

## Update on Women, Peace and Security in the Democratic Republic of the Congo November 6<sup>th</sup> 2023

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The Informal Expert Group (IEG) of the Security Council on Women and Peace and Security discussed the situation in the Democratic Republic of the Congo (DRC) in February 2018 (S/2018/362), September 2018 (S/2018/885), March 2019 (S/2019/296), November 2020 (S/2020/1297), and November 2022 (S/2022/991). This update summarizes relevant developments since the last meeting a year ago.

### Developments in the Security Council

On 20 December 2022, the Security Council adopted **resolution 2666 (2022)**, extending **MONUSCO's mandate** for a year and including extensive language on issues related to women, peace and security (excerpted in the Annex). However, the two resolutions adopted with regards to **sanctions**, both to lift the notification requirements related to the arms embargo (resolution 2667) and to extend the mandate of the sanctions regime until July 1<sup>st</sup> 2024 and the Group of Experts until August 1<sup>st</sup> 2024 (resolution 2688), did not include any references to gender-related issues. The Security Council also adopted **presidential statements** in March 2023 and October 2023, condemning the continuing abuses of human rights by all armed groups, including different forms of gender-based violence, in particular sexual violence and sexual exploitation and abuse, calling for accountability, demanding all members of armed groups to end and prevent violations perpetrated against women and girls, and encouraging the authorities to ensure the full, equal, effective, and meaningful participation of women at all stages of the presidential and legislative elections, as both candidates and voters. The **Security Council visited the DRC** in March 2023 and met with women's groups on the last day of the four-day mission, who focused on the impact of the escalation of hostilities in Eastern DRC recent months and the impact on women and girls, even sharing with Council Members photographic evidence of the aftermath of recent attacks. Shortly after the field visit, the ten Council Members that had signed by then the Statement of Shared Commitments on Women, Peace and Security, held a [press stakeout](#) to draw attention to their findings and key messages.

Both the midterm report (December 2022) and the final report (June 2023) of the Group of Experts assisting the **sanctions** committee included extensive evidence of conflict-related sexual violence by different armed groups. The mandate of the Group of Experts does not require gender expertise or to integrate gender in the group's reporting and investigation, which now appear in the mandates of some sanctions committees, but they do often report on gender-related issues, especially sexual violence. The sanctions regime has a listing criterion incorporating sexual violence under acts constituting human rights violations or abuses or violations of international humanitarian law. On October 25<sup>th</sup> 2023, [the sanctions committee added two entries to the list](#), and rape and sexual violence was mentioned in the summary of one of them (an FDLR commander).

**Three Congolese women leaders and representatives of women-led organizations briefed the Council** since the last meeting of the IEG. In December 2022, Rebecca Kabuo (Lutte Pour Le Changement) shared that women human rights defenders continue to be targeted by combatants and subjected to death threats, arbitrary arrests, abductions, office raids, sexual violence, and stigmatization; that the 30-day registration window for voters to register ahead of the December 2023 elections is too short and a barrier to women's participation, as well as IDPs or people with disabilities; and that a clearly defined mission drawdown plan, with specific steps on how women's civil society perspectives will inform each decision, is crucial, especially in a context of rising anti-MONUSCO sentiment. She criticized the Security Council for not

sanctioning any new individuals or groups since 2020, and, among other things, asked that the Council remind stakeholders in the peace process, including the Nairobi and Luanda processes, that the full and active participation and involvement of women is essential to achieving sustainable peace. In September 2023, Anny Modi (Afia Mama) asked for support to the reparations programme and the deployment of specialized magistrates to remote areas to help prosecute perpetrators of sexual violence, programmes on positive masculinity for ex-combatants, the construction of multi-functional centers and apprenticeship programmes for women, stronger management and better security in IDP camps, the provision of adequate health care, including access to safe abortion in accordance with the Maputo Protocol, and women's participation in community recovery initiatives and the Nairobi and Luanda processes among many other recommendations. In October 2023, Joséphine Kavira Nzaira Malimukono (Concertation of Collectives of Women's Associations of the Great Lakes Region) briefed during a meeting on the Great Lakes Region and focused on women's groups and the need to ensure their participation, including in high-level consultations and meetings on peace and security, as well as in humanitarian coordination and decision-making at all levels. She called for a special meeting on the situation in the Great Lakes where women's groups can present their peace and security agenda, emergency humanitarian responses for displaced women in North Kivu, and a regional mechanism for women's involvement in mining and other industries and businesses.

### **Women's participation in peace negotiations and in politics**

Preparations are ongoing for the **general elections in the DRC scheduled for 20 December**, in a climate of high insecurity in South Kivu, North Kivu and Ituri, rising political tensions, hate speech, misogyny, and restrictions on democratic and civic space. Civil society activists and women political leaders have also found themselves increasingly targeted. Approximately 50 percent of registered voters are women. While the electoral law promulgated in June 2022 included an exemption from payment of the required deposit if women make up at least 50 per cent of the list and removed a provision of the previous law that made lists without women admissible, women represent only 17 percent of the candidates at the national level, which is only six percentage points higher than in the 2018 elections, and only 10 percent of independent candidates, unaffiliated to a political party. However, their share of candidates is significantly higher at the provincial level (28 percent) and the municipal level (43 percent). Currently, women represent 12.8 percent of members of parliament, and 27 percent of the cabinet. While the constitution speaks of gender parity, the electoral law has no quotas or reserved seats for women. A total of 26 candidacies for the presidential election, including two women, have been validated by the Constitutional Court.

**Despite initial progress, the political track of the Nairobi process and the Luanda process have been facing some challenges, particularly in the pre-electoral context.** The UN reported that women represented 40 percent of the civil society delegation in the third round of consultations between the Government of the DRC and representatives of armed groups and communities that concluded in Nairobi in December 2022, after few women participated in the first two rounds. However, a full accounting of women's participation as a percentage of total participants is lacking for the Nairobi and other regional processes. While the Nairobi process has been led by the East African Community, the UN facilitated the transport of more than 180 delegates from eastern DRC and deployed 14 staff members to Nairobi to support these consultations. Women participants highlighted the need to establish and support holistic care centers for survivors of sexual violence and a network of women peace mediators in the territories affected by conflict. In recent months, 75 women were selected as local peace ambassadors in North Kivu, and a network of 100 women mediators was established in the framework of the Nairobi process and the implementation of the DDR programme in the east.

The DRC is currently implementing its **second National Action Plan on WPS (NAP)** covering 2020-2023. **Provincial Action Plans** have been adopted in six provinces: North Kivu, South Kivu, Ituri, Tanganyika, Kasai Oriental, and Tsopo.

## **Humanitarian and human rights issues, including conflict-related sexual violence and gender-based violence**

With nearly seven million internally displaced persons, the DRC hosts the most significant number of IDPs in Africa. Since March 2022, 3.2 million people have been newly displaced in the three eastern provinces of Ituri, South Kivu and North Kivu, primarily as a result of attacks by armed groups. The drastic escalation of gender-based violence, in particular sexual violence, forced prostitution, sexual exploitation and abuses against women and girls in and around displacement sites, especially as they leave camps in search of food or firewood, or stay and are forced to trade sex for survival, has further stretched the already limited existing GBV and sexual and reproductive health services on the ground. Of all GBV alerts in the DRC, 83 percent are related to the armed conflict.

When she briefed the Security Council in July, the Special Representative of the Secretary-General on sexual violence in conflict reported the documented 701 cases verified by the UN in the DRC in 2022, affecting 503 women, 187 girls, and 11 men, with most of them (550) attributed to non-State armed groups. However, this represents only a fraction of actual violations, due to long-standing reporting challenges, lack of services, stigma, and above all increased insecurity, which made it harder for the UN to verify cases. At the time, SRSR Patten had just come back from a visit to the DRC for the 10-year commemoration of the joint communiqué on CRSV, as well as discussions on the creation of a multisectoral assistance structure that aims to provide judicial, medical, and psychosocial support and economic empowerment to women survivors of gender-based violence in 17 conflict-affected territories in eastern DRC. In July, a press statement by the UN Action against Sexual Violence in Conflict network expressed concern over reports of about 1,000 IDP locations in Goma where displaced women and girls are forced to engage in survival sex, including in 145 brothels, 67 of which are in the IDP sites in Karisimbi and Goma.

The GBV sub-cluster has reported more than 56,000 survivors of GBV have accessed services in North Kivu, South Kivu, and Ituri between January and September 2023. The GBV sub-cluster reported that almost 7,000 survivors who accessed GBV services between January and March of this year had been raped in or around IDP camps in Goma. More than 10,000 of survivors of sexual and gender-based violence sought assistance in North and South Kivu within two months alone (June and July of this year). Between January and August 2023, the UN Joint Human Rights Office has documented at least 440 victims of conflict-related sexual violence, including 306 women, one man, 132 girls, and one boy. Members of armed groups, predominantly Mai Mai factions, Allied Democratic Forces, M23, CODECO, Twa militiamen, were allegedly responsible for three quarters of these cases of CRSV. State agents were allegedly responsible for 110 victims (25 percent). In addition, developments in the West of the country are also raising concerns: in Mai-Ndombe, for example, 45 percent of all reported protection incidents were gender-based violence. Still, GBV funding makes up only 1.3 percent of humanitarian funding received this year, and the humanitarian response plan as a whole is only funded at 36 percent as of 1 November 2023.

Increased armed violence in North Kivu in particular is exacerbating already worrisome trends. Between 2021 and 2022, gender-based violence increased by 23 per cent nationwide and by 73 per cent in North Kivu alone, with the trend being maintained in 2023. Recorded incidents of sexual violence against children more than doubled from 2021 to 2022. The number of parties to the conflict from the DRC that are listed in the annual reports of the Secretary-General on conflict-related sexual violence has grown from seven in 2011 to 22 last year, including the re-listing of the Mouvement du 23 mars (M23). Several non-state armed groups have been consistently listed for a decade.

The Group of Experts assisting the sanctions regime has also documented this increase in sexual violence by armed actors, both in its midterm report and its final report from this year, extensively documented with supporting evidence and great detail. Apart from sexual violence, typically committed by a group of heavily armed soldiers, these reports indicate an unusually high percentage of women killed in massacres.

While men are still over-represented among those killed, the numbers of women killed in these attacks, especially by M23, ADF, and CODECO (and the gruesome detail reported in these investigations) are extremely alarming.

On 25 October, SRSG-SVC briefed the Committee on the Elimination of Discrimination against Women (CEDAW) about her visit of June and urged the Committee to request an exceptional report from the Government on the high prevalence of CRSV in the eastern DRC. She highlighted that the report's recommendations should also inform the priorities of MONUSCO transition plan, provide direction for the UNCT, and reinforce national ownership on the prevention and response to CRSV by the Government of the DRC.

### **MONUSCO in transition**

MONUSCO continues to work closely with the Congolese authorities towards a responsible drawdown of the Mission. To this effect, MONUSCO and the Government of the DRC agreed on a Joint strategy on the progressive and phased drawdown of MONUSCO in 2020, which led to the adoption of the Joint Transition Plan in 2021, the withdrawal of the Mission from the Kasai region in 2021 and from Tanganyika province in 2022. In total, MONUSCO has withdrawn from 11 provinces since 2019 as part of its consolidation of efforts in the three conflict-affected provinces in eastern DRC. In line with the special report of the Secretary-General on Options for adapting the configuration of MONUSCO and the future United Nations configuration in the country beyond the current mandate of the Mission (S/2023/574), and the Security Council presidential statement adopted on October 16<sup>th</sup>, the Mission will continue its transition. Since the Government's call in 2022 for the re-evaluation of the Joint Transition Plan, the Mission and the UN country team have worked closely with the Government of the DRC to revise the Joint Transition Plan.

Some stakeholders, including Congolese civil society members, have expressed **concern** about the possibility of a precipitous withdrawal of MONUSCO in the current context, and the **gaps in coverage and support to women and girls** that would likely follow. While support for women and girls in the DRC will continue through the efforts of various UN entities, the transition of MONUSCO is first and foremost, a transfer of its core responsibilities to the Congolese State, as opposed to a transfer of tasks to the UNCT, and the Mission's withdrawal should be accompanied by a simultaneous extension of state authority and the presence of State defence and security forces. As MONUSCO continues its transition, the continuation of the women, peace and security agenda in the DRC will require adequate resources and efforts to continue monitoring of violations; support for women's political participation and for women mediator networks; technical, logistical, and financial support to human rights investigations, judicial proceedings against perpetrators of conflict-related sexual violence, and the new reparations scheme for survivors; and efforts to address gender considerations in security sector reform or disarmament and demobilization initiatives. In 2022, for example, MONUSCO supported the temporary or permanent relocation of human rights defenders to safe locations, including 17 women. That same year, the United Nations conducted ten joint missions in North Kivu and South Kivu to investigate human rights violations, including conflict-related sexual violence, and supported the organization of six mobile courts. The UN Joint Human Rights Office in MONUSCO also provides support to the protection of victims and witnesses in judicial proceedings, holistic assistance to survivors, and technical advice and advocacy on legislation in compliance with international human rights obligations, including on gender equality.

The representation of women in the military component of MONUSCO stands at 6.2 percent, including 25 percent among military experts on mission. The mission has 14 female engagement teams. In the police component, the percentage of women is 17.1 percent in formed police units and 29.7 among individually deployed officers. A concrete example of prioritization of the WPS agenda is represented by the focus given by the Police Component to the prevention and fight against SGBV and CRSV, including the integration

of Gener Cells or Special Police Teams on sexual and gender-based violence to undertake specific capacity building and mentoring activities to benefit the national police. MONUSCO mixed and female engagement teams regularly conduct long-range patrols to remote areas in the eastern provinces, enhancing gender perspectives in situation analyses and threat mitigation plans. Since the percentage of women in the civilian component of MONUSCO is only 21 percent, this means that there is better gender balance in some categories of individually recruited military and police officers than among the civilian staff in the mission.

The government has also been trying to recruit more women for its armed forces, with the support of the UN. As part of a government campaign to recruit 3,000 new women for the armed forces by 2024, 2,700 women had already been recruited as of September 2023. According to PNC sources, 9.8 percent of 150,000 members of the national police countrywide are women, after a recent campaign that resulted in the recruitment of 1000 additional women. The PNC intends to reach a 20 percent target for women officers by 2025.

### **Recommendations**

In the upcoming negotiations on mandate renewal, the Security Council should retain the references to women, peace and security made in resolution 2666 (2022), and consider the following language in operational paragraphs:

*Demands the full, equal and meaningful participation of women in peace processes from the early stages and at all levels, including in regional initiatives, as well as in the implementation and monitoring, and as beneficiaries of the operationalization of the national Disarmament, Demobilization, Community Recovery and Stabilization Programme.*

*Stresses the importance of a gender-responsive transition process and requests the UN to regularly consult with women's civil society organizations across the country on all aspects of the transition, ensure that comprehensive gender analysis and technical gender expertise are included throughout, and monitor the impact on women and girls of any reconfiguration of the UN presence in conflict-affected territories (in line with OP 6 of resolution 2594).*

*Welcomes progress towards stronger representation of women in decision-making, and encourages the consideration of additional measures to promote women's participation in politics, including temporary special measures and protection mechanisms for women as candidates and voters and an adequate policy response to gender-based hate speech and restrictions on women's organizations.*

*Requests the government and the United Nations to address the serious protection crisis in eastern DRC and ensure that gender-based violence and grave violations against children are taken into account in the options for the reconfiguration of the UN presence in the region.*

*Ensure that incidents, patterns, and trends of conflict-related sexual violence, as established by the Monitoring, Analysis, and Reporting Arrangements for CRSV, continue to serve as the basis for reporting to the Security Council, as well as evidence-based engagement and advocacy and programmatic response by the United Nations.*

*Requests regional organizations involved in peace and security processes in the DRC to take women, peace and security considerations into account in all its interventions, and report on this in relevant forums, including the Security Council.*

*Commends the adoption of a law on the protection and reparations for victims of conflict-related sexual violence, and encourages international partners to support the government in its full implementation, including allocating adequate resources to the reparations fund for timely disbursement.*

*Urges the authorities to accelerate implementation of the addendum of the joint communiqué on conflict-related sexual violence and the respective plans of the FARDC and the PNC, and the national and provincial action plans on women, peace and security.*

*Stresses the importance of the inclusion of local women's organizations in the planning and delivery of assistance, and calls on international partners to provide long-term and flexible funding to local women-led and women's rights organizations.*

When renewing the DRC sanctions regime and extending the mandate of the Group of Experts, the Security Council should consider adding a standalone listing criterion related to sexual violence, request the Secretariat to include the necessary gender expertise on the Group of Experts, and request the Group of Experts to integrate gender as a cross-cutting issue across its investigations and reporting. The Sanctions Committee should consider listings related to conflict-related sexual violence.

## ANNEX

### Relevant language in resolution 2666 (2022) extending the mandate of MONUSCO

*Reaffirming the important role of women and youth in the prevention, management and resolution of conflicts, as well as in peacebuilding and electoral processes and stressing the importance of their full, equal, effective, meaningful and safe participation in all efforts for the maintenance of and promotion of peace and security in the DRC,*

*Recalling all its relevant resolutions on women, peace and security (...), welcoming efforts of the Government of the DRC in this regard and to implement resolution 1325 (2000) (...), expressing grave concern over the high number of violations against children, in particular sexual and gender-based violence being committed by security forces (...),*

*2. Welcomes the efforts of President Tshisekedi and his government towards reconciliation and peace and stability in the DRC (...), further calls upon all political stakeholders to continue to work, with the support of MONUSCO, toward peaceful, transparent, inclusive and credible processes for the presidential and legislative elections scheduled in 2023, in accordance with the Constitution and the Electoral law, throughout the DRC and to ensure the full, equal, effective and meaningful participation of women at all stages (...).*

*7. Strongly condemns all sexual violence in conflict and post-conflict situations in the DRC and particularly by armed groups, welcomes efforts made by the Government of the DRC to combat and prevent sexual violence in conflict and post-conflict situations, including progress made in the fight against impunity through the arrest, prosecution and conviction of perpetrators from the FARDC and the PNC and towards the adoption of a law on reparations and the establishment of a national reparation fund for victims and survivors of sexual violence and other crimes, urges the Government of the DRC to continue to strengthen its efforts to combat impunity for sexual violence in conflict and post-conflict situations, including sexual violence committed by the FARDC and PNC, and to provide all necessary services and protection to survivors, victims and witnesses such as the provision of medical, sexual and reproductive health, psychosocial, mental health, legal and socioeconomic services, encourages the Government of the DRC to enhance its implementation of the Joint Communiqué on the Fight Against Sexual Violence in Conflict adopted in 2013 and its addendum signed in 2019, and to ensure adequate funding is allocated to the implementation of these commitments, welcomes further progress by the FARDC and the PNC in implementing their respective action plans against sexual violence and recalls the importance of cooperation with the Office of the SRSG for Sexual Violence in Conflict;*

*9. Strongly condemns all armed groups operating in the DRC (...) and reiterates its condemnation of (...)sexual and gender-based violence (...) and further reiterates that those responsible must be held accountable;*

*13. Welcomes the commitments and actions taken by President Tshisekedi and his government to advance security sector reform (SSR) (...) and calls on the Government of the DRC to (...) taking into account women's full, equal, effective and meaningful participation and safety, and encourages international partners to increase their support in this regard;*

*16. Commends the EAC-led Nairobi process (...), commends the ongoing AU-mandated mediation under the aegis of Angola (...), encourages further efforts to implement the ICGLR Road Map on the pacification process in the eastern region of the DRC and (...) calls for the full, equal, effective and meaningful participation of women in these processes;*

24. Decides that the mandate of MONUSCO shall include the following tasks in priority order (...):

- Work with the Government of the DRC and humanitarian workers to identify threats to civilians and implement joint prevention and response plans and strengthen civil-military cooperation, to ensure the protection of civilians from abuses and violations of human rights and violations of international humanitarian law, including all forms of sexual and gender-based violence (...);
- Provide good offices, advice and assistance to the Government of the DRC, in close cooperation with international and local partners, for the EAC-led Nairobi process and for the implementation of the PDDRC-S (...) while paying specific attention to the needs of women and children formerly associated with armed forces and groups;
- Provide support to the disarmament, demobilisation, repatriation, resettlement and reintegration (DDRRR) process to return and reintegrate foreign combatants not suspected of international crimes or abuses of human rights and their dependants to a peaceful civilian life in their country of origin, or a receptive third country while paying specific attention to the needs of women and children formerly associated with armed forces and groups;
- Provide good offices and strategic and technical advice (...) to the Government of the DRC (...) to: accelerate national ownership of SSR (...) which take into account women's full, equal, effective and meaningful participation and safety;'

29. Requests MONUSCO to take fully into account gender considerations as a crosscutting issue throughout its mandate and to assist the Government of the DRC and other relevant stakeholders in creating a legal, political and socio-economic environment conducive to ensuring the full, equal, effective and meaningful participation and full involvement and representation of women at all levels, and survivors of sexual and gender-based violence, for the maintenance and promotion of peace and security, protection of civilians, including by engaging women's networks as partners in protection, support to DDR and SSR efforts, and support to stabilisation efforts, requests MONUSCO support the government in advancing women's full, equal, effective and meaningful political participation, in particular achieving the 30% constitutional quota and acknowledges the crucial role of United Nations Women Protection Advisers in MONUSCO;

37. Urges troop- and police-contributing countries to continue taking appropriate action to prevent sexual exploitation and abuse, including vetting of all personnel, predeployment and in-mission awareness training, to ensure full accountability in cases of such conduct involving their personnel, including through timely investigations of all allegations of sexual exploitation and abuse by troop- and police-contributing countries to hold perpetrators accountable, to repatriate units when there is credible evidence of widespread or systemic sexual exploitation and abuse by those units, and to report to the United Nations fully and promptly on actions undertaken;

43. Requests the Secretary-General to report to the Council every three months (...) and further requests the Secretary-General to include gender analysis in all reports to the Security Council;