

**Democratic Republic of Congo - Researched and compiled by the Refugee Documentation Centre of Ireland on 17 January 2013**

**Information on gender violence particularly upon girls**

A report by the *United States Department of State* under the heading “Women” states:

“Rape and Domestic Violence: The law criminalizes rape, but the government did not effectively enforce this law, and rape was common throughout the country and especially pervasive in conflict areas in the East.

[...]

SSF, RMG, and civilians perpetrated widespread and sometimes mass rape of women and girls (see section 1.g.). In 2009 the United Nations Population Fund (UNFPA) reported 12,838 cases of sexual violence against both adults and minors in North Kivu, South Kivu, and Orientale provinces, with a total of 17,507 cases across the entire country. According to the March 2009 UN Secretary General's 27th report to the UN Security Council, more than 1,100 women and girls were raped each month in the East alone. An American Journal of Public Health study published in June supported this assertion.” (United States Department of State (24 May 2012) *2011 Country Reports on Human Rights Practices - Democratic Republic of the Congo*)

The report continues:

“Prosecutions for rape and other types of sexual violence remained rare. According to the High Military Prosecutors Office, in 2010 the military justice system convicted 17 FARDC soldiers of crimes of sexual violence in North Kivu Province. HRW and several other human rights groups continued to criticize the government for failing to investigate and prosecute members of SSF, particularly high-ranking officers, who were responsible for rape (see section 1.d.) or failed to take action against personnel under their command. Of the 14,200 rape cases that were registered in South Kivu between 2005 and 2007, only 287, or 2 percent of the cases, were taken to court. Both victims and the UNHRC's special rapporteur on violence against women cited widespread impunity as the main reason for sexual violence. Most victims did not have sufficient confidence in the justice system to pursue formal legal action or feared subjecting themselves to further humiliation and possible reprisal.” (ibid)

A report by *Amnesty International* under the heading “Violence against women and girls” states:

“Rape and other forms of sexual violence remained endemic and were committed by government security forces, including the PNC, and armed groups. Sexual violence often accompanied other human rights violations, such as looting and torture. While some prosecutions took place, impunity was still widespread and victims were often threatened. Rape survivors did not receive adequate support and assistance and continued to be stigmatized...” (Amnesty International (24 May 2012) *Amnesty International Annual Report 2012 - Democratic Republic of the Congo*)

A report by *Freedom House* under the heading “Civil Liberties” states:

“In 2010, several large massacres of civilians took place, including one of 105 civilians in Masisi territory by recently integrated CNDP troops. In that same year, a number of FDLR members and a local militia carried out a mass rape of over 100 women in Walikale territory. Rapes continued the following year, with up to 220 women raped on two separate occasions in Fizi territory by government soldiers. The United Nations reported 7,685 cases of rape in the country in just the first six months of 2010, whereas a statistical study based on a demographic survey argued that up to 400,000 women could have been raped in 2006 alone.” (Freedom House (20 September 2012) *Countries at the Crossroads 2012 - Democratic Republic of the Congo*)

A report by *Human Rights Watch* under the heading “Attacks on Civilians” states:

“The east and the north of the country remained volatile and were marked by frequent attacks on civilians, particularly sexual violence against women and girls.

[...]

As in the past, government soldiers frequently killed and raped civilians and pressed them into forced labor or looted their belongings. In one case, on the night of January 1 soldiers raped at least 67 women and girls and arbitrarily detained and tortured dozens of other civilians in Fizi, South Kivu. Also in January soldiers raped at least 47 women and girls in Bushani, North Kivu, and looted and burned some 100 homes.” (Human Rights Watch (22 January 2012) *World Report 2012: Democratic Republic of Congo*)

A report by the *United Kingdom Foreign and Commonwealth Office* under the heading “Women's rights” states:

“Women continued to face extremely high levels of sexual and gender-based violence throughout 2010. Nearly two-thirds of married women reported being physically or sexually abused by their partners. There are also extremely high levels of conflict-related sexual violence. All the regional armed actors in the DRC's various conflicts are guilty of offences. The DRC authorities have a stated policy of zero tolerance of sexual violence, but this has not been implemented. The lack of discipline and accountability in the Congolese army means that they are often a threat themselves, rather than a source of protection.” (United Kingdom Foreign and Commonwealth Office (31 March 2011) *Human Rights and Democracy: The 2010 Foreign & Commonwealth Office Report - Democratic Republic of the Congo*)

A report by the *United Nations Human Rights Council* under the heading “Actions taken by the Government and the current situation” states:

“Sexual violence remains widespread despite the authorities' efforts to stop it. The phenomenon is rampant throughout the country and affects thousands of women and children in particular. The recent mass rapes committed in Walikale territory exemplify this scourge and are proof that rape continues to be used as a weapon of war in the Democratic Republic of the Congo.

There is no question that the State has become aware that sexual violence poses a problem. However, the measures announced, such as tightening the requirements for granting bail to persons convicted of sexual violence, have not been adopted formally. To the judicial system's credit, increasingly severe sentences have been handed down, including against members of security forces implicated in cases of sexual violence..." (United Nations Human Rights Council (10 January 2011) *Report of the United Nations High Commissioner for Human Rights on the situation of human rights and the activities of her Office in the Democratic Republic of the Congo*)

A report by *UPI (United Press International)* states:

"The United Nations is "highly concerned" and "appalled" at the violence that lingers in eastern DRC, a human rights spokesman said Friday.

The March 23 movement in the Democratic Republic of Congo pulled back from Goma, the capital of North Kivu province, last month. U.N. officials said some rebel forces remained in the area, noting sexual violence was carried out against the civilian population in the area.

Rupert Colville, a spokesman for the U.N. High Commissioner for Human Rights, said Friday that members of the Congolese military were behind atrocities as well.

"We are highly concerned by these events, which once again are devastating the lives of civilians in eastern DRC," he said. "We are appalled that yet again women and girls are being targeted by a variety of groups, including the national army that is supposed to protect them." (UPI (United Press International) (21 December 2012) *U.N. 'appalled' by eastern DRC violence*)

A report by *BBC News* states:

"A new centre has opened designed to help some of the thousands of people who have been raped in the Democratic Republic of Congo.

[...]

DR Congo has been called the "rape capital of the world" because of the high incidence of sexual abuse during its long conflict.

Both rebels and government troops have been accused of mass rapes.

A local army commander was arrested last month following allegations that he had led the gang rape of at least 50 women in the town of Fizi.

In August 2010, rebel forces were accused of raping hundreds of women, girls, men and boys around the town of Luvungi.

The UN recorded some 11,000 rapes in 2010 - the true figure is believed to be much higher." (BBC News (4 February 2011) *New DR Congo centre for rape victims opens*)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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