



### **Joint position on draft Resolution**

#### **“Assistance technique et renforcement des capacités en matière des droits de l’homme en République Démocratique du Congo”**

#### **Security Council Resolutions 1325, 1820, 1888, 1889, 2016**

Security Council resolutions (SCR) 1325, 1820, 1888, 1889 and 2016 are essential in combatting Sexual Violence and in conflict resolution, they ensure the participation of women to peace building processes and they recognise the prevalence of sexual violence in conflicts. This resolution must urge DRC to implement those resolutions. It can also salute the elaboration of a National Action and a Subregional Action Plan for the implementation of resolution 1325 (2000) and encourage its implementation in collaboration with Civil Society.

#### **The multiple factors of Sexual Violence**

The draft resolution mentions the widespread of sexual violence in the zones of conflict, however, it fails to address the further factors that influence the prevalence of sexual violence in the whole country: gender inequality, economic dependency, political underrepresentation, uncontrolled small arms flow, insecurity and impunity. This situation is exacerbated by pre-existing conditions of poverty and illiteracy amongst young women, as well as young women’s economic dependence, insecurity, lack of access to community infrastructure and related services. Only by addressing these factors will it be possible to effectively end sexual violence. For instance, the inequality of women and young women within the household may compell them to perform tasks that put them at risk of sexual violence, such as bringing the water to the household. The resolution should make the link between these factors and urge DRC to address gender inequality and work to reduce economic dependency, political underrepresentation, insecurity and impunity.

#### **The role of women in ending Sexual Violence and peace-making**

The draft mentions women only as victims and ignores the important role that women and young women can play in ending impunity for crimes of sexual violence. These elements are included in the above-mentioned SCR. The resolution should urge DRC to actively include women and young women in the highest instances of decision taking and in particular in the mechanisms to end impunity for sexual violence and the peace-making process which will be closely related to ending impunity.

#### **CEDAW Recommendations**

The draft resolution mentions the recent review by the CEDAW Committee of the report of DRC. Some of the recommendations issued by the Committee are particularly relevant for the prevalence of sexual violence in DRC as the Committee acknowledges that sexual violence is not only perpetrated by armed non-state actors but also by the Congolese Armed Forces:

10. (a) Prevent gender-based violence, in particular sexual violence, by State and non-State actors in conflict-affected areas; ensure the protection

of civilians, including women, in cooperation with the MONUSCO; conduct gender-sensitive training and adopt codes of conduct for the police and the military, and provide training for psychologists and health professionals;

(b) Prioritize the fight against impunity for sexual violence in conflict-affected areas; promptly complete effective and independent investigations into the violations of women's rights by the Congolese army (FARDC) and other armed groups, and prosecute the perpetrators of such acts, including those who have command responsibility;

(.....)

(e) Establish a human rights based vetting system that will ensure that no perpetrators of human rights violations, including human rights violations of women, will be maintained in the Army and the Police or be integrated in the army, especially during peace negotiations with armed groups;

(.....)

(g) Ensure the effective implementation of the National Action Plan for the Implementation of Security Council Resolution 1325; establish a comprehensive national policy to provide adequate reparations to victims of sexual crimes;

(h) Ensure the effective regulation of the arms trade, control the circulation of illicit small arms; and consider ratifying the 2013 Arms Trade Treaty;

(i) Significantly enhance the inclusion and representation of women in peace negotiations and also ensure their representation in provincial security committees;

(j) Ensure effective implementation of Security Council Resolution 2098.

### **Follow-up mechanisms**

Furthermore, the resolution should use the standard periodicity of 12 months for the follow up process. Some other mechanisms such as a panel discussion on Sexual Violence can be of added value if it analyses the multidisciplinary aspects and factors of sexual violence to avoid using a narrow approach that cannot end this scourge. A panel on Sexual Violence should include experts on different aspects including gender equality, women's economic empowerment, women's participation and disarmament. It should be beared in mind that, whilst rape is often a weapon of war, this is often based on a pre-existing social and cultural gender inequality. The multiple factors that contribute to the persistence of sexual violence were acknowledged in HRC Resolution A/HRC/RES/23/7.

### **UN Special Envoy for the Great Lakes region of Africa**

We salute the strong commitment of the UN Special Envoy Mary Robinson to include women and civil society in the implementation of the Peace Security and Cooperation Framework and to promote the full and effective participation of women in conflict resolution and peace building. In this regard, we welcome the Regional Conference on Women, Peace, Security and Development held in Bujumbura on 9-11 July 2013.

Contact WILPF: María Muñoz Maraver [mmunoz@wilpf.ch](mailto:mmunoz@wilpf.ch)

Contact FAS: Yannick Coumarin [advocacyge@fasngo.org](mailto:advocacyge@fasngo.org)

Contact World YWCA: Marie-Claude Julsaint [m-cl.julsaint@worldywca.org](mailto:m-cl.julsaint@worldywca.org)