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Democratic Republic of Congo: Mass rape highlights failures in protection and justice

Amnesty International is appalled at the latest reports of the mass rape and other sexual violence committed in the Walikale region of North Kivu between 30 July and 2 August.

According to the United Nations, more than 150 civilians in 13 villages were raped by members of armed groups, including the Democratic Liberation Forces of Rwanda (FDLR). Reports indicate that the rape was organized and systematic.

Amnesty International is calling for the government of the Democratic Republic of the Congo (DRC) and the United Nations to make every effort to provide the survivors, witnesses and their communities with immediate medical and psychological treatment. Evidence, including witness testimonies, should be gathered and preserved, in order to facilitate bringing the perpetrators to justice.

The attacks occurred only weeks after the United Nations Security Council adopted a new mandate for its Mission in the country to support the government in protecting civilians from violations of international humanitarian law and human rights abuses, including all forms of sexual and gender-based violence, and emphasizing that protection of civilians must be given priority over other tasks entrusted to the Mission.

Sexual and gender-based violence is widespread in eastern DRC and committed by all sides to the conflicts, including the government forces that the United Nations is supporting. Amnesty International believes that an immediate review of the failures of the government and the United Nations to protect civilians must be undertaken to address the horrors being inflicted on civilians and to prevent them from happening again.

Amnesty International also demands justice and full reparations for the survivors. A weak national justice system means that urgent efforts are needed to rebuild capacity at almost every level. In particular, special efforts must be undertaken to train national authorities in the effective investigation and prosecution of crimes of sexual violence and to remove obstacles for survivors seeking justice.

Rebuilding the rule of law must be seen as an essential element of longer term protection of civilians in the country. In the meantime, national and international justice solutions must be found to end the impunity that allows persons to plan and commit such crimes in the knowledge they will not be held to account.

Background

On 25 August, the Special Representative for Sexual Violence in Conflict Margot Wallström was put in charge of leading the UN's response to the incident. Issues for discussion with the DRC government are expected to include Security Council's outstanding request, in Resolution 1888

(2009) that the UN Secretary-General “deploy rapidly a team of experts to situations of particular concern with respect to sexual violence in armed conflict... with the consent of the host government, to assist national authorities to strengthen the rule of law”. This team of experts has not yet been deployed.

The UN Security Council is expected in November 2010 to debate developments relating to the “Protection of Civilians,” following its 10th anniversary debate on Resolution 1325 on “Women Peace and Security” at the end of October.

In May 2010, the UN Security Council adopted resolution 1925 (2010), authorizing the deployment of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) until 30 June 2011.