



**Statement by the Special Representative of the Secretary-General
on Sexual Violence in Conflict**

Security Council Meeting on the Democratic Republic of the Congo

7 September 2010

Mr. President, Distinguished Members of the Security Council,

1. Thank you for the opportunity to brief the Council on this matter of grave concern to the international community. As you may know, a senior member of my staff accompanied Mr. Khare on his mission to the affected villages in Walikale territory.

Complementing Mr. Khare's account, I wish to begin with the survivors:

2. In Luvingi village, one of the women spoke of how they had been "*forced to live through something like never before*". She recounted how armed men went from house to house breaking down the doors, and how people were prevented from escaping because the village had been surrounded. She described how armed men inserted their hands into women's genitals searching for gold. Many women were gang-raped by up to five or six men at a time.
3. The women of eastern DRC deserve better. They are the backbone of the country, and mainstay of its largely agricultural economy. Yet in 2010, the sad reality for many women in eastern DRC is that they are tired. They are tired of wondering when their time will come to be robbed, tortured and raped. For them, there is no safe place. They are raped when harvesting crops; when going to market; when fetching water and firewood; when carrying their babies; when in their homes at night, among their loved ones. Rape does not end when the violence is over. Many survivors are permanently traumatised, unable to return to the fields to earn an income, resulting in increased poverty, isolation and despair. Women live in fear of men carrying guns, often clad in uniform. They cannot distinguish protector from tormentor.
4. Members of the Security Council, if this is not an illustration of why sexual violence is an impediment to peace, stability and security, what is? Right now, as we meet here in this chamber, thousands of women, children, and families, are trying to cope with the trauma of rape: A ripple of devastation emanates from each crime, bringing with it disease, depression, and despair. There are Congolese women whose tragic experiences have led them to conclude that "*being gang-raped by many men, is normal for a woman*".
5. When I was in DRC in April, I stressed that the reputation of the country is being held hostage to the perception that it is the "rape capital" of the world. The only way to combat such perception is through determined and visible actions by the Government of the DRC to address impunity and strengthen the rule of law.

Mr. President,

6. Humanitarian actors are struggling to provide essential health services to survivors. A recent interagency mission to Walikale by WHO, UNICEF, UNHCR and OCHA confirmed that of the 242 survivors who reached Lubongo Health Centre, most had received some medical treatment

and psychosocial support. However, none have received Post Exposure Prophylaxis to protect them from HIV, primarily because they were unable to access care within 72 hours of the incident. Many of the rape victims have still not come forward to receive urgent medical treatment for fear that they are still unsafe, or due to the risk of being ostracized by their communities because of the taint of rape. Indeed, rape is the only violation for which communities tend to stigmatize the victim rather than prosecute the perpetrator, and where victims feel shame.

7. What is particularly disturbing is that the attacks on Kibua were not an isolated incident but part of a broader pattern of widespread and systematic rape and pillage. I am deeply distressed by information that is now beginning to surface about the large numbers of rapes in other areas of North Kivu as well as in South Kivu, as outlined in stark detail by Mr. Khare.

Sexual violence as a tactic of war

8. It is evident that rape is increasingly selected as the “weapon of choice” in Eastern DRC, with numbers reaching endemic proportions. The sad reality is that incidents of rape have become so commonplace that they do not trigger our most urgent interventions.
9. We know that information on the rapes that occurred along the Kibua-Mpofi axis was slow to surface. Therefore, one of the critical lessons we must take from this tragedy is that the actual reporting of rape cases should not be viewed as a pre-requisite for robust protection responses. We must be more keenly attuned to other indicators, including the movements of armed groups, their proximity to civilian centers, patterns of looting and pillage, their actions to block off access to certain areas, as well as the concerns of local women about the security situation. These should all now be considered signals that the population is at risk from exactions, attacks, and increasingly sexual violence.
10. In Walikale, our information suggests that the rapes were part of a planned and organized attack. Women were rounded up and prevented from fleeing, indicating that sexual violence was explicitly used as a tactic of war and terror. I have previously stressed and continue to maintain that where sexual violence is planned, it must also be viewed as preventable. Systematic responses to sexual violence have been elusive because, until recently, it was dismissed as an unavoidable consequence of war.

United Nations response

Mr. President,

11. At this moment, we are all compelled to look in the mirror and face our collective responsibility for our inability to prevent the mass rapes in Kibua. The United Nations, for its part, cannot afford to shy away from confronting its shortcomings because such an examination, carried out in a spirit of transparency and accountability, must form the basis for improving our response in the future. Therefore, I welcome and support the concrete recommendations made by Mr. Khare in areas where we can and must improve. This includes our communication with local communities – particularly women, and our capacity to collect and analyse early warning information to trigger timely action. This Council through resolution 1888 has emphasized better monitoring and reporting on sexual violence as a basis for a more effective protection response. Drawing on lessons from the mechanism established to track grave violations against children affected by armed conflict, I will prioritize the establishment of systems for obtaining real-time and actionable information.

12. However, as we focus on improving the flow of information and data, we must confront squarely the fact that we were slow to respond to existing information. We should examine the UN's response, including that of our peacekeepers on the ground, not in a spirit of self-recrimination but with a determination and resolve to do better to protect civilians in what is undoubtedly one of the most complex, vast and volatile conflict zones in the world.
13. And we must also bear in mind that if we expect our peacekeepers to perform more effectively, we have to ensure that they receive the training, knowledge and tools to do so. In this regard, I intend to work closely with UNIFEM, DPKO and TCCs to roll out a new tool that my office helped to launch in June this year, entitled: *Addressing Conflict-Related Sexual Violence: An Analytical Inventory of Peacekeeping Practice*. It contains a range of promising practices employed by peacekeepers to protect women and girls from conflict-related sexual violence. These ad hoc efforts need to be systematized and included in pre-deployment training as model scenarios that can help peacekeepers recognize and react to sexual violence by armed groups. This document provides – for the first time – a knowledge base to help peacekeepers translate their obligations to prevent sexual violence into actions. It provides examples of early-warning systems, patrols tailored to women's mobility patterns, community liaison techniques and other tactics that illustrate a gradual shift from best intentions, to best practice.

Illicit exploitation of natural resources

14. The mass rapes in Kibua indicate a connection between the illicit exploitation of natural mineral resources, the continuing operations of illegal armed groups, and the high levels of violence against civilians in general and women in particular in lucrative and strategic areas. We must examine this nexus more closely as one of the root causes of the recent atrocities and, more broadly, of the protracted conflict in the DRC. I will continue my calls for Governments to enact due diligence measures to track the flow of conflict minerals.

Primary protection responsibility of the Government

15. I should also like to stress that the role of the United Nations in the DRC is to support and not to supplant the Government as the primary protection and service provider. It is clear that deploying a well-trained, vetted and permanent FARDC and National Police presence, which prioritizes the protection of civilians, is critical in high-risk zones. I also urge the Government to reinforce its efforts to address impunity and strengthen the rule of law particularly in the context of sexual violence.
16. For our part, I reiterate the offer to deploy a Team of Experts on the rule of law, as called for by resolution 1888, to support the Government in this regard. My Office is in the process of constituting this team and I hope that we may soon agree on the timing and modalities for their deployment.

Focusing on the perpetrators

Mr. President,

17. I have also been concerned that the intense focus on the response of the United Nations has deflected attention from the most critical element of all: pursuing and bringing to justice the perpetrators. As the spotlight falls on the UN and what we could have done differently, the perpetrators – those who committed or commissioned rape and pillage – seem to have escaped from the scene of the crime and slipped into the shadows. This challenges our collective credibility and undermines efforts to deter such atrocities in future.

18. We already have some names such as Colonel Mayele, the Mai Mai Cheka Chief of Staff, and Colonel Serafim of FDLR who was present on the scene. Cheka himself, as well as the political and military leadership of the FDLR, may ultimately bear command responsibility for crimes by their subordinates that they failed to prevent or punish. These names are a starting point and constitute leads and leverage by which we may also identify some of the other participants in and architects of the mass rapes in Kibua. I believe we have a narrow window of opportunity before the trail goes cold and the attention of the international community and media turns to other crises, dissipating the pressure on these groups. My role is to ensure sustained international attention through public advocacy and direct political dialogue.

Dialogue with parties to conflict for protection commitments

19. The Council has encouraged systematic UN engagement with armed groups who commit grave violations against children affected by conflict. This approach has yielded tangible results. In line with 1820, I intend to pursue such engagement with both state and non-state actors to ensure that perpetrators of conflict-related sexual violence are held accountable and prevention measures are put in place.

Council sanctions against perpetrators of sexual violence

20. In this regard, the Security Council has unique means at its disposal. This includes the ‘black-listing’ of individuals and entities and the imposition of sanctions and other targeted measures, which add leverage in our dialogue. I urge the Council, therefore, to take such action, beginning with the commanders of the armed groups responsible for the atrocities committed in Kibua.

21. Furthermore, I believe that the Security Council is primed to take such action through your Sanctions Committee for the DRC. Resolutions 1857 and 1896, which specify the mandate of the Sanctions Committee, establish a legal basis for the imposition of sanctions on individuals operating in the DRC who commit sexual violence.

22. *I urge the Council* to follow up on this provision by mandating the DRC Sanctions Committee to gather all necessary information from MONUSCO, the Committee’s Group of Experts, as well as from NGOs and other humanitarian actors who may have relevant information. My Office stands ready to facilitate such a process.

23. The FDLR has time and again been responsible for grave human rights violations in the DRC. I therefore urge Member States who have FDLR leaders residing in their countries to take legal action against them, in line with resolution 1925.

Moving forward

Mr. President,

24. On the ground in the DRC, the United Nations together with the Government last year launched a *Comprehensive Strategy on Combating Sexual Violence in the DRC*. The strategy has five pillars, namely: combating impunity; prevention and protection; security sector reform; multi-sectoral assistance for survivors; and data-collection and mapping. It is being supported and financed by donors through the Stabilization Programme for the East (STAREC), and has created a platform for a coordinated, comprehensive response by all actors. We need to support and strengthen this coordination platform, reaching out particularly to NGOs who provide frontline services. Their critical role has once again been exemplified by the work of such

organizations as the International Medical Corps and Heal Africa in response to the mass rapes in Kibua.

25. MONUSCO's Sexual Violence Unit is charged with coordinating the implementation of the *Comprehensive Strategy* and we must ensure that it has adequate capacity to effectively perform this function. My role is to help mobilize resources for full implementation of the strategy, as well as to ensure strategic support from the UN Action network which I chair.

Mr. President, Distinguished Members of the Council,

26. We cannot turn back time for the victims of Kibua, or for the countless other survivors of brutal acts of organized sexual violence. As we strive to help these victims, we must also help ensure there are no more victims. These unconscionable acts must spur every one of us as protection 'duty bearers' to immediate and concerted action. This is our collective responsibility to the survivors; and, our collective signal to the perpetrators who are watching and waiting to see how the world will react. Our policies of "zero tolerance" cannot be backed by a reality of "zero consequences".

27. I intend to return to the DRC by the end of September to engage with all stakeholders and above all to listen to the survivors.

Thank you.