-going conflict; and the many physical, psychological, and social consequences associated with rape.

There are recent national and international initiatives undertaken in the Congo that have led to various levels of success in reducing sexual violence in certain areas and changing long-held beliefs. The continued use of rape by all armed groups suggests, however, that the Congolese government and the international community are unable or unwilling to effectively address the above issues. Initiatives focus instead on quick fixes rather than devoting the time, energy, and resources necessary to develop a comprehensive strategy that addresses the numerous structural issues that contribute to the continuation of sexual violence in the Congo.

Further, many of the recommendations for ways to eradicate sexual violence are developed by international human rights organizations or U.N. representatives. Many of these groups and individuals possess an in-depth knowledge and level of experience often lacking among scholars and politicians, and if implemented, many of their recommendations have the potential to reduce sexual violence in the Congo. The major obstacle to the full implementation and success of these recommendations, however, is that they must be carried out in a complicated and politically-charged environment. On paper these recommendations have the potential to reduce sexual violence; the reality, however, is that the odds of them being implemented in the near future are quite small unless immediate attention is paid to the systemic and structural causes of the conflict and sexual violence in the Congo.

Ending Perpetrators' Impunity

President Kabila referred cases of serious human rights violations to the International Criminal Court (ICC) in 2004. William Burke-White discusses possible reasons that President Kabila was willing to refer the situation in his own country to the ICC. He argues that “the existence of the Court sufficiently shifted the incentive structure for the national government such that President Kabila perceived it to be in his own interests to refer the case.”²⁵⁸ In other words, cooperating with the ICC was to his political advantage in light of the upcoming election. The composition of the transitional government also helps to explain this decision. This government was led by Joseph Kabila and under him were four vice presidents, “one from each of the primary factions to the Congolese civil war.”²⁵⁹ In the period before the national elections the main political actors therefore had a strong motivation to undermine other parties to the peace agreement in order to increase their own chances of winning the election:

Given that many of the key political actors are implicated in international crimes, criminal justice offers a powerful mechanism to discredit enemies and reshape the domestic political landscape...If a senior government official were indicted or prosecuted, that individual might be unable to effectively compete in the upcoming balloting or might already be in The Hague facing prosecution. If used strategically, this could greatly enhance the electoral prospects of unindicted opponents.²⁶⁰

The ICC was therefore a political weapon President Kabila could use to increase his chances of winning the national elections, especially since two of his potential opponents were among those who would likely be facing an investigation by the ICC.²⁶¹

In June 2004, the ICC's first investigation in the DRC began and as a result, three senior militia leaders were arrested and transferred to The Hague.²⁶² Due to the fact that the ICC is operating

²⁵⁸ William W. Burke-White, “[Complementarity in Practice: The International Criminal Court as Part of a System of Multi-Level Global Governance in the Democratic Republic of Congo](#),” *Leiden Journal of International Law* vol. 18, no. 3 (October 2005): 564.

²⁵⁹Ibid., 564.

²⁶⁰ Ibid., 565.

²⁶¹ Ibid., 565.

²⁶² Géraldine Mattioli and Anneke van Woudenberg, “The ICC in the Democratic Republic of Congo: [Global Catalyst for National Prosecutions?](#)” (March 15, 2008), <http://www.hrw.org/en/news/2008/03/15/global-catalyst-national-prosecutions> (accessed May 18, 2009).

with insufficient resources, however, and is only able to prosecute a few high-ranking individuals responsible for widespread abuses, it is impossible for the ICC to deal with the issues of accountability and perpetrators' impunity by itself. Further, the ICC can only prosecute cases if a country's domestic government is unable or unwilling to do so and is only able to investigate and prosecute crimes committed since July 1, 2002, when the Rome Statute went into effect and the ICC was formed.²⁶³

These weaknesses necessitate the strengthening, reform, and use of the domestic judicial system. Since July 2009, several rape trials were initiated in the Congo and one led to the conviction of two high-ranking officers while four other officers were investigated for allegations involving sexual violence.²⁶⁴ Domestic prosecutions are not politically viable for Kabila, however, and the "Congolese judiciary is extremely weak and likely unable to mount a serious investigation of sitting government leaders."²⁶⁵ For example, in the locker rooms of a soccer stadium in a district north of Goma, two investigators for the local military prosecutor are responsible for investigating and prosecuting several thousand Congolese soldiers despite a lack of electricity, functioning toilets, transportation, or court house.²⁶⁶ This is just one stark example of the limitations of the Congolese judicial system.

Despite these weaknesses and failure to hold many perpetrators accountable, the Congolese government, international donors, and civil society organizations have implemented important initiatives to address perpetrators' impunity throughout the country. These initiatives include providing international humanitarian law and Congolese law training, improving the effectiveness of the military justice system and the police, paying army soldiers regularly and adequately,²⁶⁷ and making important

²⁶³ Elizabeth C. Minogue, "[Increasing the Effectiveness of the Security Council's Chapter VII Authority in the Current Situations Before the International Criminal Court](#)," *Vanderbilt Law Review* vol.61, no.2 (2008): 654.

²⁶⁴ Human Rights Watch, "Stopping Rape as a Weapon of War in Congo," *Human Rights Watch* (September 18, 2009), <http://www.hrw.org/en/news/2009/09/18/stopping-rape-weapon-war-congo> (accessed January 5, 2010).

²⁶⁵ William W. Burke-White, "[Complementarity in Practice: The International Criminal Court as Part of a System of Multi-Level Global Governance in the Democratic Republic of Congo](#)," *Leiden Journal of International Law* vol. 18, no. 3 (October 2005): 566-567.

²⁶⁶ Geoffrey York, "The Bleak Calculus of Congo's War Without End," *The Globe and Mail* (Friday, March 26, 2010), <http://www.theglobeandmail.com/news/world/the-bleak-calculus-of-congos-war-without-end/article1513795/> (accessed March 27, 2010).

²⁶⁷ Human Rights Watch, "Soldiers Who Rape, Commanders Who Condone: Sexual Violence and Military Reform in the Democratic Republic of Congo," *Human Rights Watch* (July 2009): 6.

changes to domestic law.²⁶⁸ For example, a new law was enacted in 2006 that redefined rape to include men and women, as well as all forms of penetration. In addition to increasing the penalties for those convicted of sexual violence, the law also expanded to include sexual slavery, mutilations, and forced prostitution and marriage.²⁶⁹ European aid agencies also provided millions of dollars to build new courthouses and prisons in eastern DRC, mobile courts are now used to try alleged rapists in areas far from permanent court houses, and the American Bar Association opened a legal clinic to help rape survivors bring their cases to trial.²⁷⁰ These initiatives contributed to eight recent convictions.²⁷¹

The percentage of arrests compared to actual perpetrators who remain free is still small, despite these positive developments and initiatives, a fact that reveals the amount of work that still needs to be done.²⁷² Domestic prosecutions and creating an environment where it is easier for women to come forward to report rape are important steps in ending the impunity currently enjoyed by perpetrators of sexual violence throughout the country. On the other hand, years of fighting decimated the country's infrastructure, including the criminal justice system, thereby making it almost impossible for the Congolese government to be able to handle the number of cases that need to be prosecuted. The continued utilization of the International Criminal Court to try the most high-profile cases would possibly send a message that high-ranking officials are no longer above the law. During these trials, the Congolese government could take the time to implement reforms to its judicial system and ensure police and lawyers receive the training and resources necessary to arrest and prosecute those responsible for participating in or ordering large scale abuses.

Efforts to end perpetrators' impunity through continued judicial and legal reforms, as well as an increase in prosecutions, are integral steps in reducing the effectiveness and use of rape in the DRC. While these initiatives are important, on their own they are not sufficient to curb and ultimately

²⁶⁸ Claudia Rodriguez, "Sexual Violence in South Kivu, Congo," *Forced Migration Review* no. 27 (2007): 45-46.

²⁶⁹ Ibid.

²⁷⁰ Jeffrey Gettleman, "Rape Victims' Words Help Jolt Congo into Change," *The New York Times* (October 17, 2008), <http://www.nytimes.com/2008/10/18/world/africa/18congo.html?fta=y> (accessed May 18, 2009).

²⁷¹ Ibid.

²⁷² Ibid.

eradicate sexual violence. Increasing public awareness through media attention and research and advocacy campaigns can also greatly contribute to changing the way people think about and respond to sexual violence, both internationally and in the DRC.

Public Awareness, Research and Advocacy

Numerous national and international human rights groups are involved in research, analysis and advocacy related to the understanding and reduction of rape in the Congo, including Amnesty International, Human Rights Watch, and Medicines sans Frontiers.²⁷³ These organizations highlight the sexual violence committed by all parties to the conflict, describe the wide range of consequences for survivors, provide first-hand accounts, and discuss recommendations to the Congolese government and international community designed to reduce the effectiveness and prevalence of sexual violence. Through these efforts, as well as the contributions of journalists, aid workers, and members of Congolese civil society, public awareness concerning rape as a weapon of war in the DRC is slowly increasing.

One of the visible results of these efforts occurred in July 2009 when President Kabila agreed to meet with Human Rights Watch to work on an anti-rape strategy.²⁷⁴ U.S. Secretary of State Hillary Clinton traveled to the Congo one month later and met with women's rights activists and promised US \$17 million in new funding to aid survivors of sexual violence.²⁷⁵ The United Nations Security Council also passed a resolution that "unequivocally mandated the United Nations to address sexual violence as a weapon of war and a threat to international peace and security."²⁷⁶ Public and immediate enforcement

²⁷³ Amnesty International, "Democratic Republic of Congo: Mass Rape - Time for Remedies," *Amnesty International* (2004). AND Amnesty International, "Democratic Republic of Congo: North Kivu; No End to War on Women and Children," *Amnesty International Publications* (September 2008). AND "The War Within the War: Sexual Violence against Women and Girls in Eastern Congo," *Human Rights Watch* (June 2002). AND "I Have no Joy, no Peace of Mind: Medical, Psychological, and Socio-Economic Consequences of Sexual Violence in Eastern DRC," *Medicines sans Frontiers* (2004).

²⁷⁴ Human Rights Watch, "Stopping Rape as a Weapon of War in Congo," *Human Rights Watch* (September 18, 2009), <http://www.hrw.org/en/news/2009/09/18/stopping-rape-weapon-war-congo> (accessed January 5, 2010).

²⁷⁵ Alexis Arieff, "Sexual Violence in African Conflicts," *Congressional Research Service* (November 25, 2009): 21.

²⁷⁶ Human Rights Watch, "US: Act to Prevent Rape in War," *Human Rights Watch* (May 13, 2009), <http://www.hrw.org/en/news/2009/05/13/us-act-prevent-rape-war> (accessed January 5, 2010).

of this resolution, along with the appointment of a special representative on sexual violence,²⁷⁷ are important steps to show that the international community considers war rape and other forms of sexual violence serious violations of humanitarian norms requiring an urgent response.

In the ongoing effort to raise public awareness concerning the use of rape in the DRC and change the way society views this crime, innovative strategies are being utilized. Though a large number of rape survivors in the DRC remain silent due to fear and shame, many local human rights groups are now encouraging rape survivors to “speak out in open forums, like a courtroom full of spectators, just with no accused” in an effort to change the tradition of silence surrounding sexual violence.²⁷⁸ Activists also walk or ride bicycles to different villages to spread a “simple but often novel message: rape is wrong.”²⁷⁹

The inclusion of men in projects aimed at reducing sexual violence is also becoming more common. Men whose wives are raped by soldiers or members of armed groups often reject them and kick them out of the family home for a variety of reasons. Some men view their wives who are raped as “damaged goods” or possibly suffering from AIDS. Often men feel shame that they were not able to protect their wives and fear ridicule from other members of their community.²⁸⁰ In light of the social disintegration resulting from severe and widespread sexual violence in the DRC, organizations such as Women for Women International are now focusing on the role of men in preventing rape, rather than the traditional exclusive focus on female survivors. According to Lyric Thompson, policy analyst with Women for Women:

While we are an organization that values investment in women, you have to engage larger communities...In many places we work, the community leaders are men, so we use men's position of influence. Our program in Congo is a model for other programs. It involves a huge paradigm shift from approaching men as the perpetrators - the enemy - to engaging them as allies; as fathers, sons, brothers.²⁸¹

²⁷⁷ Ibid.

²⁷⁸ Jeffrey Gettleman, “Rape Victims’ Words Help Jolt Congo Into Change,” *The New York Times* (October 17, 2008). <http://www.nytimes.com/2008/10/18/world/africa/18congo.html?fta=y> (accessed May 18, 2009).

²⁷⁹ Ibid.

²⁸⁰ Matthew Clark, “Congo: Confronting Rape as a Weapon of War,” *The Christian Science Monitor* (August 2, 2009): 17.

²⁸¹ Ibid.

As a result of the program, some men reunited with the wives they rejected after they were raped.²⁸² The program also provides training for local leaders to educate men that they are not responsible for the rape of their wives, and facilitators train senior members of the military and police in how to prevent rape by the men under their command.²⁸³ While it is not clear how widespread this change of attitude is in light of the continuing abuse against women and the difficulties in gathering accurate statistics, some commanders are now telling soldiers not to rape due to its destructive effects on both the woman and the nation as a whole.²⁸⁴

Finally, some women such as Honorata Kizende are challenging traditional taboos surrounding rape and have chosen to speak out in order to empower themselves, encourage other survivors, and raise public awareness:

There was no dinner. It was me who was dinner. Me, because they kicked me roughly to the ground, and they ripped off all my clothes, and between the two of them, they held my feet. One took my left foot, one took my right, and the same with my arms, and between the two of them they proceeded to rape me. Then all five of them raped me.²⁸⁵

This public discussion of rape is a relatively new phenomenon but one with the potential to create significant changes in the Congo. When women like Kizende speak publicly regarding their experiences of rape and sexual violence, national and international awareness surrounding this crime dramatically increases. When human rights organizations, governments, journalists and academic scholars investigate, research, analyze, and publicize acts of sexual violence, the reasons behind the continued use of rape as a weapon of war and the strategies that should be implemented for its eradication are better understood. When perpetrators of sexual violence are prosecuted and punished for their crimes under both Congolese and international humanitarian law, impunity for those who use rape as a weapon will decrease.

²⁸² Ibid.

²⁸³ Ibid.

²⁸⁴ Ibid.

²⁸⁵ Jeffrey Gettleman, "Rape Victims' Words Help Jolt Congo Into Change," *The New York Times* (October 17, 2008). <http://www.nytimes.com/2008/10/18/world/africa/18congo.html?fta=y> (accessed May 18, 2009).

Obstacles to Eradication

Despite the strategies and positive developments discussed above, several obstacles to eradicating sexual violence in the DRC remain a serious concern. While ending impunity for perpetrators of sexual violence is a necessary step to changing the attitudes and actions of armed groups, international tribunals are only able to prosecute a small number of cases and “many national governments do not have the resources or the commitment to pursue sexual crimes against women.”²⁸⁶ Additional reasons for the small number of prosecuted rape cases include the difficulty in gathering evidence and testimony, as well as the trauma and fear that keep many survivors from coming forward and testifying.²⁸⁷

Cultural norms that view violence against women and girls in both peace and war as inevitable and normal must also be challenged in order to reduce the levels of sexual abuse:

In a world where sex crimes are too often regarded as misdemeanors during times of law and order, surely rape will not be perceived as a high crime during war, when all the rules of human interaction are turned on their heads...humankind's level of tolerance for sexual violence is not established by international tribunals after war. That baseline is established by societies, in times of peace. The rules of war can never really change as long as violent aggression against women is tolerated in everyday life.²⁸⁸

It is therefore necessary to address all incidences of physical and sexual violence against women in the home and in the street during times of peace, whether the abuse is committed by family members or the state. The time to clearly establish an unwillingness to tolerate any form of violence against women is during peace, rather than wait until a major conflict reveals widespread systemic sexual abuse. By then it is often too late to implement the necessary structural changes. If rape and other forms of sexual violence are not prosecuted during times of peace, it will be almost impossible to change entrenched ways of thinking and practice during conflict.

²⁸⁶ Jeanne Ward and Mendy Marsh, “Sexual Violence against Women and Girls in War and its Aftermath: Realities, Responses, and Required Resources,” *Symposium on Sexual Violence in Conflict and Beyond* (2006): 28.

²⁸⁷ Lene Hansen, “Gender, Nation, Rape: Bosnia and the Construction of Security,” *International Feminist Journal of Politics* vol. 3, issue 1 (April 2000): 55-75.

²⁸⁸ Paula Donovan, “Rape and HIV/AIDS in Rwanda,” *Supplement to The Lancet: Medicine and Conflict* vol. 360 (December 2002): 18.

The low status of women in Congolese society also exacerbates the often accepted acts of violence committed against them and is a major obstacle to the eradication of sexual violence:

In peacetime, the demands on Congolese women are limitless; but in this war, the most insane fantasies have found their expression. When seven soldiers rape a woman or little girl, and thrust a knife or fire shots into her vagina, for them the woman is no longer a human being, she is an object. And since there are no longer any laws or rules, combatants pour out their anger and their madness on to women and little girls.²⁸⁹

In the Congo, as in many other patriarchal societies, men hold most leadership positions in politics, economics, and religion. Even though many ethnic groups in the Congo pass down inheritance through the mother's side of the family, "women are regarded as lower than males on the scale of social hierarchy."²⁹⁰ Especially in rural areas, men often have many wives, a situation that at times creates competition between the women for food, children, and attention from their husband.²⁹¹ Women in Congolese society are largely responsible for the survival of their families through a daily workload that includes cutting firewood for cooking, carrying large buckets of water, cleaning clothes, planting crops and harvesting the fields, collecting fruit, cooking, raising children, paying school fees, and making baskets and pottery to sell at local markets. Most of this work is done while carrying their babies on their backs.²⁹² Finally, even though women carry such a large responsibility and make important contributions in their families and communities, women are still at an economic disadvantage because most husbands are the head of the home and make all the financial decisions on behalf of the entire family.²⁹³

Women also continue to be underrepresented and underestimated in the institutions and government of the DRC.²⁹⁴ For example, even though women campaigned for their ideas to be taken into account, there was not a significant level of female participation in making decisions in the

²⁸⁹ Amnesty International, "Democratic Republic of Congo: Mass Rape - Time for Remedies," *Amnesty International Publications* (October 25, 2004): 12.

²⁹⁰ Jennifer J. Ziemke, "Countries and their Cultures: Democratic Republic of the Congo," <http://www.everyculture.com/Bo-Co/Democratic-Republic-of-the-Congo.html> (accessed February 19, 2010).

²⁹¹ Ibid.

²⁹² Ibid.

²⁹³ Ibid.

transitional government.²⁹⁵ Finally, since women are affected by war, malnutrition, disease and illiteracy, the involvement of women in the decision-making process would contribute greatly to solving these problems and improving development.²⁹⁶

In “Silence=Rape,” Jan Goodwin discusses several additional factors that make eradicating rape in the DRC extremely difficult. The country has devolved into “an utter state of lawlessness,” where perpetrators know they will not be held responsible for their actions. Rape is also an extremely effective weapon of war that is cheaper than bullets and still not effectively prosecuted in proportion to the amount of sexual violence actually taking place. Further, the United Nations peacekeeping mission to the country (MONUC) has not been effective in stemming the tide of sexual violence due to a lack of human resources and the responsibility of patrolling an area the size of Western Europe. There is also a lack of political will, both domestically and internationally, to bring perpetrators to justice.²⁹⁷

Further, while rape during the Rwandan genocide and in Bosnia both received extensive international media coverage, similar events in the DRC have received less attention and demands for justice.²⁹⁸ This is despite the fact that many within the Congo and in the international human rights, U.N. and NGO communities believe the number of women raped in the DRC “greatly exceeds that in both Bosnia and Rwanda.”²⁹⁹ There are several reasons that current events in the DRC do not receive the same amount of media coverage that Bosnia received. Factors include the size of the countries, geopolitical interests, ease of access, the high level of danger in the DRC, and the complexity of the Congo’s conflict.³⁰⁰ The international media must address these factors immediately and begin to cover

²⁹⁴ Annie Matundu-Mbambi, “Congolese Women: Peacemakers for Security and Development in the Democratic Republic of Congo,” *International Peace Update* (June 1, 2009), <http://www.thefreelibrary.com/Congolese+women:+peacemakers+for+security+and+development+in+the...-a0210666751> (accessed February 14, 2010).

²⁹⁵ Chantal Malamba Kifungo, “Can Women Take a Role in the New DRC?” *Developments Magazine*, <http://www.developments.org.uk/articles/can-women-take-a-role-in-the-new-drc/> (accessed February 14, 2010).

²⁹⁶ Ibid.

²⁹⁷ Jan Goodwin, “Silence=Rape,” *The Nation* (March 8, 2004), <http://www.thenation.com/doc/20040308/goodwin> (accessed January 19, 2010).

²⁹⁸ Ibid.

²⁹⁹ Ibid.

³⁰⁰ Ibid.

the events in the Congo more extensively in order for public awareness concerning sexual violence in the DRC to increase.

Positive Developments

Despite the many obstacles to eradicating sexual violence in the DRC, there have been a few recent positive developments. For example, Margot Wallstrom, former vice president of the European Commission, was appointed the U.N. special representative for ending conflict-zone sexual violence in February 2010 by U.N. Secretary General Ban Ki-moon. On March 1, 2010, she began her two-year position and said she would go “right away” to the DRC, a “global epicenter of mass rape.”³⁰¹

Wallstrom said she plans to work with the Congolese government, U.N. peacekeepers, and numerous non-governmental organizations to implement the strategy devised by MONUC to curb sexual violence throughout the country. In addition to calling for specialized training for members of the military, police, and peacekeepers in order to prevent sexual violence, the comprehensive strategy includes several additional elements:

The plan also envisions improving victims' access to justice by informing women of their rights, strengthening local police units, organizing mobile courts in rural areas, providing protection for victims, witnesses and others associated with cases and not requiring victims to pay legal fees. It also focuses on applying the country's 2006 law on sexual violence, which criminalizes sexual mutilation and slavery and the insertion of objects into a woman's vagina.³⁰²

Other suggestions Wallstrom brought forward include the use of modern technology such as laboratories and DNA to identify assailants, as well as the use of GPS to protect women. She also suggested combining traditional approaches, such as radio programs or soap operas to educate women regarding sexual violence, and high-tech strategies, such as providing women with video cameras and mobile phones to “signal when they need protection.”³⁰³

³⁰¹ Danielle Shapiro, “U.N.'s Wallstrom Says Congo Will Be Her First Stop,” *Women's eNews* (February 25, 2010), <http://www.womensenews.org/story/international-policy/united-nations/100224/uns-wallstrom-says-congo-will-be-her-first-stop> (accessed March 18, 2010).

³⁰² Ibid.

³⁰³ Ibid.

While some of these suggestions look good on paper, many are not practical. Would the use of mobile phones and video cameras really work in a country the size of Western Europe with virtually no infrastructure and on a problem as widespread as it is in the DRC? Who would respond to calls for help? Underlying issues that presently keep women from coming forward, such as fear, shame, and impunity for perpetrators, must also be addressed before some of these strategies could be implemented with any measure of success.

The Congolese government, with assistance from the international community, should increase efforts to ensure justice and end perpetrators' impunity in the country through reforms to the civilian court and police services so they are able to investigate and prosecute cases involving sexual violence.³⁰⁴ Protecting and supporting victims and witnesses in these cases should become a priority, along with providing adequate financial, material, and training resources for police, prosecutors and judges.³⁰⁵ It is also important that women's rights NGOs have a role in designing and implementing strategies addressing sexual violence and peace.³⁰⁶ Further, the Congolese government should immediately investigate all rape allegations, incorporate the provisions of the Rome Statute of the International Criminal Court into domestic law, and ensure that the revised 2006 national laws concerning sexual violence are carried out by the judiciary and police.³⁰⁷ Initiatives such as these may assist in reducing the effectiveness and use of rape as a weapon in this conflict.

Chapter Five: Conclusion

I think what's different in Congo is the scale and the systematic nature of it, indeed, as well, the brutality. This is not rape because soldiers have got bored and have nothing to do. It is a way to ensure that communities accept the power and authority of that

³⁰⁴ Amnesty International, "Democratic Republic of Congo: North Kivu; No End to War on Women and Children," *Amnesty International Publications* (September 29, 2008): 23.

³⁰⁵ *Ibid.*

³⁰⁶ *Ibid.*, 23-24.

³⁰⁷ *Ibid.*, 26.

particular armed group. This is about showing terror. This is about using it as a weapon of war.³⁰⁸

The use of rape in the DRC is more widespread and severe than in most recent conflicts, including Rwanda and the former Yugoslavia. This paper argues that sexual violence is used as a systemic and strategic weapon in the DRC due to its effectiveness in accomplishing economic and military goals, the Congo's hostile political environment, impunity for perpetrators of sexual violence, the large number of actors in the on-going conflict that makes allocating responsibility almost impossible, and the many physical, psychological, and social consequences associated with rape that benefit perpetrators.

The nation's bloody history of violence, oppression and exploitation has led to constant instability, a militarized state, and a collapsed infrastructure, which in turn created an environment where sexual violence flourishes with nearly complete impunity for perpetrators. Rape terrorizes communities, allowing armed groups to control civilians and gain access to valuable minerals and resources. The destructive consequences of sexual violence destroy entire communities more efficiently, effectively and cheaply than guns or bombs, while perpetrators can hide these crimes because of the shame and fear that silence many survivors. It is also easier to hide rape victims than piles of dead bodies.

In light of the seriousness of the present situation, many recommendations have been made with the aim of reducing sexual violence in the DRC. As noted above, however, these recommendations should be considered through the lens of the present political context in the country. Several examples highlight the challenges in reducing sexual violence due to the highly charged political environment that makes implementing the necessary changes extremely difficult. One of the most important factors to consider is the fact that years of fighting destroyed the Congo's infrastructure, seriously hampering the government's ability to effectively administer large parts of the

³⁰⁸ Senior Congo Researcher at Human Rights Watch, Anneka Van Woudenberg, cited in "War against Women: The Use of Rape as a Weapon in Congo's Civil War," *CBS News* (August 17, 2008), <http://www.cbsnews.com/stories/2008/01/11/60minutes/main3701249.shtml> (accessed May 6, 2009).

country. This nominal sovereignty means that the Congolese government has little control over the numerous armed groups roaming the country committing acts of sexual violence.

Further, the decades of exploitation by Mobutu and the years of war have depressed the economy to the point that joining the national army or an armed group is one of the only ways to escape poverty. It is therefore necessary that any recommendations pushing for the demobilization of all armed groups consider the fact that this process is almost impossible unless former combatants know they have a viable alternative. This means that economic development in eastern DRC must become a priority. A collapsed economy has also led to an extremely weak judicial system. Presently, there are very few highly trained lawyers or judges in the Congo and the national government does not have the resources necessary to rebuild the judiciary, pay members of law enforcement an adequate wage, or to investigate and prosecute crimes of sexual violence. In this way, it will be extremely difficult to implement the recommendations involving increased domestic prosecutions without the immediate and long-term financial support and administrative backing from the international community.

There are also numerous issues that must be addressed before many of the recommendations made by human rights groups and U.N. representatives can be implemented. For example, the involvement of neighbouring countries is a serious factor contributing to the continuation of the conflict and the resulting sexual violence. The violence will not stop until all foreign governments withdraw their support for armed groups fighting for access to the Congo's mineral wealth. It is not likely that this involvement will cease any time soon, however, because foreign governments and mining corporations make a significant profit when they exploit the Congo's resources. National armed groups also continue to fight for control and access to resources because it ensures their survival and continued political power. Stopping the illegal exploitation of the Congo's mineral wealth by foreign and national groups, as well as transnational corporations, would take a firm commitment from the

international community to impose sanctions or refuse to buy Congolese resources known to be illegally extracted by foreign powers.

The international community, however, has so far proved inadequate in addressing sexual violence. It is unwilling to hold Rwanda accountable for their continued involvement in the Congo, it provides ineffective aid to conflict zones in Africa rather than devising and implementing comprehensive strategies for peace and the reduction of war rape, and it has failed to utilize the full force of international law in attempting to stop the on-going sexual violence. The international community has also traditionally been unwilling to make the necessary financial and time commitments to address the root causes of conflict and sexual violence in the Congo, as well as make the necessary structural changes. Further, the international media has largely ignored sexual violence in the country, as well as the conflict itself.

It is important to stress that continued support for MONUC, reforms to the domestic judicial system and the military, the utilization of the ICC for high-ranking officers accused of sexual violence, increased training and discipline for soldiers, additional research, and increased public awareness and advocacy are all important and must happen if there is any hope of reducing sexual violence in the Congo. There are, however, still many obstacles to implementing these changes including competing national and regional interests, lack of funds, and the failure of various organizations and levels of government to coordinate with each other and develop a comprehensive strategy to address sexual violence.

The use of sexual violence in the Congo may seem like an insurmountable problem with many of the recommendations for its eradication having little chance for success in the present political context and with the present level of financial and political commitment from the international community. The obstacles to reducing sexual violence in the Congo are so large in part due to the fact that attempts to address it have come too late. For example, a study conducted by the Harvard Humanitarian Initiative and Oxfam International found that from 2004 to 2008, the number of rapes

committed by civilians increased dramatically, a finding that suggests the “normalization of rape among the civilian population.”³⁰⁹

It is therefore imperative that the international community learn from what is happening to women in the Congo in order to devise strategies and implement policies designed to reduce future sexual violence in other countries. If rape is tolerated during times of peace, by the time sexual violence becomes rampant during times of war, it is often too late to make the necessary structural changes. The time to vigorously address all forms of violence against women is during times of peace.³¹⁰ It is necessary to implement programs that educate men on the proper treatment of women, prosecute perpetrators of all forms of violence against women, work towards women’s full participation in all facets of public life, and address unequal power relations between men and women long before violent conflict begins. Rather than waiting for war to reveal disparity and violence, preventive measures to improve women’s status in society are necessary during times of peace. Further, it is important that the international community addresses the root causes of a conflict at the beginning of the fighting, rather than wait until a violent conflict has been raging for many years before working towards a sustainable peace or tackling widespread sexual violence.

This paper uses the DRC as a case study due to the severity of sexual violence there, the number of women affected, the lack of international attention, and the fact that the use of rape as a weapon of war is not just an historical event, but an ongoing crime against humanity. It is important to stress, however, that war rape is not unique to the Congo. The events occurring today in the DRC are used to highlight a much wider global phenomenon.³¹¹ Further, while it is outside the scope of this

³⁰⁹ Harvard Humanitarian Initiative and Oxfam International, “‘Now, the World is Without Me:’ An Investigation of Sexual Violence in Eastern Democratic Republic of Congo,” Harvard Humanitarian Initiative and Oxfam International (April 2010): 2.

³¹⁰ Paula Donovan, “Rape and HIV/AIDS in Rwanda,” *Supplement to The Lancet: Medicine and Conflict* vol. 360 (December 2002): 18.

³¹¹ Jeanne Ward, “Broken Bodies-Broken Dreams: Violence against Women Exposed,” *OCHA/IRIN* (November 2005): 177-189. AND UNIFEM, “Facts and Figures on VAW,” http://www.unifem.org/gender_issues/violence_against_women/facts_figures.php?page=7 (accessed January 20, 2010). AND “Civilians in War Zones: Women and Children Worst,” *The Economist* vol. 390 (February 21, 2009): 61. AND “Sexual Violence as a Weapon of War,” *The State of the World’s Children 1996 – UNICEF* <http://www.unicef.org/sowc96pk/sexviol.htm> (accessed February 10, 2010).

paper, men are also targeted for rape and sexual violence in the Congo and in other conflicts around the world.³¹² War rape is therefore not simply a “women’s issue.” The use of rape as a weapon of war is a severe human rights violation that impacts men and women all over the world and is a serious impediment to achieving sustainable peace, women’s equality, economic and social stability, and international security.³¹³

Sexual violence in war has traditionally received little attention and scholarly examination; consequently there is a lack of understanding regarding why sexual violence is used on such a wide scale in modern-day conflicts, including the Congo. Further, the sexual violence in the Congo, as well as the conflict itself, has received insufficient attention in the media and the scholarly literature. Research is needed to better understand the nature of the conflict in order to better understand the reasons for sexual violence. Right now, many journalists and scholars do not address this conflict because it is extremely complex and difficult to understand. This paper therefore addresses significant gaps in the current literature, raises important questions for further study, and examines a current case of systemic sexual violence in order to enhance the understanding of sexual violence in the Congo.

Many scholarly sources examining sexual violence in the Congo focus on what is happening, or discuss one or two of the factors discussed in this paper. This research, however, analyzes the existing research and human rights reports to examine the reasons why sexual violence is used in the DRC, why it is effective, and how it has become an actual strategic weapon rather than simply an unfortunate byproduct of violent conflict. This paper also builds on the recent literature (since the mid-1990s) that question long-held beliefs and assumptions surrounding sexual violence. Some of the traditional theories state that men commit rapes for sexual gratification, rape is inevitable in war, and that rape is natural for men because they are “genetically wired” for sexual violence during the chaos of combat.³¹⁴

³¹² Human Rights Watch, “Seeking Justice: The Prosecution of Sexual Violence in the Congo War,” *Human Rights Watch* (2005): 20-21. AND Jeffrey Gettleman, “Latest Tragic Symbol of an Unhealed Congo: Male Rape Victims,” *The New York Times* (August 5, 2009), <http://www.nytimes.com/2009/08/05/world/africa/05congo.html> (accessed January 17, 2010).

³¹³ “[Civilians in War Zones: Women and Children Worst.](#)” *The Economist* vol. 390 (February 21, 2009): 61.

³¹⁴ [Ruth Seifert, “The Second Front: The Logic of Sexual Violence in Wars,”](#) *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 35-36. AND [Cindy S. Snyder, Wesley J. Gabbard, J. Dean May and Nihada Zulcic, “On the](#)

This research challenges these old assumptions and builds on increasingly accepted feminist theories that state rape has more to do with power and the desire to dominate or control rather than the desire for sex.³¹⁵ This paper argues that in the Congo, rape is not a natural by-product of war, but is rather used as a strategic weapon to accomplish specific objectives.

One of the most significant gaps in the present literature on sexual violence in the Congo is the absence of perpetrators' voices. This paper stresses the need for more investigations into the motivations of perpetrators through extensive interviews with combatants. Most researchers interview survivors, government or UN officials, NGOs, or medical personnel. Most sources do not include interviews with combatants due to inaccessibility, danger, and the unwillingness of many armed groups to speak with outsiders. This paper therefore stresses the need for further research and interviews conducted with combatants since this absence leaves us with an important gap in our understanding of their motivations for using sexual violence, as well as the steps necessary to eradicate it.

The findings from this paper underscore the urgent need for more scholarly research to examine why rape is used as such an extensive and severe weapon of war in the DRC, as well as in other conflicts around the world. This research is needed to increase understanding and awareness of this problem and ultimately enable policy makers to take steps to reduce its effectiveness as a strategy. If rape is no longer an effective weapon for all the armed groups in the area, then they may stop using this strategy in such record numbers. It is only through understanding why rape is used as such an effective weapon that true change can ever take place.

[Battleground of Women's Bodies: Mass Rape in Bosnia-Herzegovina](#)," *Affilia* vol. 21, no. 2 (Summer 2006): 184-185. AND Christopher Mullins, "'He Would Kill Me With His Penis': Genocidal Rape in Rwanda as a State Crime," *Critical Criminology* vol. 17, no. 1 (March 2009): 16.

³¹⁵ Nora Bashir, Analysis of the Anti-Rape Movement, In "Feminist Theory and its Validity to Anti-Sexual Assault Work," *Connections* vol. 4, no. 2 (Spring/Summer 2003): 10. AND Ruth Seifert, "[The Second Front: The Logic of Sexual Violence in Wars](#)," *Women's Studies International Forum* vol. 19, no. 1-2 (Jan-Apr 1996): 35-36. AND Chloe Angyal, "Sex and Power, From North Carolina to Congo," *The Huffington Post* (March 11, 2010), http://www.huffingtonpost.com/chloe-angyal/sex-and-power-from-north_b_495296.html (accessed April 20, 2010).

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