



STOP RAPE NOW

UN ACTION AGAINST SEXUAL VIOLENCE IN CONFLICT

STATEMENT TO THE SECURITY COUNCIL OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON SEXUAL VIOLENCE IN CONFLICT

14 October 2010

Mr. President, Distinguished Members of the Security Council,

1. I visited the Democratic Republic of the Congo from 27 September to 6 October. It was my second mission in the last 6 months. I visited the Kivus, including Bukavu, Goma, and Walikale (Kampala and Nyosi villages). I also visited Mongote and Kahe IDP settlements in Kitchanga.
2. I met with representatives of the DRC Government at national level included the Deputy Prime Minister and Minister of the Interior and Security Adolphe Lumanu, the Deputy Minister of Foreign Affairs Ignace Gata Mavinga, the Minister of Gender Marie-Ange Lukiana, and the President's Security Adviser Pierre Lumbi. At local level I met with the Vice-Governor of South Kivu, and the Governor of North Kivu.

Focusing our attention on the survivors

Mr. President,

3. As you know, my role as Special Representative on Sexual Violence in Conflict is a global one. Like the scourge of sexual violence itself, it traverses all of geography and history. Conflict-related sexual violence is not specific to any culture or continent, yet it still surprises people when I say that this is not cultural, not even sexual - but criminal, a crime of international concern.
4. Thank you for once again having invited me to brief on my visit to the DRC and to bring the voices of Congolese women to this Council, as I promised them to do.
5. “*A dead rat is worth more than the body of a woman*” were the words of one distraught young woman in Walikale. It was an expression of how human rights violations against women are still the lowest on a false hierarchy of wartime horrors. We travelled the dirt road to Kampala and Nyasi villages. Impenetrable jungle on both sides, with narrow paths leading into the forest. We could imagine the dark night being split by gunshots and hordes of soldiers moving from one hut to another to loot and rape and threaten. A string

of small villages along the road were still deserted - testament to the lasting terror of this attack. Families prefer to sleep in the forest since they don't feel safe in their own homes. "Why is this a security issue?", some may still ask. Because there is no security to go about everyday subsistence activities. Because women who are the mainstay of local economies can no longer access markets. Because families are dispersed. Armed elements assert control and dominance over the area. The rapes of elderly women left the communities reeling with shock. It served to shatter the social taboos and the shared heritage that holds people together. The women themselves insisted on one thing above all – they want peace. But we cannot wait for peace to bring peace to the lives of women. We must insist that where sexual violence is planned and orchestrated as a tactic of war, it must be viewed as preventable.

Combating impunity and raising the "cost" of rape

Mr. President,

6. Following the mass rapes in Walikale, I called on this Council and the international community to ensure that the perpetrators and those who bear command responsibility do not escape into the night. In this regard there is some good news.
7. This week, Callixte Mbarushimana, executive secretary of the Forces Démocratiques pour la Libération du Rwanda (FDLR) one of the rebel groups implicated in the atrocities, was arrested in Paris under an ICC warrant. I wish to take this opportunity to commend the French authorities who effected this arrest, and the Prosecutor of the ICC, Mr. Luis Moreno-Ocampo, for actively pursuing the massive sexual crimes committed in the DRC. This complements the positive action taken earlier this year by German authorities to detain other FDLR leaders, namely Dr. Ignace Murwanashyaka and Straton Musoni, on war crimes charges.
8. In addition, last week UN peacekeepers arrested 'Lieutenant Colonel' Sadoke Kokunda Mayele, who was identified by victims as the commander of the Mai Mai Cheka rebel group presumed to be among those responsible for the mass rapes in Walikale. I named Mayele specifically in my briefing to the Security Council several weeks ago, and his arrest sends a loud and clear message that impunity for crimes of sexual violence will not be tolerated. I congratulate MONUSCO for the apprehension of Mayele, particularly our Indian peacekeepers and our Head of Office in the East, Hiroute Gebre Selassie, who mounted the operation. Mayele was immediately handed over to national authorities. It is my hope that we will now have further information on the ring-leaders in Kibua-Mpofi and that more arrests will follow. I urge the Government of the DRC to ensure an exemplary process of justice in the Mayele case, and a timely and comprehensive investigation into the mass rapes.
9. The case of Mayele shows that it is possible to bring pressure to bear on Commanders. It is even possible to compel them to turn over to justice perpetrators of sexual violence from within their own ranks. In this respect the apprehension of Mayele represents an important precedent and possibility. It is a case of an armed group turning in on itself. It

is a case of having a rapist – or an association with rape – become a liability for armed groups. When Commanders can no longer rest easy in the certainty of impunity; when it begins to cross their mind that they may be turned in by their own for commissioning or condoning rape; this is the moment when we open a new front in the battle to end impunity. **To do so we must deepen our information on armed groups, and on this basis engage them more systematically and put them under pressure.** We must seek to penetrate their chains of command and disrupt them from within.

10. It is crucial that we use all the means at our disposal. In this regard, the leverage that we gain from the credible threat of Council sanctions against perpetrators of sexual violence cannot be underestimated. It made a difference in the Mayele case. **Therefore, I reiterate my call to this Council to escalate the focus on crimes of sexual violence in the work of the DRC Sanctions Committee. As a start, I urge the Committee to consider the inclusion of ‘Lieutenant Colonel’ Serafim of the FDLR on its sanctions list.** This may be done on the basis of the credible information from witnesses on the scene that he also commanded the mass rapes in Walikale. I remain at the disposal of the Sanctions Committee to provide information on the issue of conflict-related sexual violence in the DRC.
11. We must seize the momentum of these arrests to begin turning the tide of impunity. The arrests must serve as a warning to perpetrators of sexual violence everywhere. And, we cannot underestimate the importance of such action for the victims and their communities. This represents a glimmer of hope for them. A moment of solace that the world is not blind to their plight. A possibility that those who brutalize them will ultimately be held to account.
12. Rapes will continue so long as consequences are negligible. **We must close future options and avenues of advancement for perpetrators. They should be excluded from any amnesty provisions. They should be ineligible for DDR benefits. The avenues for future political roles and governance should be closed to those who commit acts of rape.**

Ongoing military operations in Walikale

Mr. President,

13. I am gravely concerned about the ongoing military operations by FARDC in the Walikale territory and the implications for the protection of civilians. Thousands of FARDC troops have been deployed to the territory in an operation to implement the President’s moratorium on mining in the area and to reassert Government control. There is already some information from MONUSCO peacekeepers on the ground that rapes, killings and looting have been perpetrated by FARDC soldiers. The possibility that the same communities who were brutalized in July and August by FDLR and Mai Mai elements are now also suffering exactions at the hands of FARDC troops is unimaginable and unacceptable. **I call on the Government of the DRC to swiftly investigate such**

allegations and hold any perpetrators to account. The protection of civilians must be the primary consideration in the operations in Walikale.

14. **I urge the deployment of national police to Walikale specifically to ensure security of an investigation team which will shortly be deployed by the Auditeur Militaire of North Kivu. I also urge the deployment of a deeper police presence in general in high risk zones, as a visible and active protection presence.**
15. **I have requested that peacekeepers continue to monitor and report through their daily situation reports on rapes and other exactions which may be occurring, and to share this information with relevant MONUSCO civilian sections. It is also critical that human rights monitors are deployed.** This will require additional resources as a matter of urgency.

Illicit exploitation of natural resources

16. The mass rapes in Walikale demonstrate a nexus between the illicit exploitation of natural resources by armed elements, and patterns of sexual violence. It is evident that communities in lucrative mining areas are at particularly high risk. The mineral wealth that should be the source of their prosperity is instead the source of their greatest suffering. I encourage more concerted attention on this aspect. **Therefore, mass rapes that occurred in Walikale should also be investigated from the angle of the competition over mining interests as one of the root causes of conflict and sexual violence.**
17. **I also encourage European countries and other Member States to enact legislation which will require companies to disclose whether their products contain minerals sourced from the DRC.** This is not only a fundamental issue of corporate responsibility, but also an opportunity for consumers to make choices that make a difference.

Strengthening MONUSCO response

18. I want to take a moment to focus on the peacekeepers themselves. I have witnessed first-hand their determination to do all that they possibly can to protect civilians. But, the reality is that they are over-stretched and under-resourced. They are demoralized by the sheer scale of the problems and by the constant barrage of criticism from all quarters. These are dedicated women and men who are making tremendous sacrifices to serve. They deserve our empathy and support. **Therefore, I appeal to the Security Council to ensure that MONUSCO's strong protection mandate is also backed by adequate financial resources and other critical assets for the Mission to do its work.** There seems to be a widening gap between the expectations on MONUSCO and the means the Mission has to execute its mandate.
19. **It is also vital that Council members and other influential Member States provide the requisite political backing for MONUSCO.** We have challenged our peacekeepers to adopt a more robust and proactive posture to protect civilians. This must be matched by a more robust posture at the political level.

Strengthening the broader UN system response

20. MONUSCO's response is just one facet of the broader UN system response to conflict-related sexual violence in the DRC. This is coordinated through the *Comprehensive Strategy to Combat Sexual Violence*. The strategy provides a platform for joint – not merely joined up – UN system action. However, I am very concerned that implementation lags because UN Agencies are still largely working in silos. Even some of the most critical services for survivors are not yet being delivered in an effective and timely manner.
21. UN entities must show more commitment to “delivering as one”, and being accountable for protection and prevention as well as service delivery. **I call on UN Agency Heads here at Headquarters to make it a personal priority to ensure that the innovative and comprehensive approach which is being implemented in the DRC becomes our flagship in preventing and addressing conflict related sexual violence.** MONUSCO's Sexual Violence Unit is charged with coordinating and monitoring the implementation of the Strategy and requires adequate human resources to serve this role.

Political leadership

22. One thing that many of our colleagues say is that ‘MONUSCO cannot be present behind every tree and every stone’. This is true. The role of the United Nations in Congo is to support national authorities who bear the primary responsibility to protect the population. For no-one should this be a greater priority than for the Government of the DRC.
23. I commend the Government of the DRC for some of the policies adopted to combat sexual violence. These include the announcement of the moratorium on mining in three provinces following the Walikale atrocities, and the policy of Zero Tolerance for sexual violence within the FARDC. But so far ‘zero tolerance’ has been underpinned largely by ‘zero consequences’ for such crimes. This represents a fundamental issue of credibility of the Government of the DRC. The reputation of the Congo continues to be held hostage by those who commit crimes of sexual violence and the perceived lack of will to address impunity. **I urge Congolese leadership to give voice and action to this issue, to send a signal that sexual violence is of the utmost priority.**

Mr. President, Distinguished Members of the Security Council,

24. The atrocities that are committed daily against women and children will leave a devastating imprint on the Congo for years to come. We have seen this elsewhere. In places where sexual violence has been used as a tactic of war, the consequences spill over into the peace. Where sexual violence has been a way of war it can destroy a way of life. Children accustomed to rape and violence can grow into adults who accept such behaviour as the norm. Rape is shattering traditions that anchor community values, disrupting their transmission to future generations. For the women of Walikale, peace is not a treaty, a resolution, or a conference but simply the peace of mind to live and work

without fear. For these women justice delayed is more than justice denied – it is terror continued.

Thank you.