

U.S. STRATEGY TO ADDRESS SEXUAL AND GENDER-BASED VIOLENCE IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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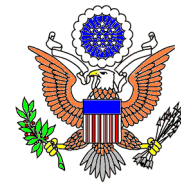
Sexual and gender-based violence (SGBV) in the Democratic Republic of the Congo (DRC) includes the use of rape and sexual terror as a tactic of war in the conflict-affected eastern provinces, as well as pervasive violence against women and girls throughout the rest of the country. Men and boys are also victims of these abuses, but are often overlooked as a vulnerable population.

To further advance the efforts that are being undertaken by the Government of the DRC, the United States has developed a comprehensive strategy to address SGBV in the DRC, aligned with the strategies of the DRC Government and the United Nations. The U.S. government's four key objectives, in support of Congolese efforts, are to: 1) reduce impunity for perpetrators of SGBV; 2) increase prevention of and protection against SGBV for vulnerable populations; 3) improve the capacity of the security sector to address SGBV; and 4) increase access to quality services for survivors of SGBV.

Beyond the specific objectives of the strategy, the U.S. recognizes that effective prevention of SGBV requires efforts to address women's and girls' low status in society. Increased participation of women in all aspects of society would enhance the value of women and girls. Furthermore, the DRC cannot move ahead without the full inclusion of women – including politically, economically (through agriculture and beyond), and socially, through a robust civil society movement. As Secretary Clinton noted in her 2010 statement before the Security Council to commemorate the 10th Anniversary of the UN Security Council Resolution 1325 on Women, Peace and Security, “the only way to achieve our goals – to reduce the number of conflicts around the world, to eliminate rape as a weapon of war, to combat the culture of impunity for sexual violence, to build sustainable peace – is to draw on the full contributions of both women and men in every aspect of peacemaking, peacekeeping, and peace building.”

We remain committed to working with the DRC Government, the United Nations, and other international and local partners to improve the DRC Government's capacity to prevent SGBV, address the threat from illegal armed entities (including their link to conflict minerals), and break the cycle of impunity for crimes affecting innocent men, women, and children. In addition to mitigating violence against women and girls, we are committed to supporting the full inclusion of women in the country's political and economic development.

Women are a powerful voice for peace and an instrument of development when given the opportunity. Investing in women is not only the right thing to do; it's the smart thing to do.



U.S. Strategy to Address Sexual and Gender-Based Violence in the Democratic Republic of the Congo

Executive Summary

Strengthening the prevention of and response to sexual and gender-based violence (SGBV) is a critical step toward the U.S. government's fundamental foreign policy objective in the Democratic Republic of the Congo (DRC): to support the emergence of a stable, democratic country that is at peace with its neighbors and provides for the basic needs of its citizens. Our strategy takes a holistic approach to addressing GBV, aiming to ensure appropriate care for survivors of rape and abuse while also strengthening deterrents against SGBV crimes by reducing impunity and building institutional, community, and individual capacity to prevent future acts of rape and abuse. U.S. government programs to implement this strategy support four key objectives.

Key Objectives

The objectives of the U.S. government SGBV strategy in the DRC are to:

1. Reduce impunity for perpetrators of SGBV;
2. Increase prevention of and protection against SGBV for vulnerable populations;
3. Improve the capacity of the security sector to address SGBV; and
4. Increase access to quality services for survivors of SGBV.

Anticipated Results

While conditions in the DRC present a difficult environment in which to effect change, anticipated results over the next five years include implementation of the DRC's 2006 law on sexual violence and other relevant laws, with an increase in the number of prosecutions of violations; increased individual, community, military, and police awareness of the consequences of SGBV and the tools to prevent and protect against SGBV; improved professionalism and capacity of targeted components of the DRC security forces and improved service delivery to individuals affected by SGBV. U.S. government interventions will also aim to build the capacity of the government and other organizations to deliver medical, social, economic, legal and law enforcement services, as well as to protect individuals and prevent SGBV.

Existing U.S. foreign assistance resources and funds requested for FY2011 will be used to support this strategy. The U.S. government will also develop future budget requests with our SGBV goals in mind. To maximize the impact of limited resources, the U.S. embassy has strengthened interagency coordination by formalizing a SGBV working group chaired by the Deputy Chief of Mission and comprising all relevant mission elements. The working group aims to ensure that efforts across program sectors complement each other and that U.S. programs align with DRC government priorities and other donor interventions. The group will coordinate interagency efforts to monitor, evaluate, and communicate program results toward the strategy's objectives.



Background

SGBV has increasingly become a devastating problem across the DRC – from the epidemic of rape and sexual terror in the conflict-affected eastern provinces to violence against women and girls throughout the rest of the country. More than 17,000 cases of rape were reported in the DRC in 2009, with nearly half of the victims being girls between the age of 10 and 17.¹ The 2007 Demographic and Health Survey reported that nearly 75 percent of women have suffered at some point from spousal or partner abuse, whether physical, emotional or sexual. Nearly two-thirds of women reported suffering from ongoing physical violence since age 15, with married women reporting higher levels of violence than single women. Men and boys are also subjected to SGBV and often have been neglected as a vulnerable population.

Since 2002, the U.S. government has been a major donor in the response to widespread SGBV in the DRC. Through USAID, the Department of State, and the Department of Defense, the U.S. government funds programs that fight impunity for perpetrators, promote protection and community prevention of and response to SGBV, improve the capacity of the security services to address SGBV, and improve access to care and treatment services for survivors.

In 2009, the United Nations, in consultation with the DRC government, the U.S. government, and other key stakeholders, released its Comprehensive Strategy in the Fight against Sexual Violence, focused on the country's eastern provinces. This strategy is being implemented in collaboration with the DRC government and bilateral and multilateral donors, including UN agencies and the UN Stabilization Mission in the DRC (MONUSCO), which play a leading coordination role. Further guidance may be provided by the Special Representative of the Secretary-General on Sexual Violence in Conflict and the supporting team of experts. The U.S. government, along with other key bilateral donors, contributes to technical coordination and implementation of the UN strategy through its contributions to multilateral organizations and through our robust bilateral program for SGBV prevention and response.

The DRC government also released a national gender-based violence strategy in 2009, incorporating the UN-developed strategy as the guidelines for the eastern provinces and identifying additional nationwide and region-specific goals. Responsibility for addressing impunity, insecurity in the eastern provinces, and SGBV and other human rights abuses rests primarily with the DRC government. The U.S. government works with the DRC government and with Congolese civil society and other donors to support the reform of the security, health, education, and justice sectors, encourage efforts to prevent SGBV, and assist survivors.

Objective 1: Reduce Impunity for Perpetrators of SGBV

The Congolese civilian and military justice systems provide little protection to people affected by SGBV, despite the 2006 law criminalizing sexual violence and a 2002 military penal code that gives military courts jurisdiction over serious international crimes, including SGBV. Many of the documented perpetrators of SGBV are members of the country's security forces. Very few cases of SGBV are formally reported, fewer result in prosecution, and fewer still result in the perpetrator's incarceration. Despite the DRC government's zero-tolerance policy toward perpetrators of SGBV, a culture of impunity persists.

In order to reduce impunity, the U.S. government prioritizes four sub-objectives: a) increasing access to justice in underserved areas; b) strengthening judicial institutions and the

¹ UNFPA May 2010 statistics for the DRC in 2009.



legislative framework on accountability; c) building the capacity and independence of judicial personnel; and d) cultivating through diplomatic engagement the political will to implement the government's zero-tolerance policy, particularly in ensuring that high-ranking officers accused of SGBV face prosecution.

Current programs work to meet these sub-objectives in a number of ways, including by delivering legal services to SGBV survivors, training community leaders, supporting mobile courts, and training judges and investigators on how to apply and enforce key SGBV laws. The U.S. government continues to engage the DRC government at the highest levels, urging the government to take judicial action against high-ranking officers alleged to have committed SGBV or other grave abuses. Persistent diplomacy, combined with technical assistance, has yielded some progress toward criminal prosecution.

Even with these efforts in place, extensive obstacles remain to reducing impunity for SGBV. The DRC government has far too few judicial personnel; the oversight and independence of judges are often insufficient; high-ranking perpetrators are politically protected; witnesses, victims, and judicial personnel are often threatened; and the penal system is broken at every level. There are risks that this objective will not be met and recent steps toward providing accountability for high-profile perpetrators will be lost if these gaps are not addressed.

Objective 2: Increase Prevention of and Protection against SGBV

In the DRC, there is a range of behaviors and social attitudes that enable physical and sexual abuse and that vary according to the specific community context. To meet the objective of increasing prevention of and protection against SGBV, the U.S. government will prioritize three key sub-objectives: a) reduce vulnerability through support for community-based prevention activities; b) change community attitudes and individual behaviors related to health and SGBV at the national and community level; and c) increase awareness in families and communities of the legal consequences of SGBV to reinforce prevention. In parallel, the U.S. government will also seek to ensure a minimum of protection in particularly insecure areas by supporting the continued presence of a UN peacekeeping mission tasked with protection of civilians until improved security conditions and host government capacities permit its gradual drawdown.

Current programs work to meet these sub-objectives by reducing stigmatization of victims and building awareness of community members as to the stigmatization of victims and building awareness of community members as to the negative consequences of SGBV and the needs of survivors, with the overall aim of shifting community norms and increasing individual and community action against SGBV. Our prevention activities seek to address gender inequality, a broader underlying cause of SGBV, and seek to reduce risk by empowering women and girls and by engaging men and boys. They also aim to raise awareness that men, boys, and female and male combatants are SGBV survivors, as well as civilian women and girls.

Institutional and programmatic gaps remain in ongoing efforts, including in coordination, community engagement and risk mitigation. Coordination among UN agencies, donor government, as well as international and Congolese NGOs would benefit from more robust mechanisms and staffing. Programs need to consistently engage with men and boys and more effectively identify and address those factors that increase the risk of SGBV. The U.S. government encourages UN agencies with responsibility for prevention and protection to take



appropriate steps to coordinate with local NGOs and to attempt to reach underserved areas in the eastern provinces.

Objective 3: Improve the Capacity of the Security Sector to Address SGBV

The lack of professionalism within the DRC's armed forces and policy severely impedes the DRC government's ability to address ongoing insecurity and, in particular, to protect its people from SGBV and other abuses. Programs under this key objective will seek to develop and professionalize security forces that respond human rights, protect civilians, and punish perpetrators of SGBV.

To meet the objective of improving the capacity of security sector to address SGBV, the U.S. government will prioritize three key sub-objectives: a) advocate for and build the capacity of armed forces, policy, and other key security actors to understand and abide by appropriate military ethics and the laws of war, including response for human rights and preventing and respond to SGBV; b) build the capacity of Congolese military justice personnel to investigate, try, and prosecute SGBV and other abuses through ongoing mentoring and training; and c) in coordination with other donors help the DRC government improve its ability to provide consistent support to its security forces and their families through lodging, proper equipment, and payment of salaries.

Ensuring sustainable progress in these areas will require long-term engagement, but will also be critical to discouraging security forces from preying on civilians. The large size of the Congolese armed forces and police means that donors will have to closely coordinate their interventions to achieve broad impact. Coordination mechanisms exist in Kinshasa and among donor capitals, but these will require ongoing support and DRC government engagement to effectively harmonize efforts.

Objective 4: Increase Access to Quality Care and Treatment Services for Survivors of SGBV

In areas of displacement and insecurity, where access to specialized services for SGBV survivors is a severe challenge and public services may not be available or may be disrupted, many SGBV survivors, particularly minors, frequently find themselves with little to no support. Similar barriers to accessing services exist to a lesser extent in more secure areas of the country as well.

Despite current efforts to address accessibility, significant service gaps remain. For example, programming and services are geographically limited due to access and funding constraints and emergency health needs of many SGBV survivors located in remote areas are not met. Inaccessibility stems at least in part from lack of roads and other infrastructure, coupled with insecurity from ongoing conflict. In addition, a lack of reliable data – not only on reported SGBV incidents but also on locations where international and local NGOs provide health and mental health services – hinders care coordination for SGBV survivors.

In order to increase access to quality care and treatment services for survivors of SGBV, the U.S. government prioritizes three sub-objectives: a) improve medical, psychological, social, legal, economic, and other service delivery as appropriate by linked individuals affected by SGBV to existing local organizations and health structures and increasing community mobilization and awareness of SGNV and related services; b) strengthen the capacity of local service providers, and service delivery organizations to respond in an appropriate, effective, and



non-stigmatizing manner to SGBV survivors and their family members; and c) support health and other systems infrastructure in relate remote locations.